

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

The following report is submitted pursuant to Resolution CP/RES. 859 (1597/04), through which the Permanent Council of the Organization of American States (OAS) requested the Secretary General to report periodically on the work of the Mission of the Organization of American States¹ to Support the Peace Process in Colombia, hereinafter MAPP/OAS or the Mission.

The related information corresponds to the findings obtained between January 1 and June 30, 2023, a period during which 1,128 field missions were carried out in 486 population centers pertaining to 195 municipalities in 22 departments of the country. These population centers included municipal capitals, jurisdictions (*corregimientos*), villages, indigenous reserves, and community councils. During this period, those carrying out the missions traveled 159,328 kilometers by land and 3,521 kilometers by river.

Implementation of the MAPP/OAS mandate is possible thanks to the trust and constant support of the international community, which recognizes the Mission as a relevant actor in peace building in Colombia. The OAS General Secretariat (GS/OAS) is grateful to the member states and observers, especially those that are members of the Basket Fund (*Fondo Canasta*) -Canada, Chile, Germany, Ireland, Italy, the Netherlands, Spain, Sweden, Turkey, the United Kingdom, and the United States- whose political and financial support makes it possible for the Mission to operate. It would also like to thank Norway and Switzerland, whose contributions strengthen the work of the MAPP/OAS in fundamental areas such as participation and dialogue. Likewise, the GS/OAS thanks the governments of Germany and Switzerland for assigning professionals to work as associate personnel.

1. GENERAL CONSIDERATIONS

Within the framework of the first year of President Gustavo Petro's administration, the Total Peace Policy made significant progress in the search for negotiated solutions to the armed conflict with all illegal armed groups or IAGs.² On December 31, 2022, the national government issued decrees establishing Bilateral and Temporary National Ceasefires (Spanish acronym CFBTN) with five IAGs,³ which allowed for fluid communication between the parties to coordinate their implementation, for example, by installing the Oversight, Monitoring, and Verification Mechanism with the FARC-EP Central General Staff (Estado Mayor Central FARC-EP) in MAPP/OAS offices.

By virtue of its mandate to accompany and verify peace processes, especially ceasefires and the cessation of hostilities, the MAPP/OAS accepted the national government's invitation to be part of the international component of four CFBTN and participated in the Oversight, Monitoring, and Verification Mechanism (MVMV) with the FARC-EP Central General Staff. The Mission adjusted its priorities and modus operandi to respond to the new scenarios and challenges of Total Peace.

MAPP/OEA also accompanied the national government's approaches to the Autodefensas Conquistadores de la Sierra Nevada (ACSN) and the Autodefensas Gaitanistas de Colombia (AGC). In

¹The mandate of the MAPP/OAS derives from the agreement reached by the Government of the Republic of Colombia and the General Secretariat of the OAS (GS/OAS) on January 23, 2004 and resolution CP/RES. 859 (1397/04) adopted by the Permanent Council on February 6, 2004. That mandate has been expanded and extended on eight occasions, most recently until January 24, 2025.

²The Mission adopts the concept of Illegal Armed Groups and understands it as a generic category that combines the denominations contained in legal frameworks (Law 2272 of 2022, Decrees 2656, 2657, 2658, 2659, 2660 of 2022, and Resolution 036 of 2023), as well as the forms of self-denomination and recognition of the IAGs in the territories. Thus, the Report refers to the actions of the FARC-EP Central General Staff, the Second Marquetalia FARC-EP, the National Liberation Army, the Gaitanista Self-Defense Forces of Colombia, the Conquistador Self-Defense Forces of the Sierra Nevada, and those operating predominantly in urban areas, such as Los Shottas, Los Espartanos, Los Locos Yam, Los Mexicanos, the RPS Armed Forces, and the more than 300 criminal groups present in the Aburrá Valley in Antioquia. This concept could be reviewed based on the characterization to be issued by the High Level Body created by Decree 2655 of 2022.

³Decree No. 2656 of 2022 (Central General Staff FARC-EP), Decree 2657 of 2022 (National Liberation Army), Decree No. 2658 of 2022 (Gaitanista Self-Defense Forces of Colombia (AGC)), Decree No. 2659 of 2022 (Conquistador Self-Defense Forces of the Sierra Nevada (ACSN)), Decree No. 2660 of 2022 (Second Marquetalia FARC-EP). All of them are temporary (duration: six months).

addition, it supported actions aimed at achieving urban peace⁴ with the Organized Armed Structures of High Impact Crime in Buenaventura, Quibdó, and Valle de Aburrá.

At the end of the second cycle,⁵ the Colombian Government and the National Liberation Army (ELN) signed the "Mexico Agreement: New Agenda for Peace Talks" that sets the road map to guide this process. Likewise, the Presidency of the Republic issued Resolution 036 of 2023, which recognizes the National Liberation Army (ELN) as an armed rebel organization and reaffirms the political nature of the negotiations and talks with this guerrilla group.⁶

After the end of the third set of talks, the parties announced the achievement of three agreements on the Bilateral, National and Temporary Ceasefire, with a duration of six months starting on August 3, 2023; and an agreement on the process of civil society participation in peacebuilding, which includes the installation of the National Participation Committee in charge of the design of the methodological proposal for the participation phase.

Likewise, the Peace Talks Roundtable recognized the serious humanitarian situation in the prisons and agreed to provide attention to ELN persons deprived of liberty by granting humanitarian relief to improve their conditions of confinement, especially in terms of health. Its implementation has required coordinated work between the Office of the High Commissioner for Peace (Spanish acronym: OACP), the Ministry of Justice and Law, the National Penitentiary and Prison Institute (INPEC) and the ELN Peace Office, with the support of the MAPP/OAS.

On the other hand, the Office of the High Commission for Peace (OACP) held meetings and conversations with top commanders of the demobilized United Self-Defense Forces of Colombia (AUC) to define a road map on the contributions they will make to the Total Peace Policy. That strategy includes, among other actions, the creation of technical roundtables to take stock of the Justice and Peace process. MAPP/OAS has accompanied the approaches and has made available to the institutions the knowledge and experience accumulated in this process since 2004, while also providing methodological assistance for the structuring of these talks.

The Mission maintained its support, monitoring, and accompaniment of the implementation of the Final Peace Agreement, as per the last renewal of its mandate in October 2021.⁷ In particular, the GS/OAS acknowledges the willingness of the national government to incorporate provisions of this Agreement in the National Development Plan (NDP)⁸ as a key feature of the Total Peace Policy.

It also highlights progress made in the formulation of the public policy for "dismantling criminal organizations that threaten peacebuilding, including the so-called successors of paramilitarism and their support networks" through the National Commission for Security Guarantees (CNGS); recognition of the peasant population as a subject of special constitutional protection; the creation of the agrarian and

⁴ Term used by the Presidency of the Republic and the OACP (Spanish acronym) to refer to the socio-legal approaches it espouses with urban IAGs, as in Medellín and the Aburrá Valley in Antioquia and in Buenaventura in Valle del Cauca.

