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TWENTY-EIGHTH REPORT OF THE SECRETARY GENERAL TO THE PERMANENT
COUNCIL ON THE ORGANIZATION OF AMERICAN STATES MISSION TO SUPPORT
THE PEACE PROCESS IN COLOMBIA (MAPP/OAS)

Twenty-Eighth Report of the Organization of American States Mission to Support the Peace Process in Colombia (MAPP/OAS): [Link](#)

TWENTY-EIGHTH REPORT OF THE SECRETARY GENERAL TO THE PERMANENT COUNCIL ON THE ORGANIZATION OF AMERICAN STATES MISSION TO SUPPORT THE PEACE PROCESS IN COLOMBIA (MAPP/OAS)

The following report is submitted pursuant to resolution CP/RES. 859 (1597/04), in which the Permanent Council of the Organization of American States requests the Secretary General to report periodically on the work of the Organization's Mission to Support the Peace Process in Colombia,¹ hereinafter "MAPP/OAS" or "the Mission."

This report covers the period between July 1 and December 31, 2019, and presents the findings of 1,251 field missions conducted in 594 communities pertaining to 191 municipalities in 20 departments of Colombia. Those communities included municipal capitals, townships, villages, indigenous reserves [*resguardos*], and community councils. In the period covered, the Mission logged a total of 295,933 kilometers by land, and 5,961 kilometers by river.

The support of the international community is vital for the MAPP/OAS to be able to carry out the activities envisaged in its mandate. The GS/OAS therefore wishes to thank the donors and friends of the MAPP/OAS, in particular the Basket Fund countries (Germany, Canada, Spain, United States, Netherlands, United Kingdom, and Sweden) whose political and financial support makes it possible for the mission to carry out its functions. The GS/OAS also wishes to thank South Korea, Norway, Switzerland, and Turkey for their contributions and Germany, Switzerland, and Sweden for supporting the Mission with secondments.²

1. GENERAL CONSIDERATIONS

In 2019, the MAPP/OAS celebrated the Mission's 15th anniversary in Colombia, recalling the achievements, challenges, and learning processes that have enabled it to become a strategic partner in Colombia's peace-building process. The Organization values those years and is grateful for the trust that Colombians have placed in the mission and we reaffirm our commitment to the Colombian State and its people, as they strive for peace.

For the Organization, the MAPP/OAS represents a model of cooperation with States and societies that can be replicated in other countries to address the various challenges facing our Hemisphere today. It is an innovative, reliable, flexible, and useful tool guided by the principles of impartiality, independence, respect, autonomy, solidarity, and plurality.

In August, in connection with the Inter-American Week for Indigenous Peoples, the OAS once again called upon States to guarantee full and effective protection of the rights of the indigenous peoples of the Americas. Today, our region has an important tool³ for consolidating fundamental standards in our inter-American system: the product of a historic and prolonged struggle by those peoples to achieve the effective exercise of their rights, which must be honored and guaranteed

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1. The mandate of the MAPP/OAS derives from the agreement entered into by the Government of the Republic of Colombia and the General Secretariat of the OAS on January 23, 2004, and resolution CP/RES. 859 (1397/04) adopted by the Permanent Council on February 6, 2004. That mandate has been broadened and renewed seven times, most recently until December 31, 2021.
 2. "Secondment" is a system whereby a country assigns one of its nationals to perform professional functions for a specific period of time.
 3. AG/RES. 2888 (XLVI-O/16). American Declaration on the Rights of Indigenous Peoples, adopted within the framework of the forty-sixth regular session of the General Assembly of the Organization of American States (OAS).

throughout the Hemisphere. The Mission, too, commemorated that Declaration, pursuant to the call issued by the OAS General Assembly at its forty-ninth regular session.

Three years after the signing of the Final Agreement to End the Armed Conflict and Build a Stable and Lasting Peace,⁴ the GS/OAS acknowledges the commitment shown by all those involved in its implementation. Achieving peace requires enormous efforts on the part of the State and the unwavering commitment of those who lay down their arms; it requires bringing relief to the population that bore the brunt of the conflict, broad social support, and the resolute involvement of territorial entities.

Nevertheless, on August 29, 2019, a group of former commanders and middle-ranking officers in the former FARC-EP guerrillas announced that they had again taken up arms and were abandoning the peace process. In the territories that announcement caused fear of possible new patterns of violent confrontation and was unanimously rejected by public opinion. It did not, however, substantially alter the terms of the Final Agreement.

The GS/OAS once again highlights the importance of the various components of the Final Agreement, such as integral rural development, guarantees for security and for combating criminal organizations, solving the illicit drugs problem, and effective protection of victims' rights to truth, justice, reparation, and non-repetition, as well as others. In the same vein, the GS/OAS urges ongoing support for their effective implementation as a prerequisite for paving the way toward complete peace among all players involved, regarding all the issues at stake, and in all the territories.

The GS/OAS commends the Colombian State's efforts to mitigate violence in the territories and to curb the presence and activities of illegal armed groups, and the harm they continue to wreak on communities and local leaders. As in its previous reports, the GS/OAS acknowledges the multiple strategies, policies, plans, and national and territorial bodies and mechanisms⁵ forged to confront these developments with efforts to strengthen a constitutional State governed by the rule of law and coordinate State interventions.

Nevertheless, communities and leaders (be they community, indigenous, or Afro-descendant leaders or land claimants, or victims of the armed conflict), journalists, human rights defenders, individuals who champion peace policies such as voluntary crop substitution, and former members of the FARC-EP continue to be severely impacted by the presence and activities of illegal armed groups. Forced displacement, confinement, homicides, threats, the planting of anti-personnel mines (APMs), improvised explosive devices (IEDs), unexploded ordnance (UXO), the conscription and recruitment of children, and so on, all continue.

Accordingly, the GS/OAS urges greater clarification and information of the roles and functions of each institution, mechanism, and body, with effective coordination among them and rigorous planning of their activities so that they have a positive and effective impact in the territories. Also needed is more robust implementation of individual and collective measures to protect the civilian population from the harm wrought by the presence and activities of illegal armed groups. Differentiated and territorial approaches are needed, tailored to protecting groups entitled to special protection under

4. Signed on November 24, 2016 by the Colombian Government and the Revolutionary Armed Forces of Colombia – People's Army (FARC-EP).

5. These include, inter alia, the National Commission on Security Guarantees (CNGS), the Cross-sector Committee for Rapid Response to Early Warnings (CIPRAT); the Strategic Zones for Comprehensive Intervention (ZEII), or *Zonas Futuro* [Future Zones]; defense and security policy, coexistence and security policy, and the Bicentenary Plan.

the Constitution, particularly children and adolescents, women, and indigenous and Afro-descendant communities.

In the second half of 2019, the first elections of local authorities were held since the signing of the Final Agreement. Despite the difficult circumstances,⁶ citizens' commitment was reflected in increased participation in the elections compared to those held in 2015,⁷ as well as in the involvement of a new generation of young people in the elections, the adoption by the electoral authorities of affirmative actions designed to narrow the existing gender gaps with respect to political participation,⁸ and the participation in the elections of the Fuerza Alternativa Revolucionaria del Común [Common Alternative Revolutionary Force] (FARC) political party.

The GS/OAS congratulates the local authorities who took office on January 1, 2020 and trusts that new local authorities will continue to boost democracy, human rights, peace, security, and integral development in all the territories. At this crucial juncture in the history of Colombia, the part played by local governments, mayor's offices, departmental assemblies, and municipal councils is vital for the success of the peace process and the actual attainment of peace. The GS/OAS therefore urges implementation in their development plans of the commitments and opportunities provided in the Final Agreement for a real and effective transformation of the territories by embracing the measures contained in the Rural Development Plans (PDETs) in the 170 prioritized municipalities.

A major development for victims' rights was the declaration by the Constitutional Court in early December that the June 2021 expiry date for the Victims Law (Law 1448/11) was unconstitutional, so that it urged Congress and the Executive Branch to extend its validity.⁹ For the GS/OAS, the lapsing of Law 1448/11 and the debate about extending its validity afford an ideal opportunity to introduce amendments that will enhance the implementation of this public policy.

This debate likewise provides a window of opportunity to "build on progress made" with respect to the SIVJRNR,¹⁰ with a view to the Special Jurisdiction for Peace (JEP), the Commission for Truth, Coexistence, and Non-Repetition (CEV), and the Disappeared Persons Search Unit (UBPD) taking advantage of lessons learned regarding comprehensive reparation to victims. It also affords an opportunity to improve other important aspects, such as the establishment of a body allowing for direct discussions between beneficiaries of collective reparation (SRC) and Colombian institutions and strengthening the advocacy mechanisms of the territorial Working Groups on Effective Participation of Victims, as well as other aspects.

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6. As pointed out in the Twenty-seventh Report, the GS/OAS observed instances of political violence against candidates, including threats and murders that placed the exercise of democracy at jeopardy in Colombia. It also found gender-based violence against women candidates, such as the murder in September of Karina García, candidate for mayor of Suárez (Cauca). The GS/OAS condemns and deplors that crime and renews its call to State institutions to proceed promptly with the investigation and prosecution of the perpetrators.
 7. EOM/OAS Preliminary Report of the Electoral Observation Mission of the Organization of American States on the Elections for Territorial Authorities in Colombia, October 29, 2019. Available at: [PreliminaryReportEOMColombia2019.pdf](#)
 8. National Electoral Council (CNE). "Histórica decisión del Consejo Nacional Electoral sobre cuota de participación efectiva de las mujeres". Press release No. 28 of September 25, 2019. Available at: <https://www.cne.gov.co/prensa/comunicados-oficiales/188-historica-decision-del-consejo-nacional-electoral-sobre-cuota-de-participacion-efectiva-de-las-mujeres-2>
 9. If the extension is not formalized by June 2021, it shall be construed to remain in force until August 7, 2030.
 10. Comprehensive Truth, Justice, Reparation, and Non-Repetition System (SIVJRNR).

On August 8, in Tumaco (Nariño), the National Government announced the *Zonas Futuro* [Future Zones] or Strategic Zones for Comprehensive Intervention (ZEII), a strategy aimed at transforming regions hit by illegal economies, violence, and crime, with a non-existent or weak presence of the State, high ratios of unsatisfied basic needs, and shortcomings when it comes to enjoyment of rights and institutional legitimacy based on coordinated, sustained and comprehensive State involvement. That announcement led in December 2019 to Decree 2278, according priority to State intervention in five areas: Nariño's Pacific coast, Catatumbo, Bajo Cauca and the southern part of Córdoba, Arauca, and Chiribiquete and neighboring National Parks.

The presence of the MAPP/OAS in the areas prioritized by that strategy will enable it to monitor the impact of implementing the strategy in the territories, as part of the efforts to achieve peace in those areas, while, at the same time keeping track of progress, hurdles, and challenges encountered in other territories also needing effective State intervention. In that context, the Mission encourages efforts to strengthen territories and involve all key actors in actions to achieve the required level of preparedness. It will also be necessary to raise awareness of the strategy and of the coordination mechanisms that will be deployed to ensure that the actions taken by local governments and national bodies complement one another.

As regards social conflicts, the Mission has monitored and lent its support to a large number of demonstrations and marches convened by a series of social actors using social protest to call for legitimate access to rights, the honoring of agreements, and the settlement of long-standing, historical debts. The national strike that began on November 21 was the main social conflict scenario, highlighting, with its bouts of tension and violence, a series of pent-up issues, agendas, actors, and processes, along with a wide gamut of political, economic, social, and environmental demands.

Any process in which peace is being forged and agreements are being implemented carries with it a surge in social demands on the State, which often present themselves as conflicts, but also pave the way to debate among citizens, participatory democracy, and a variety of ways to highlight social issues. As the GS/OAS sees it, this scenario affords an opportunity to strengthen democracy and to cultivate effective and inclusive dialogue and citizen participation that eventually create mechanisms for addressing and transforming social conflicts at every level.

Peace is a must for both the State and society, and in Colombia it is possible to discern substantial progress and opportunities to attain it, definitively, and on a very large scale; full achievement of peace is no easy task. The path toward it is complex, multi-dimensional, long-range; fraught with huge challenges and difficulties.

Throughout its history, vast efforts have been made in Colombia to reintegrate and reincorporate a series of illegal armed groups. Complex as they were, those efforts did reduce impacts on the population, lowered the level of violence in the territories, and opened up more opportunities for participation and for social and economic advancement.

From that perspective, the GS/OAS calls upon Colombia to strive for peace across the whole spectrum of social life and urges the National Government and the Ejército de Liberación Nacional [National Liberation Army] (ELN) to act resolutely to bring that peace about. To pave the way to peace on that scale, it will be essential that the ELN cease attacks on civilians, kidnappings, forced recruitment, the confinement of communities, and damage to infrastructure and the environment. The Colombian Government will also need to complement any actions taken in that regard by the ELN and establish the minimum conditions required for effective dialogue. That is what communities are calling for.

The GS/OAS ratifies its commitment to continue supporting Colombia during this phase, monitoring, assisting, and strengthening the process, so that lasting peace is achieved in all the territories.

2. SECURITY CONDITIONS

2.1 Presence and activities of illegal armed groups

The presence and activities of illegal armed groups were felt most intensely in the run-up to elections in October. The ELN and dissident FARC-EP groups, in particular, threatened, kidnapped, abducted, and murdered candidates of different political persuasions. Such acts were not necessarily politically or ideologically motivated. In the territories, they were perceived as responses to positions taken by candidates on matters that could directly impact the illegal armed groups' financing sources, such as drug trafficking or illegal mining.

