

**Peace Agreement Access Tool PA-X** <https://pax.peaceagreements.org/>

<b>Country/ entity</b>	Colombia
<b>Region</b>	Americas
<b>Agreement name</b>	Preacuerdo entre el Gobierno Nacional y el MIR-COAR
<b>Date</b>	21 Jan 1997
<b>Agreement status</b>	Multiparty signed/agreed
<b>Interim arrangement</b>	Yes
<b>Agreement/ conflict level</b>	Intrastate/intrastate conflict ( Colombian Conflict (1964 - ) )
<b>Stage</b>	Pre-negotiation/process
<b>Conflict nature</b>	Government
<b>Peace process</b>	Colombia II - Samper
<b>Parties</b>	For the national government: HORACIO SERPA URIBE, Minister of the Interior DANIEL GARCIA-PEÑA, Peace Commissioner TOMÁS CONCHA SANZ, Head of the Presidential Reinsertion Programme  For MIR-COAR: LUIS FERNANDO QUIJANO MORENO ALVARO DE JESÚS RAMÍREZ RIVERA SANTIAGO QUIJANO MORENO CARLOS MARIO ARENAS LÓPEZ
<b>Third parties</b>	-
<b>Description</b>	This is a preliminary agreement between the National Government and the Independent Revolutionary Movement, agreeing to find a permanent solution to the armed conflict. The negotiating parties agree among others on security and legal guarantees, the provision of sufficient operative measures and to further meetings.

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**Agreement document** [CO\\_970121\\_PREACUERDO ENTRE EL GOBIERNO NACIONAL Y EL MIR-COAR - tr.pdf](#) | [Download PDF](#)

**Agreement document (original language)** [Co\\_970121\\_PREACUERDO ENTRE EL GOBIERNO NACIONAL Y EL MIR-COAR.pdf](#) | [Download PDF](#)

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## Groups

Children/ youth	No specific mention.
Disabled persons	No specific mention.
Elderly/age	No specific mention.
Migrant workers	No specific mention.
Racial/ ethnic/ national group	No specific mention.
Religious groups	No specific mention.
Indigenous people	No specific mention.
Other groups	No specific mention.
Refugees/ displaced persons	No specific mention.
Social class	No specific mention.

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## Gender

Women, girls and gender	No specific mention.
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Men and boys No specific mention.

LGBTI No specific mention.

Family No specific mention.

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## **State definition**

Nature of state (general) No specific mention.

State configuration No specific mention.

Self determination No specific mention.

Referendum No specific mention.

State symbols No specific mention.

Independence/ secession No specific mention.

Accession/ unification No specific mention.

Border delimitation No specific mention.

Cross-border provision No specific mention.

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## **Governance**

Political institutions (new or reformed) No specific mention.

Elections No specific mention.

Electoral commission No specific mention.

Political parties reform No specific mention.

Civil society No specific mention.

Traditional/religious leaders No specific mention.

Public administration No specific mention.

Constitution No specific mention.

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## **Power sharing**

Political power sharing No specific mention.

Territorial power sharing No specific mention.

Economic power sharing No specific mention.

Military power sharing No specific mention.

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## Human rights and equality

Human rights/RoL general Page 1, Untitled Preamble,  
The national government, under the constitutional mandate for peace, as a mandatory duty and right, in order to find a permanent solution to the armed conflict and provide the basis and conditions for the growth of long-lasting peace through negotiations, the expansion of democratic channels, respect for human rights and international humanitarian law, and the participation and reconciliation of all Colombians, has decided in mutual agreement with the insurgent armed group the Independent Revolutionary Movement – Armed Commandos (Movimiento Independiente Revolucionario Comandos Armados, MIR–COAR) to initiate a dialogue process to find ways to permit the affirmation of genuine participative democracy, the social development of the communities under the influence of MIR–COAR, the peaceful coexistence of Colombians, and the reincorporation of the organisation’s members into civil, social and political life.  
To achieve this, MIR–COAR undertakes to overcome all obstacles that may arise in order to carry out this process and guarantee the military demobilisation of its members, respect the rules, standards and provisions of international humanitarian law for the duration of the process to reach a permanent agreement, suspend offensive military activities throughout the process, and submit, in the course of the process, details of the urban and rural zones in which it operates and which are known to be under its influence.

Bill of rights/similar No specific mention.

Treaty incorporation No specific mention.

Civil and political rights No specific mention.

Socio-economic rights No specific mention.

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## Rights related issues

Citizenship No specific mention.

Democracy Page 1, Untitled Preamble,  
The national government, under the constitutional mandate for peace, as a mandatory duty and right, in order to find a permanent solution to the armed conflict and provide the basis and conditions for the growth of long-lasting peace through negotiations, the expansion of democratic channels, respect for human rights and international humanitarian law, and the participation and reconciliation of all Colombians, has decided in mutual agreement with the insurgent armed group the Independent Revolutionary Movement – Armed Commandos (Movimiento Independiente Revolucionario Comandos Armados, MIR–COAR) to initiate a dialogue process to find ways to permit the affirmation of genuine participative democracy, the social development of the communities under the influence of MIR–COAR, the peaceful coexistence of Colombians, and the reincorporation of the organisation’s members into civil, social and political life.  
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Detention procedures No specific mention.

Media and communication Rights related issues→Media and communication→Other  
Page 2, Mutual commitments, Article 1,  
Carry out meetings with the greatest possible discretion and privacy, without issuing communications to the press, in order to respect the security of the members of the commissions.

Mobility/access No specific mention.

Protection measures No specific mention.

Other No specific mention.

