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Country/ entity	Colombia
Region	Americas
Agreement name	Hacia un Nuevo Campo Colombiano: Reforma Rural Integral
Date	6 Jun 2014
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/ conflict level	Intrastate/intrastate conflict (Colombian Conflict (1964 -))
Stage	Framework/substantive - partial
Conflict nature	Government
Peace process	Colombia V - Santos
Parties	Delegates of Government of the Republic of Colombia (The National Government) and the Revolutionary Armed Forces of Colombia (FARC-EP) Los delegados del Gobierno de la República de Colombia (el Gobierno Nacional) y las Fuerzas Armadas Revolucionarias de Colombia (FARC-EP)
Third parties	-
Description	This agreement provides for a place an Integral Rural Reform with the aim to put an end on the conflict, lay the bases for a structural transformation of the countryside and improve the conditions of the rural population. It defines I. its principles, II. Access and Use. Unproductive lands. Formalisation of property ownership. Agricultural Frontiers and the protection of reservation zones, III. Development programmes with territorial approach, IV. National Plans for the Integral Rural Reform

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Groups

Children/
youth

Groups→Children/youth→Rhetorical

Page 2, I. Towards a new Colombian countryside: comprehensive rural reform
Considering:

... That, in terms of food and nutrition, the RRI aims to ensure for all rural and urban citizens in Colombia availability and sufficient access in opportunity, quality, quantity, and price, to food necessary for good nutrition, especially for that of children, pregnant and lactating women, and the elderly, advancing first and foremost the production of food and generation of income.

Page 3, Principles,

3. Prioritisation: integrated agricultural development is a universal policy and, its execution prioritises the most in need and vulnerable populations, and the communities most affected by conflict, poverty, and abandonment, as well as placing emphasis on small and medium-scale producers. The rights of children, women, and the elderly deserve special attention.

Groups→Children/youth→Substantive

Page 15, Article 3.2. Social development: health, education, housing, eradication of poverty, 3.2.1 Health;

with the goal of offering communities health services, strengthening the infrastructure and quality of rural areas' public networks and improving the timeliness and relevance of the service, a National Rural Health Scheme will be created and implemented. When developing the Scheme, the following approaches will be considered:

...

b. Adopting a differential and gender-based approach, including special measures for pregnant women and children when it comes to prevention, advancement and care in the context of health.

Page 15, Article 3.2.2. Rural education;

with the goal of providing comprehensive care from early childhood, ensuring coverage, quality and relevance of education, and eradicating illiteracy in rural areas, as well as encouraging young people to play a productive part in the countryside, the national government will create and implement the Rural Education Special Scheme. When developing the scheme the following approaches will be considered:

a. Universal coverage with comprehensive early childhood care.

Page 19-20, Article 3.3.5. Rural labour formalisation and social protection: the National Government will fully strengthen the protection and social security system of the rural population. In light of the rules of the International Labour Organisation (OIT), which Columbia is a part of, and with the goal of ensuring decent work and countryside workers' rights, as well as their social protection (protection from old age and occupational risks, the National Government will create and implement a progressive Scheme for social protection and ensuring rural workers' rights.

The Scheme will dignify rural working conditions, through the full implementation, with labour inspection, of regulations on contractual relations, the corresponding regulation on working hours, remuneration and subordination considering jurisprudential developments which favour workers, the applicable international rules of the OIT, regarding work in general and in particular rural work, that effectively ensure the fundamental right to work. When developing the Scheme, the following approaches will be considered:

Disabled
persons

Groups→Disabled persons→Substantive

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...

d. Encouraging working relationships with people with disabilities.

Elderly/age Groups→Elderly/age→Rhetorical

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Groups→Elderly/age→Substantive

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The Scheme will dignify rural working conditions, through the full implementation, with labour inspection, of regulations on contractual relations, the corresponding regulation on working hours, remuneration and subordination considering jurisprudential developments which favour workers, the applicable international rules of the OIT, regarding work in general and in particular rural work, that effectively ensure the fundamental right to work. When developing the Scheme, the following approaches will be considered:

...

i. The extension of programmes for effective protection from the economic risk of old-age for the rural elderly population in extreme poverty that is not covered by the social security system.

Page 21, Article 3.4. (sovereign) Food safety system,;

... d. Developing programmes against hunger and malnutrition with national coverage, especially for rural population in conditions of poverty, pregnant and lactating women, children, and for the elderly. These programmes will include 'shock' plans for the rural population which is most vulnerable and in extreme poverty.

Migrant workers

No specific mention.

