

SUMMARY OF

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# COLOMBIA'S AGREEMENT

to End Conflict and Build Peace

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**PRESIDENCIA DE LA REPÚBLICA**

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## SUMMARY OF

# COLOMBIA'S AGREEMENT to End Conflict and Build Peace

This document contains a summary of the Final Agreement reached at the Negotiation Table in Havana between the Government of Colombia and the FARC-EP. It describes the goals of the agreement and the mechanisms agreed upon, with respect to the six agenda items discussed, as part of the General Agenda of the General Agreement for Ending Conflict and Building a Stable and Long-Lasting Peace..

## ITEM / 1

### TOWARD A NEW COLOMBIAN COUNTRYSIDE: COMPREHENSIVE RURAL REFORM

The Comprehensive Rural Reform (*Reforma Rural Integral - RRI*) seeks to lay down the foundation for the transformation of rural Colombia, create the conditions to ensure the health and well-being of the rural population and, in doing so, contribute to guarantee non-repetition of the conflict and to the construction of a stable and long-lasting peace.

- It focuses on the well-being of rural people, their communities and the different ethnic groups.
- It aims to strengthen the state's presence across the country, integrate the various regions, close 'the gap' between rural and urban areas, improve the agricultural industry, protect the environment and ensure that the right to food is progressively realised.
- It conceives of the various regions across the country as having diverse constituents, and where these different communities will play leading roles in the Comprehensive Rural Reform.
- The Comprehensive Rural Reform will be undertaken nation-wide; that is to say, it will cover all of the country's rural areas. Its implementation will be prioritised in the zones mostly affected by the conflict, areas with higher poverty levels, institutional weakness and the presence of crops made for illicit use and of other illegal economies.

## I. LAND ACCESS AND USE

An agreement was reached to create a Land Fund (*Fondo de Tierras*) for the free distribution of land to rural people without land, or with insufficient land. The Fund will have 3 million hectares at its disposal during the first 10 years.

- The Fund will manage properties resulting from: (1) asset forfeiture; (2) the recovery of lands with no title, that have been unduly appropriated or occupied; (3) the updating, delimitation and strengthening of the Forest Reserves; (4) the enforcement of current procedures for forfeiting land due to non-compliance with the social and ecological requirements of the property; (5) the acquisition or expropriation of land, with compensation, due to social interest or to having public usefulness purposes; and (6) donations from private parties to the state.
- Other access to land mechanisms will be strengthened, such as a comprehensive subsidy programme and improved access to credit.
- A large-scale plan for land registration will be undertaken, in order to formalise the ownership of 7 million hectares of land.
- The beneficiaries of the Fund will be male and female agricultural workers who hold no land, or hold insufficient land. Priority will be given to rural women, female heads of households and displaced persons.
- The land access programme will be comprised of comprehensive access measures to enhance the effective use of land (seed capital and loans and technical assistance) and the creation of a favourable conditions for productivity and overall well-being (roadways, irrigation, healthcare, education, housing, market access).

In order to promote appropriate use of land, improve land ownership planning and legal regulation, delimit agricultural areas and prevent and solve land conflicts, agreements were reached to:

- Create a special rural land legal system, covering all regions across Colombia, that will include strengthened alternative conflict resolution mechanisms.
- Create a high-level body to define the general guidelines for land use, taking into account the development visions for the different territories across Colombia.
- Promote citizen participation in the creation of territorial regulations and create mechanisms for dialogue between the government, communities and enterprises.
- Put in place a multi-purpose land registry (*cadastre*) which, within 7 years, shall have completely updated the land registry records of all of the rural cadastres, and shall serve as a basis for encouraging the productive use of land, and increasing the collection of property taxes.
- Put in place an environmental zoning plan to delimit the agricultural frontier and protect areas of special environmental interest. Economic alternatives will be created for rural inhabitants living in or near these areas. These economic alternatives will be compatible with the corresponding vocations of the rural inhabitants, and will make use of the Farmer Enterprise Zones (*Zonas de Reserva Campesina*), amongst other things. These programmes will help to define the agricultural frontier and strengthen the rural economy and family-run agribusinesses.

## II. NATIONAL PLANS

National plans will be implemented, with the goals of completely eradicating extreme poverty, further reducing rural poverty by 50% and further reducing overall inequality within 10 years, taking into account gender and equity-based approaches and the specific features of each area.