⁵ Three sets of dialogue have been conducted: the first in Caracas, Venezuela, between November and December 2022; the second in Mexico City, Mexico, between February and March 2023; the third in Havana, Cuba, between May and June 2023.

⁶ The ELN called on the national government to reinforce its political status and to have different strategies than those undertaken with other IAGs in the framework of the Total Peace Policy.

⁷ The eighth additional protocol to the agreement between the Republic of Colombia and the General Secretariat of the Organization of American States assigns the Mission the function of supporting implementation of the Final Peace Agreement, signed on November 24, 2016, in the following areas: support to victims, reincorporation processes, voluntary illicit crop substitution programs, Development Programs with a Territorial Approach, Comprehensive Rural Reform, demining and cross-cutting gender and ethnic approaches.

⁸ The 2022– 2026 National Development Plan: *Colombia, World Power of Life*, envisages five key pillars of change: 1. Land use planning around water, 2. Human Security and social justice, 3. The human right to food, 4. Productive transformation, internationalization, and climate action, and 5. Regional convergence. And four crosscutting axes: 1. Total peace, 2. Different types of actors involved in change, 3. Macroeconomic stability, 4. Foreign policy with a gender perspective.

rural jurisdiction,⁹ and the reactivation of the National System for Agrarian Reform and Rural Development and the review of indicators of the Implementation Framework Plan (PMI).¹⁰

The GS/OAS recognizes that Colombia has attached special importance to the environment, incorporating it as a component of the Total Peace Policy, as well as of the NDP, specifically in the chapter on land use planning around water and environmental justice. Also noteworthy is the issuance of the Security, Defense, and Citizen Coexistence Policy, which is based on the human security approach and incorporates strategies for the protection and preservation of biodiversity and water resources.

The GS/OAS, through MAPP/OAS, joins global efforts to prevent deforestation and restore and conserve the Amazon, and it supports Colombia's efforts to implement participatory environmental zoning in Caquetá and Guaviare, as well as in the forest development nuclei of the Amazon biome in Mapiripán in Meta and the multi-ethnic reservation of Yaguará II, a protected area adjacent to the Serranía de Chiribiquete National Natural Park, which is a natural and cultural heritage of humanity. In addition, it will continue to highlight progress and challenges in the implementation of public peace policies with environmental impacts.

MAPP/OAS's experience in rural, prison, urban, and environmental peacebuilding has enabled it to acquire a comprehensive grasp of the progress made and challenges encountered with implementation of the Total Peace Policy. As a result, the Mission ascertained that the IAGs strengthened their presence and, in some cases, expanded their territorial control, generating forced displacements, confinements, threats, homicides, massacres, kidnappings, and extortion of the civilian population in Antioquia, Arauca, Cauca, Caquetá, Chocó, Meta, Nariño, Norte de Santander, Valle del Cauca, and Putumayo. Those outcomes impair the credibility and confidence of communities and local institutions regarding future bilateral ceasefires, political negotiation processes, and efforts to reach social/legal agreements.

In the regions of Bajo Putumayo, southern Cauca, southern Meta, southern Córdoba, the Sierra Nevada de Santa Marta, Bajo Cauca, and northern Antioquia, as well as in the departments of Arauca, Bolívar, Caquetá, Chocó, Guaviare, Nariño, Norte de Santander, and Valle del Cauca, the IAGs continued to impose social control measures to address disputes, theft, domestic violence, road and river blocks, illicit drug use, and commercial activities.

In addition, IAGs continue to plant anti-personnel mines (MAP) in order to create protective fences, maintain zones of influence, and protect territories devoted to the practice of illegal economies. Likewise, minors continue to be involved in illegal activities, affecting their future prospects and preventing the effective enjoyment of their rights. Eliminating this scourge poses one of the main challenges for negotiations, contact, and conversations with IGAs, in which it is important to include territorial proposals developed by the ethnic authorities to reinforce prevention, protection, and care strategies for children and adolescents (NNA).

In light of the above, the GS/OAS reiterates its call to all IAGs to immediately and sustainably cease violations to the life, liberty, and integrity of the civilian population. In addition, it invites the Peace Talks Roundtable between the national government and the ELN to accelerate compliance with the humanitarian relief that would de-escalate the armed conflict in areas where communities are confined and in a situation of forced displacement as a result of the confrontation.

Recognizing the progress achieved and the challenges facing the Total Peace Policy, the GS/OAS encourages the Government of Colombia to guarantee a focus on citizen participation, especially of victims, women, ethnic authorities, and local authorities. It also calls on the State to strengthen the coordinated, harmonious, and comprehensive work of national and territorial institutions that play a

⁹ It was created through Legislative Act 035/2022 Senate - 173/2022 House with the objective of implementing a judicial system specializing in agrarian and land matters, as a step towards implementing point 1 of the Final Peace Agreement on Integral Rural Reform.

¹⁰ The Framework Implementation Plan is a set of pillars, strategies, products, goals, and indicators that guide the implementation of the Final Agreement signed between the Government of Colombia and the FARC-EP, for a period of 15 years from the signing of the Agreement.

decisive role in the implementation of public peace policies, with special emphasis on those derived from the Final Peace Agreement.

The second semester of 2023 will be a period energized by the regional elections. That being so, the GS/OAS renews its call to State institutions to prioritize security guarantees for the peaceful development of the electoral process; and it urges the IAGs not to interfere or restrict the exercise of political rights and freedoms of citizens.

The importance for the Hemisphere of the search for peace in Colombia and the work of MAPP/OAS for more than 19 years in the territories most affected by the armed conflict, crime, and inequality, were recognized by the Colombian Vice Minister of Multilateral Affairs, during the 53rd OAS General Assembly in Washington D.C. In her speech, she emphasized the Mission's accumulated experience and knowledge as a contribution to the materialization of the Total Peace Policy. This acknowledgment reinforced the tribute paid by her predecessor at the 52nd General Assembly in Lima, Peru, where MAPP/OAS was praised as an indispensable, flexible, and useful cooperation tool that has evolved over time, strengthening its capacity and knowledge to continue accompanying Colombia's path to peace.

The OAS Secretary General's visit to Colombia in May and June reaffirmed the Organization's support and accompaniment of peace initiatives in the country. As a result of the dialogue with representatives of the Colombian State, the international community, and other key actors in the peace agenda, trust, relations, and understanding were strengthened between the GS/OAS and those representatives, who support the Mission in taking on different roles within the framework of the Total Peace Policy.

