Peacebuilding in (post) conflict Colombia: The Role of Dutch Private International Companies

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AUC  Colombian United Self-Defence
B4P  Business for Peace
CDA  Collaborative Learning Projects
CEPAL Economic Commission for Latin America and the Caribbean
CNMH National Centre for Historical Memory
CSR  Corporate Social Responsibility
DNP  National Planning Department
ELN  National Liberation Army
ESCAP United Nations Economic and Social Commission for Asia and the Pacific
EU   Europe Union
EY   Ernst & Young
FARC-EP Revolutionary Armed Forces of Colombia – People’s Army
FCAS  Fragile and Conflict Affected Settings
GIZ  German Corporation for International Cooperation GmbH
ISS  Institute of Social Studies
JEP  Special Jurisdiction for Peace
KAS  Konrad Adenauer Stiftung
M19-EPL Popular Liberation Army
MNC  Multinational
NGO  Non-Governmental Organization
OECD Organization for Economic Co-operation and Development
PBC  United Nations Peacebuilding Commission
SDG  Sustainable Development Goals
UN   United Nations
UNHCR United Nations High Commissioner for Refugees
UNIDO United Nations Industrial Development Organization
WB   World Bank
WTO  World Trade Organization
ZOMAC Conflict Most Affected Zones
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Abstract

After more than 60 years of conflict, Colombia signed in 2016 a peace agreement between the government and FARC-EP (Revolutionary Armed Forces of Colombia – People’s Army), the largest rebel group in the country. Even though the role of private business actors during the conflict was much discussed and often understood as a cause for protraction of the conflict, the interest of this research is to shed light on the understanding of why and how the private sector, particularly Dutch Private International Companies contributed to peacebuilding in the Colombian post-agreement context.

A qualitative research approach is used, in which data was collected from the companies selected in order to understand the current situation of the country. To analyse these findings, especially the relationship and context in which two of the main actors of civil society interact – private sector and state –, a broad concept of governance was used. This helped to look at the relations of those actors who sought to achieve peace and understood it as a public good, in a process called peacebuilding.

This research is organized as follows. First, a general introduction presenting the research problem based on a strong call from the international community and government, for the private sector as a strategic partner in fostering peace. Next, a general context of private sector involvement in the Colombian armed conflict is described. This is followed by the theoretical approach in which the key concepts of governance, peacebuilding and private sector are used to analyse the findings. The final section is a presentation of the main findings that are in relation to the role of the state and state institutions in shaping private sector responses to foster peace. This is enhanced by a strong influence of neo-liberal peace to the local context, creating an insensitive environment for peacebuilding that might prolong the conflict leading to a vicious cycle in which conflict is perpetuated.

Relevance to Development Studies

An oversizing of the private sector’s capacity due to its simplification and homogenization as a sector has fueled the expectation that this actor can do things that other actors such as the National State, NGO’s or international organizations have been unable to manage (Rettberg and Rivas 2012). This reality is enhanced by the common trend to do business as usual, which is ruled by a profit agenda and an insensitive conflict environment, making it pertinent to stop and rethink what can we expect from this powerful actor in a post-agreement context.

Keywords

Private Sector, Peacebuilding, Governance, State, Government, Institutions, CSR.
Chapter 1 Introduction

The United Nations (UN), aware of the special needs of post-conflict societies in the post-agreement context, established in 2005 the United Nations Peacebuilding Commission (PBC) to support international peacebuilding as a platform to bring together all the relevant actors. Understanding that “rebuilding a shattered society takes far more than bricks and mortar. Quite often, the deeper challenge is restoring people’s sense of opportunity, dignity and hope” (United Nations 2009: 3), therefore economic, social and political recovery is needed to rebuild a functioning society.

This paper, on the one hand recognizes the development and security nexus, and its implications towards a sustainable peace. In this regard the UN places special attention on the importance of economic development, that is reaffirmed by their 2009 Policy for Post-Conflict Employment Creation, Income Generation, and Reintegration, arguing that “employment and income generation are fundamental elements of the post-conflict solution” (United Nations 2009: 3). It is in this particular relationship where the private sector becomes a key actor in rebuilding strategies, but at the same time is where the implication of this engagement gets simplified into economic terms, leaving behind the importance of social, cultural and political characteristics of peacebuilding.

On the other hand, the role of the private sector is not without contradictions. Evidence suggests that not only does the private sector like to conduct business as usual, going where profits can be made but also that they have benefited from and/or prolonged conflict. Without ignoring the role of the private sector, especially International Private Companies as dominant forces in society, the problem to some extent is that several are expecting greater results from the private sector in worldwide problems such as poverty and conflict, even when civil organizations and governments have failed to resolve them. One example of this is the Sustainable Development Goals (SDG) No. 17 called “Partnerships for the Goals, Revitalize the global partnership for sustainable development”¹ (United Nations n.d.). This interest from the international community to bring business on board has been built more on ideals than praxis. These contradictions are also a concern in Colombia where private business actors are on one side being accused of prolonging the conflict, but also are been promoted to engage in post-conflict peace building.

The Colombian government is expecting the private sector to play a key role in the (post) conflict process. On the one side as a way to address two of the main roots of the conflict related to resource distribution and land reform where private business actors have a stake. On the other side, it is explicit in the program of the Ministry of Post-Conflict called “Colombia Reance” (The rebirth of Colombia) launched in De-

¹ See the UN Sustainable Development Goals on their website: https://www-un.org.eur.idm.oclc.org/sustainabledevelopment/sustainable-development-goals/
cember 2016, where the private sector is presented as a protagonist actor to promote socioeconomic development in the most affected territories. However, the involvement and development of the program has not gone as expected. This was evident at an event organized by EY (before Ernst & Young), which showed that the private sector was losing the benefits of the post-conflict politics due to lack of projects presented in 2017 (Revista Virtual 2017).

The state and international organizations are not the only institutions promoting the private sector as an important partner in Colombia’s peacebuilding, as it is possible to see in the initiative called “Emprender Paz, la apuesta empresarial”2 [“Engage in peace, a business commitment”]. This initiative was started in 2007 by the GIZ (German Corporation for International Cooperation GmbH) and KAS (Konrad Adenauer Stiftung) with the main objective to exalt business commitment towards peace. The call for the competition was open for private sector business and organizations’ initiatives that promote inclusion of vulnerable communities affected by the violence.

Against this backdrop, it is pertinent to investigate the position of the international private companies in (post)conflict Colombia and their role in peacebuilding. This is positioned in terms of why and how they engage or not in the peace process, if there was any change in their politics or strategies once the peace agreement was signed, and to look at which kind of peacebuilding approach they follow. In other words, how is this process of governance between two of the main actors involved – private sector and state – achieving peace as a public good? Despite the strong call made by international and national actors requiring international companies to play a key role in post-conflict peacebuilding, there is less known about this nexus from the perspective of international private business in relation to political contexts. This research aims to look into this gap to enhance the knowledge in the Colombian context by understanding how and why Dutch private international companies contribute to peacebuilding in Colombia. Specifically, by looking at whether they have any policies that refer to it and its possible role therein, and also the meanings of ‘peace’ and business that underpin those policies.

1.1 Justification

“The private sector has become the darling of international and domestic organizations seeking strategic partners in building sustainable peace” (Rettberg, 2016: 481), however there is still limited evidence of the positive impact of this campaign. To analyze the reason for this lack of results it will be helpful to try to understand it from the private sector perspective. This can be useful in Colombia, as currently, after almost

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2 From 2007 till now the initiative "Emprender Paz" has had a total of 541 projects registered and 40 organizations have received the award. The award ceremony is held every year and the prize is in terms of monetary support, mass media communication and networking. To know more about this initiative, visit the link: http://www.emprenderpaz.org/
two years of the signing of the peace agreement in 2016, there is a strong call for companies to join this process of peace building, but the response to this call remains very weak. For the Colombian government, it is fundamental for the peace process to have the support of the private sector in order to comply, not only with what was agreed in the negotiation in economic terms, job opportunities for the demobilized and crop substitution program, but also, in terms of infrastructure and economic promotion of the most affected areas. Regardless, for a positive peacebuilding to take place, more than just economic initiatives by the private sector is needed, otherwise, the vicious circle of conflict will be maintained if the structural roots are not addressed.

1.2 Methodology

The focus of this research will be on the Private Sector, with the interest to understand why and how they contribute to peacebuilding in Colombia in a (post) conflict scenario. The arena where this relation takes place is local, national and global, but we will look at Dutch private international companies that have businesses in Colombia. The interest in Dutch companies is due to its rising impact on the Colombian economy, and within Europe is one of the main foreign investors in the country. In addition, because of the new agenda of Dutch Development cooperation that does not merely want to give development aid, they would rather trade and help most of the economies that are struggling (except for the absolute poor few countries) including post-conflict ones. Within this trade and development cooperation, Colombia is listed in ‘A world to Gain, A New Agenda for Aid, Trade and Investment’ as one of the countries that are at the end of the transition from aid to a trade relationship (The Netherlands Ministry of Foreign Affairs 2013). In light of this change, they are encouraging more trade and business opportunities for Dutch companies elsewhere. Moreover, of interest to the Dutch Ministry of Foreign Affairs is a campaign to promote responsible practices that contribute to peace and stability in other countries especially the ones in conflict. This interest, to be sensitive with fragile countries can be seen in the ‘CSR in Colombia: Observations and recommendations’ (2016) report that includes an extensive context of Colombia. Relatedly “in order to improve communication with private sector stakeholders about CSR, we asked MVO Netherlands and BBO (Bringing People and Politics) to provide an up-to-date overview of the most important CSR risks – and opportunities - for Dutch companies in Colombia” (Jansen and Veeneman 2016: 2). This 2016 report was commissioned by The Netherlands Enterprise Agency (RVO), which provides commercial information to companies from the Netherlands. Together with the Embassy of the Netherlands in Colombia and the bilateral Chamber of Commerce ‘Holland House’ they assist Dutch companies doing business in Colombia.