- As for infrastructure, plans will be undertaken to reconstruct the rural road network, to expand the coverage and the quality of power and internet services in rural areas, and to restore and expand irrigation and drainage infrastructure.
- As for social development, plans will be undertaken to improve healthcare, education, housing, and drinking water services, with all of the aim of improving opportunities for rural people.
- As for enhancing stimuli for rural, family-run and community-based primary production economies, plans will be implemented to foster solidarity economies, technical assistance and technological innovation, access to credit, commercialisation, formalisation of the labour market, and measures to enhance the social security of rural communities.
- Plans will be put in place to enhance the flow of goods among rural, family-based and other forms and scales of agricultural production, with the end of enhancing rural development. The Comprehensive Rural Reform will be carried out whilst keeping in mind the changing nature of rural economies in relation to globalisation and the state's policies for ensuring greater rural inclusion in the national economy.

## III. SPECIALISED SYSTEM FOR THE GRADUAL REALISATION OF THE RIGHT TO FOOD FOR THE RURAL POPULATION

National, departmental and local governments will put in place plans for proper nourishment and nutrition, programmes for dealing with hunger and malnutrition, and measures to strengthen local and regional production and markets, as well as campaigns on the proper handling of food and for the adoption of good eating habits.

## IV. DEVELOPMENT PROGRAMMES WITH A TERRITORIAL-BASED APPROACH (PROGRAMAS DE DESARROLLO CON ENFOQUE TERRITORIAL - PDET)

In the zones most affected by poverty, the conflict, institutional weakness and illegal economies, Development Programmes with a Territorial-Based Approach will be implemented in order to speed up the execution and funding of the national plans. These will begin with an action plan for regional transformation, which will strive to include ample participation from the relevant sectors of the community, in the plan's formulation, execution and follow-up.

## ITEM / 2

### POLITICAL PARTICIPATION: A DEMOCRATIC OPPORTUNITY TO BUILD PEACE

Building peace requires taking advantage of a democratic opportunity to strengthen pluralism and, as such, the representation of the different visions and interests of society, in order to promote and strengthen citizen participation in matters of public interest, and to outlaw violence as a method of political action.

#### I. RIGHTS AND GUARANTEES FOR EXERCISING POLITICAL OPPOSITION

A Commission will be created, made up of political parties and movements with legal status, political groups representing the opposition, and two experts delegated by the FARC-EP, with the purpose of defining the guidelines of a new statute of guarantees for political parties or movements that declare themselves in opposition. Based on these guidelines, the government will prepare a bill, with the assistance of the members of the Commission.

#### II. SECURITY GUARANTEES FOR THE EXERCISE OF POLITICS

A Comprehensive Security System for the Exercise of Politics (*Sistema Integral de Seguridad para el Ejercicio de la Política*) will be put in place, which will comprise of the following elements: a) regulatory and institutional amendments; b) prevention measures; c) protection measures; d) evaluation and follow-up mechanisms.

Likewise, it will include security measures for the leaders of social organisations and movements, and for human rights advocates.

### III. DEMOCRATIC MECHANISMS FOR CITIZEN PARTICIPATION

Guarantees for social movements and organisations and for social protests and demonstration

The various social organisations and movements across the country will be convened to a national forum to discuss guidelines for the drafting of a bill on: (i) guarantees for, and the promotion of, citizen participation and other activities carried out by social organisations and movements, and (ii) guarantees for social protests and demonstration. The government will determine the necessary regulatory measures and modifications needed, based on the guidelines discussed at the national forum.

Citizen participation through community media

New grants will be awarded for community radio projects, technical training session will be run for community media workers, and funding will be provided for the production and dissemination of content to foster a culture of peace, amongst other measures.

Guarantees for reconciliation, coexistence, tolerance and non-stigmatisation

A National Council for Reconciliation and Coexistence (*Consejo Nacional para la Reconciliación y la Convivencia*) and Territorial Councils (*Consejos Territoriales*) will be created, whose role will be to advise and assist the government in the implementation of mechanisms and programmes, such as the design and execution of a reconciliation, coexistence and anti-stigmatisation programme; and promoting respect for differences, criticism and political opposition, amongst others programmes.

Citizen control and oversight

The government will establish a plan for the creation and promotion of citizen oversight boards and public transparency watchdog organisations, and will guarantee support for a national plan for the training of such citizen observers chosen by the communities, amongst other measures.

