

<b>Country/entity</b>	Colombia
<b>Region</b>	Americas
<b>Agreement name</b>	Declaración de la Habana, Gobierno Nacional-ELN
<b>Date</b>	15 Dec 2001
<b>Agreement status</b>	Multiparty signed/agreed
<b>Interim arrangement</b>	Yes
<b>Agreement/conflict level</b>	Intrastate/intrastate conflict

### Colombian Conflict (1964 - )

The Colombian conflict is really a set of conflicts and the peace agreements reflect both different processes relating to different conflict groups and dyads, and processes taking place at different times in a complex peace process history. The Colombian civil war has its roots in the late 1940s and the violent infighting between liberal and the conservative factions. Emerging from the liberal tradition with a thorough grounding in nationalist communist ideology, the Revolutionary Armed Forces of Colombia—People's Army (FARC) began its armed insurrection against the Colombian government in 1964. Other left-wing guerrillas emerged as well, most notably the socialist/populist M-19, which would later be integrated into the formal political system in the peace process of 1990s; the National Liberation Army (ELN), which has strong roots in liberation theology, and the Maoist Ejército Popular de Liberación (EPL) (also part of the 1990 process, less successfully). Several stages of peace processes were undertaken by the various sides, which were further complicated by the emergence of right-wing paramilitary 'self-defence' forces. The peace agreement between the Colombian government under President Uribe and the main alliance of the paramilitary groups, the United Self-Defence Forces of Colombia (AUC), concluded in 2005 and is still heavily disputed as several remnants are still active, but now subsumed under the heading 'Bacrim' (Bandas criminales). In addition, FARC and ELN maintain a military presence, but both demonstrate a strong interest in completing successful peace negotiations with the government, with the most recent agreements being between FARC and the Government.

Close  
Colombian Conflict (1964 - )

<b>Stage</b>	Pre-negotiation/process
<b>Conflict nature</b>	Government
<b>Peace process</b>	Colombia III - Arango

<b>Parties</b>	<p>For the national government:</p> <p>CAMILO GÓMEZ RAMIRO VARGAS JULIO LONDOÑO PAREDES</p> <p>For ELN:</p> <p>MILTON HERNÁNDEZ ÓSCAR SANTOS RAMIRO VARGAS</p>
<b>Third parties</b>	-
<b>Description</b>	<p>They agree: to propose an evaluation of the advances and obstacles to which the Colombian civil society and intl community will be invited; the delivery of 5 topical forums within a set timeframe to interchange initiatives and proposals on the topics (HR, state of participatory democracy, agrarian problems, drug traffic and agrarian alternatives, energy, mineral and hydrocarbon resources, economic and social problems) going into detail about how many and who will participate, and the procedures; meeting with a commission of ‘notables’ to analyse the recommendations; rounds in Havana and Caracas to project and advance the compromises on the topics of: ceasefire, means to reduce the conflict, problems of the energy sector and analysis and conclusions from the forums – details of the next such round; etc.</p>

---

<b>Agreement document</b>	<a href="#">CO_011215_DECLARACION DE LA HABANA, GOBIERNO NACIONAL-ELN - tr.pdf (opens in new tab)</a>   <a href="#">Download PDF</a>
---------------------------	--

---

## Groups

<b>Children/youth</b>	No specific mention.
<b>Disabled persons</b>	No specific mention.
<b>Elderly/age</b>	No specific mention.
<b>Migrant workers</b>	No specific mention.
<b>Racial/ethnic/ national group</b>	No specific mention.
<b>Religious groups</b>	No specific mention.
<b>Indigenous people</b>	No specific mention.
<b>Other groups</b>	No specific mention.

**Refugees/displaced persons** No specific mention.

**Social class** No specific mention.

---

## **Gender**

**Women, girls and gender** No specific mention.

**Men and boys** No specific mention.

**LGBTI** No specific mention.

**Family** No specific mention.

---

## **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.

---

## **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** Page 1, Article 1,  
Hold a peace summit in Havana, Cuba on 30–31 January to assess the effects, successes and obstacles in the dialogue process between the national government and ELN. The parties will invite representatives of Colombian society and the international community whose involvement in the peace process has made a significant contribution to its progress.