Currently, dissident groups within the FARC-EP appear to be factions that are not part of a unified hierarchical structure and their presence and activities vary from one territory to another. In departments such as Arauca or subregions such as Catatumbo in Norte de Santander, there appear to be non-aggression pacts between dissident groups and the ELN, while in other areas, such as the San Juan region in the department of Chocó, Sur del Cauca, and the Nariño highlands there are signs of conflicts between these groups and the ELN, leading to mass confinements and displacements of the civilian population.

On the Pacific Coast of Nariño there are still clashes like those observed since 2018 between the Frente Oliver Sinisterra [Oliver Sinisterra Front] (FOS) and the Guerrillas Unidas del Pacífico [United Guerrillas of the Pacific] (GUP),¹¹ leading to mass displacements, forced recruitment, confinement, threats, and homicides in local communities. Similar developments have been observed as a result of clashes among dissident groups, leading to confinement in the Piñuña Blanco corridor in the municipality of Puerto Asís and forced displacements above all in rural areas in San Miguel, Valle del Guamuez, Puerto Guzmán, and Puerto Leguízamo.

The dissident groups present in the departments of Guaviare, Meta, and Caquetá are also continuing to harass the civilian population. In Caquetá and Meta, this takes the form of ongoing extortion, the use of kidnapping to that end, threats, forced displacements, selective murders, social control, and the conscription and forced recruitment of children and adolescents; in Guaviare, similar behavior is found, although there the dissident group is perceived to be much more hostile toward the civilian population, especially the population along the Guayabero River.

There have also been clashes between dissident groups and the AGC/Gulf Clan in the Patía and Cordillera subregions of the departments of Cauca and Nariño, as well as in Nudo del Paramillo on the borders between Antioquia and Córdoba. Particularly notable in 2019 was the dispute in the southern part of Córdoba fueled by dissident groups' efforts to expand their control from the northern part of the department of Antioquia to cover that territory, thereby creating huge risks for the local population due to their clashes with the AGC/Gulf Clan.

11. The dispute has been characterized by the increasingly prominent activities of the group led by (alias) Contador and movement of the GUP toward the Sanquianga region.

In the Catatumbo region, in Norte de Santander, fighting continues between the Ejército de Liberación Nacional [National Liberation Army] (ELN) and "Los Pelusos" or Ejército Popular de Liberación [People's Liberation Army] (EPL). Although the confrontation is perceived to be less intense than it was in 2018, the clashes continue to trigger mass displacement and targeted murders in municipalities such as La Playa de Belén, Hacarí, and Ábrego. Disputes between these two groups have also led to murders in the department of Cesar.

The ELN continues to direct part of its armed attacks and hostilities against public security forces in the departments of Arauca, Norte de Santander, Nariño, Bolívar, and Antioquia; and against oil infrastructure, especially the Caño Limón Coveñas and Transandino pipelines, wreaking environmental damage, particularly in the departments of Nariño, Arauca, and Norte de Santander.

ELN actions hampering the civilian population's freedom of movement have also involved setting fire to vehicles or leaving explosives inside vehicles abandoned on primary and secondary roads in departments such as Nariño, Arauca, and Antioquia, or setting up control posts (*retenes fluviales*) all along the San Juan, Atrato, and Baudó rivers in the department of Chocó.

The territorial control disputes between the ELN and the AGC/Gulf Clan, which began in 2015 in the Bajo Atrato region of the department of Chocó, have been replicated in municipalities such as Dabeiba and Frontino in western Antioquia, causing severe human suffering in the form of confinement of mainly indigenous communities and the planting of anti-personnel mines (APM) and unexploded ordnance (UXO).

In the Alto Baudó and Medio Baudó region in the department of Chocó, as well as in the northern part of Antioquia, both the ELN and the AGC/Gulf Clan are continuing social control activities¹² that terrify local populations and trigger forced displacements to municipal city centers. In the mountain range subregion of Nariño, a new risk scenario has arisen as a result of the expansion of the ELN and the AGC/Gulf Clan in territories historically controlled by the FARC-EP, with escalating violence and human impacts on Afro-descendant communities and the *campesino* population as a whole.

At the same time, clashes continue between the AGC/Gulf Clan and "Los Caparros"¹³ in the southern part of the department of Córdoba and Bajo Cauca Antioquia subregion, resulting in displacements and targeted murders that included atrocities such as those committed in El Bagre on December 24, 2019. These groups' hostilities now include attacks on the security forces, such as the ambushing in Caucasia, in September, of a National Army patrol by the AGC/Gulf Clan, which left four soldiers dead and two wounded. The constant clashes between the two aforementioned groups have also harmed the civilian population, especially the Embera Katío indigenous community in Sur de Córdoba.

Along the Colombian-Venezuela border in Norte de Santander, territorial control disputes have also been detected among Los Rastrojos, the AGC/Gulf Clan, and the ELN. Likewise, in the department of La Guajira¹⁴, a variety of groups and criminal structures are attempting to exercise control over informal trails, causing harm to the civilian population and increasing the incidence of crimes such as smuggling, extortion, robbery, and sexual assault.

2.2 Impact on the civilian population

12. Such as road blocks and other mobility restrictions.

13. Also known as the "Frente Virgilio Peralta Arenas" [Virgilio Peralta Arenas Front].

14. Especially in the municipality of Maicao.

2.2.1 Conscription and forced recruitment of children and adolescents

The GS/OAS acknowledges the efforts of the Presidential Council for Human Rights and International Affairs, the Agency for Reincorporation and Normalization (ARN), the Colombian Family Welfare Institute (ICBF), the Comprehensive Victim Assistance and Reparation Unit (UARIV), and the Intersectoral Commission to Prevent the Recruitment, Use of, and Sexual Violence against Children and Adolescents by Illegal Armed Groups and Organized Crime Groups (CIPRUNNA)¹⁵, to prevent and address the conscription and forced recruitment of children and adolescents, as well as the actions taken to restore the rights of children and adolescents recovered from illegal armed groups.

Specifically, the GS/OAS values the adjustment made, at the 21st meeting of CIPRUNNA in November 2019, to the policy guideline for preventing conscription and sexual violence against children and adolescents by illegal armed groups,¹⁶ championed by the Presidential Council for Human Rights and International Affairs; the actions undertaken to build local capacity by drawing up and updating contingency plans with the technical assistance of the UARIV; the support lent by the ARN to the Mambrú community strategy for strengthening protective environments in 27 municipalities in 18 departments and two indigenous reserves [*resguardos*]¹⁷; the establishment of plans to ensure comprehensive prevention, protection, and non-repetition guarantees; the formulation of prevention strategies and forming of immediate territorial response teams; and grass-roots institution-building in departments such as Chocó, Cauca, Antioquia, Córdoba, Nariño, Putumayo, and Arauca.

Those actions are especially important given that, based on the Mission's monitoring, the GS/OAS is continuing to detect practices involving the forced recruitment and conscription of children and adolescents by illegal armed groups. In territories in which the ELN has established a presence, school facilities are used to induce or oblige children and adolescents to join the organization, whereby out-of-school children are most vulnerable, as evidenced in the departments of Antioquia,¹⁸ Bolívar,¹⁹ Nariño,²⁰ and the Catatumbo region.

In addition, indigenous and Afro-descendant communities are hard hit by ELN conscription and forced recruitment of their children and adolescents in the departments of Chocó²¹, Nariño, and Cauca; including the indigenous reserves of Cumbal, Mayasquer in the communities of San Martín Miraflores, Tallambí, Tiuquer, El Dorado, La Unión, and San Juan de Mayasquer in the department of Nariño; and the Community Councils located in Timbiquí and Guapi in Cauca.

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15. In November 2019, the National Government amended the Decree creating the Intersectoral Commission to Prevent the Recruitment of Children and Adolescents by Illegal Armed Groups. Available at: <https://id.presidencia.gov.co/Paginas/prensa/2019/Gobierno-modifica-Decreto-Comision-Intersectorial-prevencion-reclutamiento-ninos-ninas-adolescentes-grupos-armados-191118.aspx>
 16. According to official data, this policy will be implemented in accordance with the Plan of Action currently being drawn up with the approval of the 22 entities making up CIPRUNNA.
 17. Available at: <http://www.reincorporacion.gov.co/es/sala-de-prensa/noticias/Paginas/2019/Estrategia-Mambrú-llega-a-27-municipios-de-Colombia-para-promover-derechos-de-ninas,-ninos-y-jovenes.aspx>
 18. In the municipalities of Anorí, Valdivia, Segovia, Remedios, El Bagre, Dabeiba, and Vigía del Fuerte.
 19. In the municipality of Santa Rosa del Sur.
 20. In the municipality of Cumbal.
 21. In the municipalities of Riosucio, San José del Palmar, Istmina, Alto Baudó Medio Baudó, Quibdó, and Juradó.

For their part, FARC-EP dissident groups are conscripting and recruiting children and adolescents in the departments of Antioquia,²² Norte de Santander,²³ Guaviare,²⁴ Meta,²⁵ Putumayo,²⁶ and Cauca²⁷, as well on the Pacific coast of Nariño.²⁸ Others, located in the department of Caquetá, continue to recruit children and adolescents in San Vicente del Caguán, Cartagena del Chairá, Puerto Rico, Solano, Milán, and El Doncello, as the communities and the Public Prosecution Office (*Ministerio Público*) have pointed out, triggering the forced displacement of agents of the municipal ombudsman's office [*personeros*] of Solano and Puerto Rico, following their public complaints lodged during the operation conducted by the public security forces towards the end of August in San Vicente del Caguán.

Like the ELN, dissident FARC-EP groups are recruiting children and adolescents in indigenous and Afro-descendant communities in such municipalities as Patía, Morales, Suárez, Timbiquí, and Guapi in Cauca; and Buenaventura and Jamundí in Valle del Cauca.

In the Bajo Cauca region, the recruitment is being done by the AGC/Gulf Clan and Los Caparros in the El Bagre urban center, in rural areas and collective territories of the Indigenous communities in Cáceres, and in both urban and rural areas in Caucasia, Zaragoza, and Tarazá. The AGC/Gulf Clan continues to forcibly recruit adolescents over 15 years of age in other municipalities in the department of Antioquia, such as Apartadó, Chigorodó, Murindó, and Vigía del Fuerte; in Riosucio and Alto Baudó, in Chocó; and in the municipality of Leiva in Nariño. Children and adolescents are also still being conscripted in Catatumbo by the EPL, as well.

The type of conscription and forced recruitment used varies according to the age, sex, and origin of the victims. Males perform surveillance, extortion payment collection, and transportation functions, as well as activities of a military nature. Most girls and female adolescents are forcibly recruited to recruit other children and adolescents, while also being exploited and sexually assaulted – those being the principal gender-specific risks they run.

With respect to conscription and recruitment in ethnic communities, children and adolescents appear to be recruited in order to make use of their familiarity with the territory. Sometimes they are used to perform safety net functions and as escorts for commanders, which places them at special risk and renders them vulnerable to possible operations by the public security forces.

There have also been cases of conscription and forced recruitment of children and adolescents from Venezuela and Ecuador.²⁹ The former are particularly at risk, as they are perceived by illegal armed groups as having comparative advantages, including being a cheaper form of labor than Colombians. The informal nature of their residence in Colombia also makes the filing of complaints by family members and judicial investigation less likely.

The GS/OAS highlights with special concern the fact that in some communities the conscription and forced recruitment of children and adolescents are regarded as "voluntary", as the

22. In the municipalities of Ituango, Briceño, Yarumal, and Angostura.

23. In the municipalities of Teorama, Convención, El Tarra, and Tibú.

24. In the municipalities of San José del Guaviare, Miraflores, and Calamar.

25. In the municipalities of Mesetas, Puerto Rico, and La Uribe.

26. In the municipalities of Puerto Leguizamo, and Puerto Guzmán.

27. In the municipalities of Buenos Aires, Morales, Suárez, Toribio, Corinto, Caloto, Inzá, Páez, and Patía.

28. In the municipalities of Olaya Herrera, Roberto Payán, El Charco, La Tola, Barbacoas, and Tumaco, especially near the highway in La Viña, La Guayacana, Llorente, and nearby villages.

29. On the border with Venezuela, especially in Arauca and the Catatumbo region; on the border with Ecuador, especially on the Pacific Coast.

result of decisions taken by the children and adolescents themselves, not as a violation of their rights. At the same time, even though recruitment practices are not always denounced or brought to the attention of the competent authorities, in some cases parents, teachers, or the authorities in ethnic communities intercede directly with illegal armed groups to recover the children and adolescents taken from their homes, only to find that they themselves then become victims of threats and forced displacement, as has occurred in departments such as Norte de Santander, Antioquia, Cauca, Nariño, and Chocó.

Although the efforts of the Presidential Council for Human Rights and CIPRUNNA are beginning to bear fruit, the GS/OAS encourages the further development and deployment of the tools needed to implement prevention strategies, boosting already existing Comprehensive Protection Networks, creating new ones, and building local institutional structures by incorporating the institutions making up the Intersectoral Commission in those municipalities that have not yet received assistance.

2.2.2 Impacts relating to accidents caused by or the suspected presence of Anti-personnel mines (APM), unexploded ordnance (UXO), and improvised explosive devices (IEDs)

As part of Colombia's demining efforts in a number of municipalities countrywide, on November 19, 2019 the Office of the High Commissioner for Peace (OACP) declared 38 municipalities free from suspected anti-personnel mines, bringing the total number of such municipalities in the country to 391, 212 of which were freed of APMs thanks to national demining operations and 179 thanks to Municipal Security Councils.

In addition, the Third Round-table Discussion on Anti-personnel Mine Risk Education, organized by the OACP, was held in October, at which it was agreed to reactivate the Technical Committee to revise the teaching materials used for Anti-personnel Mine Risk Education (ERM) and to disseminate experiences acquired and lessons learned using a differential approach in ERM.

