

To think over...

- Between January and June 2017, Colombia recorded a total of 335 individual aggressions against social leaders and defenders. 225 were threats, 51 murders, 32 killing attempts, 18 arbitrary arrests, and 9 cases of judicial prosecution¹¹. The majority of victims were members of victims or land restitution organizations, as well as active members of Community Action Boards (JAC) and leaders of political organizations aspiring to be members of the special circumscriptions for peace in 2018 or local elections in 2019¹².
- In spite of the approval of the law that creates the Statute of the Opposition in the past legislature, the resolution section of this law established that it would be in effect only until July 20, 2018, that is, it would not be in effect in the next year legislative and presidential elections.
- The Budget Project for 2018 proposes an amount of 2,4 billion pesos for the post-conflict, increasing this year's budget in 31%. This amount has priority allocation for the PNIS¹³, amongst others, but still falls short to cover for what has been agreed in the peace accord. Two months ago, the government submitted its mid-range budgetary framework for 8 billion pesos and deemed them necessary to cover for the total amount needed in illegal crops substitution, and that post conflict would cost a total of 129 billion pesos in 15 years, that is, 8,6 billion a year¹⁴. Investment for 2018 does not add to half of the required amount.
- At the moment, there are five draft law acts submitted by the Democratic Center Party (a right wing party) on July 20, intended to modify or repeal the decrees issued by President Juan Manuel Santos in his extraordinary presidential power granted for peace.
- On August 16, in the public hearings called by the Constitutional Court within the control process of constitutionality for Decree-Law 902 of May 29, 2017 "under which measures are adopted to facilitate the implementation of the Integral Rural Reform as per de Final Accord in the issue of land, specifically in the procedures for access and formalization of the Land Fund", the Afro and Indigenous communities requested the Court to declare the decree unconstitutional, as it lacked consultation and communication with the communities when it was being drafted.
- The Government submitted to the CSIVI a document of what will be the Framework for the Implementation of the Final Accord. This document is currently being revised and, up to this moment, the only comment that CSIVI made was on some inconsistencies regarding the times, as the

Government projected a plan for 15 years, and the accord mentions the implementation in 10 years. This can be understood as breach in what was agreed.

- On August 31, FARC launched their political party, which they called Alternative Revolutionary Force of the Common, thus maintaining the acronym FARC. Its by-laws stipulate that the congressmen that will take the seats in Senate and House of Representatives for the 2018-2022 period "will be designated by the First National Assembly of the Commons or through the delegation by the National Political Council" and that the final assembling of the lists to be presented for such electoral processes will be the function of the National Political Council.
- The issue of illegal crops substitution continues to be a matter of concern, not only because of the pressure exerted by the United States due to the increase of coca crops in the country, but also because of the uncertainty amongst the communities regarding alternatives offered by the Government to the people for whom coca crops have been, for a long time, their only source of income.
- The election of the Director of the Secretariat of National Pastoral (SNPS) to be member of the National Council of Peace, Reconciliation and Coexistence was confirmed. One of the objectives of the SNPS's participation in this space is to enhance the creation and reactivation of the departmental and municipal peace councils to accompany the implementation of the Peace Accord. These Councils are defined as entities of citizenship participation, contributing to peace building at a local level, articulating actions between departmental and municipal administrations, so as to strengthen coexistence and reconciliation.



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¹⁰ The PDET are the mechanisms for the Integral Rural Reform to reach territories as a priority and attempt to set the foundations for structural transformations of rural areas, creating the necessary conditions for wellbeing of the rural population, protecting the pluri-ethnic and multi-cultural patrimony, promoting peasants' economy, integrating those regions affected by the armed conflict, strengthening Community organizations, and turning rural areas into a space of reconciliation" (Agencia de Renovación del Territorio, «Programas de Desarrollo con Enfoque Territorial», acceso 30 de agosto de 2017, http://www.renovacionterritorio.gov.co/especiales/especial_PDET/).

¹¹ Programa Somos Defensores. Informe "¡Agúzate que nos están matando!"

¹² Fundación Paz y Reconciliación, Cómo va la paz.

Plan Nacional de Sustitución de Cultivos Ilícitos (National Plan for Substitution of Illicit Crops)

Sección Posconflicto, «La paz en tiempos de vacas flacas.», Revista Semana, 19 de agosto de 2017, acceso 21 de agosto, <http://www.semana.com/Item/ArticleAsync/536918?nextId=537145>.



