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

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

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

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

This report covers the period between January 1 and June 30, 2020. During this period, and particularly in the first quarter<sup>2/</sup> of the year, work proceeded as normal, with 495 field missions conducted in 404 communities belonging to 159 municipalities in 18 departments of Colombia. In the period covered, the Mission logged 110,276 kilometers by land, and 1,897 kilometers by river.

In the second quarter,<sup>3/</sup> due to the mobility restrictions put in place by government authorities to contain the sanitary crisis caused by COVID-19, the Mission changed its monitoring and support arrangement to do it remotely.<sup>4/</sup> During that time, and thanks to the trust built with actors in the territory, 3561 telephone and virtual monitoring and support activities were conducted in 257 communities corresponding to 154 municipalities and 16 departments. The communities covered during those two quarters included municipal capitals, townships, villages, indigenous reserves [*resguardos*], and community councils.

The GS/OAS wishes to thank the donors and friends of the MAPP/OAS, in particular the Basket Fund countries (Canada, Germany, the Netherlands, Spain, Sweden, the United Kingdom, and the United States) whose political and financial support makes it possible for the mission to carry out its functions. The GS/OAS also wishes to thank Norway and Switzerland for their contributions, and Germany and Switzerland for supporting the Mission with secondments.<sup>5/</sup> The support of the international community is vital for the MAPP/OAS to be able to carry out the activities envisaged in its mandate.

### **1. GENERAL CONSIDERATIONS**

The pandemic caused by COVID-19 has had a historic impact on the world and in our region, giving rise to tremendous uncertainty along with health, economic, and political challenges. The OAS has reiterated that the functionality and validity of democratic principles are indispensable and effective elements for moving forward amidst the challenges that have arisen. In this regard, and with full respect for human rights and a focus on differentiated impacts on the most vulnerable actors at the center, the

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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 signed on January 23, 2004, and resolution CP/RES. 859 (1397/04) adopted by the Permanent Council on February 6, 2004. That mandate has been expanded and renewed seven times, most recently until December 31, 2021.
  2. January 1-March 25.
  3. March 26-June 30.
  4. Conducted over videoconference, telephone, email, and other methods, maintaining the flow of information with community leaders, civil society representatives, and local institutions. This has allowed us to collect expert and prompt information in real time on the dynamics in the territories surrounding the thematic issues that fall under the MAPP/OAS mandate.
  5. "Secondment" is a system whereby a country assigns one of its nationals to perform professional functions for a specific period of time.

OAS has undertaken dialogue and knowledge exchange in order to make strategies, recommendations, and guides available to member states.

In Colombia, its immediate effects have worsened existing problems and vulnerabilities in the territories, especially the ones where structural factors of violence, inequality, and a weak State presence converge. For this reason, the MAPP/OAS has maintained and adapted its work during this emergency by continuing to conduct monitoring in all territories and remaining in constant dialogue with local communities and government institutions. At the same time, it has redoubled its efforts to serve as a bridge, raise awareness of situations, activate processes, and implement measures and strategies to mitigate the risks and impacts derived from COVID-19.

The proximity of and trust generated by the mission enables it to continue to be useful to Colombia and its people in terms of their right to secure peace; likewise, its capacity to adapt in order to handle the different challenges that arise is a confirmation that the MAPP/OAS is an effective model for cooperation with States.

The COVID-19 crisis has exposed the enormous challenges that persist in the territories in areas like the exercise of authority, effective territorial control, guaranteeing access to rights and to spaces for participation, prioritizing available resources, and in particular, the difficulties accessing effective digital tools and connectedness in the most remote areas. This impacts decision-making, the continuity of public policies, and, in particular, transparency in how resources are handled, all aspects that are relevant to the implementation of the peace agenda.

In this context, the GS/OAS recognizes the institutional efforts toward containing the crisis in all its aspects, within the framework of the declaration of a state of emergency on March 18. It also highlights the role played by community organizations, ethnic authorities, and organizational processes, which have worked together to address the crisis in their territories.

Regarding departmental and municipal authorities, which took office on January 1, they have faced difficulties building their development plans, particularly because measures of preventative isolation have limited the broad, effective, and inclusive participation of citizens. Despite the complexities of the context, the GS/OAS urges local governments to continue to contribute to strengthening democracy, human rights, peace, security, and territorial development by including and responding to the demands of citizens, expressed through instruments like the Rural Development Plans (PDETs) in the priority municipalities.

The "active unilateral cease-fire" declared by the Ejército de Liberación Nacional (ELN) for April 1-30 and the release in June of a group of individuals who had been kidnapped by an illegal armed group were a relief for some communities and provided the conditions for institutional deployment to address the humanitarian situation in some territories. For its part, the national government has launched legal instruments to appoint peace promoters with the objective of contributing to strategies and actions for building peace, coexistence, and reconciliation, while at the same time once again heading down the path of subjecting members of organized armed groups to treatment different from that afforded to the ELN.

The GS/OAS sees these valuable actions as steps toward peace and urges that they continue under the principle of irreversibility and the humanitarian imperative. Providing clear and specific signals of intentions of peace, re-commencing actions like the cease-fire, halting all actions against the civilian population, and keeping channels of dialogue open for negotiating and reaching agreements are considered important actions for continuing to build a comprehensive peace in the country.

On April 28, Presidential Decree 601 was issued, authorizing the High Commissioner for Peace to verify the willingness to bring the members of organized armed groups (OAGs) to justice. This tool, supplemented this year by Decree 965,<sup>6/</sup> provides a mechanism for bringing the organized armed groups operating on national territory to justice. As part of its mandate, the MAPP/OAS continues to support and monitor this mechanism, offering the authority recommendations on handling aspects like victims' participation in accessing their rights.

The GS/OAS reiterates its willingness and availability to contribute to this process and reiterates its firm call for all illegal armed groups to end the violence that is impacting the most vulnerable territories. Complete peace is now more than ever an imperative, as well as an urgent, moral, humanitarian, social, environment, cultural, political, and economic necessity.

The GS/OAS notes with deep concern that illegal armed groups are currently taking advantage of the situation to hold and expand the territory where they operate, leading them to intensify their social control efforts. Murders taking place in the departments of Antioquia, Arauca, Cauca, Córdoba, Nariño, Norte de Santander, and Valle del Cauca are cause for deep rejection of the victimization of the civilian population with these types of incidents. Although these grave human rights violations often take place in different circumstances, in terms of method, time, and place, it can be stated that the incidents mainly affect children and adolescents, young people, indigenous communities and persons of African descent, the *campesino* population, and non-nationals. They cause severe damage to the fabric of communities by directly interrupting social processes and peace building in the territories and dismantling the community and its social organization.

In border areas, the GS/OAS recognizes the national government's actions intended to increase its presence in these territories. During the first half of 2020, of particular note was the prioritization of strategies and programs in the context of the spread of COVID-19. Better binational interagency coordination was observed—along with better coordination with communities—to address dynamics, including the execution of strategies like the Six-point Plan of the Presidency of the Republic.<sup>7/</sup> However, confrontations between and reconfiguration of illegal armed groups along the borders continue, increasing the risk and vulnerability faced by the non-national population, which, in the context of border closure and forced isolation, sought to return to its country of origin. The illegal armed groups sought to increase the trafficking of contraband and establish migration controls to maintain their economic networks, while at the same time taking advantage of xenophobic perceptions to reaffirm social control. Additionally, the population of foreign nationals continues to be impacted by the recruiting, use, or involvement of children and adolescents; targeted killings; confinement; displacement; disappearances and forced labor; human trafficking; and sexual violence, with women, children, and adolescents and binational indigenous communities being the populations most vulnerable to these impacts.

The GS/OAS has also observed an increase in the use of antipersonnel mines and explosive booby-traps in mobility corridors and areas known for drug trafficking activities. Additionally, illegal armed groups continue to conscript, forcibly recruit, use, and commit sexual violence against children

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6. Whereby Chapter 8 is added to Title 5, Part 2, Volume 2 of Decree 1069 of 2015, adopting measures for bringing individual members of organized armed groups (OAGs) to justice, along with other provisions.
  7. 1) Guarantee access to health for the migrant population; 2) Strengthen programs to deliver multipurpose cash transfers; 3) Distribute food support to the population that does not benefit from different State program; 4) Border closures; 5) Expansion of humanitarian aid capacity; 6) Improve coordination and information sharing among authorities and aid workers.

and adolescents, greatly affecting the rights of children and youths in Colombia. In this regard, the GS/OAS praises the launch of the strategy entitled “Join up for Me: Environments for protecting children and adolescents to prevent recruitment, use, and sexual violence against children and adolescents.” The strategy reflects the national government’s intention to address this phenomenon in a coordinated fashion, and the GS/OAS hopes its implementation results in the full guarantee of their rights.

The GS/OAS urges the Colombian State to continue implementing measures of prevention, aid, and protection for the civilian population being victimized, with special emphasis on including adequate and expeditious assistance that takes into account differentiated and territorial perspectives to safeguard individuals subject to special constitutional protection, particularly children and adolescents, women, and indigenous communities and persons of African descent; and increase effective coordination of laws, mechanisms, policies, and actions that involve the affected populations, ensuring coordination with local, ethnic, and regional authorities.

The impacts on individuals in the process of rejoining society following the signing of the Peace Agreement reaffirm that it is crucial to prioritize actions aimed at making substantive progress toward uncovering and dismantling organized crime structures. Safe passage to legal status for individuals who took up arms is a substantial element of the implementation of the Peace Accords. In this regard, the GS/OAS welcomes the efforts of the Colombian government to provide security guarantees, mainly through transportation from the former territorial spaces for reincorporation and training. It urges that, in view of the persistence of violence and harm perpetrated against this population, their families, and communities, other actions be taken to protect their lives, integrity, and security, as agreed upon.

Drug activity, particularly drug trafficking, continues to fuel the internal armed conflict and violence in Colombia. However, although a number of strategies have been launched to address this issue, the persistence of challenges related to the implementation of the Program for the Substitution of Illicit Crops (PNIS) as the main strategy for replacing illegal crops; the forced eradication strategy; and opposition to actions to recommence aerial glyphosate fumigation have contributed to increasing social conflict in different areas, adding to the perception of economic uncertainty in the current context. Sadly, these conflicts have even led to loss of human life and to assaults, which should be effectively investigated.

The persistence of this illegal economy in the territories is associated with, among other factors, community dependence on the cultivation of coca leaves; high rates of vulnerability; unmet basic needs; weak State presence; and the presence of illegal armed groups seeking to co-opt the process of producing and commercializing drugs to fund their operations.

The GS/OAS urges for strategies aimed at reducing the prevalence of illegal crops that address all dimensions of the phenomenon, starting with the possibility of voluntary replacement of illegal crops, especially new substitution models that have arisen through local and community initiatives that reflect the willingness of communities to voluntarily eradicate illegal crops,<sup>8/</sup> to reach a consensus to

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8. An example of this is the substitution strategy “*Hecho a la Medida*” (made to order). This is a local and community initiative, initially supported by the MAPP/OAS in the Cauca department and currently supported by the Office on the Replacement of Illegal Crops, which began its implementation in the departments of Cauca, Antioquia, Putumayo, Nariño, and Norte de Santander and expects to also implement it in Sur de Bolívar and Caquetá.

address the threat posed by this dynamic and coordinate with the intervention policies in rural Columbia and comprehensive State presence.

The Comprehensive Truth, Justice, Reparation, and Non-Repetition System (SIVJRNR) has made significant progress in coordinating and interconnecting processes. Its various components have achieved results including the launch of the National Search Plan; changes to the dialogue on strengthening channels for collecting testimony; and the collection of comments on the progress of judicial cases, to mention several examples. In this regard, the path that the SIVJRNR takes to strengthen and secure its legitimacy leads through clarifying its role and scope, under the understanding that its mission is to change the factors that led to the armed conflict and promote peaceful coexistence, reconciliation, and non-repetition.

However, the COVID-19 health emergency has accentuated the vulnerabilities of the victim population in terms of its access to the rights to truth, justice, reparation, and guarantees of non-repetition. Pursuant to the principle of the centrality of victims, the GS/OAS notes the need to extend further the good performance and operation of each of the components of the Comprehensive Truth, Justice, Reparation, and Non-Repetition System (SIVJRNR) and move forward in discussing extension of Law 1448 of 2011 and the decrees establishing its regulations,<sup>9/</sup> which represents an opportunity to revise and reformat in response to challenges that have arisen in its implementation.

The GS/OAS underscores the support provided to PDET execution and to their respective action plans for regional transformation (PATRs) in view of the context of a pandemic that entails new challenges, especially in terms of participation. Additionally, the mismatch between communities' expectations of quick and effective transformation of their territories and the execution time of the infrastructure works, other goods, and public services continues to raise doubts among some communities with regard to the progress of the programs and the impact that government efforts to address the effects of COVID-19 may have on this process.

The transition to new forms of citizen participation raises new challenges in terms of access to digital tools and connectivity that impair broad, effective, and inclusive citizen involvement in decision-making, citizen oversight, and accountability with regard to public resources. Likewise, the different scenarios of social conflict changed and entered new phases based on territorial connectivity and security. Addressing them virtually requires new methods for leveraging the culture of democratic and participatory dialogue.

Regarding the Strategic Zones for Comprehensive Intervention (ZEII) or "Future Zones," the GS/OAS underscores the appointment of senior government officials responsible for comprehensive, unified, interagency, sustained, and coordinated support for targeted actions<sup>10/</sup> in the five strategic zones, as well as approval of the corresponding Strategic Plans for Comprehensive Intervention (PEII) by the National Security Council. Now several months into implementation of the ZEII, it is important to strengthen the actions in order to expand awareness of the strategy and its objectives, pace, goals, institutional components, and prioritized zones, particularly complementarity with the PDETs and the additional financial and institutional support that their implementation will receive through the ZEII.

In addition to presenting an unprecedented economic and health crisis and worsening the structural vulnerabilities in regions where armed violence, inequity, and insufficient State presence converge, the current context also presents an opportunity to bridge differences, reach agreements, and achieve the transformative effects needed. As part of this, building peace remains an aspiration of the

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9. Decrees 4633, 4634 and 4635 of 2011.

10. Decree 062 of 2020.

Colombian people, and its materialization is a long-term challenge for all actors. Convergence of actions rather than polarization is an institutional, political, and social challenge in which the GS/OAS, via the MAPP/OAS, will continue to provide support, highlighting the main challenges and recognizing the progress made.

## 2. SECURITY CONDITIONS

### 2.1. Presence and activities of illegal armed groups

The illegal armed groups carried out actions of social control and pressure against the civilian population and social leaders to enforce compliance with obligatory isolation measures in departments including Arauca, Antioquia, Bolívar, Caquetá, Cauca, Cesar, Chocó, Córdoba, Guaviare, Meta, Nariño, Norte de Santander, Putumayo, and Valle del Cauca. It did so by using verbal or written threats,<sup>11/</sup> setting up checkpoints that limited the population's mobility, and, in some cases, murdering those who—in the view of these groups—violated the isolation measure, as in the municipality of Buenos Aires, Cauca.

In the framework of the "unilateral active cease-fire" issued by the Ejército de Liberación Nacional (ELN) for April 1-30, 2020, the GS/OAS observed positive effects in the reduction of offensive actions against public security forces and attacks on the oil, power, and road infrastructure in territories where this illegal armed group has a presence, indicating that the guerrilla group's various parts were complying with and following the measure. However, it was noted that the illegal armed group's social control actions against communities persist, including those actions to enforce compliance with the mandatory isolation orders.

During and after the aforementioned "unilateral cease-fire," clashes and disputes between the ELN and other illegal armed groups continued. In the Catatumbo region, the ELN clashed with the so-called *Ejército Popular de Liberación* (EPL) a.k.a. *Los Pelusos*; in the rural area along the Columbia-Venezuela border in Norte de Santander, with *Los Rastrojos*; in Cauca, with FARC-EP dissident or leftover groups; and in Chocó and Nariño, with the *Clan del Golfo*/AGC. In the departments of Arauca, Casanare, Norte de Santander, and Nariño, there were reports of hostilities and ELN attacks on public security forces members and facilities, both before and after the cease-fire.

