

Country/entity	Colombia
Region	Americas
Agreement name	Agreement on security guarantees and the fight against criminal organisations responsible for killings and massacres, or that infringe against defenders of human rights, social movements or political movements, including the criminal organisations that have been named successors to paramilitary groups and their support networks, and the persecution of criminal behavior that threatens the implementation of the agreements and the building of peace
Date	23 Jun 2016
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/conflict level	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 -
)

Stage	Framework/substantive - partial
Conflict nature	Government

Peace process	Colombia V - Santos
Parties	<p>By the National Government: Humberto de la Calle Head of the National Government Peace Delegation</p> <p>By the FARC -EP: Iván Márquez Head of the FARC-EP Peace Delegation</p>
Third parties	<p>By the Guarantor Countries: By the Republic of Cuba By the Kingdom of Norway</p> <p>By the accompanying countries: By the Bolivarian Republic of Venezuela By the Republic of Chile</p>
Description	<p>This agreement provides for security guarantees. It defines guiding principles (3.4.1) and commits to adopt a national political pact (3.4.2). It specifically put in place a national security guarantee commission (3.4.3); special investigation unit (3.4.4); integration of an elite force (3.4.5); basic guarantees for exercising the function of prosecutors, judges and other public servants (3.4.6); a comprehensive security system for political activity (3.4.7); comprehensive security and protection programme for communities and organisations in the territories (3.4.8); mechanism for prevention and monitoring of criminal organisations targeted by this agreement (3.4.9); implementation of national mechanism (3.4.10); measures preventing and fighting corruption (3.4.11); and other provisions for the purpose of security (3.4.12). The agreement embraces the definition of security as defined in the Political Participation Agreement: "a modern and qualitatively new concept of security, which, in the end-of-conflict scenario, is founded on respect for human dignity, the promotion of and respect for human rights, and the defense of democratic values, in particular the promotion of rights and freedoms of people who engage in political activity, especially of those who, after the end of the armed conflict, form part of the political opposition and thus must be recognised and treated as such."</p>

Agreement document [CO_160623_Garantias seguridad_EN.pdf \(opens in new tab\)](#) | [Download PDF](#)

Agreement document (original language) [CO_160623_Garantias seguridad_ES.pdf \(opens in new tab\)](#)

Groups

Children/youth

Groups→Children/youth→Substantive

Page 2-3, 3.4.1 Guiding Principles:

The Government and the FARC-EP agree on the following guiding principles:

[...]

6. Gender -based Approach: Special emphasis will be placed on the protection of women, children, and adolescents who have been affected by criminal organisations targeted by Agreement. This approach will take into account the specific risks faced by women against their life, freedom, integrity, and security, and will be appropriate to such risks.

Page 3, 3.4.2 National Political Pact:

The desire for the country to achieve a stable and lasting peace is based on recognising the need to overcome armed conflict . The National Government and the new political movement that arises from the transition of the FARC-EP to legal political activity, undertake to promote a National Political Pact throughout the regions, with political parties and movements, guilds, civil society [fuerzas vivas de la Nación], organised society and communities in the territories, trade unions, the National Trade Union Council, and various business groups, owners and managers of communication media, churches, academy and educational institutions, as well as the following types of organisation: women's, sexual diversity, people with disabilities, young people, indigenous people and people of African descent, victims, human rights defenders, and other social organisations.

Page 5, 3.4.3. National Security Guarantee Commission for dismantling criminal organisations...:

[...]

The Commission's work will be focused on:

[...]

g. Will design and construct its strategies to identify sources of funding and criminal activity patterns of the organisations and behaviours targeted by this Agreement; amongst these patterns, those that particularly affect women, children, adolescents, and the LGBT population will be taken into account;

Page 7, 3.4.4 Special Investigation Unit for dismantling the criminal organisations...:

[...]

This Special Investigation Unit will have the following features:

[...]

- This Unit will have as a basis a multidimensional investigative approach that focuses on the entire chain of targeted criminal organisations and behaviours, including criminal behaviour affecting women, children and adolescents.

Disabled persons	<p>Groups→Disabled persons→Rhetorical Page 3, 3.4.2 National Political Pact: The desire for the country to achieve a stable and lasting peace is based on recognising the need to overcome armed conflict . The National Government and the new political movement that arises from the transition of the FARC-EP to legal political activity, undertake to promote a National Political Pact throughout the regions, with political parties and movements, guilds, civil society [fuerzas vivas de la Nación], organised society and communities in the territories, trade unions, the National Trade Union Council, and various business groups, owners and managers of communication media, churches, academy and educational institutions, as well as the following types of organisation: women’s, sexual diversity, people with disabilities, young people, indigenous people and people of African descent, victims, human rights defenders, and other social organisations.</p>
Elderly/age	<p>No specific mention.</p>
Migrant workers	<p>No specific mention.</p>
Racial/ethnic/ national group	<p>Groups→Racial/ethnic/national group→Rhetorical Page 3, 3.4.2 National Political Pact: The desire for the country to achieve a stable and lasting peace is based on recognising the need to overcome armed conflict . The National Government and the new political movement that arises from the transition of the FARC-EP to legal political activity, undertake to promote a National Political Pact throughout the regions, with political parties and movements, guilds, civil society [fuerzas vivas de la Nación], organised society and communities in the territories, trade unions, the National Trade Union Council, and various business groups, owners and managers of communication media, churches, academy and educational institutions, as well as the following types of organisation: women’s, sexual diversity, people with disabilities, young people, indigenous people and people of African descent, victims, human rights defenders, and other social organisations.</p>
Religious groups	<p>Groups→Religious groups→Rhetorical Page 3, 3.4.2 National Political Pact: The desire for the country to achieve a stable and lasting peace is based on recognising the need to overcome armed conflict . The National Government and the new political movement that arises from the transition of the FARC-EP to legal political activity, undertake to promote a National Political Pact throughout the regions, with political parties and movements, guilds, civil society [fuerzas vivas de la Nación], organised society and communities in the territories, trade unions, the National Trade Union Council, and various business groups, owners and managers of communication media, churches, academy and educational institutions, as well as the following types of organisation: women’s, sexual diversity, people with disabilities, young people, indigenous people and people of African descent, victims, human rights defenders, and other social organisations.</p>

Indigenous people Groups→Indigenous people→Rhetorical

Page 3, 3.4.2 National Political Pact:

The desire for the country to achieve a stable and lasting peace is based on recognising the need to overcome armed conflict . The National Government and the new political movement that arises from the transition of the FARC-EP to legal political activity, undertake to promote a National Political Pact throughout the regions, with political parties and movements, guilds, civil society [fuerzas vivas de la Nación], organised society and communities in the territories, trade unions, the National Trade Union Council, and various business groups, owners and managers of communication media, churches, academy and educational institutions, as well as the following types of organisation: women's, sexual diversity, people with disabilities, young people, indigenous people and people of African descent, victims, human rights defenders, and other social organisations.

Groups→Indigenous people→Substantive

Summary: The agreement ensures throughout that a territorial, differential, and gender-based approach is adopted in the design, implementation and monitoring of the policies and strategies provided for in the agreement. This implicitly grants special attention to indigenous, rural communities and areas mostly affected by the conflict and requires to take into account the various threats, particularities and experiences of different people in their communities and territories.

Other groups

Groups→Other groups→Rhetorical

Page 3, 3.4.2 National Political Pact:

The desire for the country to achieve a stable and lasting peace is based on recognising the need to overcome armed conflict. The National Government and the new political movement that arises from the transition of the FARC-EP to legal political activity, undertake to promote a National Political Pact throughout the regions, with political parties and movements, guilds, civil society [fuerzas vivas de la Nación], organised society and communities in the territories, trade unions, the National Trade Union Council, and various business groups, owners and managers of communication media, churches, academy and educational institutions, as well as the following types of organisation: women's, sexual diversity, people with disabilities, young people, indigenous people and people of African descent, victims, human rights defenders, and other social organisations.

Groups→Other groups→Substantive

[Summary: The agreement ensures throughout that a territorial, differential, and gender-based approach is adopted in the design, implementation and monitoring of the policies and strategies provided for in the agreement. This implicitly grants special attention to indigenous, rural communities and areas mostly affected by the conflict and requires to take into account the various threats, particularities and experiences of different people in their communities and territories.]

Page 8, 3.4.7 Comprehensive Security System for Political Activity:

The comprehensive system will develop a new model for guaranteeing for citizens' rights and protection, for political movements and parties, including the movement arising from the transition of the FARC-EP to legal political activity, and for rural communities and social, women's, and human rights defenders organisations, respecting what was agreed in the Political Participation Agreement.

Page 14, 3.4.8 Comprehensive Security and Protection Programme for communities and organisations in the territories:

There will be a Comprehensive Security and Protection Programme for communities and organisations in the territories, at the request of the Interior Ministry, whose goal will be to define and adopt comprehensive protection measures for organisations, groups and communities in the territories, so as to help ensure, under an effective model, the implementation of prevention and protection measures for communities and their territories. This programme will benefit from the active and effective participation of social organisations, including women's and community organisations. The following (included but not limited to) measures will be promoted:

- Implementation of comprehensive security and protection measures - in developing that established in point 2.2.4 of the Political Participation Agreement, the Comprehensive Security and Protection Programme will take into account the Prevention and Protection Plan, destigmatisation measures, including those against sexual orientation and gender-based stigmatisation, widespread dissemination methods, recognition campaigns for human rights defenders (in both urban and rural areas), and the creation and dissemination of media and public interest promoting human rights and coexistence.
- Community Promoters of Peace and Coexistence: will be a programme run by the Interior Ministry in coordination with the Ministry of Justice. The Community Promoters of Peace and Coexistence will be volunteers and non-armed. The programme will promote alternative methods for settling conflicts in the territories; will promote the defence of Human Rights, stimulating the coexistence in the community previously defined areas. The programme will appropriate the resources needed to ensure its successful implementation. Page 7 of 53

• Protocol for the protection of rural territories: the Interior Ministry will create a special protocol for the protection of rural communities that were affected by the conflict, which

Refugees/displaced persons No specific mention.

Social class No specific mention.

Gender

Women, girls and gender

Page 1, Untitled Preamble:

[...]

Finally, Point 2 of the Agreement also says that "the Comprehensive Security System for Political Activity will be structured in accordance with a concept of security that is centered around the person itself, is based on the principles of sovereignty, non-intervention and self-determination of people, and allows for linking security measures with development and individual and collective well-being measures referred to in the present agreement", as well as taking a differential and gender-based approach.

Page 2-3, 3.4.1 Guiding Principles:

The Government and the FARC-EP agree on the following guiding principles:

[...]