Racial/
ethnic/
national
group

Groups→Racial/ethnic/national group→Rhetorical

Page 2, Untitled Preamble,

... That the farmers and the indigenous, afro-descendant, raizal and palenquera communities, as well as other ethnic communities in their territories, will contribute to the structural transformation of the countryside and in particular to the closure of the agricultural border, with a sustainable socio-environmental regulation system. This requires the recognition and support of Farmer Reserve Areas (Zonas de Reserva Campesina) and other forms of solidarity-based collaboration. ...

Groups→Racial/ethnic/national group→Substantive

Page 3, Principles,

2. Welfare and well-being: the final objective is to eradicate poverty and to fully satisfy the needs of the citizens of rural areas, so that in the shortest possible amount of time the farmers and communities (including afro-descendant and indigenous) will be able to fully exercise their rights, and the convergence of rural and urban quality of life can be reached, respecting the territorial approach and the cultural and ethnic diversity of the community.

Page 8, Article 1.8 Mechanisms to resolve conflicts of ownership and use and to strengthen food production,

... d. Will create mechanisms that will allow consultation and social dialogue between the national, regional, and local government, and the farmers and indigenous, black, afro-descendant, raizal and palenquera communities, as well as other communities comprised of different ethnic groups and cultures, and private sector companies that are advancing their economic activity in rural areas. This is with the goal to create formal spaces for discussion between parties with different interests, which will facilitate the promotion of a communal development agenda, orientated towards socio-environmental sustainability, as well as the welfare of the rural population and growing the economy with equity.

Pages 8-9, Article 1.9 Creating and updating the land registry and rural property tax;

... 3. The guarantee of a large amount of and effective public participation to ensure transparency of information. In all cases, land registry issues which are related to rural communities will be dealt with the participation of the members of said community. Under no circumstances will that which is agreed upon here affect rights acquired by indigenous, afro-descendant, or other rural communities. ...

Religious
groups

No specific mention.

Indigenous people

Groups→Indigenous people→Rhetorical

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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.]

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Pages 8-9, Article 1.9 Creating and updating the land registry and rural property tax;

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Other groups	<p>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.]</p>
Refugees/ displaced persons	<p>Groups→Refugees/displaced persons→Substantive Page 3, Principles, 5. Restoration: the reestablishment of the rights of victims of displacement and dispossession, and the reversal of the effects on communities and territories caused by conflict and abandonment.</p>
	<p>Page 7, Article 1.7 Restitution, the national government and FARC-EP share the goal of reversing the effects of conflict and returning to communities and to victims of dispossession and forced displacement their rights regarding land, and of achieving the voluntary return of those displaced. *The conclusions of point 5 of the general agreement will be reviewed, to see if they change the content of this point 1.7.</p>
Social class	No specific mention.

Gender

Women,
girls and
gender

Page 1, Toward a New Colombian countryside: Integral Rural Reform:
It will be considered:

...

that a true structural transformation of the countryside requires measures to promote the proper use of land, in accordance with its designated use and to stimulate the formalisation, restitution and equitable distribution of land. It should also ensure progressive access to rural property for inhabitants of the countryside, and in particular to women and the most vulnerable population. Such transformation should regularise and democratise property rights, promote the redistribution of land, in order to fulfil its social function

Page 2, Toward a New Colombian countryside: Integral Rural Reform:
It will be considered:

...

In relation to food and nutrition, the IRR (Integral Rural Reform) will ensure sufficient availability and access of opportunity, quantity, quality and price for food necessary for good nutrition, for all rural and urban citizens in Colombia, especially for boys and girls, pregnant and lactating women, and the elderly. This will be achieved primarily by promoting the production of food and income generation.

Page 3, Principles, 3. Prioritisation:

Integral agricultural development policy will be universal and its implementation will prioritise the most disadvantaged and vulnerable populations and territories, including the communities most affected by poverty, neglect and the conflict. The policy will focus on small and medium producers. Particular attention will be paid to the rights of children, women and the elderly.

...

Page 5, 1. Access and Use. Unproductive lands. Formalisation of property ownership. Agricultural Frontiers and the protection of reservation zones

...

1.3. Beneficiaries: the beneficiaries of the plan of free allocation, integral subsidy and special credit will be agricultural workers without land or with insufficient land. Women heads of household and displaced populations will be prioritised. Other beneficiaries may include Agricultural workers' associations without land or with insufficient land, as well as people and communities that participate in settlement and resettlement programs with the aim, among others, to protect the environment, replace illicit crops and strengthen food production.