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## **Rights institutions**

NHRI No specific mention.

Regional or international human rights institutions No specific mention.

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## **Justice sector reform**

Criminal justice and emergency law No specific mention.

State of emergency provisions No specific mention.

Judiciary and courts No specific mention.

Prisons and detention No specific mention.

Traditional Laws No specific mention.

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## Socio-economic reconstruction

Development or socio-economic reconstruction      Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development  
Page 2, Mutual commitments, Article 2,  
Work together to establish a professional team that will jointly evaluate with communities the socio-economic situation of the areas submitted as zones of influence of the insurgent group to provide the basis for making decisions regarding social investment in these areas, this being understood as the social restoration of neighbourhoods.

National economic plan      No specific mention.

Natural resources      No specific mention.

International funds      No specific mention.

Business      No specific mention.

Taxation      No specific mention.

Banks      No specific mention.

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## Land, property and environment

Land reform/ rights      No specific mention.

Pastoralist/ nomadism rights      No specific mention.

Cultural heritage      No specific mention.



Environment No specific mention.

Water or  
riparian  
rights or  
access No specific mention.

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## Security sector

Security Guarantees Page 1, Government commitments, Article 1,  
Provide the guarantees required by the spokespeople and representative members designated by MIR-COAR while the political-social negotiation process takes place.

Page 1, Government commitments, Article 2,  
Guarantee under the terms set out in Law 104, 1993, reformed by Law 241, 1995, the suspension of the execution of capture orders for the representatives-members and spokespeople appointed by the organisation and recognised by the national government.

Page 2, Government commitments, Article 3,  
Guarantee legal assistance to members of the organisation from the signing of this document throughout the talks. Under all circumstances, the government reserves the right to suspend them if this is warranted by the development of the process.

Page 2, Government commitments, Article 4,  
Guarantee secure transport of spokespeople and representatives-members, as required, to carry out talks.

Page 2, Government commitments, Article 5,  
Provide sufficient operative measures to make progress in this contact process.

Page 2, Mutual commitments, Article 1,  
Carry out meetings with the greatest possible discretion and privacy, without issuing communications to the press, in order to respect the security of the members of the commissions.

Page 2, Mutual commitments, Article 2,  
Work together to establish a professional team that will jointly evaluate with communities the socio-economic situation of the areas submitted as zones of influence of the insurgent group to provide the basis for making decisions regarding social investment in these areas, this being understood as the social restoration of neighbourhoods.

Ceasefire	No specific mention.
Police	No specific mention.
Armed forces	No specific mention.
DDR	No specific mention.
Intelligence services	No specific mention.
Parastatal/ rebel and opposition group forces	<p>Page 1, Untitled Preamble, The national government, under the constitutional mandate for peace, as a mandatory duty and right, in order to find a permanent solution to the armed conflict and provide the basis and conditions for the growth of long-lasting peace through negotiations, the expansion of democratic channels, respect for human rights and international humanitarian law, and the participation and reconciliation of all Colombians, has decided in mutual agreement with the insurgent armed group the Independent Revolutionary Movement – Armed Commandos (Movimiento Independiente Revolucionario Comandos Armados, MIR-COAR) to initiate a dialogue process to find ways to permit the affirmation of genuine participative democracy, the social development of the communities under the influence of MIR-COAR, the peaceful coexistence of Colombians, and the reincorporation of the organisation’s members into civil, social and political life.</p> <p>To achieve this, MIR-COAR undertakes to overcome all obstacles that may arise in order to carry out this process and guarantee the military demobilisation of its members, respect the rules, standards and provisions of international humanitarian law for the duration of the process to reach a permanent agreement, suspend offensive military activities throughout the process, and submit, in the course of the process, details of the urban and rural zones in which it operates and which are known to be under its influence.</p> <p>[Summary: For provisions on DDR please see DDR.]</p>
Withdrawal of foreign forces	No specific mention.

Corruption No specific mention.

Crime/  
organised  
crime No specific mention.

Drugs No specific mention.

Terrorism No specific mention.

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## **Transitional justice**

Transitional  
justice  
general No specific mention.

Amnesty/  
pardon No specific mention.

Courts No specific mention.

Mechanism No specific mention.

Prisoner  
release No specific mention.

Vetting No specific mention.

Victims No specific mention.

Missing  
persons No specific mention.

Reparations No specific mention.

Reconciliation Page 1, Untitled Preamble,

The national government, under the constitutional mandate for peace, as a mandatory duty and right, in order to find a permanent solution to the armed conflict and provide the basis and conditions for the growth of long-lasting peace through negotiations, the expansion of democratic channels, respect for human rights and international humanitarian law, and the participation and reconciliation of all Colombians, has decided in mutual agreement with the insurgent armed group the Independent Revolutionary Movement – Armed Commandos (Movimiento Independiente Revolucionario Comandos Armados, MIR-COAR) to initiate a dialogue process to find ways to permit the affirmation of genuine participative democracy, the social development of the communities under the influence of MIR-COAR, the peaceful coexistence of Colombians, and the reincorporation of the organisation’s members into civil, social and political life.

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## Implementation

UN signatory No specific mention.

Other international signatory No specific mention.

Referendum for agreement No specific mention.

International mission/force/similar No specific mention.

Enforcement mechanism No specific mention.

Related cases No specific mention.

Source      En ausencia de un proceso de paz: Acuerdos Parciales y Mandato Ciudadano por la Paz, Biblioteca de la Paz – 1994-1998, Fundación Cultura Democrática, Ed. Álvaro Villarraga Sarmiento, Bogotá D.C., 2009 (book IV) p. 293

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