Those outcomes constitute progress in Colombia's demining of its territories and help foster more robust actions to prevent more accidents. The GS/OAS accordingly encourages the National Government to persevere with the steps it is taking, especially in critical areas, such as the Cordillera and Pacific Coast regions in Nariño, Catatumbo, Bajo Cauca and the northern part of Antioquia, as well as in the departments of Chocó and Arauca.

Based on the Mission's monitoring, APMs, UXO, and IEDs are found in areas of confrontation among illegal armed groups or in large coca plantations that could be subject to forcible crop eradication actions. The suspected existence of these kinds of artifacts triggers fear among the civilian population, leading to confinement, restrictions on movement or mass forced displacements, particularly in the municipalities of Vistahermosa, Meta³⁰; Tame, Arauca; Tumaco, Samaniego and Santacruz de Guachavés, Nariño; and Tarazá, Antioquia; Piamonte, Cauca and Bojayá, Chocó. Another finding is that most of these impacts are caused by the ELN and by dissident FARC-EP groups.

The activities of those illegal armed groups are also hampering humanitarian demining efforts. Communities and institutions in such municipalities as Mesetas and Uribe in the department of Meta are especially worried about those armed groups' threats against the organizations involved in the

30. According to the Office of the High Commissioner for Peace (OACP), the whole of the municipal territory in Vistahermosa (Meta) has been selected for humanitarian demining operations, which are currently under way.

demining process. In San Vicente del Caguán and Milán in the department of Caquetá, and in Buenos Aires in the department of Cauca, humanitarian demining operators have likewise either suspended or altered their operations as a result of threats by dissident FARC-EP groups.

In the municipality of Briceño, Antioquia, APMs and IEDs are still being planted on tertiary roads often used by National Army troops, placing the local inhabitants at risk, including the children and adolescents who use such roads on a daily basis. The worst hit roads detected are the access roads to the El Orejón district in this municipality, which is particularly worrisome as they were part of the humanitarian demining pilot plan agreed to in Havana by the National Government and the FARC-EP, and in 2016 the area was declared free of suspected APMs.

Likewise, in the municipality of Ituango (Antioquia), APMs have been planted by the dissident group in that region, especially in the villages inside the Nudo de Paramillo National Park and in the Pascuita district³¹. Hostilities using IEDs are still occurring in the department of Arauca aimed at hampering actions by the public security forces but causing collateral damage to the population as a whole.

In the department of Chocó, in November and December 2019, there were six APM/UOX accidents in the municipalities of Carmen del Darién, Juradó, Bojayá, wounding members of the National Army and of indigenous and Afro-descendant communities, as well as one Venezuelan citizen. Also worrisome is the stepped-up use of APMs by the ELN in San José del Palmar, in districts bordering the villages of La Italia and San Pedro de Ingará, such as Suramita, Limones, and Sabaleta. That was a response to the presence of the National Army for geolocation of illicit crop plantations.

2.2.3 Impact on social leaders and community representatives

The GS/OAS pays special tribute to the leaders and human rights defenders and the thousands of people working tirelessly in the territories to forge peace, improve conditions, and transform the lives of their inhabitants.

Since 2009, the MAPP/OAS has been highlighting the adverse impacts and risks run by social leaders. Its monitoring has revealed a drastic increase in those impacts since mid-2016. In the period under review, the violence and risk scenarios are most pronounced in territories with the presence of one or more illegal armed groups either coexisting with or battling one another for control of the territory and in the territories targeted by illicit crop reduction strategies. Other ongoing risk factors are land claims, opposition to extractive industry activities, environmental protection and defense of territories.

The violence deployed is mainly directed at changing or imposing ways of life, preventing rapprochement with government institutions, banning or imposing conditions on communal proceedings or demands for the observance of rights, and punishing those who challenge the authority of the illegal armed groups present in the territory. The violence takes the form of threats, harassment, stigmatization, or even forced displacement and murder.³²

31. In this district, on orders from the dissident group, the community cannot freely travel to the higher parts of the district using the road that leads to the village of Santa Rita, with a turn off to Pascuitá. In addition, illegal armed groups continue to threaten to plant new IEDs on the tertiary roads connecting these districts.

32. These impacts have mostly occurred in rural areas, perpetrated by illegal arms groups or still unidentified actors, and in territories in which groups are battling among each other for the geographical and social control that will give them access to income from illicit economic activities, such as drug trafficking, illegal mining, smuggling, and the illegal exploitation of mineral and other natural resources.

Most of the victims are community leaders, indigenous and Afro-descendant authorities and communities, land claimants, victims of the armed conflict and promoters of voluntary illicit crop substitution who stand out because of important function they perform of openly filing claims and complaints in their communities. Most of the attacks detected have been in the departments of Meta, Guaviare, Antioquia, Nariño, Norte de Santander, Cauca, Valle del Cauca, Chocó, and Caquetá.

The sheer magnitude of the violence affects not just individuals; it also wreaks havoc with the social fabric and local communities' forms of organization. Of particular concern are the risks faced by indigenous guards and authorities in ethnic territories in the northern part of Cauca. Acts such as the massacre on October 29 of five members of the Nasa indigenous community, including Neehwe'sx Cristina Bautista, an authority in the indigenous reserve of Tacueyó in the municipality of Toribio, Cauca, who stood out as a leader and representative of indigenous women in that territory, illustrate the very serious level of vulnerability in that area.

Similar risks are faced by the Communal Action Councils (JACs), which are the leading organizational structures in the territories that have positioned themselves as the principal interlocutor with authorities at every level for agreeing on and executing initiatives, policies, and social programs. Their exercise of leadership has triggered reprisals (threats, murders, and displacements) that the MAPP/OAS has detected in a number of territories, worst-hit departments being Antioquia, Bolívar, Caquetá, Cesar, Córdoba, La Guajira, Magdalena, Norte de Santander, Putumayo, and Valle del Cauca.

Here, too, the GS/OAS warns of potentially heightened risks that this segment of the population could face, particularly in areas with a strong presence of illegal armed groups, in the first half of 2020, when new members of the JACs are elected nationwide. Prevention and protection measures will be vital to guarantee genuine participation. Periodic review and updating of risk maps, aimed at achieving a more differentiated analysis of impacts, the strengthening of Transitional Justice Committees to address and assess risk scenarios, and ongoing joint decentralized activities of the Communal Security Group (*Mesa de Seguridad*) and Communal Action Organizations could all contribute to that outcome.

The GS/OAS realizes and values the efforts being made by the State and social groups to address the whole array of risks and challenges faced by leaders. With respect to prevention and protection, progress has been discerned with the crafting of the Single Roadmap for Territory-Specific Execution of the Timely Action Plan for Prevention and Protection [of Human Rights Defenders, Social and Community Leaders, and Journalists] (PAO),³³ with the continuity of the warnings put out by the Office of the Ombudsman and the work of the Cross-sector Committee for Rapid Response to Early Warnings (CIPRAT) to provide a National Government response and reaction; and with the holding of territorial meetings.³⁴

With respect to investigation and prosecution, the Special Investigation Unit of the Office of the Attorney General (FGN) and the National Police Elite Corps³⁵ coordinated with one another in actions to throw light on threats and other adverse impacts and the outcomes of actions undertaken

33. The PAO prioritized Antioquia, Cauca, Córdoba, Nariño, Norte de Santander, Caquetá, and Valle del Cauca. The departments of Meta, Putumayo, and Tolima also have this roadmap. The pillars of the roadmap are: prevention, protection, and guarantees of non-repetition.

34. Four PAO meetings were held in the municipalities of San Pablo and Cartagena (Bolívar); Riohacha (La Guajira) and Villa del Rosario (Norte de Santander) and one meeting was held by the Security and Coexistence Council in Santander de Quilichao (Cauca).

35. According to official data, the Elite Corps working with the Office of the Attorney General has 61 investigators and 9 standing committees countrywide: Antioquia, Valle del Cauca, Cauca, Nariño, Caquetá, Putumayo, Meta, Sur de Bolívar, and Norte de Santander.

against their perpetrators.³⁶ The Attorney General's Office also reported a strategy to investigate and prosecute threats against leaders in connection with Resolution 0339 of 2018.

The National Government's announcement on December 10 regarding the Public Policy Framework for Comprehensive Protection for Social and Community Leaders, Journalists, and Human Rights Defenders affords an opportunity to move forward with frank dialogue embracing all dimensions of the problem with all competent authorities and all those impacted by it. Forging solutions based on dialogue among all those involved will ensure that actions undertaken are better tailored to reality on the ground in the hardest-hit territories and segments of the population.

The GS/OAS encourages persistence with efforts to build and strengthen opportunities to formulate public policy with an inclusive approach, with real participation by territorial entities and the affected segments of the population, and with contributions from the Office of the President, the ministries, and other competent bodies, all of them geared to protecting fundamental rights. Planning exercises may provide key opportunities for developing public policy and making it more robust. Finally, how wise and effective all these proposals are will depend on their ability to produce concrete results that translate into effective security guarantees.

2.2.4 Negative Impacts on the beneficiaries of the National Comprehensive Program for the Substitution of Illicit Crops (PNIS)

The worst risk scenario for the PNIS beneficiary population is found in territories perceived to offer possibilities for a replanting of illicit crops or in which illegal armed groups are interested in establishing new mobility corridors, in addition to maintaining existing routes.

Most impacted are areas such as Tumaco (Nariño); Puerto Caicedo, San Miguel, and Puerto Asís (Putumayo); Ituango and Tarazá (Antioquia); El Tambo, Corinto, and Miranda (Cauca), Puerto Rico (Meta); El Paujil and Cartagena del Chairá (Caquetá); and Tibú (Norte de Santander), in which murders, threats, and forced displacements are frequent.

The main risk factors are associated with leaders' efforts to persuade communities to join the substitution program; the support they provide to those engaged in substitution; and refusals to take part in replanting or to market coca leaves or cocaine paste.

The leaders' work is also risky because they are recognized as supporters of the PNIS and threatened for the lack of a response in cases of suspension of, or exclusion from, the program. Furthermore, in municipalities originally selected for the PNIS but where it was ultimately not implemented, or in which collective agreements were signed but the roadmap did not continue, leaders lost credibility in those communities, which blamed them for the program's failure to make headway, rendering them even more vulnerable.

Such cases were found in, for instance, Valdivia and Cáceres (Antioquia); in the whole Cordillera subregion,³⁷ Magüí Payán, Roberto Payán, El Charco, Santa Bárbara de Iscuandé, and Tumaco (Nariño); in San José del Palmar, Medio Baudó and Medio San Juan (Chocó); and in López de Micay, Guapi, Argelia, Balboa, Mercaderes, Corinto, Morales, Cajibío, Suarez Buenos Aires, Patía, Almaguer, and Bolívar (Cauca).

36. The Office of the Attorney General reports that in 2019 it accorded priority to investigating 107 cases of leaders murdered and managed to identify and order the arrest of the perpetrators in two-thirds (66%) of those cases.

37. In the municipalities of Leiva, El Rosario, Cumbitara, and Policarpa.

In response, the National Government strategy, spearheaded by the Council on Stabilization and Consolidation, has been to press on with the Interagency Coordination Group for Stabilization and Consolidation,³⁸ the aim of which is to coordinate institutional responses to threats or impacts on beneficiaries of the PNIS. In the same vein, steps have been taken to build and design the Plan for Coordinating Security Actions for the Target Population of the PNIS, through territorial workshops in such municipalities as Tumaco (Nariño), Villavicencio (Meta), Arauca (Arauca), Barrancabermeja (Santander), Florencia (Caquetá), and Popayán (Cauca).

In this context, the GS/OAS encourages persistence with the combined efforts to effectively implement the Plan for Coordinating Security Actions with a view to mitigating violence and preventing reprisals against PNIS beneficiaries, while continuing to improve administrative and operational aspects that have hampered execution of certain components of the Program.

2.2.5 Impacts on former members of the FARC-EP and their families

In the second half of 2019, most actions against former members of the FARC-EP occurred in the departments of Caquetá, Nariño, Cauca, Putumayo, Meta, Guaviare, Córdoba, and Norte de Santander, where most of the victims were men.³⁹ One especially notable and worrisome reprisal was the murder of Alexander Parra in the Buenavista provisional territorial training and reintegration space (ETCR) in Mesetas, Meta. He was a former commander of the Frente 40 of the FARC-EP, and a leader on environmental issues. Hopefully, investigations by the competent authorities will throw light on this and all other murders of former combatants, to ensure that the process remains sustainable.

Although in some murders the perpetrators are not identified, the perception in the territories is that they would tend to be committed by dissident groups based on their assumption that former FARC-EP combatants are potential informers who pose a threat to their illegal activities. Territorial control disputes between illegal armed groups have, in some departments, also posed an additional risk for former combatants who, like the general population and social leaders, have been subjected to threats.

Dissident groups continue to lure former members of FARC-EP to join them either through economic offers or via threats against them and their families. Such conscription offers are mainly found in departments such as Meta, Antioquia, and Norte de Santander, while AGC/Gulf Clan efforts focus on Nariño. ELN efforts, on the other hand, have been mainly in Nariño and Norte de Santander. There have also been cases of armed groups demanding money from former combatants in return for allowing them to stay in the territories.

In this context, the National Government has announced that it will step up prevention and protection measures for this segment of the population,⁴⁰ including drawing up an inventory of the

38. The Interagency Coordination Group for Security in Implementing the Final Agreement, comprised of the Ministry of the Interior, Ministry of National Defense, National Police (UNIPPEP and Elite Corps), National Army (Strategic Transition Command – CCOET), the Special Investigation Unit of the Office of the Attorney General, the National Protection Unit (UNP), the PNIS, and the Council for Stabilization and Consolidation.

39. Family members of the victims are usually also the butt of constant threats, that often later lead to their displacement in order to safeguard their lives and physical integrity.