Page 5, 1. Access and Use. Unproductive lands. Formalisation of property ownership. Agricultural Frontiers and the protection of reservation zones, 1.4. Integral Access:

In the development of principles of well-being, good-living, integrity as well as access to land, the National Government will make available, to male and female beneficiaries of the Land Fund, support plans for housing, technical assistance, capacity building, soil improvement and land recovery where necessary, production projects, commercialisation and access to means of production that increase the value, and scale up the provision of public goods within the framework of the Agricultural Development Programs with Integral Territorial Approach (PDET). 1 of 34

Men and boys	Gender→Men and boys→Gender neutral wording Page 6, Article 1.4 Comprehensive access, the development of welfare, well-being, and integrity principles, as well as access to land, the National Government will make available the following to men and women benefitting from the Land Fund: support schemes in housing, technical support, training, land improvement and land reclamation where necessary, production projects, as well marketing of and access to means of production that will add value. It will also increase the provision of public goods under the Programmes of Integrated Agricultural Development with a Territorial Approach, hereinafter PDET.
LGBTI	No specific mention.
Family	Pages 6-7, Article 1.6 Inalienable and unseizable land, in order to ensure the welfare and wellbeing of beneficiary families, and to avoid the concentration of land distributed through free allotment or integrated subsidised grants and of formalised public land, the above shall be inalienable and unseizable a period of 7 years. Distributed properties, and those acquired through integrated subsidised grants that have received comprehensive support, that despite this become, because of the beneficiary, unutilised during this period, or that are utilised illegally, will be assigned to the Land Fund, unless caused by unforeseen circumstances or force majeure. At all times the function of rural property and in particular family farming will be promoted.

State definition

Nature of state (general)	No specific mention.
State configuration	No specific mention.
Self determination	No specific mention.
Referendum	No specific mention.
State symbols	No specific mention.

Independence/
secession No specific mention.

Accession/
unification No specific mention.

Border
delimitation No specific mention.

Cross-
border
provision No specific mention.

Governance

Political
institutions
(new or
reformed) No specific mention.

Elections No specific mention.

Electoral
commission No specific mention.

Political
parties
reform No specific mention.

Civil society Page 3, Principles,

7. Participation: the planning, execution and following of the schemes and programmes will advance with active participation from the communities, which will also act as a guarantee of transparency when coupled with accountability, citizen oversight committees, and special supervision of the competent bodies.

Page 6, Article 1.5 Mass formalisation of small and medium rural property, ... 1. Will tailor a scheme of mass formalisation and advance the relevant regulatory and operational reforms, guaranteeing the participation of communities and their organisations. ...

Pages 8-9, Article 1.9 Creating and updating the land registry and rural property tax;

... 3. The guarantee of a large amount of and effective public participation to ensure transparency of information. In all cases, land registry issues which are related to rural communities will be dealt with the participation of the members of said community. Under no circumstances will that which is agreed upon here affect rights acquired by indigenous, afro-descendant, or other rural communities. ...

Page 9, Article 1.10 Closure of the agricultural border and protection of reserve areas;

delimiting the agricultural border, protecting areas of particular environmental interest, and generating balanced alternatives between environment and wellbeing and welfare for farmers that border or occupy such areas. With the above goals, and under the principles of participation of rural communities, the national government:

...

2. For the development of the scheme, the national government will consider the coexistence and development ventures themselves, and the participation of the rural communities as a guaranty as a guarantee that the goals of this point will be met, without prejudice towards the interests of the communities, the common good, and socio-environmental interests.

...

5. ZRCs are agricultural initiatives that contribute to building peace, to guaranteeing the political, economic, social and cultural rights of farmers, to sustainable socio-environmental and food development, and to the reconciliation between Colombians. By consequence, the national government, in consultation with the communities, and taking into account the issues raised in principles 2 and 7 of this Agreement, will promote access to land and the planning of its use in ZRCs, making the support of the development schemes from constituted areas effective, in response to community and agricultural society initiatives that these consider representative. In this way they will achieve the aim of boosting farming economy and contributing to closing agricultural borders, contributing to food production and to protecting Forest Reserve Areas. Active participation of the communities that inhabit ZRCs will be encouraged when executing their development plans. ...

Page 12, Article 2.4 Participation mechanisms;

The basis of the PDET is the active participation of communities, paired with territorial entity authorities. To allow this, decision-making authorities will be established for each level of territory, which will include both a representative

Traditional/
religious
leaders No specific mention.

Public
administration No specific mention.

Constitution No specific mention.

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 11, Article 2. Development programmes with a territorial approach (PDET), 2.1 Objective, the objective of the PDET is to achieve a structural transformation of the countryside and rural areas, as well as an equitable relationship between countryside and city, in such a way that ensures:

- The welfare and wellbeing of rural population, making their political, social, and cultural rights effective, and reversing the effects of poverty and conflict.

...