As regards dissident or leftover groups of the FARC-EP, as described in the XXVIII Report, they appear to be factions that are not part of a unified hierarchical structure, and their presence and activities vary from one territory to another. However, during this period, more militant activity was detected—including fighting and territorial consolidation—from the ELN, but also from AGC/*Clan del Golfo*, *Los Caparros*, and the EPL/*Los Pelusos*.

In the departments of Caquetá, Guaviare, and Meta, the illegal armed groups led by alias "Gentil Duarte" and alias "Iván Mordisco" have conducted offensive actions against the public security forces. They also maintain their influence in Arauca and in the Catatumbo region, where tensions are beginning to arise with other dissident armed groups; meanwhile, in the Putumayo department, there have been disputes between FARC-EP dissident or leftover groups, and in Cauca, direct clashes with the ELN.

On the Nariño Pacific Coast, the most salient characteristic of these structures is their breakup and internal fragmentation, accelerated by the capture or death of their most important leaders.<sup>12/</sup> This

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11. In meetings held in rural areas and using pamphlets distributed physically and over social media.

12. Capture of alias "Contador" in February 2020 and death during fighting among illegal armed groups of alias "Mario Lata" in May 2020.



has led to a weakening of some groups and the emergence of others. In the municipalities of Roberto Payán, Magüí Payán, and Tumaco, the Frente Alfonso Cano is identified as a faction emerging from the ruptures within the Frente Oliver Sinisterra (FOS). Disputes for territorial control have led to mass and individual displacements, mobility restrictions, and community confinement.

Added to the complexity of this environment are perceptions related to the entry into the area of *Frente 30*—a FARC-EP dissident or leftover group—to fight for territorial control against the groups operating there, particularly in the subregion of Sanquianga, in the municipalities of Olaya Herrera and Charco, causing mass and individual forced displacement during the first half of the year; and in the municipalities of Guapi and López de Micay on the Cauca Pacific Coast.

In the departments of Cauca, Norte de Santander, and Valle del Cauca, the *La Segunda Marquetalia*<sup>13/</sup> dissident or leftover group was converging with other dissident or leftover groups. However, as of the closing date of this report,<sup>14/</sup> it was not known if there had been direct clashes. However, in municipalities in the northern parts of Antioquia, there have been clashes between *AGC/Clan del Golfo* and dissident or leftover groups from the FARC-EP's *Frente 18*, which in 2019 had announced it was joining *La Segunda Marquetalia*.

Regarding the *AGC/Clan del Golfo*, its zones of operation have been found to be focused in the departments of Antioquia, Córdoba, Chocó, and the Cordillera subregion in Nariño. In the Urabá region in Antioquia, it has consolidated as the only illegal armed group with a presence in the region that remains in conflict with dissident or leftover FARC-EP groups in the northern part of the department, as well as with *Los Caparros* in Bajo Cauca. Additionally, clashes between this group and the ELN over control of the Baudó and Atrato rivers in the Chocó department continue to have severe humanitarian impacts, especially on indigenous communities.

In the border areas of Arauca, Chocó, La Guajira, Nariño, Norte de Santander, and Putumayo, there have been clashes and an intensification of violent actions by illegal armed groups over control of migration and of informal border crossings,<sup>15/</sup> increasing their influence in border areas and reconfiguring routes and conditions for the travel of persons and goods over unauthorized routes. These actions are attributed to the ELN, which is identified as the illegal armed group with the greatest presence in border areas. However, both dissident or leftover FARC-EP groups and other illegal armed groups maintain a presence in the Norte de Santander and La Guajira border areas.

An increase in xenophobia and stigmatization of the non-national population and residents of border areas over fear of infection from COVID-19 was taken advantage of by illegal armed groups to reestablish coexistence rules and perpetrate actions against the foreign population. In this context, impacts included restrictions on mobility, sexual violence and exploitation,<sup>16/</sup> targeted murders,<sup>17/</sup> forced recruitment, use, and association, and forced confinement and displacement of Colombian and

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13. Led by alias Iván Márquez and other former FARC-EP commanders.

14. Closing date: June 30, 2020.

15. In the Norte de Santander department, disputes among illegal armed groups in the border area are focused on controlling unconventional and informal border crossings, where they control and profit from a variety of illegal activities and from contraband.

16. Regarding this, on June 9, 2020, the Office of the People's Ombudsman issued Early Alert 025-2020, warning of the risk faced by Venezuelan teens and women with irregular migratory status of becoming the victims of human trafficking for the purposes of sexual exploitation.

17. Along the Colombian-Venezuelan border, there can be as many as six different targeted murders per day in a single municipality.

Venezuelan border communities in Arauca, Cesar, La Guajira and Norte de Santander, and of Venezuelans and Ecuadorians in Cauca, Nariño, and Putumayo.

The GS/OAS appreciates the efforts and progress made by the Colombian State as a whole to improve security conditions in the territories still facing significant challenges in terms of consolidating peace. In this regard, it highlights that the trend in the number of kidnappings has been declining since 2012. Likewise, the Ministry of Defense reports a comparative reduction in the number of homicides between January-June 2019 and January-June 2020 of 14%.<sup>18/</sup> The GS/OAS underscores the progress made in the fight against activities related to illegal mineral extraction not regulated by law, an economy that has been one of the main funding sources of illegal armed groups and whose practice without minimum precautionary standards has a severe impact on the environment. Additionally, implementation continues of the Bicentennial Heroes of Liberty Plan, which aims to dismantle illegal armed groups and is led by the Armed Forces, and of the strategy for protecting vulnerable populations led by the National Police, which offers a route to preventative protection.

## **2.2. Impact on the civilian population**

Disputes and direct confrontations between illegal armed groups continue to have severe impacts on *campesino* communities, communities of African descent, and indigenous communities, who are forcibly either displaced or confined to their territories to avoid ending up in the crossfire.<sup>19/</sup>

These situations and their severe humanitarian consequences for the population were observed mainly in the municipalities along the Baudó River in the department of Chocó, as a result of clashes between the ELN and the AGC/*Clan del Golfo*; in the Nariño Pacific Coast area and the Putumayo department (Bajo Putumayo and near Caquetá) among dissident or leftover FARC-EP groups; in Bajo Cauca in Antioquia and the south of Córdoba due to clashes between the AGC/*Clan del Golfo* and *Los Caparros*; in Catatumbo due to clashes between the ELN and the EPL/*Los Pelusos*; in the department of Cauca due to clashes between dissident and leftover groups of the FARC-EP and the ELN; and in the border area of Norte de Santander, due to clashes between the ELN and *Los Rastrojos*.

Regarding the last of these, the GS/OAS warns of the different humanitarian impacts this dispute has caused, including individual and mass displacement, threats, homicides, and forced disappearance, specifically in the rural area of Cúcuta and in the municipalities of Puerto Santander and Tibú.

Before and after the "unilateral active cease-fire" declared by the ELN, the group kidnapped civilians and members of the public security forces and the departments of Arauca in the region of Catatumbo. The kidnapping victims were later released in May and June with support from the Catholic Church, the Office of the People's Ombudsman, and the International Committee of the Red Cross (ICRC).

Although the GS/OAS is aware of and has supported the launch of multiple and various policies and mechanisms to address the phenomena impacting communities, it insists on the need to add to the measures of prevention and protection for communities living in the areas severely impacted by

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18. The figures and percentages in this area vary depending on the source, which can include the State, research centers, human rights platforms, and social and international organizations.

19. According to data provided to the MAPP/OAS by the Office of the People's Ombudsman. Between January 1 and August 30, 2020, the office documented 57 mass displacements affecting 5,232 families; and 228 communities in forced confinement during that same period. Specifically, 55% of the confinement events and 52% of the mass displacement events documented took place while the Mandatory Preventative Isolation policy was in place (March 24-August 31).

violence. It also underscores the need to increase effective coordination among institutional, social, and community efforts to improve the outcomes and therefore the effectiveness of security and development guarantees for communities living in the territories.

### **2.2.1. Conscription, forced recruitment, use of, and sexual violence against children and adolescents**

The GS/OAS underscores the importance of the model for managing interagency coordination between the National Family Welfare System, the National Human Right System, and the National System for Providing Care and Comprehensive Reparations to Victims. It also notes the launch of the “Join up for Me: Environments for protecting children and adolescents to prevent recruitment, use, and sexual violence against children and adolescents” strategy, under the leadership of the office of the First Lady of the Nation, the Presidential Council on Human Rights and International Affairs, the Presidential Council on Youth — *Colombia Joven*, the *Instituto Colombiano de Bienestar Familiar* (ICBF), and the other State bodies comprising the Interagency Commission on the Prevention of Recruitment, Use of, and Sexual Violence against Children and (Adolescent (CIPRUNNA).

Additionally, the Agency on Reincorporation and Normalization designed the Community Labor Model, which establishes processes intended to provide spaces for encounters, dialogue, consensus-building, participation, and advocacy. This model is comprised of three strategies: i) local scenarios for building peace, coexistence, and reconciliation; ii) protective spaces for children, adolescents, and young people and the prevention of forced recruitment; and iii) training on citizenship for individuals being reincorporated and their families. With the strategies, the aim is to produce spaces for participation within communities that have been affected by the violence and strengthen the approach of understanding children and adolescents not as subjects who took part in the violent actions but as subjects with rights and participants in society.

Preventing conscription of children and adolescents is a significant challenge in rural areas, especially in situations of poverty, where basic needs go unmet, in contexts of illegal economies, and where the State’s presence is weak. These situations are ripe for the violation of the rights of children. In this scenario, some children and adolescents view the option of joining an illegal armed group as a means of improving their socioeconomic conditions, increasing the risk of other harm taking place, including child labor, sexual exploitation, torture, and direct participation in hostilities.

The FARC-EP dissident or leftover groups continue to recruit and conscripts children and adolescents in the departments of Arauca,<sup>20/</sup> Caquetá,<sup>21/</sup> Norte de Santander,<sup>22/</sup> Guaviare,<sup>23/</sup> and Meta<sup>24/</sup>, mainly for illegal economy activities like collecting protection money, surveillance, and transportation. Of particular concern is that dissident or leftover FARC-EP groups approach children starting at the age of 11, and in some territories, they have conducted censuses and reviews so they can easily locate children, keep a record, and then conscript them.<sup>25/</sup>

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20. In Arauca, Arauquita, Tame, and Fortul.

21. In Belén, Andaquíes; Cartagena, Chairá; San Vicente, Caguán; San José, Fragua; and Solano.

22. In Tibú, Puerto Santander, El Zulia, the rural part of Cúcuta, and most intensely, in the municipality of Sardinata.

23. In San José del Guaviare, Miraflores, and Calamar.

24. In Vistahermosa, Uribe, Puerto Rico, and La Macarena.

25. In Vistahermosa, Meta, the dissident or leftover FARC-EP groups have begun to “license” children and adolescents to keep a record of the ones between the ages of 14 and 18.

In the departments of Cauca,<sup>26/</sup> Valle del Cauca,<sup>27/</sup> Putumayo,<sup>28/</sup> and the Nariño Pacific Coast,<sup>29/</sup> children and adolescents from indigenous, Afro-descendant, and *campesino* communities are conscripted into these groups, in some cases using financial promises and in others by threatening their families.

For its part, the ELN continues to conscript children and adolescents in the departments of Antioquia,<sup>30/</sup> Cauca,<sup>31/</sup> Chocó,<sup>32/</sup> Norte de Santander, Valle del Cauca,<sup>33/</sup> Nariño, La Guajira,<sup>34/</sup> and Arauca; in this last location, its strategy has been to take advantage of the mandatory isolation to deliver merchandise, and take advantage of school closures to operate as spaces for protecting children and adolescents, later convincing them to join their ranks. Meanwhile, in the Catatumbo region and the northern border of Santander, the risk of conscription and recruitment has led to forced displacement of children and adolescents and their families to avoid conscription and recruitment by the ELN, the EPL/*Los Pelusos*, and *Los Rastrojos*. Several of these cases have not been reported to local authorities over fears that it will be met with retaliation by these illegal armed groups.

In areas subject to territorial disputes between the ELN and the AGC/*Clan del Golfo*—municipalities of the departments of Chocó and Antioquia<sup>35</sup>—children and adolescents belonging to Afro-descendant, indigenous, and *campesino* communities were forcibly recruited to participate in fighting between both groups and the public security forces. Of particular concern is the instruction given to children and adolescents to plant antipersonnel mines on their own lands, which has caused accidents due to their lack of expertise in handling explosives.<sup>36/</sup>

Also, in the AGC/*Clan del Golfo* zones of influence, forced displacements have taken place that have not been reported to the authorities. There have also been new cases of conscription during the mandatory isolation, in the context of which children and adolescents are reportedly being paid between COP800,000 and COP1,000,000, approximately. Additionally, the regular pressuring of children and adolescents belonging to indigenous communities in the southern part of Córdoba to join the ranks of the illegal armed group has caused individual displacements. In these cases, children and adolescents have sought help from national indigenous organizations.

In rural areas, suspension of in-person academic activities in the framework of the mandatory isolation order has increased the risk of recruitment faced by children and adolescents. In this context, it has been difficult to report such incidents to authorities, and although in some cases, ethnic or family authorities interceded before the illegal armed groups, it brought an increase in threats and forced displacements. At the same time, the mandatory isolation also made it difficult to open up official

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26. In Corinto, Morales, Toribío, and Patía.

27. Indigenous communities of the Nasa People in Jamundí and Florida.

28. In Puerto Asís, Puerto Leguizamo, and Puerto Guzmán.

29. In Tumaco, Olaya Herrera, El Charco, and La Tola.

30. In Anorí.

31. In El Tambo and Morales.

32. In Alto and Bajo Baudó; and Bojayá (border with Vigía del Fuerte, Antioquia).

33. In Bolívar and Buenaventura.

34. In Maicao.

35. In the subregion of Bajo Cauca, Antioquia, this has taken place mainly in the municipalities of El Bagre, Cáceres, and Tarazá.

36. In one case, a 16-year-old indigenous minor lost his hands while planting an antipersonnel mine in the municipality of Murindó, Antioquia.

spaces, and the new municipal administrations lack of awareness of the activation of pathways for preventing recruitment.

According to community and institutional sources, the children and adolescents recruited are transferred to other territories to prevent communities from interceding before illegal armed groups on their behalf. The children and adolescents are used in transporting narcotics and as shields within commanders' personal security surrounding them. In the case of adolescent girls, as noted in the XXVIII Report, in addition to being recruited, they are also the victims of sexual exploitation and violence.

The observation included in the XXVIII Report remains, and it is noted with concern that in some communities, the conscription and forced recruitment are regarded as "voluntary," the result of decisions taken by the children and adolescents themselves, not as a violation of their rights. Regardless of the illegal armed group, the strategies used to conscript children and adolescents in the context of the armed conflict and criminal activities continued to be: i) offering money, small arms, and luxury goods; ii) attraction or romantic attachment to other children, adolescents, or young people; iii) forced persuasion using psychological pressure or constant urging; and iv) threats to the lives of children and adolescents or their families.

Immediate families and protective environments were found to stay silent, afraid, or fail to take action in response to such actions due to the possibility of retaliation from the illegal armed groups; lack of awareness of routes for reporting; distrust of security forces authorities and judicial officials; and other reasons. Instead, forced displacement is observed to be one of the main prevention mechanisms available to parents in response to threats by illegal armed groups of forced recruitment.

### **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)**

The GS/OAS highlights the work done by the Office of the High Commissioner for Peace (OACP) to demine the territories where the APMs, UXO, and IEDs are present. During this period, the entity incentivized the territory-wide inclusion of the Integrated Action against Antipersonnel Mines (AICMA) into departmental and municipal development plans; encouraged AICMA coordination with Rural Development Plans (PDET); updated or prepared routes of comprehensive response to APM and UXO victims; and promoted coordination with and support of humanitarian civilian demining organizations. Likewise, 11 ethnic associations and organizations representing victims of accidents with APM were accredited<sup>37/</sup> in the framework of managing the quality of mine risk education.