#### Policy for strengthening democratic and participatory planning

The role and composition of the Territorial Planning Councils (*Consejos Territoriales de Planeación*) will be reviewed in order to expand citizen participation in the formulation of development plans and to strengthen the participation of the Local Administrative Boards (*Juntas Administradoras Locales*) in the elaboration of such plans, amongst other measures.

#### IV. EFFECTIVE MEASURES TO PROMOTE GREATER PARTICIPATION IN POLITICS

##### Measures to promote access to the political system and equal conditions in the political contest

An agreement was reached to remove the minimum threshold requirements for obtaining legal status for political parties and movements, and to design a system for the gradual acquisition of rights for political parties and movements. Measures will be adopted to increase the level of funding for political parties, as well as for their corresponding outreach events and campaigns.

##### Measures for the promotion of electoral participation and transparency

Measures will be undertaken to promote greater electoral participation, including a large-scale ID-issuance campaign, that will give priority to marginalised areas, and to prevent behaviour that decreases transparency in electoral processes. Likewise, a technical audit of the electoral census will be carried out, an electoral guarantees tribunal will be formed, and the digitalisation of electoral processes will be financed, amongst other measures.

##### Reform of the electoral regime and organisation

A special electoral mission will be created, made up of high-level experts, to submit recommendations to the government on ensuring the greater autonomy of the country's electoral organisation, and to modernise and make more transparent

the electoral system. Based on these recommendations, the government will make the necessary regulatory and institutional modifications.

##### Promotion of a democratic and participatory political culture

Measures will be put in place to enhance educational programmes on democracy, political and social leadership programmes for members of social parties and organisations, and for the promotion and leadership of women in politics, amongst other measures.

##### Special Transitory Electoral Districts for Peace (*Circunscripciones Transitorias Especiales de Paz*)

16 new, temporary electoral districts will be created, for the House of Representatives elections, for two electoral periods, in order to ensure a better representation of the zones particularly affected by the conflict, by neglect and by a weak institutional presence.

## ITEM / 3

### END OF THE CONFLICT

#### AGREEMENT ON THE BILATERAL AND DEFINITIVE CEASEFIRE AND CESSATION OF HOSTILITIES AND LAYING DOWN OF ARMS

*(CESE AL FUEGO Y DE HOSTILIDADES BILATERAL Y DEFINITIVO [CFHBD] Y DEJACIÓN DE ARMAS [DA])*

The purpose of the CFHBD agreement is to ensure the final termination of hostilities between the state security and law enforcement authorities, and the FARC–EP, including any action governed by the rules of the CFHBD, such as those affecting civilians.

The fulfilment of the CFHBD agreement will enable the creation of the conditions necessary for the implementation of the Final Agreement and the laying down of arms, and to prepare the institutional framework and the country for the reincorporation of the FARC–EP into civilian life.

The Laying down of Arms (*Dejación de Armas - DA*) will be a technical, transparent and verifiable procedure through which the United Nations (UN) will receive all of the weaponry of the FARC–EP, and in turn will use this weaponry to construct monuments to peace in Colombia.

For the purposes of complying with the bilateral and definitive ceasefire and cessation of hostilities, the laying down of arms of the FARC–EP, and to start the preparations for the reincorporation process of the FARC–EP, 20 Transitional Local Zones for Normalisation (*Zonas Veredales Transitorias de Normalización - ZVTN*) and 6 Transitional Local Points for Normalisation (*Puntos Transitorios de Normalización - PTN*) have been established.

The agreement consists of 7 chapters, with 25 protocols and annexes, which are an integral part of the Agreement on CFHBD and DA. The protocols and annexes contain a detailed, step-by-step explanation of the technical procedures to be carried out.

#### I. INTRODUCTION

- The agreement's introduction contains a timeline of events, with specific dates and activities that shall be carried out during the 180-day term of the CFHBD and DA.
- It includes the relevant logistical preparation which will be undertaken, the deployment of the Monitoring and Verification Mechanism (*Mecanismo de Monitoreo y Verificación - MM&V*) and the necessary adjustments to the numbers of personnel deployed in the field by the state security and law enforcement authorities.

#### II. RULES THAT GOVERN THE CFHBD AND DA

- These rules are a list of 35 acts that SHALL NOT be carried out pursuant to the agreement on CFHBD and DA, which are considered to be the main core of the activities of the MM&V.
- They seek to avoid situations that may jeopardise the fulfilment of the agreement on CFHBD and DA and to reinforce the guarantees to ensure that the rights of the civilian population are not affected.