Bill of rights/ similar	No specific mention.
Treaty incorporation	No specific mention.
Civil and political rights	No specific mention.
Socio- economic rights	Human rights and equality→Socio-economic rights→Other Page 20, Article 3.4. (sovereign) Food safety system;, in aid of the obligation to progressively guarantee the human rights to healthy nutrition, culturally and nutritionally suitable, and with the goal of eradicating hunger and therefore boost availability, access to, and consumption of sufficient amounts of food and of sufficient nutritional quality, the National Government will put in place a special (sovereign) food and nutritional security system for the rural population.

Rights related issues

Citizenship	No specific mention.
Democracy	No specific mention.
Detention procedures	No specific mention.
Media and communication	No specific mention.

Mobility/
access

Page 1, Untitled Preamble,

... That a true structural transformation of the countryside requires adopting measures to promote appropriate use of the land in accordance with its suitability, and to stimulate the formalisation, restitution, and fair distribution of this land, guaranteeing progressive access to the rural property of the inhabitants of the countryside and in particular to women and those most vulnerable in the population, regularising and democratising ownership of property and promoting the decentralisation of land ownership, in accordance with its social function.

That although this access to land is a necessary condition for the transformation of the countryside it will not be sufficient without the state establishing national finance schemes, intended for the integrated rural development, for the provision of public services and goods, such as, including but not limited to, education, recreation, infrastructure, technical assistance, food and nutrition, that provide welfare and wellbeing to the rural population. ...

Page 4, Principles,

11. Democratisation of access to and suitable use of land: methods and guarantees that allow for the largest possible amount of the rural population, currently without or with insufficient amounts of land, to have access to it, as well as encouraging their suitable use of the land with criteria for environmental sustainability, suitability of the land, land management, and participation from the communities.

Pages 4-8, Article 1. Access and use. Unproductive lands. Formalisation of property. Agricultural border and protection of Farmer Reserve Areas, 1.1 Land Fund (name pending)

The National Government will create a Land Fund which will be distributed free of charge, with the aim of achieving the democratisation of access to land, for the benefit of the rural population currently without or with insufficient amounts of land and for the benefit of the rural communities most affected by poverty, abandonment and conflict, as well as regularising the property rights and thus decentralising and promoting equitable distribution of land.

[Summary] For further details about the access to land please see 'land reform'.

Page 13, Article 3, National schemes for the RRI,

The main objective of the national schemes for the RRI is on one hand overcoming poverty and inequality, to provide welfare to the rural population; and on the other hand it is integration, and closing the gap between city and countryside.

Overcoming poverty is not achieved by simply improving the income of families, but rather by ensuring that they have adequate access to public goods and services. That is the basis of a decent life. For this reason, overcoming poverty in the countryside depends first of all on united action of the national schemes for RRI, which, over the course of a 10 year transition phase, will achieve eradication of extreme poverty and reduction of all dimensions of rural poverty by 50%, as well as diminishing inequality and creating a trend towards convergence of higher living standards in the city and the countryside. Page 17 of 34

Protection
measures

Rights related issues→Protection measures→Protection of groups
Page 6, 1.5 Mass formalisation of small and medium rural property: with the purpose to regulate and protect the rights of small and medium rural property, i.e. guaranteeing the rights of the legitimate owners and holders of land, so that violence is not again resorted to as a means to resolving conflicts related with the land, and as a guarantee against dispossession of any kind.

....

3. In the framework of agrarian jurisdiction that will be formed, the government will ensure the existence of a fast and efficient course of action for the protection of property rights.

Pages 19-20, 3.3.5. Rural labour formalisation and social protection: the National Government will fully strengthen the protection and social security system of the rural population. In light of the rules of the International Labour Organisation (OIT), which Columbia is a part of, and with the goal of ensuring decent work and countryside workers' rights, as well as their social protection (protection from old age and occupational risks, the National Government will create and implement a progressive Scheme for social protection and ensuring rural workers' rights.

...

b. Ensuring social protection, through a periodical economic benefit for retirement-age rural workers as well as an occupational risk allowance, proportional to an individual's savings coupled with a grant from the State.

Rights related issues→Protection measures→Other

Page 4,

9. Sustainable development: i.e. protecting and facilitating access to water in an environmentally and socially sustainable manner, with an orderly approach to the territory.

Page 4,

1. Access and use. Unproductive lands. Formalisation of property. Agricultural border and protection of Farmer Reserve Areas.

Page 5, 1.3 Beneficiaries:

... protecting the environment, replacing illegal crops and strengthening food production.