40. In June 2019, 23 measures were announced to provide guarantees for protecting persons in the reincorporation process both within and outside the former ETCR. The number of such measures has since grown to 44, including coordinated actions by the Ministry of Defense, the Council for Stabilization and Consolidation, the Ministry of the Interior, the Office of the Ombudsman, the Office of the Attorney General, the National Protection Unit, the Office of the High Commissioner for Peace, the ARN, UNIPPEP, the Directorate of Criminal Investigation and INTERPOL (DIJIN), the National Police Elite Corps, and municipal mayors' offices.

population in the process of reincorporation exposed to security risks; awareness campaigns against stigmatization and calling for self-protection measures; and training of former members of the FARC-EP in a culture of legality, while continuing the work of the Technical Group on Security and Protection, which is responsible for coordinating measures to protect former FARC-EP combatants and members of the Fuerza Alternativa Revolucionaria del Común [Common Alternative Revolutionary Force] (FARC) political party and their families. For its part, the Special Investigation Unit of the Office of the Attorney General announced that progress was being made with investigations and clarification of incidents.⁴¹

Continued success in overcoming the challenges and obstacles posed for the security of former FARC-EP combatants, their families, and members of its political party is vital for the peace process and for consolidating peace in Colombia. Maintaining and strengthening opportunities for dialogue between the FARC and the National Government; expediting the prevention and protection measures needed for the security of former combatants and their families; progress with the investigation and prosecution of crimes; and continuing the strategy of coordinating rural development plans (PDETs) with the community reincorporation strategies spearheaded by the ARN can all contribute to the attainment of that goal.

3. JUSTICE IN THE TERRITORIES

The GS/OAS acknowledges the Colombian State's efforts to enhance justice by creating new permanent courts and others to address the backlog of cases, the installation of technological equipment for virtual hearings, and the reactivation of local and rural justice models. Those models will make it possible to consolidate non-formal judicial mechanisms, such as the Conciliation Committees of the Communal Action Councils (JACs) and the "Conciliators in Equity," especially at the village level, which will help generate trust in officially sanctioned alternative conflict resolution mechanisms.

That is especially important given the fact that, as indicated throughout this report, illegal armed groups are continuing to exercise and administer de facto justice, above all in rural areas, where the presence of institutions is at best precarious and there are difficulties in accessing the judicial system, be it because of the distances between rural areas and urban centers, geographical hurdles, or the sheer impossibility of justice operators reaching all the territories because of the widespread lack of security. That leads to illegal armed groups imposing measures, restrictions, and other provisions regulating social behavior and, among other outcomes, preserving their illegal economies.

Most of these impositions associated with de facto justice are to be found in the border area between Colombia and Venezuela,⁴² Bajo Cauca in Antioquia,⁴³ the southern part of the department of Córdoba,⁴⁴ and the departments of Caquetá,⁴⁵ Chocó, Cauca, Valle del Cauca, and Nariño. There you can find extortion, proceedings to settle community conflicts, the issuing of coexistence rules

41. According to the Office of the Attorney General, the perpetrators were identified in 23 of the 42 prioritized cases. Progress was also reported in 116 of the 247 investigations into crimes against former combatants. Armed groups accounted for 48% of those crimes, the Gulf Clan 14%, and the ELN 12%.

42. There are differences in de facto justice systems from one territory to another. In metropolitan areas such as Cúcuta, the armed groups cannot count on community approval, which leads them to commit violent acts that violate community norms. On the other hand, in some rural areas of Catatumbo, the rules imposed are regarded as legitimate, except for some resolutions passed by armed groups in very serious or repeat-offender cases.

43. Comprised of the municipalities of Caucasia, El Bague, Nechí, Tarazá, Cáceres, and Zaragoza.

44. In the municipalities of Montelíbano, Puerto Libertador, Tierralta, and San José de Uré.

45. In municipalities such as San Vicente del Caguán, Puerto Rico, Cartagena del Chairá, and La Montañita.

establishing norms and prohibitions to be observed by communities, and demands for money, sometimes called “war taxes,” to finance the armed group, and other anomalies.

As regards the establishing of coexistence rules and proceedings to settle conflicts arising in the population, in some communities a positive view is taken of regulations imposed by illegal armed groups, who are seen as an informal institution filling a gap left by the official administration of justice system.

In that context, the GS/OAS remains concerned about situations in which measures are imposed by illegal armed groups to regulate social behavior, as those measures impair either physical integrity, economic well-being, or full freedom of movement in the territory. It therefore urges the National Government and judicial institutions to step up the dispatching of justice operators (such as inspectors or rural magistrates) to remote areas of the country, either on a rotating (*jornadas móviles*) or a continuous basis.

In addition, it is important to continue striving to ensure that mechanisms such as the "Conciliators in Equity" and the Conciliation Committees of the Communal Action Councils (JACs) are constituted and function properly, and are increasingly coordinated with the ordinary justice system. It is likewise essential for all villages, especially those in remote areas difficult to access, to have a magistrate (*corregidor/a*) backed by the authorities. All that will help mitigate the interference of illegal armed groups in the way communities manage their affairs, the replacement of official legal authorities and institutions, and the direct harm being inflicted on the population.

3.1 Special Indigenous Jurisdiction, intercultural dialogue, and inter-jurisdictional coordination

The GS/OAS acknowledges the steps the Colombian State has taken to respect and guarantee the special jurisdiction exercised by indigenous communities all over the country and points to the ever greater efforts gone to by the various branches of government to achieve ideal settings for legal pluralism and fluid and effective intercultural dialogue.

Against that backdrop, the GS/OAS appreciates the constant efforts made by indigenous authorities to improve their processes, restore ancestral judicial knowledge and mechanisms, and explain their internal processes to Colombian institutions. Particularly noteworthy are the joint efforts by a number of government and international cooperation entities, along with communities,⁴⁶ to strengthen government and judicial institutions, as well as the progress made with the consolidation and proliferation of areas of coordination between the Special Indigenous Jurisdiction (JEI), the ordinary justice system, and the Special Jurisdiction for Peace (JEP).

The GS/OAS welcomes the development of life plans and internal regulations in indigenous assemblies (*cabildos*) in Nariño, Putumayo, Cauca, Chocó, Arauca, Cesar, Valle del Cauca, Antioquia, and Córdoba. Similarly, it appreciates increasing application by indigenous peoples of their own justice system, the development of increasingly efficient, rigorous, and stable judicial mechanisms, and the

46. Specific steps have been taken, such as the development of the intercultural module by the Rodrigo Lara Bonilla Judicial School (a training institute for national judicial authorities); the establishment of the high-level body formed by the National Government and the Indigenous Council of Cauca (CRIC) to review the conditions needed to sustain the JEI and resolve its structural issues; the issuing by the National Institute of Forensic Medicine (INML) of a strategy for incorporating a differential approach in the provision of forensic services; prior consultation of the Ten-Year Plan for Justice; Ministry of Justice support for a dozen or so own systems of justice; the socialization of the Rom People's Justice Protocol among the *kumpanias* (collections of families belonging to the same group) of Bogotá, Pasto, Cúcuta, and Ibagué, and the development by the Agency for Reincorporation and Normalization (ARN) of a protocol for the internal agreement for a specific roadmap to reincorporation in the Mayasquer reserve.

work being done by national indigenous organizations and their affiliates to strengthen their own forms of governance and legitimize the exercise of their special jurisdiction.

The GS/OAS further underscores the strengthening of Indigenous Guards by the Indigenous National Organization of Colombia (ONIC); the creation by the Indigenous Council of Cauca (CRIC) of opportunities for training and degrees in Special Indigenous Jurisdiction; the establishment of second-instance Indigenous Tribunals in Cauca⁴⁷; the development of regulations in the Wounaan and Embera indigenous communities in Chocó and for the Awá people in Nariño; the strengthening of Wayúu Board of Mediators (*Junta Mayor de Palabrerros*) in La Guajira thanks to the issuing of jurisdictional concepts; and the increase in jurisdictional responses to environmental damage in certain territories, such as Carmen del Darién and Cocuy.⁴⁸

The Mission keeps track of the work of the Higher Council of the Judiciary and the Section Councils, such as the holding of four meetings of the National Inter-Jurisdictional Commission for Coordination (COCOIN),⁴⁹ which worked on protocols for relations between indigenous authorities, the Office of the Attorney General (FGN), and the Forensic Medicine Institute, as well as some basic issues, such as sexual violence, violence against women in indigenous communities, indigenous persons deprived of liberty, and cases involving indigenous children and adolescents at odds with the law. The GS/OAS likewise noted the formation of departmental coordination working groups in Antioquia, Caldas, Chocó, Cauca, Nariño, Risaralda, Sucre, Tolima, Valle del Cauca, and Putumayo and protocols on how they operate that provide for establishing fluid intercultural dialogue and agendas for handling justice sector issues in indigenous territories.

Nevertheless, the GS/OAS is concerned about certain developments that have been obstructing the JEI and that pose major challenges that the Colombian State needs to overcome very soon, such as the risks to indigenous authorities from illegal armed groups in their territories; the failure to recognize the Special Indigenous Jurisdiction (JEI) under certain circumstances and backtracking when it comes to guaranteeing the exercise of that jurisdiction; the vulnerability of the more remote indigenous communities with weaker institutions; the lack of a State policy for financing the JEI; and the scant coordination between public security forces and ethnic-territorial authorities.

Regarding the first risk, there are indications that the indigenous authorities in the Cauca have reinforced their jurisdictional powers vis-a-vis illegal armed groups by carrying out raids, confiscating arms, drugs, and vehicles, arresting members of those groups, refusing to recognize their ownership of illicit goods, and prosecuting them. Some communal associations and organizations have prohibited the use of land in indigenous reserves for planting illicit crops and have, in addition, established penalties for members of the community who establish ties with the illegal armed groups and have opposed interference by outside actors in communities' internal affairs. As indicated throughout this report, the GS/OAS is worried about attacks on indigenous jurisdiction authorities (councilors, governors, participants in indigenous assemblies (*cabildantes*), coordinators, spiritual leaders, and

47. The Indigenous Tribunal of the CRIC comprises 126 authorities from the 10 Indigenous Peoples in Cauca, while the NASA UUNS CXAB WALA KWE- ACIN Indigenous Tribunal in Norte del Cauca comprises the 21 authorities in the Association of Indigenous Assemblies [*Asociación de Cabildos Indígenas*] of Norte del Cauca.

48. For example: the creation of the U'wa Guard with a view to it establishing itself as an environmental authority in that territory and the participation of indigenous reserves in clean air bond programs (*programas de bonos de aire*).

49. Inter-Jurisdictional Commission for Coordination between the National Justice System and the Special Indigenous Jurisdiction

indigenous guards)⁵⁰ for administering their own judicial system and exercising control over their territories in accordance with their special indigenous jurisdiction.

In other territories, such as Antioquia, Arauca, Nariño, and Chocó, the Mission found that sometimes indigenous authorities failed to apply the JEI against illegal armed groups for fear of reprisals against them. There was evidence of that in municipalities such as Tarazá, Cáceres, Caucasia, Ricaurte, Tumaco, Barbacoas, Olaya Herrera, Cumbal, Tame, Fortul, Acandí, Unguía, Riosucio, Medio Baudó, and Carmen de Darién.

As regards the second risk, there appears to be, still, widespread ignorance among judicial and government officials, at the local, regional, and national level, of what the JEI implies, the mechanisms through which indigenous peoples can administer their own system of justice, and the rules and regulations supporting them. Also in evidence are: language barriers in judicial proceedings; insistence by judiciary personnel that certain cases be processed using the ordinary justice system; and some officials' ignorance of bodies such as the Centers for Indigenous Harmonization [*Centros de Armonización Indígena*].

Thus the MAPP/OAS monitored the High-Level Dialogue among Indigenous Authorities of the CRIC, the National Government,⁵¹ and judges of the Council of the Judiciary and Supreme Court of Justice, and the Office of the Procurator General of the Nation (PGN), which dealt with still divisive issues regarding the scope of the JEI jurisdiction. Nevertheless, the GS/OAS is worried about recent judicial curtailments of the exercise of the Special Indigenous Jurisdiction (JEI)⁵² and underscores the fact that there are still regions in the country where there are no clear signs of inter-jurisdictional coordination, including, for instance, Amazonas, Caquetá, Putumayo, Vaupés, Chocó, La Guajira, Arauca, Boyacá, Córdoba, Cesar, and Valle del Cauca.

Finally, the GS/OAS notes certain weaknesses that, with respect to the autonomy of the indigenous peoples, are making it difficult to consolidate the JEI. They include, for instance: internal divisions in some assemblies, such as those in Cesar and Putumayo; the progressive weakening of traditional authorities in Guajira, Meta, Guaviare, and Caquetá; the fear felt in some communities when it comes to dealing with highly complex cases, such as murder or sexual violence (in some cases against children and adolescents), which often go unpunished; and the recent use of Western institutions in the JEI, undermining ancestral social control mechanisms.

