

FINAL AGREEMENT BETWEEN THE NATIONAL
GOVERNMENT AND THE FRANCISCO GARNICA FRONT
GUERRILLA COORDINATION BOARD

30 June 1994

Introduction

The national government and the Francisco Garnica Front (Frente Francisco Garnica, FFG), Guerrilla Coordination Board, sign this agreement to reaffirm that the negotiated solution to the armed political conflicts in Colombia is not only possible but represents the only civilised path to consolidate the peace demanded by all Colombians and strengthen the development of participative democracy. With this peace process, the national government ratifies its desire to achieve harmony and peaceful coexistence among Colombians through open and frank dialogue with those who have chosen arms to influence Colombian politics. FFG surrenders its arms as a clear demonstration of its firm decision to bring about the change of political customs in Colombia in favour of the democratic means set out in the national constitution.

CHAPTER 1

Economic and social reinsertion

The national government makes the following commitments in the area of economic and social reinsertion:

1.

For health, from the surrender of arms, under the agreement with the Social Security Institute, the government will affiliate FFG members on the official list approved by the Ministry of the Interior, in addition to their immediate family nucleus, under category 25 for a period of one year.

For the purposes of this agreement, the term family nucleus is interpreted per the definition of the Social Security Institute.

Where the corresponding medical authority verifies the fact that a person on the lists has been disabled as a result of the conflict, their treatment and any recovery will take place at the San Juan de Dios hospital in Bogota, under the agreement signed between the government and this hospital.

The government will only cover transport required for transfers to Bogota in these cases, in addition to accommodation at the Colombian Red Cross shelter, with which it has also signed an agreement.

2.

For education, under an agreement with the National Pedagogic University, the national government commits to providing one-off funding for the Peace and Reconciliation Education Programme for literacy teaching and validation of primary education and the secondary *bachiller* qualification. This programme will run for 18 months and will only be available to those on the official list approved by the Ministry of the Interior, in addition to their family nucleus.

At least 30 demobilised members from the official list must be present in an area to open an education centre.

For candidates on the official lists that meet the requirements for university studies, the government will provide a student loan under the agreement in force with ICETEX, which it will supplement with the resources it deems fit.

3.

For the funding of individual or collective productive products, the government will provide a loan of COP 3 million to each demobilised member on the official list approved by the Ministry of the Interior.

The loan will have a grace period of two years and two more for repayment, with an annual interest rate of 18%.

4.

To facilitate the launch of productive projects, the government will provide resources for training and technical assistance through governmental or private institutions to guarantee their correct selection and support during the launch and initial phases of operation.

5.

For housing, the government will provide resources to guarantee:

- a. the technical assistance required to form and establish the organisation responsible for implementing associative social housing programmes;
- b. the technical assistance required for drawing up social housing projects;
- c. procedures to secure funding for these projects.

6.

For promotion of the process, reinserted members on the list submitted by FFG and approved by the Ministry of the Interior will adopt the role of promoters of this peace process, for which the government will provide them with support equivalent to a monthly payment of COP 140,000 for each member for 12 months from the date of their demobilisation.

For the implementation of this agreement, the government will include FFG representatives in the institutional structure set out in Decree 2707, 1993.

Certain members of the demobilised group may have special responsibilities for promoting the process and consolidating peace, for which the government will contract their services. The government will also provide a one-off payment of COP 40 million to the Colombia Viva

foundation for promoting the process, supporting the reinsertion programme and presenting projects for productive programmes.

CHAPTER 2

Legal benefits

FFG members will be eligible for the legal measures under the criteria and procedures set out in the articles of Law 104, 1993, for which the national government commits to:

1.

Process and decide on the award of amnesty to FFG members who have been convicted for any of the offences set out in articles 48–60 of the aforementioned law.

2.

Support the processing of requests for writs of prohibition, preclusion of investigation and cessation of procedure before the corresponding judicial authorities under the procedure set out in Title III of Part I of the aforementioned Law 104. For non-political crimes, the decision of the judicial authority will be based on the criterion of appurtenance.

To facilitate these procedures, the government will hire, at its cost, one lawyer proposed by FFG for one year, which may be extended if necessary.

3.

FFG members who have not been convicted or accused of crimes covered by article 48 of Law 104, 1993, when the agreements are signed, may be eligible for the legal benefits in this chapter under the same terms and procedure if criminal investigations of events that took place before the signing of the agreement are subsequently initiated or continued.

4.

Process or order, under the current legal provisions, the suspension of capture orders and arrest warrants for FFG members on the corresponding lists and present in the demilitarised

zone of the Juan Manuel Padilla camp on the day of the surrender of arms. This suspension will last until resolution of the request by the corresponding judicial authority.

5.

Persons covered by the previous item with capture orders or arrest warrants in place on the day the agreement is signed must submit requests within 45 days from the provision of the certificates by the Ministry of the Interior. If the request is not submitted within this period, the suspension will be revoked.

6.

The Ministry of the Interior will draw up partial certificates as it carries out the corresponding evaluation under the terms of articles 50 and 51 of Law 104, 1993.

7.

For the certification detailed in article item 2 of 56 of Law 104, 1993, this requirement will be satisfied by the certificates issued by the Ministry of the Interior.

CHAPTER 3

Security programme

1.

To guarantee the normal course of the activities of FFG leaders, the national government will provide a security and protection service, for which the corresponding specialist state institutions will be responsible.

2.

The service will cover four leaders of the organisation arising from the demobilisation with two vehicles that will constitute two protection units.

3.

In addition to the aforementioned vehicle, each protection unit will have two bodyguards and a driver who are members of the security institutions, equipped with bullet-proof vests and the respective arms.

4.

The security programme will have a coordination structure comprising one member of the peace council, representatives of each of the security institutions responsible for security and protection, and one member from the organisation arising from the demobilisation of FFG.

This last member will act as head of security for the organisation.

5.

Each security unit will be entitled to include FFG members, who must receive training and form part of the special structures established by the government for this purpose. A maximum of six people will be entitled to this provision.

6.

The national government, with the support of the regional reinsertion offices, will make the necessary arrangements for the regional authorities to take into account the security conditions in which members of FFG will operate. The corresponding security measures arising from these exercises must be taken.

7.

Six months after signing this agreement, the security programme will be evaluated to determine its duration.

CHAPTER 4

Political favourability

If the constitutional court declares as admissible the law empowering the national government to create special electoral constituencies for the political movements arising

from subversive demobilised groups and the government decides to make use of these powers or award these favourability measures using the powers in article 13 (transitional) of the national constitution, it undertakes to include the municipalities where FFG has had an armed presence in its area of application and include the organisation or political movement that arises from it.

Signed on 30 June 1994 in Cañaveral.

For the national government:

- CESAR GAVIRIA TRUJILLO, President of the Republic
- CARLOS EDUARDO JARAMILLO, Presidential Peace Councillor
- FABIO VILLEGAS RAMIREZ, Minister of the Interior

For FFG:

- LIBARDO ESCALANTE SIERRA
- HIERTA DIAZ
- JOSE FELIX PADILLA YEPES
- LIBARDO LEONES LANDERO

MONSIGNOR GUILLERMO VEGA, Colombian Episcopal Conference