Despite the added value of the MAPP/OAS in peacebuilding in Colombia and the significant political support provided by the national government, OAS member states and observer countries, and the members of the Basket Fund, the Mission faces a financial shortfall that makes it necessary and urgent to call on the international community to endorse economic support to ensure operations and guarantee compliance with its mandate.

2. SECURITY CONDITIONS

Information on the dynamics of the presence and actions of illegal armed groups refers to the main trends in the way in which these IAGs act in the territory, relate to each other, and affect both the civilian population and institutions. It also includes some State actions aimed at improving security conditions and protecting communities.

The Armed Forces and the National Police, respectively, designed and implemented the "Ayacucho 2023-2026 Joint Strategic Plan" and the "San Mateo Strategy." These are aimed at protecting the civilian population and going after IAGs in their military and economic components.¹¹

The Ministry of National Defense issued the "Security, Defense, and Citizen Coexistence Policy. Guarantees for Life and Peace 2022-2026," which is aimed at generating security conditions in the territories, protecting the life and integrity of the civilian population, and preserving the environment. In addition, it proposes strengthening the legitimacy of the security forces by upgrading the quality of their personnel, in terms of integrity and transparency. With regard to the latter, the ministry has made progress in the construction of a human rights and international humanitarian law policy based on a human security approach.

Under the leadership of the Implementation Unit for the Final Peace Agreement of the Office of the High Commission for Peace (OACP), the Colombian State has resumed the process of formulating the public policy of "dismantling criminal organizations that threaten peacebuilding, including the so-called

¹¹ Ministry of National Defense. "Response to the request for institutional achievements. Thirty-fifth Semiannual Report MAPP/OAS. RS. 20230718114271."

successors of paramilitarism and their support networks." This represents a substantial advance in the fulfillment of Point 3.4 of the Final Peace Agreement.

The national government continued the Peace Talks Roundtable (*Mesa de Diálogo*) with the ELN and the development of approaches with other IAGs with a view to reaching social/legal agreements. Additionally, on December 31, 2022, it decreed Temporary National Bilateral Ceasefires (CFBTN) with five IAGs, which generated expectations among the general public. Although communities perceived a reduction in fighting between illegal armed groups and the security forces and compliance with ceasefires by the latter, confrontations between IAGs persisted in areas of Antioquia, Arauca, Caquetá, Cauca, Chocó, Nariño, and Valle del Cauca.

On the other hand, in territories where illegal armed groups have managed to consolidate their influence without disputes among them, regulations governing the behavior of the civilian population and limitations on the exercise of the mission of some local institutions were maintained, as occurred in regions of Caquetá, Guaviare, Meta, and Norte de Santander.

Homicides, forced recruitment of children and adolescents, threats, kidnappings, extortion, forced displacement, and the use of explosive devices by the IAGs were the main forms of violence against the civilian population. These violations persisted in rural areas and occurred recurrently in municipal capitals.

Official statistics reported a 58% decrease¹² in mass forced displacements and a 3% decrease¹³ in homicides during the first half of 2023 compared to the same period in 2022. In contrast, there was an increase of 17%¹⁴ in the number of massacres¹⁵ occurring between January and June 2023 compared to the figures reported for the same period in 2022. Regarding massacres, MAPP/OEA identified their occurrence in the departments of Antioquia, Cauca, Cesar, and Nariño, where most of the victims were men.

The National Protection Unit (UNP) has taken steps to strengthen individual and collective protection strategies, incorporating institutional adjustments aimed at domestic improvements to human security and protection of life, facilities for peace signatories, and special management of individual or collective risk in connection with electoral scenarios in October 2023.¹⁶

In addition, two months before the regional elections to be held on October 29, different actors, both State agencies and national and international organizations are warning and agreeing that the prospect of violence in connection with the elections persists and that precarious security conditions in the territories pose a risk for the candidates and the voting population.

Thus, in Arauca, Antioquia, Bolívar, and Meta, illegal armed groups interfered with the presentation of candidates through extortion and by imposing the requirement that they "endorse" canvassing; a form of violence that characterized the actions of IAGs from the initial stages of the process. Therefore, the implementation of the National "*Demos Ruta*" [Roadmap] Guarantees Plan under the leadership of the

¹² In the first half of 2022, the Victims Unit recorded 113 cases of mass forced displacement, while in the same period of 2023 it reported 48. Source: Victims Unit (2023). "Registro Único de Víctimas" (Single Record of Victims).

¹³ The Ministry of National Defense reported 6,629 victims of intentional homicide between January and June 2022, while in the same period of 2023 it recorded 6,408 people murdered. Source: Ministry of National Defense (2023). "Seguimiento a indicadores de seguridad y resultados operacionales junio 2023" (Follow-up on safety indicators and outcomes of operations, June 2023). Page 8.

¹⁴ In the first half of 2022, the Ministry of National Defense reported 41 massacres, while in the same period of 2023 it recorded 48 cases. Source: Ministry of National Defense (2023). "Seguimiento a indicadores de seguridad y resultados operacionales junio 2023" (Follow-up on safety indicators and outcomes of operations, June 2023). Page 9. For its part, the Institute for Development and Peace Studies (INDEPAZ) counted 48 massacres in 2022 and 49 cases in 2023. Source: <https://indepaz.org.co/informe-de-masacres-en-colombia-durante-el-2020-2021/>

¹⁵ A massacre is defined as the intentional and simultaneous homicide of three or more persons under the same circumstances of time, manner, and place, by the same perpetrator, and which is characterized by public exposure of the civilian population to violence.

¹⁶ According to the UNP, in the first half of 2023 the entity received 21,247 individual and 153 collective protection requests. In the same period, it implemented security measures for 1,262 people and 39 groups. It also responded to 26 early warnings issued by the Ombudsman's Office and processed 58 of its recommendations. Taken from: National Protection Unit (2023) "Respuesta a solicitud Oficio 23-00036659" (Response to request Official Letter 23-00036659).

Ministry of the Interior and the Democracy Plan by the Ministry of Defense¹⁷ represent the commitment of the national government to mitigate the existing security risks and guarantee peaceful elections, as a basis for the construction of political power in the departments and municipalities.

2.1 Presence and actions of illegal armed groups

In Antioquia, Arauca, Bolívar, Caquetá, Cauca, Cesar, Chocó, La Guajira, Nariño, and Valle del Cauca, confrontations continued between different IAGs, generated mainly by the interest of each of them to maintain their territorial control or to position themselves in areas where another group has more influence. In certain cases, some illegal armed groups joined forces to contain the advance of a third party or the action of the security forces.

In Chocó, Guaviare, Meta, Nariño, and Norte de Santander, the IAGs continue to control the civilian population through the imposition of armed strikes,¹⁸ demanding cards or permits to transit through the territory and restricting the entry of international and non-governmental organizations, as well as institutions with environmental and judicial functions.