With the appointment of new directors of the OAS Program for Comprehensive Action against Antipersonnel Mines (AICMA/OEA) and the constant monitoring that the MAPP/OAS conducts of anti-personnel mine contamination and accidents, the GS/OAS reaffirms its commitment to contribute to the work of the Integrated Group on Integrated Action against Antipersonnel Mines of the Office of the High Commissioner for Peace in pursuance of the objective of declaring Colombian territory no longer suspected of containing antipersonnel mines.

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37. In the departments of Antioquia, Arauca, Chocó, Nariño, Norte de Santander and Huila.

In the departments of Antioquia, Chocó, Nariño,<sup>38/</sup> and Norte de Santander,<sup>39/</sup> there was an increase in the planting of APMs and UXO as a result of armed confrontations between illegal armed group; and in Cauca, Antioquia, and Putumayo,<sup>40/</sup> as a strategy for protecting illegal crops. In the departments of Antioquia, APMs are placed as part of armed clashes between the AGC/*Clan del Golfo* and the ELN, as well as amidst work to forcibly eradicate illegal crops in the municipalities of Tarazá<sup>41/</sup> and Ituango,<sup>42/</sup> where members of the public security forces have died.

In the case of collective territories belonging to indigenous communities, these practices restrict their mobility and the exercise of their traditional uses and customs, Antioquia being one of the departments most impacted. In the municipality of Dabeiba,<sup>43/</sup> it has affected indigenous communities in terms of their access to food and the free performance of their everyday activities, while in the Murrí Pantano Reserve of the Embera Ayábida people in the municipality of Frontino, two minors were injured in APM accidents.

With regard to leftover or dissident FARC-EP groups, in the subregion of Telembí<sup>44/</sup> and the municipality of Tumaco, in Nariño, these devices have been used indiscriminately amidst a dispute for territorial control. This has caused accidents within the collective territories of Afro-descendant communities, with particular impacts on children and adolescents and members of the public security forces. In the Naya area, municipality of Buenos Aires, Cauca, the armed groups used direct threats to prevent the company Halo Trust from continuing the demining work it was authorized to do by indigenous authorities. Likewise, the definitive withdrawal of two humanitarian demining operators was documented in the department of Caquetá. They had been working in the municipalities of Milán and San Vicente del Caguán and left after the dissident groups threatened them repeatedly.

In the department of Arauca, during mandatory isolation, the ELN increased the use of IEDs against public security forces, planting them along side roads in the municipalities of Arauca, Arauquita, Fortul, Saravena, and Tame. Meanwhile, in the municipality of Riosucio, Chocó, mobility remains restricted due to the presence of APMs in the Jagual-Río Chintadó reserve.<sup>45/</sup> Likewise, in the Quiparadó River basin, the Afro-descendant communities of Platanillo and El Limón are contaminated with APMs. In the indigenous and Afro-descendant communities of Medio Baudó, Chocó, mobility remains restricted due to an increase in APMs during May and June.

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38. UXO contamination has been documented in the school in El Palmar, Leiva, and in a location nearby the school in El Ejido, Policarpa.
  39. Among them were two minors killed by accident and a soldier killed in Alto Catatumbo by an APM. In April, a girl approximately 15 years old and three men were injured in APM accidents in Tibú and Sardinata, one of them fatally. There were three victims of APM accidents in Sardinata during the month of May. The latter, young men between the ages of 18 and 22, were harvesters (*raspachines*) of illegal crops. Two members of the police force were killed by APMs along the border. In all, there were a total of approximately 12 APM victims.
  40. Nearby the land of the Institución Educativa Rural Ecológica in Cuembí, Puerto Asís municipality, an IED was discovered that had been placed by the former FARC-EP.
  41. Village of Popales, La Caucana.
  42. Villages of Santa Ana, La Miranda, Filadelfia, San Luis.
  43. Villages of Cañaverál, Jenaturadó, Antadó Guabina, Antadó Arenera, Amparrado.
  44. Comprising the municipalities of Magüí Payán, Roberto Payán, and Barbacoas.
  45. Communities of Jagual, Marcial, and Pichindé.

In the context of armed clashes between the ELN and the EPL in Catatumbo<sup>46/</sup> and in the rural part of Cúcuta,<sup>47/</sup> armed groups have been spotted planting APMs to hinder the actions of adversary armed groups or public security forces. This dynamic has resulted in mass and individual displacements in the rural parts of the municipality of Sardinata.<sup>48/</sup>

### 2.2.3. Social leaders and community representatives

The GS/OAS is concerned at the persistence of impacts on social leaders and, in particular, on ethnic-territorial authorities as a result of the presence and operations of illegal armed groups. During the mandatory isolation, impacts arose from territorial disputes between illegal armed groups, with the following departments being the most affected: Antioquia, Cauca, Chocó, Nariño, Norte de Santander, Putumayo, and Valle del Cauca.

The situation in the departments of Cauca is particularly critical, with reports of multiple forms of violence committed by dissident or leftover FARC-EP groups and the ELN, including harassment, intimidation, kidnapping, threats, forced displacement, and homicides that have ended the lives of leaders, ethnic-territorial authorities, and their families, affecting their community organizational processes and weakening capacity for interlocution with the State and other actors in the territory.

In the Bajo Cauca subregion, in Antioquia, cases were reported of torture and murder of community leaders by *Los Caparros* and the *AGC/Clan del Golfo*. These hostilities have impacted communities' effective participation in issues related to the eradication of illegal crops and land restitution. In the department of Putumayo, a high number of incidents of homicides, threats, harassment, and displacement against social leaders was documented. Threats there have broken down the leadership dynamics and reduced the participation of leaders.

In the Norte Santander department, there were also impacts on social leaders belonging to the Communal Action Councils (JACs), social organizations, and *campesino* organizations in the Catatumbo region and the metropolitan region of Cúcuta. These incidents took the form of threats, forced displacement, and, in the most serious cases, murders. They impacted the work of social leaders, especially in territories over which illegal armed groups were fighting, like the northern part of Cúcuta, Villa del Rosario, Puerto Santander, and Tibú.<sup>49/</sup>

Regarding the crisis caused by COVID-19, municipal authorities and social leaders have been threatened and directly impacted for failing to follow the mandatory isolation requirement and failing to provide certain communities or families with priority access to certain humanitarian aid.

In the current crisis, local communities and institutions view the State's protective measures as less effective, as adjusting the protection protocols of the National Protection Unit (UNP) to adhere to the measures of isolation has increased the vulnerability of protected persons. Likewise, the emergency health provisions have impeded individual and collective risk assessment processes, which, given the

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46. The municipalities affected are Hacarí, La Playa de Belén, Ábrego, and Sardinata.

47. Township of Banco de Arena, villages of Totumito and Vigilancia

48. The families affected remained displaced for several months taking refuge in the village schools. Some families have not yet been able to return to normality, and one of the APM accidents mentioned previously in this report took place in the neighboring village around the time these families were displaced.

49. This half saw an increase in threats against community leaders of neighborhoods in the outlying areas of this municipality.

incipient communications infrastructure, makes it impossible to send alerts of dangerous situations, especially for indigenous and Afro-descendant communities and populations living in rural areas.

Regarding investigation and prosecution, the significant backlog of work<sup>50/</sup> in the judicial branch<sup>51/</sup> continues to be a challenge, as do obstacles identified in the investigations, such as: the lack of public defenders, lack of resources available to prosecutors, the failure to deploy the judicial police to gather evidence in places with difficult security conditions, and coordinating the actions of the Office of the Attorney General of the Nation, the sectional prosecutors offices, and the UNP.

The GS/OAS is aware of and appreciates State and social efforts being made to address the different phenomena affecting leaders. Specifically, it appreciates the continuation of the Intersectoral Commission on the Timely Action Plan (PAO) as a space for learning about and coordinating with institutional prevention and protection resources.<sup>52/</sup> It also appreciates the work of the Elite Force of the National Police and the Special Investigative Unit of the Office of the Attorney General of the Nation, especially the establishment of specialized units with a presence in the territories and innovations in investigation methodologies, particularly regarding incorporating contexts, linking cases, and using plea agreements and legal maneuvers to bring leaders of criminal groups to justice.

The GS/OAS urges Colombian institutions to persevere in building and effectively implementing the Public Policy Framework for Comprehensive Protection for Social and Community Leaders, Journalists, and Human Rights Defenders and reiterates the need to move forward with frank dialogue embracing all dimensions of the problem with all competent authorities and all those impacted by it, especially in the fora of the National Commission on Guarantees, the National Guarantees Roundtable, and the Territorial Guarantees Roundtable. Likewise, 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.

#### **2.2.4. Impact on members of the Communal Action Organization (OAC)**

The members of a Communal Action Organization promote and actively engage in resolving conflicts, organizing the territories, handling resources, and other activities.<sup>53/</sup> They take part in other forms of social organization as well like associations, political movements, social platforms, or any other type of political and citizen expression that enables them to exercise their roles. These highly-visible roles, whose purpose is to protect the interests of the community, are a risk factor, especially in

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50. Judicial backlog is defined by the Superior Council of the Judiciary of Colombia as the real and progressive accumulation of processes before a judicial office to the point that the ability to address them as normal is compromised. Superior Council of the Judiciary (2005) *Descongestión de la Jurisdicción Civil*. (First ed.). Bogotá. Pg. 55. The measures taken to address judicial backlog are called decongestion measures.

51. The Office of the Attorney General of the Nation reported that of the homicides of human rights defenders documented by the United Nations since 2016, 381 have fallen under its competency. Of those, 60 convictions have been secured and progress has been made toward solving 57% of the attacks on this population, including progress at the different stages of the investigative and judicial process (charging, indictment, trial). This is slightly better compared to the previous half, when progress had been made toward solving 52.3% of cases.

52. During the first half of 2020, the PAO held in-person sessions in Quibdó (Chocó) and Popayán (Cauca) and virtual sessions for Becerril (Cesar) and Putumayo.

53. Situations of violence, the environment, agricultural development, ethnicities (indigenous and Afro-descendants), the LGBTI population, women, social control (citizen oversight bodies), youth and children, human rights, building and maintaining infrastructure (mainly roads), health and education services, territorial protection, etc.



territories where illegal armed groups have a presence and operate. The communal movement is currently estimated to involve six million people.<sup>54/</sup>

Since 2004, the MAPP/OAS has been in regular contact with the Communal Action Organizations (OACs), the structures with the most extensive presence nationally;<sup>55/</sup> and in 2017 it began working cooperatively and in coordination with these organizations in the conviction that they play a key role in building peace and in strengthening democracy and the rule of law.

In this context, the MAPP/OAS and the OACs have set up a single registry to document impacts on community members because of their work and leadership. This joint effort is a reflection of the persistence of individual and collective violations that have a profound impact on the organizational structure. The normalization of violence, underreporting of incidents of violence, insufficient response by local entities, and gender-based violence are among the dynamics that are viewed with the most concern.

The individual and collective threats are considered an intrinsic risk of both rural and urban leadership, and there is a tendency to underestimate and normalize them, leading to a failure to report them to the competent entities. These are the most common impacts experienced by members of Communal Action Organizations, and they are initial attempts at discouraging them from doing their work. Most of these incidents take place in departments like Bolívar, Cauca, Cesar, Norte de Santander, Putumayo, and Valle del Cauca. The main impact on the communal structure is the slowing of the community work and limiting areas of action, discouraging people from participating or seeking leadership roles. In Norte de Santander, specifically in the rural area of Cúcuta, several community leaders are living outside their territories for security reasons.<sup>56/</sup>

Homicides are the second most common impact reported by OAC members. Murders have deeply negative effects on communal structure by breaking up the composition of the JACs and ASOJUNTAS that are the basis of the social organization. The majority of the cases reported take place in the rural areas of the departments of Antioquia, Caquetá, Cauca, and Norte de Santander, with men being the most affected. Additionally, stigmatization is described as one of the most complex impacts experienced by community members, as it permanently endangers all members of the OAC by impacting their freedom to exercise the functions inherent to communal management and leadership.

Additionally, the presumption that women leaders and human rights defenders<sup>57</sup> face extraordinary gender-based risk<sup>58</sup> is a step forward. However, underreporting of figures on communal women affected by such violence is a challenge resulting from barriers and obstacles to social,

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54. Figure from the Deputy Minister for Participation and Equal Rights – Office on Democracy, Citizen Participation, and Communal Action.

55. The ethnic territories have their own organizational structures that are not OACs, although some operate under both models simultaneously.

56. Although they are able to take refuge in urban areas, this does not guarantee their security, as the reach of armed groups extends to urban areas. Also, any relatives living in the territory remain at risk.

57. Monitoring Order 098 of 2013 established that women leaders and human rights defenders were presumed to face extraordinary risk due to their gender, given that because of the characteristics of their leadership, they were more exposed to the likelihood that the risks deriving from their gender in the context of the armed conflict would materialize.

58. The Constitutional Court indicates that women leaders and human rights defenders are presumed to be at extraordinary risk due to their gender. The Special Chamber for monitoring Judgment T-025 of 2004 ruled in Order 092 of 2008 that the armed conflict in Colombia had had a differentiated and accentuated impact on women, and that, due to their gender, they were exposed to particular risk and specific vulnerabilities to which men were not exposed

communal, and individual recognition of such impacts and based on the codes, rules, and gender stereotypes in the OACs, as well as lack of trust in the justice system to pursue these complaints as a factor of mitigating gender-based violence.

The community members affected are leaders on issues of defending the territory<sup>59/</sup> and the environment, communal processes,<sup>60/</sup> reports on micro-trafficking or security, supporting processes to voluntarily replace illegal crops, demanding protection for the rights of women, *campesinos*, young people, and ethnic communities, and performing citizen oversight work, among other issues. The OAC members located in the rural areas of the departments of Antioquia, Bolívar, Caldas, Caquetá, Cauca, Cesar, Chocó, Cundinamarca, Meta, Nariño, Norte de Santander, and Putumayo are more vulnerable to pressure from armed illegal groups, who are looking to consolidate their territorial control.

The delay in the OACs' electoral processes at all levels due to the health emergency, which had been set for the first half of 2020, was viewed with concern by the OACs in all the departments being monitored. Although it is recognized in the territories that the current context is not conducive to holding inclusive and transparent elections, the community members insist on the need for rotation and state that the requirement to continue in the offices for an additional year significantly increases security risks, including both risks against them and against their relatives, along with the possibility of becoming victims of forced displacement.

In this context, the new electoral schedule is an opportunity to guarantee crucial aspects of the elections, such as the formalization of the JACs and the use of alternative measures like virtual platforms, which require the right conductivity conditions in urban and rural areas for the communal collective.

The GS/OAS appreciates the work of the Ministry of the Interior, particularly its Office on Democracy, Citizen Participation, and Communal Action, toward implementing the actions and objective stipulated in CONPES 3955 of 2018.<sup>61/</sup> These include compliance with the second cycle of calls for proposals to the Bank of Communal Actions for 2019 and 2020;<sup>62/</sup> the development and implementation of the Unified Communal Registry (RUC) as a mechanism intended to centralize and unify OAC information; and the implementation of the "Communal Learning" strategy. It also highlights the election of Gerardo Castrillón, president of the Cauca Communal Federation, as vice president of the National Committee of the National Council on Peace, Reconciliation, and Coexistence as a recognition of his communal work and his role in building peace in the territories.

#### **2.2.5. Population undergoing reintegration, former FARC-EP combatants and their families**

The impacts experienced by the population undergoing reintegration and their relatives took the form of threats, murder, and attempted murder, including of children and adolescents. Likewise, the former combatants view forced displacement as a preventative measure to protect themselves from

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59. Direct or indirect actions aimed at defending the community's autonomy from the territorial control that the illegal armed groups are attempting to establish.

60. Planning community development, supporting cultural processes, recreation, sports, preserving the harmony of interpersonal relationships, etc.

61. Strategy to strengthen communal action in Colombia.

62. The Bank of Communal Actions is a program designed to provide economic support to productive and social initiatives for developing the community and its environment.

lethal violence. These incidents were concentrated mainly in the municipalities of Ituango (Antioquia), and Algeciras (Huila), and in the departments of Cauca, Nariño, Antioquia, and Norte de Santander.<sup>63/</sup>

The main risk factors<sup>64</sup> for persons undergoing the process of reintegration are residing or being close to areas where one or more illegal armed groups are operating; living near enclaves of illegal economies; and staying in the same places where they were active as members of an illegal armed group. Additionally, the situations used by attackers as motive for their actions include refusing to join illegal armed groups; refusing to provide information considered of interest by illegal armed groups; being identified as "belonging to or collaborating with" other illegal armed groups or authorities; and participating in the reintegration process and route.

