

**THIRTIETH REPORT OF THE SECRETARY GENERAL TO THE PERMANENT  
COUNCIL ON THE MISSION TO SUPPORT THE PEACE PROCSS IN COLOMBIA  
OF THE ORGANIZATION OF AMERICAN STATES (MAPP/OAS)**

The following report is submitted pursuant to resolution CP/RES. 859 (1597/04), by which the Permanent Council of the Organization of American States (OAS) requests 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.

The information presented corresponds to the findings obtained from July 1 to December 31, 2020. During this period, the Mission adapted its arrangements for monitoring and accompaniment, incorporating remote means for performing these tasks due to the restrictions on mobility ordered by the Colombian authorities to contain the health crisis caused by COVID-19.<sup>2</sup>

During this period, and thanks to the trust that has been built with different actors in Colombian territory, in all 7,296 tasks of telephone and/or virtual monitoring and accompaniment were carried out in 614 population centers located in 173 municipalities and 17 departments. The population centers in which this work was done included municipal seats, districts (*corregimientos*), villages (*veredas*), indigenous reserves (*resguardos*), and community councils.

Due to its nature and length, in this report the OAS General Secretariat (GS/OAS) condenses the principal dynamics identified by the Mission during the six months covered. In addition to this report, the MAPP/OAS regularly, and in coordination with state agencies, generates and delivers in-depth analyses on matters within its mandate and/or concerning the territories covered. These analyses also contain specific recommendations to address the situations identified and to contribute to peacebuilding. During this six-month period the Mission delivered 76 analytical reports and current situation reports to 25 Colombian institutions.

Implementation of the MAPP/OAS mandate is possible thanks to the trust and steadfast support of the international community, which recognizes the Mission as a key player in peacebuilding in Colombia. The GS/OAS thanks the member and observer states, especially the members of the Basket Fund countries – Canada, Germany, the Netherlands, Spain, Sweden, the United Kingdom, and the United States – who, with their political and financial support, make the work of the Mission possible. The GS/OAS also recognizes the important contributions made by Norway and Switzerland, and support in the form of secondments<sup>3/</sup> from Germany, with the assignment of three professionals, and Switzerland, with two specialists, an enormous contribution in terms of human talent.

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1. The mandate of the MAPP/OAS emanates from the agreement signed by the Government of the Republic of Colombia and the General Secretariat of the OAS, signed January 23, 2004, as well as resolution CP/RES. 859 (1397/04) of the Permanent Council, adopted February 6, 2004. That mandate has been expanded and extended on seven occasions, that last one extending the Mission's mandate to December 31, 2021.
  2. Done by videoconferencing, phone communications, and emails, among others, maintaining fluid communication with community leaders, representatives of civil society, and local institutions. This has made it possible to get timely information in real time on the issues related to the mandate of the MAPP/OAS.
  3. Under this modality, a professional of the country's nationality is commissioned to perform functions for a given time.

## 1. GENERAL CONSIDERATIONS

The current pandemic is seriously worsening social inequality, the long-term distribution of resources, and equal opportunities in any number of dimensions. In light of this situation, the states of the Americas have been doing their utmost to respond to the crisis as per their specific realities. In the Colombian case the National Government has made decisions and adopted policies that seek to mitigate and generate strategies for recovery for the population as a whole. In this context, implementation of the National Vaccination Plan to control COVID-19 brings hope to a scenario fraught with uncertainty and challenges.

Since 2004, the MAPP/OAS has been a privileged witness to many efforts, commitments, and good intentions that reflect Colombia's democratic vocation and the desire of Colombian society to emerge from the violence and move to dialogue, coexistence, and reconciliation.

The fluid, close, and independent communication that the MAPP/OAS has consolidated with the institutions of the Colombian State has made it possible to learn of the gains attained by each of the institutions, which are very much valued and taken into account by the Mission in drawing up this and other analyses.

Three years after implementation by the National Government of a set of policies, plans, and programs which, under the title "Pact for Colombia, Pact for Equity," have sought to make progress in social and productive inclusion, the "Peace with Legality" policy has been put forward as an important tool for articulating priority aspects of the peace agenda, guaranteeing more rights for more Colombians with the resources available.

During the second half of 2020 the main dynamics and findings in the territories have to do with the current situation and the measures adopted in the context of the health emergency, which are being taken advantage of by the illegal armed groups to obtain control over the chain of production of drug-trafficking, which entails a worsening of the territorial disputes. These actions impact communities that oppose their decisions and violate the autonomy and self-government of indigenous and Afro-Colombian communities, and of Communal Action Organizations (OACs), endangering the integrity and legitimacy of their actions.

In addition, in border areas the illegal armed groups seek, by means of violence, to consolidate territorial, economic, and social control, provoking the forced displacement of communities to Colombian territory. These dynamics exacerbate the humanitarian and socioeconomic crisis in vulnerable border communities.

The GS/OAS recognizes the institutional decisions, *inter alia*, to identify, combat, and dismantle the illegal armed groups through the directives of the National Security Council, the implementation of Decrees 601 and 965<sup>4</sup> of 2020, and the strategy to disrupt illicit economies pursued by the Office of the Attorney General of the Nation. While these legal frameworks are an important step, the National Commission on Security Guarantees (CNGS) still faces the challenge of coordinating and designing a wide-ranging and comprehensive policy for dismantling criminal structures that goes beyond articulating strategies already being implemented.

The violence brought to bear by illegal armed groups results in serious violations of the rights of the population as expressed in homicides, threats, forced displacement, confinement, forced recruitment of children and adolescents, gender-based violence, and contamination in areas with anti-personnel mines, among other impacts. The GS/OAS notes that this violence has a specific negative

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4 By which measures are adopted for the individual submission to justice of the members of the organized armed groups.

impact on certain sectors of the population: persons with positions of authority in the community, as well as those who are social and/or community leaders; ethnic-territorial authorities and communities; migrants or outsiders in areas with a presence of illegal armed groups; children, adolescents, youth, and women; and persons in the process of reincorporating into civilian life.

Children and adolescents, especially in rural areas, continue to be at risk of being forcibly recruited to carry out criminal activities. The indigenous authorities and their institutions of self-government continue to face threats and attacks by illegal armed groups, many of which are reprisals directed against their constitutional exercise of autonomy. In some cases, persons in the process of reincorporation are called on to return to unlawful activities; if they do not accept, they are subject to retaliation and violence.

One notes the differential impact that the dynamics of violence and armed conflict have on women, especially those in the most isolated communities. While the response in terms of protection is known, including the positive effects of the Comprehensive Program of Guarantees for Women Leaders and Women Human Rights Defenders (PIG-Mujeres: Programa Integral de Garantías a Líderesas y Defensoras) through its four pilots,<sup>5/</sup> the lack of guarantees for the exercise of women's leadership persists, especially in local spaces. There is no end to threats against women leaders and women defenders of peace, or of femicides, forced disappearances, human trafficking, and other gender-based violence against women, girls, and adolescent females. In this regard, the GS/OAS encourages the continued implementation of institutional measures to address the impact of gender violence, strengthen collective and preventive measures of protection, and guarantee women's participation in decision-making and political forums that reaffirm governance with gender equality as an essential element for achieving peace and building democracy in Colombia.

On December 9, 2020, the Office of the High Commissioner for Peace (OACP) officially announced that 25 more municipalities were free of suspicion of antipersonnel mines; of the total 432 municipalities, 154 have been so declared during the current administration. The GS/OAS values the gains made in humanitarian mine-removal operations, comprehensive assistance for the victims, and education on the risks of antipersonnel mines, in which the OAS cooperates through its mine-removal program (AICMA). Nonetheless, those gains are permanently threatened by the activities of illegal armed groups, who continue using such devices indiscriminately to exercise territorial control and impede the advances of the National Police and military forces. This translates into risks for the communities, especially in areas where the illegal armed groups seek to consolidate their presence and attack ongoing mine-removal efforts.

In addition, in the second half of 2020 the measures to address the health emergency continued to limit citizen mobility. While the manifest will and openness to engage in dialogue and participation was observed on the part of the citizens, as well as on the part of the institutions, in their efforts to adapt to virtual communications, barriers persist related to the digital divide and the fatigue associated with participating in virtual meetings. One example of these challenges to citizen participation can be observed in a persistent perception regarding the insufficiency of guarantees in the mechanism of consultation for modifying the Environmental Management Plan of the Program for Eradication of Illicit Crops using the Herbicide Glyphosate (PECIG: Plan de Manejo Ambiental del Programa de Erradicación de Cultivos Ilícitos con el Herbicida Glifosato), even though the authorities have taken the actions set forth in court orders to guarantee the participation of the communities.

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5. In the departments of Chocó, Cauca, Putumayo, and the Montes de María region, with the participation of 700 women.

In its monitoring work the Mission has found that the forced eradication strategy generates social tensions in the territories due to the confluence of two factors: (i) the demands of the communities insisting on the need for crop substitution programs (to replace illicit crops) that enable them to make the transition to lawful means of generating income; and, (ii) the complex security conditions in the areas prioritized by the strategy, where the illegal armed groups exercise social control. Added to that, one notes that the possible reactivation of the PECIG may represent a potential focus of social conflict, to which would be added environmental and health demands.

Similarly, various social expressions and/or mobilizations took place that called for rights to be respected while also protesting over unfulfilled commitments, all exacerbated by the ongoing health and economic crisis. The GS/OAS notes the peaceful and organized nature of the Minga del Suroccidente, which made its way to Bogotá last October, and which led the parties to continue making decisive progress in securing effective observance of rights. That moment was an opportunity to seek common ground, reach agreements, and meet the demands as required by the context.

Another challenge that arose in the context of the exercise of civil and political rights was running elections. In this connection, an appeal was issued to ensure that the Communal Action Entities Organizations play a prominent role in the elections throughout the national territory. These elections pose major challenges, since mitigation measures that do not pose a vital risk to the civilian population must be adopted, and, at the same time, one must guarantee that the election results clearly and transparently reflect the will of the citizenry. In addition, it is important to continue giving impetus to the plans of the Territorial Councils of Peace, Reconciliation, and Coexistence, given their strategic importance for fostering a culture of reconciliation, tolerance, coexistence, and non-stigmatization.

The authorities have made efforts and displayed good intentions in pulling together actions aimed at transforming structural factors that drive the armed conflict. Gains in planning, financing, articulating, and executing various public policies for peace have included, among others, the Rural Development Programs (PDET), through Regional Transformation Action Plans (PATRs) and the Single Roadmap; the multipurpose cadaster, Comprehensive Plans for Substitution and Alternative Development (PISDA); and the creation of the Strategic Zone for Comprehensive Intervention (ZEII) or *Zona Futuro* (Future Zone) of the Chocó – which is the sixth region of the country prioritized by that strategy.

These initiatives, like others on issues of security and conflict, face complex challenges, particularly in the territories, where there is a convergence of structural factors of violence and inequity and a weak state presence. The GS/OAS issues an appeal to continue strengthening the comprehensive and gradual nature of the State's actions, and to redouble efforts to mitigate the risk factors at play, under the principle of irreversibility and the humanitarian imperative.

The GS/OAS notes as a positive development the extension for 10 more years of the Victims and Land Restitution Law, and at the same time encourages the implementation of actions to guarantee the resources needed during this time, and to ensure they are harmonized with other entities, such as those that make up the Comprehensive Truth, Justice, Reparation, and Non-Repetition System (SIVJRNR: Sistema Integral de Verdad, Justicia, Reparación y No Repetición), to genuinely and effectively implement victims' rights.

Four years after the signing of the Final Agreement between the Colombian Government and the FARC-EP notable advances have been observed in the institutional architecture, as well as in the implementation of plans and programs that have strengthened the consolidation of operations and activities aimed at giving effect to what the parties agreed upon. In particular, it is noted that the SIVJRNR, the components of which have bolstered synergies and implemented mechanisms for the

victims' participation, the search for persons considered disappeared, and the prosecution of those responsible.

In 2021, completing and publishing the Final Report of the Truth Commission (CEV) [Commission for Truth, Coexistence, and Non-Repetition] is one of the main challenges facing the SIVJRNR. Said Final Report is expected to contribute to clarifying what happened and offer a broad explanation of the complexity of the armed conflict as a measure of satisfaction for the victims. In addition, its recommendations will be key in the process of implementing the other instruments established in the Final Agreement.

Fifteen years after the implementation of Law 975 on Justice and Peace, and recognizing its historical contribution to the development of current transitional justice models, the GS/OAS, through the Mission, will continue accompanying the institutions of the system with respect, solidarity, and impartiality, always listening to the victims and reiterating the call to society to support its work in the territories and to appropriate its legacy as a tool that contributes to rapprochement and a robust dialogue engaging all sectors.

Throughout its 17 years of work the Mission has consolidated its role as a strategic ally that responds to the call of the Colombian State and the communities, facilitating an objective understanding of the territorial dynamics and connecting local needs with peace policies. The 30 periodic reports submitted to the Permanent Council constitute a legacy of testimony and documentation, an account and a narrative of the crude reality of the internal armed conflict, the search for agreements to end it, and the peacebuilding efforts, a legacy that enriches knowledge of Colombia's political and social history. The reports also constitute a record of the contribution that the Organization of American States, the General Secretariat, and its MAPP Mission have made to Colombia to support peace.

The GS/OAS is convinced that the MAPP/OAS, whose current mandate expires in December 2021, continues to be a necessary, flexible, and useful tool of cooperation that has evolved over time, strengthening its capacity and knowledge to continue accompanying Colombia on the road to complete peace. We look forward to the member and observer states continuing to support this multilateral cooperation effort.

The GS/OAS renews its commitment to continue supporting and accompanying the efforts of the Colombian State and people to achieve and consolidate peace. Today more than ever the country needs the collaboration of the international community to bring relief to the communities that continue to be affected by violence, crime, and inequity. In the face of the challenges imposed by the pandemic, the MAPP/OAS will continue promoting forums for dialogue, synergies, coordination, and actions in keeping with the contexts and realities of each territory.

## **2. SECURITY CONDITIONS**

### **2.1 Presence and action of illegal armed groups**

One of the predominant characteristics of the illegal armed groups is that in most of the territories they have not been able to achieve criminal hegemony, which is why armed confrontations among them persist, especially for control over the illicit economies. These disputes result in homicides, threats, forced displacement, confinement, gender-based violence, forced recruitment of children and adolescents, and the contamination of territories with antipersonnel mines (APM), among other phenomena, which will be addressed in greater depth in section 2.2 of this report.

The Ejército de Liberación Nacional [National Liberation Army] (ELN) undertook various actions with the aim of maintaining or consolidating control over certain territories. In Arauca<sup>6/</sup> it harassed members and facilities of the government forces; in the Catatumbo region, the confrontation with the EPL/Pelusos became less intense due to the weakening of this group; in southern Bolívar it carried out violent actions against social leaders who it accused of collaborating with the authorities to carry out operations against it. In other territories confrontations persist with other illegal armed groups, particularly along the border with Venezuela (Norte de Santander) with the Rastrojos; in the western part of the department of Cauca with the FARC-EP dissident groups; and in the department of Chocó with the AGC/Clan del Golfo.

As for the dissident FARC-EP groups, though it is not possible to identify the existence of a unified command that brings them together, in some cases their various factions appear to come together under the leadership of the self-styled Comando Coordinador de Occidente [Coordinating Command of the West] in southwestern Colombia, and of the “Segunda Marquetalia” [“Second Marquetalia”].<sup>7/</sup> In addition, though there are disputes for the control of some territories, these occur without the escalation of tensions with other illegal armed groups, as in Arauca and in the Catatumbo region (Norte de Santander) with the ELN. By way of contrast in Antioquia, Cauca, Caquetá, Córdoba, Nariño, and Putumayo direct actions persist against other groups. Examples of such actions are in the region of Telembí (Nariño) and the Micay river canyon (Cauca), with the ELN; and in the Sanquianga and Cordillera regions (Nariño) and the south of Córdoba and northern Antioquia, with the AGC/Clan del Golfo.

In other cases, confrontations occurred among the different residual or dissident FARC-EP groups, for example in the area where the departments of Cauca, Caquetá, and Putumayo converge, with the disputes between the Frente 1 Carolina Ramírez and the Frente 48 (recently self-styled as the Comandos de la Frontera [Border Commandos]. In addition, in the confrontations between the Frente Oliver Sinisterra [Oliver Sinisterra Front] (FOS) and Los Contadores (now self-styled as the Frente Iván Ríos) in the rural zone of Tumaco (Nariño), and in the Sanquianga and Telembí regions that involve agreements between the FOS and the AGC/Clan del Golfo to contain the entry of the Frente 30 Rafael Aguilera. Elsewhere, in Meta, Guaviare, and northern Caquetá, though there were no disputes among the residual or dissident FARC-EP groups, attacks were carried out against government forces.