### III. MONITORING AND VERIFICATION MECHANISM

*(MECANISMO DE MONITOREO Y VERIFICACIÓN - MM&V)*

- The MM&V is a tripartite mechanism (Government, UN and FARC-EP) whose purpose is to follow-up compliance with the Agreement on CFHBD and DA and provide solutions to the different factors that may endanger the success of the CFHBD and DA.
- The International Component of the MM&V (CI-MM&V) will verify the laying down of arms (Dejación de Armas - DA) in the terms of, and with the proper guarantees set forth in, the Agreement.
- The operation of the MM&V is based on the principles of impartiality, transparency and trust, and is constituted as a system of reinforced guarantees – through the rule of law and the operation of state institutions across the country - for the benefit of all Colombian society.

### IV. DEPLOYMENTS IN THE FIELD

- This section sets forth the procedure for the movement of the FARC-EP units to the Transitional Local Zones for Normalisation (*Zonas Veredales Transitorias de Normalización - ZVTN*) and the Transitional Local Points for Normalisation (*Puntos Transitorios de Normalización - PTN*), and the necessary adjustments to the field deployments of the state security and law enforcement authorities.
- Likewise, it sets the criteria and rules for the operation of the ZVTNs and PTNs during the 180 days in which they will be in force.

### V. SECURITY

- This section sets out measures to ensure that the necessary security conditions are present during the operation of the CFHBD and DA to guarantee the protection of the members of the MM&V, the members of the FARC-EP, the delegates of the Colombian government, the state security and law enforcement authorities and other parties involved in the process.
- It includes safety protocols for the transportation, handling, storage and control of the weaponry, ammunitions and explosives of the FARC-EP.

### VI. LOGISTICS

- This section establishes the procedures for guaranteeing the proper operation of the ZVTNs, PTNs and the MM&V (on national, regional and local levels) during the CFHBD and DA.

### VII. LAYING DOWN OF ARMS

*(DEJACIÓN DE ARMAS - DA)*

- This section details the technical procedures for the registration, identification, monitoring and verification of the possession, collection, storage, extraction and final disposal of all the FARC-EP's weaponry.
- It establishes full guarantees for the UN to receive all the weapons of the FARC-EP by means of a transparent and verifiable process. It defines the procedures to allow the MM&V to verify, and then communicate to the country, the fulfilment of each phase of the DA by the FARC-EP.

The CFHBD and the DA are the effective materialisation of the end of the armed conflict with the FARC–EP in Colombia, ensuring its complete disarmament, its disappearance as an illegal armed group and the beginning of its transition into legality.

### REINCORPORATION OF THE FARC–EP INTO CIVILIAN LIFE – IN ECONOMIC, SOCIAL AND POLITICAL MATTERS – IN ACCORDANCE WITH THEIR INTERESTS

The reincorporation of the FARC–EP into civilian life, will be a comprehensive, sustainable, exceptional and transitory process. It will take into account the interests of the community, and of the FARC–EP, its members and their families, in the process of reincorporation. It will be aimed at strengthening the social fabric across the country, and promoting coexistence and reconciliation. It will also seek to develop and deploy socially productive activities and local democracy.

The reincorporation of the FARC–EP is based on the principles of the recognition of the individual freedoms and free exercise of the individual rights of all of those who are currently members of the FARC–EP.

The reincorporation process will have an equity-based approach and a gendered perspective in all of its components, with an emphasis on women's rights.

Minors who have left the FARC–EP camps since the beginning of the peace dialogues, as well as those who will leave during the process of the laying down of arms, will be subject to measures of special care and protection. These minors will benefit from all of the rights, benefits and allowances set forth for the victims of the conflict in the Victims' Law (*Ley de Víctimas*) (Law 1448 of 2011). Their family reunion will be prioritised whenever possible, as well as their final placement in their communities of origin or in others of a similar nature, whilst at all times taking into account their best interests.

## I. POLITICAL REINCORPORATION

- Upon conclusion of the laying down of arms process, the political party or movement that emerges from the transition of the FARC–EP into legal political life, will have its legal status recognised, following its compliance with all necessary legal requirements except for the requisite minimum voting threshold.
- In order to facilitate its transition, this political party will receive an annual allowance for operational expenses, between its registration date and July 19, 2026, of an amount equivalent to 10% of the Fund for political parties and movements. It will also receive an annual 5% allowance for the disclosure and dissemination of its programmatic platform, between its registration and July 19, 2022.
- The persons listed for Congress, as registered by this new party, shall operate under the same conditions applicable to all others. In the case that the party fails to obtain 5 seats in each one of the chambers, pursuant to the ordinary rules, those missing will be otherwise appointed, in order to ensure their complete representation as such.