Despite multiple efforts by the State to prevent incidents of violence and establish responsibility through investigations, impunity in the identification of the perpetrators of these impacts appears to persist in the sector affected. In the territories, those reported to be mainly responsible are the members of dissident or leftover FARC-EP groups, the AGC/*Clan del Golfo*, the EPL/*Los Pelusos*, and the ELN.

The GS/OAS appreciates the efforts made and actions taken by the national government aimed at establishing better security conditions for the population undergoing reintegration and their families who remain in the former territorial spaces for reintegration and training. However, according to official figures,<sup>65/</sup> approximately 70% of participants are undergoing the process outside of the spaces, where the majority of the impacts are concentrated, and this poses one of the greatest challenges to the continuity of the process.

Among the motives mentioned for leaving the former territorial spaces for reintegration and training, the most common are the need to be close to immediate family, better living conditions, and breaking ties with the group's command structure.

Regarding the 239 officially documented cases of murder, attempted murder, or forced disappearance of those reintegrated from the FARC-EP, as of June 10, 2020, the Office of the Attorney General of the Nation reported 43.93% progress in solving them.<sup>66/</sup> This is slightly down from the clearance rate reported in the previous half.<sup>67/</sup> To date, the majority of cases are in the initial inquiry and charging stages.

As far as the institutional response, the GS/OAS underscores the progress made by the Roundtable on Interagency Coordination for Stabilization and Consolidation toward implementing prevention and protection measures for the population undergoing reintegration; the territorial deployments of the Agency on Reintegration and Normalization (ARN); and warnings about risk

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63. According to the Presidential Council on Stabilization and Consolidation, the departments where the most people undergoing reincorporation were affected were Cauca, Nariño, Antioquia, Norte de Santander, Caquetá, and Putumayo. For the relatives of people undergoing reincorporation, the departments are: Antioquia, Cauca, Chocó, Nariño, Norte de Santander, and Caquetá.

64. For the Council on Stabilization and Consolidation, the main risk factors are recent release from prison or not having any active initiative for a productive project in the process. The majority of those affected tend to be men who are undergoing the reintegration process individually, located outside the AETCRs, who had not reported threats and therefore had not been included in protection measures.

65. Half-yearly Security Report on Persons Undergoing Reincorporation from the FARC – Presidential Council for Stabilization and Consolidation.

66. However, in the territories, communities view this clearance rate as applying to the direct perpetrators, not the masterminds or those ultimately responsible.

67. For the previous half, the clearance rate was 45.3%.

through the Early Warning System of the Office of the People's Ombudsperson. Regarding this latter mechanism, the institutional response will need to be enhanced in order to move forward in implementing preventative measures and providing a timely and integrated response to situations of risk, particularly in rural areas.

### 3. JUSTICE IN THE TERRITORIES

In the context of the current emergency caused by COVID-19, the GS/OAS underscores the efforts of the Colombian state to keep the justice system active using information technology tools. It notes the issuance of Decree 491 of 2020<sup>68/</sup> authorizing arbitration, reconciliation, and conflict resolution mechanisms to operate virtually; Decree 806 of 2020<sup>69/</sup> authorizing virtual hearings, virtual review of case files, the use of digital signatures, and other measures; and Decree 460 of 2020<sup>70/</sup> guaranteeing uninterrupted service by Family Precincts for cases of domestic violence<sup>71/</sup> and the adoption of urgent measures for the protection of children and adolescents.

These provisions have facilitated the work of justice officials, as the virtual hearings and virtual consultations of case files have streamlined the processes they handle. Likewise, channels for receiving complaints by the Office of the Attorney General of the Nation were diversified to include both phone lines and online resources, thus facilitating citizen access to the judicial system and enhancing service provision. Additionally, municipal courts have continued to handle requests for protection using virtual tools. This remedy is crucial for guaranteeing communities' fundamental rights.

Despite this progress, the period of mandatory isolation brought with it a strengthening of social control by illegal armed groups through the imposition of restrictive and coercive measures aimed at enforcing the quarantine. In departments including Antioquia, Bolívar, Cauca, Cesar, Chocó, Nariño, Putumayo, and the Catatumbo region,<sup>72/</sup> the illegal armed groups restricted mobility within the territories, threatening and imposing sanctions on anyone who did not comply with the measure.

In municipalities like Caldono, Corinto Caloto, and Guapi, in the Cauca department and the Catatumbo region, there were indications of substitution of the exercise of government authority, with murders committed to punish failure to comply with the measure. Additionally, in the Department of Chocó, the illegal armed groups limited the work of some mayor's offices<sup>73/</sup> by imposing restrictions on their movements within their municipalities. Although the restrictions were implemented broadly by a variety of illegal armed groups, their use was seen to be more prevalent by dissident or leftover FARC-EP groups and the ELN.

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68. Whereby urgent measures are adopted to guarantee response and the provision of services by authorities and private parties with public functions and the taking of measures to protect the workforce and those providing services to public entities in the framework of the State of Economic, Social, and Ecological Emergency.

69. Whereby measures are adopted to implement information and communications technologies in judicial actions, streamline judicial processes, and increase the flexibility of the provision of services to justice system users in the framework of the State of Economic, Social, and Ecological Emergency.

70. Whereby measures are order to guarantee the provision of services by the Family Precinct, under the State of Economic, Social, and Ecological Emergency.

71. In this area, virtual training on "violence prevention" for the family precincts is noted.

72. Municipalities of Ábrego, Convención, El Carmen, El Tarra, Hacarí, La Playa, Ocaña, San Calixto, Sardinata, Teorama, and Tibú.

73. Municipalities of San José del Palmar, Alto, Medio, and Bajo Baudó, Bojayá, Medio San Juan, Bahía Solano, and Nuquí.

Under the modalities imposed, these groups block community access to things like healthcare services even though they are exempted under the exceptions decreed by the national government. Access is also restricted to services related to justice, leading to the activation of alternative measures of conflict resolution by illegal armed groups as happened in Valdivia and Segovia in Antioquia, where the ELN took control of situations presented in the municipalities and took charge of regulating social relations within the communities.

During the “unilateral active ceasefire” decreed by the ELN, the group continued to perform social control actions, imposing restrictions on conduct and de facto justice, focusing on regulating the entry and exit of persons in the municipalities of the departments of Antioquia, Bolívar, Cesar, Chocó, Cauca, Nariño, and the Catatumbo region, with the aim of preventing the spread of COVID-19.

During the first quarter of the year, and especially in subregions like Bajo Cauca in Antioquia,<sup>74/</sup> there was an increase in extortion by the AGC/*Clan del Golfo* due to the loss of economic power as a result of the group’s conflict with *Los Caparros*. There was a similar situation with dissident or leftover FARC-EP groups and the ELN, who continue using extortion as one of their main sources of funding, mainly impacting shopkeepers and miners in the municipalities of the Nariño Pacific region and the department of Antioquia, as well as the Venezuelan population seeking to cross the border in Norte de Santander.

### **3.1. Special Indigenous Jurisdiction and inter-jurisdictional coordination**

In the framework of the COVID-19 health emergency, the indigenous peoples and their authorities have played a central role in preventing the spread of the virus. In this regard, the GS/OAS recognizes the work of the different indigenous guards throughout the country. However, it notes that for a considerable period of time, this supervision and control was conducted without the necessary health precautions, and even today, several peoples do not have all the supplies they need to protect themselves and their communities.

In the departments of Antioquia, Arauca, Caquetá, Cauca, Guaviare Chocó, Nariño, Norte de Santander, and Putumayo there was an increase in violent attacks by armed groups on indigenous authorities over their exercise of their jurisdictional authorities. Likewise, there was an increase in threats made specifically over their self-governance activities, territorial control, exercise of justice, and positions taken and decisions made to oppose the operation of armed groups on their territories and the presence of illegal crops on the reserves.

The threats took the form of pamphlets, as well as direct threats via voice message and text message, leading to the forced displacement of indigenous authorities, thus limiting their jurisdictional actions and causing them to quit their roles. One of the areas hit hardest has been the northern part of Cauca, where some threats have turned into direct attacks, with 36 indigenous persons murdered, three of them indigenous authorities.<sup>75</sup>

The JEI was also impacted by the constant presence of illegal armed groups on collective territories. They restricted mobility, place controls on the entry and exit of persons, limited territorial

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74. The Bajo Cauca subregion in Antioquia includes the municipalities of Caucasia, El Bagre, Nechí, Tarazá, Cáceres, and Zaragoza (Antioquia).

75. The individuals murdered were Javier Girón Triviño -kiwe thegna—a 53-year-old indigenous guard, who lived on the Nasa Kiwe Tek Sxaw reserve in Santander de Quilichao; and two ancestral wisepersons or spiritual elders, María Nelly Cuetia Dagua, 55 years old; and Pedro Ángel María Trochez, 58 years old, both of who lived in the Corinto indigenous territory. Source: Half-yearly Bulletin on Disputes in the North of Cauca Chaxabwala Kiwe-Acin. Period of January-June 2020.

exercise of the guards, and even got to the point of implementing rules and manuals on coexistence in the departments of Chocó, Caquetá, and Nariño. Also, in Caquetá and Amazonas, the illegal armed groups refuse to recognize indigenous authorities and have ordered that they drop requests like for the expansion of their reserves. In Chocó the AGC/*Clan del Golfo* was pressuring indigenous governments to prevent access to their territories by government authorities and have begun requesting membership rolls to limit the access of community members who are not included on them. The authorities who do not turn over these lists are threatened.

The situation faced by at-risk indigenous authorities and ethnic leaders is made worse by the weak implementation of the ethnic jurisdictional approach in the measures of protection offered by the State. Specifically, they follow the logic of individual protection even though the dynamic on these territories is communal and they have specific physical and cultural contexts that must be approached differently in order to be effective. In this regard, it is urged that, within this framework, they launch actions to redesign these interventions so as to produce proper collective measures that involve the participation of their own protection systems in order to address and mitigate the risk faced by indigenous authorities and indigenous communities in general.

As a result of the conditions caused by the COVID-19 pandemic, formal coordination faced a setback because it was not possible to hold the sessions of the National Commission on Coordination between the National Justice System and the Indigenous Justice Systems, nor could the sessions of the Departmental Interjurisdictional Coordination Roundtables be held. Neither can the intercultural modules of the Rodrigo Lara Bonilla Judicial School be taught. Additionally, the spaces for coordination and strengthening justice fostered by the Ministry of Justice and Law are on pause, as are the prior consultations of the 10-year Justice Plan, the instrument regulating deprivation of liberty for indigenous peoples, and the Harmonization Plan, led by the Agency for Reincorporation and Normalization (ARN).

In the departments of Guaviare, Nariño, Norte de Santander, and Putumayo, there were some difficulties coordinating with judicial authorities and missed meetings with public security forces. In the department of Cauca, there have been obstacles to dialogue between indigenous authorities and the National Institute on Penitentiaries and Prisons (INPEC) over receiving the population of persons deprived of liberty on orders of the indigenous authorities, something that put the security of the communities at risk because these individuals were members of illegal armed groups who should have remained in custody in their territories.

As regards coordination, and taking into account the component of the ethnic population undergoing reintegration, the progress made in 2020 of the Ethnic Harmonization Plan, led by the ARN, in coordination with the Commission on the Human Rights of Indigenous Peoples, the Permanent Roundtable Pact with Indigenous Peoples and Organizations, and the Special High-level Instance with Ethnic Peoples should be underscored. The indigenous component is already available for prior consultation (for implementation in 2020 and 2021) and the design of the NARP component is moving forward.

Lastly, no progress has been made in the processes to transfer community members deprived of liberty to Harmonization Centers in Valle del Cauca, and in departments including Guajira and Nariño, Directive 012 of the Office of the Attorney General of the Nation—establishing guidelines on matters related to the competence of the JEI—has not yet been applied.

#### **4. PARTICIPATION, CONFLICT, AND SOCIAL DIALOGUE**

Several key participatory processes were planned for the first half of year for consolidating democracy and peace-building in the territories, such as: electing new members of the National Council for Peace, Reconciliation, and Coexistence (CNPRC) and the Territorial Councils for Peace, Reconciliation, and Coexistence (CTPRC), building departmental and municipal development plans, renewing the Community Action Boards (JAC), and the voter registration process of the Municipal Youth Councils.

However, the measures taken in the context of the health emergency caused by COVID-19 limited citizens' ability to congregate in person, affecting broad, effective, and inclusive participation in the construction of departmental and municipal development plans,<sup>76/</sup> as well as in-person meetings of the CTPRCs, the CNPRC, and the elections of the Community Action Body and the Youth Councils, with the latter two being postponed to 2021.

The GS/OAS values institutional efforts to adapt to the new reality and move ahead with processes on a virtual basis, notably the two virtual meetings of the CNPRC, prepared and developed appropriately by the Office of the High Commissioner for Peace (OACP), which made it possible to elect the new National Council for Peace, Reconciliation, and Coexistence. Also recognized is the work done by the Council for Stabilization and Consolidation under the leadership of the Territorial Renewal Agency (ART), in developing multiple virtual sessions on the Rural Development Plans (PDET). Also noteworthy are the virtual meetings held by several CTPRCs and the promotion of virtual participation, in some municipalities, for the construction of municipal development plans<sup>77/</sup> and the strengthening of such efforts on the issues of dialogue, transformation of social conflicts, and consensus-building,<sup>78/</sup> in order to become local entities with the capacity to address and resolve departmental, municipal, and community-level social conflicts.

On the other hand, during the month of May, in the context of a possible restart of aerial spraying with glyphosate as a strategy to reduce illicit crops, the National Environmental Licensing Authority (ANLA) and the National Police developed three informal meetings via telephone and social networks,<sup>79/</sup> where various citizen sectors had the opportunity to participate and express their opinions regarding this strategy. This procedure is currently suspended due to a protective order supporting the fundamental rights to access to information, participation, prior consultation, and due process and ordering the suspension of the environmental procedure until real and effective guarantees of participation are provided.

Subsequently, the Superior Court of Nariño in a second instance protective order under Judgment No. 2020-100-SO of July 10, 2020 decided to amend the order, considering that the National Police had through official channels informed the ANLA of the possibility of having real and effective guarantees on participation for the community in general in accordance with the conditions established

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76. The MAPP/OAS supported several working sessions on the territorial development plans, as in the municipalities of Southern Córdoba in February 2020, which were notable for broadly convening and enlisting the participation of different sectors of society.

77. In Bogotá, Cali, and in Isnos, Huila virtual tools were offered that the citizens could contribute the development plans.

78. These were the cases of the Departmental Councils of Paz de Valledupar (in person) and Arauca (virtual).

79. According to data provided to the MAPP/OAS by institutions, 191 people participated in these sessions through live calls, received through a call center and 1,800 people participated through social networks, in addition to those listening to 76 public and private radio stations.

under the parameters of Law 99 of 1993<sup>80/</sup> and Decree 1076 of 2015.<sup>81/</sup> In this regard, and in compliance with the provisions of the second instance court order, the ANLA issued Order 06943 of July 23, 2020, whereby suspension of the hearing procedure was lifted.<sup>82/</sup>

In this context, since the month of May virtual proceedings have led to the mobilization of social networks, communiqués, and public complaints from national and regional organizations, rejecting aerial spraying with glyphosate and the limitations on participation in virtual sessions. Some social organizations have held village meetings to analyze and propose concrete measures in defense of the voluntary substitution of illicit crops and rejecting the possibility of spraying those crops. Ultimately, this is a scenario of social conflict that will remain latent but could escalate in areas where illicit crops are present.