As regards the so-called “Segunda Marquetalia,” led by Iván Márquez, the government forces reported the arrest of some of its members in Bogotá, Cauca, and Guajira. Its influence in the territories appears to be more political and social than military since its leadership structure is perceived to be outside the national territory.

The AGC/Clan del Golfo continues to have disputes for territorial control with the self-styled Bloque Virgilio Peralta Arenas, which the government forces call Los Caparros, in the Bajo Cauca region (Antioquia) and with the ELN in the Atrato<sup>8</sup> and Baudó rivers (Chocó). In late September 2020, in some municipalities of the departments of Antioquia, Bolívar, Caldas, Chocó, Córdoba, and Cundinamarca, the AGC/Clan del Golfo painted graffiti on the walls with their acronym and circulated

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6. In the second half of 2020 there were eight attacks and one episode of harassment of government forces presumably by the ELN in the department of Arauca.
  7. In August 2019, alias Iván Márquez, along with other former high-level and mid-level commanders of the former FARC-EP, announced in a video that they were going back to the armed struggle grouped together under the name of “Segunda Marquetalia” (“Second Marquetalia”). They based their decision on what they considered to be the “betrayal” by the State of the Final Peace Agreement.
  8. In the Atrato river region the disputes have become less intense due to the stronger positioning of the AGC/Clan del Golfo.

pamphlets calling into question the actions of the National Police in the face of citizen protests that unfolded in early November in the main cities of Colombia. Los Caparros, in response to the actions by the government forces, decreed an armed stoppage (*paro armado*) in Bajo Cauca (Antioquia) that had a negative impact on commerce in the municipalities of Cáceres, Caucasia, and El Bagre.

In some territories, such as the metropolitan area of Cúcuta and northern Antioquia, there is a positive perception of the stepped-up presence of the government forces and operations that militarily and financially weaken the illegal armed groups. In other departments, such as Cauca and the southern Córdoba subregion, while the presence of the authorities has positive effects on security conditions, these effects are not lasting or sufficient since when the government forces withdraw once again the illegal armed groups have negative impacts on the communities. According to figures of the Ministry of National Defense,<sup>9/</sup> the period from 2012 to 2020 saw a gradual decline in kidnappings. In 2020 kidnappings were down 4% compared to 2019. In addition, this Ministry reports an 18% increase in the number of tons of cocaine and marijuana seized, and in the number of vessels used for drug trafficking from 2019 to 2020.

## 2.2 Negative impacts on the civilian population<sup>10/</sup>

The illegal armed groups aspire to control and dominate leaders (social, community, ethnic-territorial, and political) to get them to refrain from interfering with their plans to expand and consolidate. In addition, children and adolescents continue to be forcibly recruited for criminal activities; outsiders – or persons not recognized as being from the region where they now live – including the migrant population, are suspected of having ties with other illegal armed groups or the authorities, which is why they become military targets. Moreover, persons who are becoming reincorporated into civilian life are called on to become engaged anew in illegal activities; and if they do not accept, they are subject to retaliation and violence.

The ELN continues committing homicides, threats, kidnappings, extortion, social control, confinement, and forced displacement; recruiting and making use of children and adolescents; and causing collateral damage when harassing government forces and planting anti-personnel mines, unexploded ordnance, and explosive devices in Arauca, Cauca, Chocó, Nariño, Norte de Santander, and southern Bolívar. Some of these incidents were not known to the authorities, which made it difficult for the State to respond. In southern Bolívar, major blows were dealt to the local ELN commanders. In response, and as retaliatory actions, the ELN intensified the violence against social leaders, persons in the process of reincorporation from the FARC-EP, and the community in general.

With respect to the residual or dissident FARC-EP groups, the high level of hostility towards communities, social leaders, local authorities, and public servants is a matter of concern. The civilian population has been negatively impacted by the imposition of rules of conduct, as well as by the pressures brought to bear against community leaders. In Norte de Santander and Guajira, by the border with Venezuela, the disputes among illegal armed groups produced forced displacement of Venezuelans to Colombian territory; and in Nariño and Chocó they provoked the forced displacement of Colombians to Ecuador and Panama, respectively.

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9. “Logros de la política de defensa y seguridad diciembre de 2020” (Ministry of National Defense, 2020). Available at: [https://www.mindefensa.gov.co/irj/go/km/docs/Mindefensa/Documentos/descargas/estudios\\_sectoriale\\_s/info\\_estadistica/Logros\\_Politica\\_Defensa\\_Seguridad.pptx](https://www.mindefensa.gov.co/irj/go/km/docs/Mindefensa/Documentos/descargas/estudios_sectoriale_s/info_estadistica/Logros_Politica_Defensa_Seguridad.pptx)
  10. Negative impacts (“*Afectaciones*”) are understood to be the violent or irregular actions, incidents, or conduct perpetrated in the context of and on occasion of the Colombian armed conflict and the dynamics of criminal activity.

The AGC/Clan del Golfo and Los Caparros also committed acts of violence against the civilian population. In the Bajo Cauca region the disputes between these two groups resulted in threats and homicides in communities accused of favoring or belonging to the other group. In the region of the Baudó river<sup>11/</sup> these two groups kidnapped, imposed restrictions on mobility, and confronted one another, causing the forced displacement and confinement of indigenous communities. In the Darién and the lower Atrato river basin (Chocó), Urabá (Antioquia), and southern Córdoba, where the AGC/Clan del Golfo also has a major presence, social control actions were carried out through threats and attacks on Afrodescendent and indigenous communities as well as the civilian population in general.

### **2.2.1 Conscription, forced recruitment, and use of children and adolescents, and sexual violence targeting them**

In line with what was indicated in the 29<sup>th</sup> Report, implementation of the strategy of the Office of the Presidential Adviser for Human Rights and International Affairs and the Intersectoral Commission to Prevent the Recruitment, Use of, and Sexual Violence against Children and Adolescents by Illegal Armed Groups and Organized Crime Groups (CIPRUNNA) was launched. The strategy is known as “Join for Me: Protection for Children and Adolescents to Prevent the Recruitment, Use of, and Sexual Violence against Children and Adolescents” (“Súmate por Mí: entornos de protección para la niñez y adolescencia, para la prevención del reclutamiento, uso, utilización y violencia sexual contra niños, niñas y adolescentes”).

In addition, developing communication with the departmental and municipal governments through the Action Plan with virtual workshops<sup>12/</sup> was an important point for making progress in the formation of the Immediate Action Teams<sup>13/</sup> and for implementing early, urgent, and protective prevention, in addition to ensuring the continuity of programs such as “Mambrú is not going to the

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11. The ELN also carried out kidnappings, imposed restrictions on mobility, and engaged in confrontations that led to the displacement and confinement of indigenous communities.
  12. From July to December 2020, workshops were held in 127 municipalities in 15 departments: Tolima, Norte de Santander, Chocó, Córdoba, Cauca, Antioquia, Arauca, Bolívar, Caquetá, Guaviare, Meta, Nariño, Putumayo, Sucre, and Valle del Cauca. Source: Office of the Presidential Adviser for Human Rights and International Affairs, “Logros 2020-13 de enero de 2021”. P.7.
  13. Operational entity at the municipal/departmental level that should guarantee the rights of children and adolescents, and supplements, strengthens, and accompanies the actions performed by other agencies in the territory. It also shares responsibility in the actions with the competent authorities, which are the Family Public Defenders (Defensorías de familia), Family Police Stations (Comisarias de familia), Police Inspectors, and ICBF, among others. Consulted at:  
<http://www.derechoshumanos.gov.co/Prensa/2019/Documents/191119-Linea-pol%C3%ADtica-Prevenci%C3%B3n-RUUVS.pdf>



War-This is another Story”<sup>14/</sup> and “Generation with Well-being.”<sup>15/</sup> No doubt these actions make it possible to strengthen the capacities of the local institutions, foster greater participation of the ethnic authorities, and ensure the alignment of international cooperation efforts.

While the institutional actions have had a positive impact, the risk persists of forced recruitment of children, adolescents, and youth, their use, and sexual violence directed them, due to the presence and actions of the illegal armed groups. This situation was exacerbated by the closure of schools – protective environments of proven efficacy – due to the health emergency caused by COVID-19. Accordingly, the diversification of methods for involving this population continues, so as to include the use of social networks for contacting children and adolescents without putting family members on notice and inducing or coercing the consumption of alcohol and narcotics with the aim of involving them in micro-trafficking activities.

Forced recruitment occurs to a greater extent in rural areas; there, children and adolescents are separated from their families to incorporate them into the ranks of the illegal armed groups. In addition, children and adolescents from ethnic communities are enlisted and recruited because of their knowledge of their territories. In population centers or urban areas children, adolescents, and youths are used predominantly for surveillance, and the sale and transport of narcotics; while girls and adolescent females on occasion become victims of sexual exploitation by these groups, a principal characteristic of differentiated risks based on gender.

The dissident fronts or residual FARC-EP armed groups, depending on the territory of influence, have developed different modalities for violating the rights of children and adolescents. In the Catatumbo region they forcibly recruit peasant and indigenous children and adolescents; in southern Córdoba they have used indigenous children and adolescents for surveillance and to warn of the presence of government forces or suspicious persons; in Antioquia and Valle del Cauca they take advantage of children who drop out of school and the economic difficulties caused by the isolation provoked by COVID-19 to convince children and adolescents to join the groups.

In Caquetá, Guaviare, Meta, and Putumayo they have carried out censuses in the peasant and indigenous communities to prevent families from sending children and adolescents at risk to other parts of the country. In Cauca they recruit children and adolescents, to whom they assign intelligence tasks at key points along the rivers they use for illegal activities. In Nariño they recruit to situate and plant antipersonnel mines as a perimeter of protection for caches located in rural areas. In population centers

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14. It is a strategy led by the ARN that answers to the State’s needs to counter the threat posed by the illegal armed groups to the effective enjoyment of their rights by children and adolescents. The strategy, in its fifth version, implemented from September 3, 2019, to December 1, 2020, the phase of strengthening the initiatives put forward in each of the 29 municipalities targeted. In addition, the ARN, amidst the isolation due to COVID-19, undertook an exercise to characterize the population of children, adolescents, and youths who participate in the program to recognize the conditions in terms of food security, access to networks and internet connection, access to territories; then based on this characterization the pedagogical tool *Mambrú en casa* was developed, by which the plan for monitoring and accompaniment was designed to address the central issues of the strategy. Consulted at:

<http://www.reincorporacion.gov.co/es/agencia/Documentos Informes de gestion/INFORME DE GESTION 1T 2020.docx>

15 ICBF program whose objective is to provide integral protection and life projects for children and adolescents, based on their empowerment as rightsholders and on strengthening the shared responsibility of the family, society, and State, promoting the consolidation of protective environments. Consulted at: <http://www.juntosconstruyendofuturo.org/icbf-generaciones-con-bienestar.html>

of the Pacific Coast region girls are used from an early age (12 years) for sexual exploitation by members of the dissident or residual FARC-EP groups, as well as by private persons.

In southern Bolívar and Norte de Santander peasant children and adolescents displace with their families to avoid being recruited by the ELN. In addition, children, adolescents, and youths who consume narcotics have been held by the ELN and forced to perform work on farms or highways, with the threat of being forcibly recruited if they consume again. In Valle del Cauca the low level of reports of recruitment of children and adolescents persisted, even though it got worse in the student population in the last years of secondary school in the rural zone of the municipalities of Bolívar and Buenaventura. In Chocó, forced recruitment strategies have continued in the community councils and indigenous reserves. Also of concern is the negative impact on adolescent females, who after being recruited and used for micro-trafficking are returned by the ELN to their families pregnant, evidence of the sexual violence practiced by this illegal armed group.

The AGC/Clan del Golfo offer money to children and adolescents in exchange for information on other illegal armed groups. In Antioquia, their recruitment and use are associated mainly with the dispute for territorial control between the AGC/Clan del Golfo and Los Caparros. One practice in the regions of Bajo Cauca, Urabá, and northeastern Antioquia is the incorporation of children, adolescents, and youths, attracting them by offering free doses of narcotics; once they are addicted they are used in the chain of distribution and sales.

The recruitment and incorporation of children and adolescents and youths by illegal armed groups continues to receive insufficient visibility due to the under-registration of cases at the national level; lack of familiarity with the mechanisms for filing reports and activating channels for getting the institutions to respond; fear of reprisals against these groups if they turn to the authorities, and the lack of uniform statistics describing the magnitude of this issue.

### **2.2.2 Presence of and accidents due to Antipersonnel Mines (APMs), Unexploded Ordnance (UXO),<sup>16/</sup> and Improved Explosive Devices (IEDs)**

On December 9, 2020, the Office of the High Commissioner for Peace (OACP) officially declared that 25 new municipalities were free from suspicions of antipersonnel mines, bringing to 432 the number of municipalities so characterized in Colombia;<sup>17/</sup> of these, 154 of which have been so declared during the current administration. In addition, there were gains in humanitarian mine removal, comprehensive assistance for victims, and education on the risk of antipersonnel mines that allowed Colombia to obtain an extension of the term for eliminating antipersonnel mines, which was approved

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16. The term “unexploded ordnance” (UXO) is used since the monitoring done by the MAPP/OAS includes reports of contamination in the territories by used unexploded ordnance (of explosive devices that were launched, shot, thrown, or released that did not activate) as well as abandoned ordnance (abandoned or stored ordnance).

17. Of which 154 have been so declared during the term of the current administration. According to official figures for 2020, the presence of antipersonnel mines declined from 715 to 322 municipalities in Colombia. As of December 31, 2020, Colombia had negative impacts in 715 municipalities (63.7%), of the 1,122 municipalities nationwide. At the same time, in 156 of these 322 municipalities, 2,723 dangerous sectors and 1,344 dangerous areas were identified, covering an estimated 7,491,763 m<sup>2</sup>. In 2020 Colombia made progress with the clean-up of 1,305,668 m<sup>2</sup>, the destruction of 235 IEDs, and 5,379 mine removal activities were carried out that reached 54,878 beneficiaries. “Prensa: Convención de Ottawa aprueba más de 4 cuatro años de prórroga a Colombia para la eliminación de minas antipersonal” (OACP – Descontamina Colombia). Consulted at: <http://www.accioncontraminas.gov.co/prensa/atencion-convencion-de-ottawa-aprueba-mas-de-4-cuatro-a%C3%B1os-de-prorroga-a-colombia-para-la-eliminacion-de-minas-antipersona>

for a period of four years and ten months, as from March 1, 2021, ending December 31, 2025, by the 164 states that have signed the Ottawa Convention.

Contamination by antipersonnel mines, carried out by the illegal armed groups, is generally done to delimit the territory they seek to control to keep the government forces from moving to zones where they exercise greater control,<sup>18/</sup> to create protective cordons for illicit crops in the face of forced eradication, and in confrontations with other illegal armed groups. On occasion, the illegal armed groups warn the communities about the zones where they have installed antipersonnel mines; yet even so, there is a risk that the community members, especially children and adolescents, may manipulate unexploded ordnance or antipersonnel mines.

The ELN and the residual or dissident FARC-EP armed groups are the ones who most use these devices as an element of war or for protecting illicit crops, though they have also been used by the EPL/Pelusos, the AGC/Clan del Golfo, and the Los Caparros. In addition, they indiscriminately contaminate areas of National Parks (PNN: Parques Nacionales Naturales), territories of indigenous and Afro-Colombian communities, areas around schools, rivers, and tertiary roads, and strategic sites, impacting the security of the communities.

In rural areas of Antioquia and Guaviare,<sup>19/</sup> declared to be free of suspicion of contamination, antipersonnel mines have been found to have been used once again by the illegal armed groups. In addition, there have been accidents due to antipersonnel mines victimizing persons who harvest coca leaf (some of them children and adolescents), members of the government forces and the Mobile Eradication Groups, and members of the illegal armed groups. And in Antioquia and Norte de Santander situations have been identified of communities at risk of displacement or confinement due to the presence of explosive devices.