4. SOCIAL DIALOGUE AND CONFLICT

The GS/OAS has witnessed how, ever since the Final Agreement in 2016, new scenarios are opening up that strengthen democracy in Colombia, in which social and political actors point to social dialogue as a tool for reaching pacts that help build peace, while at the same time serving as the best way to transform and manage the social conflict associated with implementing the peace agreements

50. Those authorities have suffered murders, constraints, abductions, and threats.

51. Taking part in the dialogue were officials from the ministries of Justice, Finance, and Defense..

52. In Judgment 07/19 of the Nasa ÛusYutxPehnxí Indigenous Tribunal and in the communication sent by the ONIC to the Constitutional Court on November 5, 2019, the indigenous authorities stated that Judgment T208/19 of the Constitutional Court "restricts and impairs the exercise by the ancestral peoples of Colombia of their own justice system" as well as progress already made with regard to interjurisdictional recognition, cooperation, and coordination." In that judgment, the Court states that the Indigenous Assembly (Cabildo Indígena) violated due process due to the lack of factors legitimizing indigenous jurisdiction that would enable it to perform natural judge functions (*les permitiera cumplir sus funciones en su faceta de juez natural*). On those grounds, the judicial proceedings of the authorities of the La Laguna-Siberia Indigenous Assembly were invalidated.

and individual agreements reached with a variety of social sectors. Nevertheless, there are notable differences in the scope of those dialogues and the forms they take, as well as in assessment of the degrees of compliance with the commitments entered into.

In the period under review, there was a national social mobilization that began on November 21, combining numerous and diverse sets of civil society demands including job-related and student demands and calls for political, environmental, socioeconomic, and tax reforms, and the honoring of long-standing social debts. It was an exercise in mass social protest by representatives of workers' confederations (*centrales obreras*), students, indigenous communities, Afro-descendants, women, trade unions, farmers' associations (*asociaciones campesinas*), and citizens in general. Those days of protest, which lasted until December, were mainly peaceful, despite occasional disturbances and acts of violence that caused harm to the civilian population and public servants and damage to both public and private property.

In that context, and mindful of attempts to address these conflicts from a broad, consensus-based, perspective, the GS/OAS reaffirms that dialogue is the path to take and encourage the State and the Colombian people to seize this context as an opportunity to strengthen the pillars of democracy, and to cultivate democratic, effective, and inclusive dialogue and citizen participation, fostering the systematic use of mechanisms to address and transform social conflicts, thereby paving the way towards greater understanding and a shared vision for Colombia.

Other areas of social conflict were also observed in connection with the oil and mining (hydrocarbons) sector,⁵³ in which communities mobilized to protest against oil companies operating in the territories and to demand the use of local labor (*inclusión laboral*), social investment, environmental protection, and effective consensus-building processes⁵⁴; ethnic-territorial conflicts due to a lack of formal land tenure and ownership statutes and demands of ethnic groups for the recognition, constitution, and reorganization/titling (*saneamiento*) of their territories that overlap and conflict with interests of the *campesino* population⁵⁵; and conflicts associated with the illegal exploitation of natural resources along the borders with Ecuador and Peru.⁵⁶

Citizen participation and social dialogue are core components for forging a more dynamic democracy, in part because democratic institutions can only function efficaciously if citizens' rights are guaranteed and protected and if citizens are alert and actively striving for a higher socioeconomic and political standard of living.

Given the enormous challenge of forging peace and peacefully transforming social conflicts, the GS/OAS recognizes the institutional changes that have come about in ministries, units, and agencies

53. In this regard, the National Government has announced a series of initiatives, such as the Human Rights Policy for the Mining and Energy Sector, the Working Group on Human Rights for the Hydrocarbons Sector, the National Business and Human Rights Action Plan, and so on, which, as far as the Mission was able to observe, appear to have had no concrete impact in the territories in the period under review.

54. This scenario was found in the municipalities of Arauquita (Arauca), Cubará (Boyacá), Piamonte (Cauca), San José del Fragua (Caquetá), and Puerto Asís (Putumayo).

55. This scenario was detected with regard to the Yukpa people and the *campesino* communities of Serranía del Perijá (Cesar) and between the Bari and the *campesina* population (in Norte de Santander) in connection with Judgment T-052/17, which ordered, inter alia, prompt resolution of the application for the expansion, reorganization/titling, and demarcation of the Indigenous Reserve of the Bari and that steps be taken to arrive at a decision on constituting the ASCAMCAT *Campesina* Reserve.

56. The exploitation referred to is in mining and timber logging, along with the environmental damage wrought by crude oil spills and food security issues relating to increased fishing in rivers on the borders.

that are incorporating and strengthening the concept of social dialogue as a mechanism for transforming territories. As of 2019, the Mission has created a specific division to broaden its support for peace-building in Colombia through capacity-building for key players in State institutions and in civil society, to boost their ability to work together and transform social conflict in general and specific conflicts in particular.

As part of those endeavors, the MAPP/OAS has provided training on matters relating to dialogue, the transformation of social conflicts, constructive communication, negotiation, and consensus-building. In 2020, the Mission plans to lend support to key players in civil society working directly on social conflicts in the territories, with a special focus on the Strategic Zones for Comprehensive Intervention (ZEII), or Zonas Futuro [Future Zones]. Training will also continue for State institutions, such as the Office of the Inspector General (PGN) and others in the mining, energy, and environmental sector.

The GS/OAS ratifies its readiness to continue supporting Colombian institutions and society in their efforts to generate trust and build capacity for handling disagreement and reaching agreements in settings in which the goal is to foster social dialogue as the preferred tool for preventing and transforming social conflicts and coming up with solutions tailored to territorial needs.

5. IMPACTS OF THE STRATEGIES AND POLICIES FOR TRANSFORMATION OF THE TERRITORIES

5.1 Transformation of the Territory: Rural Development Plans (PDETs)

The GS/OAS acknowledges the commitment and political resolve of the Presidential Council for Stabilization and Consolidation and of the Territorial Renewal Agency (ART), which, despite financial constraints, are prioritizing the use of available institutional and economic capacity to move ahead with realistic implementation of community initiatives and encouraging implementation of the PDETs.⁵⁷

It also welcomes the fact that, once the PDETs began being implemented, communities and local institutions in some regions are embracing this transformational approach as a path toward territorial peace. In that scenario, significant progress has been made with program implementation, for instance as regards execution of PDET works⁵⁸ and works against tax benefits (*obras por impuestos*),⁵⁹ and promotion of community reporter networks.

In addition, investments are being made in PDET priority regions through the Collective Management and Decision-Making Bodies (OCAD-PAZ⁶⁰), and through the titling and assignment of land. At the same time, importance has been attached to building the capacities of territorial entities and sharing administration between national-level institutions and mayors' and local governors' offices

57. Currently, the PDETs are included in the National Development Plan, using a roadmap that includes some 30,000 initiatives to be implemented in 170 municipalities. Pilot scheme implementation has begun in the Catatumbo subregion.

58. Member of the Communal Action Councils (JACs) were hired to execute 700 works, thereby boosting local employment.

59. Presidential Council for Stabilization and Consolidation figures show an extra \$247 billion approved for PDETs in 2019, for 42 Works against Taxes projects.

60. The bodies responsible for establishing investment projects financed with funds from the General System of Royalties (*Sistema General de Regalías*).

based on protocols for implementing 162 municipal agreements and 15 municipal ordinances incorporating the PDETs as a part of public policy. Thanks to Decree 2278 of 2019, which establishes that the PDETs are the basis for the Strategic Plans for Comprehensive Intervention (PEII) of the *Zonas Futuro*, each PEII is expected to prioritize and hasten implementation of the PDET components.

While some progress has been made, it is still a challenge to achieve the economic and social sustainability of communities in high-conflict zones. In regions such as Catatumbo⁶¹, the Pacific Coast in Nariño, and Bajo Cauca in Antioquia, the communities point to the need for a stronger institutional presence, the allocation of specific budgets, and institutional capacity in order to implement social policies that translate into jobs for young people, along with the need for an economy in which products and produce from rural areas can be marketed.

The first pillar of the Regional Transformation Action Plans (PATRs) concerning social legislation regarding rural property (*ordenamiento social de la propiedad rural* - OSPR) and the multipurpose property registry are still badly needed for the design and implementation of rural development public policy actions to promote access to land for the most vulnerable communities, boost territorial peace-building capacity, and provide legal certainty with respect to land use and tenure.

Here, the GS/OAS perceives a favorable environment among national institutions, local authorities, and ethnic and *campesino* communities regarding the broad-based, diverse, and participatory drawing up of rural property social legislation (OSPR) plans and recognition of those plans as territorial management tools for the prevention and transformation of social conflicts and for environmental conservation. The GS/OAS acknowledges the part played by the National Land Agency (ANT) and other competent authorities in drawing up the Plans and encourages completion of the electronic processing of land ownership data (*barrido predial*), the processes for determining land use and tenure, titling (*formalización*) and other components of the OSPR.⁶²

It is likewise especially important to harmonize the communities' priorities and those of the State when it comes to implementation. Hence the importance attached to taking steps to coordinate two-way actions (*acciones de doble vía*) catering to the needs of the most vulnerable, by building their capacity and autonomy.

It is similarly vital to continue institutionalizing opportunities for consultation and participation such as the "driving force groups" (*grupos motores*) and to expand and enhance the participation and representation of women, including the leaders of women's and young people's organizations, in the implementation process, in such a way as to overcome gender gaps, and to consolidate areas of consensus and strategic agreements to improve monitoring and evaluation of impacts.

5.2 Illicit Crop Reduction Strategies

The GS/OAS is monitoring the State's efforts to reduce illicit crops based, essentially, on the intervention strategies developed as part of the Comprehensive Policy to Tackle the Drug Problem (*Ruta Futuro*), geared to substitution and eradication. In that connection, it has noted efforts by the public security forces focusing on destroying coca plantations along with other interdiction actions bent

61. This is the region in which the roadmaps methodology was crafted. This instrument incorporates over 30,000 PDET initiatives, ties them in with other action plans for the territory, and establishes the steps for implementing the projects derived from PDET demand.

62. The National Development Plan (PND) includes changes that are useful for meeting long-standing needs for social legislation on rural property and the multipurpose property registry, including, notably, the authority granted to the ANT to manage the register and spearhead the strategy for the register and the electronic processing of land ownership data (*barrido predial*) (Article 61).

on disrupting the first link in the production chain of coca leaf-based narcotics.⁶³ It has also noted the progress made with implementing the National Comprehensive Program for the Substitution of Illicit Crops (PNIS) which has reached out to 99,097 families and 5,701 community managers and achieved a reduction of 35,996 hectares of coca plants.⁶⁴

Considering the ongoing magnitude of the phenomenon, despite all the efforts to reduce it, it is worrisome that coca leaf farming remains the main source of sustenance and continues to drive the economy in several municipalities of such departments as Caquetá, Cauca, Guaviare, and Meta and of regions such as Catatumbo, Sur de Bolívar, Cordillera Occidental and the Pacific Coast of Nariño, as well as in protected areas that have been declared to be national park nature reserves.

Among the many causes explaining this phenomenon, the trade in illicit crops continues to be more profitable than the marketing of legal produce. Likewise, illegal armed groups continue to encourage or pressure the population into continuing to plant coca and offer guaranteed prices for it in the subregions of Bajo Cauca, Sur de Córdoba, and Bota Caucana and in the departments of Nariño, Caquetá, and Putumayo.

Furthermore, despite more robust inter-agency coordination of the program, at the territory level there are still challenges with implementing the PNIS as the principal crop substitution strategy. Thus, the main challenge is transforming the territories on the ground in such a way as to guarantee food security, promote productive programs and projects, and construct tertiary roads for marketing products, thereby generating the conditions needed to sustain the standard of living of the population currently growing illicit crops.

In the food security and productive project implementation phases, poor synchronization between the implementation of product lines and agricultural and territorial potential (*la vocación de la tierra y los territorios*) had a negative impact on communities. On top of that, there was a lack or shortage of technical assistance and the need for farmers to possess land of their own or leases to enable them to execute the program's components.

The GS/OAS deems it important to take rural communities' concerns into consideration regarding the difficulty of marketing the products of these projects. The deterioration of secondary and tertiary access roads, along with other structural constraints, make it difficult to conserve produce and to transport it at reasonable cost. The communities also state that they lack partners who could process their produce and generate value added, nor do they have marketing agreements to ensure that they receive competitive prices for their produce.

The communities and family groups that have responded to the initiatives arising out of the PNIS and have partnered with the State to develop alternatives that will turn them into legal farmers perceive the marketing difficulties they face as a failure by the National Government to honor its commitments. That, combined with the presence of armed groups in the territories, has led to the replanting, transfer, or appearance of new illicit crops in departments such as Guaviare, Caquetá, and Antioquia. In addition, one effect of the delays in catering to coca leaf pickers has been that, in departments such as Arauca and Caquetá, this segment of the population is moving to areas where illicit crops are grown to go back to picking coca leaves for lack of alternative jobs.

63. According to data given to the Mission by the Ministry of Defense, 224,376 kg of cocaine hydrochloride were seized in the second half of 2019: 48% of the total seized in the whole of 2019 (433,036 kg). Coca base seizures in the second half of 2019 were reported to total 17,969 kg or 64% of the total seized in the whole of 2019 (49,778 kg). Marijuana seizures reported in 2019 totaled 376,274 kg, while the heroine seizure figure was 354 kg.

64. Figures shown by the Presidential Council for Stabilization and Consolidation.

In addition, forced eradication is perceived as a volatile factor expediting and exacerbating social tensions in the territories. For instance, in such municipalities as San Miguel and Puerto Asís, in Putumayo; Tarazá and Valdivia, in Antioquia; Patía and Piamonte, in Cauca, and Jamundí in Valle del Cauca, there have been mobilizations and social protests against eradication days that ended in resistance and clashes between the public security forces and communities.

The escalation of inter-ethnic conflicts between the *campesino* population and ethnic communities due to the concentration of coca plantations in collective territories as a strategy to ward off State actions against them has prompted the arrival of outsiders, settlers, and *campesinos* in ethnic territories bent on planting illicit crops. In some cases, this trend is mediated by illegal armed groups as a pressure mechanism aimed at encouraging and concentrating coca leaf plantations in areas with a higher illicit crop density, such as the Pacific Coast and western mountain range in Nariño and the department of Putumayo.

