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Promising Development for Peace in Colombia – Government-ELN Talks Advance

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Violence and conflict should remain the priority issue of concern for the United States in Colombia. In recent weeks there have been some promising developments which require U.S. policymakers to intensify their efforts to advance peace.

On July 9, 2023, UN Secretary General Antonio Guterres applauded the government of Colombia and the National Liberation Army (ELN) for planning to implement a bilateral ceasefire for six months beginning on August 3rd. Secretary General Guterres [stated](#) that this confirms the political will of both parties to advance peace and that “these are important steps that give hope to the Colombian people, especially the communities most affected by the conflict.”

For decades, Colombian governments have tried and failed to negotiate with the ELN. The rupture of talks with the Duque government in January 2019 resulted in continued violence and desperation in communities living in areas where the longest-running remaining guerrilla force in Colombia has a presence. The ELN has an estimated 2,350 combatants and operates mainly on the Colombian-Venezuelan border, Arauca, Catatumbo, Choco, and other parts of the Pacific region.

On November 21, 2022, the Petro Administration reinitiated talks with the ELN. After the second cycle of talks in Mexico, the parties agreed to an agenda focused on: societal participation to construct peace, democracy for peace, transformations for peace, victims, end of the armed conflict, and a general plan to implement what is agreed to between the Colombian government and ELN. The initial guarantor countries are Norway, Cuba, and Venezuela. Brazil, Chile, and Mexico were invited to join the group of guarantors. Germany, Switzerland, Sweden, Spain, and potentially South Africa were invited to accompany the process.

The recently closed third cycle of talks in Cuba was historic in that it is the furthest any government has gotten in peace talks with this notoriously difficult-to-engage group since 1975. The ceasefire consists of stages. June 9 until July 5 was the preparation stage, in which it was decided who would verify the talks and draft the protocols for the ceasefire. The government, ELN, Catholic Church, and the United Nations will lead the verification and monitoring mechanism of the ceasefire. The parties have agreed to dialogue first before responding belligerently to any breach of the ceasefire. The protocol mechanism will be implemented at national, regional, and local levels. It will be financed by the Fund for Special Programs for Peace.

A second stage taking place right now is to determine the protocols for verification and monitoring of the ceasefire, which includes determination of who will and how to protect the combatants as well as protection of local populations in affected areas. On August 3rd, ceasefire implementation will begin. The fourth negotiation cycle is scheduled to take place on August 14.

While negotiations with the ELN are difficult and unpredictable, the Colombian government should be applauded for advancing this peace agenda. Colombian civil society has robustly celebrated the announcement of the ceasefire.

The second area advancing is that of the first point in the agenda on societal participation for the construction of peace. A committee has been formed to develop a framework for how this will take place. The members of this committee and the governmental delegation to the ELN talks both contain a broad range of Colombia society (military, private sector, Afro-Colombians, Indigenous, women, and political leaders from across the spectrum, including conservative leaders).

Implementing the 2016 Accords

In terms of the 2016 peace agreement with the FARC, while the Petro Administration has made consolidation of this agreement on the ground one of the pillars of its “total peace” process, more robust efforts are required by the Colombian government and the international community. The USG’s role as the first international accompanier of the Ethnic Chapter is key.

See below some findings from the UN Verification Mission in Colombia’s trimester report from March 27 until June 26, 2023, on the implementation of the 2016 peace accord. These findings show recent steps forward, particularly in the Colombian government’s steps to advance implementation of the Ethnic Chapter and land restitution and in the transitional justice system’s progress in ensuring justice for cases of FARC and state violence. But it also shows that the relentless violence against human rights defenders as well as former guerrilla combatants has not stopped.

At this key moment, it is crucial that the U.S. government, which played a major role through its support for the historic 2016 accords, actively support the consolidation of peace in Colombia. This should include diplomatic and congressional expressions of support for forward movement with the negotiations between the ELN and the Colombian government. It must include strongly continuing—not withholding—invaluable U.S. assistance to implement the 2016 accords, support Afro-Colombian and Indigenous communities, support the UN High Commissioner for Human Rights office in Colombia and the UN Political Mission, support Colombia’s willingness to welcome Venezuelan migrants and refugees, and protect human rights and human rights defenders.

