

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

Country/ entity	Colombia
Region	Americas
Agreement name	Agreement between National Government and ELN to establish peace talks in Colombia
Date	30 Mar 2016
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/ conflict level	Intrastate/intrastate conflict (Colombian Conflict (1964 -))
Stage	Pre-negotiation/process
Conflict nature	Government
Peace process	Colombia V - Santos
Parties	-
Third parties	-
Description	-

Agreement document	CO_160330_Agreement between National Government and ELN_EN.pdf Download PDF
Agreement document (original language)	CO_160330_Agreement between National Government and ELN_ES.pdf Download PDF

Groups

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

Gender

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

Family No specific mention.

State definition

Nature of state (general) No specific mention.

State configuration No specific mention.

Self determination No specific mention.

Referendum No specific mention.

State symbols No specific mention.

Independence/ secession No specific mention.

Accession/ unification No specific mention.

Border delimitation No specific mention.

Cross-border provision No specific mention.

Governance

Political institutions (new or reformed)	No specific mention.
Elections	No specific mention.
Electoral commission	No specific mention.
Political parties reform	<p>Governance→Political parties reform→Rebels transitioning to political parties Page 2, 5. The end of the armed conflict</p> <p>The objective of this point is to bring an end to the armed conflict in order to eradicate the political violence and promote the shift of ELN to legal politics. For which the following points will be addressed:</p> <ul style="list-style-type: none">a) Definition of the future legal situation of the ELN and its members....c) Conditions and guarantees for the exercise of politics for the ELN.
Civil society	<p>Page 2, I. AGENDA</p> <p>1. Participation of the Society in the Contraction of Peace</p> <p>The participation of the society will be:</p> <ul style="list-style-type: none">a) In function of initiatives and proposals, that make peace viable, in the course of this process and context.b) About the issues in the agenda.c) A dynamic and active exercise, inclusive and pluralist, that allows the construction of a common vision for peace that favors transformations for the nation and the regions. <p>Page 2, 2. Democracy for Peace</p> <p>Democracy for peace is the purpose of this point of the agreement:</p> <ul style="list-style-type: none">a) Carry out a debate that allows for the examination of the participation and the decisionmaking of the society in the problems that affect their reality, and can channel in constructive elements for the society.b) Treatment of the conflicts towards the construction of peace.c) Revision of the regulatory framework and guarantees for public manifestations. Treatment of the legal situation of the accused and convicted for acts in social protest.d) Participation of the society in the construction of citizenry.

Traditional/
religious
leaders No specific mention.

Public
administration No specific mention.

Constitution No specific mention.

Power sharing

Political
power
sharing Power sharing→Political power sharing→Other
Page 3, 3. The functioning of the talks
a) Each Delegation will be made up of at most 30 representatives. In the
sessions of the talks up to 10 people from each delegation will participate, 5
principals and 5 substitutes.

Territorial
power
sharing Power sharing→Territorial power sharing→Other
Page 2, 2. Democracy for Peace
Democracy for peace is the purpose of this point of the agreement:
c) A dynamic and active exercise, inclusive and pluralist, that allows the
construction of a common vision for peace that favors transformations for the
nation and the regions.
3. Transformation for Peace
Agreeing to transformations for peace is the purpose of this point, keeping in
mind:
...
c) Alternative integral plans with a territorial focus, that constitute economic
and productive options that benefit the communities.

Economic
power
sharing No specific mention.

Military
power
sharing No specific mention.

Human rights and equality

Human rights/RoL general No specific mention.

Bill of rights/similar No specific mention.

Treaty incorporation No specific mention.

Civil and political rights No specific mention.

Socio-economic rights No specific mention.

Rights related issues

Citizenship Rights related issues→Citizenship→Citizenship other
Page 2, 2. Democracy for Peace
Democracy for peace is the purpose of this point of the agreement:
..
d) Participation of the society in the construction of citizenry.
3. Transformation for Peace
Agreeing to transformations for peace is the purpose of this point, keeping in mind:
a) The transforming proposals prepared by the society, supported in the results of the second point of this agenda (“Democracy for peace”).
b) Transforming programs to overcome poverty, social exclusion, corruption and environmental degradation, in the search for equality.
c) Alternative integral plans with a territorial focus, that constitute economic and productive options that benefit the communities.