Page 7,

1.8 Mechanisms to resolve conflicts of ownership and use and to strengthen food production: contributing to the regularisation and protection of property rights...

a. Will create quick and effective mechanisms for conciliation and resolution of conflicts of ownership of land, whose goal will be to guarantee effective protection of property rights in the countryside...

Pages 9-10,

1.10 Closure of the agricultural border and protection of reserve areas: delimiting the agricultural border, protecting areas of particular environmental interest, and generating balanced alternatives between environment and wellbeing and welfare for farmers that border or occupy such areas.

1. Will develop in a timeframe of no more than two years an environmental zoning scheme that will delimit the agricultural border and will allow the update and, if necessary, the increase of inventory, as well as profiling the use of areas that require special environmental management, such as: forest reserve areas, areas with biodiversity, fragile and strategic ecosystems, basins, moors, wetlands, and other water sources and resources, with a view to protecting biodiversity and progressive right to water of the population, therefore promoting its sensible use.

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 [Summary] This agreement in its entirety is a joint draft on political participation under sub-heading 1 of the General Agreement. Its main aims are to create conditions of well-being for the rural population, to adopt measures to promote appropriate use of the land in accordance with its suitability and to ensure for all rural and urban citizens in Colombia availability and sufficient access to good nutrition, education and health. That the effectiveness, transparency and the successful development of the Integrated Rural Reform (RRI) depend to a large extent on promoting an extensive amount of participation from the communities. Furthermore, special recognition is made to the indigenous, afro-descendant communities, as well as vulnerable groups such as women, children, the elderly and victims of the conflict. The principles for this discussion point are: Structural transformation, Welfare and well-being, Prioritisation, Comprehensiveness, Restoration, Regularisation of property, Participation, Democratisation of access to and suitable use of land, Benefit, impact and measurement, Sustainable development, and Presence of the State.

To achieve the democratisation of access to land, a Land Fund which will be distributed free of charge will be created. For the detailed provisions on this measure, please check the entry in the 'Land reform' box. Furthermore, for details about the rural property tax, please see box 'taxation'.

The Development programmes with a territorial approach (PDET) is also part of the RRI and shall achieve a structural transformation of the countryside and rural areas, as well as an equitable relationship between countryside and city. To do this appropriately, prioritisation criteria are included to select the areas for the PDET and to meet the objectives of the PDET, in each prioritised zone a plan of action for regional transformation must be decided upon, in a participatory manner. For detailed provisions on the participation mechanism please see entry under 'civil society'. The resources for the programme will be allocated by the national government and a monitoring and evaluation mechanism will be established to ensure that what is agreed upon is implemented and enforced.

The third point of the joint declaration refers to the national schemes for the RRI, aiming at overcoming poverty and inequality and closing the gap between city and countryside. Part of these schemes is the improvement of the infrastructure, including roads, electricity, and irrigation. For details on the latter please see 'water/riparian access' box. The active participation of the communities is encouraged in all projects, in prioritising, executing and monitoring, and a special priority is given to the sustainability of socio-environmental conditions. Another scheme covers the social development, encompassing health, education, housing, eradication of poverty. For special provisions on women, children, the elderly and drinking water please see appropriate categories.

To encourage different associative forms of work, of or between medium and small-scale producers, based on solidarity and cooperation, the national scheme for fostering solidarity-based and cooperative rural economy shall be established. It includes measures regarding technical and financial support for rural communities, to improve production abilities and conditions and to support communal organisations and associations.

National economic plan	<p>Page 12, Article 2.3. Plans of action for regional transformation:, to meet the objectives of the PDET, in each prioritised zone a plan of action for regional transformation must be decided upon, in a participatory manner, which should include all levels of land management, consulted with the local authorities and communities. The plans should address:</p> <p>...</p> <p>The National Development Plan will accept the priorities and goals of the PDET.</p>
Natural resources	No specific mention.
International funds	No specific mention.
Business	No specific mention.

Taxation

Socio-economic reconstruction→Taxation→Reform of taxation

Pages 8-9, Article 1.9 Creating and updating the land registry and rural property tax;

with the goal of promoting suitable, productive, and sustainable land use; creating an information system that is used to promote integrated rural development; increasing effective tax collection in communities and social investment; promoting decentralisation of unproductive rural property, and in general regulating with transparency and property, the national government will put forward:

1. A general information system for land registry information, which is both comprehensive and multipurpose, that within a maximum period of (xx) years will create and update the land registry, link the registry of rural properties, and run within the framework of municipal autonomy. To develop the principles of prioritisation and of welfare and wellbeing, this land registry must produce early results in priority areas, within the framework agreed by the national government and the FARC-EP.
2. Technical, administrative and financial support for municipalities for the creation, and where necessary, updating and maintenance of the rural land registry.
3. The guarantee of a large amount of and effective public participation to ensure transparency of information. In all cases, land registry issues which are related to rural communities will be dealt with the participation of the members of said community. Under no circumstances will that which is agreed upon here affect rights acquired by indigenous, afro-descendant, or other rural communities.
4. A system by which the municipalities settle, charge, and efficiently collect property taxes, within the framework of its autonomy, to update the land registry.
5. Adapting regulations so that the municipalities set property tax rates to help develop the progressive principle: who has more, pays more, based on social equity and justice.
6. Incentives to municipalities including, when necessary, payments to them, so that they may offer exemptions from property tax for beneficiaries of the access programmes and small-scale farmers.