3. Strengthening the administration of justice: in the context of ending the conflict building a stable and lasting peace, the measures taken must contribute to ensuring citizen access to independent, timely, effective and transparent justice, respecting and promoting alternative solution mechanisms for the settling conflicts in the territories, so as to ensure fundamental rights and impartiality, and to prevent any form of private justice and cope with the behaviours and organisations covered by this Agreement. These measures should also contribute to ensuring the effective administration of justice in cases of gender violence, free of gender-based stereotypes or sexual orientation, and with sanctions proportional to the gravity of the offense.

[...]

6. Gender-based Approach: Special emphasis will be placed on the protection of women, children, and adolescents who have been affected by criminal organisations targeted by Agreement. This approach will take into account the specific risks faced by women against their life, freedom, integrity, and security, and will be appropriate to such risks.

[...]

10. Guarantee of non-repetition: The State will take measures to ensure clarification of the paramilitary phenomenon, to prevent its repetition and ensure the dismantling of criminal organisations responsible for killings, massacres, and systematic gender-based violence, or that infringe on human rights defenders, social movements or political movements, including the criminal organisations that have been named successors to paramilitary groups and their support networks, and the prosecution of criminal behaviour that threatens the implementation of the agreements and the building of peace.

Page 3, 3.4.2 National Political Pact:

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Page 4, 3.4.3. National Security Guarantee Commission for dismantling criminal organisations...:

[...]

The National Security Guarantee Commission will be chaired by the President of the Republic, and will be composed of the Interior Minister, Defence Minister, Justice Minister, the National Attorney General, the Ombudsman, the Director of the Special

Men and boys

Gender→Men and boys→Gender neutral wording

Page 8, 3.4.7 Comprehensive Security System for Political Activity:

[...]

3.4.7.1 Protection and collective and social security measures

Considering that the agreement on political participation was agreed "Comprehensive Security System for Political Activity", which should be complemented and have its content defined with regard to security and protection for the people targeted by this system, and in order to provide security guarantees for the new political movement arising from the transition of the FARC-EP to legal political activity, for its members - men and women - in the process of reintegrating into civilian life, in addition to the applying the prevention, security, and protection of the territories model, and the protection measures defined in the framework of "Political Participation Agreement: Opening up Democracy to Build Peace";

LGBTI

Gender→LGBTI→LGBTI (positive)

Page 2-3, 3.4.1 Guiding Principles:

The Government and the FARC-EP agree on the following guiding principles:

[...]

3. Strengthening the administration of justice: in the context of ending the conflict building a stable and lasting peace, the measures taken must contribute to ensuring citizen access to independent, timely, effective and transparent justice, respecting and promoting alternative solution mechanisms for the settling conflicts in the territories, so as to ensure fundamental rights and impartiality, and to prevent any form of private justice and cope with the behaviours and organisations covered by this Agreement. These measures should also contribute to ensuring the effective administration of justice in cases of gender violence, free of gender-based stereotypes or sexual orientation, and with sanctions proportional to the gravity of the offense.

Page 3, 3.4.2 National Political Pact:

The desire for the country to achieve a stable and lasting peace is based on recognising the need to overcome armed conflict . The National Government and the new political movement that arises from the transition of the FARC-EP to legal political activity, undertake to promote a National Political Pact throughout the regions, with political parties and movements, guilds, civil society [fuerzas vivas de la Nación], organised society and communities in the territories, trade unions, the National Trade Union Council, and various business groups, owners and managers of communication media, churches, academy and educational institutions, as well as the following types of organisation: women's, sexual diversity, people with disabilities, young people, indigenous people and people of African descent, victims, human rights defenders, and other social organisations.

Page 5, 3.4.3. National Security Guarantee Commission for dismantling criminal organisations...:

[...]

The Commission's work will be focused on:

[...]

g. Will design and construct its strategies to identify sources of funding and criminal activity patterns of the organisations and behaviours targeted by this Agreement; amongst these patterns, those that particularly affect women, children, adolescents, and the LGBT population will be taken into account;

Page 7-8, 3.4.4 Special Investigation Unit for dismantling the criminal organisations...:

[...]

Authority

The Special Unit

[...]

- Will implement specialised investigation method schemes with regard to the most serious acts of victimisation that organisations and behaviours covered by this agreement performed against women, children, adolescents and the LGBT population.

Page 9, 3.4.7 Comprehensive Security System for Political Activity, 3.4.7.1 Protection and collective and social security measures, 3.4.7.1.1 High-Level Body of the Comprehensive Security System for Political Activity:

[...]

The High-Level Body of the Comprehensive Security System for Political Activity (Political Participation Agreement, paragraph 2.1.2.1) will develop and implement, the following Security System Components

- Specialized protection, on the basis of a risk assessment and in coordination with the State Entities concerned, for the following persons: those who have been publically

Family

Page 10-11, 3.4.7 Comprehensive Security System for Political Activity, 3.4.7.3 Comprehensive Protection Programme for members of the new political party or movement arising from the transition of the FARC-EP to legal political activity, for their activities and headquarters, as well as for former members of the FARC-EP returning to civilian life and for the families of all of the above, in line with the level of risk: The National Government commits to implementing a comprehensive protection programme to coincide with the one developed in the “Political Participation Agreement: Opening up Democracy to Build Peace”, paragraph 2.1.2.1(c), whose goal will be to protect members of the new political party or movement arising from the transition of the FARC-EP towards legal political activity, their activities and headquarters, as well as former members of the FARC-EP returning to civilian life and the families of all of the above, in line with the level of risk.

This programme, which will be assigned to the Presidency’s Administrative Department under supervision of the Presidential Delegate in the High-Level Body for the Comprehensive Security System for Political Activity, will have administrative and financial autonomy, and will have permanent and operational coordination with the state institutions concerned.

The measures established in this paragraph will apply to representatives of the FARC-EP in process of reintegration into civilian life and those assigned to the process of building peace, and will be designed by the FARC-EP Peace Delegation, after signing and in line with what is established in the Final Agreement.

3.4.7.3.1 Specialised security and protection department in the UNP

The National Government will create department in the UNP, specializing in security and protection of members of the new political party or movement arising from the transition of the FARC-EP towards legal political activity, for their activities and headquarters, as well as for former members of the FARC-EP returning to civilian life and for the families of all of the above, in line with the level of risk.

[...]

3.4.7.3.2 Technical Security and Protection Committee:

The National Government, will put in place a Technical Security and Protection Committee, hereinafter referred to as the Technical Committee, with participation from the National Government and the FARC-EP, which will begin its work immediately after this agreement has been signed, with the goal of developing, coordinating, monitoring and making suggestions for the implementation of a Strategic Security and Protection Plan, of devising measures for members of the new political party or movement arising from the transition of the FARC-EP to legal political activity, for their activities and headquarters, as well as for former members of the FARC-EP returning to civilian life and for the families of all of the above, in line with the level of risk.

The Technical Committee will have the following functions:

[...]

- To identify the needs in the fields of human, physical, and budget resources, required for the implementation of the Strategic Security and Protection Plan, in a way that will ensure the right to life and personal integrity, to freedom, to mobility and security, of members of the new political party or movement arising from the transition of the FARC-EP to legal political activity and FARC-EP members returning to civilian life, and the families of all the above, given the risk the face by exercising their political, public, social, or humanitarian function.

The Technical Committee will be permanent, and will follow up and make periodic assessments in coordination with the state institutions that have jurisdiction on the matter. The planning and monitoring of protection will be both individual and collective for the members of the new political party or movement arising from the transition of the FARC-EP towards legal political activity, for their activities and headquarters, as well as for former members of the FARC-EP returning to civilian life and for the families of all of the above, in line with the level of risk.

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)	<p>Governance→Political institutions (new or reformed)→General references</p> <p>Page 1, Untitled Preamble:</p> <p>On the basis of what was already established in the Point 2 of the Agreement, on Political Participation, that defines security as: "a modern and qualitatively new concept of security, which, in the end-of-conflict scenario, is founded on respect for human dignity, the promotion of and respect for human rights, and the defense of democratic values, in particular the promotion of rights and freedoms of people who engage in political activity, especially of those who, after the end of the armed conflict, form part of the political opposition and thus must be recognised and treated as such," the National Government will establish a new Comprehensive Security System for Political Activity.</p> <p>Page 2-3, 3.4.1 Guiding Principles:</p> <p>The Government and the FARC-EP agree on the following guiding principles:</p> <p>[...]</p> <p>7. Coordination and institutional responsibility: in the context of ending the conflict and building a stable and lasting peace, coordination and joint responsibility between all State institutions will be necessary in order to ensure the effectiveness of the measures taken in the security department. The Union of national, departmental, and municipal order institutions should therefore be ensured.</p> <p>[...]</p> <p>9. Accountability : all measures to be adopted must have a permanent system of accountability provided by the institutions, that illustrates achievements and progress of measures taken, including those that are taken in response to information provided by the communities.</p>
Elections	No specific mention.
Electoral commission	No specific mention.

Political parties reform

Governance→Political parties reform→Rebels transitioning to political parties

Page 1, Preamble

[...]

Finally, point 2 of the agreement states that security guarantees are necessary to strengthen and build peace and coexistence, and in particular to ensure the implementation of the schemes and programmes agreed here, guaranteeing protection of communities and community leaders, human rights defenders, political parties and political and social movements, and especially new movements or political parties that arise from the transition of the FARC-EP to legal political activity. [...]

Page 3, 3.4.2 National Political Pact:

The desire for the country to achieve a stable and lasting peace is based on recognising the need to overcome armed conflict. The National Government and the new political movement that arises from the transition of the FARC-EP to legal political activity, undertake to promote a National Political Pact throughout the regions, with political parties and movements, guilds, civil society [fuerzas vivas de la Nación], organised society and communities in the territories, trade unions, the National Trade Union Council, and various business groups, owners and managers of communication media, churches, academy and educational institutions, as well as the following types of organisation: women's, sexual diversity, people with disabilities, young people, indigenous people and people of African descent, victims, human rights defenders, and other social organisations.

Page 8-9, 3.4.7 Comprehensive Security System for Political Activity, 3.4.7.1.1 High-Level Body of the Comprehensive Security System for Political Activity:

[...] the High-Level Body's purpose will be to implement a security system for political activity, ensuring its functioning, articulation and monitoring. It will also be a space for continuous dialogue on the security and protection of members of political parties and social and political movements, and the new movement arising from the transition of the FARC-EP to legal political activity, as well as of its members in the process of reintegrating into civilian life.

The High-Level Body of the Comprehensive Security System for Political Activity (Political Participation Agreement, paragraph 2.1.2.1) will develop and implement, the following Security System Components:

- Specialized protection, on the basis of a risk assessment and in coordination with the State Entities concerned, for the following persons: those who have been publically elected, who declare themselves in political opposition and leaders of political parties and movements, with a differential approach and with a national and regional presence, as well as with a regional and local risk assessment entity, referred to in the subparagraph 2.1.2.1. (c) of the Political Participation Agreement: Opening up Democracy to Build Peace. [...] Both risk assessments and specialised protection measures will apply gender protocols that ensure expertise regarding sexual orientation and gender identities of the people.