Humanitarian mine removal activities were temporarily suspended in Antioquia, Meta, Nariño, Norte de Santander, and Valle del Cauca seeing as the operators were victims of threats, intimidation, and violent actions by illegal armed groups. This situation is considered by the communities as a setback in terms of guarantees of security, in addition to constituting a barrier to going forward with processes of land restitution and return, implementation of works, and the arrival of the state institutions to provide basic services.

### **2.2.3 Negative impacts on social leaders and representative members of the community**

The National Government continues to deploy the Timely Action Plan (PAO);<sup>20/</sup> the Cross-sector Committee for Rapid Response to Early Warnings (CIPRAT) made progress in responding to the early warnings from the Office of the Human Rights Ombudsperson; and the National Protection Unit (UNP) assigned measures of protection to indigenous communities and community councils.<sup>21/</sup>

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18. In departments such as Arauca, Caquetá, Cesar, Guaviare, and Putumayo, and the regions of southern Meta, Catatumbo, Urabá and northern Antioquia, Pacific Coast of Nariño, Darién, Baudó and the south of Chocó, and southern Córdoba.
  19. In the villages of Orejón in Briceño (Antioquia) and Charras in San José del Guaviare (Guaviare).
  20. In the second half of 2020 the PAO promoted spaces for strengthening the territorial entities, social leaders, and forums for coordination of actions to provide guarantees for the work of human rights defenders. The PAO held virtual sessions in Guajira, Cundinamarca, Cesar, southern Córdoba, Caldas, Nariño, and Santander.
  21. To 46 groups mainly from indigenous communities (29) and Community Councils (15). Office of Assistant Director for Risk Assessment, “Informe Cuerpo Técnico de Recopilación y Análisis de Información” (UNP, 2021) pp. 1-2.

The Bureau for Democracy, Citizen Participation and Community Action of the Ministry of Interior continued implementing the Community Security Roundtables (Mesas de Seguridad Comunal)<sup>22/</sup> in Cauca, Casanare, Nariño, Norte de Santander, and Putumayo as spaces for a geographic analysis of the rights to life, integrity, liberty, and security of community members, and the local institutional responses in the affected communities.

The Office of the Attorney General (FGN) continued implementing and consolidating the strategy of investigating and bringing indictments in crimes against social leaders and persons in the process of reincorporation. This strategy seeks to clarify the facts and identify the structure of the criminal organization, so as to attribute criminal liability as per the role played within the organization, seeking its disarticulation as a strategy for dismantling it in difficult contexts. The FGN reports a 63.61% increase in clarifying cases of homicides against human rights defenders.<sup>23/</sup>

Despite the actions of the Colombian State to bring about improved security conditions in the territories, the limited international presence together with the criminal actions of the illegal armed groups and the persistence of illicit economies continue to drive negative impacts on social leaders and representative members of the communities in some territories, both rural and urban.

In Antioquia, Cauca, Nariño, Norte de Santander, and Putumayo multiple expressions of violence against persons in positions of leadership and their families persist. In Cauca such acts have been perpetrated especially by residual or dissident FARC-EP armed groups<sup>24/</sup> and the ELN. In Antioquia it appears that the groups responsible for most cases are mainly the ELN, the AGC/Clan del Golfo, and Los Caparros. In Norte de Santander, they result from the armed confrontation between the ELN and the EPL/Pelusos. In Putumayo, they are at the hands of the residual or dissident armed groups of the FARC-EP; whereas in Nariño the lead actors are the ELN, the FOS, the Frente 30 and the Bloque Occidental Alfonso Cano.

The members of the Community Action Organizations (OAC: Organismos de Acción Comunal), community leaders, environmental activists, park rangers, ethnic-territorial authorities, and local council members are the most recurrent victims of the dynamics of violence.<sup>25/</sup> In some territories the leaders have preferred to refrain from participating in social and community activities because of the conditions of insecurity, which is why the teachers have had to assume that role, confronted with the actions of the illegal armed groups especially in rural areas, community councils, and indigenous reserves.

In this context, the victims and their families, in addition to being in a constant state of fear and anxiety, opt to not report abuses out of fear of reprisals by the illegal armed groups, which in some cases result in homicides. Accordingly, forced displacement is used as a mechanism of self-protection; those who cannot displace run a high risk of becoming victims of negative impacts at the hands of the armed groups, in some cases resulting in homicides. It is also common for some social leaders to give up their role formally or informally and limit their participation in institutional forums, which weakens organizational structures and processes.

Due to the seriousness of the violation of rights by the presence and action of the illegal armed groups, some communities or groups have organized peaceful mobilizations to give visibility to these

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22. CONPES 3955 of 2018.

23. Office of the Attorney General, “Avance de esclarecimiento de homicidio a defensores” (FGN, 2021), <https://www.fiscalia.gov.co/colombia/avances-esclarecimiento/> (consulted March 1, 2021).

24. Among them the structures known as Carlos Patiño, Jaime Martínez, Dagoberto Ramos, and the so-called Second Marquetalia.

25. According to the MAPP/OAS database of negative impacts on communities.

incidents. Nonetheless, examples such as the Humanitarian Caravan of the Micay river canyon, or the Pilgrimage for Life and Peace that the persons in the process of reincorporation from the FARC-EP held in Bogotá, have not succeeded in changing the situation of vulnerability or the activities of the illegal armed groups. To the contrary, the perception is that the risk has increased. The persons who mobilized asked the State to give adequate, preferential, and differentiated attention so that measures are adopted in an articulated and consensus-based manner and are capable of mitigating the risk faced by these communities.

In addition, in the context of implementation of the National Comprehensive Program for the Substitution of Illicit Crops (PNIS) the illegal armed groups have a negative impact on the security of the civilian population and leaders who promote voluntary substitution, as well as of the public servants who carry it out. In Caquetá, Guaviare, and Nariño the residual or dissident FARC-EP armed groups have imposed restrictions on the entry of persons in charge of implementing the program and of the technical assistance operators; the same restriction has been imposed in Norte de Santander by ELN.

#### **2.2.4 Serious impacts on the population in the process of reincorporation and their families**

The National Government continues implementing actions to provide security guarantees to former members of the FARC-EP and their family members through the Roundtable for Interinstitutional Articulation (Mesa de Articulación Interinstitucional).<sup>26/</sup> In the area of prevention, relocation strategies were developed for situations of imminent risk<sup>27/</sup> and the Integral Program of Security and Protection continues to be implemented in the municipality of Algeciras (Huila). As for protection, there have been gains implementing individual and collective measures,<sup>28/</sup> as well as investigating<sup>29/</sup> and prosecuting<sup>30/</sup> the persons responsible.

In 2020, the negative impacts affecting persons in the process of reincorporation and their family members occurred primarily in Chocó, Guaviare, Meta, and Putumayo. Such attacks have targeted, above all, those who left the Former Territorial Spaces for Training and Reincorporation

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26. Made up of the office of the Assistant Director Specialized in Security and Protection, the Technical Roundtable for Security and Protection, the Strategic Joint Transition Command (CCOET), the Police Unit for Peacebuilding (UNIPPEP), the Special Investigative Unit (UEI), the Elite Corps, the National Agency for Reincorporation and Normalization (ARN), the Ministry of Interior, the Office of the Human Rights Ombudsman, the Interinstitutional Commission for Rapid Response to Early Warnings (CIPRAT), the Office of the High Commissioner for Peace, and authorities in the territories.

27. The National Government coordinated the relocation of 191 persons and emergency extractions in 12 cases in 2020.

28. 272 assigned to former members of the FARC-EP, 17 collective and 230 individuals. Office of the Presidential Adviser for Stabilization and Consolidation, “Informe seguridad personas en reincorporación. Enero-diciembre 2020.” (Office of the Presidential Adviser for Stabilization and Consolidation, 2020), p 2.

29. With a cutoff date of December 31, 2020, the Office of the Attorney General is investigating 235 homicides, 41 attacks, and 14 disappearances, all directed against former members of the FARC-EP. Progress in investigating these cases is at 50.3%. With respect to the family members, the institution is investigating 49 homicides, five attacks, and one disappearance. Progress in the investigation is at 67.3%. Office of the Presidential Adviser for Stabilization and Consolidation, “Informe seguridad personas en reincorporación. Enero-diciembre 2020.” (Office of the Presidential Adviser for Stabilization and Consolidation, 2020), p. 15.

30. With a cutoff date of December 31, 2020, there were in all 34 convictions, 20 cases were in the trial phase, 38 in the investigative phase, and 49 with arrest warrants issued. United Nations Verification Mission in Colombia, “Report of the Secretary General” (United Nations, 2021), p. 4.

(AETCR: Antiguos Espacios Territoriales de Capacitación y Reincorporación).<sup>31/</sup> In particular, the victims live in thinly populated and expansive rural areas with the influence of one or more illegal armed groups, in zones where illicit economies and unmet basic needs persist.

These acts of violence are perpetrated mainly by the residual or dissident FARC-EP groups in Antioquia, Arauca, Caquetá, Cauca, Guaviare, Meta, Nariño, Norte de Santander, and Putumayo. The factions aligned with “Gentil Duarte” carry out attacks against the former members of the guerrilla army as they consider them traitors; their actions have been characterized by greater cruelty and a tendency towards forced displacement or homicide. By way of contrast, the factions aligned with the “Segunda Marquetalia” apparently seek them out to recruit them or conscript them into their groups; threats against those who refuse their offer are apparently more common.

In Antioquia, Cauca, Nariño, and Norte de Santander the ELN carries out de facto justice against former members of the guerrilla force who appear to be involved in collecting extortion payments from the civilian population; against those who seek to have other former combatants join the residual or dissident FARC-EP groups; and against those who promote the PNIS or maintain relations with the National Army, as they consider them informants. In pursuing these actions the ELN’s greatest interest is to avoid the consolidation of the residual or dissident FARC-EP armed groups, and to have a negative impact on persons who presumably sympathize with the FARC political party<sup>32/</sup> and persons in the process of reincorporating who intend to return to their places of origin.

To a lesser extent, acts of violence against persons in the process of reincorporation were committed by members of the AGC/Clan del Golfo, especially in Antioquia and Chocó. Some investigative processes have pointed to this group as being responsible for several cases that occurred in Ituango (Antioquia), one of the municipalities where more persons in the reincorporation process were victims before their move, in July 2020, to the municipality of Mutatá (Antioquia). The ACG/Clan del Golfo also coerces persons in the process of reincorporating to give them information about caches of money or weapons of the former FARC.

Violent acts against persons in the process of reincorporating further perceptions of insecurity among the former FARC combatants, weakens the organizational processes, increases the fear of being denounced, limits contributions to investigations, and produces distancing from the institutions to prevent stigmatization and reprisals for collaborating. Moreover, it discourages the exercise of leadership roles in the reincorporation process since those targeted opt to keep a low profile and suspend participation in institutional spaces.

### **3. DYNAMIC IN BORDER AREAS**

The National Government has taken actions aimed at increasing the institutional presence in the border territories and has strengthened its policy of receiving Venezuelans through mechanisms for securing regular migration status to guarantee access to rights for Venezuelans in Colombia. To this end the New Temporary Protected Status for Migrants<sup>33/</sup> was adopted; it enables the transition of

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31. According to figures of the ARN with a cutoff date of December 31, 2020, they are 9,625 persons, equivalent to 73% of the total. Office of the Presidential Adviser for Stabilization and Consolidation, “Informe seguridad personas en reincorporación. Enero-diciembre 2020” (Office of the Presidential Adviser for Stabilization and Consolidation, 2020), p. 8.

32. As of February 2021, the FARC party announced it was changing its name to Partido Comunes.

33. Venezuelan migrants who avail themselves of the measure will have 10 years to acquire a resident’s visa and a national ID as a foreigner. While the status was issued in February 2021, it is relevant for this report due to the impact it has had in the region. Presidency of the Republic, “Brief: Respuesta a fenómeno migratorio. Febrero de 2021.” (Desk for migration from Venezuela, 2020).

Venezuelan migrants from temporary protection to a regular immigration regime and facilitates their economic inclusion and access to health care, the educational system, and the system for family welfare.

Similarly, interinstitutional efforts continue as well as adaptations for attending to the migrant population<sup>34/</sup> such as authorizing humanitarian corridors, strengthening shelters, and adapting spaces for migrants who are travelling on foot. In addition, special mention should be made of the positive effects of the Ingreso Solidario program,<sup>35/</sup> its targeting of points along the border or crossings with a major impact, and the actions that made possible binational interdiction operations to guarantee security in the border zones, while also containing illegal transnational economic dynamics and violent activities along the borders with Ecuador, Panama, Peru, and Brazil.<sup>36/</sup>

The stigmatization of and xenophobic actions towards the Venezuelan migrant population have worsened.<sup>37/</sup> The informal settlements at the perimeters of population centers in Arauca, Guajira, and Norte de Santander are perceived as “centers of crime” (“*focos de criminalidad*”) and the prioritization of resources for addressing the Venezuelan population in border communities by the borders with Venezuela and Ecuador is seen in a negative light, as it is thought to have a negative impact on investment by the State for the Colombian population. This generates social tensions and deepens the gaps between nationals and foreigners,<sup>38/</sup> while also making the economic and social inclusion of the migrant population in Colombia difficult. These tensions and perceptions are taken advantage of by illegal armed groups to increase their social control in border areas.<sup>39/</sup>

The closing of borders decreed by the National Government and the neighboring countries to avoid the spread of the pandemic caused by COVID-19 has had collateral effects that have impacted

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34. According to the Information System on International Cooperation, Ciclope, registered by APC-Colombia, international cooperation contributed approximately 93 million dollars during the second half of 2020 to support the efforts of the National Government in relation to migration, in lines associated with health, humanitarian assistance, education, and social integration, among others.
  35. It is an arrangement whereby a monetary transfer is delivered to the households in poverty and vulnerable circumstances that are not beneficiaries of any other social programs of the State, including to the migrant population. Consulted at: <https://ingresosolidario.prosperidadsocial.gov.co/>
  36. Ministry of Foreign Affairs, “Planes Binacionales de Integración Fronteriza, Coordinación e Integración Fronteriza” (2020). Consulted at: <https://www.cancilleria.gov.co/prosperity/results>
  37. In the context of the health emergency due to COVID-19, perceptions persisted in border communities by Venezuela and Ecuador, as well as in Antioquia, Valle del Cauca, and Chocó that viewed foreigners as carriers of COVID-19, “*delincuentes*” (criminals), narcotics users, or persons considered non grata in their communities.
  38. In Guajira, Arauca, Norte de Santander, Putumayo, Nariño, Antioquia, and Valle del Cauca social tensions have been identified between Colombians and foreigners due to: job competition, access to humanitarian assistance benefits, gatherings of foreigners in the midst of compulsory isolation measures, situations of eviction and rejection when subnormal neighborhoods are formed or shelters are opened to serve the migrant population, and widespread discontent in the face of the implementation of humanitarian corridors, among others.
  39. In the border areas with Venezuela, Ecuador, and Peru and in those areas of transit or arrival of flows of migrants in Antioquia, Cesar, Guaviare, Meta, and Valle del Cauca foreigners have been victims, at the hands of the ELN and dissident FARC-EP groups, of forced displacement, threats, expulsions, public scrutiny, and in some cases selective homicides following the logic of “de facto forms of justice” carried out by these groups, after they have been accused of robberies, micro-trafficking, or narcotics use. These negative impacts have occurred when the illegal armed groups seek to supplant the State and resolve social tensions in the territories, such as squatting on landed properties, arrival of foreigners in distant rural areas, labor competition, or common crime. All such activities are carried out for the purpose of increasing their territorial control over areas of interest to them.



the border communities. On the one hand, there was an increase in the use of unauthorized routes for crossing the border, most of which are controlled by the illegal armed groups.<sup>40/</sup> This situation developed at the border with Venezuela after Venezuelans wanted to return to Colombia after having left due to the health emergency; and by the border with Ecuador, with the arrival of intercontinental migrants from the south. On the other hand, there was an increase in the conglomerations of foreign persons collapsing the capacities for an institutional response and overburdening the health care, education, and water and sanitation systems.

Another effect stemming from the border closure is the difficulty accessing services and goods that are basic necessities which before were obtained in commerce or by crossing over to Venezuela, Ecuador, Peru, and Panama, exacerbating the difficult economic and social situation in vulnerable border communities.<sup>41/</sup> The economic crisis reinforces the dynamics of illegal activities such as contraband, trafficking of migrants, and drug-trafficking in border communities in Arauca, Guajira, Nariño, Norte de Santander, and Putumayo.