The months of April to June saw Venezuelans returning to their country when their vulnerability to eviction and the loss of informal jobs increased because of the health emergency caused by COVID-19. This dynamic led to scenarios of social conflict related to community controls on the flow of migrants or groups, shortages or binational economy crises, and the social impact of militarizing the borders.<sup>83/</sup>

New protest scenarios arose related to social mobilization. One of them was the organized blocking of roads in rural areas, in order to restrict the movement of foreigners and others seeking humanitarian aid in order to prevent the spread of COVID-19. This restriction on movement was strict until mid-May and was reduced as some sectors of the economy were allowed to reopen. Another scenario identified in a more urban setting involved demonstrations, protests, and pot-bangings to demand labor guarantees and biosafety in the health sector, food assistance, subsidies, economic and productive reactivation, and prevention of the spread in penitentiaries.

Similarly, on February 21 social movements arose in the country's major cities where five elements combined: i) disagreement regarding the National Conversation; ii) defense of social leadership roles; iii) implementation of the Peace Agreement; iv) dismantling of the Mobile Anti-Riot Squad (ESMAD); and v) demands on the Ministry of Education from students and teachers. Notable in this regard is the call for an indefinite national strike at the end of March, which was suspended in view of the mandatory isolation and health emergency measures decreed. Nonetheless, on June 19, the National Strike Committee presented an emergency statement with six additional points.<sup>84/</sup>

As for the dynamics related to social dialogue in the territories, the GS/OAS appreciates the willingness of the national government, ethnic peoples, and rural communities to continue the roundtables. Despite the challenges produced by the health emergency caused by COVID-19, the Barí

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80. Creating the Ministry of the Environment, reordering the Public Sector responsible for the management and conservation of the environmental and renewable natural resources, the organizing the National Environmental System (SINA), and issuing other provisions.

81. Since Decree on the Environmental Sector and Sustainable Development.

82. Through an edict, the ANLA communicated the new days for conducting three informative meetings (August 11, 13, and 15, 2020) and the public environmental meeting for September 1, 2020.

83. The presence of the armed forces at the border, despite being perceived as positive, did not have any biosafety components and thus generated social tensions in that communities perceived the troops as focus of contagion in Nariño, Putumayo, and Norte de Santander.

84. Improvements to the health system, basic emergency income, defense of national production (agricultural, industrial, small-scale industry, and rural), support for the public educational system, women, and sexual diversity, and repeal of the emergency decrees that have worsened the conditions of economic and social life.



people and peasant communities of Catatumbo are still willing to continue seeking areas of consensus,<sup>85/</sup> as well as continuation of the Joint Commission of the Regional Indigenous Council of Cauca (CRIC) and the national government.

However, in some cases there is concern due to the interruption of other opportunities for dialogue such as the Regional Social and Environmental Roundtable of Meta, Guaviare, and Caquetá, and the Board on Alternative Replacement of Illicit Crops of the Peasant Communities of Puerto Asís, Putumayo. The interruption of these roundtables occurred in contexts of increased tensions between the armed forces and the communities due to forced eradication projects in the municipality of Vistahermosa, as well as threats and forced displacement of social leaders and the assassination by illegal armed groups of the emblematic leader of the Puerto Asís Board, Marco Rivadeneira, in the month of March. The lack of continuity in these boards makes it difficult to transform conflicts exacerbated by the impact of the health emergency.

In this regard, now more than ever it is essential to increase and strengthen broad, diverse, and inclusive dialogues allowing for the effective and efficacious participation of Colombian society, with conditions that ensure an open and sincere approach to concerns and strengthen the development of a culture of democratic dialogue.

## **5. IMPACT OF STRATEGIES AND POLICIES FOR REGIONAL TRANSFORMATION**

### **5.1. Regional Development Plan (PDET) Program**

For the first time in the development of the Final Agreement, the Single Roadmap<sup>86/</sup> provided the opportunity to align, at the departmental and municipal government level, the public planning exercises resulting from the participatory construction process of the PDETs. Regulatory, institutional, and financial adjustments, such as the OCAD-Paz<sup>87/</sup> or works for taxes,<sup>88/</sup> developed in earlier years to guarantee the implementation and follow-up of programs, are making it possible for these programs to move ahead.<sup>89/</sup>

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85. This continuity is due to the impetus of both the Barí people and the peasant communities of Catatumbo.

86. The Final Agreement established that Point 1 on Comprehensive Rural Reform would be implemented for ten years through the PDETs. In the 16 PDET subregions, (170 municipalities and 19 departments) 32,808 initiatives constituting the Action Plans for Regional Transformation (PATR) were adopted on a participatory basis. Article 281 of the National Development Plan (2019-2022) creates the Single Road Map as a tool for linking the various territorial intervention instruments derived from the Final Agreement. As well as the national, regional, departmental, and local territorial planning instruments for the consolidation of coordinated action at the various levels of government, the private sector, and international cooperation in the PDET subregions. Consulted at: <https://colaboracion.dnp.gov.co/CDT/Prensa/Resumen-PND2018-2022-final.pdf>

87. The OCAD-PAZ is a constitutionally created collegiate body (Legislative Act 4 of 2018) that for 20 years allows the annual and priority allocation of the 7% of the total of the General Royalties System for the approval of investment projects related to the implementation of the Final Agreement. The Colombian government has reported in various communications that during the period January to June 2020 the OCAD-PAZ approved half a billion pesos for PDET.

88. The Territorial Renewal Agency defines works for taxes as a mechanism that allows private companies to pay 50% of their income taxes by directly executing works related to education, health, energy, drinking water, sewers, and road infrastructure in PDET municipalities.

89. According to data from the Integrated Information System for the Post-Conflict, point 1 of the Comprehensive Rural Reform of the Final Agreement reports an advance of 37.04%. Consulted at: <https://siipo.dnp.gov.co/inicio> Updated: 8/26/2020. Cutoff date 06/30/2020.

The multipurpose registry was prioritized in 38 of the 170 PDET municipalities; the Lands Fund reached the figure of one million hectares;<sup>90/</sup> 114,923<sup>91/</sup> hectares of land have been awarded and formally assigned to the peasant population that has no land or not enough land; and 279,861 hectares of land have been formally allocated to ethnic communities, for a total of 394,784 hectares.<sup>92/</sup> In addition, Environmental Zoning exercises have been developed and Social Structuring of Rural Property Plans have been designed that will be used to continue overcoming the inequality gaps and historical deficiencies in land use and holding in the Colombian countryside.

The infrastructure works that have been contracted in the context of the PDETs (PDET works) with the JACs and executed by the communities have renewed the role of the Communal Action Organizations, facilitating their involvement as active participants in regional transformation. The participation of the communities in the construction of these works lends greater legitimacy to the actions of institutional structures, strategically impacting the perception of progress in building peace.

In addition, actions were advanced to strengthen the Special High-Level Instance with Ethnic Peoples (IEANPE), an advisory body on aspects related to the interpretation, implementation, and monitoring of the Final Agreement from the ethnic perspective.

It continues to be a challenge for these institutional actions to improve the population's perception regarding progress made in programs, particularly in assertively transmitting to the communities and local authorities the methodology, execution periods, and participants in the implementation of the PDETs, the source of funds for financing the initiatives, as well as the financing and co-financing percentages that the municipalities should contribute, in addition to the limited development of clear strategies for effective prioritization and implementation with differential ethnic and/or gender approaches.

The communities' perception regarding limited progress in programs is due, among other factors, to the imbalance between their expectations regarding the rapid and effective transformation of their lands and the time it takes to execute the infrastructure works and other assets. However, it is recognized that one of the strategies the government is using to increase the communities' trust in the process is the "I get on board my PDET" program, the objective of which is to strengthen grass-roots organizations in the villages and townships of the PDET municipalities, by financing community initiatives that will make it possible over the short and medium term to increase confidence in institutions.

The community participation exercises planned during the first half of 2020 for constructing development plans have been negatively impacted by the social isolation measures designed to combat the COVID-19 pandemic. Considering that these exercises represented a key phase in the methodology for adopting and legitimizing the PDET, the Presidential Advisory Office for Stabilization and Consolidation with the Territorial Renewal Agency (ART) headed up a rapid reaction as a mitigating

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90. According to information from the National Land Agency, a public entity at the national level charged with the administration of the country's empty rural assets, during the current administration 778,989 hectares have entered the Nation's Land Fund, for a total of 1,005,820 hectares, which corresponds to 77% of the total hectares entering the Fund that, according to the Agreement, will have three million hectares during the first 12 months of implementation. Since the creation of the Fund, there has been a total of 525,773 hectares available in 126 PDET municipalities.

91. Of these, 43,061 hectares (37.46%) have been formalized and 9,076 have been awarded to rural women.

92. Corresponds to 3.39% of the total of 10 million hectares that would be formalized and/or awarded in 12 years, approved in the Final Agreement in November 2016. Consulted at:  
<https://colaboracion.dnp.gov.co/CDT/Prensa/Resumen-PND2018-2022-final.pdf>

measure intended to consolidate the perception of institutional presence in moments of crisis; promoting the adoption of the PDETs by departmental and municipal leaders<sup>93/</sup> and promoting the incorporation of the initiatives that make up the Action Plans for Regional Transformation (PATR) in the departmental and municipal development plans in effect for the next four years.<sup>94/</sup>

The results achieved so far, including the initiatives effectively incorporated in the Municipal Pacts and the PATRs for each subregion and progress made on the Single Roadmap and the initiatives approved in the departmental and municipal development plans must be publicized, as must the application of citizen oversight committee initiatives that facilitate the democratic exercise of oversight of public management in the execution of the PATRs, strengthen the social control mechanisms against corruption, and promote social leadership roles to strengthen community participation processes in decision-making and the management of related initiatives. These strategies will promote participation and contribute to adoption by communities and leading groups during later stages in the implementation of the PDETs.

In moments when the continued presence and actions of illegal armed groups and concern over the financial impact of the mandatory preventive isolation caused by COVID-19 represent important challenges for peace-building, the efficient leadership of the Presidential Advisory Office for Stabilization and Consolidation, and the institutional presence of the ART in the territories will be fundamental, as will technical and political expertise in processes impacting local governments, the private sector, and international cooperation for successfully coordinating the organization of efforts for the effective implementation of the PDETs, the delivery of social services, and the promotion of structural changes that transform the territories.

## **5.2. Strategies for reducing illicit crops**

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93. The Final Agreement of 2016 established that Point 1 on Comprehensive Rural Reform would be implemented for ten years through the PDETs. In the 16 PDET subregions (170 municipalities and 19 departments) 32,808 initiatives that constitute the Action Plans for Regional Transformation (PATR) were adopted on a participatory basis. Consulted at:

[https://www.jep.gov.co/Marco%20Normativo/Normativa\\_v2/01%20ACUERDOS/N01.pdf](https://www.jep.gov.co/Marco%20Normativo/Normativa_v2/01%20ACUERDOS/N01.pdf)

94. The local authorities took office on January 1, 2020. According to Decree 683 of May 21, 2020, amending in response to the COVID-19 pandemic the schedule for approval the territorial development plans, local governments had until June 15 to present those documents to the departmental assemblies and municipal councils, which would have until July 15 to give its approval. The Mission did not learn of cases of changes where, in response to COVID-19, local resources intended for the implementation of PDET initiatives were affected. Consulted at:

<https://dapre.presidencia.gov.co/normativa/normativa/DECRETO%20683%20DEL%2021%20DE%20MAYO%20DE%202020.pdf>

The Colombian government continues to move ahead on implementing the Peace with Legality Policy<sup>95/</sup> and the Future Route,<sup>96/</sup> thus reducing illicit crops. According to the Integrated Illicit Crops Monitoring System (SIMCI) of the United Nations Office on Drugs and Crime (UNODC) and the Colombian national government, there is a reported 9% reduction in the area sown with coca in the country,<sup>97/</sup> falling from 169,000 hectares in 2018 to 154,000 in 2019.<sup>98/</sup>

New substitution models such as “Made to Order,”<sup>99/</sup> which began to be implemented in the departments of Cauca, Antioquia, Putumayo, Nariño, and Norte de Santander and is projected to be implemented in Sur de Bolívar and Caquetá; “Formalize to Replace,”<sup>100/</sup> which plans to serve the municipalities of Tumaco (Nariño), Argelia, and Tambo (Cauca), Puerto Asís (Putumayo), Tibú (Norte de Santander); and the “Lands for Conservation”<sup>101/</sup> program that seeks to serve rural and ethnic

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95. Peace with Legality is a national government strategy with pillar with lines of work focused on reparation of victims, transitional judge, political participation of the Common Alternative Revolutionary Force (FARC), Comprehensive Rural Reform (RRI), security, social and economic reintegration of former combatants, substitution of illicit crops and demining, incorporation on a cross-cutting basis the differential gender and ethnic approaches. It seeks to generate concrete actions in the territories, focused on the victims’ rights and coordinating the presence of the State in 16 subregions. Consulted at: <https://id.presidencia.gov.co/Paginas/prensa/2018/181217-Presentacion-Politica-Estabilizacion-Paz-Legalidad.aspx>
  96. Future Route is a government policy, issued in December 2018, that contemplates comprehensive and multidisciplinary actions that allow for reducing illegally used crops and converting the territories to legal economies. The policy is based on five fundamental pillars: reducing drug use: prevention and care, attacking the supply of drugs, dismantling criminal organizations, affecting the economies and incomes of organized crime, transforming the territories in the transit to illicit economies. Consulted at: [http://www.odc.gov.co/Portals/1/Docs/ABC\\_Poli%CC%81tica\\_AntiDrogas.pdf](http://www.odc.gov.co/Portals/1/Docs/ABC_Poli%CC%81tica_AntiDrogas.pdf)
  97. During the first half of 2020, according to data from the Ministry of Defense, 39,515 hectares have been eradicated, a 3% increase compared to the same period in 2019, when a total of 38,395 hectares eradicated was recorded.
  98. Despite this reduction, cocaine production remains stable, according to the Report Monitoring Territories Affected by Illicit Crops in Colombia in 2019. UNODC Report of June 17, 2020 on the reduction of crops in the year 2019. Consulted at: <https://www.unodc.org/colombia/es/informe-de-monitoreo-de-territorios-afectados-por-cultivos-ilicitos-en-colombia-2019.html> and in a note on the website of the Office of the President of the Republic: <https://id.presidencia.gov.co/Paginas/prensa/2020/Disminucion-del-9-de-cultivos-ilicitos-en-2019-se-convierte-en-la-mayor-reduccion-de-los-ultimos-seis-anios-pais-200617.aspx>
  99. This model responds to the community and local initiative, considering that there are communities affected with the presence of illicit crops they are willing to eradicate on a voluntary basis, that are not included in the PNIS. The objective is to implement prioritized integrated projects among the community, territorial entity, national government, and the contributor. The main components of the strategy are: manual and voluntary removal of illicit crops, rapid response, productive activities, marketing, social and productive infrastructure, monitoring, verification, and follow-up.
  100. Inter-agency program with the National Land Agency (ANT). In April 2020, the framework agreement was signed between the DSCI and the ANT, for the purpose of combining efforts for the implementation of this substitution model that will benefit 53,521 PNIS families. Consulted at: <https://www.agenciadetierras.gov.co/wp-content/uploads/2018/08/CIRCULAR-20.pdf>
  101. In the context of an agreement with Natural National Parks, this model will be implemented (Payments for Environmental Services) and will serve 3958 PNIS families located in environmentally strategic areas of the municipalities of La Macarena, Puerto Rico, Vistahermosa, Uribe, Mesetas, and Puerto Concordia in Meta and San José del Guaviare through the incentives for conservation, differentiated comprehensive assistance, and sustainable use projects components.

families located in environmentally strategic zones using a collective approach.<sup>102/</sup> In addition, communities are formulating substitution proposals like that of the Micay River Canyon in the department of Cauca,<sup>103/</sup> which are being supported by the Substitution of Illicit Crops Directorate (DSCI).

Despite the actions developed by the Colombian government, coca leaf growing persists in various municipalities in the departments of Antioquia, Cauca, Putumayo, Valle del Cauca, Norte de Santander and in subregions such as Sur de Bolívar, Pacífico, the Nariño Range, and Los Abades in Nariño. Added to this is the transfer of crops to environmentally protected areas and communal lands of ethnic communities. In some cases, in the departments of Valle del Cauca and Guaviare, these transfers are the result of pressure from illegal armed groups.