The body will be composed of:

- a. The President of the Republic.
- b. The Interior Minister.
- c. The Minister of Defence
- d. The Councillor for Human Rights of the Presidency of the Republic.
- e. The Commander of the Military Forces.
- f. The Director of the National Police.
- g. The Director of the National Protection Unit, hereinafter UNP.

The High Level Body will ensure the continued participation of the new political movement arising from the transition of the FARC-EP to legal political activity.

The National Government will ensure the participation of political parties and

Civil society

[Summary: This agreement includes various security guarantees specifically for the 'new political movement that arises from the transition of the FARC-EP to legal political activity'. For example: the training process for self-protection (page 14), and the removal of their names from the central intelligence and security data banks (page 18). Some of these provisions overlap with provisions related to the new political party arising from the transition of the FARC-EP to legal political activity (see coding in Political institutions).]

Page 1, Untitled Preamble:

[...]

Finally, point 2 of the agreement states that security guarantees are necessary to strengthen and build peace and coexistence, and in particular to ensure the implementation of the schemes and programmes agreed here, guaranteeing protection of communities and community leaders, human rights defenders, political parties and political and social movements, and especially new movements or political parties that arise from the transition of the FARC-EP to legal political activity. It will also guarantee the protection of FARC-EP members in the process of reintegrating into civilian life. Measures to realise these goals will have a differential and gender-based approach.

Page 1:

To fulfil these goals, the National Government and the FARC-EP, undertake to:

- The National Government will ensure the implementation of measures necessary to effectively and comprehensively intensify activity against criminal organisations responsible for killings and massacres, or that infringe on human rights defenders, social movements or political movements, including the criminal organisations that have been named successors of paramilitary groups and their support networks, and the prosecution of criminal behaviour that threatens the implementation of the agreements and the building of peace. In addition, it will ensure the protection of communities in the territories, to break any type of relation between politics and armed-violence, and to respect principles that govern the whole democratic society.

Page 3, 3.4.1 Guiding Principles:

The Government and the FARC-EP agree on the following guiding principles:

[...]

8. Citizen participation: the measures will be implemented with active participation from civil society, including the new political movement that arises from the transition of the FARC-EP to legal political activity and its members in the process of reintegrating into civilian life.

[...]

10. Guarantee of non-repetition: The State will take measures to ensure clarification of the paramilitary phenomenon, to prevent its repetition and ensure the dismantling of criminal organisations responsible for killings, massacres, and systematic gender-based violence, or that infringe on human rights defenders, social movements or political movements, including the criminal organisations that have been named successors to paramilitary groups and their support networks, and the persecution of criminal behaviour that threatens the implementation of the agreements and the building of peace.

Page 3, 3.4.2 National Political Pact:

The desire for the country to achieve a stable and lasting peace is based on recognising the need to overcome armed conflict. The National Government and the new political movement that arises from the transition of the FARC-EP to legal political activity, undertake to promote a National Political Pact throughout the regions, with political parties and movements, guilds, civil society [fuerzas vivas de la Nación], organised society and communities in the territories, trade unions, the National Trade Union

**Traditional/
religious leaders**

No specific mention.

**Public
administration**

Page 5, 3.4.3. National Security Guarantee Commission for dismantling criminal organisations...:

[...]

The Commission's work will be focused on:

[...]

i. Propose mechanisms to review public servants records in all State institutions in order to verify any previous involvement that they may have had with groups and/or activities of a paramilitary nature or violations of human rights;

Page 6-8, 3.4.4 Special Investigation Unit for dismantling the criminal organisations...:

[...]

This Special Investigation Unit will have the following features:

[...]

- The Director of the unit will be responsible for decisions in respect of to any function or authority of the unit, and may delegate, in whole or in part, such responsibilities, to other public servants.

[...]

- The public servants that make up the Unit will be elected by the Directors, by applying special selection, incorporation and performance monitoring mechanisms, prioritising high standards of transparency, effectiveness and knowledge in implementing a gender-based approach to public exercise.

[...]

Authority

The Special Unit

[...]

- Will take over investigation on the links between criminal organisations included in its mandate, including criminal organisations that have been named successors of paramilitary groups and State officers.

- To find evidence on public officials' responsibility, it will continue with the criminal investigation, and additionally will transfer power to the Attorney General Office or the Republic's General Comptroller Office, so as to be able to begin disciplinary investigations and relevant prosecutions.

- To find evidence on public officials' responsibility, the Unit will request from the competent judicial authorities the imposition of ancillary penalties, such as the inability to exercise public functions, among others.

Page 8, 3.4.6 Basic guarantees for exercising the function of prosecutors, judges and other public servants:

Public servants with responsibilities in the fields of research, analysis, prosecution, and others, aimed at fighting organizations and behaviours targeted by this agreement, will ensure the necessary conditions for its development by avoiding any disturbance or threat to their functions and by providing the respective security assurances.

Page 13, 3.4.7 Comprehensive Security System for Political Activity, 3.4.7.3

Comprehensive Protection Programme ..., 3.4.7.3.3 Security and Protection Body:

[...]

Members of the Security and Protection Body will rely on the Specialised Security and Protection Department. The link between the two will act through direct recruitment of public servants, through temporary contracts for service provision, or through incorporation of staff through duly authorised security operators that provide the greatest guarantee of reliability to the protected people. The National Government will make necessary adjustments to expand the UNP's staff, if necessary.

Constitution

Governance→Constitution→Constitution affirmation/renewal

Page 13, 3.4.7 Comprehensive Security System for Political Activity, 3.4.7.3

Comprehensive Protection Programme ...,3.4.7.3.3 Security and Protection Body:

[...]

Legal and Constitutional Risk Presumptions: Members of the new political movement created by the FARC-EP's transition towards legal political activity will be presumed to be under exceptional risk, in accordance with reasonable criteria submitted by their representatives before to the Technical Committee. The new political movement will be presumed to be under exceptional risk. The National Government will advance the necessary regulatory measures to convert the presumption into law.

Governance→Constitution→Constitutional reform/making

Page 3, 3.4.2 National Political Pact:

[...]

This National Political Pact, that must be promoted throughout the regions and especially in the most affected by the phenomenon, seeks to ensure the commitment of all Colombians to never again use weapons in politics, nor promote violent organisations such as paramilitary groups that interrupted the life of Colombians by infringing upon their human rights, affecting coexistence, and altering the security conditions that society demands. In this regard, the National Government undertakes to put in place the necessary legislative process to incorporate into the Constitution a ban on promotion, organisation, financing, or official and/or private employment of paramilitary practices or structures, and to develop the necessary rules for its application, which will include a criminal prosecution and administrative and disciplinary sanctions policy. In addition, measures will be included to bring people to justice. This pact will seek national reconciliation and peaceful coexistence between Colombians.

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.

Human rights and equality

**Human rights/RoL
general**

Page 1, Untitled Preamble:

On the basis of what was already established in the Point 2 of the Agreement, on Political Participation, that defines security as: "a modern and qualitatively new concept of security, which, in the end-of-conflict scenario, is founded on respect for human dignity, the promotion of and respect for human rights, and the defense of democratic values, in particular the promotion of rights and freedoms of people who engage in political activity, especially of those who, after the end of the armed conflict, form part of the political opposition and thus must be recognised and treated as such," the National Government will establish a new Comprehensive Security System for Political Activity. [...]

Finally, point 2 of the agreement states that security guarantees are necessary to strengthen and build peace and coexistence, and in particular to ensure the implementation of the schemes and programmes agreed here, guaranteeing protection of communities and community leaders, human rights defenders, political parties and political and social movements, and especially new movements or political parties that arise from the transition of the FARC-EP to legal political activity. It will also guarantee the protection of FARC-EP members in the process of reintegrating into civilian life. Measures to realise these goals will have a differential and gender-based approach.

Page 1-2:

To fulfil these goals, the National Government and the FARC-EP, undertake to:

- The National Government will ensure the implementation of measures necessary to effectively and comprehensively intensify activity against criminal organisations responsible for killings and massacres, or that infringe on human rights defenders, social movements or political movements, including the criminal organisations that have been named successors of paramilitary groups and their support networks, and the prosecution of criminal behaviour that threatens the implementation of the agreements and the building of peace. In addition, it will ensure the protection of communities in the territories, to break any type of relation between politics and armed-violence, and to respect principles that govern the whole democratic society.
- The Colombian State shall apply the rules of criminal prosecution against organisations and criminal behaviour that are targeted by this agreement, respecting human rights in their actions.
- The State will hold a monopoly on the legitimate use of weapons, with the goal of ensuring the full enjoyment of all human rights for all Colombians.
- And the FARC-EP will commit to contributing effectively to building and consolidating peace, to the best of its abilities, to promote the contents of the agreements and to respect fundamental rights.

Page 2, 3.4.1 Guiding Principles:

The Government and the FARC-EP agree on the following guiding principles:

1. Respect, guarantee, protection, and promotion of human rights: the State is the guarantor of the free and full exercise of individuals' and communities' rights and freedoms.
2. Ensure a legitimate monopoly of force and use of weapons by the State throughout the territory: in the framework of the ending the conflict and building a stable and lasting peace, the measures to be adopted must guarantee the legitimate monopoly of force and use of weapons by the State, in order to ensure the respect and the fundamental rights of all citizens. The legitimacy will come from fulfilling the obligation to ensure the full enjoyment of all Colombians' fundamental rights, under the principles of legality, necessity and proportionality.
3. Strengthening the administration of justice: in the context of ending the conflict building a stable and lasting peace, the measures taken must contribute to ensuring citizen access to independent, timely, effective and transparent justice, respecting and promoting alternative solution mechanisms for the settling conflicts in the territories, so

Bill of rights/similar No specific mention.

**Treaty
incorporation**

Page 2:

To fulfil these goals, the National Government and the FARC-EP, undertake to:

[...]

- The Colombian State will observe the rules of International Human Rights Law, hereinafter DIDH, in order to protect the population.

Civil and political rights

Human rights and equality→Civil and political rights→Life

Page 11, 3.4.7 Comprehensive Security System for Political Activity, 3.4.7.3

Comprehensive Protection Programme ..., 3.4.7.3.2 Technical Security and Protection Committee:

The Technical Committee will have the following functions:

[...]

- To identify the needs in the fields of human, physical, and budget resources, required for the implementation of the Strategic Security and Protection Plan, in a way that will ensure the right to life and personal integrity, to freedom, to mobility and security, of members of the new political party or movement arising from the transition of the FARC-EP to legal political activity and FARC-EP members returning to civilian life, and the families of all the above, given the risk they face by exercising their political, public, social, or humanitarian function.