In addition, there have been reconfigurations of illegal economies expressed in the increased shipment of marijuana produced in Colombia to Ecuador, Peru, Brazil, North America, and recently to Venezuela; the expansion of illicit crops in hard-to-access border areas in Nariño, Norte de Santander, and Putumayo; and the contraband cattle trade in Arauca and southern Cesar.<sup>42/</sup>

#### **4. JUSTICE IN THE TERRITORIES**

The Colombian State undertook actions that sought to strengthen the justice system, especially the performance of the Family Police Stations (Comisariás de Familia) for matters having to do with addressing family violence; gender violence; the situation of women and LGBT persons, women leaders and human rights defenders; and access to justice and land for rural women. It has done so through webinars, workshops, and virtual diplomate programs at the national level, as well as technical accompaniment for implementing technical guidelines for inclusive and differential attention.

As of September, mobile justice days were reactivated; these are coordinated on an interinstitutional basis at the local level, primarily in Antioquia, Cesar, Putumayo, and the Bajo Cauca region. In addition, efforts were made to strengthen the judicial branch by creating new courts and permanent positions of which special mention can be made of those established in the municipalities of Buenaventura, Tumaco, Montería, Puerto Asís, and San José del Guaviare. In addition, the Office

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40. In Ipiales (Nariño), Uribia and Maicao (Guajira), Norte de Santander, Arauca, and Acandí (Chocó) there has been a perception of an increase in unauthorized border crossings that tend to take place in areas with a presence of illegal armed groups who are interested in profiting from the illegal economic dynamics that are propelled in border areas such as contraband, drug-trafficking, smuggling of migrants, and human trafficking.

41. Of particular concern is the high degree of unmet basic needs and economic crisis in the indigenous community of Resguardo Mayasquer, in Cumbal, Nariño; the Wayúu indigenous community in La Guajira; and the peasant community of Jardines de Sucumbíos, in Ipiales, Nariño. The dynamics related to cross-border indigenous peoples, specifically at the border with Venezuela, has also been noted by the Office of the Human Rights Ombudsperson in its report: “Situación de Derechos Humanos de los Pueblos Indígenas Transfronterizos y Binacionales en la Frontera Colombo-venezolana.” Available at: <https://www.salsa-tipiti.org/wp-content/uploads/2020/12/Situacion-de-DDHH-Tranfronterizos-Frontera-Col-Ven.pdf>

42. Cattle contraband continues in areas of the Serranía del Perijá and Arauca during the dry season. By Colombia’s international borders in the departments of Nariño, Chocó, Guajira, and Arauca agreements persist among the illegal armed groups and organized criminal groups to charge for unauthorized crossings, while in Norte de Santander disputes continue among the illegal armed groups for control of the border area.



of the Attorney General (FGN) implemented actions on Strategic Direction in times of COVID-19, with the aim of safely carrying out activities of the FGN locally, particularly investigative activities and urgent actions.

Despite the foregoing activities, one perceives major challenges in access to and the performance of the justice system in the territories, especially those stemming from the contingency caused by COVID-19. As regards virtual hearings,<sup>43/</sup> while they offer greater guarantees for security for the parties appearing, and for witnesses, a low level of participation was observed due to the lack of connectivity or difficulties accessing internet service, resulting in delays due to continuances and rescheduling. In addition, virtual hearings have entailed challenges when it comes to concentration, clarity of the interventions, and individual identification of the participants in the hearings.

The delivery of judicial services, mostly virtual, has expanded the gaps in access to justice in the country's rural zones, where there is lack of access to electricity and to the internet, lack of knowledge of how to use of technological tools, and distrust of filing a complaint or being able to follow up on matters. In addition, there has been greater neglect of certain judicial services, such as the official acts of removing corpses, and judicial investigations into non-high-impact crimes, not only because of the measures adopted by the judicial officers to continue their work amidst the pandemic, but also due to the difficult security conditions, which do not allow for the normal movements of the institutions outside the urban centers.

In Antioquia, Cesar, Guaviare, Norte de Santander, and southern Bolívar there was a considerable increase in cases of gender-based violence. Even though there were many reports of assaults during this period compared to the previous one,<sup>44/</sup> major under-registration continues due to the lack of reporting because of unfamiliarity with where to turn for assistance, because it is not considered a crime, and due to possible stigmatization in their communities. To this is added that in several territories there is a low institutional capacity when it comes to handling such cases, in terms of both personnel and trainings on the channels and procedures, leading to revictimization of those who report such acts, disincentives to approach the justice system, and victims remaining in a situation of vulnerability because of living full-time with their assailants.

With respect to the de facto justice exercised by illegal armed groups, they continue to impose themselves on the communities to restrict mobility and impede the spread of COVID-19 in zones such as Arauca, Cauca, Cesar, Meta, and Caquetá. In these last two departments persons who end up infected are threatened; there have even been some homicides. In Chocó access for humanitarian institutions and organizations was limited as the illegal armed groups have sought to exercise greater control over the dynamic within the communities.

The illegal armed groups have continued to require payments be made to them in Antioquia, Chocó, Guaviare, and Meta, and in the Bajo Cauca and Catatumbo regions; they tend to do so by turning to members of the Community Action Councils (JACs: Juntas de Acción Comunal). The community leaders are used as intermediaries to get out the word that the payments are required, and to receive them, putting them at risk and disincentivizing persons from belonging to these community bodies. In addition, there was a perception of an increase in extortion in the communities by the EPL/Pelusos in Catatumbo, as this method became its main source of financing.

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43. As of the contingency due to COVID-19, all jurisdictions in Colombia opted to provide judicial services by virtual means.

44. According to data from the National Police, from March 25 to October 29, 2020, calls to the 155 line for family violence increased 116%, over the same period in 2019.

#### **4.1 Special Indigenous Jurisdiction (JEI: Jurisdicción Especial Indígena) and inter-jurisdictional coordination**

The Office of the Presidential Adviser for Human Rights and International Affairs took actions aimed at improving coordination and strengthening the justice system of the Awá people in Nariño, the system for protection of the Barí Nation in Norte de Santander, the mechanisms of coordination to ensure access to health services for the Nukak and Jiw peoples in Guaviare, as well as generating synergies to strengthen the Special Indigenous Jurisdiction and access to rights in Chocó.

The National Government made progress in the consultation for and adoption of the ethnic chapter of the Ten-Year Justice Plan, support for 31 projects to strengthen the Special Indigenous Jurisdiction and the appropriation and socialization of the protocol for recognition of the Kriss Romaní by the Ministry of Justice and Law. In addition, gains were made in the context of pillar 8 of the PDETs by the Office of the Presidential Adviser for Stabilization and Consolidation in implementing initiatives to strengthen the components of the indigenous communities' own justice systems.

As for coordination, special mention should be made of the improved intercultural dialogue between the government forces and the indigenous communities of Buenaventura (National Police) and Amazonas (National Army and National Navy). In addition, a session was held of the National Commission for Coordination between the National Justice System and the Indigenous Justice Systems (COCOIN) as well as sessions of the departmental roundtables in Caldas, Cauca, Chocó, and Nariño.

Despite these valuable efforts, the health emergency caused by COVID-19 led to the continued weakening of the JEI during the second half of 2020, as well as setbacks in the scenarios of coordination at the national level, with reduction of more than 50%. It is noted with concern that the illegal armed groups have continued and stepped up the threats and attacks against indigenous authorities and institutions of self-government, in many cases in retaliation for the constitutional exercise, by these communities, of their autonomy.

In Chocó four indigenous authorities were assassinated;<sup>45/</sup> they had been threatened by the ELN and the AGC/Clan del Golfo. In addition, the governor of the Resguardo Río Murindó and two other leaders are facing threats.<sup>46/</sup> Moreover, also in Chocó the groups continue bringing pressures to bear on the communities of the upper, middle, and lower Baudó river region, Riosucio, Carmen del Darién, Juradó, Bahía Solano, Río Quito, and Bojayá, confining them, establishing rules, planting antipersonnel mines, and stigmatizing them.

In Nariño, there were attacks directly mainly at indigenous authorities of the Awá people.<sup>47/</sup> According to data from the human rights program of the Unidad Indígena del Pueblo Awá (UNIPA), during the isolation due to COVID-19 at least 17 community members have been assassinated. The phenomenon is more visible in the indigenous reserves of Inda Zabaleta, Inda Guacaray, Piguambi

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45. In the lower Baudó one member of the indigenous guard; in the middle Baudó, the indigenous governor of the community of Dubasita; the secretary of the cabildo of the community of Puerto Ecevede; in Bahía Solano the former indigenous governor of the communities of El Brazo and Bucurú Purrú.

46. These three cases, as well as the persistent risk scenario for the indigenous authorities and communities in Chocó, are being addressed from the “departmental roundtable for coordination and guarantee of the human rights of the indigenous peoples,” under the leadership of the Office of the Presidential Adviser for Human Rights and International Affairs, with the accompaniment of the MAPP/OAS.

47. The alternate governor and local council member of the indigenous guard of the indigenous reserve of Piguambi Palangala was assassinated; the governor of this reserve and the Unidad Indígena del Pueblo Awá (UNIPA) received a collective threat and there was an attack on the former secretary and three indigenous guards of this organization. In addition, the governor of the reserve of Cuasbil La Faldada was attacked.

Palangala, and Gran Rosario, situated in the district (*corregimiento*) of Llorente (Tumaco) and neighboring areas. These incidents have been committed by the Guerrillas Unidas del Pacífico (GUP), the Frente Oliver Sinisterra (FOS), and the organized crime group Los Contadores.

In Cauca, one observes serious limitations on the rights of local indigenous communities to their own justice and their own government, in relation to the authorities of Toribío, Corinto, Caloto, and Suárez, due to the actions of the illegal armed groups and drug-trafficking interests. The threats and continuing risk faced by the authorities of the Consejo Regional Indígena del Cauca (CRIC), the Asociación de Cabildos Indígenas del Norte del Cauca (ACIN), the council of the Ukawe'sx Nasa Cxhab association of cabildos, and dozens of governors<sup>48/</sup> and members of the indigenous guard, for performing their functions,<sup>49/</sup> are of serious concern. Constant pressure and threats are brought to bear by the residual or dissident FARC-EP armed groups on the indigenous authorities and indigenous guard who maintain their position of territorial control.

These actions are carried out in an effort to obstruct decisions by indigenous justice mechanisms and by their forms of self-government, especially related to arrests, seizure of marijuana and coca, and prevention of recruitment. Although in some indigenous reserves the pressure brought to bear through harassment and selective homicides has had an impact, most of them continue maintaining effective control of the territories, which creates new risks of attacks by the illegal armed groups.

In addition, in Antioquia there have been pressures, threats, and imposition of rules by illegal armed groups directed at the authorities of the indigenous territories of Amparradó Alto y Medio, Genaturado, Antadó Guavina, Antado Arenera, Amoladora, Cañaverales, and Blanquita Murri in the municipalities of Dabeiba, Frontino, and Urrao. In Córdoba threats are directed against indigenous authorities of the Zenú people and the Emberá people, in particular the governor of the Zenú cabildo of Vende Aguja, the retention of and threats to the former Noko Mayor of the Emberá Katío reserve of Quebrada Cañaveral Alto San Jorge, and the repeated threats to members of the Escuela de Derecho Propio (School of Own Law).

The threats to indigenous authorities occur due to their rejection of the presence of illicit crops within their territories, and for ignoring the orders imposed by the illegal armed groups. These groups do not recognize the indigenous authorities, they dictate rules within the communities such as restrictions on movement as per both the hours and permitted territorial scope, they prohibit any dialogue with the government forces or other state agents, and they seek to maintain effective control over the communities and the routes of the illegal markets.

The GS/OAS notes that the commitment signed by the National Government through the National Protection Unit (UNP) and the Ministry of Interior in August 2019 with respect to issuing the decree, in consultation with the indigenous peoples for their collective protection with an ethnic approach has yet to be fulfilled. Moving forward with this decree is fundamental for preventing and mitigating attacks on the indigenous authorities and communities.

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48. One of them, the assassination of the former indigenous governor of the reserve of Cerro Tijeras and his wife, in October. The indigenous organizations say that this brings to 76 the number of homicides of indigenous community members in the north of Cauca in 2020.

49. One example was the case of the Nej Wesx Hermelinda Tauqui Trompeta, authority of Toribío, who was threatened for enforcing the quarantine rules in the ancestral territory.

#### 4.2 Bringing members of illegal armed groups to justice

The National Government issued Decree 965 of 2020, by which a special way forward is established for bringing individual members of the organized armed groups to justice.<sup>50/</sup> The MAPP/OAS, within the scope of its mandate, has been accompanying and monitoring the first months of implementation of the decree and has provided inputs to the institutions with the aim of strengthening its implementation.

The interinstitutional approach is one of the factors that can lead to better results in bringing the organized armed groups to justice. In this respect, the Interinstitutional Committee for Submission of Individuals to the Law (CISIL: Comité Interinstitucional de Sometimiento Individual a la Legalidad)<sup>51/</sup> has taken into account the experience of the Committee for the Laying Down of Arms (CODA: Comité de Dejación de Armas)<sup>52/</sup> in its procedures and, as of December 31, 2020, it has verified six cases of individuals presenting themselves to the authorities.<sup>53/</sup>

In light of the processes undertaken in recent years, it is important to take account of the lessons learned from the submission to the law of the Ejército Revolucionario Popular Anticomunista de Colombia (ERPAC),<sup>54/</sup> several factions of Los Rastrojos, and the so-called Alianza Paz del Valle (APV).<sup>55/</sup> In these experiences difficulties arose when it came to identifying perpetrators of crimes and prosecuting them; nor were all the guarantees given to the victims so as to be able to access justice.

Considering guarantees of non-repetition, it is necessary to have an effective intramural resocialization process.<sup>56/</sup> To that end, the government is encouraged to develop a special model that considers the lessons learned from the Justice and Peace process in relation to prison and psychosocial support, especially for those persons who have committed high-impact crimes, beyond merely establishing special conditions of confinement.

To ensure prosecution, the government is encouraged to continue coordination between the Office of the Attorney General and the Special Jurisdiction for Peace (JEP: Jurisdicción Especial para la Paz) to review failure to comply with the conditionality regimes directly or when required through the Peace Strategy Group of the Bureau of Policies and Strategy, as has been done until now, with the aim of being able to prosecute these cases in the regular criminal jurisdiction.

Furthermore, and with the aim of complying with domestic and international criminal law standards, the Office of the Attorney General and the Superior Judicial Council are called on to provide

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50. The provisions established in the decree are not applicable to the ELN. Paragraph 1 of Article 2.2.2.5.8.1.1 of Section 1 of Chapter 8. Decree 965 of 2020.

51. It is the body that defines each case in particular, whether it meets the criteria for belonging to an illegal armed group. It is made up of the Ministry of Justice and Law, Ministry of Defense, Agency for Reincorporation and Normalization (ARN), Colombian Family Welfare Institute (ICBF), Office of the Attorney General, and Office of the Human Rights Ombudsperson.

52. It is a committee made up of several delegations of the State whose function is to verify whether a person who aspires to demobilize belonged to a guerrilla group and whether he or she has a sincere interest in leaving it.

53. As of April 9, 2021, there are 40 cases on record of individuals who have turned themselves in.

54. In December 2011.

55. Process carried out on October 3, 2014.

56. During the deprivation of liberty prisoners must be treated individually to identify their qualities, needs, and risk factors. Particularized treatment is more effective when it comes to gauging the prisoner's degree of involvement with the social milieu. Accordingly, one may reinforce or adjust intramural access to matters related to physical health, mental health, access to the labor market, and access to education; all of these are fundamental for peaceful reinsertion in society.

better and more extensive procedural safeguards to the victims,<sup>57/</sup> encouraging their participation in the judicial proceedings. In the case of gross human rights violations, one must guarantee truth, justice, reparations, and guarantees of non-repetition for the victims through regular judicial mechanisms.

## 5. PARTICIPATION, DIALOGUE, AND SOCIAL CONFLICT

The health emergency continued posing limits to citizens' mobility and ability to congregate. In this scenario, one should note the many efforts of the institutions to keep the different forums for participation working. Despite the postponement of the elections for Community Action Councils and Youth Councils, a major adaptation was observed on the part of the institutions of the methodologies and strategies for reaching the citizenry and encouraging their participation in these scenarios.