In the departments of Antioquia, Bolívar, Cauca, Caquetá, Chocó, Córdoba, Guaviare, Meta, Nariño, Norte de Santander,<sup>104/</sup> Valle del Cauca, and Putumayo, the forced eradication of illicit crops led to conflicts with many communities. Since the month of March, there has been a violent escalation between communities and the armed forces in the departments of Antioquia, Guaviare, Meta, Nariño, Norte de Santander, and Putumayo. Actions opposing eradication seek to limit State action, considering that it affects the communities' economy, increases the risks of spreading COVID-19, and in some cases responds to the pressure exerted by illegal armed groups. Disturbances of the public order provoked attacks in which the rural population and authorities lost their lives or suffered personal injuries, events that need to be clarified.

Regarding implementation of the National Comprehensive Program for the Substitution of Illicit Crops (PNIS), the program has continued to operate during the COVID-19 health emergency, particularly in the components of immediate assistance payments,<sup>105/</sup> the delivery of inputs for food safety projects, and service to community managers in Antioquia, Cauca, Córdoba, Guaviare, Meta,<sup>106/</sup> Nariño, and Norte de Santander.

It is a positive factor in that it continues to serve 99,097 families who have voluntarily replaced 41,513<sup>107/</sup> hectares of coca leaf in 56 municipalities; families in Natural National Park (PNN) areas are gaining access to food safety projects thanks to the launch of a guide for differentiated comprehensive technical assistance;<sup>108/</sup> and progress is being made in formulating the Comprehensive Substitution and

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102. Has duration of 24 months and will benefit 24,761 PNIS families.

103. This proposal is the pilot project for the "Made to Order" substitution method.

104. In the months of March, April, and May in Norte de Santander movements were carried out against the forced eradication of illicit crops actions. As a result of the tensions between the demonstrators and the armed forces, two peasants – in Sardinata and Cúcuta – lost their lives. The authorities are conducting investigative actions to clarify the events. This conflict calmed down through the efforts of various negotiations that were conducted on a timely basis by the local government with representatives of coca growers.

105. Between March and May de 2020, 10,436 PAI payments were delivered in 44 PNIS municipalities through the Banco Agrario.

106. For example, in the municipality of Mapiripán (Meta), a biosafety protocol was created that allowed community gatherers/managers to move ahead with their work plans and continue to receive PNIS benefits.

107. From the year 2017 to March 31, 2020, cutoff date of the latest UNODC report, No. 21.

108. These projects benefit 2,222 families located in the PNN: Paramillo, La Macarena, Tinigua, Farallones, Alto Fragua, and La Paya.

Alternative Development Plans (PISDA).<sup>109/</sup> In addition, 450 families have productive projects being implemented in cacao, silvopastoral, and coffee lines and 276 families have graduated in the intervention route of the program in Vichada (cacao). However, these efforts have not been able to positively impact the population's perception of failures in the PNIS roadmap and schedule.

In the departments of Antioquia, Caquetá, Cauca Chocó, Norte de Santander, Nariño, and Valle del Cauca communities that signed collective agreements with the national government, within the PNIS framework, and expected to gain access to a voluntary substitution process feel they have been defrauded because they have not proceeded to the individual affiliation process.<sup>110/</sup> In this regard, it is important to consider the possibility of including these families in the PNIS or connecting them to new substitution schemes that satisfy their desire for voluntary transition to licit crops.

In the municipalities of Tarazá in Antioquia, El Tambo and Piamonte in Cauca, and Puerto Guzmán and Puerto Asís in Putumayo, the population affiliated with this program, as well as the leaders who promote it are being subjected to threats, murder, accusation, and forced displacement. These actions reinforce the need to proceed with formulation of the "Plan to coordinate security actions for the PNIS target population"<sup>111/</sup> and operation of the Inter-Agency Coordinating Panel,<sup>112/</sup> a body created to coordinate the institutional intervention and respond to situations of risk through specific routes for each territory, so as to reduce the vulnerability of this population.

The national government introduced changes in the area of institutional capabilities. The principal change was moving the PNIS operation to the ART in order to foster linkages between PISDAs and the PDETs.<sup>113/</sup> In this context, the entity is faced with the challenge of transforming the perception of deficiencies in the PNIS, reactivating and providing a new impetus to the program and the new substitution schemes, seeking as well to ensure that the difficulties that have occurred in the implementation of the program do not have a negative impact on the trust, image, community and institutional relations that the ART has built with its PDET-related efforts.

The GS/OAS recognizes the effort made by the Substitution of Illicit Crops Directorate to have a regional team with strengthened capacities for the analysis and transformation of social conflicts, negotiation, and consensus-building, above all given the need to build new understandings and

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109. The PISDAs are formulated in 48 municipalities where the PNIS is implemented and are in turn prioritized for implementation of the PDETs. According to information provided to MAPP/OAS by the DSCI, in eight municipalities where only the PNIS will be implemented, and not the PDET, construction of the PISDAs will begin in the month of August, under the responsibility of this directorate.

110. According to data provided to the MAPP/OAS by the DSCI, with a cutoff of August 2018, 52 collective agreements were signed that involve an estimated 87,182 families that were unable to secure individual agreements.

111. Given the health emergency declaration, the Advisory Office for Stabilization and Consolidation has move ahead with the formulation of the plan, through virtual working sessions with the 14 institutions involved.

112. In the context of preventive isolation, the Advisory Office for Stabilization and Consolidation announced that the work of the inter-agency coordinating panel would focus on actions with regional and local authorities, as well as strengthening the technical capacities of regional coordinators of the DSCI on the subject of security.

113. Law 1955 of 2019 on the National Development Plan provides for transferring the PNIS operation to the ART, the objective being to move ahead with linkages between the PISDAs and the PDETs. Subsequently, under Decree 2107 of November 22, 2019, the Substitution of Illicit Crops Directorate (DSCI) was created within the ART structure. Consulted at:

<https://dapre.presidencia.gov.co/normativa/normativa/DECRETO%202107%20DEL%2022%20DE%20NOVIEMBRE%20DE%202019.pdf>

agreements for voluntary substitution in regions and grower groups that did not have access to the PNIS.<sup>114/</sup>

### **5.3. Victims and Land Restitution Law (Law 1448 of 2011)**

Law 1448 of June 10, 2011 and its regulatory decrees are now in their last year in force as initially conceived, so that discussions on extending them present an opportunity for revisions and including amendments to overcome the challenges occurring in their implementation and moving toward the full satisfaction of the victims' rights. In this regard, ensuring that they are fully financed will be key to affording rapid access to individual compensation by the victims, flexibly implementing collective reparations measures, reconsidering obvious urgent or extreme vulnerability criteria, proceeding with returns and relocations plans, increasing the allocation of resources for the entities involved, and allocating budgets to mayors' and governors' offices representing the largest numbers of persons affected by the conflict.

Some challenges for the implementation of the law, which may be structural aspects for improvement, are the coordination between the national government and the regional entities for comprehensive service and reparations, the involvement of the Public Defender's Office and the institutions of the Comprehensive Truth, Reparation, and Non-Repetition System (SIVJNR) on the Transitional Justice Committees, a new effort toward representation for the victims<sup>115/</sup> and the inclusion of oversight mechanisms.

It is also important to reconsider the participatory mechanism in the micro-targeting of areas for the implementation of land restitution, including the participation of community leaders and authorities in the process of declaring the suitability of a piece of land. In addition, in areas where there are disturbances in the public order, it is suggested that material restitution as the preferred method be changed, allowing compensation, relocation, or even the implementation of productive or income-generating projects as the means of reparation among other priorities established by the population affected by the conflict.

In the area of reparations and the victims' access to rights, the on-line actions of the Public Prosecutor's Office have been key to guaranteeing the acceptance of declarations, monitoring the impact on and effective participation of the victims in the construction of departmental and municipal development plans, the opening of virtual spaces to strengthen the capacities of young victims of the conflict and the conduct of workshops to build the historical memory. In addition, in the context of the emergency caused by COVID -19, the Land Restitution Unit (URT) developed some actions to comply with orders such as: planned administrative actions, communication with judges, project design, *inter alia*, to promote compliance with the Land Restitution policy. In addition, the participation and shared management of the Unit for Comprehensive Care and Reparation for Victims (UARIV) and the ART in the institutional sessions of the PDET are notable, promoting the construction of working methods to formulate projects that make it possible to comply with initiatives in the subregions and their impact on development plan programs.

The COVID-19 health emergency has underscored vulnerabilities in the victim population and is having effects in multiple areas such as a slowdown in administrative processes due to institutional adaptations and obstacles in the use of information technologies. It is estimated that this situation, in conjunction with factors such as dependence on informal subsistence and situations of isolation along

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114. The MAPP/OAS supported the DSCI with a 25-hour virtual training process on the referenced topics.

115. With a larger number of members representing the victims or increasing the value of each vote.

with the effects of illegal armed groups could reverse progress made in the comprehensive reparation envisioned in Law 1448 of 2011 and its regulatory decrees.

Two cases exemplify these effects. The first is the collective reparations process of the Communal Action Organization<sup>116/</sup> which has slowed down in the stage for formulating the Comprehensive Reparation Plan, due to the limited relationship that the communities have with Information and Communications Technologies (ICTs), limited community resources for producing virtual meetings, and a change in the official responsible for the case on the part of the UARIV. These effects are mitigated by the relationship of trust and mutual commitment achieved between the Promotion Committee on the subject of communal collective reparation and the UARIV, which have contributed to progress in diagnosing the damage done to collective reparations.

The second case is the attack on John Restrepo, a leader of LGBT groups, on March 25, and the threats against the LGBT Working Group of Commune 8 of Medellín. These events constitute an attack on the guarantor, differential, reparative, and non-repetition spirit that underpins Law 1448 of 2011. The context in which the attack occurred revives the risks and circular nature of the continuum of violent actions based on prejudice, undermining the democratic participation of these sectors in peace building.

With regard to the Working Groups for the Effective Participation of Victims, the GS/OAS emphasizes the leadership and actions of their members in the context of the institutional groups of victims at the national level, as well as their linkage and effects in the various local entities. However, it notes with concern the threats and risks to security faced by some of their members in regions with a strong presence of and actions on the part of illegal armed groups.

The health emergency due to COVID-19 also had an impact on the Land Restitution policy, particularly administrative and judicial actions requiring travel to the territories to collect land registry and social evidence, and the conduct of judicial inspections and the delivery of plots. Nonetheless, in order to reduce the negative impact on its administrative actions, the URT enabled remote access for its collaborator to the registry system, updated the contact data for applicants, implemented electronic posting of applications, carried out extraterritorial characterization strategies with ethnic communities, so they could be performed outside of the collective territory, for the purpose of minimizing the risk both in the area of security and in combating the health emergency and made available to the users different channels for accessing information, so that, despite the initial suspension of terminals, the delayed procedures could be settled and new administrative actions could be planned pending the total lifting of the suspension.

As regards judicial proceedings, offices facilitated access to and review of some electronic and digital files, as well as the conduct of judicial proceedings, excluding those that require leaving the

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116. In the year 2015, it was recognized as a victim of the internal armed conflict by the Unit for Victims within the framework of Law 1448/2011, and it is the largest organization that has undertaken the collective reparation route, covering approximately 12% of the Colombian population. To date, it has been able to structure the diagnosis of the damage and it undertaking actions to formulate the Comprehensive Collective Reparation Plan (PIRC), the purpose of which is to provide ways to recover the capacity for self-management, contribute to political participation and citizenship, and strengthen the organization. The delay in the route has led to questions regarding the transformative nature of collective reparation and, for its part, the renewal of leadership roles constitutes a challenge that the collective must confront in order to lend speed to the reparatory process. Consulted at: <https://www.unidadvictimas.gov.co/es/reparacion-colectiva/unidad-participo-en-sesion-de-la-mesa-de-seguridad-con-organizaciones-comunales>.



country. Despite these efforts, it is clear that the limitations on mobility and restrictions on access to technological media for those participating in the process are affecting the dynamic and progress of the process.

Other efforts made to strengthen the infrastructure of the Specialized Jurisdiction in Land Restitution, such as increased staffing and access to technology for employees, may be overshadowed by procedural delays. The delays persist due to the very complexities of the process, caused by the need to gather evidence,<sup>117/</sup> and judicial and institutional proceedings,<sup>118/</sup> as well as the workload that exceeds the capacities of some courts, and security situations that compel the suspension or rescheduling of on-site proceedings or formalities. These situations are reflected in the fact that only 53% of the applications filed by the URT have resulted in a judgment.<sup>119/</sup>

Once again, the GS/OAS recognizes the work of the URT in promoting the Special Program for Women's Access and the progress involved in entering both men and women in the Registry of Expropriated and Forcibly Abandoned Lands when ties to the property are lost, thus asserting women's access to the land. In addition, the affirmative actions they receive, along with other differentiated groups, including the incorporation of special claims in the suit before the restitution judges that follow this approach. The enforceability of rights groups that seek to strengthen the capacities of the URT with regard to the content of the judgment and the enforceability of compliance merit special mention.

The limited empowerment of women, the few productive projects designed for them, the dynamics of social control imposed by illegal armed groups, and the difficulties of traveling to see to care-giving that limit access to relevant information on their rights, the routes for being served, and the status of their cases, still hamper full access to and utilization of property by women. Among the rural population and people with limited mobility, access to restitution or to the continued status of the proceeding is even more complicated. In addition, there are some cases in which the underlying problems<sup>120/</sup> are not resolved in the context of the restitution process, which means difficulty in accessing the full enjoyment of the right.

Also notable are the dynamics related to the difficulty of accessing housing, particularly in rural areas, as well as low security guarantees for returning to the territories and problems ensuring that municipal administrations will be able to fully comply with the land restitution orders. Added to this is the insufficient training of officials in the differential approach in judicial offices, which has repercussions in the failure to provide information on special safeguards, the failure to include

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117. Evidence where the aim is to: fully identify the property, establish the applicant's compliance with the requirements for accessing formalization or acquiring ownership of the property, receipt of statements and testimony to verify the applicant's victim status and their legal or de facto relationship with the property, environmental, mining, energy, or infrastructure overlaps with the property, and other factors. The Mission, with nearly a decade of supporting and monitoring the implementation of this policy, has determined that the collection of evidence measure that most particularly complicates the procedure is the measure related to full identification of the property, in georeferencing, recording, and land registry terms, and potential environmental overlaps or overlaps with infrastructure or mining and/or energy operations.

118. For example, procedures for notifying and publicizing the start of the judicial process and requirements for entities, whose responses, often delayed, can impact the dynamic of the proceeding.

119. According to information consulted in May 2020, of the 20,909 applications submitted by the URT to the judges, 11,207 have been resolved in judgments. Consulted at:  
<https://www.restituciondetierras.gov.co/estadisticas-de-restitucion-de-tierras>

120. Cases related to the declaration of the presumed death of a spouse and the estate or inheritance.

differential approaches in administrative acts or judicial rulings, and the lack of intersectionality of those acts.

Finally, mandatory preventive isolation due to COVID-19 exacerbates structural inequities and deepens the vulnerability of populations affected by the conflict given the persistence of violent situations, thus reducing access to government entities. To mitigate the impacts that the emergency situation has on operations and the guaranteed continuity of processes, as well as the effective participation of the victims, the Victims Unit (UARIV) and the Land Restitution Unit (URT) have strengthened the citizen telephone and virtual services. However, these measures are not completely effective for continuing to advance on a timely basis with the comprehensive reparation of the victims. National and local authorities should continue coordinating to find effective actions with positive impact for the victims, allowing them to overcome their vulnerable conditions.

#### **5.4. Strategic Intervention Zones (ZEII) or “Future Zones”<sup>121/</sup>**

Decree 062 was issued in January 2020, designating the Presidential Advisory Offices and the Office of the High Commissioner for Peace (OACP) as delegates from the five prioritized areas within the framework of the strategy,<sup>122/</sup> in order to accelerate regional actions in a comprehensive, inter-agency, and coordinated way. This decision, plus the community planning and state planning processes at all levels of government within the framework of constructing the PDETs, have allowed the national government, through the ZEII strategy, to concentrate comprehensive state intervention using targeting criteria.