Human rights and equality→Civil and political rights→Liberty and security of person

Page 11, 3.4.7 Comprehensive Security System for Political Activity, 3.4.7.3

Comprehensive Protection Programme ..., 3.4.7.3.2 Technical Security and Protection Committee:

The Technical Committee will have the following functions:

[...]

- To identify the needs in the fields of human, physical, and budget resources, required for the implementation of the Strategic Security and Protection Plan, in a way that will ensure the right to life and personal integrity, to freedom, to mobility and security, of members of the new political party or movement arising from the transition of the FARC-EP to legal political activity and FARC-EP members returning to civilian life, and the families of all the above, given the risk they face by exercising their political, public, social, or humanitarian function.

Human rights and equality→Civil and political rights→Freedom of movement

Page 11, 3.4.7 Comprehensive Security System for Political Activity, 3.4.7.3

Comprehensive Protection Programme ..., 3.4.7.3.2 Technical Security and Protection Committee:

The Technical Committee will have the following functions:

[...]

- To identify the needs in the fields of human, physical, and budget resources, required for the implementation of the Strategic Security and Protection Plan, in a way that will ensure the right to life and personal integrity, to freedom, to mobility and security, of members of the new political party or movement arising from the transition of the FARC-EP to legal political activity and FARC-EP members returning to civilian life, and the families of all the above, given the risk they face by exercising their political, public, social, or humanitarian function.

Human rights and equality→Civil and political rights→Fair trial

Page 2, 3.4.1 Guiding Principles:

The Government and the FARC-EP agree on the following guiding principles:

[...]

3. Strengthening the administration of justice: in the context of ending the conflict building a stable and lasting peace, the measures taken must contribute to ensuring citizen access to independent, timely, effective and transparent justice, respecting and promoting alternative solution mechanisms for the settling conflicts in the territories, so as to ensure fundamental rights and impartiality, and to prevent any form of private justice and cope with the behaviours and organisations covered by this Agreement. These measures should also contribute to ensuring the effective administration of justice in cases of gender violence, free of gender-based stereotypes or sexual orientation, and with sanctions proportional to the gravity of the offense.

Socio-economic rights

Human rights and equality→Socio-economic rights→Work

Page 12, Guidelines and Criteria for the Strategic Security and Protection Plan for the new political party or movement arising from the transition of the FARC-EP towards legal political activity, in line with the level of risk:

[...]

The prevention, security, and protection schemes, in regard to enrolling, logistics, management, mobility, staff labour rights, and other requirements for its optimal functioning and sustainability, will be defined by the Technical Committee, in line with reliability and compliance criteria, that in this field will aid members of the new political party or movement the FARC-EP will become.

Rights related issues

Citizenship

Rights related issues→Citizenship→Citizens, specific rights

Page 2-3, 3.4.1 Guiding Principles:

The Government and the FARC-EP agree on the following guiding principles:

[...]

2. Ensure a legitimate monopoly of force and use of weapons by the State throughout the territory: in the framework of the ending the conflict and building a stable and lasting peace, the measures to be adopted must guarantee the legitimate monopoly of force and use of weapons by the State, in order to ensure the respect and the fundamental rights of all citizens. The legitimacy will come from fulfilling the obligation to ensure the full enjoyment of all Colombians' fundamental rights, under the principles of legality, necessity and proportionality.

3. Strengthening the administration of justice: in the context of ending the conflict building a stable and lasting peace, the measures taken must contribute to ensuring citizen access to independent, timely, effective and transparent justice, respecting and promoting alternative solution mechanisms for the settling conflicts in the territories, so as to ensure fundamental rights and impartiality, and to prevent any form of private justice and cope with the behaviours and organisations covered by this Agreement. These measures should also contribute to ensuring the effective administration of justice in cases of gender violence, free of gender-based stereotypes or sexual orientation, and with sanctions proportional to the gravity of the offense.

[...]

5. Territorial and differential approach: in the context of ending the conflict and building a stable and lasting peace, the security measures to be taken should have a territorial and differential approach that takes into account the various threats, particularities and experiences of different people in their communities and territories, with the goal of implementing schemes and programmes to build peace and to provide guarantees for the population, including the new political movement that arises from the transition of the FARC-EP to legal political activity and its members in the process of reintegrating into civilian life, so as to contribute to better governance, legitimacy, and citizens' effective enjoyment of the rights and freedom.

[...]

8. Citizen participation: the measures will be implemented with active participation from civil society, including the new political movement that arises from the transition of the FARC-EP to legal political activity and its members in the process of reintegrating into civilian life.

Page 8, 3.4.7 Comprehensive Security System for Political Activity:

The comprehensive system will develop a new model for guaranteeing for citizens' rights and protection, for political movements and parties, including the movement arising from the transition of the FARC-EP to legal political activity, and for rural communities and social, women's, and human rights defenders organisations, respecting what was agreed in the Political Participation Agreement.

Democracy

Page 1, Untitled Preamble:

On the basis of what was already established in the Point 2 of the Agreement, on Political Participation, that defines security as: "a modern and qualitatively new concept of security, which, in the end-of-conflict scenario, is founded on respect for human dignity, the promotion of and respect for human rights, and the defense of democratic values, in particular the promotion of rights and freedoms of people who engage in political activity, especially of those who, after the end of the armed conflict, form part of the political opposition and thus must be recognised and treated as such," the National Government will establish a new Comprehensive Security System for Political Activity.

Page 1:

To fulfil these goals, the National Government and the FARC-EP, undertake to:

- The National Government will ensure the implementation of measures necessary to effectively and comprehensively intensify activity against criminal organisations responsible for killings and massacres, or that infringe on human rights defenders, social movements or political movements, including the criminal organisations that have been named successors of paramilitary groups and their support networks, and the prosecution of criminal behaviour that threatens the implementation of the agreements and the building of peace. In addition, it will ensure the protection of communities in the territories, to break any type of relation between politics and armed-violence, and to respect principles that govern the whole democratic society.

Page 8-9, 3.4.7 Comprehensive Security System for Political Activity:

[...]

3.4.7.1 Protection and collective and social security measures

Considering that the agreement on political participation was agreed "Comprehensive Security System for Political Activity", which should be complemented and have its content defined with regard to security and protection for the people targeted by this system, and in order to provide security guarantees for the new political movement arising from the transition of the FARC-EP to legal political activity, for its members - men and women - in the process of reintegrating into civilian life, in addition to the applying the prevention, security, and protection of the territories model, and the protection measures defined in the framework of "Political Participation Agreement: Opening up Democracy to Build Peace";

[...]

The High-Level Body of the Comprehensive Security System for Political Activity (Political Participation Agreement, paragraph 2.1.2.1) will develop and implement, the following Security System Components:

- Specialized protection, on the basis of a risk assessment and in coordination with the State Entities concerned, for the following persons: those who have been publically elected, who declare themselves in political opposition and leaders of political parties and movements, with a differential approach and with a national and regional presence, as well as with a regional and local risk assessment entity, referred to in the subparagraph 2.1.2.1. (c) of the Political Participation Agreement: Opening up Democracy to Build Peace. Both risk assessments and specialised protection measures will apply gender protocols that ensure expertise regarding sexual orientation and gender identities of the people.
- Planning, monitoring and evaluation system with of an inter-institutional nature, set out in paragraph 2.1.2.1. (d) of the Political Participation Agreement: Opening up Democracy to Build Peace.
- Committee for promoting investigation of offenses against those who undertaking political activity, taking into account women and the LGBT population, as set forth in subparagraph 2.1.2.1. (d) of the Political Participation Agreement: Democratic Openness to Building Peace.

**Detention
procedures**

No specific mention.

Media and communication

Rights related issues→Media and communication→Media roles

Page 3, 3.4.2 National Political Pact:

The desire for the country to achieve a stable and lasting peace is based on recognising the need to overcome armed conflict . The National Government and the new political movement that arises from the transition of the FARC-EP to legal political activity, undertake to promote a National Political Pact throughout the regions, with political parties and movements, guilds, civil society [fuerzas vivas de la Nación], organised society and communities in the territories, trade unions, the National Trade Union Council, and various business groups, owners and managers of communication media, churches, academy and educational institutions, as well as the following types of organisation: women's, sexual diversity, people with disabilities, young people, indigenous people and people of African descent, victims, human rights defenders, and other social organisations.

Page 5, 3.4.3. National Security Guarantee Commission for dismantling criminal organisations...:

[...]

The Commission's work will be focused on:

[...]

j. Will report regularly to public authority branches, to the general public, and to international agencies about the progress and obstacles in the fight against the organisations and behaviours targeted by this Agreement;

Page 8, 3.4.4 Special Investigation Unit for dismantling the criminal organisations...:

[...]

Authority

The Special Unit

[...]

- Will be able to report regularly to the national and international public on the progress and obstacles in the fulfilment of its mission.

Page 14, 3.4.8 Comprehensive Security and Protection Programme for communities and organisations in the territories:

There will be a Comprehensive Security and Protection Programme for communities and organisations in the territories, at the request of the Interior Ministry, whose goal will be to define and adopt comprehensive protection measures for organisations, groups and communities in the territories, so as to help ensure, under an effective model, the implementation of prevention and protection measures for communities and their territories. This programme will benefit from the active and effective participation of social organisations, including women's and community organisations. The following (included but not limited to) measures will be promoted:

- Implementation of comprehensive security and protection measures - in developing that established in point 2.2.4 of the Political Participation Agreement, the Comprehensive Security and Protection Programme will take into account the Prevention and Protection Plan, destigmatisation measures, including those against sexual orientation and gender-based stigmatisation, widespread dissemination methods, recognition campaigns for human rights defenders (in both urban and rural areas), and the creation and dissemination of media and public interest promoting human rights and coexistence.

[...]