The selection of the companies did not follow a straightforward path. A first step was asking Holland House for some help with contacts of the companies registered and even the possibility to conduct a survey of their members in order to get more qualitative and quantitative information. The information was meant to give a general pano-
rama of the ‘unit of analysis’ of the research, in order to gather an appropriate sample. However, as this was not possible a decision was made to go for ‘handpicked sampling’ that “involves the selection of a sample with a particular purpose in mind” (O’Leary 2004: 110). Eleven Dutch private international companies that have businesses in Colombia were firstly selected from approximately 180 members registered at Holland House (see Appendix 1). This number was chosen because it provides a broader scope of the role of Dutch companies in a (post) conflict scenario (see Appendix 1) and at the same time is a realistic number to address in the short period of time of this research. The first selection of the companies followed some characteristics in terms of size and sector with the interest of having a heterogeneous representation of the Dutch private sector. Regarding size, there was an interest in big and medium companies in order to have access to secondary data, specifically CSR and sustainability reports. With regards to sector, representation of the main sectors, such as oil, agriculture, and commerce were sought. A decision was made to exclude companies in the service sector with the idea to focus on the ones that have tangible operations in the country. Finally, the number of companies contacted dropped from eleven to seven due to accessibility.

The research question was addressed by using a qualitative method approach, in which primary data was collected at the end of June until October 2018. This data consisted a series of semi-structured interviews with representatives from the companies selected, NGO workers, a political figure, a representative of the Embassy of the Netherlands in Colombia and independent consultants (see appendix 2 for a full list of the interviewees). These interviews were conducted not in a straightforward way, for that reason the data collected was used not as evidence-based but as a contextualization tool for the analysis. For the analytical part of the research, anonymous quotes from the interviews are used. This was done to show that the information is representative of the research and not because it comes from a particular company or person. Secondary data was also collected from different documents such as academic literature, policy documents, sustainable and CSR reports, and newspapers (for a list of these documents see Annex 3). The documents were selected for triangulation and in order to help give structure, theorization, and support to the primary data.

1.3 Limitations

The main limitation of this research was to get information from Dutch private international companies. This is a very contested and sensitive field with mainstream positions and also with evidence of negative implications for the private sector in conflict contexts. Some companies have been targeted and sometimes criticized regarding their role, so it is possible to expect reticence from the employees. This made accessing information on certain aspects difficult. To overcome this obstacle, employees of the companies in Colombia, and also some NGOs related to this theme were contacted, as they were more responsive. Something that was not anticipated was
the implication of the politicization of the word “peace” in the process of data collection.

1.4 Positionality

I am well suited to take up this research as I am well informed about the business sector through both my Business Manager Bachelor degree with specialization in Corporate Social Responsibility, and the knowledge acquired during this Master’s program. I also have experience working in the public sector developing strategic alliances with the private sector, NGOs and the state for the promotion of regional museums. Before coming to the ISS (International Institute of Social Studies) I was the Director of the Fundación Amigos de las Colecciones de Arte del Banco de la República [Foundation of Friends of the Art Collection of the Central Bank], where I managed to engage different corporations such as Davivienda Bank, Banco de Bogota, Chevron and Carulla in the support of cultural projects.

Whilst I recognize that one of my biases is my hesitation in expecting business to be as usual, nevertheless without mistakenly generalizing this broad sector, I believed that it is not easy to balance the profit agenda of the private sector with social interest. Business as a sector has several responsibilities due to their impact on society that has not even been assumed and fulfilled. Thus, it is possible that in asking them things beyond those responsibilities of compliance, do not harm and do good, can be a way of giving them the chance to choose what to do, following an altruistic agenda. Be that as it may, the reality is that they are here to stay, growing with some of them bigger than small states, making the private sector a powerful actor, with influences, resources, and knowledge that can also be used as a means for social justice ends.
Chapter 2 Theoretical Framework

The theoretical framework of this research is primarily drawn from a scholarly body of knowledge produced on the understanding of the private sector and the current transformations of the context in which it operates in regard to peacebuilding. In this thesis ‘peace’ is understood as a public good, and as the final outcome of the process of governance. The concept of governance, as broad as it is, will help to analyse how social behaviour is steered by different actors and the influence of the changing relations between them. This study focuses on the state and the private sector, two of the main actors concerning governance in a post-agreement context. Whilst recognizing that civil society also plays a key role in regulating social behaviour, the particular interest of this research, are the two actors aforementioned and their dynamic interactions. An understanding of how the relationship between the state and the private sector is ordered and how it unfolds in search of peace in Colombia in the post-agreement phase will provide the tools for understanding the overall environment related to peacebuilding and to recognizing the influencing role of the private sector.

Based on the private sector and peace building literature, this research builds on the role imposed by the international community with the aim of mobilizing the private sector as a strategic partner to build peace. Being aware that the positionality of these two actors – private sector and state - and the multiple meanings of peace, present the conditions of a very complex scenario for peacebuilding. On the one hand, focus will be on the state with its main objective of providing public goods – peace dividends in the context of post-agreement Colombia - and services for its citizens. On the other hand, attention will also be given to the private sector that has profits as its main objective but at the same time has been asked to play a role to foster peace. The result is two actors with different objectives and values planning to work together for a public good. The diagram below (see figure 1.1) visualizes the key actors, their relationships, interests, values, and goals in relation to fostering peace in a process called peacebuilding, which this research aims to capture.
2.1 Governance

Governance is one of the key terms used in this research that will help to elaborate on how different actors engage, what are their motives, values, and understanding towards peace, where they meet and don’t meet, tensions, disagreements, and judgments. The origins of the term governance can be traced from the Greeks, which means to conduct a ship. From then until now it has been applied indiscriminately but always related to conducting social behavior (Fukuyama 2016). As a result, Offe states that governance has an ‘empty signifier’ as a result of the broadness, application, and vagueness of the term, and thus needs to have ‘conceptual boundaries’ (Offe 2009).

However, there are different notions of governance, one of them is Fukuyama’s (2016) three categorizations of the meanings of governance: (1) Traditional Public Administration, (2) International Governance, and (3) Governing without Government. The Traditional Public Administration that in modern times is also called “Good Governance” refers to the implementation of policies by the traditional state to provide

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3 The World Bank is one of the key proponents of good governance as an agenda. It presents good governance mainly as a technocratic approach to governance with 5 criteria to be fulfilled if governance is to be effective and considered to be good: strengthening public policy processes, promoting effective resource management, reinforcing public service delivery, strengthening the public-private interface and understanding the underlying drivers and enablers of policy effectiveness. It has “8 major characteristics: It is participatory, consensus oriented, accountable, transparent, responsive, effective and efficient, equitable and inclusive and follows the rule of law. It assures that cor-
public goods and services for their citizens. The International Governance also called supranational governance refers to the influence of non-state actors supervising, complementing and also substituting traditional state functions, one example are international organizations such as the United Nations, the World Bank and also multinationals. The final one, Governing without Governance also known as domestic governance is performed by non-state actors in this case civil society using inter-organizational networks.

There are different related concepts that have been developed in relation to governance, one of them is Governmentality by Foucault that aims to address the problem of government that came with modernization. Governmentality addresses questions such as “how to govern oneself, how to be governed, by whom should we accept to be governed, how to be the best possible governor” (Foucault 2007: 88). This concept is related to the shifts of power from the center and is distributed among the population. Broadly, governmentality refers to tools of governing (which often includes agreements, treaties, guidelines, regulations, etc.).

These shifts of power can be seen as a consequence of the inefficiency of the state to govern and provide public goods and services, and is where other actors are gaining power, such as the private sector. As a response, the state not only started to use concepts from the private sector but also began partnering with it. However, the market mechanism in the public sector and growing privatization has been criticized by some scholars in terms of the principal-agent theory that is understood as the conflicting objectives of public action that is at the center of the public service motivation against self-interest as is the private sector force. Governance and governmentality are used as analytical tools in this research to address the relationship between the market and the state to understand how different actors relate together to promote, monitor and also produce public goods. These relationships can be clearly seen in Steurer’s (2013) representation of governance as a Venn diagram (see figure 1.1) where actors overlap with each other, but at the same time have their own domain. The interest of every society is to find a way to foster the relationship between its actors, and this will depend on different variables as an act of “congruence between the scope of the underlying problem and the organizational structures of the related actors, the type of problem, and the institutional context…” (Knill and Lehmkuhl 2002: 44).