In Antioquia, Caquetá, Cauca, Cesar, Chocó, Córdoba, Magdalena, and Meta, the illegal armed groups used publicity,¹⁹ and coerced and threatened the civilian population in order to obtain support for attempted rapprochements with the national government.

On the other hand, some IAGs sustained offensive actions against the security forces through attacks on members and installations of the National Army and the National Police in Norte de Santander²⁰ and in Arauca. They also caused damage to oil infrastructure in Arauca and in the Magdalena Medio region of Santander.

3. IMPACTS ON THE CIVILIAN POPULATION²¹

3.1. By type of impact

3.1.1. Impacts due to the forced recruitment, use and abuse of children and adolescents, and of sexual violence against them

The Colombian Family Welfare Institute (ICBF) has reformulated the Specialized Care Program for the Restoration of Rights of Children and Adolescent Victims of Recruitment. To that end, it held working sessions with national government entities, children and adolescents served by this program, and international and non-governmental organizations, in order to gather inputs for the identification of opportunities for improvement and recommendations for the rethinking of the suggestion for disengaging children and adolescents from the armed conflict.

In addition, Colombian institutions, through the monitoring of Early Warnings issued by the Ombudsman's Office and the development of the Intersectoral Commission for the Prevention of the Recruitment, Use and Abuse of Children and Adolescents, and Sexual Violence against them (CIPRUNNA), have facilitated the promotion of opportunities for institutional coordination, plans for dealing with these issues that are tailored to each geographical jurisdiction, and follow-up on recommendations to strengthen institutional action in those jurisdictions.

However, the involvement of minors in illegal activities by IAGs persists, which has a negative impact on their future prospects and the effective enjoyment of their rights. The elimination of this

¹⁷ Ministry of Interior (2023). "Response Ministry of the Interior, Request for Institutional Achievements Thirty-fifth MAPP/OAS Semiannual Report." Pp. 16 and 17.

¹⁸ Armed strike is construed to mean the pronouncements and actions of IAGs, during a determined period of time, which affect the security conditions of the communities and territories and entail humanitarian consequences, such as confinements, forced displacements, and restrictions on mobility.

¹⁹ Installation of banners, parades, and painting of graffiti alluding to the IAGs and their emblematic figures.

²⁰ One of the most significant events occurred on March 29 in the municipality of El Carmen, in which 10 members of the National Army were killed and eight others were wounded as a result of an attack on a military base.

²¹ Impacts are construed to mean violent actions, facts, and conduct perpetrated in connection with the Colombian armed conflict and the criminal behavior threatening the life, liberty, personal integrity, and security of the civilian population.

phenomenon of violence represents one of the main challenges in the framework of negotiations, rapprochements, and conversations with IAGs, in which it is important to reinforce strategies for the prevention of violence against children and adolescents and for their overall protection and care.

The IAGs recruited and used minors, mostly between the ages of 9 and 17. In regions such as northern and northeastern Antioquia, southern Bolívar, northeastern and southern Cauca, Telembí, and Sanquianga in Nariño, as well as in the municipalities of Dagua and Jamundí in Valle del Cauca, they used different strategies such as offering goods, money, deceptive promises of employment, and financing for higher education, encouraging interaction through sports tournaments, as well as generating a false perception of power and protection derived from the mere fact of belonging to one of the groups.

The areas in which the IAGs engaged in territorial disputes were those in which forced recruitment was most recurrent, creating a situation of greater vulnerability, since the children and adolescents were recruited to reinforce capacity for armed confrontation sometimes without having had previous military training. This situation was evident in the regions of northern Caquetá, Sanquianga, the San Juan River axis, northeastern Cauca, and the district of Buenaventura and the municipalities of Puerto Leguízamo in Putumayo and Solano in Caquetá, most of which are ethnically differentiated territories.

As discussed in the last three half-yearly reports, the IAGs maintained the forced recruitment corridor between Cauca, Nariño, and Valle del Cauca. In particular, child and adolescent victims of forced recruitment were transferred from the Telembí region to the municipality of Samaniego in Nariño and from the northern regions of Caquetá and La Bota caucana to the department of Putumayo.

The IAGs continued to carry out patrols and raids on educational establishments, sometimes to "instruct" students, at other times to monitor teachers or to identify children and adolescents most vulnerable to forced recruitment. In Guaviare, illegal armed groups threatened teachers in rural areas who carried out actions to strengthen protective environments and entered rural boarding schools to trigger interactions between their members and students. In Buenaventura, the dynamics of urban violence permeated school environments, where students, depending on their neighborhood of residence, were forced to take sides with one group or another.

In some cases, family members of children victims of recruitment or at risk of recruitment were threatened by the IAGs, either to limit community mediation and the possibility of disengagement and family reunification, to prevent them from filing complaints or, in retaliation, when the child was recruited by a hostile group. These situations generally resulted in forced displacement as an alternative to preserve the security of the families.

Since the Twenty-sixth Semiannual Report in 2018, MAPP/OAS has warned about serious violations of the human rights of women, girls, and adolescents and breaches of International Humanitarian Law (IHL) by IAGs. During the reporting period, systematic violence against their bodies and lives persisted, especially through the exercise of sexual violence in the context of the armed conflict in the department of Cauca, as well as in the regions of Baudó in Chocó, the Sierra Nevada de Santa Marta, the north and Bajo Cauca of Antioquia, Bajo Putumayo, and the south of Córdoba. That illustrated the pressing need to implement urgent and effective measures for dealing with, preventing, and getting rid of such violence by adopting a differential and intersectional analysis.

The use and abuse of children and adolescents continued in urban and rural areas. In Antioquia, Córdoba, the Atrato River axis in Chocó, the Caribbean Highway, and the Sierra Nevada de Santa Marta, some IAGs induced minors to consume illicit drugs and then used them to market those substances. In other cases, they were initially used to make purchases or run errands and then to carry out surveillance of communities and corridors that were strategically important for IAG operations in rural areas. In Buenaventura, the groups continued to use children and adolescents for extortion, especially adolescents between the ages of 12 and 13.

Ethnic authorities, community leaders, churches, women's associations, and families tried to persuade the IAGs not to use children and adolescents. In some cases, with the support of international organizations, they coordinated the handover and transfer of the minors out of the territories to avoid their being revictimized. On other occasions, the IAGs refused to let children go on the pretext that their recruitment was "voluntary", and they threatened them because they had information about their operations and the location of their troops. One of the events that demonstrated the seriousness of this issue was the massacre of four indigenous minors,²² who were victims of forced recruitment in the municipality of Solano in Caquetá.

In Cauca, the indigenous authorities, backed by MAPP/OAS, have made progress in the construction of a methodological proposal to reach consensus on actions to mitigate forced recruitment and other effects on their communities in the framework of the negotiations, rapprochements, and talks between the national government and the IAGs. These authorities warn about the need to guarantee their early participation in these processes and make the scheme they built available to other territories as a point of reference.