Given that coca leaf growing is still the main source of sustenance in Colombia's territories, despite parallel execution of voluntary substitution and forced eradication strategies, it would appear to be necessary, and the right time, to generate ample dialogue to address all aspects of the phenomenon and engage all the sectors responsible for, interested in, or affected by it. Accordingly, there is an urgent need to take advantage of this opportunity to definitively transform the territories involved, by listening to their needs and fostering actions tailored to them.

In that vein, the GS/OAS welcomes the efforts undertaken by the National Government and the communities in the municipalities of Argelia and El Tambo, which are located all along the upper and middle Micay river basin in the department of Cauca. Those efforts need to be conducted jointly and to put forward an alternative territorial development proposal that envisages transitioning from an illicit to a legal economy, taking into consideration the need to look after and restore the environment, in a context of dialogue and consensus-building that helps preserve territorial peace. Being mindful of the special conditions in the territories and the characteristics of the communities that rely on these activities will help lay the foundations for generating sustainable territorial development.

5.3 Implementation of the Victims Law, Restitution of Lands and Reestablishment of Territorial Rights

5.3.1 Progress towards advancing victims' access to rights

The GS/OAS acknowledges the progress made by the Colombian State with producing and adopting the diagnostic assessment of harm done agreed upon and validated by the members of the Communal Action Organizations (OACs). With it, work can begin on formulation of the Comprehensive Collective Reparation Plan (PIRC) and, ultimately, moving ahead with reparation for approximately 13% of the Colombian population. Nevertheless, the GS/OAS insists on the importance of allocating sufficient funds to guarantee that the Plan reaches the grassroots of those organizations, namely the Communal Action Councils (JACs). As regards the OACs, it transpired that defense of the territory was acknowledged by the Victim Assistance and Comprehensive Reparation Unit (UARIV) as part of the impact on forms of organization and individuals' relations (*relacionamiento del sujeto*) within the territory, but not as a productive development as requested by the members of those organizations.

The GS/OAS also applauds, as a significant achievement of the UARIV and of the LGBT Committee entitled to collective reparation (*sujeto de reparación colectiva*) in Commune 8 in Medellín, the adoption of the PIRC and the progress made with its first implementation phase. It also, however,

draws attention to the need to bring deadlines into line with the administrative, technical, and financial demands of implementation with a view to achieving the higher ultimate goal, namely comprehensive reparation. Monitoring and observation left the impression that the parameters and time schedule for executing the resolution on boosting organizational capacity did not match the reparative/restorative, differentiated, and transformational intentions of the PIRC. This is because the deadlines are too short and too little (technical, political, and collective rehabilitation) support is being provided.

The GS/OAS also welcomes the UARIV's garnering of proposals from a variety of institutional actors and civil society with a view to amending Law 1448/2011 and Decrees 4633, 4634, and 4635 of 2011 as a positive exercise in encouraging debates involving multiple points of view. The pronouncement of the Constitutional Court invalidating the expiration of the law and urging the Colombian Government and Congress to take decisions extending it and adopting rules protecting and guaranteeing victims' rights affords an opportunity to resolve aspects that have been shown to be problematic and introduce amendments geared to better implementation of public policy.

5.3.2 Restitution of Lands and Reestablishment of Territorial Rights

As regards land restitution, Law 1448/2011 has helped restore rights relating to the ownership, occupation, or possession of land that were infringed as a result of the internal armed conflict. In the eight years that have elapsed for its implementation, the GS/OAS has, through the Mission, monitored the process, contributed inputs, and helped victims and institutions build bridges among the different players involved. Those efforts to enhance trust and credibility in decision making have served to consolidate positive aspects of the process and to foster changes and improvements in implementation. One example of that work is the support lent to the Land Restitution Unit (URT) with prioritizing cases in micro-target zones and recommendations involving the adoption of interagency coordination measures and measures attending to secondary occupants.

Currently, a land restitution bill is in the works,⁶⁵ which aims to modify restitution by incorporating such aspects as the right to appeal (*doble instancia*) in adversarial proceedings (*donde se reconozcan opositores*), guaranteeing any parties to the case the right to challenge decisions at the administrative stage, eliminating the presumption that evidence adduced by the URT is reliable, and allowing for conciliation between claimants and occupants, holders, or possessors that were not responsible for the victimization. The extension of the discussion of evidence and of adversary procedures to the administrative stage could overburden institutions and cause unnecessary delays in proceedings, which would impair victims' rights. Nevertheless, the GS/OAS trusts that the amendment will have a beneficial effect in terms of guarantees for claimants and other parties to proceedings and as regards the speed needed in procedures of this kind.

Continuity in public policy toward land restitution is all the more necessary given that throughout implementation of restitution procedures in certain micro-target zones, there have been cases in which those procedures were suspended due to ongoing hostilities by illegal armed groups in the territories.⁶⁶ The presence of those groups has hampered execution of administrative and judicial acts, thereby making it impossible to enforce judgments already handed down,⁶⁷ and has created a

65. Senate bill 020 of 2019, "amending Law 1448 of 2011 and containing other provisions."

66. According to Land Restitution Unit (URT) data, despite those difficulties, 42 new microtargeting resolutions were handed down in 2019.

67. Examples include Urabá Antioqueño, Tibú (Norte de Santander) and Serranía del Perijá (César).

generalized sense of insecurity that has prevented microtargeting of new zones, despite numerous applications.⁶⁸

As mentioned above, in early December, the Constitutional Court invalidated clauses limiting the effects of Law 1448/11 or "Victims Law" to June 2021 and urged Congress and the Executive to prolong the period in which it remains in force. Should such an extension not be in place by June 2021, the law shall be construed to remain in force until August 7, 2030. Two (joined) bills are currently being processed in Congress⁶⁹ that seek to extend the effects of Law 1448 of 2011 and Decrees 4633, 4634, and 4635 of 2011 for another 10 years, thereby affording a perfect opportunity to introduce amendments to enhance implementation of this public policy.

As regards ethnic communities, according to figures produced by the Ethnic Affairs Directorate of the URT, as of November 2019, 18 judgments restoring ethnic territory rights had been handed down⁷⁰; 263 collective territory proceedings are at the administrative phase⁷¹; and 60 suits involving 68 territories claiming the restitution of ethnic territory rights are at the judicial proceedings phase. Likewise, according to official figures, the Single Register of Abandoned Farms and Territories (RUPTA) has a record of 25,441 demands (*requerimientos*). Of those, 89% had been addressed, 16,121 of them in fiscal year 2019.

The GS/OAS values the efforts undertaken by the Colombian State that result in the strengthening of such institutions as the URT, which has managed to bring specialized expertise to bear on the roadmap for restitution of ethnic territory rights. Nevertheless, it observes with concern that a court judgment has been handed down for only 5% of the 349 collective territories pertaining to ethnic communities for which restitution proceedings are under way. That state of affairs underscores the need to extend the public policy with a view to complying with commitments to the 128,208 ethnic families clamoring for restitution of their territorial rights.

5.4 Implementation of the Strategic Zones for Comprehensive Intervention (Future Zones) Strategy

Implementation of the so-called Strategic Zones for Comprehensive Intervention (ZEII), or *Zonas Futuro* [Future Zones] initiative responds to a government goal of transforming the territories hardest-hit by illicit economies, violence, and crime, with very high levels of unsatisfied basic needs, a weak presence of the State, scant enjoyment of rights, and a lack of institutional legitimacy. The actions envisaged under this Strategy are undertaken with a view to strengthening a constitutional State governed by the rule of law, guaranteeing protection for the population, and fostering State intervention within the framework of public policies, such as the Victims and Land Restitution Law and Plans for Social Legislation governing Rural Property.

However, initial analyses based on the monitoring done by the MAPP/OAS point to the need to strengthen activities in the territories designed to socialize and disseminate the strategy, given the

68. For instance, in the municipalities of Sur de Bolívar, in Catatumbo, in the northern part of Antioquia and in the department of Nariño.

69. Chamber of Deputies bills 199/19 and 247/19.

70. 16 of those judgments benefit indigenous communities and 2 benefit Afro-Colombian communities.

71. Of those collective territories 193 are at the preliminary studies stage, in which the URT uses documentary information culled from a variety of institutional sources to decide on the adoption of precautionary and protection measures and on the initiation of characterization [of harm done] processes, and 70 are at the characterization stage (in which the URT and the communities identify impacts on territories, intra- or inter-ethnic disputes, and other matter relating to formal titling and full identification of each individual territory (*la formalidad e individualización plena del territorio*)).

signs of concern and uncertainty in several municipalities due to lack of information regarding the mechanisms for coordination between local and national governments. Although the National Government has striven to address those concerns, civilian authorities in the municipalities appear to be at a loss as to the options open to them for effectively complementing those national-level efforts.

The Mission has also perceived dissatisfaction in communities at the dearth of opportunities for participation and consensus-building regarding the infrastructure works and public assets targeted for State intervention in rural areas. This situation is problematic, particularly because it directly impacts how institutional work is received or perceived in the territories and it could potentially exacerbate distrust of State intervention. The GS/OAS therefore considers that now is the time to redouble efforts to foster and strengthen citizen oversight mechanisms.

There are also challenges with incorporating differentiated approaches in implementation of the strategy. It is the view taken by the GS/OAS that differentiated measures and roadmaps are needed to guarantee inclusion and coordination with ethnic communities with respect to recognition of their own forms of organizations, while, at the same time, ensuring effective mainstreaming of a gender perspective in the actions envisaged under the strategy, thereby addressing existing disparities in women's exercise of power and political participation in Colombian territory.

As regards the prioritization of works in the Rural Development Plans (PDETs), the GS/OAS acknowledges progress in such areas as improvement of educational establishments, school canteens, the construction of community centers, water loading platforms [*muelles saltaderos*], and so on. Nevertheless, interventions by institutions need to be based on actions that are integral in scope, such as the building of roads linking villages to municipal town centers, the construction of hospitals, and access to higher education.

In connection with the monitoring of program implementation in the prioritized territories, for instance in the subregions of Sur de Córdoba, Bajo Cauca and the Pacific Coast in Nariño, the GS/OAS found serious impacts on the community as a result of the disputes over territory by illegal armed groups, as has been pointed out throughout this report. Above all, families have been displaced in the villages of La Porcelana in the municipality of Cáceres and San Antonio Indígena in the municipality of San José de Uré. On the Pacific Coast in Nariño, those disputes have triggered confinement, displacements, and the forced recruitment of minors, mainly in the municipalities of El Charco, Tumaco, Maguá Payán, and Roberto Payán. There are also places where children and adolescents work as coca leaf pickers, as a result of which many drop out of school.

As these zones are contemplated in the Future Zones strategy, significant changes could come about if comprehensive intervention takes place and contains the violence practiced by those armed groups, while implementing the kind of sustained actions needed to ensure protection of the population and transformation of the territory.

The GS/OAS particularly applauds the focus on villages underlying and shaping the principal objectives of consolidating security and institutional control over the prioritized territories. Also noteworthy is the environmental slant of the strategy, as manifested in the inclusion of strategic areas for water preservation, biodiversity, and the environment in the National Nature Parks of Chiribiquete, Sierra de La Macarena, Nudo de Paramillo, Sanquianga, and Catatumbo-Barí.

On the judicial front, discernible progress has been made by the Office of the Attorney General (FGN) with dismantling illegal armed groups and disrupting illicit economies, especially along the Pacific Coast of Nariño. Some judicial investigation services have also been strengthened thanks to a gradual increase in the number of units in the Judicial Investigation Section (SIJIN). Nonetheless, it is

necessary to continue strengthening the ability to work in situ, especially in the case of the FGN's Technical Investigation Corps, to carry out investigations. That is the case in the municipality of Tumacos and other municipalities in the Sanquianga subregion, where, because of the security situation and the combined presence of several illegal armed groups, inquiries cannot be carried out due to the difficulties of patrolling rural areas.

Finally, the Mission observed actions by the Ministry of Justice and Law to activate the Local and Rural Justice Models, which will make it possible to promote conflict resolution mechanisms at the village level, by strengthening such bodies as the reconciliation committees in the JACs and the “conciliators in equity.” Achieving that in regions like the Pacific Coast in Nariño could dampen the exercise of other forms of justice, including the meting out of de facto justice by illegal armed groups.

6. PARTICIPATION IN TERRITORIAL PEACE

The GS/OAS welcomes the efforts by the Office of the High Commissioner for Peace (OACP) and its resolve to continue striving to adapt, form, and install the Territorial Councils for Peace, Reconciliation, and Coexistence (CTPRCs) at both the municipal and the departmental level.⁷² It has also observed how the Councils provide a natural forum for encounters and dialogue for a broad range of citizens, with significant potential for fostering effective citizen participation: a core ingredient for sustainable peace.

Despite the increase in the number of Councils installed, various factors have been detected that prevent them from operating as they should, such as lack of planning and of concrete actions, discrepancies regarding the extent to which certain sectors are represented, the infrequency of meetings, absence of the required quorum for taking decisions, and the difficulty of eliciting budgetary financing for councilor's travel and for implementing work plans. Villages and rural areas also need to be better represented in the Councils, because currently departmental and municipal capital sectors dominate.

In places where the Mission lent its active support to the CTPRCs, it transpired that their success largely depended on the political and financial commitment of mayors' and governors' offices, as well as on civil society participation in the various sectors. Thus, it is vital to engage local and regional entities in order to ensure that they, pro-actively, facilitate and guarantee that the Councils function as advisory and consultative bodies, which includes allocating them the funds and other resources they need. Also worrisome is the lack of concrete actions, which could discourage citizens and make them more distrustful, which could prove to be an obstacle to achieving territorial peace.