In particular, efforts have been made throughout the Colombian territory by the local authorities and the OACP to install or reactivate the Territorial Councils for Peace, Reconciliation, and Coexistence as key forums for continuing to address the challenges of peace. For example, 13 Municipal Councils for Peace, Reconciliation, and Coexistence [Consejos Municipales de Paz, Reconciliación y Convivencia] (CMPRC) were reactivated in the department of Caquetá and five new Councils were installed in Chocó;<sup>58/</sup> in addition, in Bajo Cauca there was a major impetus, and most of the CMPRCs have a work plan.<sup>59/</sup> As of September many CMPRCs (in particular in Catatumbo) were able to resume their sessions in person, or partly in person, which contributed to greater effectiveness and integration.

Similarly, the Office of the Procurator General (PGN: Procuraduría General de la Nación) has made efforts to continue giving impetus to the social dialogue as a process and as a tool for transforming conflicts. Special mention should be made, in this regard, of the organization of the 5<sup>th</sup> Summit for Social Dialogue, which was held on October 29, partly in person. In this regard, the government is encouraged to continue the process and to continue strengthening and promoting dialogue as a tool for managing and transforming social conflicts.

Even more accentuated was the intent and performance of civil society to give impetus to processes associated with peace by different means, make itself heard as a valid and indispensable interlocutor of the Colombian State, and continue making progress despite the limitations imposed by the health emergency. Accordingly, the National Committee of the National Council for Peace, Reconciliation, and Coexistence, with the impetus of members from civil society and the OACP, succeeded in maintaining a sustained and flexible working agenda that made it possible to put forward a proposed 2020/2021 work plan and to finalize guidelines as inputs for designing the public policy for reconciliation, coexistence, and non-stigmatization.<sup>60/</sup>

With respect to the scenarios of mobilization and social protest, as identified by the Center for Social Dialogue and Coexistence (CEDISCO) of the OACP, there were 383 social protest events nationally related to the demand for guarantees to protect social leaders, for rejecting individual and collective homicides, for measures by the national executive and local authorities amidst the isolation, and for access to essential services such as employment, education, transportation, and health.

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57. Legal guarantees for participation; by means of psycho-emotional support for physical presence in investigative procedures, physical safeguards, and economic support, among others.

58. The MAPP/OAS was able to support in part the installation of new councils in Chocó.

59. During the second half of 2020 trainings were held in "Peacebuilding, dialogue, and transformation of social conflicts," with members of the Departmental Peace Council and Municipal Peace Councils of Arauca, Cesar, Putumayo, Nariño, and southern Córdoba, among others.

60. The work was presented and validated at the plenary meeting of October 27, where the guidelines were delivered to the vice-minister of Interior.

During October the most significant social protest events were the March for Dignity of persons in the reincorporation process; protests and marches demanding respect for the lives of children and adolescents and youths; the Encampment for Life headed by the Congreso de los Pueblos; and the Minga Social y Comunitaria of southwestern Colombia. In addition, permanent assemblies, mobilizations, and protests were held by the Guardia Indígena of Putumayo along with the virtual mobilizations called by the National Strike Committee (Comité del Paro Nacional) on the 21<sup>st</sup> of each month.

Different citizen groups, in the midst of the compulsory lockdown, have continued to be organized around grievances such as the failure to implement the agreements reached, and commitments taken on by various state institutions in recent years, highlighting the need to put in place consensus-based tools from the outset of a process of social dialogue so as to make possible adequate follow-up for carrying out what was agreed upon and to avoid future tensions.

Forced eradication campaigns continue to spark protests and social mobilization in areas with a high density of coca crops. The expectation stemming from the socialization of the PNIS and the obstacles that have come up in its implementation<sup>61/</sup>, like the presence of illegal armed groups with interests in the chain of production of drug trafficking, are elements that strengthen the social protests and lead to their escalation. In particular, in Caquetá, Meta, Nariño, Putumayo, and the regions of Catatumbo (Norte de Santander) and Bajo Cauca (Antioquia) social tensions escalated to the point of causing alterations to the public order, resulting in injuries to members of the government forces, the Mobile Eradication Groups, and the communities.

Where there is a confluence of the absence of voluntary substitution programs with the active presence of illegal armed group, some authorities perceive a predisposition on the part of the communities in response to the minimal intention of carrying out forced eradication actions in certain territories. Nonetheless, in some cases the community reactions are directed and guided by local social organizations, a dynamic that is understood in the context of a democratic process that entails claiming rights; whereas in other areas one perceives the pressure brought to bear by the illegal armed groups on the rural populations to have them protect the illegal crops to the detriment of the agenda of claims put forward by the communities themselves. When the population does not address the pressures of the illegal armed groups it is penalized by extortion, fines, physical punishment, threats, and forced displacement.

Despite the manifest willingness and openness of the citizenry to dialogue and participation, and on the part of the institutions in their efforts to adapt to virtual meetings, there are clear barriers to this democratic exercise related to the digital divide<sup>62/</sup> and fatigue from participating in virtual meetings given the difficulty of establishing a fluid two-way dialogue.

In the context of the process of amending the Environmental Management Plan of the Program for Eradication of Illicit Crops with the Herbicide Glyphosate (PECIG), difficulties were identified to ensuring the effective participation of the communities in informational meetings and the environmental public hearing, held in November and December 2020. The Environmental Licenses Authority (ANLA), in coordination with the Antinarcotics Division of the National Police, considered three mechanisms of participation: physically attending the principal meeting, in Florencia, Caquetá;

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61 These difficulties in implementation have been described by the GS/OAS in the 26th, 27th, 28th, and 29th reports on the work of the MAPP/OAS in Colombia, submitted to the Permanent Council of the OAS. Available at: <https://www.mapp-oea.org/publicaciones-2/informes-semestrales/>

62 Digital divide refers to the difficulties, in particular in communities in rural areas, accessing technologies and tools, their low level of connectivity, and their scant digital literacy.

(ii) providing physical assistance to one of the points of support in the departments prioritized by the strategy<sup>63/</sup>; and interventions not in person, either by telephone or virtual media. The event included the participation of municipal and departmental authorities as well as members of think tanks and social organizations; and, to a lesser degree, representatives of the communities and their social leaders.

Even though the authorities have undertaken the actions contemplated in the judicial orders to guarantee the real and effective participation of the communities, inconformity persists in some sectors in light of the lack of guarantees due to the limited dissemination of the date of the hearing, in particular in rural areas; the limited time for remarks; the lack of connectivity in rural areas; and the application of an informational methodology and the lack of a two-way dialogue. In general, the use of judicial mechanisms for resolving the national dissent over the PECIG is a sign of the complex debate in the country over the PECIG.

The threats directed against social leaders and the assassination of these leaders constitute a substantial barrier to participation. In several departments these persons state that they are afraid when called on to participate due to the risks entailed in this democratic practice. One notes, for example, the case of the homicide of one of the main leaders, and member of a peace council, which occurred on October 16 in Meta. This incident led to the resignation of the civil society members of the Departmental Council for Peace, Reconciliation, and Coexistence of Meta, on October 23, and interrupted the process of the Regional Roundtable for Social and Environmental Dialogue of Meta, Caquetá, and Guaviare, despite the exacerbation of social conflicts that led to its installation at the beginning of the year.

Accordingly, it is still a challenge to give impetus to wide-ranging, diverse, and inclusive dialogues that make possible the robust participation of Colombian society and that guarantee an open and sincere approach to the concerns, which should strengthen the pillars of democracy and the development of a culture of democratic dialogue.

## **6. IMPACT OF THE STRATEGIES AND POLICIES FOR TERRITORIAL TRANSFORMATION**

### **6.1 Rural Development Programs (PDET: Programas de Desarrollo con Enfoque Territorial)**

The structural transformation of the Colombian rural areas for peacebuilding, contained in the PDETs, which resulted from their extensive and participatory design, and from the interpretation that the National Government has made through the policy of Peace with Legality, has made possible major legal adjustments as well as progress in the design, articulation, and strategies for financing their implementation. All of this has focused the efforts and intentions of the national and local governments, the private sector, and international cooperation for carrying out point 1 of the Final Agreement, on Integral Rural Reform.

In addition, the direction of the Office of the Adviser for Stabilization and Consolidation and the Territorial Renewal Agency (ART: Agencia de Renovación del Territorio) for establishing the Single Road Maps in an efficient and articulated management of the institutional offer nation/territory, and the implementation of the 32,808 initiatives of the action Plans for Regional Transformation

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63. The PECIG is to be deployed in 104 municipalities situated in the departments of Antioquia, Bolívar, Caquetá, Cauca, Chocó, Guaviare, Meta, Nariño, Norte de Santander, Putumayo, Santander, Valle del Cauca, and Vichada.

(PATR)<sup>64/</sup>, consolidate the PDETs as a policy of the State to be implemented in the short, medium, and long term over the next 15 years.

In the period covered by this report the Congress approved an advance of 70% of the resources earmarked to the peace process, intended to be allocated over 10 years, from the General System of Royalties<sup>65/</sup>, to be executed in the next two years through the OCAD-Paz<sup>66/</sup> in PDET initiatives for drinking water, basic sanitation, tertiary roads, and electrical energy.<sup>67/</sup>

In addition, progress was made seeking consensus on the Special Consultation Mechanisms (MEC: Mecanismos Especiales de Consulta)<sup>68</sup> in the subregions of Putumayo, southern Córdoba, and Sierra Nevada-Perijá; establishing the Space for Inter-Ethnic Participation (Espacio de Participación Interétnica PDETE)<sup>69/</sup> in the Chocó subregion; and designing the Master Plans for Structuring<sup>70/</sup> as a mechanism for concentrating and enabling initiatives. These plans constitute a way to articulate the actions and procedures necessary for the effective implementation of the PDET initiatives with the National Plans for Integral Rural Reform that already exist, or to provide alternatives for those whose approval is still pending.<sup>71/</sup>

Given the absence or weakness of technical capabilities in the PDET municipalities, special note is made of the initiatives for their sustainable strengthening: (a) nationally, with strategies that involve the use of public and private structuring agents for designing projects with relevant technical requirements; and (b) locally, with a set of initiatives for public-sector management such as establishing cross-cutting PDET teams, the assessments for institutional redesign, internal control, project managers, as well as the public call for providing career-service jobs in 94.70% of the PDET

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64. According to data from the Integrated System of Information for the Post-Conflict Period, pillar 8 on the gains of the PATRs of Point 1 of the Final Agreement, on Integral Rural Reform, reports a gain of 47.6%. <https://siipo.dnp.gov.co/inicio> (consulted February 23, 2021. Cut-off date December 31, 2020).
  65. Article 60 of Law 2056 of September 30, 2020, which regulates the organization and operation of the General System of Royalties, which represents the annual resources that Colombia gets from operations to extract hydrocarbons.
  66. It is a collegial body established pursuant to the Constitution (Legislative Act 04 of 2018) chaired by the Office of the Adviser that makes it possible to earmark annually and on a priority basis 7% of the total of the General System of Royalties for the exclusive approval of investment projects related to implementation of the Final Agreement. OCAD-PAZ approved 500 billion pesos for works in the context of the PDETs.
  67. According to the Cíclope Information System for International Cooperation, registered by APC-Colombia, international cooperation agencies have provided support in the amount of approximately 87 million dollars in the second half of 2020 for implementing projects to boost rural productivity, ensure protection and inclusion for women, and strengthen territorial capabilities, among other aims, in the PDET territories.
  68. It is expected that the cumulative experience of the ART with these mechanisms will give impetus to and facilitate the consensus-building processes with ethnic communities in all the other subregions. According to Article 12 of Decree 893 of 2017, the special consultation mechanisms are understood as the “guarantee of the right to effective participation of the ethnic peoples and communities in the design, implementation, and monitoring of the PDETs and the PATRs.”
  69. The Chocó subregion has a marked ethnic perspective; hence it has an Ethnic Rural Development Program (PDETE).
  70. The ART has specialized teams for putting in place master plans in six areas: roads, water, education, health, electrification, and economic recovery.
  71. 7 of the 16 National Plans for Integral Rural Reform have been approved, 6 have concluded the technical design phase, and 3 are in the design phase. Consulted at: Office of the Presidential Adviser for Stabilization and Consolidation, “Estabilización en los municipios PDET agosto 2018 – diciembre 2020, 28 meses” (CPEC, 2021), p. 44.



municipalities. This initiative is expected to improve institutional management and performance and to enhance the capacities for the administration and execution of resources transparently and credibly, and citizen trust in the institutions and the public servants.

The isolation due to the health emergency limited the participatory methodology of constructing the Roadmap, the transfer of information to the Impetus Group delegates, and the effective participation of the communities, with a negative impact on the perception of progress, legitimacy, and the potential for transformation of the rural communities situated in the PDETs. The communities perceive that the prioritization of initiatives for 2020-2021 has taken place without their participation, and that the institutional offer is limited to replicating what already exists. In this regard, there are processes of citizen oversight (*veeduría ciudadana*) and alternative mechanisms for setting priorities which, combined with processes of socialization, would prove useful for strengthening the social appropriation of the PDETs.

Despite the reactivation of in-person activities in the territories by the institutions in charge of implementing the PDETs and the efforts to finance the multipurpose cadaster<sup>72/</sup> in 83 of the 170 PDET municipalities, challenges persist around the financing<sup>73/</sup> of the remaining cadasters; the construction of the Participatory Plans for Social Land-Use Management of Rural Property; as well as the incorporation of the ethnic and gender perspectives and the continuation of the armed conflict and illegal activities with environmental impacts, such as the illicit exploitation of mineral deposits and deforestation, which degrade the environment at a fast pace, in response to which a timely and firm response is needed.

The mobilization of resources in the PDET territories, especially in pillar 2, infrastructure, and pillar 6, economic recovery<sup>74/</sup>, represents an opportunity to improve the conditions of mobility and connectivity, reactivate the local economies that had been hard-hit by the health emergency due to COVID-19, and sustainably overcome the prevalence of illegal economic activities. The communities perceive a high risk of the possible use of these resources for electoral purposes, the diversion of resources in acts of corruption, or the payment of extortion to illegal armed groups that have sought historically to appropriate public resources for themselves.<sup>75/</sup>

There are gains in the objective of the PDETs aimed at transforming territories most affected by the armed conflict, reducing gaps between rural and urban areas, and guaranteeing the effective enjoyment of rights, goods, and services as one would expect in a social state under the rule of law. Nonetheless, territorial peacebuilding requires the confluence of local, national, and international intentions, both public and private, increasing the efforts to secure gains with a greater impact in a shorter time, and facilitating social recognition of peace as a reality.

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72. These facilitate a model for offer and massive adjudication of lands; access to them by rural, peasant, and ethnic communities is promoted, accompanied by goods and services that make possible their use and production, in keeping with their needs, culture, and cosmovision, as well as the resolution of conflicts over land use and land tenure with parameters of social and environmental sustainability.

73. Special note is made of the importance of international cooperation as a strategic ally that has contributed significant resources on a targeted basis. Some examples: IDB and WB loans for 150 million dollars; United Kingdom, northern triangle of the Amazon region to prevent deforestation; Buffet Foundation in the Catatumbo; and USAID in the Pacific Coast, among others.

74. Through the PDET Works, works by taxes, projects approved by OCAD-Paz, international cooperation, and the targeting of resources prioritized by the national institutions and local governments.

75. Cases have been reported of extortion of contractors and Community Action Councils that execute resources for PDET Works in the subregions of Arauca and Catatumbo.

## 6.2 Strategies for reducing illicit crops

The PNIS<sup>76/</sup> continues to be implemented in the 14 departments and 56 municipalities accorded priority, where it is reported that 43,711 hectares have been voluntarily eradicated, and with gains, especially in the components of payments of the Immediate Assistance Plan (PAI), integral technical assistance, food security projects, and productive projects.<sup>77/</sup> The participatory mechanisms of the program such as the Territorial Advisory Councils (CAT) and the Municipal Participatory Planning Commissions (CMPP) continued operating through in-person and virtual sessions.

The Bureau of Illicit Crop Substitution (DSCI) also made progress consolidating the gender protocol of the PNIS so as to incorporate said differential approach in the implementation and monitoring of the program. In addition, it secured the contracting of the gender project from the Fund for Colombian at Peace (Fondo Colombia en Paz) to strengthen the economic autonomy of women growers and women who are not growers situated in the municipalities of San José del Guaviare and El Retorno, in the department of Guaviare, and Tumaco, Nariño; and the approval of a second project for implementing inclusive businesses with a gender perspective geared to women who work in the harvest.<sup>78/</sup>

Despite the actions that have been carried out, difficulties persist implementing the program, including the execution of the food security projects being out-of-step with the productive projects and the administrative difficulties with the operators of the program, which have not facilitated the sustainable and lasting transition to licit crops, especially in Antioquia, Bolívar, Caquetá, Nariño, Norte de Santander, and Putumayo.