Page 2, Article 2,  
Hold five thematic forums outside the country based on the schedule below. The forums will take place between the months of February and June 2002 and will facilitate the exchange of initiatives and proposals on the following issues:  
i. International humanitarian law 25–27 February 2002;  
ii. The state and participative democracy, 25–27 March 2002;  
iii. The agrarian problem, drug trafficking and the substitution of illicit crops, 29 April to 1 May 2002;  
iv. Energy, mining and hydrocarbon resources, 27–29 May 2002;  
v. The economy and social problems, 24–26 June 2002.

The locations for these forums will be decided by mutual agreement between the parties, taking into account the availability of the countries that are requested to host them. A maximum of 50 people will participate in each forum, including representatives of the government and ELN, six experts in each of the issues proposed, one representative of the Facilitation Commission and one representative of the Group of Friendly Countries, in addition to various guests involved in the process and with knowledge of the issues being discussed. After each forum, the parties will hold a rounds of talks to analyse and discuss the conclusions, which may then be used as inputs for the national convention.

Page 3, Article 6,  
To strengthen and streamline the actions and activities of the Civil Facilitation Commission, the parties will establish a mandate to ensure the commission's work is in keeping with the circumstances of the transitional period.

**Traditional/religious leaders** No specific mention.

<b>Public administration</b>	No specific mention.
<b>Constitution</b>	No specific mention.

---

#### **Power sharing**

<b>Political power sharing</b>	No specific mention.
<b>Territorial power sharing</b>	No specific mention.
<b>Economic power sharing</b>	No specific mention.
<b>Military power sharing</b>	No specific mention.

---

#### **Human rights and equality**

<b>Human rights/RoL general</b>	<p>Page 2, Article 2,</p> <p>Hold five thematic forums outside the country based on the schedule below. The forums will take place between the months of February and June 2002 and will facilitate the exchange of initiatives and proposals on the following issues:</p> <ul style="list-style-type: none"> <li>i. International humanitarian law 25–27 February 2002;</li> <li>ii. The state and participative democracy, 25–27 March 2002;</li> <li>iii. The agrarian problem, drug trafficking and the substitution of illicit crops, 29 April to 1 May 2002;</li> <li>iv. Energy, mining and hydrocarbon resources, 27–29 May 2002;</li> <li>v. The economy and social problems, 24–26 June 2002.</li> </ul> <p>The locations for these forums will be decided by mutual agreement between the parties, taking into account the availability of the countries that are requested to host them. A maximum of 50 people will participate in each forum, including representatives of the government and ELN, six experts in each of the issues proposed, one representative of the Facilitation Commission and one representative of the Group of Friendly Countries, in addition to various guests involved in the process and with knowledge of the issues being discussed. After each forum, the parties will hold a rounds of talks to analyse and discuss the conclusions, which may then be used as inputs for the national convention.</p>
---------------------------------	---

<b>Bill of rights/similar</b>	No specific mention.
-------------------------------	----------------------

<b>Treaty incorporation</b>	Page 2, Article 2, Hold five thematic forums outside the country based on the schedule below. The forums will take place between the months of February and June 2002 and will facilitate the exchange of initiatives and proposals on the following issues: i. International humanitarian law 25–27 February 2002;
<b>Civil and political rights</b>	No specific mention.
<b>Socio-economic rights</b>	No specific mention.

---

## **Rights related issues**

<b>Citizenship</b>	No specific mention.
<b>Democracy</b>	Page 2, Article 2, Hold five thematic forums outside the country based on the schedule below. The forums will take place between the months of February and June 2002 and will facilitate the exchange of initiatives and proposals on the following issues: ... ii. The state and participative democracy, 25–27 March 2002; ... The locations for these forums will be decided by mutual agreement between the parties, taking into account the availability of the countries that are requested to host them. A maximum of 50 people will participate in each forum, including representatives of the government and ELN, six experts in each of the issues proposed, one representative of the Facilitation Commission and one representative of the Group of Friendly Countries, in addition to various guests involved in the process and with knowledge of the issues being discussed. After each forum, the parties will hold a rounds of talks to analyse and discuss the conclusions, which may then be used as inputs for the national convention.
<b>Detention procedures</b>	No specific mention.
<b>Media and communication</b>	No specific mention.
<b>Mobility/access</b>	No specific mention.
<b>Protection measures</b>	No specific mention.
<b>Other</b>	No specific mention.