The goals of creating and comprehensively updating the land registry, as a registry for rural properties, besides achieving sustainable improvement when it comes to information related to land registry, are to give social and judicial security, especially to small and medium-scale rural property, so as to benefit food production and environmental balance

*The FARC-EP believe that the development of this point requires international backing. The discussion will be had under the framework of point 6 of the General Agreement.

*Pending colophon discussion proposed by the FARC-EP: to help achieve a transformation of the relations of land ownership, the government will develop policies to overcome smallholdings and land concentration, based on encouraging associative, communal, and cooperative forms of ownership and land use. The definition of a smallholding will conform to that suggested in the IGAC.

*Pending: within the framework of point 5 of the General Agreement, establishment of a special chapter on displacement and dispossession as part of an independent mechanism to help clarify the truth.

Banks No specific mention.

Land, property and environment

Land reform/
rights

Land, property and environment→Land reform/rights→Land reform and management

Page 1, Untitled Preamble,

... That a true structural transformation of the countryside requires adopting measures to promote appropriate use of the land in accordance with its suitability, and to stimulate the formalisation, restitution, and fair distribution of this land, guaranteeing progressive access to the rural property of the inhabitants of the countryside and in particular to women and those most vulnerable in the population, regularising and democratising ownership of property and promoting the decentralisation of land ownership, in accordance with its social function. ...

Page 4, Principles,

11. Democratisation of access to and suitable use of land: methods and guarantees that allow for the largest possible amount of the rural population, currently without or with insufficient amounts of land, to have access to it, as well as encouraging their suitable use of the land with criteria for environmental sustainability, suitability of the land, land management, and participation from the communities.

Pages 4-8, Article 1. Access and use. Unproductive lands. Formalisation of property. Agricultural border and protection of Farmer Reserve Areas, 1.1 Land Fund (name pending)

The National Government will create a Land Fund which will be distributed free of charge, with the aim of achieving the democratisation of access to land, for the benefit of the rural population currently without or with insufficient amounts of land and for the benefit of the rural communities most affected by poverty, abandonment and conflict, as well as regularising the property rights and thus decentralising and promoting equitable distribution of land. The Land Fund will provide (xxx) millions of hectares over a period of (xxx) years, land which will come from the following sources:

- a. Land recovered by the state through civil forfeiture: the National Government will advance the reforms necessary to facilitate the process of civil forfeiture, so as to revert the concentration of illegal land.

- b. Land recovered in favour of the state: i.e. misappropriated uncultivated land, recovered through agricultural processes, without prejudice against the farmers, who can benefit from the formalisation programme. (This source should be strengthened through 'cadastral' training and modernisation which will be advanced under this Agreement)

- c. Land from the modernization, delimitation and strengthening of the Forest Reserve, intended for those parties benefiting from the Land Fund: subtraction of land through this method will be dependent on, with the participation of communities, schemes that will guarantee social and environmental sustainability.

- d. Unused land: land recovered by applying the current civil forfeiture administrative procedure for the breach of the social and ecological role of the property.

- e. Land acquired or expropriated for reasons of public interest or utility, acquired to promote access to rural property, with the appropriate compensation.

- f. Donated land: the National Government will advance the necessary arrangements to facilitate the procedure of donating land to the Land Fund, within the framework of ending conflict and building peace.

Pastoralist/
nomadism
rights

No specific mention.

Cultural
heritage

Land, property and environment→Cultural heritage→Tangible
Page 15, Article 3.2.2. Rural education:
... f. Offering recreational, culture and sport programmes as well as
infrastructure. ...

Land, property and environment→Cultural heritage→Other
Page 2, Untitled Preamble,

... That the effectiveness, transparency and the successful development of
the RRI depend to a large extent on promoting an extensive amount of
participation from the communities, by creating inclusive and democratic
institutional spaces in which they have the capacity to influence and
transform the planning, implementation, and monitoring of the various
agreed schemes and programmes. Participation also guarantees increased
inclusiveness of rural communities in the political, economical, social and
cultural aspects of their regions, and therefore of the nation.