The GS/OAS acknowledges the work of the National Council for Peace, Reconciliation, and Coexistence, which is currently operating with 68 appointed members of civil society and 35 members of State institutions. In the second half of 2019, it held one plenary session, seven meetings of the National Peace Committee, and meetings of the operational subcommittee and standing committees on Education, Teaching, Art, and Culture; Territorial Peace; and Oversight and Guarantees of Non-Repetition. Operating expenses were covered and administered by the Special Peace Projects Fund, pursuant to the Council's rules of procedure.

72. As regard the number of Territorial Councils for Peace, Reconciliation, and Coexistence (CTPRCs) installed, the OACP indicates that 475 Councils were constituted on the basis of a Departmental Ordinance or Municipal Agreement and more than 60 of their work plans received technical and financial support.

The GS/OAS also welcomes the election of members and installation of the Working Groups on Effective Participation of Victims at the municipal, departmental, and national levels. It specifically wishes to underscore the participation of victims living abroad, thanks to coordination between the Office of the Ombudsman, the Ministry of Foreign Affairs, and the UARIV, which set up a technical working group. However, it is necessary to use other institutions to tighten procedures for preventing, investigating, and swiftly punishing cases of alleged irregularities, such as the bribing or intimidation of voters. The GS/OAS also encourages improving the conditions surrounding the election process, so as to enhance its legitimacy.

7. WOMEN'S LEADERSHIP IN THE GENDER AND PEACE AGENDA

7.1 Gender gaps and violence against women in politics in high-conflict zones during the 2019-2022 local elections.

The 2019-2022 regional elections were the first territorial elections since the signing of the Final Agreement. Because of that context, there were major challenges with regard to ensuring that the electoral process closed the gender gap with respect to women's participation and their representation in local authorities. While election outcomes on October 27, 2019 showed more women candidates (117,822 women candidates compared to the 112,872 registered for the 2016-2019 elections),⁷³ the percentage of women elected to mayor's and governor's offices declined across the board.

According to official National Registry Data, the number of elected women governors fell from 5 to 2 (60%), while the number of women elected to mayor's offices fell from 113 (12.07%) in 2016 to 130 (11.89%) in 2019. The GS/OAS considers that these results pose new challenges for local government and governance with a gender and peace perspective, given that, with respect to political representation, just 2 out of 32 departments, 2 out of 32 capital cities, and 21 out of 170 municipalities in the Rural Development Plans (PDETs) are being run by women.

Irrespective of the results, the GS/OAS welcomes the efforts being made by the Colombian State to generate more and better guarantees for women's participation in politics. Two major institutional precedents have, notably, strengthened the gender agenda within the National Electoral Council (CNE). The first has to do with the deployment of a national strategy to address violence against women in politics, while the second concerns the historic judgment handed down on the effective and substantive participation of women in elections (whereby the 30% gender quota for party and political movement lists is construed as an affirmative action in their favor).⁷⁴

The upshot, in light of these two scenarios, is that women candidates in high-conflict zones continue to face barriers to their access to and ongoing presence in political campaigns during the electoral process. The GS/OAS likewise draws attention to the little heed paid to violence against women in politics as a problem area on the political agenda; the failure of political parties to acknowledge the lack of security and guarantees for women; the lack of legal certainty regarding efforts to prevent, address, punish, and eradicate violence against women; and the exacerbation of this type of gender-based violence in the armed-conflict territories.

7.2 Challenges with respect to non-repetition guarantees for women's leadership and participation in gender polices for peace

73. Alerta Temprana [Early Warning] No. 035-19, Office of the Ombudsman, 2019.

74. Press Release No. 28 of September 25, 2019.

Comprehensive security and non-repetition guarantees for the exercise of women's leadership and their organizational processes are structural prerequisites for implementing the gender perspective measures in the Final Agreement and for forging democracy. Accordingly, the GS/OAS applauds the 2019-2022 Plan of Action for Implementing the Comprehensive Program of Guarantees for Women Leaders and Human Rights Defenders,⁷⁵ as well as the dialogue between State institutions and women's platforms for attaining that goal.

The GS/OAS likewise underscores the territorial initiatives undertaken by organizations formed by women leaders and human rights defenders in Montes de María and in Putumayo in connection with the two pilot schemes for territorial implementation of the program. The efforts of the Public Prosecution Ministry and various international organizations that have been lending their support civil society's attempts to mobilize and advocate with national-level and local institutions are undoubtedly a fundamental pillar supporting those endeavors.

The National Government now has an opportunity to resolve the historical challenge of effectively establishing guarantees for women leaders and defenders in the territories. Nevertheless, there are ongoing obstacles to implementing such guarantees, especially those associated with perceptions of a dismantling of ties between the nation and territories, the lack of unified criteria regarding territorialization of the program, and the demands and peculiarities of each territorial context. The GS/OAS encourages the Colombian State to promote and espouse context-based and participatory schemes for applying the program in the territories, in which the capacities of local institutions are fortified, nation-territory ties are addressed efficiently and effectively, and mechanisms are made available to allow women leaders and human rights defenders to participate individually and collectively in matters relating to their non-repetition guarantees.

In the same vein, it calls for efforts to boost and expedite implementation of the program and of prevention, protection, and non-repetition mechanisms in the territories, given the signs of increasingly precarious conditions for the exercise of such leadership in areas such as Cauca, Bajo Cauca, Arauca, Putumayo, and Catatumbo. It also encourages the National Government and local governments to persevere with their efforts to provide security guarantees for women leaders and human rights defenders to go about their work and with efforts to dismantle the criminal organizations attacking them.

8. COMPREHENSIVE TRUTH, JUSTICE, REPARATION, AND NON-REPETITION SYSTEM

The GS/OAS acknowledges the progress made in the Comprehensive Truth, Justice, Reparation, and Non-Repetition System (SIVJRNR) with the search for individuals reported as disappeared; as well as the steps taken to consolidate a fully operational institutional architecture, deployed throughout the national territory, and acting in unison to disseminate the System among victims. That helps safeguard their rights inasmuch as it promotes better understanding of the mechanisms that the Colombian State has set in motion to that end.

While it is true that the SIVJRNR has achieved better coordination and ties among the entities comprising it, at both the central and territorial levels, more needs be done to disseminate each entity's

75. Ministry of the Interior Resolution 0845 of 2018, "Adopting the Comprehensive Program of Guarantees for Women Leaders and Human Rights Defenders."

mandate and generate mechanisms to preclude the possibility of victims perceiving access as an uncoordinated duplication of efforts covered by other regulatory frameworks, such as Law 1448/2011 and Decrees 4633, 4634, and 4635 of 2011. The GS/OAS also draws attention to ongoing challenges with respect to the security of the communities that decide to contribute to and participate in the System and as well as that of SIVJRNR personnel and contractors working in areas where there are illegal armed groups.

At the same time, it encourages the National Government and the entities in the System to continue overcoming challenges and hurdles to ensure that victims' rights are really restored, by providing comprehensive reparation and paving the way for peace-building, fostering coexistence, and ensuring non-repetition.

8.1 Disappeared Persons Search Unit (UBPD)

The GS/OAS applauds the actions undertaken by the UBPD to carry out its humanitarian and extrajudicial work in the territories.⁷⁶ The 20-year period initially set for it to accomplish its task meant that it has been able to develop its structure and deployment to territories at a more deliberate pace than other institutions in the SIVJRNR, creating an impression that its implementation would be based on a nuanced approach. While its efforts have so far had a positive effect, the GS/OAS suggests that the UBPD should focus on contributing to victims' comprehensive access to reparation by synchronizing its schedule with the other entities despite their different time frames.

Its deployment to the territories encouraged civil society activities aimed at supporting and contributing to its tasks, such as the Municipal Working Group for Prevention, Assistance, and Attention to Victims of Disappearance of Persons in the municipality of Ipiales, in Nariño. These initiatives afford an opportunity for competent institutions to rally round and support actions that help mitigate the impact of persons missing as a result of forced disappearance, kidnapping, forced recruitment, or unknown whereabouts during hostilities.

The GS/OAS is aware that the Advisory Council, comprised of government entities and victims' representatives, has been chosen to be the body that approves public policy guidelines relating to the search for, location, identification, and dignified delivery of bodies. It may help overcome numerous challenges, such as the identification of bodies exhumed in previous proceedings⁷⁷ or the delivery and use by the UBPD of information possessed by former combatants (those of the FARC-EP and of the United Self-Defense Forces of Colombia [Autodefensas Unidas de Colombia], AUC). Nevertheless, swift steps are needed to ensure that the information is recorded and does not get lost.⁷⁸

The Unit's humanitarian work in coordination with the International Committee of the Red Cross and the National Institute of Forensic Medicine led, on January 15, 2020, following 10 months of investigation, to delivery of the institution's findings in the case of a minor recruited in 2001 in the department of Caquetá. In a press release, the UBPD pointed out that, during the investigation, former

76. The UBPD has teams working in Apartadó (Antioquia), Barrancabermeja (Santander), Barranquilla (Atlántico), Bogotá, Cali (Valle del Cauca), Cúcuta (Norte de Santander), Medellín (Antioquia), Puerto Asís (Putumayo), San José del Guaviare (Guaviare), Sincelejo (Sucre), and Villavicencio (Meta).

77. On November 17, 2019, following exhaustive legal and forensic work, delivery was made of the remains of the victims of the Bojayá massacre on May 2, 2002.

78. As with activities such as logging or forest clearance and the development of infrastructure, both of which alter the environment.

FARC-EP combatants provided information that, after being crossed with other data available, has led to the identification and recovery of the body.⁷⁹

Disarmament and the demobilization of illegal armed groups are enabling family members of persons reported as disappeared to undertake their own search by directly contacting individuals in the reincorporation process. In those circumstances, the UBPD needs to ensure that proper arrangements are in place when it comes to former combatants in the territorial training and reintegration spaces (ETCRs) sharing information of a humanitarian and extrajudicial nature. It should also strive to provide guarantees that victims' next of kin receive the offer (of information) from an institution using protocols that include psychosocial care to attenuate the impact of direct experiences (*situaciones directas*) or false expectations.

8.2 Special Jurisdiction for Peace (JEP)

In the two years that it took to implement the JEP, the MAPP/OAS engaged in more than 300 actions supporting and monitoring implementation of the jurisdiction, such as judicial proceedings, inter-jurisdictional dialogue, training for victims, and so on. It was also present during 17 days of accreditation of victims in Case 001, known as "Illegal Holding of Persons by the FARC-EP" in the departments of Huila, Tolima, Risaralda, Chocó, Valle del Cauca, Antioquia, Cesar, Meta, Nariño Santander, Sucre, and Córdoba.⁸⁰

The GS/OAS welcomes the commitment shown by regional liaison officers of the JEP when it comes to providing guidance to victims and documenting cases that may become the subject of transitional justice proceedings, while at the same time calling upon municipal representatives to join the victim counseling efforts. Such day-long sessions should be extended to other open cases, given that they not only boost legitimate trust in the State and in the JEP in particular; over the medium term they also help strengthen communities.

The GS/OAS wishes to thank the JEP for the trust it places in the MAPP/OAS, which is committed to continuing to furnish strategic information and recommendations for enhancing implementation of the judicial component of the SIVJRNR.

The GS/OAS is familiar with the actions taken by the Colombian State to guarantee victims' rights through implementation of the SIVJRNR. By the end of 2019 and after operating for two years, the JEP had signed certificates of commitment by 9,720 former combatants of the FARC-EP; 2,431 members of the public security forces; and 72 State agents, all of which constituted major progress for transitional justice.⁸¹ The GS/OAS likewise applauds the implementation of strategies involving greater participation by accredited victims, their awareness of their procedural rights, high standards of representation, and access to relevant information regarding judicial proceedings. For that reason, it underscores the fact that a Participation Committee is up and running, comprised of representatives of the various divisions, sections, and bodies in the jurisdiction, while at the same time noting, however, the detection of difficulties in accessing the jurisdiction experienced by victims in such departments as Vaupés, Guainía, and Amazonas and in subregions such as Bajo Putumayo, Pacífico Caucaño, Darién Chocó, and Catatumbo.

79. Disappeared Persons Search Unit. "Labor humanitaria de la UBPD permitió encontrar a menor reclutado" Bogotá, January 15, 2020. Accessed at: <https://www.ubpdbusquedadesaparecidos.co/comunicados/labor-humanitaria-de-la-ubpd-permitio-encontrar-a-menor-reclutado/>

80. As of November 29, 2019, 1,276 victims had been accredited in that case.

81. "JEP en Cifras" [JEP in Figures] rendering of accounts of December 15, 2019.

At the same time, the GS/OS welcomes the efforts of indigenous organizations and of the Office of the Ombudsman to come up with a report testifying to actions and crimes in the Orinoquía and Amazonía region to the detriment of indigenous peoples and their forms of governance, as well as damage to the environment due to logging or illegal mining activities. Pursuant to the guarantees for full and effective participation by the authorities in ethnic groups and the organizations representing them, the JEP has provided opportunities for coordinating and strengthening the implementation of measures and rights of the victims of the internal armed conflict. Such practices, as implemented in Afro-descendant communities (specifically in the communities of San Juan del Cesar, in Guajira) are helping to forge a plural model in terms of access to the System.

The GS/OAS also values the coordination exercises that the JEP has begun to embark on, within its sphere of competence, with indigenous peoples; the drawing up of the Protocol for Engagement with Indigenous Peoples and the Rrom People; the thorough and detailed work of the ethnic commission in connection with the various jurisdictional bodies; and the coordination exercises undertaken in connection with Cases 001, 002, 004, and 005. All this has advanced recognition of indigenous authorities as special actors; notification and socialization of cases; accreditations; the generation of ties and contacts with ethnic territories; and conscription of legal defense teams for ethnic victims.