Launching the Territorial Development Plans - PDETs

- On July 24 2017, President Juan Manuel Santos launched the Territorial Development Plans¹⁰ (PDETs) in Morelia, Caquetá. This is a strategy created by the Peace Accord for the implementation of the Integral Rural Reform (point 1) thus attempting to strengthen and create links between the State and those territories most affected by the conflict, and historically neglected by the State.
- The roadmap defined by the Territorial Renovation Agency (ART) established the following activities:

Aug. - Dec. 2017

Meetings with communities with the purpose of -in a participatory manner- building Community Pacts for Territorial Renovation (Community Assembly).
170 municipalities - 11,000 veredas (counties)
1,630 núcleos veredales (county nuclei) - 305 Community Councils
452 Indigenous Reservations - 6 rural reservation zones

Jan - Mar 2018

Meetings with ethnic authorities, local entities, social and community organizations, private companies, so as to build a Municipal Pact for Territorial Renovation (Municipal Participatory Planning Commission)
170 municipalities - 1,630 núcleos veredales (county nuclei)

Mar - Apr 2018

Once agreed, the Municipal Pacts, at sub-regional levels there will be built 16 action plans for regional transformation through the Sub-Regional Participatory Planning Commission.
16 sub-regions - 170 municipalities

May 2018

Those organizations in charge will spread information on the PDET at the regional level (Departments, Municipalities and Counties) as well as the national level (all sectors).



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Por una Colombia Justa y fraterna

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PROGRESS IN THE IMPLEMENTATION OF THE PEACE ACCORD¹

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Ceasefire, disarmament and reintegration



Territorial space for training and reincorporation / reintegration to civil life

- The deadline for the transition from the Zonas Veredales Transitorias de Normalización - ZVTN (Transitory Rural Zones) and the Puntos Transitorios de Normalización - PTN (Transitory Points for Normalization) to the Territorial Spaces for Training and Reincorporation was moved to August 15, the date on which it was agreed to take out all the containers with weapons left by FARC, under the supervision of the Monitoring and Verifying Mechanism. In the second week of September, the first phase of disabling weapons ended.
- Facing FARC's constant complaints about the slowness of judges in granting freedom to over 3,000 of its members in prisons all over the country, on July 28, the President of the Republic issued a resolution granting the status of Peace Promoters to 709 of them²; as Peace Promoters, their responsibilities will be performed in those Territorial Spaces for Reincorporation and Normalization, and include supporting reincorporation processes, and performing reparation tasks such as the humanitarian demining and the search for people declared missing.

¹ Update of the document entitled: The implementation of the peace accord. Opportunities and challenges, published in July 2017.

² It is important to clarify that even though they will not be granted fast track freedom, they are not granted, for now, amnesty or indulgence for political crimes to which they would be entitled.

On August 6, 118 tutors from the Open and Distant National University (UNAD) were deployed to the zones with the purpose of starting the implementation phase of educational cycles targeted not only to 4,500 former FARC combatants, but also to inhabitants in the nearby communities. This activity is developed in the framework of the project "Arando la Educación (Plowing Education)", a result of the alliance between the Ministry of Education, the UNAD and the Norwegian Refugee Council. This project is expected to have a total cost of seven billion pesos, of which the Government will contribute 29%, and the remaining will come from international cooperation funds and other civil society organizations³.

Parallel to this, other processes are being implemented, such as the reception and registration of new militias⁴, and the moving of former combatants who were in the "deprived of freedom" status there. This is in accordance with what it was established by Law 1820, 2016 and Decree 277, 2017 on amnesty, indult, and special punishment treatment.

The adjustment of some of the previously called ZVNT is still behind schedule in terms of internal road access and pedestrian paths, bathrooms, water treatment plants and wastewater management, health centers, amongst others⁵.

b Caleta⁶ extraction process

On September 15, the United Nation's Mission in Colombia reported the extraction of weapons and the destruction of ammunition and volatile material in 750 of the 998 caletas whose location was provided by FARC. The rest of caletas remain under armed forces control.

According to the UN Head of the Observers, all the ammunition found was incinerated following the security protocols and verification of the surroundings, on the part of the Armed Forces.

In this process, only one incident was reported in Caloto, Cauca, where a team of the Police Unit for Peace Building was attacked while performing tasks of extracting explosives from caletas.

c Delivery of the first list of FARC's property

On August 15, FARC handed in a report of their property to State Minister Guillermo Rivera. According to what was determined in Decree 903 of 2017, these goods are to be transferred directly to the Director of Autonomous Patrimony (an adjunct office to the Administrative Department of the Presidency).

The Attorney General, Nestor Humberto Martínez, asserted that the inventory of goods does not match with the actual property; some items in the list are not goods -kitchen utilities, for example- and goods of social investment, such as the 3,757 kilometers of roads they claim to have constructed, could not be part of the inventory as road infrastructure is inalienable.

Because of the debate this inventory generated, the Government issued a decree that creates the Inter-sectorial Commission for the Reception, Verification and Delivery of FARC Property to the Upcoming Fund for Victims Reparation. This commission will be in charge of verifying the physical condition, as well as the evaluation of the legal, administrative, and technical status of the declared property and verification of their custody⁷.

There was a very strong debate about the destination that the reported property would have, as decree 903 (Art. 4) of May this year, allowed part of those goods to be allocated to the FARC's Center of Thinking and Political Education- created and included in the accord. However, Decree 1407 of August 24, 2017 clarified this issue, stating that the destination will exclusively be for victims' reparation.