## II. ECONOMIC AND SOCIAL REINCORPORATION

- As a result of the FARC–EP's commitment to end the conflict, lay down their arms, fulfil the agreements and transition into civilian life, once the members of the FARC–EP have laid down their arms and ratified their organisation's commitments, they will receive their respective accreditation from the Colombian government based on the list submitted by the FARC–EP.

- After the signing of the Final Agreement, a National Reincorporation Council (*Consejo Nacional de Reincorporación – CNR*) will be created, comprising of two members from the Colombian government and two members from the FARC–EP, whose duty will be to define their activities, establish a timeline, and monitor the reincorporation process, pursuant to the terms agreed with the government.
- The process of economic and social reincorporation includes the preparation of a socio-economic census of the members of the FARC–EP, and the identification of prospective socially-productive programmes and projects, including environmental protection and humanitarian de-mining projects. Furthermore, it includes a one-off financial support package to start an individual or collective socially-productive project, a conditional monthly basic wage (equivalent to 90% of the minimum salary in force for 2 years), access to the social security system from healthcare and pensions, and access to education, housing, culture, sports and recreation, psycho-social care and family reunification plans and programmes.

#### AGREEMENT ON SECURITY GUARANTEES AND THE FIGHT AGAINST CRIMINAL ORGANISATIONS

This agreement is aimed at providing protection and security to all Colombians; protection measures for social collectives, and social and human rights movements and organisations across the country; and guarantees for the exercise of politics for all political movements and parties, especially those in opposition, the political movement that emerges from the transition of the FARC–EP into legal political activity, and the members of the FARC–EP in the process of reincorporating into civilian life.

The agreement is also focused on the fight against those responsible for homicides and massacres, attacks against human rights advocates, social

movements and political movements, including the criminal organisations that have been labelled as successors of paramilitarism and their support networks, and on the prosecution of criminal conduct that threatens the implementation of the agreements and the construction of peace.

#### I. NATIONAL COMMISSION ON SECURITY GUARANTEES

This commission will be a high-level government entity, aimed at the dismantling of the criminal organisations addressed by this agreement.

#### II. SPECIAL JUDICIAL UNIT

This unit will be responsible for tackling the criminal organisations addressed by this agreement, with the greatest possible speed and effectiveness.

#### III. ELITE CORPS OF THE NATIONAL POLICE

This unit will be responsible dismantling of the criminal organisations addressed by this agreement.

#### IV. COMPREHENSIVE SECURITY SYSTEM FOR THE EXERCISE OF POLITICS

*(SISTEMA INTEGRAL DE SEGURIDAD PARA EL EJERCICIO DE LA POLÍTICA)*

A new system will be put in place to guarantee the security of all political parties and movements, including the political movement or party that emerges from the transition of the FARC–EP into legal political activity, as well as social organisations, human rights organisations, and the various communities across the country.

The system will include four components: regulatory and institutional amendments, prevention measures, protection measures and evaluation and follow-up mechanisms. In addition to these four components, the Comprehensive Security System will also include:

- Measures for protection, and personal and collective security.
- A high-level unit of the Comprehensive Security System for the Exercise of Politics.
- A presidential delegate.
- A comprehensive protection programme for the members of the new political movement or party that emerges from the transition of the FARC-EP into legal activity, for their political activities and offices, as well as for the former members of the FARC-EP who reincorporate themselves into civilian life, and for the families of all of the foregoing, taking into account each one's corresponding level of risk.
- A specialised sub-directorate on security and protection, at the National Protection Unit.
- A Technical Committee on Security and Protection.
- A Security and Protection Corps.
- The undertaking of a programme on reconciliation, social coexistence and prevention of stigmatisation.
- Measures in relation to self-protection.

#### **V. COMPREHENSIVE SECURITY AND PROTECTION PROGRAMME FOR THE COMMUNITIES AND ORGANISATIONS ACROSS THE COUNTRY**

This will include measures aimed at guaranteeing the security and protection of the various communities across the country.

#### **VI. PREVENTION AND MONITORING INSTRUMENT FOR CRIMINAL ORGANISATIONS**

This entity will be put in place for advanced warning and prevention purposes, and to solicit quick responses to such threats. It will be aimed at ensuring better identification of security threats across the country, and more effective efforts from the state security and law enforcement authorities to contain these threats.