With regards to market mechanism and privatization, two main trends, globalization and the neoliberal agenda, among other factors are part of the causes of the emergence of post-sovereign governance, that is understood as the shift of power from the state to the market, from government to governance, changing the lead role from the state to private economic actors and civil society. Involving the two actors in the institutional configuration is what Foucault defines as “the conduct of conduct” a new form of governmentality that is empowering actors but at the same time disempower-

ruption is minimized, the views of minorities are taken into account and that the voices of the most vulnerable in society are heard in decision-making” (ESCAP n.d).
ing others (as cited in Swyngedouw 2005: 1993). Looking at this as a zero-sum game, the ones that gain most of the power are international corporations, as is the case with multinationals and transnationals that have expanded their power sometimes beyond the state. On the flip side is the state, which loses based on the call for governance reform.

As a result of ‘the conduct of conduct’ there is a new social order that leaves gaps in governance that need to be fulfilled for each part of society. In the case of the private sector, especially private international corporations they are playing an important role and gaining power every day, in which rests a lot of pressure on how to act. Adversely, there is an important factor to keep in mind, that is who is going to control, regulate and sanction them with a state that is becoming weaker. As an answer, there have been formal institutions and multi-stakeholder initiatives such as guidelines, codes of conduct, frameworks, UN platforms and initiatives such as Global Compact, Business for Peace, Protect, Respect and Protect Framework and Guiding Principles, to regulate, monitor and set the responsibilities for the private sector. Ruggie emphasizes the need for ‘polycentric governance’ where a “new regulatory dynamic was required under which public and private governance systems-corporate as well as civil-each come to add distinct value, compensate for one another’s weaknesses, and play mutually reinforcing roles-out of which a more comprehensive and effective global regime might evolve, including specific legal measures" (Ruggie 2013: 78).

The representation of the marketization and neoliberal policies shifts can also be seen in the initiative promoted by the World Trade Organization (WTO) and the Organization for Economic Co-operation and Development (OECD) called ‘Aid for Trade’ that rests on the belief that trade can be a powerful engine for economic growth and poverty reduction. Its main objective is to tackle poverty and underdevelopment by addressing the capacity constraints of some countries to compete in and benefit from the global markets (OECD and WTO n.d). In other words, as the WTO Task Force on Aid for Trade in 2006 stated it: “is about assisting developing countries to increase exports of goods and services, to integrate into the multilateral trading system, and to benefit from liberalized trade and increased market access”4. In the same vein this is based on the well-known development and security nexus, following the common wisdom of “once war was over, development would arrive to repair the damage, drive the country towards economic growth, prosperity, eradication of poverty, and democracy” (Hintjens and Zarkov 2014: 8).

2.2 Private Sector

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As mentioned earlier the private sector is a key actor in this study. As such, an aim this study is to shed light on the private sector and its relationship with the state as one of the main actors in the context of post-agreement peacebuilding in Colombia. The private sector is a broad concept but its definitions tend to be simplistic. This has been one of the main critiques from some scholars, that state the simplification of the concept, as a way to make it more accessible, can be one of the explanations for the homogenization of the private sector. A general definition as a departure point can be useful. Andersson et al. (2011: 13) define the private sector “as that part of the economy that is controlled by private individuals or groups rather than the state and is typically organized and run for profit”. However, for this particular research, the National Development Program’s definition is more useful, it defines the private sector as “individual, for-profit, and commercial enterprises of any size…The definition does not include private sector membership organizations, coalitions or other not-for-profit organizations that either represent or support the private sector or corporate foundations” (UNDP n.d.: 4). It is also possible to continue narrowing the scope with classification by size, sector, origin, etc. With regards to the particular interest of this research, focus is placed on private international companies that includes multinationals, international, transnational and global companies, and the assigned role in peacebuilding and peace by other actors such as the state and international actors.

As a result of globalization, the private sector is playing a very important role not only in economic development but also in the social, political and ecological context. “Unless globalization works for all, it will work for nobody,” said the former UN Secretary General Kofi Annan on January 31, 1999 at the World Economic Forum in Davos. Globalization and theories of liberalism are weakening the state and strengthening the private sector, especially international companies. This can be one of the reasons why in this new global economy full of complexity and multiple actors some scholars and organizations believe that “multinational corporations can have an influence on geopolitical development” (Fort and Schipani 2004: 225). This important role of the private sector followed by their implication in society and environment is where the call for responsible business has its basis and evolved into the famous concept of Corporate Social Responsibility (CSR). At its inception, CSR as a concept was very close to philanthropy but has developed in different ways opening the scope to different issues, one of them being the responsibility to foster peace.

In the same vein of the CSR approach, since 1992 following the report “An Agenda for Peace”, the UN has been endorsing the relationship of business for development, followed by the OECD and the EU, who advocate for the importance of the private sector not only in development but also in peacebuilding (Jayasundara-Smits 2015). As stated by the Director of the United Nations Industrial Development Organization (UNIDO) Li Yong, “partnering with the private sector is the foundation of any successful large-scale development strategy” (UNIDO and United Nations Global Compact 2014: 2). Particularly with the UN Global Compact program and its platform Business for Peace (B4P) supported by international development organizations, there is an increasing interest to promote the private sector as peacebuilders (Miklian and Schouten 2014).
Barbara’s (2006) categorization of two peace-building approaches, is useful in understanding the promotion of the private sector and its associated role in fostering peace. The first is related to economic influence and the second, which is not as popular as the first, is the political peacebuilding approach. Commonly the private sector is addressed as an apolitical economic actor leaving aside their political implications. In order to understand the consequences of this non-state actor’s participation in pursuit of peace, it is important to recognize “the private sector as an economic and political peace builder” (Barbara 2006: 591).

2.3 Peacebuilding

In the discussion on peace-building and peace some scholars with an interest in making matters simply refer to peace as the absence of violence and absence of bloodshed (Oetzel et al 2010). However, what is behind this absence of violence? What about understanding that “peace is more than the end of conflict, we must look for just peace that is sustainable because it is based on justice. Societies reflect a culture of peace and justice when they address the needs and rights of all people and are fully capable of expressing conflict through democratic process” (Schirch 2004: 56).

Notably Johan Galtung, the pioneer of peace and conflict studies states that it is important to be aware of the following distinction, “negative peace, which remains the ‘absence of organized collective violence’, [and] positive peace, which is the sum total of other relatively consensual values in the world community of nations” (Galtung, J., 1967: 17). Relatedly, “the reason for the use of the terms ‘negative’ and ‘positive’ is easily seen: the absence of personal violence does not lead to a positively defined condition, whereas the absence of structural violence is what we have referred to as social justice, which is a positively defined condition (egalitarian distribution of power and resources)” (Galtung 1969: 183).

Going beyond the definition of peace, liberal peace is understood as “a recipe of combining multiparty politics with market reforms to liberalize local markets” (Hintjens and Zárkov 2014: 9). It is at this particular point where the private sector became relevant when addressing conflict and peace. Miklian and Schouten distinguish the two paths of liberal peace, one called ‘positive liberal peace’ that places strong attention on institutions and foreign policy and the ‘negative liberal peace’ which relates to a logic of capitalist theory that stresses expansions of the market as a way to foster peaceful societies. In the negative liberal space the private sector takes on a protagonist role (Miklian and Schouten 2014).

These definitions listed above give the opportunity to move forward in understanding peace as something that is not static, something that follows a process and supports the general idea that it is not just responsibility of the state to foster peace, but the responsibility of all, including civil society and the private sector. The peace process
“is conceptualized as a sequence of interconnected processes that parties to a conflict – as well as various third-party actors – participate in to prevent, manage or resolve a violent conflict” (Andersson et al. 2011: 14). In this research, the categorization of the peace process by Andersson et al is followed. This categorization is described as “peacemaking processes [which] aim to bring an end to open violence while peacekeeping processes are undertaken to prevent relapse into violence. Peace-building processes, in turn, aim to move a conflict from negative peace to positive peace through transformations in governance structures, society, and economy” (Andersson et al. 2011: 14).

The definition of peacebuilding used in this research also aligns with Lederach’s approach, which states that it is “more than a post-accord reconstruction… [Peace] Is understood as a comprehensive concept that encompasses, generates and sustains the full array of processes, approaches, and stages needed to transform conflict toward more sustainable, peaceful relationships” (Lederach 1997: 20). These broad terms imply multiple and complex interpretations. When it comes to peace, which involves different actors and their interrelated relationships: is it possible to have the same understanding of peace? Is peace the same for the different actors involved? Is peace a utopia? And in that sense, what is the process to achieve peace?

2.4 Private Sector and Peacebuilding

Understanding the positive as well as the negative dynamics of the linkages between private sector activities and peace processes is thus a first step towards addressing the larger question of whether private sector activities contribute to peacebuilding, and, if so, how (Andersson et al. 2011: 12).

With an interest in having more elements that help to analyse the results of this research, the relationship between private sector and peace-building is highlighted. In looking into the relationship between the private sector and the state, peace-building is understood as a process to move from conflict to positive peace, addressing its structural roots, and recognizing sustainability as a key principle and that its development “implies long-term thinking and planning, [by] creating constructive relationships” (Schirch 2004: 56). “While there is a general consensus that the primary responsibility for peace, security, and development must rest with governments, it is clear that private sector actors may play important roles when it comes to fostering peace and development in conflict affected countries” (Andersson et al. 2011: 8). It is evident here that scholars, over the past decade, have been developing different approaches to address this relationship (see also Bond 2014; Oetzel et all. 2010; Prandi 2010; Rettberg 2010; 2016; Santamaría 2017).