Thus, in any effort by mediators or communities to remove minors from the ranks of IAGs, one challenge is to establish coordination mechanisms between civil society and the institutional framework to ensure access to the facilities offered by institutions and contribute to overcoming the contexts of vulnerability and the restoration of rights.

3.1.2. Antipersonnel Mines (APM), Unexploded Ordnance (UXO), and Booby Traps

During the first half of 2023, OACP assigned humanitarian demining operations to seven organizations in 118 areas located in 111 municipalities and 20 departments. In addition, it declared nine zones free of suspected explosive devices.²³ In indigenous reservations and community councils in Antioquia, Arauca, Chocó, Nariño, Norte de Santander, and Putumayo, where humanitarian demining operations have not been carried out due to security conditions, together with ethnic organizations OACP implemented the Integral Action against Antipersonnel Mines strategy with special emphasis on Antipersonnel Mine Risk Education and Comprehensive Assistance to Victims.

The IAGs persisted in contaminating the territory with Antipersonnel Mines (MAP) as a military strategy to generate protective fences and dissuade possible attacks by another group or the security forces. In Antioquia, Chocó, Nariño, Norte de Santander, Putumayo, and in the southern region of Bolívar, they installed MAP in order to provide rearguard cover or buffer zones (*zonas de influencia*). In Guaviare and the Lower Putumayo region, they did so in order to prevent planned forced eradication of illicit crops. In Arauca and the border areas with Panama and Ecuador, the idea was to protect drug trafficking corridors with the objective of using them exclusively for the transit of buyers, shipments, and the operation of infrastructure for processing coca paste (PBC) and its derivatives.

Some IAGs have returned to MAP installation methods that were used in the past. In Valdivia and Tarazá in Antioquia and in the department of Arauca, they sought to indiscriminately increase their potential by placing "wired" Antipersonnel Mines (*MAP por "alambrado"*).²⁴ Likewise, in the Catatumbo region, they used a type of explosive device that is characterized by having feces and sharp objects (*puntillas*) inside it, maximizing the damage to the survivor.

²² Office of the High Commission for Peace (OACP) (2023). "El exterminio de los pueblos indígenas por las violencias armadas y la injusticia estructural debe parar" (The extermination of indigenous peoples by armed violence and structural injustice must stop). Available at: <https://twitter.com/ComisionadoPaz/status/1660077043747368960?s=20>. For its part, the FARC-EP Central General Staff, in a public communiqué, acknowledged the murder of three, not four, minors. Available at: <https://www.elespectador.com/colombia-20/conflicto/disidencia-de-las-farc-estado-mayor-central-reconoce-que-asesinaron-a-ninos-indigenas-en-putumayo/>

²³ Such as the municipalities of Cáceres in Antioquia, Barranco de Loba in Bolívar, Pajarito in Boyacá, Santander de Quilichao in Cauca, Aguachica in Cesar, Tello in Huila, Riohacha in La Guajira, San Luis de Cubarral in Meta, and Tuluá in Valle del Cauca. OACP (2023). "Grupo de Acción Integral Contra Minas Antipersonal, agosto 2023" (Group for Comprehensive Action against Antipersonnel Mines, August 2023.)

²⁴ Refers to antipersonnel mines that when activated by the victim instantaneously generate the detonation of other contiguous MAP.

In addition, MAP continued to be reinstalled in areas where humanitarian demining activities were carried out, as was the case in Briceño in Antioquia. In Tame and Arauquita in Arauca, IAGs used explosive devices in territories where the security forces had carried out controlled deactivation work.

Contamination by UXO continues to be one of the main problems after clashes between IAGs or fighting between them and the security forces, causing confinement and forced displacement, as well as obstacles to the mobility and return of communities in the regions of Baudó and San Juan in Chocó, Catatumbo in Norte de Santander, Sanquianga in Nariño, and the districts of Tumaco and Buenaventura.

Given the difficulties in guaranteeing humanitarian assistance to forcibly displaced communities in the urban centers of Buenaventura, Tumaco, and Quibdó, some people returned without institutional support to pursue subsistence economic activities in rural areas contaminated by MAP and UXO. This could explain the increase²⁵ of incidents involving these kinds of improvised explosive devices (Spanish acronym AEI) in the three aforementioned territories. There is still underreporting on this issue, since the surviving population did not report the occurrence of these aftermaths.

Due to the contamination of the territory with UXO in the Bajo Cauca region and the municipality of Puerto Leguízamo in Putumayo, the communities engaged in some unsafe behavior, such as burning some of these devices with gasoline and marking affected areas. They did so without technical and institutional guidance.

In municipalities such as Ipiales in Nariño and Puerto Leguízamo in Putumayo, MAP victims were reported by health centers to the Emergency and Urgent Care Regulatory Center as people affected in traffic accidents or wounded in combat, making it difficult to identify dangerous areas, register impacts, and provide comprehensive assistance to MAP survivors and their families.

In Jamundí in Valle del Cauca, Solano, and Milán in Caquetá, and Mapiripán in Meta, the entry and mobility of some humanitarian demining organizations was restricted by IAGs. In addition, operators faced opposition from some ethnic communities that were reluctant to allow access to their territories, due to fear of retaliation for having relations with these types of organizations.

In Arauca, Antioquia, Nariño, Caquetá, Cauca, and Valle del Cauca, the security forces carried out controlled deactivation of explosive devices. Despite this, the national government faces the challenge of meeting demining requests in areas that lack security conditions and require an urgent response, such as the regions of the San Juan River, Catatumbo, Telembí, Sanquianga, and southern Bolívar.

3.1.3. Violations of individual freedom among the civilian population: Kidnapping (*secuestro*)²⁶

Kidnapping is one of the forms of violation of the right to freedom of the civilian population that generates serious impacts in the personal, family, and community spheres. IAGs use it to pursue multiple interests, ranging from economic benefits to reprisals to consolidate their strategies of territorial control and regulation of the civilian population's behavior.