- Support for the Crime Reporting Activities of Human Rights Organisations in the Territories: the Interior Ministry will draw up a programme for strengthening the denunciation ability of human rights organisations in rural areas, which will boost prevention measures with an emphasis on written and audiovisual communication, along with any instrument that is used to document possible human rights violations

Mobility/access	<p>Page 12, Guidelines and Criteria for the Strategic Security and Protection Plan for the new political party or movement arising from the transition of the FARC-EP towards legal political activity, in line with the level of risk:</p> <p>[...]</p> <p>The protection protocol will provide necessary transport means, according to the displacement needs of protected people.</p>
Protection measures	<p>Rights related issues→Protection measures→Other</p> <p>Page 14, 3.4.8 Comprehensive Security and Protection Programme for communities and organisations in the territories:</p> <p>There will be a Comprehensive Security and Protection Programme for communities and organisations in the territories, at the request of the Interior Ministry, whose goal will be to define and adopt comprehensive protection measures for organisations, groups and communities in the territories, so as to help ensure, under an effective model, the implementation of prevention and protection measures for communities and their territories. This programme will benefit from the active and effective participation of social organisations, including women’s and community organisations. The following (included but not limited to) measures will be promoted:</p> <p>[...]</p> <ul style="list-style-type: none"> • Protocol for the protection of rural territories: the Interior Ministry will create a special protocol for the protection of rural communities that were affected by the conflict, which will be agreed with the communities and organisations of each territory, including women’s organisations, and with the Comprehensive Security and Protection System. Within this protocol, rural communities and their organisations will develop their own assessment structure and definition of risks, with a differential and gender-based approach.
Other	<p>No specific mention.</p>

Rights institutions

NHRI

Rights institutions→NHRI→New or fundamentally revised NHRI

Page 4, 3.4.3. National Security Guarantee Commission for dismantling criminal organisations...:

[...]

The National Security Guarantee Commission will be chaired by the President of the Republic, and will be composed of the Interior Minister, Defence Minister, Justice Minister, the National Attorney General, the Ombudsman, the Director of the Special Investigation Unit - point 74 of the Special Jurisdiction for Peace -, the General Commander of the Armed Forces, the General Director of the National Police, two (2) representatives of the new movement that will arise from the transition of the FARC-EP to legal political activity, and two (2) spokesmen representing human rights and peace platforms. The Commission will also be able to invite representatives of the political parties and movements, specialised national and international organisations with a presence in the territories, and will be able to rely on their experts on the matter when it is deemed convenient. The Commission will be established before the implementation of the Final Agreement. The effective participation of women will be encouraged when forming the Commission.

Page 15, 3.4.9 Mechanism for prevention and monitoring of criminal organisations targeted by this agreement:

In accordance with that established in the "Political Participation Agreement" in point 2.1.2.1 (b), a new prevention and early warning system for rapid reaction to the presence, operations and/or activities of the organisations and criminal behaviour targeted by this Agreement will be created in the Ombudsman Office, coordinated with the National Government and the Special Investigation Unit, and in whose design will participate the National Security Assurances Commission. The system should combine permanent monitoring and early warning activities with the ability to react rapidly and deploy in the field. It will act in coordination with the organisations for the defence of human rights and the communities. This system will give early warnings autonomously without having to consult with or submit their decisions to any other institution.

Regional or international human rights institutions

No specific mention.

Justice sector reform

Criminal justice and emergency law Justice sector reform→Criminal justice and emergency law→Criminal Justice System reform

[Summary - Page 5-8: The section 3.4.4. is providing for a Special Investigation Unit for dismantling the criminal organisations responsible for killings and massacres, or that infringe on human rights defenders, social movements or political movements, including the criminal organisations that have been named as the successors of paramilitary groups and their support networks, and for the prosecuting criminal behaviour that threatens the implementation of the Agreements and building of peace.]

Page 4, 3.4.3. National Security Guarantee Commission for dismantling criminal organisations...:

In accordance with the agreement reached in the point 2.1.2.1 related to the Comprehensive Security System for Political Activity, which deals with the implementation of the Continuous Evaluation of the Performance of the Comprehensive Protection System and of the Progress in Dismantling Criminal Organisations (and of all those who threaten the implementation of the policy) Commission, the National Government and the FARC-EP agree that the Government will develop and implement the National Security Guarantee Commission, whose goal will be the design and monitoring of public and criminal policy, in relation to dismantling any organisation or conduct targeted by this Agreement that threatens the implementation of the agreements and building of peace. The Commission will also blend these policies to ensure their implementation. The monitoring and evaluation of the National Security Guarantee Commission's performance will be carried out by the High-Level Body discussed in point 3.4.7.1.1 of this Agreement.

Page 13, 3.4.7 Comprehensive Security System for Political Activity, 3.4.7.3 Comprehensive Protection Programme ..., 3.4.7.3.3 Security and Protection Body: [...]

A rigorous model for reviewing criminal records and disciplinary procedures will be applied, as well as security measures including testing of credibility, reliability, and other characteristics for members of the National Police that will compose the Security and Protection Body.

State of emergency provisions No specific mention.

Judiciary and courts

Page 2, 3.4.1 Guiding Principles:

The Government and the FARC-EP agree on the following guiding principles:

[...]

3. Strengthening the administration of justice: in the context of ending the conflict building a stable and lasting peace, the measures taken must contribute to ensuring citizen access to independent, timely, effective and transparent justice, respecting and promoting alternative solution mechanisms for the settling conflicts in the territories, so as to ensure fundamental rights and impartiality, and to prevent any form of private justice and cope with the behaviours and organisations covered by this Agreement. These measures should also contribute to ensuring the effective administration of justice in cases of gender violence, free of gender-based stereotypes or sexual orientation, and with sanctions proportional to the gravity of the offense.

Page 4, 3.4.3. National Security Guarantee Commission for dismantling criminal organisations...:

[...]

The National Security Guarantee Commission will be chaired by the President of the Republic, and will be composed of the Interior Minister, Defence Minister, Justice Minister, the National Attorney General, the Ombudsman, the Director of the Special Investigation Unit - point 74 of the Special Jurisdiction for Peace -, the General Commander of the Armed Forces, the General Director of the National Police, two (2) representatives of the new movement that will arise from the transition of the FARC-EP to legal political activity, and two (2) spokesmen representing human rights and peace platforms. The Commission will also be able to invite representatives of the political parties and movements, specialised national and international organisations with a presence in the territories, and will be able to rely on their experts on the matter when it is deemed convenient. The Commission will be established before the implementation of the Final Agreement. The effective participation of women will be encouraged when forming the Commission.

Page 6-8, 3.4.4 Special Investigation Unit for dismantling the criminal organisations...:

... The Special Unit, by fulfilling its functions within ordinary jurisdiction, will contribute to the achieving the goals of Justice and Peace Law and of the Special Jurisdiction for Peace. In a manner which will contribute to strengthening the justice system and dismantling organisations that have been named successors to paramilitary groups, the Special Unit must guarantee the non-repetition of the paramilitary phenomenon, and will prevent further violations of human rights, as well as aiding the building of a stable and lasting peace.

This Special Investigation Unit will have the following features:

- It will be created outside of the Special Jurisdiction for Peace. It will be a part of ordinary jurisdiction and the State Prosecutor Office. The Unit will decide what is necessary for its functioning and for creating its work and research groups, whilst promoting in these spaces the effective participation of women who will have the autonomy to choose their lines of research, to implement them, and to undertake proceedings before any jurisdiction.

[...]

- The Unit will investigate, and accumulate cases for which are relevant to it, and when appropriate submit allegations and accusations before ordinary courts or before the Justice and Peace Law, provided that the legal deadline for nominations has not passed. The Unit may apply to the competent body for the accumulation of judicial powers for all crimes committed by a criminal organisation, within the respective jurisdiction.

- The unit will perform their functions without replacing the Ordinary of the State Prosecutor Office neither before the Justice and Peace Law jurisdiction nor before the ordinary courts.

- Its Director will be appointed for a period of 6 years, and must be jurist, meet criteria of

Prisons and detention No specific mention.

Traditional Laws No specific mention.

Socio-economic reconstruction

Development or socio-economic reconstruction No specific mention.

National economic plan No specific mention.

Natural resources Page 2, 3.4.1 Guiding Principles:
The Government and the FARC-EP agree on the following guiding principles:
[...]
4. Ensure the Tax authorities' monopoly of taxes: illegal forms of economy and criminal income will be confronted, linked to the following but not limited to: organised crime, human trafficking, drug trafficking, extortion or illegal coercion, smuggling, money laundering, taxes that are outside of the monopoly of the State, and criminal mining. Traditional artisanal mining will not be considered as such.

International funds Page 7, 3.4.4 Special Investigation Unit for dismantling the criminal organisations...:
[...]
This Special Investigation Unit will have the following features:
[...]
• To ensure its performance with high efficiency standards, resources and sufficient budget for its operation will be available. The funding for the Unit's operation will come from the General Budget for the State and International Cooperation. The funding that the Colombian Government uses for this purpose must be included in the annual State Prosecutor Office budget, and will be subject to Congress approval, and specifically destined for the Unit. Resources will be implemented according to the plan established by its Director, without prejudice against legally established checks. The Unit may request extra funds from the State or the International Cooperation and in the latter case may negotiate and receive international funds for its operation. The Unit will be able to follow any convention or international cooperation agreement to strengthen its ability to meet its purpose.

Business Page 3, 3.4.2 National Political Pact:
The desire for the country to achieve a stable and lasting peace is based on recognising the need to overcome armed conflict . The National Government and the new political movement that arises from the transition of the FARC-EP to legal political activity, undertake to promote a National Political Pact throughout the regions, with political parties and movements, guilds, civil society [fuerzas vivas de la Nación], organised society and communities in the territories, trade unions, the National Trade Union Council, and various business groups, owners and managers of communication media, churches, academy and educational institutions, as well as the following types of organisation: women’s, sexual diversity, people with disabilities, young people, indigenous people and people of African descent, victims, human rights defenders, and other social organisations.

Taxation Socio-economic reconstruction→Taxation→Reform of taxation
Page 2, 3.4.1 Guiding Principles:
The Government and the FARC-EP agree on the following guiding principles:
[...]
4. Ensure the Tax authorities’ monopoly of taxes: illegal forms of economy and criminal income will be confronted, linked to the following but not limited to: organised crime, human trafficking, drug trafficking, extortion or illegal coercion, smuggling, money laundering , taxes that are outside of the monopoly of the State, and criminal mining. Traditional artisanal mining will not be considered as such.

Page 17, 3.4.11 Measures preventing and fighting corruption, 3.4.11.1 Instruments for verification and institutional control, 3.4.11.2 Measures to contain involvement in politics of the organisations and criminal behaviours targeted by this agreement:
[...]
The policy adjustments will involve disciplinary and fiscal control of the recruitment and administration of public resources in departmental and municipal administrations, especially in areas where criminal organisations targeted by this Agreement are located.

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

[This agreement provides in its entirety for security guarantees. It defines guiding principles (3.4.1) and commits to adopt a national political pact (3.4.2). It specifically put in place a national security guarantee commission (3.4.3); special investigation unit (3.4.4); integration of an elite force (3.4.5); basic guarantees for exercising the function of prosecutors, judges and other public servants (3.4.6); a comprehensive security system for political activity (3.4.7); comprehensive security and protection programme for communities and organisations in the territories (3.4.8); mechanism for prevention and monitoring of criminal organisations targeted by this agreement (3.4.9); implementation of national mechanism (3.4.10); measures preventing and fighting corruption (3.4.11); and other provisions for the purpose of security (3.4.12). The agreement embraces the definition of security as defined in the Political Participation Agreement: "a modern and qualitatively new concept of security, which, in the end-of-conflict scenario, is founded on respect for human dignity, the promotion of and respect for human rights, and the defense of democratic values, in particular the promotion of rights and freedoms of people who engage in political activity, especially of those who, after the end of the armed conflict, form part of the political opposition and thus must be recognised and treated as such."]

