

1st Bulletin: ¡Ceasefire!

*Monitoring
Implementation of the
Peace Agreement*



1. Comprehensive Rural Reform - CRR



Fuente Colombia Renaciente

1st Component: Land access and social order of rural property

The implementation of point one of the peace agreement, comprehensive rural reform, remains meager, this point is the one that lacks the most in terms of regulation. In that regard it is pending: reform of the law 160 Of 1994, creation of mechanisms to democratize and generate legal certainty on the use and acces to land, creation of the law on vacant land in forest reserve areas, law on land adaptation and the creation of the agrarian jurisdiction.

There are developments in:

- Creation of the land fund: 1'000.404 hectares have entered the fund, which represents an advance of 30% in regards to the total hectares that must be available to the fund. Nevertheless, it has not been given the first hectare of land to anybody.



Fuente: Unimedios

Government actions to feed the fund have been focus on the search of vacant land. The lack of actions to obtain land from other sources, such as the judicial extinction of domain or the recovery of unexploited lands, represents a state that neglects the commitment to de-concentrate non productive rural property and the promotion of equitable distribution of land.

Land titling: only 95.665 hectares of the 7 million established in the agreement have been titled, representing an advance of 1.7% to date. The large-scale titling plan is still pending.

- Formation and updating of the rural cadastre and of the rural property tax: CONPES 2951 and 3958 were enacted, and establishes the goal of updating 60% of the cadastral area in 2022 and its entirety in 2025. It should be noted that the multipurpose cadastre policy that is being developed does not include mechanisms for the participation of communities in cadastral information and its oversight. But also, it institutes that the cadastral operation will be carried out by private entities, despite the strategic nature of this type of information. It is expected that the 170 TADP municipalities are being included among the 650 that are having their cadastre updated by 2022.



Fuente: Herney P

2nd Component: Territorial Approach Development Programs - TADP

So far, the formulation stage of the 170 TADP has been completed. The TADP formulation exercises were carried out in 11,000 villages in the country and were crystallized in 31,630 municipal initiatives, of which 1,178 are at the subregional level. The subregional initiatives have been



Fuente: Bibiana Ramírez

1.178 are at the subregional level^[1]. The subregional initiatives have been materialized in the signing of the Action Plans for Regional Transformation (APRT), which, however, have been questioned due to the severe limitations in the participation process, which affects the capacity of the spaces to promote a dialogue around a vision of territory. For instance, the regional meeting of the TADP Catatumbo reported that:

The communities, their representative organizations and the delegates of the driving groups (grupos motor) were not called or consulted again after the signing of the Action Plan for Regional Transformation (APRT), in september 2018. the Presidential Council for Stabilization and Consolidation, led by Emilio Archila, has ignored the participation of communities and, instead, has called local entrepreneurs and institutions within the framework of the so-called Sustainable Catatumbo Strategy^[2].



Fuente: ART

[1] Agencia de Renovación del Territorio – ART (2020) Informe de Gestión 2019. Bogotá. [Agencia de Renovación del Territorio – ART (2020) Management Report 2019. Bogotá]

2] Comunicado público de las comunidades del Catatumbo, Octubre 2019. [Public statement from the Catatumbo communities] <https://www.ati.org.co/index.php/biblioteca/documentos/2-uncategorised>

The government has also implemented the Strategic Zones for Integral Intervention (SZII), or "future zones", in December 2019. Has been determined that the National Security Council can declare areas affected by violence as SZII, in order to perform an integral and coordinated action in the most affected by organized crime areas. This sort of proposals are based on a model of militaristic stabilization that can affect the participatory planning dynamics that have been taking place at the territorial level within the framework of the TADP. The "future zones" have attracted widespread criticism due to the fact that it doesn't include any means of citizen participation and makes it possible that resources could be diverted from peace programs to security policies within this law. Besides, the SZII ignores the competence of bodies created by the Final Peace Agreement.