#### **VII. NATIONAL MECHANISM FOR TERRITORIAL SUPERVISION AND INSPECTION OF THE PRIVATE SECURITY AND SURVEILLANCE SERVICES**

This mechanism will put in place measures to ensure that private security and surveillance services comply with the proper purposes and functions for which they were created, and at avoiding the possible use of these services in private justice activities.

#### **VIII. PREVENTIVE MEASURES AND THE FIGHT AGAINST CORRUPTION**

These measures will be aimed at strengthening institutional transparency.

## ITEM / 4

### SOLUTION TO THE PROBLEM OF ILLICIT DRUGS

With this agreement, the Government of Colombia and the FARC–EP state their commitment to finding a definitive solution to the problem of illicit drugs, and their commitment towards the historical clarification of the relationship between the armed conflict and the cultivation, production and commercialisation of illicit drugs and the laundering of assets derived from this phenomenon.

The Government of Colombia undertakes to start the aforementioned policies and programmes, and to intensify the fight against corruption associated with drug trafficking. The FARC–EP undertake to contribute in an effective manner, with the greatest determination and in different forms, and through practical actions, towards a definitive solution to the illicit drug problem, and in an end of the conflict scenario, to put an end to any relation whatsoever, that, by virtue of the rebellion, may have taken place with this phenomenon.

This agreement encompasses three chapters: solution to the problem of crops made for illicit use, comprehensive responses to the problem of illicit drug use, and the fight against the phenomenon of the production and commercialisation of illicit drugs. It also includes the commitments from the Government of Colombia and the FARC–EP to finding a definitive solution to this problem, and their contribution toward the historical clarification of the relationship that existed between drug trafficking and the armed conflict.

#### I. SOLUTION TO THE PROBLEM OF CROPS MADE FOR ILLICIT USE

In order to find a solution to the problem of crops made for illicit use, the agreement contemplates:

- Creating a National Comprehensive Programme for the Substitution of Crops Used of Illicit Purposes (*Programa Nacional Integral de Sustitución de Cultivos de Uso Ilícito - PNIS*), as a chapter of the Comprehensive Rural Reform (*Reforma Rural Integral - RRI*).
- Putting in place substitution and non-replanting agreements. In these agreements, rural people commit to crop substitution, non-replanting and to not engaging in any activity related to drug trafficking. In return, the government will commit to undertaking a public consultation process and put in place an Immediate Response Plan (*Plan de Atención Inmediata*) (of food assistance) for growers, collectors, and sharecroppers, with rapid implementation measures for the community in general.
- Formulating, through a process of public consultation, Comprehensive Substitution and Alternative Development Plans (*Planes Integrales de Sustitución y Desarrollo Alternativo - PISDA*).
- Arranging a specific legal alternative for small growers of illicit crops (a differentiated criminal procedure).
- Adopting special measures for intervening in the National Natural Parks, and in areas of difficult access and low population density.
- Prioritising property registration processes in the areas where the PNIS will be operating.
- Conducting de-mining and cleaning processes in the areas of the country that have been affected by the placing of anti-personnel mines and unexploded ordnance.

## II. ILLICIT DRUG USE

The agreement acknowledges the need to address the use of illicit drugs as a matter of public health, based upon a human rights approach. This shall be addressed through state policy, and as a matter of priority.

- A new National Programme for Comprehensive Intervention into Drug Use (*Programa Nacional de Intervención Integral frente al Consumo de Drogas*) will be created, which will be in charge of coordinating a participatory process for the review, modification and implementation of the state's policy on drug use, promoting local capacities to address the problem of drug use, coordinating the state's action in this field, establishing a follow-up and evaluation system, and promoting public awareness around this phenomenon.
- A National Attention System for Illicit Drug Users (*Sistema Nacional de Atención al Consumidor de Drogas Ilícitas*) will also be put in place.

- Stronger state controls on the production, importation and commercialisation of the inputs and chemical precursors used for drug production.
- A strategy for strengthening the fight against corruption associated with drug trafficking.
- Supporting the undertaking of an international conference, within the framework of the United Nations, to consider and carry out an objective evaluation of counternarcotics policies, and to move forward in the construction of a consensus on the modifications that are needed, taking into account regional dialogues (OAS, UNASUR, CELAC) and dialogue spaces at the national and local levels.