... That the schemes and programmes agreed as part of the RRI should take a
territorial approach that involves recognising and taking into account the
economic, social, and cultural needs, characteristics and particularities of the
territories and rural communities, as well as guaranteeing socio-
environmental sustainability. ...

Page 7, Article 1.8 Mechanisms to resolve conflicts of ownership and use and
to strengthen food production,

... b. Will create a high-level body that will be responsible for forming general
guidelines for land use, by addressing the characteristics of its suitability, the
common good, and territorial views of rural development within a
participatory framework. When forming the guidelines the following will be
taken into account:

... 4) the social, cultural and economic characteristics of the territories. ...

[Summary] Art.3.4(a) mentions 'culturally-appropriate food.'

Environment Page 2, Untitled Preamble,

... That the farmers and the indigenous, afro-descendant, raizal and palenquera communities, as well as other ethnic communities in their territories, will contribute to the structural transformation of the countryside and in particular to the closure of the agricultural border, with a sustainable socio-environmental regulation system. This requires the recognition and support of Farmer Reserve Areas (Zonas de Reserva Campesina) and other forms of solidarity-based collaboration.

...

That the schemes and programmes agreed as part of the RRI should take a territorial approach that involves recognising and taking into account the economic, social, and cultural needs, characteristics and particularities of the territories and rural communities, as well as guaranteeing socio-environmental sustainability. ...

Page 4, Principles,

9. Sustainable development: i.e. protecting and facilitating access to water in an environmentally and socially sustainable manner, with an orderly approach to the territory.

Page 4, Principles,

11. Democratisation of access to and suitable use of land: methods and guarantees that allow for the largest possible amount of the rural population, currently without or with insufficient amounts of land, to have access to it, as well as encouraging their suitable use of the land with criteria for environmental sustainability, suitability of the land, land management, and participation from the communities.

Page 5, Article 1.1 Land Fund (name pending),

...

c. Land from the modernization, delimitation and strengthening of the Forest Reserve, intended for those parties benefiting from the Land Fund: subtraction of land through this method will be dependent on, with the participation of communities, schemes that will guarantee social and environmental sustainability. ...

Page 5, Article 1.3 Beneficiaries,

the beneficiaries of the free allocation scheme, of the comprehensive subsidy, and of the special credit, will be workers with an agricultural vocation who currently have no or insufficient land, prioritising female heads of household and any displaced population. Associations of workers with an agricultural vocation who currently have no or insufficient land will also be potential beneficiaries, as well as people and communities who participate in settlement and resettlement programmes, with the goals being included but not limited to: protecting the environment, replacing illegal crops and strengthening food production. ...

Page 7, Article 1.8 Mechanisms to resolve conflicts of ownership and use and to strengthen food production,

... b. Will create a high-level body that will be responsible for forming general guidelines for land use, by addressing the characteristics of its suitability, the common good, and territorial views of rural development within a participatory framework. When forming the guidelines the following will be taken into account: 1) the socio-environmental sustainability and the

Water or riparian rights or access

Page 4, Principles,

9. Sustainable development: i.e. protecting and facilitating access to water in an environmentally and socially sustainable manner, with an orderly approach to the territory.

Page 14, Article 3.1.2. Irrigation infrastructure: with the goal of boosting familial agricultural production and the rural economy in general, ensuring democratic and environmentally sustainable access to water, the national government will create and implement the National Irrigation and Drainage Scheme for the rural economy, both familial and communal. When developing the plan the following approaches will be considered:

- a. Advancement and application of suitable irrigation and draining technological solutions for the familial and communal rural economy, in line with the characteristics of the area, of production projects, and of the communities.
- b. Recovery of the irrigation infrastructure of the familial and communal rural economy.
- c. Backing of user associations in designing and formulating irrigation and drainage projects.
- d. Technical support and advancement of the organisational capacities of the communities to ensure the maintenance, administration and economic and environmental sustainability of the irrigation and drainage projects.
- e. Advancement of best practices for water use in irrigation.
- f. Preparation required to mitigate risks caused by climate change.

Page 16, Article 3.2.3. Housing and drinking water;,

with the goal of guaranteeing decent living conditions for inhabitants of the countryside, the national government will create and implement a national Scheme for constructing and improving social rural housing. When developing the Scheme, the following approaches will be considered:

- a. Implementing suitable housing solutions, in line with the features of rural areas, with a differential approach.
- b. Promoting and implementing suitable technological solutions (aqueducts and individual solutions) to ensure access to drinking water and to manage wastewater.