Fuente: Bibiana Ramírez

3er Component: National Plans for integral Rural Reform - NPIRR

The peace agreement has determined that 16 National plans will be adopted. The NPIRR are structured around three axis: (i) infrastructure and land adaptation; (ii) Social Development and (iii) stimulus for agricultural production and solidarity and cooperative economy. The lack of compliance within this point is concerning because the adoption of these plans was scheduled for the first year of implementation. To the date, only 5 of the 16 NPIRR have been adopted:

Los 5 planes aprobados con:

1. Plan Nacional para la Promoción de la comercialización de la producción de la Economía Campesina, Familiar y Comunitaria.
2. Plan Nacional de Construcción y Mejoramiento de Vivienda Social Rural.
3. Plan Nacional de Vías para la Integración Regional
4. Plan Nacional de Conectividad Rural
5. Plan Nacional de Electrificación Rural

4th Component: National Comprehensive Programme for the Substitu- tion of Crops Used for Illicit Purposes – NCPS

There are various breaches related to this point. The current government has decided to not include more families to the NCPS, due to that since November 2018 no more voluntary substitution agreements have been concluded with the communities and, instead, forced eradication activities have been prioritized.

In total there are 99,097 families linked to the NCPS and there is a fulfillment of 92% in the eradication of crops used for illicit purposes. However, State non-compliance with financial aid and support for productive initiatives is persistent: 42.3% of the linked families are not receiving the supports.



Fuente El Espectador

Forced eradication actions have increased dramatically under the current government, which represents, not only a breach of what has been agreed, but also undermines the development and sustainability of the CRR. It also promotes and justifies military intervention in the territories.

Communities have protested against the Program for the Eradication of Illicit Crops through aerial spraying with Glyphosate (PEICSG) and to demand compliance with the substitution processes according to the Final Agreement, but the abuse of the Public Force against communities and situations of violation of human rights have been the government response.

There are two points that have no progress, despite being a priority implementation: (i) design and implementation of the Security Protocol for NCPS leaders and (ii) the Special judicial treatment for small-scale farmers. Several statements by the Minister for Stabilization and Consolidation^[4] has demonstrated the government's unwillingness to fulfill this commitment.



Fuente: Fundación Pares

[3] Verdad Abierta. 12 de noviembre de 2018. Programa de sustitución voluntaria de hoja de coca, en estado crítico. [November 12, 2018. Voluntary substitution of coca leaf program, in critical condition] <https://verdadabierta.com/programa-de-sustitucion-voluntaria-de-hoja-de-coca-en-estado-critico/>