During the month of July, Special Comprehensive Intervention Plans (PEII)<sup>123/</sup> were approved before the National Security Council, which represents an advance for launching the roadmap and moving ahead with the proper coordination of competent entities. In terms of justice, progress has been made in developing and strengthening the Local and Rural Justice Systems, particularly in the pilot plan of the municipality of El Charco (Nariño), where the Local Justice Committee has been formed and operates. This committee has succeeded in coordinating the municipal judicial operators and from there coordinating mobile judicial services days in rural areas. However, these have been suspended due to the COVID-19 mandatory preventive isolation measures. In addition, justice-strengthening actions that were planned, such as the arrival of more judicial investigators, are pending.

After the first months of implementing the ZEII strategy, there is evidence of a need to strengthen the socialization and dissemination actions to sufficiently expand knowledge regarding the

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121. The Future Zones are a civil strategy for intervention and targeting of programs, plans, and state resources, in territories that require unified, coordinated, sustained, and comprehensive State action, pursuant to Law 1941 of 2018 and Decree 2278 of 2019. There are five Future Zones, located in the Pacífico Nariñense, Catatumbo, Bajo Cauca, and Sur de Córdoba, Arauca and Chiribiquete and nearby Natural National Parks. Consulted at: <https://id.presidencia.gov.co/Paginas/prensa/2020/Consejo-de-Seguridad-Nacional-aprobo-los-planes-para-las-Zonas-Futuro-200730.aspx>

122. Presidential Advisory Office for Human Rights and Humanitarian Affairs for the Pacífico Nariñense ZEII; the Advisory Office for Equity for Women, for the Arauca ZEII; the Advisory Office for Stabilization and Consolidation, for the Catumbo ZEII; the Advisory Office for the Management and Compliance, for the Chiribiquete National Natural Park and Nearby Parks ZEII, and the Office of the High Commissioner for Peace, for the Bajo Cauca and Sur de Córdoba ZEII.

123. Defined as an instrument of the national government for the areas most affected by institutional weakness, the presence of organized armed groups, illegal economies, and poverty. Defined in Decree 2278 of 2019. The PEIIs were published on July 30, 2020 upon closing the preparation of this report. Consulted at: <https://id.presidencia.gov.co/Paginas/prensa/2020/Consejo-de-Seguridad-Nacional-aprobo-los-planes-para-las-Zonas-Futuro-200730.aspx>

strategy, objectives, goals, prioritized zones, entities that have some area of competence or the coordination and complementarity with other programs and entities, particularly with respect to the PDET acceleration component,<sup>124/</sup> as well as the additional financial and institutional supports that implementation of the PDETS will receive via the ZEII strategy.

Socialization actions should prioritize both local justice operators and officials of the Sectional Prosecutors' Offices in Arauca, Caquetá, Tumaco and the regions of Catatumbo and the Bajo Cauca Antioqueño, where because the PEIIs of each zone have not communicated these institutional actors claim not to fully know the strategy's actions nor the levels of coordination with the national level.

The ZEII strategy would be strengthened with the opening of mechanisms and opportunities for citizen participation and oversight, with appropriate incorporation of differential ethnic and gender approaches and attending to the particular conditions in the respective PEIIs.

## **6. WOMEN'S LEADERSHIP IN THE GENDER AND PEACE AGENDA**

The Colombian State<sup>125/</sup> has deployed various actions to adapt and strengthen measures to address violence against women in general and victims of the armed conflict in particular during the COVID-19 pandemic. Moreover, it has shown a willingness to join hemispheric awareness-raising and response strategies.<sup>126/</sup> Particularly notable are the advances reported in response to the 51 gender indicators of the Framework Implementation Plan (PMI) for the Final Agreement in aspects such as access to land, delivery of housing, rural women's and gender initiatives in the PATRs, political participation with the "More Women, More Democracy" strategy and, finally, the 2019-2022 National Action Plan of the Comprehensive Program of Guarantees for Women Leaders and Defenders.

It is a challenge to overcome the increasing gender gaps and risks for women's exercise of leadership in high conflict areas, particularly during the pandemic. In urban centers and remote rural areas affected by the armed conflict, COVID-19 accentuates the violation of rights, exacerbates discrimination, and undermines the transformative potential of women's local leadership in building peace.

The differential impacts expressed in increased gender-based violence (GBV)<sup>127/</sup> are expressed in the lack of comprehensive security and non-repetition guarantees for women leaders and defenders; difficulties seeking to access and remain in school for women and their children; increased unemployment and precariousness in the lives of informal workers; undermining of sovereignty and food security; as well as disadvantageous conditions for producing and selling their products and

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124. Decree 2278 of 2019 defines acceleration of the PDET initiatives as an integral component of the Strategic Comprehensive Intervention Plans. Thus, according to the Presidential Advisory Office on Stabilization and Consolidation, a strategy has been proposed to identify, in the various PDET management and follow-up mechanisms, linked initiatives in this chapter and proceed with a model for coordinating with provisions in the Future Zones. In addition, there is a set of indicators that can be used to monitor the PDET acceleration component in the ZEII strategy.

125. Specifically, the national government under the leadership of the Vice President, the Presidential Advisory Office for Women's Equity (CPEM), the Presidential Advisory Office for Stabilization, the ART, and the Ministry of the Interior. Additionally, the Public Prosecutor's Office and the mechanisms of the SIVJRRN.

126. The Inter-American Commission of Women (CIM). "COVID-19 in Women's Lives: Reasons to Recognize the Differential Impacts" Consulted at:  
<http://www.oas.org/en/cim/docs/ArgumentarioCOVID19-EN.pdf>

127. The Mission's monitoring includes findings in cases of sexual violence, femicide, and forced disappearances of women.

ventures, particularly those produced by peasant, indigenous, and afro-descendant women; and finally, the uneven exercise of political participation and citizenship during the first half of 2020.<sup>128/</sup>

In addition, despite the advances made in the Comprehensive Program of Guarantees for Women Leaders and Defenders (PIG – Women), their concrete effects are still pending in the territories, including in those like Putumayo and Cauca, where implementation efforts are being advanced through pilot projects. There is an alarming persistence of coercive contexts for women based on violent control, there are weaknesses in the comprehensive and effective national and regional institutional response, delays in the activation of routes, allocation of supplemental measures, and lack of effectiveness in assigned protection schemes; as well as the undermining of security conditions, worsening of gender risks for female leaders and defenders, and increased gender-based violence against them in regions such as Antioquia, Arauca, Cauca, Córdoba, Nariño, Norte de Santander, Putumayo, Sur de Bolívar, and Valle del Cauca.

The GS/OAS and the Mission join the call to protect the lives of women human rights leaders and defenders, noting the likelihood that, during the health emergency caused by COVID-19, there may be negative effects such as regressivity in the broad set of women's and LGBT social sectors' rights, a slowdown in the implementation of the gender and peace agenda, and the persistent gap resulting from intersectoral discrimination and violence.<sup>129/</sup>

## **7. COMPREHENSIVE TRUTH, JUSTICE, REPARATION, AND NON-REPETITION SYSTEM (SIVJNR)**

The SIVJNR entities have made significant efforts to coordinate and interconnect processes, generate coordinated territorial actions, and develop joint external communication strategies, keeping the centrality of the victims as the axis. To be noted are the actions undertaken to confirm compliance with the requirements of the conditionality regime by those who appear before its judicial and extrajudicial mechanisms, by means of continuous information-sharing, as well as the impetus to achieve the incorporation of reparation measures in building the roadmap for the PDETs.

As indicated in the XXVIII report, although the SIVJNR has led to better coordination and linkage among its component entities at both the central and territorial level, it needs to increase the dissemination of the mandate of each entity and produce mechanisms to ensure that victims do not perceive access as a disjointed effort that duplicates other legal frameworks such as Law 1448 of 2011 and Decree-Laws 4633, 4634, and 4635 of 2011. In addition, a warning is needed regarding the challenges that still persist in the area of security and guarantees of non-repetition for communities that decide to contribute to and participate in this system, as well as for SIVJNR staff and contractors who work in places where illegal armed groups are present.

### **7.1. Disappeared Persons Search Unit (UBPD)**

Significant advances have been made during this period in the work carried out by the UBPD. In particular, the GS/OAS commends the launch of the National Search Plan to locate people considered disappeared in the context of the internal armed conflict, as well as the consolidation of 12

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128. An example of this is the downturn and intimidation in their effective participation and impact before the PDDs for the inclusion of women's policies, gender equity, and peace.

129. The view of intersectional discrimination and violence is based on the intersection of various subordinate conditions, characteristics, and/or identities that take shape in an individual or collective subject, the interaction of which reveals particular ways of experiencing the violation and lack of guarantees for rights. These conditions are associated with gender, sexual orientation, gender identity, ethnicity, level of schooling, territory, socioeconomic condition, disability, or diverse skills, among other factors.

Regional Search Plans for the Pacífico, Magdalena Medio, and the Colombia-Ecuador border zones, and the departments of Caquetá, Cesar, Cundinamarca, Meta, and Valle del Cauca. This progress marks an inescapable commitment to the victims and a key step toward peace.

The Mission also celebrates the installation of the Advisory Council, comprised of the Coordinating Committee for the Pueblo Bello Case, the Association of Nariño Women Victims of Forced Disappearance (AMVIDENAR), Ágape for Colombia, the Association of Victims for the Peace of Colombia (ASODAVIPAC), the Colombian Interdisciplinary Team for Forensic Work and Psychosocial Assistance (EQUITAS), the Forced Disappearance delegate of the Victims Participation Panel, the Truth Commission, the Presidential Advisory Office for Human Rights and International Affairs, the National Forensic Medicine Institute, the Ministry of Justice and Law, the Ministry of Health, the Ministry of the Interior, the OACP, and the UARIV. This Advisory Council represents an opportunity to strengthen the participation of the victims in this transitional mechanism and a concrete contribution to its mission.<sup>130/</sup>

In the context of the health emergency caused by COVID-19, the UBPD undertook actions to guarantee telephone and virtual assistance channels,<sup>131/</sup> as well as to increase the secrecy, confidentiality, and safekeeping of information in work done at home by the entity's staff. Similarly, actions were undertaken to create joint technical working groups including the Investigation and Indictment Unit (UIA)<sup>132/</sup> and the UBPD to study cases, coordinate exploratory actions in cemeteries,<sup>133/</sup> and participate as experts when public hearings are conducted on precautionary measures ordered by the Special Jurisdiction for Peace (JEP).<sup>134/</sup> This latter unit also contributes by providing information for search plans.

With the launch of the National Search Plan and the Regional Plans, the main challenges of the UPBD will be to guarantee that the implementation of those plans does not expose the communities to risk or increase their risk, particularly in territories where illegal armed groups are present and active; as well as to maintain trust and encourage the direct, active, and informed participation of the victims' families. In this regard, the UPDB is urged to continue to overcome challenges and to strengthen technical coordination with the PDET/PATRs as a contribution to the territorialization of public peace policies.

## **7.2. Special Jurisdiction for Peace (JEP)**

With the opening of two new offices in Bucaramanga and Neiva, the JEP increased its territorial presence during the first half of 2020. To date, this entity has 20 Executive Secretariat links, 21 psycho-legal pairs with the victims' care department, 17 teams in the Autonomous Advisory and Defense System, and 11 groups belonging to the country's Investigation and Indictment Unit that seek to guarantee access to justice for the victims of the internal armed conflict and to promote their participation.

The GS/OAS commends the consolidation of the Participation Commission as a permanent body within the Jurisdiction, which heightens the centrality of the victims. This centrality will be crystalized through the Victims Participation Manual, an instrument that was supported technically by

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130. Humanitarian and extrajudicial search for persons considered disappeared in the context of and by reason of the armed conflict.

131. Circular 12 of April 13, 2020

132. Unit attached to the JEP.

133. Dabeiba, San Onofre, and Rincón del Mar and the La Alemania and El Palmar farms in Sucre

134. Hidroituango, la Escombrera, and la Arenera of Commune 13 in Medellín.

the MAPP/OAS and represents an original tool in the area of courts embodying the principles of restorative justice, the right to effective participation, and the inclusion of international standards.

In the context of the contingency caused by COVID-19, the Jurisdiction has shown interest in implementing a virtual strategy for afro-Colombian and indigenous populations, which has had the support of the Mission, the objective being to move ahead with ethnically relevant accreditations and notifications in the territory, while the health emergency is being overcome. It has also expressed interest in the search for alternatives for conducting remote voluntary versions, taking into account the principles of security and procedural guarantees for those making an appearance.

However, mandatory isolation to combat the COVID-19 epidemic affected dissemination and education activities, the preparation of reports, notices, victim transfers to offer voluntary versions, and the implementation of precautionary measures for their participation. Nonetheless, starting on April 27,<sup>135/</sup> JEP bodies carried out some procedures such as issuing judicial orders that do not require notification or can be fully reported electronically, the granting of precautionary or protective orders or victim accreditations, and also conducted some virtual hearings.

Regarding the macro cases prioritized by the Jurisdiction, Case 002<sup>136/</sup> has a total of 105,146 accredited victims, including 54 indigenous reserves, 52 town halls, and 30 community councils; Case 004<sup>137/</sup> has 35,174 accredited victims, 72 individual victims and 103 collective victims, and Case 005<sup>138/</sup> has accredited a total of 62 individual victims and 83 collective victims, representing 143,382 indigenous villagers and 20,255 afro-descendant people. These accreditations show significant participation by the population, a condition that will mean not only that the proceedings are more inclusive and transparent but will also foster the construction of truly comprehensive justice.<sup>139/</sup>

The centrality of the victims also entails the possibility of participating in the observations of individual and collective voluntary versions, emphasizing in that regard the receipt of observations from 891 victims of the 2,120 accredited victims in Case 001. The victims' observations promote the building of trust and strengthened dialogue, while representing an essential element in comparing the versions. In this case, the application of digital justice tools is appreciated, particularly the launch of a platform for transmitting and generating observations.

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135. The JEP ordered the suspension of hearings and judicial terminals as of March 16, a measure that was partially lifted on April 27, 2020.

136. Which prosecutes human rights violations and violations of international humanitarian law (IHL) that particularly affected indigenous peoples, black communities, afro-Colombians, peasants, women, and LGBTI persons in the municipalities of Tumaco, Ricaurte, and Barbacoas, in the department of Nariño.

137. Which focuses on the upheavals caused by the extinct FARC-EP and the armed forces between 1986 and 2016 in the region of Urabá.

138. Which prioritizes human rights violations and serious violations of international humanitarian law in 17 municipalities located in northern Cauca and the southern Valle del Cauca.

139. In these territorial cases, cases 002, 004, and 005 stand out; in addition to the accreditation stages, they have advanced to receiving versions from those appearing for the FARC-EP and the armed forces: in case 002 progress has been made on 37 voluntary versions from 20 persons appearing (4 of them virtual in the context of mandatory isolation) and four collective procedures on construction of the truth dialogue; for its part, case 004 has received 11 voluntary versions and conducted four collective proceedings on discursive construction of the trust; finally, in case 005, 11 versions of those appearing in the case have been produced. The receipt of these versions is fundamental and shows that the proceedings have advanced, reducing the possibility of impunity for the upheavals occurring in the territories of Nariño, Cauca, Valle del Cauca, and Antioquia.

In addition, the judicial treatment of crimes committed against children and adolescents is particularly important. In this regard, the efforts made by the Jurisdiction in the context of Case 007, which focuses on the recruitment and use of children in the armed conflict, are commended, calling for continued efforts to uncover more cases of recruitment, use, and assignment of children and adolescents in general. With a cut-off date of June 16, 2020, civil society organizations delivered four reports that are particularly relevant for the case, which had 93 individual accredited victims.

The GS/OAS also celebrates the progress made by the JEP in the context of inter-jurisdictional coordination with the Special Indigenous Jurisdiction (JEI) and the intercultural dialogue with afro-descendant communities. There have been 29 proceedings in Case 002 and 11 inter-jurisdictional coordination proceedings in Case 005. In cases 002, 004, and 005 it has been possible to establish a specific coordination route that has been agreed upon with the communities themselves. These scenarios reflect a profound respect for ethnic jurisdictional authorities and cosmovisions.