Ceasefire

No specific mention.

Police

Page 4, 3.4.3. National Security Guarantee Commission for dismantling criminal organisations...:

[...]

The National Security Guarantee Commission will be chaired by the President of the Republic, and will be composed of the Interior Minister, Defence Minister, Justice Minister, the National Attorney General, the Ombudsman, the Director of the Special Investigation Unit - point 74 of the Special Jurisdiction for Peace -, the General Commander of the Armed Forces, the General Director of the National Police, two (2) representatives of the new movement that will arise from the transition of the FARC-EP to legal political activity, and two (2) spokesmen representing human rights and peace platforms. The Commission will also be able to invite representatives of the political parties and movements, specialised national and international organisations with a presence in the territories, and will be able to rely on their experts on the matter when it is deemed convenient. The Commission will be established before the implementation of the Final Agreement. The effective participation of women will be encouraged when forming the Commission.

Page 6-7, 3.4.4 Special Investigation Unit for dismantling the criminal organisations...:

[...]

This Special Investigation Unit will have the following features:

[...]

- Will be coupled with Special Unit of the Judicial Police formed by specialised Judicial Police of the National Police officials and Office of the Prosecutor officials, who are experts in different subjects, and who must have knowledge of the development and consolidation of organised crime associations, including knowledge of the paramilitary phenomenon and criminal organisations that have been named successors of the paramilitary groups. Efforts will be made to ensure that these officials also are knowledgeable regarding gender-based violence and justice. The Director will have functional command of CTI officials of the attached to his/her Unit, as well as the functional command of the other Judicial Police officers attached to it.

Page 8, 3.4.5 Integration of an Elite Force:

As a guarantee of immediate action by the State against the organizations and behaviours targeted by this Agreement and their dismantling, an Elite Force will be integrated into the National Police with a multidimensional approach. The members that make up the Elite Force will be selected under a special model that certifies high standards of aptitude, transparency and effectiveness.

Page 9, 3.4.7 Comprehensive Security System for Political Activity, 3.4.7.1 Protection and collective and social security measures, 3.4.7.1.1 High-Level Body of the Comprehensive Security System for Political Activity:

[...]

The body will be composed of:

- a. The President of the Republic.
- b. The Interior Minister.
- c. The Minister of Defence
- d. The Councillor for Human Rights of the Presidency of the Republic.
- e. The Commander of the Military Forces.
- f. The Director of the National Police.
- g. The Director of the National Protection Unit, hereinafter UNP.

The High Level Body will ensure the continued participation of the new political movement arising from the transition of the FARC-EP to legal political activity.

Armed forces

Page 4, 3.4.3. National Security Guarantee Commission for dismantling criminal organisations...:

[...]

The National Security Guarantee Commission will be chaired by the President of the Republic, and will be composed of the Interior Minister, Defence Minister, Justice Minister, the National Attorney General, the Ombudsman, the Director of the Special Investigation Unit - point 74 of the Special Jurisdiction for Peace -, the General Commander of the Armed Forces, the General Director of the National Police, two (2) representatives of the new movement that will arise from the transition of the FARC-EP to legal political activity, and two (2) spokesmen representing human rights and peace platforms. The Commission will also be able to invite representatives of the political parties and movements, specialised national and international organisations with a presence in the territories, and will be able to rely on their experts on the matter when it is deemed convenient. The Commission will be established before the implementation of the Final Agreement. The effective participation of women will be encouraged when forming the Commission.

Page 9, 3.4.7 Comprehensive Security System for Political Activity, 3.4.7.1 Protection and collective and social security measures, 3.4.7.1.1 High-Level Body of the Comprehensive Security System for Political Activity:

[...]

The body will be composed of:

- a. The President of the Republic.
- b. The Interior Minister.
- c. The Minister of Defence
- d. The Councillor for Human Rights of the Presidency of the Republic.
- e. The Commander of the Military Forces.
- f. The Director of the National Police.
- g. The Director of the National Protection Unit, hereinafter UNP.

The High Level Body will ensure the continued participation of the new political movement arising from the transition of the FARC-EP to legal political activity.

Page 16, 3.4.10 Implementation of a national mechanism for monitoring and inspection of surveillance and private security services:

The National Government will strengthen the national mechanism for monitoring and inspection of surveillance and private security services at the request of the Surveillance and Private Security Superintendence, to ensure that its use corresponds to the purposes for which it was created, focusing on forbidding the privatisation of military, police, or intelligence; similarly, the revision of regulations on private security and surveillance will be prioritised; it will ensure that they do not exercise functions of a military, police or state security nature; and it will update the rules on surveillance and private security services. The regulation for permitted weapons (which must be for the exclusive use of the Military Forces) required to fulfil the role of surveillance and private security will be reviewed.

The following measures will be taken:

- Monitoring will take place to ensure that the public register secures adequate information on the owners of these types of enterprises, on their employees, the weapons they have available, and on their service contracts.
- The Surveillance and Private Security Superintendence will be entitled to cancel or not grant operating licenses to security companies involved with criminal organisations targeted by this Agreement or that violate the regulations they are obliged to fulfil.
- The necessary legislative initiatives will be promoted and the relevant administrative measures to regulate private security services will be adopted, with the goal of ensuring that these types of services, employees, shareholders, landowners, or managers are not involved with the criminal organisations targeted by this Agreement

Security sector→DDR→DDR programmes

Page 1, Untitled Preamble:

[...]

Finally, point 2 of the agreement states that security guarantees are necessary to strengthen and build peace and coexistence, and in particular to ensure the implementation of the schemes and programmes agreed here, guaranteeing protection of communities and community leaders, human rights defenders, political parties and political and social movements, and especially new movements or political parties that arise from the transition of the FARC-EP to legal political activity. It will also guarantee the protection of FARC-EP members in the process of reintegrating into civilian life. Measures to realise these goals will have a differential and gender-based approach.

Page 2-3, 3.4.1 Guiding Principles:

The Government and the FARC-EP agree on the following guiding principles:

[...]

5. Territorial and differential approach: in the context of ending the conflict and building a stable and lasting peace, the security measures to be taken should have a territorial and differential approach that takes into account the various threats, particularities and experiences of different people in their communities and territories, with the goal of implementing schemes and programmes to build peace and to provide guarantees for the population, including the new political movement that arises from the transition of the FARC-EP to legal political activity and its members in the process of reintegrating into civilian life, so as to contribute to better governance, legitimacy, and citizens' effective enjoyment of the rights and freedom.

8. Citizen participation: the measures will be implemented with active participation from civil society, including the new political movement that arises from the transition of the FARC-EP to legal political activity and its members in the process of reintegrating into civilian life.

Page 8-9, 3.4.7 Comprehensive Security System for Political Activity:

[...]

3.4.7.1 Protection and collective and social security measures

Considering that the agreement on political participation was agreed "Comprehensive Security System for Political Activity", which should be complemented and have its content defined with regard to security and protection for the people targeted by this system, and in order to provide security guarantees for the new political movement arising from the transition of the FARC-EP to legal political activity, for its members - men and women - in the process of reintegrating into civilian life, in addition to the applying the prevention, security, and protection of the territories model, and the protection measures defined in the framework of "Political Participation Agreement: Opening up Democracy to Build Peace";

The National Government and the FARC-EP agree to:

3.4.7.1.1 High-Level Body of the Comprehensive Security System for Political Activity

In line with the requirements of point 2.1.2.1 (a), of the Political Participation Agreement, the High-Level Body's purpose will be to implement a security system for political activity, ensuring its functioning, articulation and monitoring. It will also be a space for continuous dialogue on the security and protection of members of political parties and social and political movements, and the new movement arising from the transition of the FARC-EP to legal political activity, as well as of its members in the process of reintegrating into civilian life.

Page 10, 3.4.7 Comprehensive Security System for Political Activity, 3.4.7.2 Presidential Delegate:

The President of the Republic will designate a delegate assigned to the Presidency's Administrative Department, who will be in charge of the Technical Secretariat of the

Intelligence services

Page 16, 3.4.10 Implementation of a national mechanism for monitoring and inspection of surveillance and private security services:

The National Government will strengthen the national mechanism for monitoring and inspection of surveillance and private security services at the request of the Surveillance and Private Security Superintendence, to ensure that its use corresponds to the purposes for which it was created, focusing on forbidding the privatisation of military, police, or intelligence; similarly, the revision of regulations on private security and surveillance will be prioritised; it will ensure that they do not exercise functions of a military, police or state security nature; and it will update the rules on surveillance and private security services. The regulation for permitted weapons (which must be for the exclusive use of the Military Forces) required to fulfil the role of surveillance and private security will be reviewed.

The following measures will be taken:

- Monitoring will take place to ensure that the public register secures adequate information on the owners of these types of enterprises, on their employees, the weapons they have available, and on their service contracts.
- The Surveillance and Private Security Superintendence will be entitled to cancel or not grant operating licenses to security companies involved with criminal organisations targeted by this Agreement or that violate the regulations they are obliged to fulfil.
- The necessary legislative initiatives will be promoted and the relevant administrative measures to regulate private security services will be adopted, with the goal of ensuring that these types of services, employees, shareholders, landowners, or managers are not involved with the criminal organisations targeted by this Agreement.

Page 17-18, 3.4.12 Other provisions for the purpose of Security:

The National Government will prioritise intelligence-related activities and strategies needed within the plans and programmes developed by the State to dismantle and prosecute organisations and behaviours targeted by this Agreement.

The National Government will promote the necessary measures to remove from the central intelligence and security data banks the names of and information relating to human rights organisations members, members of the opposition, and members of the new political movement arising from the transition of the FARC-EP towards legal political activity and their families, when they are included.

**Parastatal/rebel
and opposition
group forces**

Page 1, Untitled Preamble:

This agreement covers point 3.6 " Security Guarantees" of the General Agreement for the termination of the conflict. This agreement provides measures for the clarifying the phenomenon of paramilitarism, as established in point 3.7 of the General Agreement for the termination of the conflict, in addition to what has already been agreed in point 5 "Victims", in particular with the Commission for Clarification of Truth, Coexistence and Non-Repetition being necessary to adopt the measures referred to in this Agreement to comprehensively guarantee this process.

[...]