From September to December 2020 the Integral Plans for Substitution and Alternative Development (PISDA) were designed in the eight non-PDET municipalities of Rosas and Piamonte in Cauca; Ipiales in Nariño; Bolívar, Dagua, and El Dovio in Valle del Cauca; Cumaribo in Vichada; and Barrancominas in Guainía. The process was based on a participatory methodology and on in-person community assemblies, which were viewed positively by the communities. These made it possible to strengthen the engagement between the personnel of the DSCI and families involved in the voluntary substitution strategies, while also facilitating recognition of the needs and interests of women through initiatives with a gender perspective.

The National Government continues implementing new models of substitution that are based on general criteria, differentiated stages of implementation, and flexible activities adaptable to the local and social realities of the regions with a presence of illicit crops. The substitution models developed

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76. Decree 1223 of 2020 ratifies the main functions of the Bureau for the Substitution of Illicit Crops (DSCI). This same normative instrument decrees that as of January 1, 2021, responsibility for implementing the program was passed from the Office of the Presidential Adviser for Stabilization and Consolidation to the DSCI of the Territorial Renewal Agency, which is under the Administrative Department of the Presidency of the Republic.

77. 58,940 have received all of the PAI payments; 67,655 families have comprehensive technical assistance; 64,276 families established food security projects, and 5,516 are implementing their productive projects. United Nations Office on Drugs and Crime (UNODC), “Informe No. 23: Programa Nacional Integral de Sustitución de Cultivos Ilícitos (PNIS),” p. 2.

78. Office of the Presidential Adviser for Stabilization and Consolidation, “Informe de Gestión de la Dirección de Sustitución de Cultivos Ilícitos- diciembre de 2020,” (Bureau for Substitution of Illicit Crops, 2020), p. 134.

by the DSCI are Formalize to Substitute<sup>79/</sup>, Territories for Conservation<sup>80/</sup>, Substitution with Legality<sup>81/</sup>, and Made to the Measure.<sup>82/</sup>

Made to the Measure (HAM: Hecho a la Medida) represents an opportunity to voluntarily substitute illicit crops for families or communities not engaged in the PNIS who have expectations regarding the implementation of this model. In Nariño, for example, the Office of the Governor, through the Departmental Committee for the Coordinated Substitution of Illicit Crops, has been promoting agreements known as “*acuerdos raíz*” (“root agreements”) as a proposal that could become a HAM program. The situation is similar in Antioquia, Bolívar, Cauca, Caquetá, Córdoba, Meta, Norte de Santander, Putumayo, and Valle del Cauca. El Vichada is a pioneer in carrying out HAM programs through the signing of the Ethnic Agreement on Substitution by the Alto Únima reserve on December 3, 2020.

At the same time, the Colombian government continues carrying out the forced eradication strategy in its modalities of manual eradication and land-based spraying of the herbicide glyphosate. According to official figures, as of December 31, 2020, 130,147 hectares of coca leaf crops were eradicated in 198 municipalities in 21 departments<sup>83/</sup>; Putumayo, Nariño, and Antioquia account for more than 60% of the plantations that have been eliminated. That figure represents, in turn, a 38% increase over the number of hectares eradicated in 2019, which illustrates the importance the National Government has attributed to forced eradication to reduce the supply of drugs, pursuant to its national and international commitments.

Of the three modalities of forced eradication that have been used in Colombia, the only one that is not being used is aerial spraying with chemical agents, glyphosate being the most commonly used substance previously. One of the plans of the Executive has been to reactivate the PECIG, to which end, in the second half of 2020, efforts continued to modify the program’s Environmental Management Plan, which was approved by the ANLA by Resolution 00694 of April 14, 2021.<sup>84/</sup>

In addition, the Ministry of Justice and Law issued Decree 380 of April 12, 2021, which established the object, execution, monitoring, evaluation, complaint mechanisms, and persons responsible for implementing the work of eradicating illicit crops using aerial spraying. With the promulgation of both legal instruments, the requirements established by the Constitutional Court in Judgment T-326 of 2017 and Order 387 of 2019 have been met. Therefore, it is the National Narcotics

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79. In an agreement with the National Land Agency (ANT). Its objective is to promote access to lands by granting use rights with juridical security to the families, and it endows the properties with a viable productive initiative.

80. In the context of an agreement with PNN, this model will be implemented in environmentally strategic areas of the departments of Antioquia, Caquetá, Cauca, Córdoba, Guaviare, Meta, and Valle del Cauca.

81. Model of collective initiatives geared to ethnic and/or peasant communities that are owners, applying the principle of guaranteeing rights, respecting their cosmovision and own government, and seeking alignment with the life projects and plans for ethno-development and safeguards.

82. It is a collaborative intervention in which public and private actors, both national and international, pool efforts for the design, management, financing, and implementation of sustainable initiatives that contribute to social and productive transformation in territories with a presence of illicit crops, promoting voluntary substitution and not replanting.

83. Observatory of Drugs in Colombia of the Ministry of Justice and Law, “Cifras erradicación de cultivos de hoja de coca año 2020” (ODC, 2021). Consulted at: <http://www.odc.gov.co/sidco/oferta/erradicacion>

84. Even though this approval was outside the period covered in this report, these considerations are included in light of the importance of the information for the dynamic to which reference is made.

Board (Consejo Nacional de Estupefacientes) that will analyze all the information available in the framework of this process to issue a definitive decision on the resumption of the PECIG.

The possibility of a return to this modality of forced eradication has created expectations and provoked responses in territories that were subject to aerial spraying, such as Caquetá, Chocó, Guaviare, Nariño, Putumayo, and Valle del Cauca. Accordingly, some sectors of the population involved in growing coca leaf have begun to take measures to mitigate the eventual effect of aerial spraying, such as planting on steep slopes, leading to deforestation and the indiscriminate burning of forests.

Once preparations begin to be made to resume the PECIG social tensions will be a possibility in the territories impacted, which could escalate once it is started up. Therefore, it is crucial that each of the mechanisms of participation lead to dialogues that make it possible to build shared visions of development so that the communities can make a break with their economic dependence on illicit crops.

The implementation of the strategies for reducing illicit crops, the operational and administrative difficulties of the PNIS, the pressures brought to bear by the illegal armed groups in the territories, and the impact of COVID-19 on the socioeconomic conditions of the population have provoked the replanting and transfer of illicit crops to areas not prioritized for voluntary substitution and areas where forced eradication is hard to implement effectively. This dynamic has unfolded in Guaviare, Meta, Nariño, Norte de Santander, Putumayo, and Valle del Cauca.

In addition, there is a risk of an expansion of illicit crops in Guaviare and Meta, where the residual or dissident FARC-EP armed groups have been pressuring the population to return to growing coca leaf, especially in the areas of the Serranía de Chiribiquete and Sierra de la Macarena National Parks and the Nükak National Natural Reserve. The same groups have also been offered guarantees for commercializing their crops and security.

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

By unanimous decision, the Congress of the Republic approved the extension, for an additional 10 years, of the Victims and Land Restitution Law and the “ethnic decrees” (*decretos étnicos*). The political will expressed in the law, which was ratified with presidential approval, constitutes recognition of the victims of the armed conflict and provides stability in the system designed to safeguard their rights. Mindful that the extension in time provides for the National Government to submit an annual report to the Congress of the Republic describing the progress made, in 2021 it is essential that a budget be approved to guarantee financing for the coming years. Having assured its continuity, the scenario is ripe for introducing reforms or making adjustments that would make it possible, in its implementation in the coming years, to be able to overcome the challenges that have made it difficult to fully satisfy the guarantees for the victims.

One of the challenges is the slow advance in the implementation of measures<sup>85/</sup> and the need to make administrative reparations in a reasonable time, for if the pace seen until now continues, the State may take more than 60 years<sup>86/</sup> to make reparation to the victims currently recognized in the Single Registry of Victims.

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85. The law provides for measures of compensation, restitution, satisfaction, rehabilitation, and guarantees of non-repetition.

86. Estimates of the Office of the Procurator General. Consulted at:  
<https://www.procuraduria.gov.co/portal/Procuraduria-indemnizacion-victimimas-conflicto-recursos.news>

It is essential to achieve interinstitutional articulation of all the entities that are part of the National System for Attention and Integral Reparation for Victims, with the inclusion of the judgments by the JEP<sup>87/</sup>, the Search Plans to find persons reported as disappeared, and the legacy of the Truth Commission, part of the Integral System for Truth, Justice, Reparation, and Non-Repetition. Such complementary efforts would contribute to socioeconomic stabilization and the effective enjoyment of rights, through territorial development and the transformative approach to reparations, to be consistent with the principle according to which the victims must be at the center.

In addition, the persistence of the action of the illegal armed groups in the territories, resulting in new victims, represents a major challenge for the whole system, insofar as it must serve the persons already identified as victims and at the same time address the growing universe of persons affected. In that scenario the prevention component of the public policy on victims is facing major challenges when it comes to preventing and mitigating the phenomena of violence; accordingly, it will be fundamental to strengthen this component through forums such as the Transitional Justice Councils (CTJ), the National Subcommittee and territorial subcommittees for prevention and protection, as well as for the actions of the prevention and protection plans. In the case of land restitution, said security conditions impact the startup of procedures in individual applications for restitution, thus it is important to reconsider reformulating the requirement of having a favorable opinion on security from the government force and consider alternatives to restitution, such as compensation.

In that regard, the prevention component of the public policy on victims faces major challenges due to the scale of the situations of violence and the persistence of humanitarian emergencies that are characterized by the occurrence of massive human rights violations.

In addition, promoting the ethnic route of restitution continues to be a challenge, since despite the gains at the Land Restitution Unit (URT: Unidad de Restitución de Tierras) in recent years – particularly in strengthening the Bureau of Ethnic Affairs – at the territorial offices with the largest number of cases of restitution in indigenous and Afro-Colombian communities, the teams in charge of processing the claims need to be reinforced given the complexity of such cases.<sup>88/</sup> At the same time, the judicial offices with jurisdiction in those territories require not only measures to reduce their caseloads, but also the strengthening of the capacities of the judicial staff on issues related to the differential ethnic approach, and negative impacts in the territories. The aim is for the historical debt to the ethnic communities to be concluded in the new time frame, for to date judgments have been handed down in only 15% of the actions filed<sup>89/</sup>, without any case having been declared fully implemented.

#### **6.4 Strategic Zones for Comprehensive Intervention (ZEII) or “Future Zones”**

The National Government has faced challenges when it comes to implementing the Strategic Plans for Comprehensive Intervention (PEII)<sup>90/</sup>, which stem from the experience of the COVID-19 pandemic, and the limitations in some institutions during 2020 when it came to going to the five

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87 With the implementation of measures to contribute to reparation.

88 Identifying the territory and population affected within the community, the list of lands and other property in the name of third persons, and the characterization of negative impacts in the territories.

89 In figures reported by the URT of 144 claims for restitution by ethnic communities, as of December 2020, 19 had a judgment. Of these 19, one judgment was handed down in 2020.

90 These are tools for unified, interagency, coordinated, sustained, and integral action of the State. Each PEII is made up of: (i) the plan for accelerating the PDET; (ii) plan of reinforced measures for protecting the population; and (iii) the plan for strengthening the rule of law.

prioritized regions<sup>91/</sup> and having an intervention that is unified, sustainable, and comprehensive at the village level.

With respect to the nation-territory articulation, the Office of the Presidential Adviser for Stabilization and Consolidation, through the designation of Stabilization Managers, established interinstitutional working spaces such as the Territorial Committees to generate actions that make it possible to go forward in the roadmap of the PEIIs. The Office of the Presidential Adviser for National Security, as the main force articulating the strategy, has been leading actions undertaken in the territory to implement the PEIIs and the execution of the Immediate Response Plan (PRI) in the pilot ZEII, the Pacific Coast Region of Nariño.

The government forces carry out the Campaña Artemisa against those who cause damage to the natural resources, mainly deforestation, through operations that counter the impact of such illicit activities. According to data from the Ministry of Defense<sup>92/</sup>, Artemisa has recovered 12,358 hectares of forests, natural parks, and jungle. Similarly, they report that government forces, in coordination with the Ministry of Environment and the Office of the Attorney General, have arrested 81 persons by court order and/or in flagrante delicto, for various environmental crimes.

In the area of judicial strengthening, the National Government launched the Local Justice Systems strategy, with emphasis on the ZEIIs, which seeks to ensure a response that is timely, differentiated as per the territorial context, and effective for the citizens. Of the 44 municipalities that make up the ZEII, 30 have Local Justice Committees; plus eight of these territories were prioritized in the implementation of Models of Local and Rural Justice<sup>93/</sup>, which seek to create capacities for handling conflicts and guaranteeing effective access to justice.

In Arauca, Caquetá, Guaviare, and Meta, the challenges continue in relation to implementing the line of preserving the environment, as numerous organizations and communities perceive it as a mechanism for prosecuting social leaders and as a tool for guaranteeing the intervention of companies from the mining and energy sector in Arauca and the Catatumbo region. In villages that are inside the ZEIIs of Chiribiquete and Neighboring Parks, Catatumbo, and the Pacific region of Nariño tensions between communities and government forces have intensified due to the operations carried out to stop deforestation.

Although the Strategic Plan of the Office of Attorney General was approved as a roadmap for dismantling criminal organizations in the local territories, most of the regional offices of the FGN are not familiar with how it is going to be implemented or the role that they are going to play; the weak presence of the judicial police continues in most of the prioritized territories, such as the Sanquianga subregion in Nariño; and, in the particular case of Tumaco, the high caseload in the judicial circuit persists, a situation that has led to the release of a large number of persons accused of crimes such as

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91. The Pacific coast region of Nariño, Catatumbo, Arauca, Chiribiquete National Natural Park and Neighboring Parks, Bajo Cauca, and southern Córdoba.

92. “During its nine phases Artemisa has recovered 12,358 hectares of forests, natural parks, and jungle. Similarly, the government forces in coordination with the Ministry of Environment and the Office of the Attorney General have arrested 81 persons by judicial warrant and/or in flagrante delicto, for different environmental crimes.”

<https://www.mindefensa.gov.co/irj/portal/Mindefensa/contenido/noticiamdn?idXml=f02e6209-b45a-3910-8988-8d62f65d2fb8&date=26012021>

93. Ministry of Justice and Law, “*Informe de Logros, avances y resultados 2020.*” Delivered to the MAPP/OAS on February 25, 2021.

drug-trafficking, aggravated criminal conspiracy, kidnapping, extortion, and illegal possession of arms due to failure to press charges within the time for doing so.

In the communities perceptions persist that the territories were militarized and that interdiction activities were stepped up during 2020, without any evidence, in the priority territories, of a comprehensive intervention by the institutions accompanied by sustainable economic projects to support the substitution of illicit economies. The result is greater distrust of the institutions, as the entry of the government forces to carry out operations to delink the communities from the illicit economies is seen as a risk.

Finally, the incorporation of the initiatives of the PDETs in the PEIIs represents a financial and technical contribution to Pillar 1, entailing social recognition of property rights, which is an imperative for reducing inequalities between the rural areas and the cities; establishing rights, public goods, and public services inherent to a social state under the rule of law in the territories; and peacebuilding. Nonetheless, the local authorities and communities are unaware of the component for accelerating the PDETs and for accountability that the strategy establishes, as well as the need for spaces of coordination between the management bodies of the Zonas Futuro and the scenarios for planning in the context of the PDETs<sup>94/</sup> to effectively give impetus to the initiatives included in the PEIIs.

## **7. BRINGING THE AGENDA OF GENDER AND PEACE TO THE TERRITORIES**

The Government High-level Body on Gender<sup>95/</sup> indicated gains with respect to the 51 gender indicators in the Framework Plan for Implementation and its cycles of implementation in the short, medium, and long term. In this regard, seven indicators have been met<sup>96/</sup>; 16 are in the process of being met, with goals for 2022; and the remaining 35 are to be completed sometime in the 2026-2031 period.<sup>97/</sup> In this regard, special mention should be made of the state accomplishment of having strategic cross-cutting gender guidelines for the execution of the 51 indicators<sup>98/</sup>; the efforts for some of the 4,606 initiatives that include rural women and gender considerations to be set forth in the roadmaps of the PATRs of the PDET; as well as the startup of two new pilot projects of the Integral Program of

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94. Of special note are the efforts to coordinate between the Zona Futuro Catatumbo and the scenario and planning for the Sustainable Catatumbo PDET.