The illegal armed groups kidnapped traders, transporters, cattle ranchers, public servants,²⁷ private company personnel, social leaders, and foreigners passing through the territories in which they exerted

²⁵ According to Descontamina Colombia, 7 incidents occurred in Tumaco between January and February 2022, while 46 incidents occurred in the same period in 2023. In Buenaventura during the same months in 2022, 1 incident was recorded and for the following year 3 incidents were reported. In Quibdó there were no incidents in 2022, while 2 incidents occurred in 2023. Information posted at: "Eventos Minas Antipersonal en Colombia" (Antipersonnel Mines Events in Colombia). Source: https://www.datos.gov.co/Inclusi-n-Social-y-Reconciliaci-n/Eventos-Minas-Antipersonal-en-Colombia/sgp4-3e6k/data?no_mobile=true

²⁶ For this Report, the Mission will construe kidnapping to mean the deprivation of liberty of one or more persons by an IAG, making the security and personal integrity of the victims and their release conditional upon the satisfaction of economic, political, military, and other demands. Although in International Humanitarian Law this crime is defined as "hostage-taking" and in Colombia some IAGs call it "retentions," Colombian society, the domestic criminal law framework, the UARIV (Unit for the Attention and Comprehensive Reparation of Victims), and the Final Report of the Truth Commission describe these facts and the victims as "kidnapping", which is why this Report adopts that definition. Available at: <https://www.comisiondelaverdad.co/violacion-derechos-humanos-y-derecho-internacional-humanitario/secuestro>

²⁷ In the department of Arauca, in the southern region of Cauca, and in the municipality of Jamundí in Valle del Cauca, some IAGs kidnapped personnel attached to or retired from the security forces, and sometimes their family members and companions. One well known event of this

influence. The victims' freedom was arbitrarily limited for short periods of time that depended on the interests pursued by the IAGs.

Most of the kidnappings were due to the illegal armed groups' accusations against individuals who in their opinion collaborated with another IAG or the security forces, as occurred in the departments of Arauca, Nariño, and Putumayo; in the regions of the Cúcuta Metropolitan Area, Bajo Cauca, Catatumbo, northern Antioquia, northern Cauca, and southern Bolívar, as well as in the municipality of Jamundí in Valle del Cauca.

Kidnapping was also intended to limit institutional action in rural territories, as was the case in Bajo Cauca Antioqueño,²⁸ northeastern Antioquia, and southern Bolívar.²⁹ In addition, the IAG committed these acts in retaliation against social leaders who exposed extortion and the imposition of behavioral norms on communities in the regions of southern Cesar, the Nariño mountain range, and the department of Arauca.

Generally, the facts were not reported to the competent authorities, but publicized through social networks or the media. This meant that the release efforts were not handled by institutions, but rather through community mediation with the IAGs. This pattern was also found in northern Cauca, Catatumbo, and the Cúcuta Metropolitan Area.

The release of the kidnapped persons took place, in some cases, in the presence of commissions formed by social leaders and members of the communities; and in other cases, in the presence of delegations from the Ombudsman's Office, international organizations, and the Churches. These releases were presented by the IAGs as a sign of willingness to take part in negotiations, rapprochements, and talks with the national government.

3.1.4. Extortion³⁰

Extortion is an expression of economic control by the IAGs; it involves both legal and illegal activities and has become more recurrent as their other sources of financing have weakened. Illegal charges on all productive and consumer sectors have resulted in price increases, including for products in the family food basket, thereby impairing the food security of the civilian population.

The persistence of this practice by IAGs has led to its normalization, to a point at which some local people barely notice it and regard it as just another tax or "vaccine." Productive sectors such as commerce, agriculture, livestock, dairy farming, mining, hydrocarbons,³¹ transportation, and construction were the most affected.

Illegal armed groups decided to exact money based on the amount of cattle or hectares owned, or the estimated profits of commercial establishments, and demanded a percentage of the sales price of land in the departments of Arauca and Putumayo, as well as in the regions of southern Bolívar, Catatumbo, southern Córdoba, the Pacific coast of Cauca, the San Juan river axis, Telembí, southern Valle del Cauca, southern Meta, and northern Caquetá.

In some of these areas, IAGs imposed extortionary charges to allow the execution of infrastructure works. Particularly in Catatumbo, they demanded payments from transportation companies providing services to a variety of institutions, including humanitarian organizations. In Buenaventura, formal and

kind was the kidnapping, in the department of Arauca, of a non-commissioned officer of the National Army who was traveling in civilian clothes with her two minor children. Generally, the individuals were released and handed over to commissions made up of the Ombudsman's Office, the Catholic Church and, on occasion, international organizations and the media.

²⁸ In February, a commission of the Attorney General's Office was kidnapped, which led to the closure of its headquarters in the municipality of Tarazá in Antioquia.

²⁹ In Santa Rosa del Sur, five officials of the municipal mayor's office were kidnapped while they were giving educational talks on traffic regulations in rural areas. They were released and handed over to a commission comprising the Ombudsman's Office and the Catholic Church.

³⁰This refers to the practice by IAGs of forcing the civilian population to make economic contributions, in order to obtain illicit profit or some kind of benefit.

³¹ One of the cases occurred in the department of Arauca, where companies dedicated to hydrocarbon extraction temporarily suspended operations due to extortion demands by IAGs and as a preventive measure against possible reprisals against their personnel and facilities.

informal businesses were required to pay a fee for any activity in the district and a daily or monthly percentage of the profits obtained.

Attempts were also made on the lives and physical integrity of public servants who refused to pay extortionary payments to IAGs in regions such as Catatumbo. These people were forcibly displaced and had to perform their duties outside the municipalities to which they belonged.

IAGs also extorted money from those involved in illicit drug production, illegal gold and coal mining, and the smuggling of fuel and other goods. This occurred in Catatumbo, in Bajo Cauca in Antioquia, in the axis of the San Juan River, on the Pacific Coast and in northern Cauca, Sanquianga, and Telembí in Nariño.

3.1.5. The imposition of de facto justice³²

One example of substitution of the State's judicial functions by IAGs is the imposition of restrictions on the arrival and term of judicial authorities and the performance of their functions, leaving the civilian population without effective access to local justice institutions and in a situation of greater vulnerability and impunity vis-à-vis IAGs. In Guaviare, they restricted the functions of police inspectors and in Antioquia they kidnapped personnel from the Attorney General's Office, which led to the indefinite closure of the local and sectional Prosecutor's Offices in Tarazá and Cáceres.

In regions such as Bajo Putumayo, southern Cauca, southern Meta, southern Córdoba, Sierra Nevada de Santa Marta, Bajo Cauca, and northern Antioquia, as well as in the departments of Arauca, Bolívar, Caquetá, Chocó, Guaviare, Nariño, Norte de Santander, and Valle del Cauca, the illegal armed groups imposed economic sanctions on those who did not comply with some of the rules they set, such as the prohibition of fights, attendance at meetings, mobility schedules on roads and rivers, restrictions on deforestation, hunting, and fishing, among others.

The imposition of de facto justice was more frequent in the case of fights, theft, domestic violence, consumption and sale of illicit drugs, and non-compliance with restrictions on the operation of commercial establishments. In these cases, IAGs sanctioned the communities with fines ranging from COP\$100,000 to COP\$3,000,000³³ or through coercive measures such as the cleaning of neighborhoods or population centers.