## III. SOLUTION TO THE PHENOMENON OF THE PRODUCTION AND COMMERCIALISATION OF NARCOTICS:

In order to intensify the fight against criminal organisations engaged in drug trafficking and asset laundering, and to defuse the factors and mechanisms that allow for the continuation of the problem of the production and commercialisation of illicit drugs, the agreement contemplates:

- Putting in place a new criminal policy strategy to strengthen and better connect entities, mechanisms and capacities for investigation and prosecution purposes, at both national and regional levels.
- The implementation of a strategy to repossess properties and assets involved in drug trafficking and to prevent and control asset laundering.

## ITEM / 5

### AGREEMENT REGARDING THE VICTIMS OF THE CONFLICT

#### COMPREHENSIVE SYSTEM FOR TRUTH, JUSTICE, REPARATION AND NON-REPETITION

(SISTEMA INTEGRAL DE VERDAD, JUSTICIA, REPARACIÓN Y NO REPETICIÓN)

##### I. ABOUT THE COMPREHENSIVE SYSTEM:

It is a system made up of different judicial and extra-judicial mechanisms. Its objectives are:

- To achieve the maximum possible realisation of victims' rights.
  - To ensure accountability for what happened in the conflict.
  - To guarantee the legal certainty of those who take part in the Comprehensive System.
  - To help facilitate social coexistence, reconciliation and guarantees of non-repetition of the conflict.
- **Comprehensiveness:** The different mechanisms are interconnected, in a coherent manner.
  - **Conditionality:** Each special justice proceeding will be conditional on guarantees of non-repetition, as well as on contributions to the establishment of the truth, and to reparations.
  - **Universality:** The Comprehensive System will be applied, in a differentiated manner, in order to grant equitable and simultaneous

treatment to all those who, having taken part directly or indirectly in the armed conflict, have committed crimes in the context of and due to the armed conflict, provided that they comply with the relevant conditions of the Comprehensive System.

- **Participation:** The victims will participate in all of the different processes of the Comprehensive System.

##### II. ABOUT THE MECHANISMS OF THE SYSTEM:

1. **Truth, Coexistence and Non-Repetition Commission** (*Comisión para el Esclarecimiento de la Verdad, la Convivencia y la No Repetición*):
  - This will be an impartial and independent mechanism, of transitory and extra-judicial character, and with a territorial-based approach, that will seek to contribute to the realisation of the right to the truth for victims, and for society as a whole.
  - Its objectives are to:
    - Contribute toward the historical clarification of what happened.
    - Promote and contribute to the recognition of the victims; of responsibility for those that were involved directly or indirectly in the armed conflict; and of the society as a whole for what happened.
    - Promote coexistence across the country.
2. **Special unit for the search for persons deemed as missing in the context of and due to the armed conflict:**
  - This will be a special, high-level unit, of a humanitarian and extra-judicial nature, that will enjoy independence and administrative and financial autonomy.

- Its objective is to search for the individuals deemed as missing in the context of and due to the armed conflict, and thus contribute to the realisation of the rights of victims to the truth and comprehensive reparations.
3. Special Jurisdiction for Peace (*Jurisdicción Especial para la Paz*):
- The Special Jurisdiction for Peace will exercise judicial functions, and will fulfil the duty of the Colombian state to investigate, prosecute and sanction crimes committed in the context of and due to the armed conflict, and in particular, the most serious and representative.
  - In respect of all cases, the following crimes will not be the object of amnesty or pardon (or any such equivalent treatment): crimes against humanity, genocide, serious war crimes, hostage taking and other serious deprivation of liberty such as the kidnapping of civilians, torture, extra-judicial executions, forced disappearance, violent sexual intercourse and other forms of sexual violence, forced displacement, and the recruitment of minors.
  - Those who decisively participated in the most serious and representative crimes and recognise their responsibility, will receive a sanction containing an effective restriction of their liberty for 5 to 8 years, in addition to the obligation to carry out public works and reparation efforts in the affected communities. Those who fail to recognise their responsibility and are found guilty, will receive prison sentences of 15 to 20 years.
  - The JEP will be made up of Magistrates who will be chosen by a selection committee comprised of delegates representing the Criminal Chamber of the Colombian Supreme Court of Justice, the UN, the International Center for Transitional Justice, the President of the European Court of Human Rights and the State University System (*Sistema Universitario del Estado*).
4. Comprehensive reparation measures for peace building purposes:
- The end of the conflict represents a unique opportunity to strengthen the Comprehensive Victim Reparation Programme, being implemented by the state.
  - Among other things, the agreement provides for acts of early recognition of responsibility; concrete actions to contribute to reparations by those who have caused damage (both through contributions for material reparation as well as through actions and public works); and strengthening the processes of collective reparation and their coordination with territorial-based development programmes, programmes for the return of displaced persons, land restitution processes, and community-based psycho-social care, aimed at promoting social coexistence.
5. Non-Repetition Guarantees:
- Non-repetition guarantees are the result of the coordinated implementation of the different mechanisms of the Comprehensive System, of all the items of the Negotiation Agenda, and of the measures for the laying down of arms and the reincorporation into civilian life, under the framework of item 3.
6. Commitment to the promotion, respect for and guarantee of human rights:
- The Colombian government has reiterated its duty as a state to promote, protect, respect and guarantee the right to peace, especially in the areas most affected by the conflict.
  - The FARC–EP have affirmed their commitment to human rights and have committed themselves to ensure that both their members, as well as the organisation that emerges from its transition to legal political life, will promote and respect the individual freedoms and the human rights of all, as well as peaceful social coexistence across the country.