The private sector commonly tends to emphasize CSR as a means to undertake peacebuilding (Prandi, 2010), but it is important to note that, considering the complexities of the context in which CSR takes place, that CSR is “not the only alterna-
tive companies may rely on in order to take a more active role” (Santamaria 2017: 50). One interesting model that tries to address this specific factor is the “Interdependent Engagement Model” of McKenna (2017) that aims to align CSR and peacebuilding. The model aims to make CSR a more holistic approach by including eight sites of interdependence that companies need to address in order to have a better understanding of the social dynamics that can give them the opportunity not only to not fuel conflict but also to engage in processes of social change and transformation.

The academic construction of private sector involvement in peace goes further than the simplistic approach from the private sector. Following Banfield’s, strategies for managing corporate-conflict risks, the first step is compliance with local, national and international regulations; the second step is to move beyond to a ‘do no harm’ approach of being sensitive to conflict occurring in the context of where companies operate; and finally, when the two previous steps have been accomplished, is the stage in which companies proactively contribute to positive peacebuilding (Banfield et al. 2003). Different scholars have developed this further, one being Timothy Fort (2017) who defines three kinds of contributions by the private sector to peacebuilding, the first step is economic development, followed by the rule of law and finally developing a sense of community. Oetzel’s strategies for businesses to foster peace include: promoting economic development, enhancing the rule of law, contributing to community development, engaging in track two diplomacy and conflict sensitive practices (Oetzel, et al. 2010). Barbara (2006) also expands on her definition of the two peacebuilding approaches; first the economic, in which the private sector uses their economic influence, and the second political, when the private sector engages in policy, dialogues, truth and reconciliation, capacity building and governance systems. For the analysis of this research a matrix was developed which shows an overview of the different scholars approaches to the different stages of private sector involvement in peace. Whilst being aware that the matrix is not at all complete, nevertheless it can be a helpful tool to unpack the complexity of the private sector and peacebuilding (see table 1.1).

Others scholars are interested to understand not only how, but why the private sector gets involved in peacebuilding; as highlighted by Rettberg (2016) “need, creed, and greed” are the three perspectives of private sector engagement in peace. ‘Need’ is related to costs and risks of an unstable context, ‘creed’ is more closely related to philanthropy and ‘greed’ is the more classical motive which is profit driven. All three perspectives are commonly involved in every company but differ in its proportions depending on the characterization of each enterprise and also on the context.

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5 Model developed in the book by Kyle McKenna called “Corporate Social Responsibility and Natural Resource Conflict”. New York: Routledge, 2017. The model is developed especially for companies related with natural resources following the known ‘resource course’ based on two theoretical insights, one is the Latourian understanding of ‘the social’ and the other Fraser’s (2008) dimensions of justice.

6 ‘Do No Harm’ is a concept developed by Mary Anderson, see: https://www.cdacollaborative.org/publication/do-no-harm-how-aid-can-support-peace-or-war/
### Table 1.1
Overview of the stages in which the private sector plays a role in peacebuilding

<table>
<thead>
<tr>
<th>Stages</th>
<th>Criteria</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Compliance</td>
<td>Minimalistic approach, Comply with the law: local, national and international. Conventions and standards. Focus on HHR. Follow UN and OECD guidelines. External valuation: hard trust, coercive institutions, guidelines, codes of conduct. The role of the state and third party verification is important. Promote economic development: jobs, local investment, and positive economic spillovers.</td>
</tr>
<tr>
<td>3 Peacebuilding</td>
<td>Last step beyond compliance and ‘do no harm’. Proactively contribution to positive peacebuilding: innovative social investment, stakeholder consultation, policy dialogue, advocacy and civic institution building. Collective action. Engage in track two diplomacy. Implementation of peace agreement, integration, political reform, reconciliation, redistribution of resources, stability change, transformation of security and/or</td>
</tr>
</tbody>
</table>

Chapter 3 Private Sector Involvement in the Colombian Armed Conflict

Map 1.1
Map of Colombia

Colombia is a country with a long-standing history of conflicts, from colonization to present day. War and conflict are words that reside deep in our hearts. It is said in the country that in this generation there is no one that has lived or known what it is like to live in peace, especially when we think about the civil war that has been going on for more than 60 years. It is known as the longest running conflict in America, with the second highest displaced population of 7.6 million (UNHCR 2018), and with more than 260 thousand deaths (National Centre for Historical Memory 2016). The conflict involves different groups including the state, the guerrillas and the paramilitaries, among others. This conflict has been very politicized, there are groups that recognize it as a civil war, but others label it as terrorism. It is also not clear when it started, some argue that it started in 1948 with the assassination of Jorge Eliser Gaitán – the favoured candidate to win the presidential campaign, but others set the starting date in 1964 with the creation of the FARC-EP. It is not easy to get a consensus about the roots of the conflict due to its transformations during this long period. However, what can be discussed are the causes of the conflict in terms of land issues, resource distribution, rural inequality, and social investment. To a large extent the situation is a result of state action in favour of private interests, expressed in political decisions re-
lated to land tenure (Fajardo 2015). This emphasises the importance of land in the political and economic structures of the country. In terms of governance, the country entered into the neo-liberal era and experienced administrative changes, such as a failed agrarian reform, an implementation of a decentralization policy and a new constitution (CNMH 2016: 141). All of which was strongly influenced by The United States’ politics in economic, politic and military terms. These circumstances in Colombia show how the “historical persistence of armed conflicts are strongly related to the resistance of the dominant economic and political interests to incorporate norms and practices that can tackle inequality and exclusion” (Fajardo 2015: 36).

There have been different attempts from the government and society to end the Colombian civil war, from military actions to peace agreements. Even though two peace agreements were signed in Colombia before 2016; the Corinto in 1984 with the M19-EPL (Popular Liberation Army) and the Ralito in 2003 with the AUC (Colombian United Self-defence); it was the last one, signed with FARC-EP that gave hope to the country to think and dream about peace. On the 24th of November 2016, the ‘Final Agreement to End the Armed Conflict and Build a Stable and Lasting Peace’ was signed between the Colombian government of President Juan Manuel Santos (2010–2014/2014–2018) and the FARC-EP. After more than 5 years of negotiation, a failed plebiscite and the division of the country; joy and hope mixed with doubts, anger, and fear in the aftermath. This last agreement gave hope because it aimed to tackle some of the main issues regarding structural violence in the country, land distribution, rural segregation, drug crops and justice for all the actors of the civil war not just for the rebels. Even though the agreement that was finally signed had modifications in some key issues, and being aware that a peace agreement alone is not going to bring positive peace, Colombians finally faced an opportunity to work together towards peace.

It is not possible to generalize the private sector participation in the conflict, but evidence has shown that some companies, especially the extractive sector and agribusiness have made allies for self-protection with non-state armed groups (Grajales 2011). Nevertheless, it cannot be ignored that the private sector has not only played a role in the Colombian conflict but also in the peace processes. In 1982 the private sector got involved in the peace negotiations of the Belisario Betancur government, and then again in 1997 they joined the program called ‘Social Initiatives for Peace’. Later on, during Andres Pastrana government (1998–2002) the private sector was part of the team that negotiated with FARC-EP, as this negotiation failed, the private sector in Alvaro Uribe’s government (2002–2006/2006–2010) supported the military strategy to fight against the rebel group; but also during Uribe’s mandate the private sector was a partner in the 2003 Peace Agreement with AUC offering job opportunities for demobilization. The private sector was also part of the Havana negotiations with FARC-EP, they supported by paying for external advisors, and they also lobbied for land reforms and truth commissions (Miklian and Rettberg 2017). Then, when the peace agreement was signed, the Post Conflict Ministry launched in 2016, a program called “Colombia Renace” [“The Rebirth of Colombia”] with a full chapter dedicated to the importance of the private sector in helping to eradicate the socio-economic condi-
tions that lead to violence and to foster a just society. This program is willing to bring all three actors together (state, private sector, and local community) for peacebuilding, and focuses on three different areas, namely infrastructure, relocation of businesses and job promotion in the ZOMAC (Most Affected Areas of the Conflict). Additionally, in the 2014-2018 Development Plan it is stated that “the business sector is summoned to proactively and steadily participate as an outstanding agent for a stable and lasting peace in Colombia” (Dirección Nacional de Planeación 2014: 43). The result of private sector involvement in Colombia is still disputed, as one the one hand they lend support with resources whilst on the other, they prioritize private interests over social ones for their own benefit.
Chapter 4 Governance for Peace

Sólo un pueblo escéptico sobre la fiesta de la guerra, maduro para el conflicto, es un pueblo maduro para la paz [Only a nation that is sceptical about the revelry of war and mature enough for conflict is a nation mature enough for peace] (Zuleta 2015: 74)

It is possible to identify the importance of the overall political context in this research, which includes the historical political context, and the role of the state and state institutions in involving the private sector. This main chapter will try to answer why and how the private sector engages in peacebuilding, and also how the political context has shaped various responses, from wanting to engage, not knowing how to, doing things without mentioning peace, not doing anything as an excuse, or doing the minimum by sticking to the guidelines.