Finally, point 2 of the agreement states that security guarantees are necessary to strengthen and build peace and coexistence, and in particular to ensure the implementation of the schemes and programmes agreed here, guaranteeing protection of communities and community leaders, human rights defenders, political parties and political and social movements, and especially new movements or political parties that arise from the transition of the FARC-EP to legal political activity. It will also guarantee the protection of FARC-EP members in the process of reintegrating into civilian life. Measures to realise these goals will have a differential and gender-based approach.

[...]

To fulfil these goals, the National Government and the FARC-EP, undertake to:

- The National Government will ensure the implementation of measures necessary to effectively and comprehensively intensify activity against criminal organisations responsible for killings and massacres, or that infringe on human rights defenders, social movements or political movements, including the criminal organisations that have been named successors of paramilitary groups and their support networks, and the prosecution of criminal behaviour that threatens the implementation of the agreements and the building of peace. In addition, it will ensure the protection of communities in the territories, to break any type of relation between politics and armed-violence, and to respect principles that govern the whole democratic society.

[...]

- And the FARC-EP will commit to contributing effectively to building and consolidating peace, to the best of its abilities, to promote the contents of the agreements and to respect fundamental rights.

Page 2-3, 3.4.1 Guiding Principles:

The Government and the FARC-EP agree on the following guiding principles:

[...]

5. Territorial and differential approach: in the context of ending the conflict and building a stable and lasting peace, the security measures to be taken should have a territorial and differential approach that takes into account the various threats, particularities and experiences of different people in their communities and territories, with the goal of implementing schemes and programmes to build peace and to provide guarantees for the population, including the new political movement that arises from the transition of the FARC-EP to legal political activity and its members in the process of reintegrating into civilian life, so as to contribute to better governance, legitimacy, and citizens' effective enjoyment of the rights and freedom.

[...]

8. Citizen participation: the measures will be implemented with active participation from civil society, including the new political movement that arises from the transition of the FARC-EP to legal political activity and its members in the process of reintegrating into civilian life.

[...]

10. Guarantee of non-repetition: The State will take measures to ensure clarification of the paramilitary phenomenon, to prevent its repetition and ensure the dismantling of criminal organisations responsible for killings, massacres, and systematic gender-based violence, or that infringe on human rights defenders, social movements or political

**Withdrawal of
foreign forces**

No specific mention.

Corruption

Page 1:

To fulfil these goals, the National Government and the FARC-EP, undertake to:

- The National Government will ensure the implementation of measures necessary to effectively and comprehensively intensify activity against criminal organisations responsible for killings and massacres, or that infringe on human rights defenders, social movements or political movements, including the criminal organisations that have been named successors of paramilitary groups and their support networks, and the prosecution of criminal behaviour that threatens the implementation of the agreements and the building of peace. In addition, it will ensure the protection of communities in the territories, to break any type of relation between politics and armed-violence, and to respect principles that govern the whole democratic society.
- The Colombian State shall apply the rules of criminal prosecution against organisations and criminal behaviour that are targeted by this agreement, respecting human rights in their actions.

Page 2-3, 3.4.1 Guiding Principles:

The Government and the FARC-EP agree on the following guiding principles:

[...]

3. Strengthening the administration of justice: in the context of ending the conflict building a stable and lasting peace, the measures taken must contribute to ensuring citizen access to independent, timely, effective and transparent justice, respecting and promoting alternative solution mechanisms for the settling conflicts in the territories, so as to ensure fundamental rights and impartiality, and to prevent any form of private justice and cope with the behaviours and organisations covered by this Agreement. These measures should also contribute to ensuring the effective administration of justice in cases of gender violence, free of gender-based stereotypes or sexual orientation, and with sanctions proportional to the gravity of the offense.

4. Ensure the Tax authorities' monopoly of taxes: illegal forms of economy and criminal income will be confronted, linked to the following but not limited to: organised crime, human trafficking, drug trafficking, extortion or illegal coercion, smuggling, money laundering, taxes that are outside of the monopoly of the State, and criminal mining. Traditional artisanal mining will not be considered as such.

[...]

6. Gender -based Approach: Special emphasis will be placed on the protection of women, children, and adolescents who have been affected by criminal organisations targeted by Agreement. This approach will take into account the specific risks faced by women against their life, freedom, integrity, and security, and will be appropriate to such risks.

[...]

10. Guarantee of non-repetition: The State will take measures to ensure clarification of the paramilitary phenomenon, to prevent its repetition and ensure the dismantling of criminal organisations responsible for killings, massacres, and systematic gender-based violence, or that infringe on human rights defenders, social movements or political movements, including the criminal organisations that have been named successors to paramilitary groups and their support networks, and the persecution of criminal behaviour that threatens the implementation of the agreements and the building of peace.

[Summary - Page 4-5: The section 3.4.3. is providing for a National Security Guarantee Commission for dismantling criminal organisations responsible for killings and massacres, or that infringe on human rights defenders, social movements or political movements, including the criminal organisations that have been named successors of paramilitary groups and their support networks, and the persecution of criminal behaviour that threatens the implementation of the agreements and the building of peace, hereinafter referred to as the National Security Guarantee Commission.]

**Crime/organised
crime**

Page 1:

To fulfil these goals, the National Government and the FARC-EP, undertake to:

- The National Government will ensure the implementation of measures necessary to effectively and comprehensively intensify activity against criminal organisations responsible for killings and massacres, or that infringe on human rights defenders, social movements or political movements, including the criminal organisations that have been named successors of paramilitary groups and their support networks, and the prosecution of criminal behaviour that threatens the implementation of the agreements and the building of peace. In addition, it will ensure the protection of communities in the territories, to break any type of relation between politics and armed-violence, and to respect principles that govern the whole democratic society.
- The Colombian State shall apply the rules of criminal prosecution against organisations and criminal behaviour that are targeted by this agreement, respecting human rights in their actions.

Page 2-3, 3.4.1 Guiding Principles:

The Government and the FARC-EP agree on the following guiding principles:

[...]

3. Strengthening the administration of justice: in the context of ending the conflict building a stable and lasting peace, the measures taken must contribute to ensuring citizen access to independent, timely, effective and transparent justice, respecting and promoting alternative solution mechanisms for the settling conflicts in the territories, so as to ensure fundamental rights and impartiality, and to prevent any form of private justice and cope with the behaviours and organisations covered by this Agreement. These measures should also contribute to ensuring the effective administration of justice in cases of gender violence, free of gender-based stereotypes or sexual orientation, and with sanctions proportional to the gravity of the offense.

4. Ensure the Tax authorities' monopoly of taxes: illegal forms of economy and criminal income will be confronted, linked to the following but not limited to: organised crime, human trafficking, drug trafficking, extortion or illegal coercion, smuggling, money laundering, taxes that are outside of the monopoly of the State, and criminal mining. Traditional artisanal mining will not be considered as such.

[...]

6. Gender -based Approach: Special emphasis will be placed on the protection of women, children, and adolescents who have been affected by criminal organisations targeted by Agreement. This approach will take into account the specific risks faced by women against their life, freedom, integrity, and security, and will be appropriate to such risks.

[...]

10. Guarantee of non-repetition: The State will take measures to ensure clarification of the paramilitary phenomenon, to prevent its repetition and ensure the dismantling of criminal organisations responsible for killings, massacres, and systematic gender-based violence, or that infringe on human rights defenders, social movements or political movements, including the criminal organisations that have been named successors to paramilitary groups and their support networks, and the persecution of criminal behaviour that threatens the implementation of the agreements and the building of peace.

[Summary - Page 4-5: The section 3.4.3. is providing for a National Security Guarantee Commission for dismantling criminal organisations responsible for killings and massacres, or that infringe on human rights defenders, social movements or political movements, including the criminal organisations that have been named successors of paramilitary groups and their support networks, and the persecution of criminal behaviour that threatens the implementation of the agreements and the building of peace, hereinafter referred to as the National Security Guarantee Commission.]

Drugs

Page 1:

To fulfil these goals, the National Government and the FARC-EP, undertake to:

- The National Government will ensure the implementation of measures necessary to effectively and comprehensively intensify activity against criminal organisations responsible for killings and massacres, or that infringe on human rights defenders, social movements or political movements, including the criminal organisations that have been named successors of paramilitary groups and their support networks, and the prosecution of criminal behaviour that threatens the implementation of the agreements and the building of peace. In addition, it will ensure the protection of communities in the territories, to break any type of relation between politics and armed-violence, and to respect principles that govern the whole democratic society.
- The Colombian State shall apply the rules of criminal prosecution against organisations and criminal behaviour that are targeted by this agreement, respecting human rights in their actions.

Page 2-3, 3.4.1 Guiding Principles:

The Government and the FARC-EP agree on the following guiding principles:

[...]

3. Strengthening the administration of justice: in the context of ending the conflict building a stable and lasting peace, the measures taken must contribute to ensuring citizen access to independent, timely, effective and transparent justice, respecting and promoting alternative solution mechanisms for the settling conflicts in the territories, so as to ensure fundamental rights and impartiality, and to prevent any form of private justice and cope with the behaviours and organisations covered by this Agreement. These measures should also contribute to ensuring the effective administration of justice in cases of gender violence, free of gender-based stereotypes or sexual orientation, and with sanctions proportional to the gravity of the offense.

4. Ensure the Tax authorities' monopoly of taxes: illegal forms of economy and criminal income will be confronted, linked to the following but not limited to: organised crime, human trafficking, drug trafficking, extortion or illegal coercion, smuggling, money laundering, taxes that are outside of the monopoly of the State, and criminal mining. Traditional artisanal mining will not be considered as such.

[...]

6. Gender -based Approach: Special emphasis will be placed on the protection of women, children, and adolescents who have been affected by criminal organisations targeted by Agreement. This approach will take into account the specific risks faced by women against their life, freedom, integrity, and security, and will be appropriate to such risks.

[...]

10. Guarantee of non-repetition: The State will take measures to ensure clarification of the paramilitary phenomenon, to prevent its repetition and ensure the dismantling of criminal organisations responsible for killings, massacres, and systematic gender-based violence, or that infringe on human rights defenders, social movements or political movements, including the criminal organisations that have been named successors to paramilitary groups and their support networks, and the persecution of criminal behaviour that threatens the implementation of the agreements and the building of peace.

[Summary - Page 4-5: The section 3.4.3. is providing for a National Security Guarantee Commission for dismantling criminal organisations responsible for killings and massacres, or that infringe on human rights defenders, social movements or political movements, including the criminal organisations that have been named successors of paramilitary groups and their support networks, and the persecution of criminal behaviour that threatens the implementation of the agreements and the building of peace, hereinafter referred to as the National Security Guarantee Commission.]

Terrorism No specific mention.

Transitional justice

Transitional justice Page 3, 3.4.1 Guiding Principles:

general

The Government and the FARC-EP agree on the following guiding principles:

[...]