Democracy	<p>Page 1, Preamble</p> <p>...Recognizing that peace is a supreme good of all democracy, and with the objective to put an end to the armed conflict, the political violence must be eradicated; centering the treatment of the situation of the victims; and advancing towards the national reconciliation by having active participation of the society in the construction of a stable and lasting peace.</p> <p>Page 2, 2. Democracy for Peace</p> <p>Democracy for peace is the purpose of this point of the agreement:</p> <p>a) Carry out a debate that allows for the examination of the participation and the decisionmaking of the society in the problems that affect their reality, and can channel in constructive elements for the society.</p> <p>b) Treatment of the conflicts towards the construction of peace.</p> <p>c) Revision of the regulatory framework and guarantees for public manifestations. Treatment of the legal situation of the accused and convicted for acts in social protest.</p> <p>d) Participation of the society in the construction of citizenry.</p>
Detention procedures	No specific mention.
Media and communication	No specific mention.
Mobility/access	No specific mention.
Protection measures	No specific mention.
Other	No specific mention.

Rights institutions

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

Justice sector reform

Criminal justice and emergency law No specific mention.

State of emergency provisions No specific mention.

Judiciary and courts No specific mention.

Prisons and detention No specific mention.

Traditional Laws No specific mention.

Socio-economic reconstruction

Development or socio-economic reconstruction Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development
Page 2, 3. Transformation for Peace
Agreeing to transformations for peace is the purpose of this point, keeping in mind:

...

b) Transforming programs to overcome poverty, social exclusion, corruption and environmental degradation, in the search for equality.

Socio-economic reconstruction→Development or socio-economic reconstruction→Humanitarian assistance

Page 2, 5. The end of the armed conflict

The objective of this point is to bring an end to the armed conflict in order to eradicate the political violence and promote the shift of ELN to legal politics. For which the following points will be addressed:

...

f) Humanitarian dynamics and actions.

National economic plan No specific mention.

Natural resources	No specific mention.
International funds	Page 3, 4. Funding The Colombian government will arrange the resources for the functioning of its delegation. The costs related to the ELN (Delegation, consultants and activities carried out during the process will be financed by a fund of international cooperation resources, that will be established with this intention, and there will be a group of countries formed for support and cooperation for this reason.
Business	No specific mention.
Taxation	No specific mention.
Banks	No specific mention.

Land, property and environment

Land reform/ rights	No specific mention.
Pastoralist/ nomadism rights	No specific mention.
Cultural heritage	No specific mention.
Environment	Page 2, 3. Transformation for Peace Agreeing to transformations for peace is the purpose of this point, keeping in mind: ... b) Transforming programs to overcome poverty, social exclusion, corruption and environmental degradation, in the search for equality.

Water or riparian rights or access

No specific mention.

Security sector

Security Guarantees

No specific mention.

Ceasefire

Security sector→Ceasefire→General commitments
Page 2, 5. The end of the armed conflict
The objective of this point is to bring an end to the armed conflict in order to eradicate the political violence and promote the shift of ELN to legal politics. For which the following points will be addressed:
g) Bilateral cease fire and end of hostilities for the termination of the armed conflict.

Police

No specific mention.

Armed forces

No specific mention.

DDR

No specific mention.

Intelligence services

No specific mention.

Parastatal/ rebel and opposition group forces

Page 2, 5. The end of the armed conflict
The objective of this point is to bring an end to the armed conflict in order to eradicate the political violence and promote the shift of ELN to legal politics. For which the following points will be addressed:
...
e) Elucidate the phenomenon of paramilitarism so that it does not happen again.

Withdrawal of foreign forces

No specific mention.