95. It was established to promote, from the National Government, effective guarantees for women's rights in the context of the Final Agreement, especially in those territories historically affected by violence and poverty. It is made up of, among others, the Presidency, the Office of the Presidential Adviser for Women's Equity, the Ministry of Interior, the Territorial Renewal Agency, and the Agency for Reintegration and Reincorporation. Consulted at: <http://www.equidadmujer.gov.co/prensa/2019/Paginas/Instalacion-Alta-Instancia-De-Genero-Del-Gobierno-Nacional.aspx>

96. Some of the indicators that have been met are associated with Point No. 1 related to the participation of women in the PATRs and the soft lines of credit and subsidized credit for women. "Informe de Seguimiento a la Transversalización del Enfoque de Género con base en los 51 indicadores de género del Plan Marco de Implementación." (Office of the Presidential Adviser for Women's Equity, 2020), pp.8, 21.

97. Government High-level Body on Gender, "Avances en la Implementación de los 51 indicadores de Género del Plan Marco de Implementación" (Office of the Presidential Adviser for Stabilization and Consolidation, October-December 2020), p.14.

98. Office of the Presidential Adviser for Women's Equity, "Lineamientos estratégicos en clave de transversalidad de género para la ejecución de los 51 indicadores de género del Plan Marco de Implementación" (Office of the Presidential Adviser for Women's Equity, 2020), p. 4.



Guarantees for Women Leaders and Human Rights Defenders (PIG-Mujeres) in the departments of Cauca and Chocó.

Advancing the political rights of women is an imperative for achieving complete peace. In this regard, the approval of gender parity by the Congress on the occasion of reforming the Electoral Code is a positive step. In addition, the National Government and all the social and political forces are encouraged to give impetus to affirmative measures so that the adoption of parity lists is translated into more women exercising local political power in the most conflictive parts of Colombia.

In addition, a commemoration was held of the 20<sup>th</sup> anniversary of Resolution 1325 of 2000, Women, Peace and Security, by the coalitions of women's groups<sup>99/</sup> and other actors. As the coalitions indicated, risks persist to women's leadership; they called attention to the "*slowdown in the implementation of the Peace Agreement and the negative impacts this entails for the safety of women.*"<sup>100/</sup> In this connection, it is important that the State and Colombian society reaffirm the leading role of women and gender equality in attaining complete peace and in building democracy in Colombia.

At the same time, a lack of guarantees for the exercise of women's leadership persists in a large part of the national territory, where the illegal groups continue threatening women leaders and women human rights defenders, and where femicides, forced disappearances, human trafficking, and other forms of gender-based violence against women, girls, and adolescent females continue to take a toll. Cases have been recorded in the departments of Antioquia, Arauca, Bolívar, Caquetá, Casanare, Cauca, Cesar, Chocó, Córdoba, Guaviare, La Guajira, Meta, Nariño, Norte de Santander, Putumayo, and Valle del Cauca.

While the response in terms of protection is known, as well as the positive effects stemming from PIG-Mujeres in the pilot departments, the swift handling of some cases is only achieved by the intervention of the entities at the national level. There is a gap in the institutional response locally and at the departmental level, weakening the effects of the measures of protection and impeding mitigation of the extraordinary gender risk.<sup>101/</sup> In particular, the Special Gender Body of the Commission for Monitoring, Impetus and Verification of Implementation (CSIVI) has reported risks and threats when women exercise leadership in their territories, and the need to strengthen the measures of collective protection and prevention.

## **8. INTEGRAL SYSTEM OF TRUTH, JUSTICE, REPARATION AND NON-REPETITION (SIVJNR)**

The SIVJNR has helped give visibility to social organizations that provide information for clarifying the truth, searching for persons who have disappeared, and prosecuting the persons responsible. It has also helped bring about scenarios in which the victims, the persons appearing, and society learn the accounts of what happened and reflect on non-repetition.<sup>102/</sup> In addition, the system

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99. The process included the participation of women from Antioquia, Chocó, the Caribbean coast, Cauca, Nariño, Meta, Guaviare, Tolima, and Bogotá from more than 40 women's organizations in Colombia.

100. Committee for Promoting Resolution "20 años conectadas con la paz" (Committee for Promoting Resolution 1325, 2020), p. 1. Consulted at: [https://humanas.org.co/wp-content/uploads/2021/01/i\\_e\\_69913\\_q\\_Documento\\_para\\_prensa1325.pdf](https://humanas.org.co/wp-content/uploads/2021/01/i_e_69913_q_Documento_para_prensa1325.pdf)

101. Follow-up Order 098 of 2013 established a presumption of extraordinary gender risk faced by women leaders and human rights defenders, for due to their characteristics they are more exposed to risks stemming from their gender in the context of the armed conflict. Consulted at: <https://www.corteconstitucional.gov.co/relatoria/autos/2013/a098-13.HTM>

102. This recognition was attained in part due to the strategic partnerships with media outlets, which made it possible to keep the dialogue as broad as possible and reach the largest number of persons nationwide.



has generated spaces for the victims to be able to talk about violent acts directed against specific groups (such as LGBTI persons and women who belong to indigenous or Afro-Colombian communities), and it has established strategies for relating and exchanging information<sup>103/</sup>, among other actions.<sup>104/</sup>

Despite the foregoing, some accusations persist directed against the entities of the System and those who work with them and, accordingly, resistance to the social changes that their contributions may bring about. In addition, there are places where the System has not arrived and the interactions of civil society with its mechanisms have diminished due to the context of isolation brought about by COVID-19. The Mission will continue accompanying the SIVJRN with respect, solidarity, and impartiality, always listening to the victims.

### **8.1. Disappeared Persons Search Unit**

The Unit made progress consolidating its staff<sup>105/</sup>, adopting a territorial, differential, and gender-based approach for humanitarian and extrajudicial investigations; and defining internal guidelines and protocols.<sup>106/</sup> The organizations note the possibility of social families<sup>107/</sup> initiating the search for persons considered disappeared in the context of the conflict.

To date the UBPD has established 65 links with collective organizations, movements, and coalitions of victims and civil society, which has enabled it to create a support network<sup>108/</sup> so that the knowledge of civil society can be used in processes such as putting together work plans, establishing mechanisms for relationships, and generating forums for socializing the Regional Search Plans. In addition, four reunions were carried out between the persons who are searching and persons considered disappeared who were found alive in the cities of Medellín, Arauca, and Pereira; the remains of 10 persons were delivered to their next-of-kin with dignity<sup>109/</sup>, and 83 requests were received from persons located abroad.

The National Search Plan<sup>110/</sup> faces the challenge<sup>111/</sup> of providing expeditious and timely responses to the requests forwarded by the UBPD to the entities of the Colombian State involved in

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103. Protocol for Exchange of Information among the UBPD, the CEV, and the UIA of the JEP.

104. The UBPD had forums for the family members of victims considered disappeared to make their contributions to the protocols and instruments such as the work plans.

105. 215 persons came on board to form the team of the UBPD with its 17 territorial units and six satellite offices. The total staff approved for working in the territories is 220.

106. Procedures for territorialized management of the humanitarian and extrajudicial search, guidelines for participation in searches, for the participation of family members of persons disappeared in the context of re-encounters from a differential and gender perspective, among others.

107. The UBPD recognizes that LGTBI persons may have been expelled from their homes and schools leading them to form social families, who may initiate the search for persons considered disappeared.

108. From July to December 2020 eight agreements were entered into with 23 organizations, communities, movements, and coalitions of victims and civil society.

109. Seven sets of remains were delivered with dignity in the city of Villavicencio (Meta) and three in the municipalities of Granada (Meta) and San José del Guaviare (Guaviare).

110. It is the roadmap for humanitarian search actions for persons disappeared in the context and because of the armed conflict.

111. In line with what was stated by the Office of the Procurator General of the Nation in different scenarios, the MAPP/OAS agrees that the UBPD also faces the challenge of moving forward in a timetable for implementation of the National Search Plan, in the understanding that it is a tool that has a general, strategic, and comprehensive framework for action for humanitarian and extrajudicial searches for persons considered disappeared in the context of and by reason of the armed conflict.

locating disappeared persons. The implementation of the 16 Regional Search Plans<sup>112/</sup> implies articulating with the institutions and with the victims' organizations, as well as territorializing the instrument already established. Nonetheless, its main challenge is to expand its scope, since at present it is estimated that around 1,000 persons will be located, in contrast with all<sup>113/</sup> of the persons considered disappeared.

Considering that as per the Unit's mission actions in the territories are essential for locating the persons considered disappeared, the complex security conditions in the territories have a negative impact on visits to such areas and the activities scheduled by the teams, and also places at risk the organizations, collectives, movements, and coalitions of civil society involved in the search, directly impacting victims' effective enjoyment of their rights.

## **8.2. Special Jurisdiction for Peace**

Due to the contingency caused by COVID-19 and the persistence of violence in several territories of Colombia, the compilation of testimony and information for preparing and presenting reports to the JEP has been impacted, as well as the presence of this jurisdiction in the territories. Given this scenario, one notes the decision of the Chamber for Acknowledgment (*Sala de Reconocimiento*) to extend the time for the organizations of victims; of indigenous, Black, Afro-Colombian, Raizal, Palenquera, and Rom communities; and human rights organizations to be able to present their reports by September 22, 2021.<sup>114/</sup>

To the extent that the presentation of reports is a mechanism for access to transitional justice and the first expression of the victims' right to participation, the MAPP/OAS has been supporting different groups in the preparation of these reports<sup>115/</sup> so that they can be filed within the term established by the Chamber. Nonetheless, the restrictions on holding collective activities, due to the health emergency and the startup of telework by public agencies and social organizations have impacted the information-gathering processes, and it is possible that time will once again prove insufficient, especially for the smallest social organizations and ethnic organizations.

To date the JEP has a total of 335 reports<sup>116/</sup>, 209 from victims' organizations, 23 from entities with disciplinary and prosecutorial functions, 102 from other state entities, and one report of its own. Nonetheless, in Amazonas, Vaupés, Putumayo, Vichada, and Guainía there are still difficulties when it comes to knowledge of the nature and mandate of the SIVJRN, as well as challenges for victims' participation.

In the context of Case No. 002, "Tumaco, Ricaurte and Barbacoas," virtual work was implemented for inter-jurisdictional coordination, making it possible to continue the accreditation, participation, and protection of victims.<sup>117/</sup> In Case No. 005, "Northern Cauca and south of Valle del

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112. These are to include actions for locating, actions for prospecting, recovery, and the taking of samples, spatial analysis of the places in which to engage, timetable for access to landed properties, and transportation and delivery of the bodies recovered, among others. As a result, there are now hypotheses for locating 97 persons reported disappeared.

113. Approximately 110,000 persons considered disappeared or missing. Estimated figure of the UBPD.

114. Secretarial certification No. 402 of the Secretariat of the Acknowledgment Chamber of July 9, 2020.

115. The main organizations that have been accompanied have been Palenque Afrourbano, Mujeres del Plantón, Comadre, Pueblo Barí, CRIC, UNIPA, and COCOMACIA, among others.

116. With information from the Planning Office of the JEP, January 2021.

117. In this case 65 voluntary accounts have been given, 40 procedures for coordination have been carried out, and 105,169 victims have been accredited, including persons from 54 indigenous reserves, 52 cabildos, 30 community councils, and 30 peasant communities.

Cauca”<sup>118/</sup>, a fluid dialogue has been maintained with the Victims’ Roundtable, and agreements have been reached on the hearing, the terms, the times, and the socializing of progress. This made it possible to establish side-by-side rooms<sup>119/</sup> in Cauca for monitoring the judicial scenarios and voluntary statements. Case No. 007 “Recruitment and use of children and adolescents in the armed conflict,” went forward in its socialization, together with the MAPP/OAS, in departments such as Guaviare, where one finds a large number of victims and still few reports provided to the JEP.<sup>120/</sup>

The Investigation and Accusation Unit approved measures of protection for the indigenous organizations UNIPA and CAMAWARI, which provide for safeguarding and strengthening the indigenous guards and furthering dialogues with the indigenous peoples of Caquetá, Córdoba, Putumayo, Tolima, and Guajira. These results evidence the good practices and commitment this unit has assumed with the application of a differential approach for ethnic communities. Finally, the Manual for the Participation of Victims, produced jointly by the MAPP/OAS and the JEP, is a guide and roadmap for effective judicial participation in the context of the central role of victims.

### **8.3. Truth Commission (CEV)**

The work of clarifying the facts is vital for democracy, reconciliation, and coexistence. The purpose of the Truth Commission is to collect information and testimonies, debate extensively, and analyze in depth why a conflict has occurred in Colombia in successive reiterations. Clarifying, acknowledging, overcoming the cycles of violence and the underlying backdrop should result in a project of reconciliation in which valuing differences translates into respect for human rights and peaceful coexistence. It should contribute to society knowing what happened and mobilizing to counter polarization. The Truth Commission acted expeditiously to designate Leyner Palacios as a commissioner after the death of Commissioner Ángela Salazar, making it possible to continue the work and move forward in contributing to the clarification of the truth.

In 2020 actions were carried out to listen to a plurality of voices; such forums were extended to different sectors and actors<sup>121/</sup> and impacts of the armed conflict on Colombian society were identified<sup>122/</sup>; in addition, they supplemented the analysis with factors particular to the Colombian situation<sup>123/</sup> and the many responses<sup>124/</sup> with the aim of enriching the understanding of what happened. The Truth Commission held 270 public and private meetings<sup>125/</sup>, collected 6,590 testimonies, and

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118. To date, on this case 32 reports have been reviewed, 28 voluntary statements have been made, and 178,217 victims have been accredited, including persons from 35 indigenous peoples and 60 community councils.

119. These are contiguous rooms, in which the victims in the matter are present, and it is retransmitted in real time or with a time lag.

120. The JEP estimates that there are 1,200 to 1,300 victims of this crime in Guaviare, of a national total of 9,000 victims. This figure may increase to 12,000 to 15,000.

121. Afro, Raizal, Palenquera, ANUC, communities of faith, Peace Council, persons with disabilities, businesspersons, government forces (Air Force, Army, Navy, Police), LGTBI, leaders, women, children, adolescents, and youth, press and journalists, indigenous people, trade unionists, Unión Patriótica, public universities.

122. Democracy, forced disappearance, displacement, dispossession of lands and water, extrajudicial executions, stigmatization and political opposition, exile, legitimating violence, traditional medicine, antipersonnel mines, nature, territory, political parties, racism, forced recruitment, political representatives, health, kidnapping and hostage-taking, political violence, sexual and reproductive violence, and psychological harm.

123. Drug-trafficking, mining, oil, bananas, coffee, economic dynamics, forced eradication, paramilitarism.

124. Resistances, cultures of peace, art, music, and culture.

125. It is the result garnered from meetings for acknowledgment, non-repetition, and coexistence, in 2020.

received 584 reports and cases from civil society. In addition, it concluded the information-gathering phase, in which information and accounts were received from the victims living abroad, who contributed to the recognition of the impact of the conflict outside the national territory; as well as the process of listening to a plurality of diverse voices from members of the government forces, with a view to ensuring the coexistence of diverse narratives so as to contribute to clarification of the truth.

The Truth Commission has consolidated a perspective that transcends its term and seeks to present results for clarification of the truth with a proposal called “the legacy,” made up of the Final Report<sup>126/</sup>, archives in different media, and the network of allies, or Red Aliada.<sup>127/</sup> This proposal seeks to place digital media at the service of peace, not only to learn the content, but to promote territorial initiatives that contribute to its dissemination, appropriation, and follow-up from a local perspective. In addition, it aims to counter polarization, contributing to the creation of a favorable climate for the work of the JEP and the UBPD, as an action pulling together the various parts of the system.

The truth implies narrating what happened and also acknowledging responsibility by various actors and sectors involved in the facts described. The Truth Commission held four ceremonies for acknowledging responsibilities and the dignity of the victims<sup>128/</sup> with strategies for mass dissemination<sup>129/</sup> amidst the restrictions stemming from the COVID-19 pandemic. Of special note was the testimony of Ingrid Betancourt<sup>130/</sup> on kidnapping and its individual and collective implications.<sup>131/</sup> The Commission gave visibility to the persistence of the violence and the continuity of the armed conflict, especially its impact on social leaders, issuing an appeal to uphold guarantees of non-repetition.