---

## **Rights institutions**

**NHRI** No specific mention.

**Regional or international human rights institutions** No specific mention.

---

## **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.

---

## **Socio-economic reconstruction**

**Development or socio-economic reconstruction** Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development  
Page 2, Article 2,  
Hold five thematic forums outside the country based on the schedule below. The forums will take place between the months of February and June 2002 and will facilitate the exchange of initiatives and proposals on the following issues:  
... v. The economy and social problems, 24–26 June 2002.  
The locations for these forums will be decided by mutual agreement between the parties, taking into account the availability of the countries that are requested to host them. A maximum of 50 people will participate in each forum, including representatives of the government and ELN, six experts in each of the issues proposed, one representative of the Facilitation Commission and one representative of the Group of Friendly Countries, in addition to various guests involved in the process and with knowledge of the issues being discussed. After each forum, the parties will hold a rounds of talks to analyse and discuss the conclusions, which may then be used as inputs for the national convention.

**National economic plan** No specific mention.

**Natural resources** Page 2, Article 2,  
Hold five thematic forums outside the country based on the schedule below. The forums will take place between the months of February and June 2002 and will facilitate the exchange of initiatives and proposals on the following issues:  
... iv. Energy, mining and hydrocarbon resources, 27–29 May 2002;  
... The locations for these forums will be decided by mutual agreement between the parties, taking into account the availability of the countries that are requested to host them. A maximum of 50 people will participate in each forum, including representatives of the government and ELN, six experts in each of the issues proposed, one representative of the Facilitation Commission and one representative of the Group of Friendly Countries, in addition to various guests involved in the process and with knowledge of the issues being discussed. After each forum, the parties will hold a rounds of talks to analyse and discuss the conclusions, which may then be used as inputs for the national convention.

**International funds** No specific mention.

**Business** No specific mention.

**Taxation** No specific mention.

**Banks** No specific mention.

---

## **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.

---



## **Security sector**

**Security Guarantees** No specific mention.

**Ceasefire** Security sector→Ceasefire→Ceasefire provision  
Page 2, Article 4,  
Hold rounds of sessions in Havana and Caracas to plan and take forward the commitments made in the Agreement for Colombia and make progress in implementing the agenda set out in this agreement in order to discuss the following issues:  
i. ceasefire and cessation of hostilities  
ii. measures to reduce the conflict  
iii. problems in the energy sector  
iv. analysis and discussion of conclusions from the thematic forums.

**Police** No specific mention.

**Armed forces** No specific mention.

**DDR** No specific mention.

**Intelligence services** No specific mention.

**Parastatal/rebel and opposition group forces** No specific mention.

**Withdrawal of foreign forces** No specific mention.

**Corruption** No specific mention.

**Crime/organised crime** No specific mention.

<b>Drugs</b>	<p>Page 2, Article 2,</p> <p>Hold five thematic forums outside the country based on the schedule below. The forums will take place between the months of February and June 2002 and will facilitate the exchange of initiatives and proposals on the following issues:</p> <p>... iii. The agrarian problem, drug trafficking and the substitution of illicit crops, 29 April to 1 May 2002;</p> <p>... The locations for these forums will be decided by mutual agreement between the parties, taking into account the availability of the countries that are requested to host them. A maximum of 50 people will participate in each forum, including representatives of the government and ELN, six experts in each of the issues proposed, one representative of the Facilitation Commission and one representative of the Group of Friendly Countries, in addition to various guests involved in the process and with knowledge of the issues being discussed. After each forum, the parties will hold a rounds of talks to analyse and discuss the conclusions, which may then be used as inputs for the national convention.</p>
<b>Terrorism</b>	No specific mention.

---

## **Transitional justice**

<b>Transitional justice general</b>	No specific mention.
<b>Amnesty/pardon</b>	No specific mention.
<b>Courts</b>	No specific mention.
<b>Mechanism</b>	No specific mention.
<b>Prisoner release</b>	No specific mention.
<b>Vetting</b>	No specific mention.
<b>Victims</b>	No specific mention.
<b>Missing persons</b>	No specific mention.
<b>Reparations</b>	No specific mention.
<b>Reconciliation</b>	No specific mention.

---

## **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** Source: Diálogo, negociación y ruptura con las FARC-EP y con el ELN, Biblioteca de la Paz – 1998-2000, Fundación Cultura Democrática, Ed. Álvaro Villarraga Sarmiento, Bogotá D.C., 2009 (book V) p. 334

---