Transitions are difficult for living beings and in this process adaptation is needed in order to cope with those changes and new contexts. This is commonly known as evolution. Adaptation and evolution take place in an environment/society, involving different actors and relationships among them. When we talk about a society that has been living in a civil war for more than 60 years, now with an opportunity to transit towards peace with the signing of the peace agreement, we need to ask ourselves an obvious question: are we prepared for peace? The first answer easily can be a big YES. However, it is not that simple, conflict has been internalized in the structures and culture of the actors involved, and those changes can affect the status quo that may threaten our own stability. Echoing the words of Zuleta (2015) “are we as a nation mature for peace?” one of the interviewees CODX (2018) compared companies to human beings saying that “companies in Colombia had internalized the conflict, they have habits as human beings, and now in the post-agreement context they do not know how to behave, what to do, they are expectant on what is going to happen, they need time to accept the changes”.

A nation is shaped by different actors such as the state, the private sector, and civil society, among others, and how they relate and interact to achieve a common goal is what governance is about. In this study, we are interested in peace, a concept with different meanings and understandings, and also on how two of the actors mentioned above – state and private sector - interact to achieve public good. This process in pursuit of peace is what we call peacebuilding which received multiple calls from different institutions for a “more engaged private sector involvement and partnerships” (Miklian 2016: 2). Considering the moment that Colombia is facing in a post-accord context that is seen with optimism in the world, something that the United Nations Secretary-General Ban Ki-moon described in Cartagena in 2016 as “a bright flare of hope that illuminates the world”. However, doubts persist within the country, especially since the presidential candidate who won the elections is part of the political party that was against the peace agreement. This dual situation was also mentioned by CODK (2018) “there are two ways of looking to the actual situation of the country, the internal view of negativism, or the external one that is very positive”. This was reiter-
ated by CODJ (2018) who stated that “worldwide but especially Europe look at the Colombian post-agreement context in a superficial way, without critical and analytical thinking, without knowledge of the conflict and that is one of the reasons why they are optimistic”.

4.1 Private Sector on/off/half board with the pace agendas

Since 1992, following the UN report “An Agenda for Peace: Preventive diplomacy, peace-making and peace-keeping” and by various initiatives of the UN, like the Global Compact and the platform B4P, a call for the private sector to play a key role in pursuing peace accelerated. In 2004 the then UN Security Council Secretary General Kofi Annan stated that “business itself has an enormous stake in the search for solutions, and companies require a stable environment in order to conduct their operation and minimize their risk” (UN Security Council 2004).

However, the result has not been as expeditious, as “the current enthusiasm for the private sector’s contribution to peace is based more on eagerness to do things differently than on a strong evidence base of success stories” (Hoffmann 2014: 4). Reasons for this situation may be due to the broad concept of peace, homogenization of the private sector, lack of interest, business as usual, high costs and risks, weak state, corruption, politicization, and polarization.

Despite the lack of successful evidence, “firms have attempted to positively influence peace processes through local peacebuilding” (Miklian 2016: 2). In Colombia, there is evidence of,

private sector influence from the 80’s in the Uribe Agreement – ceasefire, peace and truce – between the FARC-EP and Belisario Betancur government, in the 90’s with a more active private sector participating in the San Vicente del Caguán dialogues, and now with the participation of business groups in the Havana negotiation process that among other interests they were looking to take out their obligation to be part of the integral system of truth, reparations, justice and non-repetition (CODG 2018).

However, finding positive projects and strategies from the private sector towards an agenda of pre-agreement in Colombia is exceptional, and evidence shows that generally personal and private interest rather than social, drives private sector involvement is. Whilst the phrase “peace is good for business” is often used in the private sector, evidence to the contrary shows that the private sector “not only tended to be indifferent but also to make a fragile political situation worse” (Ganson 2017: 2).

Particularly in Colombia, in this transitional phase, it is not clear how to align development and peace agendas that are occurring simultaneously and in which an economic approach of peacebuilding is leading the race. From the interviews conducted it was found that the optimism of the situation in Colombia is framed in economic opportunities. CODT (2018) stated that “we are now interested in the rural area, with the post-war scenario new markets are opening for us”, this was also supported by
CODJ’s (2018) explanation of why the company is planning to expand in Colombia “the company is interested in Latin America looking for new markets, because the European market is saturated”. Similarly, CODK (2018) stated that now with the peace agreement “there are new zones in Colombia for development”. The main interest now for companies is more closely related to how they can take advantage of this new context but not in how they can support social change. The economic approach to peacebuilding is generally characterized by business inaction, apathy or even antipathy. This is marked by a governance system based on dominant values and thinking along the lines of neo-liberal peace that is also supported and reproduced by the state.

"Indeed, the findings of a 2010 study by the UN Global Compact and the Principles for Responsible Investment still ring true today: Individual company and industry initiatives to promote conflict-sensitive practices have not been widely embraced and have not yielded a cumulative positive benefit to conflict-affected communities" (Ganson 2017: 9). This was also confirmed by the interviewees, in which the common word used to talk about peace was ‘expectation’, resulting from a context marked by a post-agreement scenario, a (post) conflict process and a new government. As expressed by CODX (2018) “companies are just interiorizing this new context of the country”. CODM (2018) said that “businesses are not prepared, there is still a basic view of peacebuilding and the concept has not been interiorized”. CODS (2018) pointed out that the "private sector has been expectant for more than 30 years". CODT (2018) explained that their company “is waiting for the line of the new government to be part of the post-war process, they would like to join the state to promote a better social, political and economic development of the country”. More importantly, CODQ (2018) states:

if you get to know of a Dutch company in Colombia that is actively engage in peacebuilding, please let me know, because I haven’t heard of anyone doing it. The characteristics of the Dutch companies in Colombia, which more of them are medium size and located in the capital, make it difficult to find a practical approach for them to contribute beyond the compliance of the basic international and national laws and standards.

This statement characterizes the general findings of this study. This is also confirmed by sustainability reports and plans of some companies, when searching for words such as ‘peace’, ‘violence’, and ‘sensitivity’ - no matches were found in any of the reviewed documents. These reports and strategies are part of their CSR and sustainability guides that address social variables in terms of education, environment, and wellbeing. However, as stated by Ghimire and Raj Upreti (2014: 8) “CSR do[es] not constitute peacebuilding on their own", a sentiment that is mirrored by CODG (2018) “not all social actions can be identified as peacebuilding, especially when talking about positive peace. This is the reason why it is important for a company to have a clear ‘business for peace strategy’ aligned with its principles, politics, and practices. For peacebuilding, it is needed intentionality and structural change”.

One of the debates surrounding the private sector and their role in peacebuilding, is their treatment as a homogeneous group. Many argue that actually, there are differ-
ent characteristics that shape the ways in which they interact within the contexts where they operate. “Private sector actors are heterogeneous along a number of axes (local and multi-national, home-state, sectors and industries, operational needs and constraints, specific operational contexts, etc.), and therefore have widely divergent interests” (CDA 2016: 4). Among the companies interviewed it is possible to see the difference between each one addressing contextual issues. For example, CODP (2018) stressed that the company “is a family business and has a clear orientation from the Head Quarters to not get involved in politics”. When asked about peace-building projects a medium-size company’s responded that it would be better if instead of asking them we could recommend projects to support. CODF (2018) informed that the company “is strategically addressing their internal issues”. CODO (2018) stated that the company “is very interested in what is going to happen in the areas where they operate that are most of them in the ZOMAC and to continue working with the community”. Relatedly, CODT (2018) mentioned a new interest of the company in rural development “we now have rural projects in Colombia, we are looking to increase our impact in the new areas that are opening now and to expand the business”.

The matrix ‘Overview of the stages in which the private sector plays a role in Peace-building” developed in the theoretical framework (see table 1.1), is used as a tool to analyze, in a broader sense, where the selected Dutch private international companies are in relation to the stages of peacebuilding in Colombia. It is broad due to the difficulty of getting information about peacebuilding actions and access to reports, plans, and programs of the companies, but it is aligned with what the findings have shown. It is difficult to classify a company in just one stage because their day-to-day actions, activity, plans, projects and programs can affect in a positive or negative way a fragile context. It can be possible to find in the same company actions that refer to different stages for peacebuilding. For the purpose of this analysis, information gathered in the interviews and in secondary data is used with the acknowledgement that it can be basic and quite superficial, but is still useful in unpacking private sector involvement in peace.

It is important to mention that prior to the three stages of private sector for peacebuilding – compliance, do no harm and peacebuilding - it is possible to find two more stages; one of them is ‘do harm’, what CODK (2018) calls “hit and run companies that are interested to benefit from a conflict scenario”. The second one is being ignorant with regard to peacebuilding, this was witnessed in the response of a representative of a company who instead of answering the question about their position in peacebuilding asked about our recommendation. They also mentioned that they have CSR actions aligned with the Free Trade Zone where they operate, so in that sense it is reasonable to assume that (as we could not access their CSR reports) that they follow CSR guidelines, and that this positions some of their actions in the first step called ‘compliance’. Relatedly, it is also possible to identify three more companies selected for this research at this step. Following CODJ’s (2018) response about peace, “peace is responsibility of the state, we as a company just have the responsibility to comply with national and international laws”, and in the same line, CODP (2018) said that their company “is not involved directly in peacebuilding, but they strategically
pointed social – education and nutrition – and environmental programs”. Similarly, CODF (2018) mentioned, “we are more into social programs related to education for employment, and the well-being of their internal personnel”. These answers are typical of a minimalistic approach to peacebuilding.