10. Guarantee of non-repetition: The State will take measures to ensure clarification of the paramilitary phenomenon, to prevent its repetition and ensure the dismantling of criminal organisations responsible for killings, massacres, and systematic gender-based violence, or that infringe on human rights defenders, social movements or political movements, including the criminal organisations that have been named successors to paramilitary groups and their support networks, and the persecution of criminal behaviour that threatens the implementation of the agreements and the building of peace.

Amnesty/pardon

Transitional justice→Amnesty/pardon→Relief of other sanctions

Page 18, 3.4.12 Other provisions for the purpose of Security:

[...]

The National Government will promote the necessary measures to remove from the central intelligence and security data banks the names of and information relating to human rights organisations members, members of the opposition, and members of the new political movement arising from the transition of the FARC-EP towards legal political activity and their families, when they are included.

Courts

Transitional justice→Courts→National courts

Page 5, 3.4.3. National Security Guarantee Commission for dismantling criminal organisations...:

[...]

The Commission's work will be focused on:

[...]

Page 3, 3.4.2 National Political Pact:

[...]

This National Political Pact, that must be promoted throughout the regions and especially in the most affected by the phenomenon, seeks to ensure the commitment of all Colombians to never again use weapons in politics, nor promote violent organisations such as paramilitary groups that interrupted the life of Colombians by infringing upon their human rights, affecting coexistence, and altering the security conditions that society demands. In this regard, the National Government undertakes to put in place the necessary legislative process to incorporate into the Constitution a ban on promotion, organisation, financing, or official and/or private employment of paramilitary practices or structures, and to develop the necessary rules for its application, which will include a criminal prosecution and administrative and disciplinary sanctions policy. In addition, measures will be included to bring people to justice. This pact will seek national reconciliation and peaceful coexistence between Colombians.

n. Will create policies for submitting criminal organisations and their support networks targeted by this Agreement to justice, defining specific treatments for the members of these organisations and networks, and encouraging and promoting a rapid and definitive dismantling of the above. These measures will never imply political recognition.

Mechanism

Page 1, Untitled Preamble:

This agreement covers point 3.6 " Security Guarantees" of the General Agreement for the termination of the conflict. This agreement provides measures for the clarifying the phenomenon of paramilitarism, as established in point 3.7 of the General Agreement for the termination of the conflict, in addition to what has already been agreed in point 5 "Victims", in particular with the Commission for Clarification of Truth, Coexistence and Non-Repetition being necessary to adopt the measures referred to in this Agreement to comprehensively guarantee this process.

[Summary - Page 4-5. The section 3.4.3. is providing for a National Security Guarantee Commission for dismantling criminal organisations responsible for killings and massacres, or that infringe on human rights defenders, social movements or political movements, including the criminal organisations that have been named successors of paramilitary groups and their support networks, and the persecution of criminal behaviour that threatens the implementation of the agreements and the building of peace, hereinafter referred to as the National Security Guarantee Commission.]

Page 5, 3.4.3. National Security Guarantee Commission for dismantling criminal organisations...:

[...]

The Commission's work will be focused on:

[...]

i. Propose mechanisms to review public servants records in all State institutions in order to verify any previous involvement that they may have had with groups and/or activities of a paramilitary nature or violations of human rights;

[...]

k. Will ensure information is provided by the entities or institutions that participate in the National Security Guarantee Commission, in the "Commission for Clarification of Truth, Coexistence and Non-Repetition", and in the Unit for Investigating and Dismantling Criminal Organisations and Successors to Paramilitary Groups - point 74 of the Special Jurisdiction for Peace -;

[...]

n. Will create policies for submitting criminal organisations and their support networks targeted by this Agreement to justice, defining specific treatments for the members of these organisations and networks, and encouraging and promoting a rapid and definitive dismantling of the above. These measures will never imply political recognition.

[Summary - Page 5-8: The section 3.4.4. is providing for a Special Investigation Unit for dismantling the criminal organisations responsible for killings and massacres, or that infringe on human rights defenders, social movements or political movements, including the criminal organisations that have been named as the successors of paramilitary groups and their support networks, and for the prosecuting criminal behaviour that threatens the implementation of the Agreements and building of peace.]

Prisoner release

No specific mention.

Vetting

Page 7-8, 3.4.4 Special Investigation Unit for dismantling the criminal organisations...:

[...]

This Special Investigation Unit will have the following features:

[...]

- The Unit will ensure the legal reserve in fulfilling its duties and will take the necessary measures to protect witnesses and victims who so require.

[...]

Authority

The Special Unit

[...]

- Will implement specialised investigation method schemes with regard to the most serious acts of victimisation that organisations and behaviours covered by this agreement performed against women, children, adolescents and the LGBT population.

Victims

Page 1, Untitled Preamble:

This agreement covers point 3.6 " Security Guarantees" of the General Agreement for the termination of the conflict. This agreement provides measures for the clarifying the phenomenon of paramilitarism, as established in point 3.7 of the General Agreement for the termination of the conflict, in addition to what has already been agreed in point 5 "Victims", in particular with the Commission for Clarification of Truth, Coexistence and Non-Repitition being necessary to adopt the measures referred to in this Agreement to comprehensively guarantee this process.

Page 3, 3.4.2 National Political Pact:

The desire for the country to achieve a stable and lasting peace is based on recognising the need to overcome armed conflict . The National Government and the new political movement that arises from the transition of the FARC-EP to legal political activity, undertake to promote a National Political Pact throughout the regions, with political parties and movements, guilds, civil society [fuerzas vivas de la Nación], organised society and communities in the territories, trade unions, the National Trade Union Council, and various business groups, owners and managers of communication media, churches, academy and educational institutions, as well as the following types of organisation: women's, sexual diversity, people with disabilities, young people, indigenous people and people of African descent, victims, human rights defenders, and other social organisations.

Page 7-8, 3.4.4 Special Investigation Unit for dismantling the criminal organisations...:

[...]

This Special Investigation Unit will have the following features:

[...]

- The Unit will ensure the legal reserve in fulfilling its duties and will take the necessary measures to protect witnesses and victims who so require.

[...]

Authority

The Special Unit

[...]

- Will implement specialised investigation method schemes with regard to the most serious acts of victimisation that organisations and behaviours covered by this agreement performed against women, children, adolescents and the LGBT population.

Page 9, 3.4.7 Comprehensive Security System for Political Activity, 3.4.7.1 Protection and collective and social security measures, 3.4.7.1.1 High-Level Body of the Comprehensive Security System for Political Activity:

[...]

The National Government will ensure the participation of political parties and movements in the High-Level Body, especially those whose security has been affected, as well as victims and human rights organisations, and social movements, including those of women. When considered appropriate, a delegate of the international human rights organisations with a presence in Colombia, and other delegates of State Entities and control bodies may be invited.

Missing persons

No specific mention.

Reparations No specific mention.

Reconciliation Page 3, 3.4.2 National Political Pact:

[...]

This National Political Pact, that must be promoted throughout the regions and especially in the most affected by the phenomenon, seeks to ensure the commitment of all Colombians to never again use weapons in politics, nor promote violent organisations such as paramilitary groups that interrupted the life of Colombians by infringing upon their human rights, affecting coexistence, and altering the security conditions that society demands. In this regard, the National Government undertakes to put in place the necessary legislative process to incorporate into the Constitution a ban on promotion, organisation, financing, or official and/or private employment of paramilitary practices or structures, and to develop the necessary rules for its application, which will include a criminal prosecution and administrative and disciplinary sanctions policy. In addition, measures will be included to bring people to justice. This pact will seek national reconciliation and peaceful coexistence between Colombians.

Page 13-14, 3.4.7 Comprehensive Security System for Political Activity, 3.4.7.3 Comprehensive Protection Programme ..., 3.4.7.3.4 Implementation of the Stigmatisation Prevention, Reconciliation, and Coexistence Program:

In accordance with the Political Participation Agreement (2.2.4), after the Final Agreement has been signed, the National Council for Reconciliation and Coexistence will be set in motion, which must design and implement the Stigmatisation Prevention, Reconciliation, and Coexistence Program, with participation from territorial entities. The above will be done without prejudice against the immediate measures to be taken.

Page 14, 3.4.8 Comprehensive Security and Protection Programme for communities and organisations in the territories:

There will be a Comprehensive Security and Protection Programme for communities and organisations in the territories, at the request of the Interior Ministry, whose goal will be to define and adopt comprehensive protection measures for organisations, groups and communities in the territories, so as to help ensure, under an effective model, the implementation of prevention and protection measures for communities and their territories. This programme will benefit from the active and effective participation of social organisations, including women's and community organisations. The following (included but not limited to) measures will be promoted:

[...]

- Community Promoters of Peace and Coexistence: will be a programme run by the Interior Ministry in coordination with the Ministry of Justice. The Community Promoters of Peace and Coexistence will be volunteers and non-armed. The programme will promote alternative methods for settling conflicts in the territories; will promote the defence of Human Rights, stimulating the coexistence in the community previously defined areas. The programme will appropriate the resources needed to ensure its successful implementation.

Implementation

UN signatory No specific mention.

Other international signatory By the Guarantor Countries:
By the Republic of Cuba
By the Kingdom of Norway

By the accompanying countries:
By the Bolivarian Republic of Venezuela
By the Republic of Chile

Referendum for agreement No specific mention.

International mission/force/ similar Page 7, 3.4.4 Special Investigation Unit for dismantling the criminal organisations...:
[...]
This Special Investigation Unit will have the following features:
[...]
• The State Prosecutor Office, in coordination with the National Government, and at the request of the Unit, will ask the European Union to send a temporary delegation to boost the Unit's fight against organised crime and ensure adoption of international best practices, without prejudice against additional international cooperation that may require the Unit through the State Prosecutor Office.

Page 11, 3.4.7 Comprehensive Security System for Political Activity, 3.4.7.3 Comprehensive Protection Programme ..., 3.4.7.3.2 Technical Security and Protection Committee:
The Technical Committee will have the following functions:
[...]
The Technical Committee will be composed of delegates of the National Government, under the charge of head the Presidential Delegate, the UNP Director, and the Deputy Director of the new specialized department, created in the present agreement, who will act as secretary, and other entities that are deemed relevant. Among these, the Office of the High Commissioner for Human Rights of the United Nations in Colombia, or its representative, will attend as a permanent guest. Before signing the final agreement, the representatives that the FARC-EP consider relevant will participate. After the agreement has been signed, the delegates appointed by the FARC-EP will continue to be a part of the Technical Committee. After the political movement has formed, it will appoint representatives to incorporate into the Technical Committee.

Enforcement mechanism No specific mention.

Related cases No specific mention.

Source Mesa de Conversaciones, Oficina del Alto Comisionado para la Paz
<https://www.mesadeconversaciones.com.co>