In some areas of the country, illegal armed groups altered the dynamics of conflict resolution. In Chocó, they tried to disassociate themselves from any role as the first instance for resolving community issues, forcing the population to turn initially to the Community Action Boards (*Juntas de Acción Comunal*) (JAC) or to the ethnic authorities. If no agreement was reached, the solution would be determined by the IAGs.

In Norte de Santander, they demanded that the relatives of people accused of collaborating with another IAG seek the mediation of community leaders and proof of innocence to determine in a sort of "trial" whether there was a relationship with their adversary. The main sanction in most cases was homicide. For social leaders, the mediation role generated stigmatization and risks to their security.

3.2. Population groups affected

3.2.1 Afro-descendant communities and their leaderships

Black communities and their leaders were mostly affected by forced displacement, confinement, and the exercise of social oversight³⁴ by IAGs, especially in the departments of Cauca, Chocó, Nariño,

³²De facto justice refers to the substitution by IAGs of the State's judicial functions, through the imposition of sanctions designed to punish those who resist their impositions or to settle disputes.

³³ US\$20 up to US\$750.

³⁴ It consisted mainly of the way in which IAGs curtail the behavior of the civilian population through rules and regulations that are explicitly or implicitly imposed to maintain a social order that benefits their economic, political, and/or territorial dominance interests. In order to ensure the subjugation of communities to their demands and objectives, IAGs may also impair life, liberty, personal integrity, and physical security in communities in other ways.

and Valle del Cauca.³⁵ They had a collective impact which affected administration of the Afro-descendant population's territories as well as guarantees for their economic and cultural development.

With regard to forced displacement, the main triggers were armed confrontations, the incursion of IAGs into population centers in dispute or under the control of another group, the occurrence of homicides, forced disappearances, and the risk of involvement of children and adolescents, as well as the fear of contamination with MAP or MSE in community councils.

In the regions of the San Juan River and its tributaries in Chocó, Sanquianga, and Telembí in Nariño, as well as the Yurumanguí River in Valle del Cauca, Afro-descendant communities were forcibly displaced from their collective territories due to clashes between illegal armed groups. Generally, the population arrived in the nearest urban areas or rural population centers, where they perceived that there were less hostile security conditions, some institutional facilities, or support networks that could provide them with shelter.³⁶

In urban areas, such as Buenaventura in Valle del Cauca, forced displacement occurred between neighborhoods. This form of displacement was generally less noticeable, as the affected families avoided publicizing it for fear of possible reprisals and because they considered that there was no clarity regarding the institutional care they could expect in the face of victimization by urban criminal groups.

Confinement cases occurred due to IAGs' explicit ban on Afro-descendant population groups moving between rural population centers and from them to municipal capitals. They also occurred because of the presumption that a territory was contaminated with antipersonnel mines (MAP) and because of the intention of the communities to prevent harm being done to them, as occurred in the Telembí region.

In the Mayorquín, Yurumanguí, and Raposo rivers in Valle del Cauca, Afro-descendant women considered themselves at risk of being victims of sexual violence due to the actions of illegal armed groups, while men said they were at risk of attacks on their lives, such as homicide and forced disappearance. As a measure of self-protection, the communities opted to form committees to carry out their subsistence activities such as hunting, agriculture, the laundering of clothes, and fishing.

Social control included coercive regulation of the behavior of the Afro-descendant population and interference in the autonomy of their territories. In Chocó, IAGs imposed sanctions for internal conflicts and forced the community councils to follow up on them.

In the San Juan River axis and in the Buenaventura district, territorial disputes between illegal armed groups delayed the convening of general assemblies and the election of authorities to govern their territories. Participation in community decision-making scenarios was affected by previous threats from these IAGs against Afro-descendant leaders or due to communities being in a situation of forced displacement. The interference and surveillance exercised by the groups over the ethnic-territorial authorities made the latter afraid of assuming positions in their own government bodies.

3.2.2 People in the process of reincorporation (PPR or peace signatories)

The Technical Roundtable on Safety and Security³⁷ made progress in the construction of the new Strategic Plan for Safety and Security. This includes seven lines of action that were developed with the population that signed the peace agreement and are based on the human security approach, aimed at

³⁵ Some of the communities that were forcibly displaced from their territories belong to community councils such as Integración del Telembí, Unión Patía Viejo, Manos Amigas del Patía Grande, Progreso del Campo, Gualmar, Playas Unidas, La Voz de Los Negros, de la Cuenca del Río Yurumanguí, Esfuerzo Pescador, which are located along the Telembí, Patía, San Juan, La Tola, Yurumangí, Sanquianga rivers, among others.

³⁶ At times, families left institutional or family shelter sites for cities, where they felt they could have access to more formal or informal sector jobs. Cali continues to be the epicenter of reception of Afro-descendant population groups forcibly displaced from Cauca, Nariño, and other municipalities in the Valle del Cauca.

³⁷ According to Decrees 299 of 2017 and 1058 of 2023, this Roundtable is made up of delegations from the Presidency of the Republic, the Ministry of the Interior, the National Protection Unit, and the political party or movement that emerges from the FARC-EP's transition to legal political activity.

preventing and combating stigmatization, providing comprehensive protection, guarantees for the exercise of the policy and for the reincorporation process, inter-institutional coordination, as well as action in emergency situations.

The Ministry of the Interior and the Ministry of National Defense led sessions of the Unified Command Posts for Life (PMUV)³⁸ in order to address risks of violence threatening the security of the PPR in Mesetas and Vistahermosa in Meta, as well as in San José del Guaviare in Guaviare.

Violations against the life, liberty, integrity, and security of the PPRs were recurrent inside and outside the Former Territorial Training and Reincorporation Sites (AETCR). In Vistahermosa in Meta, a PPR of the AETCR, Georgina Ortiz, was murdered and the leaders of the AETCR received threats. Likewise, in Mesetas, Meta, there was an attack against a leader who signed the peace agreement and illegal armed groups threatened and imposed the forced displacement of the PPRs of the Mariana Páez AETCR.

The national government, with the support of the Public Prosecutors' Office, the MAPP/OAS and other actors, developed a roadmap for the transfer of the two AETCRs located in Meta, in order to safeguard the peace signatories and guarantee the continuity of the reincorporation process.

Due to territorial disputes between illegal armed groups in Antioquia and Caquetá, violent acts occurred against the PPRs of the AETCRs located in those areas. Some of those people were accused of collaborating with one group or another, which led to threats and forced displacement.

Peace signatories moving ahead with their individual reincorporation continue to be victims of threats due to the rejection of the IAGs' proposals for reincorporation. In the department of Guaviare, as well as in the regions of the Pacific Coast and southern Cauca, there were cases associated with this pattern of violence. On occasions, the refusal of the offer of recidivism led to homicides and attacks the personal integrity of the PPRs, as occurred in Cauca and Norte de Santander.