During this stage of collecting information, maintaining confidentiality was a challenge due to the use of virtual channels. At present a new challenge is handling the information and archives provided by the different actors and sectors after the end of the Truth Commission’s mandate, as well as guaranteeing that it not pose a future risk to victims and organizations. The GS/OAS will continue to provide political support to the Truth Commission, convinced of its contribution to consolidating peace and democracy by incorporating perspectives both local and national.

## **9. RECOMMENDATIONS**

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

9.1.1. Generate a sustainable presence of military and police units, after operations are carried out, mainly in those areas disputed by illegal armed groups, with the aim of maintaining minimal

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126. The final report made up of: the comprehensive and historical account of what happened in the context of the armed conflict, geared to non-repetition. The in-depth account in nine chapters: findings; historical narrative; voices; territories; ethnic peoples; impacts, confrontations, and forms of resistance; women and gender; children and youth; annexes. Finally, recommendations geared to non-repetition.

127. They have the task of fostering a receptive ambience for the Final Report and assume the legacy of the Commission (territorial appropriation and follow-up on the recommendations made by the Truth Commission once it concludes its mandate).

128. The impact of the armed conflict on health #LaVerdadDesdeLaSalud, September 24; the Space for Acknowledgment called Gathering for the Truth #LaVerdadIndígena was held on October 23; the Gathering for Truth ‘The return of our voices’ was held November 13; and the Truth of the Black, Afro-Colombian, Palenquero and Raizal people was held on December 11.

129. The Truth Commission estimates live audiences of 4,000 persons on average, connected in each event, in a partnership with the newspaper El Tiempo.

130. Ethical and political reflections on kidnapping, held September 14, 2020.

131. Approach from conscience with former combatants on kidnapping and its impact on individuals and communities.

conditions of security. This should also be accompanied by a strategy for deployment, investigation, and arrest in coordination with the Office of the Attorney General.

9.1.2. Guarantee that in carrying out communication strategies to give visibility to and highlight the accomplishments of the government forces against the illegal armed groups, the content of the messages do not expose the civilian population to possible retaliations by these groups, nor further accusations that they are collaborators of the military authorities.

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

9.2.1. Follow up on and evaluate the impact of the public policy and the criminal justice policy for dismantling the criminal organizations responsible for the negative impacts on social leaders, human rights defenders, communities, and participants in the implementation of the Final Agreement. On a complementary basis, it is suggested that the Office foster intersectoral coordination at the national level, articulation with departmental and municipal governments, and the strengthening of the Sub-commission on Gender of the National Commission on Security Guarantees.<sup>132/</sup>

9.2.2. Strengthen the analysis of contexts and patterns of macro-criminality with a gender perspective in the process of designing the Policy on Dismantling that is the purpose of the CNGS<sup>133/</sup> and in the creation of the SISEP.<sup>134/</sup>

9.2.3. In coordination with the Ministry of Interior, the Public Ministry, and the National Planning Department:

- i) Promote the view that citizen participation is an essential pillar for democracy and peacebuilding. As such, it is necessary to encourage it and to strengthen critical and constructive dialogues between society and institutions in order to achieve the best solutions and the greatest possible appropriation in the territories.
- ii) Establish avenues, methodologies, and strategies that guarantees broad, diverse, and inclusive participation, in particular in the rural sectors, ethnic communities, women, and youth, facilitating (a) greater connectivity, access, and training in technological tools; (b) the active search for methodologies for facilitating participation of the rural sector; and (c) strengthening the actors and forums for participation. All the foregoing should place special emphasis on the Territorial Councils for Peace, Reconciliation, and Coexistence (CTPRC).

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

9.3.1. Persevere in promulgating and implementing the Public Policy for Integral Protection and Guarantees for Social Leaders, Community Leaders, Journalists, and Human Rights Defenders, as well as the National Human Rights Action Plan, to make progress implementing guarantees of non-repetition to shore up a climate of peaceful coexistence among citizens and to strengthen trust between citizens and the state institutions.

9.3.2. Through the National Protection Unit, improve the times for evaluating risk scenarios and ensure that evaluations of the implementation of individual and collective measures of protection are effective, in keeping with the specific contexts of the beneficiary population. Consider increasing

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132. The MAPP/OAS recognizes that the gains in the processes that are mentioned in this section are long-term, which is why it reiterates the recommendations made in the 29th Half-Year Report.

133. National Commission on Security Guarantees (CNGS).

134. Integral System for Exercise of Politics (SISEP).

the number of analysts and the rollout of territorial liaisons in the departments with the greatest concentration of persons in the process of reincorporation.

9.3.3. In coordination with the Office of the Presidential Adviser for Human Rights and International Affairs, the National Protection Unit, and the Office of the Attorney General, put in place a strategy that includes actions to protect the indigenous authorities in the territories, as well as prosecution of those responsible for violations. This effort should be done with a differential perspective that considers their role as authorities and the impact on the social and community fabric, and that contributes to reducing the risk of physical and cultural extermination.

#### **9.4. To the Ministry of Justice and Law**

9.4.1. Step up the reactivation of mobile interinstitutional justice days in the territories to mitigate the gaps in access in rural areas that have resulted from the pandemic, making possible greater dissemination of the institutional offer, and improving the trust and proximity of the population to judicial officers.

9.4.2. In coordination with the INPEC, develop a special arrangement for intramural resocialization for persons who have submitted to the law in the context of Decree 965 of 2020, considering the guarantees of non-repetition and the lessons learned from the Justice and Peace process.

#### **9.5. To the Intersectoral Commission for preventing recruitment and the use, utilization, of children and adolescents and the sexual violence against them (CIPRUNNA)**

Through the implementation of the Strategy for Prevention of Recruitment and Use of Children and Adolescents known as “Súmate por Mi”: (i) expand the forums for training in prevention to communities, teachers, platforms for youth and children and adolescents, (ii) disseminate, through local means of communication, the means of addressing and protecting children and channels for lodging complaints; and (iii) continue implementing programs such as “Mambrú no va a la Guerra” and “Generación con Bienestar” through the ICBF.

#### **9.6. To the Office of the Presidential Adviser for Stabilization and Consolidation and the Territorial Renewal Agency (ART)**

9.6.1. Adjust the methodology for participatory design of the Single Roadmap, identifying opportunities and challenges in the transfer of information to the Impetus Groups (Grupos Motor), and from there to the communities they represent. To this end, in the socialization phase prior to validating the prioritization of initiatives, it is suggested socializing – in simple and accessible formats – the objectives, methodologies, times for implementation, and persons involved in the process, in addition to generating messages with technical information on costs, timetables, and implementers. Consider using community radio as an effective tool of communication that is close to the rural population (it has been used by the MAPP/OAS with great success), in addition to local television stations, at the same time as accelerating the Rural Connectivity Plan.

9.6.2. In conjunction with the Ministry of Interior, the Office of the Vice President, the Office of the Adviser for Women’s Equity, and the municipal and departmental administrations, define an urgent intervention plan for territorial appropriation and the strategic and gradual positioning of initiatives mindful of gender considerations, rural women, and ethnic communities within the prioritization done in the Single Roadmap of the PDET.

9.6.3. In coordination with the Office of the Presidential Adviser for National Security, articulate efforts to implement the various projects and initiatives undertaken by the PDETs, the PNIS, and the Strategic Zones for Comprehensive Intervention with the objective of generating synergies

between the strategies for reducing illicit crops and the policies for territorial transformation that make possible the sustainable and lasting transition to legal economies.

**9.7. To the Office of the Presidential Adviser for National Security**

Prioritize economic resources for carrying out the actions established in each of the Strategic Plans for Comprehensive Intervention (PEII) initially planned for three years and give continuity to the purposes set forth in the strategy, mindful of the impact of the COVID-19 pandemic in 2020 on implementation of the roadmap.

**9.8. To the Office of the Presidential Adviser for Human Rights and International Affairs**

Consider, when the Intersectoral Roundtable unifies the figures on homicides of social leaders, not only the acts of violence directed against this population, but also such acts directed against their family members. In addition, keep a record of other violations such as threats, forced displacement, confinement, and extortion.

**9.9. To the Ministry of Foreign Affairs**

In coordination with Migración Colombia, the Office for Managing the Border with Venezuela, and the local authorities, continue strengthening and coordinating the capacities and procedures of the various institutions aimed at serving the migrant population and their economic and social integration so as to make it possible to anticipate and control the risk scenarios and collateral efforts stemming from the actions of the groups and the closing of the border to the population of foreigners in Colombia. Ensure that such strategies include differential approaches for addressing women, migrant children, and binational indigenous communities that are especially vulnerable.

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

9.10.1 Adopt logistical and security strategies to guarantee the ability of judicial officers to go the rural areas to address the most complex situations that arise in the territories, such as official acts for removing corpses, and the investigation of high-impact crimes such as homicides. Such field visits should supplement the actions taken to date, such as the Strategic Guideline in times of COVID-19 (Direccinamiento Estratgico en tiempos de COVID-19).

9.10.2 In coordination with the Superior Judicial Council, strengthen and support victims' participation in regular judicial proceedings as a result of the submission to the law of members of organized armed groups by establishing procedural safeguards in keeping with international standards on truth, justice, and guarantees of non-repetition.

**9.11. To the Superior Judicial Council**

9.11.1. Hold some in-person hearings, complying with the biosecurity protocols established by the National Government such as hearings in oral trials that require greater attention, identifying persons accused, and taking evidence, since to date oral hearings have been one of the most difficult stages in criminal trials.

9.11.2. In the context of COCOIN, resume national and departmental coordination, mindful of biosecurity measures with the aim of not losing the gains made in coordination between indigenous peoples and national agencies, also seeking solutions to the difficulties that the health emergency has imposed on the indigenous peoples' own governments and special justice systems.

**9.12. To the Superior Judicial Council and the Land Restitution Unit**

Give impetus to the ethnic route for restitution in the areas with the most claims filed by applying measures to reduce the judicial backlog so as to make it possible to vet the claims that are lagging behind; strengthening the capacities of judicial officers on issues related to a differential ethnic perspective and negative impacts in the territories and the expansion of the ethnic teams of the URT.

**9.13. To the Office of the Vice-Presidency of the Republic, the Office of the Presidential Adviser for Women's Equity, and all the institutions that are part of the Executive's High-Level Body for Gender**

Incorporate criteria of collective and preventive protection to the institutional response to the extraordinary gender risk that affects the members of the Special Body on Women of the CSIVI. Step up the pace of implementation of the gender measures in Decree 660 of 2018 "Integral Program of Security and Protection for Communities and Organizations in the Territories," especially as related to the connections with the developments of the PIG-Mujeres and the guidelines of the Thematic Session on Gender of the CNGS.

**9.14. To the Disappeared Persons Search Unit (UBPD)**

Reinforce strategies and methods of coordination with the departmental and local governments with the aim of responding to the specific and differentiated contexts of the territories where the Regional Search Plans are implemented. In addition, move forward in establishing a timetable with deadlines and persons responsible for implementing the National Search Plan.

**9.15. To the Truth Commission**

With national and territorial agencies, plan the implementation of the recommendations contained in the Final Report, as well as actions for the deposit, custody, and access to the information compiled that does not constitute a future risk for the victims and organizations who provided information as a contribution to clarifying the truth.

**9.16. To the Special Jurisdiction for Peace**

9.16.1. Step up the pace of efforts and deploy the actions needed to guarantee that the victims will be able to submit their reports to the Chamber for Recognition before September 22, 2021. It is suggested that consideration be given to a new extension of the time for submitting these reports.

9.16.2. Insist on the search for adequate alternatives and conditions for collecting testimony and information in person, and that those sessions conducted virtually be done mindful of the conditions of security and confidentiality of the communities and the persons appearing. In addition, increase harmonious collaboration between the JEP and the National Government, as well as the other jurisdictions.



## **LIST OF ACRONYMS AND ABBREVIATIONS USED IN THE REPORT**

ACIN - Asociación de Cabildos Indígenas del Norte del Cauca  
AETCR – Former Territorial Spaces for Training and Reincorporation  
AGC – Autodefensas Gaitanistas de Colombia  
AICMA – Comprehensive Action against Antipersonnel Mines  
ANLA – Environmental Licenses Authority  
APV - Alianza Paz del Valle  
ARN - Agency for Reintegration and Normalization  
ART – Territorial Renewal Agency  
IDB – Inter-American Development Bank  
WB – World Bank  
CAMAWARI - Cabildo Mayor Awá de Ricaurte  
CAT – Territorial Advisory Councils  
CCOET – Strategic Joint Command for Transition  
CEDISCO – Center for Social Dialogue and Coexistence of the Office of the High Commissioner for Peace  
CEV - Commission for Truth, Coexistence, and Non-Repetition  
CIPRAT – Interinstitutional Commission for Rapid Response to Early Warnings  
CIPRUNNA - Intersectoral Commission to Prevent the Recruitment, Use of, and Sexual Violence against Children and Adolescents by Illegal Armed Groups and Organized Crime Groups  
CISIL- Interinstitutional Committee on Individual Submission to Legality  
CMPP – Municipal Participatory Planning Commissions  
CMPRC – Municipal Councils for Peace, Reconciliation, and Coexistence  
CNGS – National Commission on Security Guarantees  
COCOIN – National Commission for Coordination between the National Justice System and the Indigenous Justice Systems  
COCOMACIA - Consejo Comunitario Mayor de la Asociación Campesina Integral del Atrato  
CODA – Committee on Laying Down of Arms  
CRIC - Consejo Regional Indígena del Cauca  
CSIVI – Commission for Monitoring, Impetus, and Verification of Implementation  
CTPRC- Territorial Councils for Peace, Reconciliation, and Coexistence  
DSCI – Bureau for Substitution of Illicit Crops  
ELN - Ejército de Liberación Nacional [National Liberation Army]  
EPL - Ejército Popular de Liberación [People’s Liberation Army]  
ERM – Education on Risks of Antipersonnel Mines  
ERPAC - Ejército Revolucionario Popular Anticomunista de Colombia  
FARC - Fuerzas Armadas Revolucionarias de Colombia  
FARC-EP - Fuerzas Armadas Revolucionarias de Colombia – Ejército del Pueblo  
FGN – Office of the Attorney General  
FOS - Frente Oliver Sinisterra

GUP - Guerrillas Unidas del Pacífico  
HAM – Made to the Measure  
ICBF – Colombian Family Welfare Institute  
INPEC – National Prison Institute  
JAC – Community Action Councils  
JEI – Special Indigenous Jurisdiction  
JEP – Special Jurisdiction for Peace  
LGBTI – Lesbian, Gay, Bisexual, Trans, and Intersex Persons  
APM – Antipersonnel Mines  
MAPP/OAS – Mission in Support of the Peace Process in Colombia of the Organization of American States  
MEC- Special Consultation Mechanisms  
OXE – Unexploded Ordnance  
NNA – Children and Adolescents  
OAC – Community Action Entities  
OACP – Office of the High Commissioner for Peace  
OCAD-Paz – Collegial Entity for Administration and Decision  
ODC – Colombian Observatory of Drugs  
OAS – Organization of American States  
PAI – Immediate Assistance Plan  
PATR – Regional Transformation Action Plans  
PDET – Rural Development Programs  
PDETE – Ethic Rural Development Program  
PECIG - Environmental Management Plan of the Program for Eradication of Illicit Crops using the Herbicide Glyphosate  
PEII – Strategic Plans for Comprehensive Intervention  
PIG-Mujeres - Comprehensive Program of Guarantees for Women Leaders and Women Human Rights Defenders  
PISDA – Integral Plans for Substitution and Alternative Development  
PMI – Framework Plan for Implementation  
PNIS - National Comprehensive Program for the Substitution of Illicit Crops  
PNN – National Parks  
PRI – Immediate Response Plans  
SIVJNR - Comprehensive Truth, Justice, Reparation, and Non-Repetition System  
IED – Improved Explosive Devices  
UBPD – Disappeared Persons Search Unit  
UEI – Special Investigation Unit of the Elite Corps  
UIA – Investigation and Accusation Unit  
UNIPA - Unidad Indígena del Pueblo Awá  
UNIPEP – Police Unit for Peacebuilding

UNODC – United Nations Office on Drugs and Crime

UNP – National Protection Unit

URT – Land Restitution Unit

USAID – United States Agency for International Development

ZEII- Strategic Zone for Comprehensive Intervention