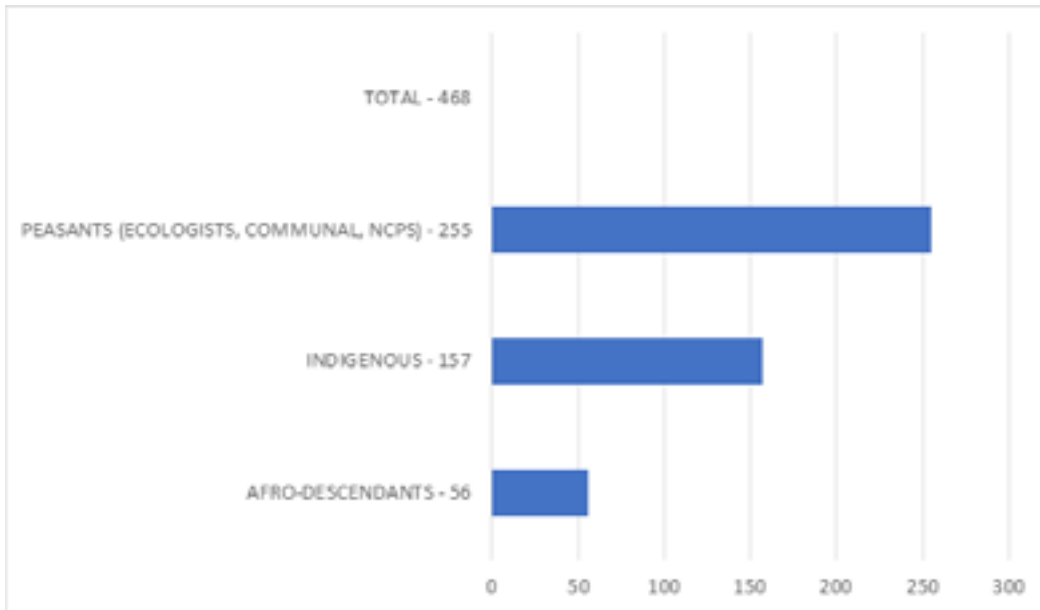
2. Human Rights



Fuente: Fundación Pares

According to the last report of the Agrarian, Peasant, Ethnic and Popular Summit^[4], 666 social leaders and human rights defenders have been killed since the signed of the peace agreement until september 8 of 2019. Of this total, 468 cases referred to victims that were member of peasant, indigenous, Afro-descendant, environmental and community organizations. Land-related disputes represent 70.27% of homicides.

[4] Cumbre Agraria, Campesina, Étnica y Popular CACEP), Coordinación Social y Política Marcha Patriótica, Instituto de Estudios para el Desarrollo y la Paz (INDEPAZ). 2019. Informe Violaciones a los Derechos Humanos en tiempos de paz. [Report. Human Rights Violation in peacetime]



Source: Cumbre Agraria, Campesina, Étnica y Popular CACEP)

In regard to the exfighters, the United Nations Verification Mission in Colombia has verified the murder of 194 former members of the FARC-EP (3 women), 39 attempted homicides (3 women) and 13 disappearances since the signing of the Agreement until March 26, 2020^[5].

[5] Misión de Verificación de Naciones Unidas en Colombia. 31 de marzo de 2020. Informe Trimestral del Secretario General sobre la Misión de Verificación en Colombia. S/2020/239. [United Nations Verification Mission in Colombia. March 31, 2020. Quarterly Report of the Secretary-General on the Verification Mission in Colombia].

The national government's position could be characterized as a policy of stigmatization of communities, organizations and social leaders. The base document of the National Development Plan identifies communities and grassroots organizations "infiltrated by organized armed groups as a security threat".

The violence in the country is deepening during the health emergency caused by Covid-19. According to the National Indigenous Organization of Colombia (ONIC), during the Duque government, until March 9, 2020, 162 indigenous people were killed, 555 collective threats have take place, 14,266 people have been affected by confinement and 6,985 are victims of mass forced displacement, among other violations of the human rights of Indigenous Peoples^[6].



Fuente: CINEP

[6] Organización Nacional Indígena de Colombia – ONIC. 13 de marzo de 2020. La ONIC rechaza la política del miedo que se viene imponiendo bajo el gobierno Duque y que agudiza la crisis humanitaria, social y territorial de los pueblos indígenas. [March 13, 2020. ONIC rejects the fear policy that Duque's government is imposing and which exacerbates the humanitarian, social and territorial crisis of indigenous peoples]. <https://www.onic.org.co/comunicados-onic/3674-la-onic-rechaza-la-politica-del-miedo-que-se-viene-imponiendo-bajo-el-gobierno-de-duque-y-que-agudiza-la-crisis-humanitaria-social-y-territorial-de-los-pueblos-indigenas>



Fuente: Bibiana Ramírez

In this period of time, 6 mass forced displacements have taken place and the number of victims exceeded the number of 2,190. Likewise, aggressions by the official forces have taken place during the activities of forced eradication and aerial spraying with glyphosate has been resumed, a practice that is suspended by the Constitutional Court.

Between February 1 and May 1, 2020, human rights organizations have received denunciations of a total of 175 events, which have produced 2,421 victims in the period February – April. Besides, there are 60 groups or communities whose number of affected individuals cannot be established and who were victims of displacement, paramilitary presence, collective threats, forced eradication of crops for illicit use, abuse of the public force and breaches of IHL.



Fuente: EFE



La Vía Campesina

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This report is the first of a series of monthly bulletins in which Vía Campesina is going to review the human rights situation and the state of the implementation of the Peace Agreement in Colombia.

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