Granting subsidies to construct and improve housing, that prioritise population in extreme poverty, victims, beneficiaries of the land distribution Scheme and female heads of household. The amounts of non-repayable subsidies, that will cover up to the entire cost of housing solutions, will be fixed in line with needs construction costs of each region, so as to ensure decent living conditions.

- c. Active participation from communities in determining housing solutions and executing projects.
- d. Technical support and advancing the organisational capacities of communities to ensure maintenance, operation and sustainability of solutions for water access and wastewater management.
- e. Promoting suitable practices for drinking water use.

Page 20, Article 3.4. (sovereign) Food safety system;,

... Food-related and nutritional politics in rural areas based on the progressive increase of food production, on generating profits, and in general on creating well-being conditions through national schemes for access to land, infrastructure, irrigation, housing and drinking water, technical support and training, marketing, credit, promoting associative forms based on

Security sector

Security Guarantees No specific mention.

Ceasefire No specific mention.

Police No specific mention.

Armed forces No specific mention.

DDR No specific mention.

Intelligence services No specific mention.

Parastatal/
rebel and
opposition
group
forces No specific mention.

Withdrawal
of foreign
forces No specific mention.

Corruption No specific mention.

Crime/
organised
crime

Page 5, Article 1.3 Beneficiaries,
the beneficiaries of the free allocation scheme, of the comprehensive
subsidy, and of the special credit, will be workers with an agricultural
vocation who currently have no or insufficient land, prioritising female heads
of household and any displaced population. Associations of workers with an
agricultural vocation who currently have no or insufficient land will also be
potential beneficiaries, as well as people and communities who participate in
settlement and resettlement programmes, with the goals being included but
not limited to: protecting the environment, replacing illegal crops and
strengthening food production. ...

Page 11, Article 2.2. Prioritisation criteria;
the process of transforming the structure of the countryside must cover the
entirety of the rural areas of the country. Areas that are most needy will be
prioritised with PDET to implement national schemes that are created within
the framework of this agreement more quickly and with more resources. The
criteria of prioritisation for these areas will be:

...

- The presence of illicit crops and other illegitimate economies

Drugs

Page 5, Article 1.3 Beneficiaries,
the beneficiaries of the free allocation scheme, of the comprehensive
subsidy, and of the special credit, will be workers with an agricultural
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...

- The presence of illicit crops and other illegitimate economies

Terrorism

No specific mention.

Transitional justice

Transitional justice general	No specific mention.
Amnesty/pardon	No specific mention.
Courts	No specific mention.
Mechanism	No specific mention.
Prisoner release	No specific mention.
Vetting	No specific mention.
Victims	<p>Page 3, Principles, 5. Restoration: the reestablishment of the rights of victims of displacement and dispossession, and the reversal of the effects on communities and territories caused by conflict and abandonment.</p> <p>Page 7, Article 1.7 Restitution, the national government and FARC-EP share the goal of reversing the effects of conflict and returning to communities and to victims of dispossession and forced displacement their rights regarding land, and of achieving the voluntary return of those displaced.</p> <p>*The conclusions of point 5 of the general agreement will be reviewed, to see if they change the content of this point 1.7.</p>
Missing persons	No specific mention.

Reparations Transitional justice→Reparations→Material reparations
 Page 3, Principles,
 5. Restoration: the reestablishment of the rights of victims of displacement and dispossession, and the reversal of the effects on communities and territories caused by conflict and abandonment.

Page 7, Article 1.7 Restitution,
 the national government and FARC-EP share the goal of reversing the effects of conflict and returning to communities and to victims of dispossession and forced displacement their rights regarding land, and of achieving the voluntary return of those displaced.

*The conclusions of point 5 of the general agreement will be reviewed, to see if they change the content of this point 1.7.

Reconciliation Page 11, Article 2. Development programmes with a territorial approach (PDET), 2.1 Objective,
 the objective of the PDET is to achieve a structural transformation of the countryside and rural areas, as well as an equitable relationship between countryside and city, in such a way that ensures: ...

- That it will make the Colombian countryside a scenario of reconciliation in which all work around a common goal, which is building peace, a supreme good and a compulsory right and duty.

Implementation

UN
 signatory No specific mention.

Other
 international
 signatory No specific mention.

Referendum
 for
 agreement No specific mention.

International
 mission/
 force/similar No specific mention.

Enforcement
 mechanism No specific mention.

Related cases	No specific mention.
Source	Mesa des Convercaciones para la Terminación del Conflict y la Construcción de una Paz Estable y Duradera en Colombia https://www.mesadeconversaciones.com.co/comunicados/borrador-conjunto-pol%C3%ADtica-de-desarrollo-agrario-integral?ver=es