⁷ Redacción Sección Justicia, «Bienes de las FARC solo se utilizarán para reparar a las víctimas.», Periódico El Tiempo, 25 de agosto de 2017, acceso 31 de agosto de 2017, <http://www.eltiempo.com/politica/proceso-de-paz/gobierno-crea-comision-de-verificacion-para-activos-de-las-farc-123448>.

⁸ 830 human right defense organizations nominated women to participate in these organizations. Appointed women were: Marcela Sánchez, Director of Colombia Diversa, Mayerlis Angarita from Narrar para Vivir, Victoria Neuta from Comisión de Mujeres Indígenas; Madga Alberto from Mujeres para la Paz, and regional organizations representatives Rocío Pineda (Antioquia) and Francisca Aldee Castillo (Arauca).

⁹ For its acronym in Spanish.

2 Legal development of the Peace Accord

This is the status after eight months of the implementation of the mechanisms described in the draft legislative Act 01, 2016:

Bills and Draft Legal Acts		Decree-law (Special Presidential Power for Peace)	
Submitted	9	Submitted	34
		Declared unconstitutional	3
		Totally or partially constitutional	8
Approved	5	Projects for Constitutional Court ruling	13
		Pending	5
		Suspended	6

From the beginning of the new legislature on July 20, 2017, the developments in normativity have been the following:

The draft law that allows the National Protection Unit to increase its staff and contract managerial staff for the protection of FARC leaders was approved in the second debate at the Senate plenary;

The draft Legislative Act intended to give voice to the inhabitants in zones most affected by the conflict, creating 16 special circumscriptions at the House of Representatives for the periods 2018-2022 and 2022-2026 was also approved at the Senate in the second debate;

The Government submitted the legislation for the Special Jurisdiction of Peace at the Congress again, after having withdrawn it in the past legislature. This initiative consists of over 150 articles and proposes the regulation of procedures and laws that will apply in the framework of the transitional justice for former guerrilla, state agents, and civilians connected to the armed conflict.

The approval of the Political Reform project is advancing slowly at the House of Representatives. After five sessions, only 23 articles have been discussed.

Legislative Initiatives submitted in Congress in the new legislature (At september 25th - 2017)

Law	Theme	Specif Point
Bill	Regulation of the Multi-purpose Cadastral National System	Point 1: Integral Rural Reform
Bill	Allocation of vacant sites in forest reserves	
Statutory bill	J E P (Special Peace Justice)	Point 5: Victims and Justice

Advances of legislative initiatives in process at Congress in the framework of fast track (July-September 2017)

Law	Theme	Section/Point of the Agenda	Progress
Bill	Regulations for public service in land adjustments	Section 1: Integral Rural Reform	Presentation published for fourth debate
Bill	National System for Agricultural/livestock Innovation		Presentation published for second and fourth debate
Bill	Budget modification to the National Protection Unit	Section 2: Political participation	Approved in second and fourth debate
Bill	Political and electoral reform		Presentation published in first debate
Bill	Special transitional circumscriptions for peace		Approved in second debate
Draft Legal Act	The State's Legitimate monopoly of force	Section 3: End of the conflict	Approved in third and fourth debate. Waiting for conciliation.
Project Legal Act	General Royalty System	Section 6: Implementation, verification and countersigning	Approved in fourth debate. Approved in conciliation with the Senate

3 Peace at the territorial level⁸

a Opening of the Women's special instance

On July 28, 2017, the Women's special instance was installed with the purpose of guaranteeing gender focus in the implementation of the peace accord between the Government and FARC. As per the agreement, this instance is responsible for working hand in hand with the Commission for Follow Up, Enhancement, and Verification of the Peace Accord (CSIVI⁹) to monitor agreements relating to gender focus at Havana. Its work plan has to be approved by the CSIVI and will be funded by the Government with the support of international cooperation.

Since then, this special instance has to:

- > Make recommendations at CSIVI in order to guarantee the incorporation of a gender approach in the implementation of normativity in the Accord and the Framework Plan for Implementation.
- > Provide periodic and public reports that will be submitted to CSIVI and other organizations.
- > Maintain permanent spaces and channels for dialog with women and organizations so as to build proposals and make recommendations.

³ UNAD, «Tutores de la UNAD recorrerán todo el país para formar guerrilleros.», El Observatorio de la Universidad Colombiana, 5 de agosto de 2017, acceso 11 de agosto de 2017, <http://www.universidad.edu.co/index.php/noticias/14821-tutores-de-la-unad-recorreran-todo-el-pais-para-formar-guerrilleros>.

⁴ According to the Eight Report of Mechanism for Monitoring and Verification on July 7, 2017, 2,256 militias were reported.

⁵ Mechanism of Monitoring and Verification, Ninth Monthly Report.

⁶ (NT)Special holes dug in the ground to hide weapons