Moving on to the second stage, ‘do no harm’, it is possible to find initiatives from the selected companies, that would categorize as ‘do no harm’ however without fully complying with it. Regarding ‘sense of community and reputation’, two of the main characteristics of the second step, CODO (2018) mentions that their company maintains a close relation with the regions and communities where they operate, which in most of the cases are areas that do not have the presence of the state.

Finally, as stage one ‘compliance’ and stage two ‘do no harm’ are prerequisites to the final step of ‘peacebuilding’ it is possible to find companies that demonstrate all three stages. This is the case for CDT’s (2018) company, which has projects with the government to develop a tomato production chain that will hire reintegrated people and will help in the substitution of illegal crops. This relates to the last stage ‘peacebuilding’ as it is helping to implement the peace agreement, and at the same time promoting programs that address some of the main causes of the conflict i.e. women empowerment and sustainable agriculture (which can be categorized in the ‘do no harm’ stage). That being said, when looking at their sustainable living plan, we could not find any relation to conflict, sensitivity and neither peacebuilding. As mentioned earlier the words ‘peace’, ‘violence’ and sensitive’ were not used in any of the reports, thus positioning them in the first stage of compliance without a sensitive conflict approach.

This matrix seems simple, but if we follow it strictly in the ways in which all the actions, plans, and programs of a company will comply with each characteristic of the two first stages, we can say as CODH (2018) expresses “positive peacebuilding contribution of private sector is a utopia”. This was also stressed by CODC (2018) “we need to start with the basics, ask the private sector to comply with the first two stages, seeking to engage them in peacebuilding is in a way to give more power and participation in politics than they already have. It is better to double think if we want to give them a role in peacebuilding”. In this way, it is possible to see a context in which the governance system of peacebuilding in Colombia is being steered by economic interest, enhanced by the increased power the private sector is gaining at the expense of the state as a result of globalization and neoliberal policies. In reality peace is not at the center of the companies neither the state’s goals, so it is important in this moment to go back to the basics, to make a revision of the values, interests and relationships of the actors involved, especially to ensure that the objectives of public action are not being replaced by self-interests. This relates to the problem of government following the Foucauldian concept of ‘governmentality’, that is, how to govern, and how to be governed and by whom. Thus, we will need to ask if companies are governing themselves, are being governed by the state or are governing the state?

This brings the debate about the altruistic framework that rules most of the guidelines related to business and peace. A starting point could be to double check if the private
sector is at least doing the minimum by sticking to the guidelines before continuing on to ask for a proactive contribution to peacebuilding.

4.2 Is there an enabling environment for peacebuilding?

Following the argument above it is possible to find evidence that Dutch private international companies are almost off or half board in peacebuilding in this post accord context in Colombia. This despite there being advocacy from the international community to the private sector to partnership for peacebuilding. This section will address the historical and political context in two sections, one related to the local political context and the other one, to the international, and how both of them influence private sector engagement in peacebuilding.

For an effective private sector peacebuilding in the Colombian context; where the roots of conflict are related to inequality and access to land, meaningful social change is needed. It should be asked to those actors who were adapted to a conflict context and now have to adapt to this moment of transition, whether they are committed to making revisions regarding their possible albeit unintentional involvement in conflict? The answer is entangled in the political-economic system of more than 60 years of civil war. This is expressed in the report CSR in Colombia, Observations and recommendations commissioned by the Netherlands Ministry of Foreign Affairs in which it states that “multinationals or companies that are directly or indirectly operating in conflict-affected areas frequently become – either deliberately or unwittingly – an actor in the conflict” (The Netherlands Ministry of Foreign Affairs 2016: 11). Unfortunately, the harsh reality is that “the private sector that emerges survives and in some cases, thrives is the product of a conflict-rife political economy” (Ganson 2017: 3).

Changes are difficult, and the ones that challenge stability may seem risky and scary. This is the situation for all actors nowadays in Colombia, but especially for companies, as CODQ (2018) expressed “companies are afraid to voluntary join the JEP to help to construct the historical memory of the conflict, and are being advised by lawyers not to cooperate”. This is because companies “may perceive interests in greater peace and at the same time interests in the maintenance of a system beneficial to them that also underlies conflict” (Ganson 2017: 13). In that sense, it is needed not only to transform the political context and actors leading to a political stability, but also a transformation of many interlinked actors based on a common value of peace.

7 To read the full report download it from: https://www.rvo.nl/sites/default/files/2016/05/Colombia CSR Country Scan Report.pdf
4.2.1 Local political context

From a local political context, the current environment in which the private sector behaves in the way that it does, relates another debate that is very vivid nowadays in Colombia. This debate, which also affects private sector engagement in peacebuilding, relates to the polarization of the country that fuels the politicization of the word peace and peacebuilding. Enhanced by the change of government where the opposition party Centro Democrático, which was against the peace process, won the presidential elections. This political context is making things more complicated regarding costs and risk. For that reason, people and especially businesses have chosen to sit on the fence and prefer to wait for the position of the new government to define what to do. This type of self-preservation is used in order to not be accused of being a supporter of the past government, in other words of the opposition. This became evident during fieldwork, when we initially asked companies about their position regarding peace and peacebuilding, and they were shy and not very responsive. Once we changed the approach to CSR or sustainability projects, they showed more interest and willingness to help. This was also confirmed in an interview with CODM (2018), when asked about peace and peacebuilding, the interviewee preferred to talk about social projects instead, at the end when questioned about this avoidance of the term the answer was “Colombia is facing a breakpoint, a moment of social analysis, so companies prefer to be cautious about addressing peacebuilding as a very politicized word nowadays in the country”. Similarly, CODF (2018) informed that for the company the topic of peacebuilding was very difficult to address because “the organization is like a small country in which all the political inclinations and different understanding of the conflict are present, that’s why it is needed first a sensitization campaign but it is not the right moment for the company to do it, we need more time”. Relatedly, CODS (2018) also mentioned that “it is a tradition that the government misused its power chasing and retaliated companies that are pointed to be against their agenda, that is why companies are shy in engaging programs that can be politicized”. This was also reiterated by CODO (2018) “there is an orientation in the company to not get involved in politics, they see it as risky”.

These sentiments mirror the findings in the “Estudio Económico de América Latina y el Caribe 2017” [“Economic Study of Latin America and the Caribbean 2017”] in which it is mentioned that the country has demonstrated strength and resistance in the context of a strong polarization in the implementation and regulation of the peace agreement (CEPAL, 2017). A possible explanation is that “given these real costs of engaging for positive change – at some level opposing the policies and interests of the government on whom the company depends for its license to operate, formal and informal – those companies that can do so reportedly seek other ways in which to manage the costs and risks of conflict” (Ganson 2017: 6).

The importance of the political context in the long-lasting civil war in Colombia has been marked by the active influence of the government that is also recognized by academics as one of the key players. Jesus Abad Colorado, one of the main Colom-
bian photojournalists, titled his documentary about this conflict ‘Cain and Abel’ – brother kills brother - points out that he still does not know who is Cain and who is Abel. “The national government is almost always a conflict actor, and that the government exercises inordinate control, formal and informal, over economic access and opportunity. Companies report that they face reprisals when their actions intended to ameliorate causes of conflict or promote more peaceful approaches are perceived to be in opposition to entrenched interests” (Ganson 2017: 5).

Political influence is also present in the fact that peace negotiations have been in most of the presidential agendas. Not going too far back, we can look to the governments of Uribe (2002-2006/ 2006– 2010) and Santos (2010–2014 / 2014-2018) and see their influence on how the private sector positioned themselves in regard to peace negotiations. Uribe’s discourse of denying a civil war and instead labelling it as terrorism made it more difficult for the private sector to engage in peacebuilding. “Business support for peacebuilding efforts – in terms of both participation and financial resources – dropped significantly when President Uribe came to office, promising to crush the rebels (Ganson 2017: 13). Then the discourse started to change in the presidential mandate of Santos. Despite Santos presidential campaign was supported by Uribe, peace was included in the agenda to the extent that new legislation was introduced and in 2012 the negotiations with FARC-EP started. This was a process with a strong opposition by Centro Democratico, the political party of Uribe, the same party of the current President Duque (2018–2021). The result of this opposition was a very deep polarization of the country; this was directly transferred to the private sector, that is scared to have a position towards the post-agreement context, that can be read as being against the new government.