The GS/OAS has also observed how the JEP has been coordinating with the public security forces, resulting in a number of improvements, including the drawing up of a joint work plan and enhanced dialogue (among parties appearing in court - victims- perpetrators), enabling the Acknowledgment Section (*Sección de Reconocimiento*) to impose its own sanctions on members the public security forces, particularly in Case 003. There have likewise been signs of better coordination between the JEP and the public security forces with respect to complying with precautionary measures aimed at guaranteeing victims' access to the transitional jurisdiction in areas where their participation has been impaired.

The GS/OAS encourages the transitional justice system to expedite the processing of precautionary measures⁸² designed to ensure victims' participation, above all in places such as the region of Alto and Bajo Mira (Nariño), Guaviare, Catatumbo, Cauca, the six municipalities of the Bajo Cauca in Antioquia, and Medio Putumayo, where illegal armed groups are operating; and to seek legally viable ways to broaden access and optimize the transitional justice system's response to victims' demands.⁸³

The GS/OAS fully supports the call by the Inter-American Commission on Human Rights (IACHR) to take all necessary steps to guarantee thorough investigations and determine what happened to victims. By eschewing procrastination and attempting to develop impartial and effective mechanisms, progress will be made with identifying the victims of Colombia's internal armed conflict, as in Case 003.⁸⁴

82. Without prejudice to the progress made with the precautionary measure ordered by the JEP on July 30, 2019 in Resolution (*Auto*) 175, to guarantee the participation of the Riosucio and Carmen del Darién communities, in connection with Case 004.

83. Through Resolution 222 of 2019, the JEP decided to extend the deadline for the presentation of reports to March 15, 2021; nevertheless, consideration should be given to the possibility of more pervasive under-recording of prosecutable acts (*hechos judicializables*) in the JEP.

84. As part of a JEP effort to investigate and discover the truth about forced disappearance in connection with the armed conflict and Case 003 "Deaths Falsely ascribed by State Agents to Losses in Combat", on December 14, 2019 the JEP proceeded to look for and exhume bodies in the Catholic Cemetery in Las Mercedes de Dabeiba, Antioquia.

8.3 The Truth Commission (CEV) [Commission for Truth, Coexistence, and Non-Repetition]

The GS/OAS underscores the efforts undertaken by the CEV to establish an effective presence in the territories following the methodological guidelines of listening, acknowledging, and understanding for transformation as an expression of the diversity and heterogeneity of the Colombian people. In departments such as Caquetá,⁸⁵ Cauca,⁸⁶ Norte de Santander,⁸⁷ Cesar,⁸⁸ Guaviare,⁸⁹ Casanare,⁹⁰ Valle del Cauca,⁹¹ Nariño, and Antioquia⁹² the Mission observed actions to disseminate the CEV mandate. Despite those actions by the CEV and the SIVJNR to disseminate the Commission's mandate, the GS/OAS notes ongoing ignorance and confusion about its objectives among victims.

The large number of tools for compiling the information needed to throw light on the truth of what happened, such as individual and collective testimony, in-depth interviews, the presentation of cases by organizations, the submission of reports, the carrying out of participatory diagnostic assessments, accounts of people's lives, and public forums have proved useful for accomplishing the Commission's purpose. The so-called encounters for truth (*encuentros por la verdad*) and dialogues for acknowledgment (*diálogos para el reconocimiento*)⁹³ are presented as opportunities for reflection, transparency, understanding of the harm done and of the impact of the conflict on victims and communities. There is a perception that the large volume of information obtained calls for robust and expeditious mechanisms for analyzing it so that effective use can be made of it in the final report.

The Non-Repetition Dialogues are useful in that they afford opportunities to facilitate better understanding and acknowledgment of the current plight of many segments of the population and to jointly analyze the acts of violence so as to prevent a recurrence of grave human rights violations. The GS/OAS has likewise discerned factors that might help lend greater depth to those dialogues, for instance by convening local actors previously unable to voice their knowledge of what happened; arranging for a stronger presence of institutional sectors to take part in debates and far-reaching reflection on non-repetition; and urging institutions to take steps to promptly respond to the circumstances described.

9. RECOMMENDATIONS

Based on the above findings, with all due respect the GS/OAS makes the following recommendations:

1. To the Office of the High Commissioner for Peace:

- Conduct an analysis of best practices and lessons learned with respect to Councils for Peace, Coexistence, and Reconciliation (CTPRC) so as to enhance their consolidation and "ownership" as a territorial mechanism for

85. In the municipalities of San Vicente del Caguán

86. In the municipalities of Santa Rosa and Popayán

87. In the municipalities of Convención, Hacarí, El Tarra, Teorama, Ocaña. and Villa del Rosario.

88. In the municipalities of La Paz and Curumaní

89. In the municipalities of San José del Guaviare and Miraflores

90. In the municipalities of Sácama and La Salina

91. In the municipalities of Pradera and Florida

92. In the municipalities of Caucasia, Cáceres, Tarazá, El Bagre, Nechí, and Zaragoza

93. In Pasto, in coordination with the departmental committee for attending to victims of disappearance, the CEV and the UBPD paid tribute to the resilience of the families who suffered forced disappearance.

dialogue and peace building. In particular, the GS/OAS suggests fostering training and support procedures, along with guarantees of budgetary sustainability.

2. To the Office of the High Commissioner for Peace and the Ministry of National Defense

- Continue and expand implementation of strategies to eradicate antipersonnel mines in the territories, that include: (i) Classes in “mine risk education” geared mainly towards communities, with the participation of children and youth; (ii) humanitarian and military demining; (iii) expanding mechanisms for care and rehabilitation of victims of anti-personnel mine accidents, and giving consideration to the inclusion of family members as indirect victims. Furthermore, implement the Ethnic Pact for Demining strategy, coordinated by the Ministry of the Interior in the framework of the Peace Policy with Legality jointly with the Descontamina Colombia program. Consider putting into place, together with public security forces and the Ministry of Foreign Relations of Colombia, a demining strategy in border areas.

3. To the Ministry of National Defense:

- Continue strengthening and coordinating the capabilities of the various forces to preempt and control attempts by dissident FARC-EP groups to stage joint operations with the ELN or reunify the various tendencies keen on preserving continuity with the guerrilla that officially laid down arms in 2017.

4. To the Presidential Council for Human Rights and International Affairs, as the technical secretariat of the Intersectoral Commission to Prevent the Recruitment, Use of, and Sexual Violence against Children and Adolescents by Illegal Armed Groups and Organized Crime Groups (CIPRUNNA); and to the Colombian Family Welfare Institute (ICBF):

- Continue the process of broadening and strengthening strategies and actions designed to care for the victims of conscription and forced recruitment, as well as strengthening local institutions' ability to afford prevention and protection in those municipalities that have not yet been intervened.

5. To the Council for Stabilization and Consolidation:

- Move forward with illicit crop reduction, combining a security approach with an economic restructuring strategy capable of supporting an integral approach to the phenomenon. For that, it will be necessary to reinforce inter-agency coordination for integral and sustainable implementation of the PNIS, the PETs, and the Future Zones strategy. The idea here is to make

better use of financial resources, engage in actions that complement one another, and avoid overwhelming the municipalities involved with too many programs.

- Expedite the formulation, approval, and implementation of the Single Roadmap in order to ensure effective implementation of the components of the PDETs in the five zones contemplated in the Future Zones strategy and step up comprehensive intervention with a differential approach through actions geared to providing social services and public goods and transforming territorial production.
- Continue fostering the institutionalization of opportunities for consultation and participation, such as the "driving force groups" (*grupos motores*) for prioritizing and implementing the PDETs. The GS/OAS also suggests widening and enhancing the participation and representation of women and leaders of women's organizations in implementation, in order to overcome gender gaps, and consolidating areas of consensus and strategic agreements for enhancing monitoring and evaluation of implementation.

6. To the Ministry of the Interior:

- In connection with the development of a Comprehensive Public Policy of Respect and Guarantees for the Defense of Human Rights: (i) include the beneficiaries⁹⁴ and municipal and departmental authorities in both the formulation of the policy and in the governance arrangements established in it; (ii) include mechanisms for its periodic and timely evaluation; (iii) assess not just the causes of direct violence, but also the factors generating structural violence embedded in the social, economic, and political structures in which leaders interact; and (iv) strengthen, both technically and professionally, legitimate self-defense mechanisms, such as the indigenous and Maroon (Afro-descendant) guards, and promote recognition of ethnic-territorial authorities..

7. To the Ministry of the Interior, the Office of the Inspector General (*Procuraduría*) and the Office of the Ombudsman:

- Combine efforts to foster a National Public Policy of Social Dialogue, as the preferred tool for preventing and transforming social conflicts and generating solutions tailored to territorial needs.

8. To the Ministry of Justice and Law:

94. In the Mission's view, including the beneficiaries of the public policy means bearing in mind that segments of the population addressed by that policy speak another language, live in widely dispersed localities, lacks means of communication, and in some cases are illiterate or prefer oral traditions.

- Strive to activate Local and Rural Justice Models in all villages and districts (*veredas*) prioritized in the Future Zones strategy, as a way to generate territorial conflict settlement mechanisms capable of mitigating the interference and control of illegal armed actors in community matters.
- Step up the mobile justice days in rural areas as a way to ensure that justice operators reach out to remote areas.
- In coordination with the Ministry of the Interior, the Ministry of Finance and Public Credit, and the Administrative Department of the Civil Service (DAFP), combine efforts to raise the presence of administrative justice at the village level, by hiring rural inspectors and magistrates.

9. To the Office of the Attorney General:

- Boost the capacity of the CTI in zones prioritized by the ZEII, so that they can access the zones they need to go to. Continue interagency coordination for operations designed to dismantle criminal structures, making sure to keep it confidential, so as to achieve more and better results.
- Provide teams on the ground with the resources they need to travel to troubled areas in which murders are being committed, so as to be able to garner evidence, and avoid the community having to perform that task.

10. To the Comprehensive Truth, Justice, Reparation, and Non-Repetition System:

- Step up efforts to disseminate and clarify its mandate and scope, so as to lower the risk of confusion regarding its objectives and victims' expectations.
- Expedite the processing of measures and mechanisms for providing security and protection for communities and individuals taking part in the work of the entities in the System.
- Strive to achieve wider territorial coverage for the System's reparation activities, prioritizing the reaching of segments of the population living in the areas hardest-hit by violence, especially those located in rural areas far from urban centers.

10.1. To the Special Jurisdiction for Peace:

- Seek legally viable ways to ensure that as many victims as possible can receive a response from the transitional justice system.
- Expand the number of day-long accreditation sessions for cases opened by the Jurisdiction, especially since such practices not only boost legitimate trust in the State and in the JEP in particular, but also help strengthen communities over the medium term.

- Expedite the processing of precautionary measures to guarantee participation by victims, especially in areas in which dissident groups are operating.
- Redouble efforts to generate more extensive registration in the JEP of prosecutable cases involving gender-based violence within the ranks and forced recruitment.
- Overcome the challenges and hurdles encountered in hearings and coordinate and assist communities and organizations of victims of the armed conflict, by offering counseling during hearings of the Division for Truth, Recognition, and Determination of Facts and Conduct.

10.2. To the Disappeared Persons Search Unit:

- Attempt to ensure appropriate conditions so that former combatants of the FARC-EP and AUC can share information of a humanitarian and extrajudicial nature. Reinforce guarantees that the offer made by the entity concerned applies protocols for the psychosocial care of victims' next of kin, thereby softening the impact of direct experiences (*situaciones directas*) or false expectations.

10.3. To the Truth Commission:

- Strengthen the procedures for convening communities, civil society, and institutions so as to ensure that the truth-finding exercise is broad and inclusive. The GS/OAS also suggests strengthening mechanisms for gathering information with a gender perspective.

11. To the Victim Assistance and Comprehensive Reparation Unit:

- Implement consensus-building with those entitled to collective reparation of the Communal Action Organizations (OACs) and institutional management measures to ensure that the Comprehensive Collective Reparation Plan (PIRC) budget matches the territorialization needs calling for reparation to be made to 13% of the Colombian population. The GS/OAS further recommends that implementation of the of the LGBT Committee entitled to collective reparation in Commune 8 respects the reparational nature of the process and does not focus on administrative and financial execution as an end in itself.
- Redouble efforts focusing on the appraisal, coordination, formulation, and implementation of the PIRCs with already recognized beneficiaries of collective reparation.

12. To the Office of the Vice President of the Republic, the Ministry of the Interior, the Presidential Council on Women's Equity, the Colombian Electoral Authority, the Public Prosecution Ministry, and political parties and movements:

- Continuing advancing and redoubling efforts to generate more individual and collective capacities in a context of increased participation and political representation of women taking part in elections. Achieving that and having more women occupying positions of power at the local level, particularly in high-conflict zones, will be one of the major signals that democracy and peace-building are being strengthened.

13. To the National Congress, National Government, and Colombian Electoral Authority:

- Pursue changes in legislation to usher in stronger guarantees for the exercise of women participation and political representation. In particular, the GS/OAS urges the Legislative Branch to promote and process the reform for achieving political parity, along with the law to prevent, punish, and eradicate violence against women in politics.

14. To the Office of the Vice President of the Republic, the Ministry of the Interior, the Presidential Council on Women's Equity, the Intersectoral Commission for Guarantee for Social Leaders and Human Rights Defenders, and to the territorial entities:

- Promote and adopt contextualized and participatory territorialization arrangements for implementing the Comprehensive Program of Guarantees for Women Leaders and Human Rights Defenders. Given the challenge of strengthening the capacities of local institutions, it is important that the nation-territory response be coordinated efficiently and effectively and that mechanisms be provided for the participation of women leaders and defenders in individual and collective efforts to achieve their non-repetition guarantees.
- Promote the installation of Territorial Guarantees Committees in the departments in which they do not yet exist.