The ethnically-relevant virtual route model designed in Case 002 and its dissemination with the indigenous communities of UNIPA<sup>140/</sup> and CAMAWARI<sup>141/</sup> has made it possible to make progress on judicial guarantees and minimize the effect on victims' rights under the current circumstances. However, there is a call to ensure that initiatives of this type cover all the macro cases.

Through the Mission, the GS/OAS has conducted special follow-up on the precautionary measures sought from the JEP by the different communities and victims. In this regard, a monitoring system was launched by the Investigation and Indictment Unit that will be able to minimize delays in approving these measures intended for populations living under particularly risky conditions due to the presence of illegal armed groups, illegal dealers, and the dynamics of conflict. Nonetheless, it notes the need to include cross-cutting and comprehensive analyses of current territorial situations in each of the areas with open cases or impacted by those cases, in order to take into account all the dynamics that promote or generate extraordinary risks for victims participating in the JEP.

An understanding of these contexts and their dynamics could better demonstrate the risks being assumed by organizations when they participate and become accredited. Similarly, there is a call for studying, analyzing, and broadly developing the protection offered by the jurisdiction in the context of precautionary measures or other measures provided for this purpose and not just those derived from accreditation, in that other victims may be excluded who meet the conditions for entering the JEP.

### **7.3. The Truth Commission (CEV)**

Important actions have been seen in progress made in the work developed by the CEV. During this period, 5,839 interviews<sup>142/</sup> and 105 social dialogue events<sup>143/</sup> were held at the national and territorial level. In particular, the GS/OAS salutes the decision made by the system to take the CEV's final report to be delivered in 2021, as a reference for the JEP and UBPD. Also noteworthy are the advances made in verification of the conditionality regime through ongoing information sharing between the JEP and the CEV, as well as the establishment of technical working groups for organizing precautionary measures in investigations related to the Administrative Security Department (DAS) and the National Center for Historical Memory.

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140. Indigenous Unit of the Awá People.

141. Awá City Council of Ricaurte.

142. Primary sources collected directly by the Truth Commission.

143. Virtual events: public or closed educational events or actions on the three objectives (Recognition, Non-Repetition, or Co-existence) and another relationship type of Commission events.

As a strategy for responding to the contingency caused by COVID-19, the CEV did scenario planning and extended the deadline for the submission of interviews and receipt of cases until the end of the year. It also continued analyzing information for the Final Report, through the research line. The GS/OAS highlights the comprehensive and diverse process for the appointment of Alejandro Castillejo Cuellar as Commissioner in response to the death of Alfredo Molano Bravo at the end of last year.

For the social dialogue line, a methodological adjustment was made to strengthen mass media and alternative communication methods. The main challenge for the victims is the use of technological information tools and limited willingness to tell their stories in the presence of or near family members, which has a negative impact on addressing issues related to the armed conflict.

The strategies undertaken include radio programs to hear the population's voices on the causes of the armed conflict on 57 radio stations in macro-territorial regions of Antioquia and Eje Cafetero, Centroandina, Caribe, Pacífico, Sur Andina, Amazonía (Putumayo), Nororiente, and Orinoquía. In addition, in Norte de Santander print media were used to provide education on forced disappearances in the "Frozen Lives" primer that was written to continue supporting the clarification process being conducted by organizations of women and seekers in the armed conflict.

The MAPP/OAS will continue to support each of the SIVJNR institutions with respect, solidarity, and impartiality, always hearing the call of the victims.

## **8. RECOMMENDATIONS**

In keeping with the findings described, the GS/OAS respectfully submits the following recommendations:

### **8.1. To the Office of the High Commissioner for Peace**

8.1.1. Monitor and evaluate the impact of government criminal policy for dismantling criminal organizations responsible for attacks on social leaders, human rights defenders, and participants in the implementation of the Final Agreement. On a supplemental basis, promoting intersectoral coordination scenarios in the national arena, linkage with departmental and municipal governments, and strengthening of the Gender Sub-Group of the National Commission for Security Guarantees are suggested.

8.1.2. Continue to energize, through virtual and in-person strategies, the Territorial Councils for Peace, Reconciliation, and Coexistence (CTPRC), guaranteeing methodologies that allow for broad, diverse, and inclusive participation by ethnic sectors, women, and youth, particularly in urban areas, with respect to handling the health emergency and the resulting areas of conflict.

### **8.2. To the Office of the High Commissioner for Peace and the Ministry of Defense**

8.2.1. Continue and expand on the implementation of demining strategies at the territorial level that strengthen prevention strategies and the creation of reporting mechanisms, under the principle of confidentiality, on the presence of the antipersonnel mines, improvised explosive devices, and explosive traps in areas where illegal armed groups are present, seeking to expand on risk scenarios for the communities.

### **8.3. To the Ministry of National Defense**



8.3.1. In coordination with the Ministry of the Interior, address social pressures and conflicts arising from the implementation of forced eradication, through dialogue and social transformation mechanisms.

**8.4. To the Intersectoral Commission for the Prevention of Recruitment, Use, and Sexual Violence against Children and Adolescents – CIPRUNNA**

Through implementation of the Strategy for Prevention of the Recruitment, Use, and Utilization of Children and Adolescents:

- i. Promote opportunities for virtual training for staff of the Public Prosecutor's Office, municipal administrations, rural teachers in at-risk municipalities, and youth platforms, with respect to the strategy and responsibilities of the CIPRUNNA on ways to care for children and adolescents.
- ii. Encourage municipal administrations to include, in development plans, the policy on the prevention of recruitment, utilization, use, and violence against children and adolescents by organized armed groups and organized criminal groups, to include prevention and rapid response methods.

**8.5. To the Presidential Council on Stabilization and Consolidation**

8.5.1. Disseminate the methodology, deadlines, and participants in the PDET implementation process; the methods and timing for the participation of local authorities and driver groups; and the planning scheme on the availability of economic resources at the national level intended for the implementation of the government's peace policies.

8.5.2. In coordination with the Public Prosecutor's Office, promote the establishment of citizen oversight boards and participatory forums in which the communities, as the active political subject in the transformation of the territories, can exercise the democratic right of oversight and social control over government management in the execution of the PDETs.

8.5.3. Proceed with implementing the gender and peace agenda, particularly within the framework of the PDETs, given the need to define an emergency intervention plan for territorial dissemination and strategic, gradual, and progressive positioning of the 4,406 gender initiatives of the PATRs within the PDET Single Road Maps.

8.5.4 The Inter-Agency Coordinating Panel should coordinate the design of measures to guarantee the safety of persons being reintegrated from the Territorial Spaces for Training and Reintegration (AETCR), primarily those who are in remote locations and living in highly vulnerable situations due to the presence of one or more illegal armed groups and the high density of illicit crops.

8.5.5. To the Territorial Renewal Agency (ART) and the Substitution of Illicit Crops Directorate, proceed to implement new voluntary substitution schemes that guarantee the comprehensive transformation of the territories, concentrating efforts on the social organization of rural property, the conservation of environmentally protected areas, and the sale of legal goods.

**8.6. To the Presidential Advisory Office for National Security, the Presidential Advisory Office for Stabilization and Consolidation, the Presidential Advisory Office for Human Rights and International Affairs, the Presidential Advisory Office for Management and Compliance, the Presidential Advisory Office for Women's Equity, and the Office of the High Commissioner for Peace (OACP)**

8.6.1. Strengthen national-territorial coordination to guarantee the multidimensional security approach through actions directed to protection of the population, the dismantling of illegal economies, and territorial transformation, in addition to promoting in prioritized areas more dissemination actions on the strategy, its approaches, scopes, objectives, institutional capabilities, and other aspects.

#### **8.7. To the Higher Council of the Judiciary**

8.7.1. Evaluate the adoption of decongestion measures addressing quantitative aspects (number of proceedings) and qualitative aspects (complexity of proceedings) in order to lighten the load of some Judicial Offices and provide greater impetus to judicial proceedings in the context of the restitution of lands. On a supplemental basis, include training opportunities for judicial officials and employees on different approaches.

#### **8.8. To the Office of the Vice President of the Republic**

8.8.1. In coordination with the Ministry of the Interior and the Presidential Advisory Office for Women's Equity, deploy a comprehensive and sustainable strategy to promote women's equal representation in communal action, guaranteeing their representation in the upcoming schedule of communal elections and providing conditions of security for women communal leaders.

8.8.2. In coordination with the Presidential Advisory Office for Women's Equity, strengthen the government's adaptation and response to COVID-19 in the areas most affected by the armed conflict, with regard to the differential and disproportionate impact on women, girls, and adolescents.

#### **8.9. To the Office of the Vice President, Ministry of the Interior, the Presidential Advisory Office for Women's Equity, the Office of the High Commissioner for Peace, the Presidential Advisory Office for Stabilization and Consolidation, and the Office of the Public Prosecutor**

8.9.1. Improve national-territorial coordinating mechanisms for the implementation of the Comprehensive Program of Guarantees for Women Leaders and Defenders both in the pilot regions and in the rest of the country:

- i. Clarifying jurisdictions and routes for accessing supplemental measures for leaders supported by the program.
- ii. Strengthening the complementarity of recommendations from the Gender Sub-Group of the National Commission for Security Guarantees (CNGS) on the subject of non-repetition.
- iii. Improving the broad, diverse, inclusive, and impactful participation of women leaders, defenders, and their organizations in the territories.

#### **8.10. To the Ministry of the Interior**

8.10.1. Provide security guarantees for communal work through the Timely Action Plan (PAO) and the Communal Security Working Group. On a supplemental basis, promote sensitization and awareness-building strategies on communal labor and conduct campaigns against communal stigmatization.

8.10.2. In coordination with the Departmental Communal Federations, implement actions designed to strengthen the Communal Actions Boards, specifically on issues of mediation and

conciliation, domestic legislation, and project preparation, in rural areas and areas that are difficult to access.

8.10.3. Proceed with the preparations for promptly resuming the social dialogue processes at the national and territorial level, guaranteeing the broad, inclusive, and diverse representation of civil society, allowing for the participatory creation of solutions consistent with territorial needs.

**8.11. To the Ministry of the Interior, the Ministry of Justice, the Ministry of Health, and the Ministry of Defense**

8.11.1. Continue to develop a work plan that incorporates the general measures established for the Colombian territory, as well as differential measures, for the effective protection of the health and lives of the country's 115 indigenous peoples, strengthening respect and support for the decisions that the indigenous authorities have made to prevent and control COVID-19, within the framework of the exercise of the Special Indigenous Jurisdiction.

8.11.2. Establish mechanisms to ensure that indigenous authorities represented in the Permanent Coordinating Working Group or the Inter-Jurisdictional Commission for Coordination are able to recommend guidelines and contingency plans to improve interventions in the territory.

**8.12. To the Ministry of Justice and Law**

8.12.1. Strengthen and expand the application of local and rural models of justice, supporting alternative dispute resolution agencies, according to the needs of each territory, in that these successfully – in some way – contain the exercise of de facto justice, while strengthening legitimate trust in the State and the culture of legality in the territories.

**8.13. To the Office of the Attorney General**

8.13.1. Increase the resources of the Special Investigation Unit to deal with cases of homicides against defenders, human rights defenders, and persons being reintegrated, guaranteeing an effective display in the territories most affected by the armed conflict and the dynamics of criminal behavior.

8.13.2. Coordinate the national teams designated to serve each Future Zone with the respective Sectional Prosecutor's Offices in the territories, in order to disseminate the strategy and define its role, linking national level actions with local actions.

**8.14. To the Office of the Attorney General, the Higher Council of the Judiciary, and the Ministry of Justice**

8.14.1. Continue with the process of digitizing and strengthening technological capacities in judicial headquarters (prosecutors, courts, and conciliation centers) at the territorial level, allowing them to continue using technologies in the performance of their work, in that significant advances have been noted in the area of security for judicial access and the streamlining of some proceedings.

8.14.2. Develop informative and educational strategies, primarily for the population located in rural areas, regarding the use of virtual media for conducting proceedings before the Prosecutor's Office, particularly complaints.

**8.15. To the Unit for Comprehensive Care and Reparation for Victims**

8.15.1. In coordination with the Ministry of the Interior – Directorate for Democracy, Citizen Participation, and Communal Action – implement actions to reduce the gap between the institutional supply and the requirements of communal leaders in the area of security guarantees, for which the

proposal is to generate differential lines in the public supply for each territory according to its particular characteristics.

8.15.2. In coordination with the Ministry of Defense (in the area of collective protection) and the National Protection Unit (UNP), generate actions that tend to provide guarantees for communal exercise, prioritizing security guarantees, protection, and non-repetition with a gender approach, particularly directed to women.

8.15.3. Generate processes and implement effective measures to strengthen confidence building with the Communal Impetus Committee, seeking to respond immediately to requests, to advance in the formulation of its Comprehensive Collective Reparation Plan (PIRC).

#### **8.16. To the Land Restitution Unit**

8.16.1. Prioritize, within the framework of the Program for Women's Special Access to public policy, staff strengthening and training, particularly for those who directly serve claimants, on differential approaches, treatment, and the resulting special safeguards, to guarantee the application of alternative actions and the care, direction, and special guidance they require.

8.16.2. Promote the conduct of working groups at the national, departmental, and municipal level, particularly in the scenarios already provided in the National Victim Assistance and Comprehensive Reparation System (SNARIV), such as the Transitional Justice Committees and the Restitution Subcommittees, the objective of which is to follow up the implementation of restitution judgments, emphasizing the identification of legal vacuums that impede the effective enforcement of these judgments.

8.16.3. Facilitate the supply of information on proceedings and their status, based on access to the database through Mayoral Offices and municipal officials, following measures necessary to ensure confidentiality.

#### **8.17. To the Special Jurisdiction for Peace (JEP)**

8.17.1. Include in its work the profiling of and attention to victims' risks, cross-cutting and comprehensive analyses of the current context and the specifics of each of the territories in which there are open macro cases, so as to take into account all the dynamics of the conflict, the illegal economy, the presence of armed actors, and the lack of a state presence.

8.17.2. Broadly analyze the protection frameworks offered by the jurisdiction, and not just take into account the risks arising from accreditation, as the mere presence of the JEP in the territory or the opening of a case can foster risky scenarios for the victims. In addition, establish more rapid mechanisms for approving measures sought by the victims' organizations found in the territories most affected by the armed conflict and the dynamics of criminal behavior.

8.17.3 Increase victims' participation through dissemination and education strategies in the eastern and southeast area of the country, particularly in the departments of Casanare, Vichada, Guainía, Vaupés, and Amazonas, and promote new strategies in the territory such as the use of community radios.

#### **8.18. To the Disappeared Persons Searched Unit (UBPD)**

8.18.1. Strengthen the strategies and methodologies for coordination with departmental and local governments, in order to respond to the specific and differentiated contexts of the territories where the National Search Plan is being implemented.

8.18.2. Create synergies with the strategies and actions of the Rural Development Plans (PDET) so that those plans are coordinated with the Regional Search Plans.

**8.19. To the Office of the Attorney General, the Ministry of the Interior, the UARIV, the National Protection Unit, the Mayor's Office of Medellín, the Departmental Health Institute, and the Ombudsman's Office of Medellín, and the Public Defender's Office**

8.19.1. Address the recommendations submitted to the respective institutions at the end of the month of March by the MAPP/OAS on the occasion of the warning regarding the serious attempt on the life of the leader of the LGBTI sectors, John Restrepo, and the threats against the LGBT Collective Working Group of Commune 8 of Medellín, the subject of collective reparation.

8.19.2. Proceed with the recommendations that are still pending on the subject of individual and collective protection, the redefinition of the annual operational plan for organizational strengthening within the PIRC framework and non-repetition measures at the neighborhood, communal, and community level.

**8.20. To the National Environmental Licensing Agency (ANLA)**

8.20.1. Continue strengthening the participation of civil society in the process of reactivating the Illicit Crop Eradication Program through spraying with glyphosate (PECIG), within the context of the provisions of the Constitutional Court in judgment T-236 of 2017, in conjunction with the involvement of local and ethnic-territorial authorities.