The strong influence of the political history, in the context of Colombia, paves the road for a debate about the political or apolitical characteristics of the private sector. One view is that “a failure to recognize fully the private sector as an inherently political actor may actually jeopardize the prospects for successful nation-building” (Barbara 2006: 583) and in the same way might challenge their engagement in peacebuilding that goes beyond economic terms. The political or apolitical nature of the private sector remains a contested debate. This was evident during the interviews where only one interviewee, CODJ (2018) stated that “the private sector is apolitical, that must be separated from the state and also insist that this not intervention of the private sector is the reason why despite the civil war Colombia has a stable economy”. Others recognize the political characteristic but not their political capacities for peacebuilding. Thus, remains the question of how to encourage a move beyond economic peacebuilding initiatives such as economic growth and job creation, to a more political one related with “participating in truth and reconciliation councils, supporting weapons hand-ins, providing capacity-building support for local governments, including judicial and police forces, supporting initiatives to attract foreign investment, and by helping the local private sector build capacity and governance systems” (Barbara 2006: 584). The lack of political peacebuilding approaches was justified by CODS (2018):
the main problem is the weakness of the Colombian state that is entangled with corruption and lack of efficiency affecting not only the implementation of the peace agreement but also private sector engagement. It is on those particular issues – corruption and lack of efficiency – where the private sector has its main role. That is the reason why it is needed private sector intervention in the state but without exceeding the limits.

CODS (2018) support’s this in two ways, one is that despite the multiple interpretations of peace, there is a concensus that the minimum bases are: equity, opportunities and public goods. These bases are related to economic and political actions that both the state and the private sector have a stake on it. The second one, relates to the need to strengthen state institutions in order to eradicate corruption that is bleeding the country and at the same time keeping the private sector away.

From this point, it is possible to recognize the different debates about the private sector’s role in peacebuilding. On the one hand, it is the recognition of the private sector as a political actor, not only an economic one and, on the other hand, who is the legitimate actor to take the leadership in the peacebuilding process in relation to the private versus the common/social interest. The policies and programs of the Colombian government do not seem to recognize this and keep addressing the private sector just as an economic actor. To demonstrate, different examples can be mentioned, one of them is the High Council for Post-Conflict, Human Rights and Security program called “Colombia Renace” [“the Rebirth of Colombia”] in which the role of the private sector in the implementation of the agreement is addressed as the engine that will drive socioeconomic development in the ZOMAC with three specific lines of action: infrastructure, job creation, and business promotion on those areas (Colombian High Council for Post-Conflict, Human Rights and Security 2016).

Another example of this failure is that in the first agreement between the FARC-EP and the Colombian government the private sector, as well as the state, was obliged to be part of the Special Jurisdiction for Peace (JEP), this was seen as a recognition that the conflict has multiple actors, not only the rebels. However, this was contested by the opposition party and also by the private sector, in a way that once the plebiscite was lost some corporations joined together with the interest to change their participation in the JEP from obligatory to voluntary. In the end, not only did the private sector achieve its mission, the political party in opposition Centro Democrático, also removed the obligation for members of the government. In this specific case, it is possible to identify the sometimes shared interests of the private sector and the state that are not aligned with the interests of society and how this “pre-empts the negotiation of new social contracts as a basis for enduring peace by favouring implicit private sector interests over those of other social groups” (Barbara 2006: 586). In this context “what can arise is an unholy alliance of government officials and ostensibly private sector actors, with the boundaries between them largely blurred” (Ganson 2017: 3).
4.2.2 International political context

Going from local to international, it is possible to identify evidence from the Dutch government and development corporation’s policies that have an orientation of doing business as usual. This was expressed by CODR (2018) who pointed out to “the separation of the development and sustainable areas in the Dutch government”. This is also reflected in the research project he was conducting called “Dutch Private Sector Development policies and instruments through a conflict lens” by SOMO and Oxfam Novi, as one of their main findings. This separation of areas can be understood as a separation of interests, and this gap is where the private sector is left alone to determine what to do and how. This is where national and international policy must deliberately steer the direction from doing business as usual, to monitor and to promote private sector’s contribution to peace and/or conflict sensitivity. In relation to this, CODH (2018) also mentions the importance to “institutionalize in the granting program for companies funded by the Dutch government a conflict sensitive approach”. Both interviewees agree on the willingness of the Dutch public sector to address these issues in their policies as a starting point, but with a long path ahead.

That reality is also enhanced by the growing literature on the evolution of aid, which is now represented as a transition ‘from aid to trade’ in the Dutch context. In the Dutch Ministry of Foreign Affairs cooperation agenda called ‘New Agenda for Aid, Trade and Investment’⁸, it justifies it’s interest to “continue to be one of the main donors in the field of humanitarian aid” (The Netherlands Ministry of Foreign Affairs, 2013: 7). However, this is noted in “a context of shrinking budgetary frameworks” (The Netherlands Ministry of Foreign Affairs, 2013: 8). In this new agenda, three types of bilateral relationships are defined: aid, transition, and trade, thereafter countries are categorized under each type. In aid relationship are countries defined as “unable to solve their poverty problems” most of the selected countries are located in the Great Lakes Region and the Horn of Africa. The transitional relationships are mainly with low and middle-income countries, Colombia being one of them, where trade and investments are promoted. This situation was also confirmed by CODQ (2018) who stated that “for ten years now, the Dutch government has not granted more resources for cooperation for development in Colombia”.

The transition from conflict towards positive peace is a process that needs not only the participation of all the involved actors but also a conflict sensitive policy environment that promotes and sets the path for peacebuilding. For this to be achieved regulation is necessary as CODH (2018) points out: “law is the only hook to assure a conflict sensitive private sector approach, private sector will never by themselves operate conflict sensitive, they have a for-profit agenda”. Altruistic conceptual frameworks such us B4P, Global Compact, OECD guidelines, CSR among others, have shown

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⁸ To read the full agenda download it from:
that the phrase ´peace is good for business´ is not always true and simple, but merely sets the context for the continuity of a profit-driven approach (Barbara 2006). Scholars have also expressed concern about “the current lack of accountability mechanisms and private business actors’ self-imposed, optional, and/or self-reported standards of corporate social responsibility vis-à-vis state parties” (Jayasundara-Smits 2015: 3).

With regards to the profit-driven approach, the Institute for Multi-Track Diplomacy argues that “the business community has a natural interest in a peaceful world because expanding peace means expanding markets, and expanding markets translates into greater profits for business.” (Institute for Multi-Track Diplomacy, 2005: 1). This is confirmed by the Colombian government, the RVO Agency of the Dutch Ministry of Foreign Affairs in their report about Colombia and also in the two commercial missions planned for this year. One of them is the Trade Mission of the Dutch government to Colombia with the presence of Prime Minister Mark Rutte, and the other, the Colombia Investment Summit by Procolombia the entity that promotes international tourism, foreign investment and non-traditional exports in Colombia. What these two missions have in common is an emphasis only on the commercial opportunities of the country in this (post)conflict phase, but not the risk or key social and cultural issues that this process demands from all the actors involved. In other words, the emphasis is still on economic development at the expense of social and political development, which has implications for peace and peacebuilding.

4.3 From conflict to crisis to conflict

Colombia is trapped in a vicious cycle of conflict, perpetuated by the respective conflict systems, the pre-existing hierarchical social relations, extensive patronage systems and the negative dynamics of conflict-prone political economies (Goodhand 2004; Bray 2009; Jayasundara-Smits 2015). Even though a peace agreement was signed in 2016 and the government insists on the post-conflict context we are not only far from ending it but more close to fuelling it once again. “Growth failure, or growth bias against certain groups, can create both greed and grievances, which are prerequisites for the onset of the violent internal conflict” (Murshed 2010: 15). This is indicative of what is happening now in Colombia, a clear conflict-insensitive policy based on a neo-liberal agenda supported over economic development and foreign direct investment. Unfortunately, “unless efforts weaken the pillars of the system that created inequality and deprivation in the first place or strengthen key dynamics of peaceful change, they remain fundamentally palliative” (Ganson 2017: 20). This can be called the second stage of the open economy or second globalization, where areas that were previously closed due to conflict are now open for commercial purposes. This can be linked to what is understood as global governance and peace governance, an activity to control or influence in this case the pursuit of peace; but with liberal peace, as a goal.
Colombia is recognized internationally as a country where the private sector is protected, in the 2016 report commissioned by the Dutch Ministry of Foreign Affairs it mentions that “Colombia has been highlighted by the World Bank as a ‘top reformer’ in five of the last eight years, as the top country in Latin America (and 6th in the world) for investor protection….the highest position for any country in the region of Latin America and the Caribbean” (The Netherlands Ministry of Foreign Affairs 2016: 6). Out of the interviews conducted with representatives of the selected companies, it was found that actually all of them were very optimistic for the opportunities that the country has to offer in the post-agreement scenario, and this mirrors the trend worldwide. Examples of this can be seen in the news; an article by the Semana Magazine published 14 July 2018 titled “Colombia es ahora la sede predilecta de las multinacionales en la región” [“Colombia is now the favourite country of the multinationals in the region”] and another which appeared in Dinero on 28 March 2018 titled “Colombia sigue en la mira de grandes multinacionales pese a la incertidumbre” [“Colombia is still the sight of the big multinational despite the uncertainty”]. This is reiterated in the report by the Delegation of the European Union in Colombia, which comments on the 5 years of implementation of the Commercial Agreement stating that “the peace context has undoubtedly contributed to the favourable climate for European business to invest in Colombia” (Delegation of the European Union in Colombia 2018: 3).

An explanation of this trend can be attributed to the simplification of entry regulations and foreign investment promotion, which aims foster economic development and help finance the post-conflict process. However, this approach is clearly a simplistic and economic way of addressing a peacebuilding process, not taking into account the political implications and the deep roots of the Colombian conflict. “A worrisome picture emerges, too, when we view the negative consequences of massive macro financing and private foreign investors gaining increased access to national and local markets on more free or open terms” (Jayasundara-Smits 2015: 3).