Corruption	Page 2, 3. Transformation for Peace Agreeing to transformations for peace is the purpose of this point, keeping in mind: ... b) Transforming programs to overcome poverty, social exclusion, corruption and environmental degradation, in the search for equality.
Crime/ organised crime	No specific mention.
Drugs	No specific mention.
Terrorism	No specific mention.

Transitional justice

Transitional justice general	Page 2, 4. Victims In the construction of a stable and lasting peace, the recognition of the victims and their rights is essential, in this way the treatment and the resolution to the situation must be based in truth, justice, reparation, and the promises of no repetition and never forgetting. The union of these elements lays the foundation for the pardon and projects the process of reconciliation.
Amnesty/ pardon	No specific mention.
Courts	No specific mention.
Mechanism	No specific mention.
Prisoner release	No specific mention.
Vetting	No specific mention.

Victims	<p>Page 1, Preamble</p> <p>...Recognizing that peace is a supreme good of all democracy, and with the objective to put an end to the armed conflict, the political violence must be eradicated; centering the treatment of the situation of the victims; and advancing towards the national reconciliation by having active participation of the society in the construction of a stable and lasting peace.</p> <p>Page 2, 4. Victims</p> <p>In the construction of a stable and lasting peace, the recognition of the victims and their rights is essential, in this way the treatment and the resolution to the situation must be based in truth, justice, reparation, and the promises of no repetition and never forgetting. The union of these elements lays the foundation for the pardon and projects the process of reconciliation.</p>
Missing persons	No specific mention.
Reparations	<p>Transitional justice→Reparations→Material reparations</p> <p>Page 2, 4. Victims</p> <p>In the construction of a stable and lasting peace, the recognition of the victims and their rights is essential, in this way the treatment and the resolution to the situation must be based in truth, justice, reparation, and the promises of no repetition and never forgetting. The union of these elements lays the foundation for the pardon and projects the process of reconciliation.</p>
Reconciliation	<p>Page 1, Preamble</p> <p>...Recognizing that peace is a supreme good of all democracy, and with the objective to put an end to the armed conflict, the political violence must be eradicated; centering the treatment of the situation of the victims; and advancing towards the national reconciliation by having active participation of the society in the construction of a stable and lasting peace.</p>

Implementation

UN signatory	No specific mention.
Other international signatory	No specific mention.

Referendum for agreement	<p>Page 3, 6. Implementation</p> <p>The implementation is focused on the execution of the agreements in the agenda, to materialize the changes that allow for the armed conflict to go towards peace, keeping in mind the following:</p> <p>d) Agreement about referendum that consolidates the agreed and the projected for the future.</p>
International mission/force/similar	No specific mention.
Enforcement mechanism	<p>Page 1, Preamble</p> <p>The exploratory talks were carried out between January 2014 and March 2016 in the Republic of Ecuador, the Federative Republic of Brazil and the Bolivarian Republic of Venezuela, whose governments acted as guarantors along with the government of Norway: during this phase the governments of the Republic of Cuba and the Republic of Chile acted as observers.</p> <p>Page 2, 6. Implementation</p> <p>The implementation is focused on the execution of the agreements in the agenda, to materialize the changes that allow for the armed conflict to go towards peace, keeping in mind the following:</p> <p>a) The implementation phase of the agreements will be defined by a General Plan of Execution that fundamentally will be built with the specific plans from each point of the agenda. This plan will be elaborated in this point and will count on a timetable.</p> <p>b) The General Plan of Execution of agreements will include mechanisms of control, monitoring and verification, that will count on the participation of the society, the international community, the Government and the ELN.</p> <p>c) The General Plan of Execution of agreements will take into account the following dimensions: legal, political, social, economic and diplomatic.</p> <p>d) Agreement about referendum that consolidates the agreed and the projected for the future.</p> <p>e) The signing of the final agreement would be the start of the General Plan of Execution of agreements.</p>
Related cases	No specific mention.
Source	<p>Oficina del Alto Comisionado para la Paz</p> <p>http://www.altocomisionadoparalapaz.gov.co/dialogos-eln/Paginas/Comunicados-conjuntos/Comunicados-Conjuntos-Dialogos-ELN.aspx</p>