Excerpts from the [UN Verification Mission in Colombia’s trimester report](#) (March 27 until June 26, 2023)

1. Regarding Integral Rural Reform, the Colombian Congress approved two laws that advance the obligations in this area. One legislation creates an Agrarian Jurisdiction that would adjudicate agrarian and rural conflicts. Another is the incorporation in the Constitution of the UN Declaration the rights of campesinos and persons who work in rural areas. The Petro government has announced that it would buy 2,300 hectares of land for the Land Fund specified in the agreement. The National Land Agency (Agencia Nacional de Tierras, ANT)

- bought 13,800 hectares of land. The National Development Plan reactivated the National Agrarian Reform System tasked with inter institutional coordination.
2. The security situation for human rights defenders and social leaders remains grave. The report states that the High Commissioner for Human Rights office received 57 allegations of killings of defenders and social leaders with the majority of cases taking place in the department of Cauca. Further, twenty massacres were investigated with 7 of them verified, another 12 in process of verifying and 3 non-conclusive.
 3. The Colombian government's commitment to the Ethnic Chapter was noted in multiple ways. The Vice President's office is elaborating a strategy for its advancement that includes: prioritizing the necessities of ethnic people in PDET implementation, strengthening participation of ethnic groups, collective reparations, land restitution and returning ethnic peoples to their territories. In terms of land, the report notes that the ART only assigned thirty percent of its resources to 8,000 initiatives in ethnic territories. The government advanced a participative process with the Jiw and Nukak peoples in Meta and Guaviare where 199 initiatives were determined for the PDET in that region. The Unit for the Search of Persons Believed to Be Disappeared established a coordination mechanism with the National Human Rights Commission of Indigenous Peoples with a view towards integrating a differential approach in its work in indigenous territories.
 4. According to the United Nations Coordination of Humanitarian Affairs between January to May 2023, 19,976 persons suffered internal displacement and another 18,789 were forcibly confined. Disproportionately affected by these humanitarian crises are Indigenous and Afro-Colombian peoples.
 5. The transitional justice system in Colombia is advancing. The peace tribunal of the Special Jurisdiction for Peace (JEP) took ownership of Case 03 on assassinations and forced disappearances presented as killings taking place during combat by State agents. Twelve former members of the armed forces recognized their responsibility for such crimes committed in the Caribbean region. In terms of case 01 on taking of hostages, grave deprivation of liberty and concurrent crimes committed by the FARC-EP, 54 former combatants belonging to middle ranks in the south and Caribbean blocs participated in two collective public hearings in Bogota and Riohacha.
The National Development Plan (NDP) led to the establishment of a mechanism in June whereby JEP and the UN High Commissioner for Human Rights can coordinate their sanctions. The NDP also instructs governmental entities to create plans and to guarantee conditions for the JEP sanctions. The JEP received from the Truth Commission and National Archive 15,000 testimonies of victims.
The UBPD recovered 68 bodies of disappeared persons found in 12 departments and returned 7 of them to their families. So far the UBPD has recovered a total of 850 bodies and returned 194 to families.
 6. On reincorporation of former combatants, 10,564 ex combatants of the accredited 10,654 remain in their process of individual and collective reincorporation. 77 percent of them participate in productive projects. The land on half of the former 24 Territorial Spaces of Capacity Building and Reincorporation, *Espacios Territoriales de Capacitación y Reincorporación*, ECTR) was bought by the government. In Antioquia, a former ECTR is now a cooperative run by former combatants on the land they received. At the same time, the ANT is advancing an effort to generate reconciliation between former combatants and communities in 60 municipalities affected by conflict. According to the report, 500 former combatants are likely to run for office in the October 2023 regional elections.

7. On the security of former combatants, the report states that 375 total were killed since the signing of the accord, another 129 suffered assassination attempts and 32 disappeared. In 2023, eighteen were killed. The Special Investigation Unit of the Attorney General's office issued 67 sentences against those who ordered the attacks of the 453 cases advancing. Another 62 are in the judicial phase, 260 persons are detained and another 198 arrest warrants are in process of being executed.

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