In Colombia, this shift from government to governance, where the private sector, especially international corporations are gaining power and control over the state is supported under the promise of development in economic terms. This has been promoted by the government using the neoliberal concept of “investor confidence” to protect and support private interest over social and communal ones. It is in this context, enhanced by more than 60 years of civil war, where the relationship of these two actors is changing roles; from a state that has the will to control and monitor the private sector, to a state that is now ruled by private interest. This confirms the transition from governance of a traditional state towards international governance, in which power relations and knowledge shifts from the state to international corporations thereby ordering the interaction between them. In this scenario, it is pertinent to bring in debates regarding the political or apolitical nature of the private sector, and also the private or social nature of the state. CODC (2018) was very skeptical about asking the private sector to get involved in peacebuilding because it will give them more power than the one they already have.
This close relationship between the private sector and the state is contested in Colombia and is related to the elite capture of the state. Private interests are placed above social interests. The new government in Colombia is an example of a “Corporatocracy in which there is not a clear distinction between the private interest of a minority and public interests of the majority, this can lead not only to corruption but also to a situation in which the public interest is subsumed for the interest of a few” (Ávila 2018). This is also evident in the Dutch context where the Prime Minister, who previously worked at Unilever, is now promoting a reduction in taxes to corporations in order to keep them in the country. This was justified by Rutte at ‘The Prince Day’ celebrations this year where he said that “this is needed to attract multinationals, and that two big Anglo-Dutch companies, Shell and Unilever, deem it a key issue in deciding whether to base their headquarters in the Netherlands or London after Brexit”. But now that Unilever decided to keep their headquarters in both countries, will these tax cuts go further?

The vicious cycle, in which economic development is needed in order to fund the post-conflict programs and provide more opportunities to Colombians, is addressed towards a neo-liberal agenda that leaves the more vulnerable population in the hands of a predatory economic system, which enhances inequalities that will only lead to an upsurge in conflict. This is indicative of what Collier (2008) in his book The Bottom Billion presents as “a ‘conflict trap’ that keeps the world’s poorest population in poverty”.

Chapter 5 Conclusions

The aim of this research was to shed light on how and why the private sector contributes to peacebuilding in Colombia. This was based on the leading trend in which the private sector “has become the darling of international and domestic organizations seeking strategic partners in building sustainable peace” (Rettberg 2016: 481).

Once a legitimate peace agreement was signed in 2016 between the government of Colombian and FARC-EP, among other actors, we can see a government with multiple compromises but also with multiples limitations; one of them is the neo-liberal shift that reduces its action capacity, shows a transition from government to governance, and is aggravated by its political orientation to the peace agreement and limitations in the fiscal policy of a country that is underfinanced. Taking advantage of this situation is the other actor - the private sector - that is committed to act, following the national and international laws, guides and frameworks, but with a for-profit agenda that is running its economic peacebuilding approach. It is this particular relationship between the state and the private sector in fostering peace that is the focus of this study. That is, how does this global governance and peace governance influence the context and the responses of all the actors involved in the process to foster peace as a public goal, especially of these two actors – private sector and state?

Revisiting the questions, the main findings of this research are related, first to the role of the state and the political context - including the historical political context – which influences the responses of the private sector to the call from the international community to be a strategic partner in peacebuilding. The situation of a polarized country in which the word ‘peace’ is politicized helps to explain why the most used word by the private sector when talking about peacebuilding is ‘expectation’. Companies are waiting for the official line from the new government in terms of peace in order to define how to contribute. By following the matrix ‘Overview of the stages in which the private sector plays a role in Peacebuilding’ we confirmed that the companies are more close to the first stage that is led by an economic peacebuilding approach. This is enhanced by a governance system in which private interests and values are commonly shared by the state and the private sector, which promotes a for profit agenda over the need for social change. Relatedly, a key finding is that the peacebuilding literature is failing to emphasise the importance of the political context in light of its role in shaping the responses of the private sector.

The second main finding of this research is related to the role of global governance that is influenced by the encroachment of the neo-liberal agenda, neo-liberal peace, and globalization. This has shaped the relationship between the state and the private sector in relation to peace as a public good, in which the peace that is fostered is liberal peace, based on free markets, privatization, and the debilitation of the state as the ruling institution. Following this shift from government to governance, where the state is not only losing power to the private sector but also its mission to provide goods and services based on social interest is blurred for private ones, leading the
country to a corporatocracy. Thus, a political and economic system that mismatches the community/affected needs and sustain the vicious cycle, even after a peace agreement has been signed, is likely to lead to a trajectory of conflict to crisis to conflict again – not peace.

In that sense, what is needed is not only the transformation of all the actors involved but also the transformation of the political context that should promote a conflict sensitive environment and a new social pact. An environment based on regulation not only from the state but also from other actors, especially civil society and the international community, can help in monitoring and influenceing the state and the private sector for this transformation. The starting point for this change should be to go back to the basics, to move from business as usual, to doing things right, complying with the national and international law, respecting and protecting human rights, following the UN and OECD guidelines and applying due diligence. Once this stage is fulfilled, only then can the private sector go beyond to a conflict-sensitive approach, and contribute to a positive peacebuilding process.

As a recommendation, to the Dutch and Colombian government, UN agencies, OECD and other institutions that seek to promote the private sector in peacebuilding, based on the lessons learned in this study we suggest to not take for granted the private sector as a peacebuilder and to rethink the implications in economic and political terms. We encourage these organisations to first insure that the private sector complies with national and international law, and engages with the context before calling them to actively contribute to a positive peacebuilding. For the international community, this is a call to not leave Colombia to the mercy of an insensitive environment, help is needed in order to control, monitor and demand not only to the private sector but also to the state, that social change is what’s needed to break the vicious cycle of conflict.
Appendices

Appendix 1

Companies selected

Eleven Dutch Private International Companies were initially selected from 180 Dutch and Colombian companies that are registered at Holland House: Chamber of Commerce.

<table>
<thead>
<tr>
<th>Company</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Unilever.</td>
<td>British-Dutch transnational consumer company</td>
</tr>
<tr>
<td>2 Shell.</td>
<td>British-Dutch multinational oil and gas</td>
</tr>
<tr>
<td>3 DSM.</td>
<td>Dutch multinational health and nutrition</td>
</tr>
<tr>
<td>4 Makro.</td>
<td>Dutch international brand of warehouse</td>
</tr>
<tr>
<td>5 Philips.</td>
<td>Dutch multinational technology company</td>
</tr>
<tr>
<td>6 Chrysal</td>
<td>Dutch international flower and plant industry</td>
</tr>
<tr>
<td>7 Vopak.</td>
<td>Dutch company that stores and handles chemical, oil and gas products</td>
</tr>
<tr>
<td>8 Hunter Douglas.</td>
<td>Dutch multinational corporations that makes windows blinds and coverings.</td>
</tr>
<tr>
<td>9 Heineken</td>
<td>Dutch brewing company</td>
</tr>
<tr>
<td>10 Ferro Techniek</td>
<td>Dutch company of white goods industry and porcelain enamelling</td>
</tr>
<tr>
<td>11 Stork</td>
<td>Dutch manufacturing and service providing company</td>
</tr>
</tbody>
</table>

Appendix 2

Interviews

For the data collection for this research paper we conducted 16 interviews to private sector representatives, trade unions and NGOs researchers:

Interview (by telephone) with a representative of the Union of the Colombian Hydrocarbon Sector (anonymous on request by interviewee), Bogotá - Colombia; June 30, 2018.

Interview (by Skype) with Julia Elvira Ulloa retired Corporate Affairs Manager at UNILEVER Colombia and now Social Development Advisor for the Private Sector, Cali - Colombia; July 25, 2018.

Interview (by telephone) with a representative of the Sustainable Area of a Dutch Private International Company Colombia, Bogotá – Colombia; August 3, 2018.

Interview (by telephone) with Aura Méndez Corporate Communications & Sustainable Living Manager Middle Americas at Unilever Colombia, Bogotá – Colombia; August 16 2018.
Interview (by Skype) with a representative of the Human Resources Area of a Dutch Private International Company, Bogotá – Colombia, August 17 2018.


Interview (by telephone) with Robert Wandel businessman developing the Latin American Market for a Dutch company, The Netherlands; August 27 2018.

Interview (by telephone) with Juan Felipe Sánchez researcher of Fundación Ideas para la Paz (“Ideas for Peace Foundation”) area of Business, Peace and Human Rights, Bogotá, Colombia, August 28 2018.

Interview with Floor Knoote senior consultant and Founder at Dimes, Amsterdam, September 3 2018.


Interview (by telephone) with Floris van Eijk Head of Political Affairs at the Netherlands Embassy in Colombia, Bogotá, September 5 2018.

Interview with Omar Campos Director Global Funding Solutions at Philips Capital, Amsterdam, September 6 2018.


Interview with Mark van Dorp Independent consultant on responsible business in fragile and conflict-affected settings.


Interview with Saskia van Drunen Senior Researcher at SOMO, October 17 2018.

Appendix 3
Documents

For the data collection for this research paper we revised 3 specific documents related with the context:


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