## ITEM / 6

### IMPLEMENTATION AND VERIFICATION MECHANISMS

In order to guarantee compliance with the agreements, to establish mechanisms for its proper implementation, and to monitor and verify compliance with the commitments, the following measures will be adopted:

#### I. IMPLEMENTATION AND MONITORING COMMISSION

- There will be created an Implementation, Follow-up, Verification, and Dispute Resolution Commission for the Final Agreement (*Comisión de implementación, seguimiento y verificación del Acuerdo Final de Paz y la resolución de diferencias - CSVR*), with headquarters in Bogotá, which will be comprised of 3 representatives from the Colombian government and 3 members of the FARC-EP or the political party that emerges from its transition.
- The Commission will be in charge, amongst other functions, of: (1) solving the differences or unforeseen situations which may arise from the interpretation of the agreement; (2) following up the agreement and verifying its compliance and (3) organising a system of thematic and territorial commissions for the exercise of its functions, with broad citizen participation.

#### II. FRAMEWORK PLAN

The CSVR will discuss and approve a Framework Plan for the Implementation of the Agreements based on a draft prepared by the Colombian government.

- The plan will run for 10 years and shall contain the purposes, objectives, goals, priorities and indicators, the policy recommendations and the measures needed for the implementation of the agreements and the corresponding responsible institutions. It will address the specific needs of women, as well as having an ethnic-sensitive approach.
- A document from the National Social and Economic Policy Council will be arranged and approved, regarding the Framework Plan, indicating the resources for its funding and the sources thereof.
- Based on the Framework Plan, four-year plans for the implementation of the Final Agreement will be prepared over two presidential periods, which shall be included in the National Development Plan (*Plan Nacional de Desarrollo - PND*) along with its multi-year investment plans. Necessary adjustments will be made to the current PND. For that purpose, the necessary constitutional or legal reforms will be arranged.

#### III. MEASURES TO INCORPORATE THE IMPLEMENTATION OF THE AGREEMENTS WITH TERRITORIAL RESOURCES:

- The necessary reforms will be arranged in order to ensure that the departmental and municipal development plans, and the resources of the General Transfer System (*Sistema General de Participaciones*) and of the General Royalties System (*Sistema General de Regalías*) shall contribute to funding the implementation of the agreements.

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#### IV. OTHER MEASURES

- The participation of the business sector in the implementation of the Final Agreement will be promoted, as well as that of social and community organisations.
- Different measures will be adopted to guarantee transparency in the implementation of the Final Agreement, as well as to prevent any form of corruption.

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#### PUBLIC ENDORSEMENT

On June 23, 2016, the Delegation of the Government of Colombia and the Delegation of the FARC-EP, in regards to public endorsement, agreed to comply with the popular participation mechanism set forth by Statutory Bill No. 156 of the 2015 House of Representatives, No. 94 of the 2015 Senate, in the terms set forth by the Constitutional Court.

On July 18, 2016, through its Sentence C-379 of 2016, the Constitutional Court declared as constitutional the Statutory Bill, "which shall enact the plebiscite, for the public endorsement of the final agreement for the end of the conflict and the construction of a stable and long-lasting peace".

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Find out more about the  
Colombia's Agreement to End Conflict and Build Peace, at:

[www.acuerdofinal.com.co](http://www.acuerdofinal.com.co)