In Antioquia, Arauca, and Cauca, illegal armed groups kidnapped peace signatories whom they accused of collaborating with their adversary. Although these people were released, the persistent targeting of this population group is one of the main triggers of the violations against their life, liberty, and integrity, which is why the PPRs continue the tendency to hide their status as former combatants.

The population in favor of the peace agreement has found alternative ways of contributing to reconciliation, reconstruction of the social fabric, coexistence, and mitigation of security risks. For example, in Cauca they have proposed productive initiatives that would also benefit the ethnic population and there are cases in which the PPRs belonging to the Nasa people have been incorporated into the indigenous guard.

4. TOTAL PEACE POLICY

4.1. Impact of the implementation of Bilateral and Temporary National Ceasefires (CFBTN or ceasefires)

The information in this section is the result of MAPP/OAS monitoring work in compliance with its mandate and corresponds to what has been observed in the territories with respect to the impact of the implementation of the CFBTN. Therefore, it is not part of the work or reporting of the Oversight, Monitoring, and Verification Mechanisms (MVMV). Its objective is to draw attention to the main activities, tasks, and challenges involved in facilitating the taking of decisions designed to de-escalate the intensity of the armed conflict.

On December 31, 2022, the Ministry of National Defense issued a series of decrees establishing Bilateral and Temporary National Ceasefires between the National Government and five IAGs: the Central General Staff FARC-EP, the Second Marquetalia FARC-EP, the National Liberation Army, the

³⁸ Contemplated in the Emergency Plan for the Protection of Social Leaders, Human Rights Defenders, and Peace Signatories.

Gaitanista Self-Defense Forces of Colombia, and the Conquistador Self-Defense Forces of the Sierra Nevada.

The decrees provided that the CFBTNs would be in effect between January 1 and June 30, 2023, with the possibility of being extended upon the recommendation of the Oversight, Monitoring, and Verification Mechanisms (MVMV)³⁹ established for each of the ceasefires mentioned in the decrees. The common objective of the ceasefires was to put an end to the harm being done to the population, especially to the ethnic and peasant communities, as well as to stop hostilities between the security forces and the aforementioned IAGs.

The Ministry of National Defense restructured the Joint Strategic Transition Command and the Police Unit for Peace Building, thus strengthening its institutional capacity to fulfill the responsibilities assigned in the different stages and bodies created for the implementation of the CFBTN.⁴⁰ Also, the national government and the FARC-EP Central General Staff installed the MVMV with the participation of the Catholic Church, the United Nations Verification Mission, and the MAPP/OAS.

In January, the ELN rejected the issuance of the decree and argued that this ceasefire had not been agreed upon by the parties at the Peace Talks Roundtable, for which reason the Executive proceeded to suspend it.⁴¹ In March, harassment against the security forces in the Bajo Cauca region of Antioquia and southern Cordoba led the national government to lift the CFBTN with the *Autodefensas Gaitanistas de Colombia* (AGC) throughout the country. And in May, the President of the Republic partially suspended the ceasefire with the FARC-EP Central General Staff in Caquetá, Guaviare, Meta, and Putumayo, as a result of the killing of four indigenous minors, victims of forced recruitment,⁴² in the municipality of Solano in Caquetá.

During the CFBTNs, the IAGs engaged in armed confrontations among themselves that led to the forced displacement and confinement of ethnic communities in Cauca, Chocó, Nariño, and Valle del Cauca. Another significant phenomenon observed in the territories was the violation of the illegal armed groups' own forms of community organization with the intention of consolidating social and territorial control over the rights of the civilian population and impeding the development of the functions of State institutions. This mostly affected Antioquia, Cauca, Caquetá, Chocó, Guaviare, Meta, Nariño, and Putumayo.

After the end of the period decreed for the ceasefires, territorial entities, ethnic authorities, leaders, and social sectors considered that little had been done to mitigate the humanitarian impact of violence, especially in those areas with several IAGs engaged in territorial disputes.

The road map drawn up to advance implementation of the Total Peace Policy faces important challenges such as the installation of political dialogue roundtables and opportunities for social/legal talks; the reestablishment of the CFBTNs; the establishment of national, regional, and local MVMVs; and the selection of the civil society representatives in those mechanisms.

In the event that new decrees are issued for the CFBTNs, communities and local authorities are calling for progress towards a multilateral or bilateral simultaneous ceasefire and hostilities model, which specifically establishes which acts against the civilian population are prohibited, along with guarantees for the entry of institutions in charge of humanitarian assistance and implementation of the

³⁹ The various CFBTN decrees established that the MVMVs would be composed of delegations from the Ministry of National Defense, the OACP, the security forces, the corresponding IAG, territorial social organizations, the Catholic Church, and the World Council of Churches. There was also an international component comprised of the II UN Verification Mission in Colombia and the MAPP/OAS.

⁴⁰ Ministry of National Defense. "Response to the request for institutional achievements. Thirty-fifth Semiannual Report MAPP/OAS. RS. 20230718114271."

⁴¹ The CFBTN with the ELN remained suspended as of the closing of this Report. However, on June 9, at the end of the third cycle of talks between the ELN and the National Government, the beginning of a ceasefire was announced as of August 3, 2023, with a duration of 180 days.

⁴² Office of the High Commission for Peace (OACP) (2023). "El exterminio de los pueblos indígenas por las violencias armadas y la injusticia estructural debe parar" (The extermination of indigenous peoples by armed violence and structural injustice must stop). Available at: <https://twitter.com/ComisionadoPaz/status/1660077043747368960?s=20>. For its part, the FARC-EP Central General Staff, in a public communiqué, acknowledged the murder of three, not four, minors. Available at: <https://www.elsespectador.com/colombia-20/conflicto/disidencia-de-las-farc-estado-mayor-central-reconoce-que-asesinaron-a-ninos-indigenas-en-putumayo/>

Final Peace Agreement. It is also essential to foster timely explanation of the content of decrees, protocols, and functions of the MVMV for military, civilian, and ethnic authorities, social leaders, and members of IAGs in order to ensure actions that are needed for compliance with them and access to information for the population in general.

4.2. Justice for Total Peace

All negotiations, rapprochements, and talks with IAGs that address contexts of generalized violence, human rights violations, and serious breaches of International Humanitarian Law (IHL) require a legal approach that complies with the standards of International Criminal Law (IPL)⁴³ and ensures the rights of victims to truth, justice, comprehensive reparation, and non-repetition.

According to Law 2272 of 2022, the parameters for effective litigation and conditions for the transition to civilian life of members of the Armed Groups Organized outside the Law⁴⁴ will be determined through political negotiations with the national government. In contrast, the Colombian State will define the legal treatment to be accorded Organized Armed Groups (GAO) or Armed Organized High Impact Crime Structures (EAOCAI),⁴⁵ with a view to bringing them to justice and dismantling them.

During this period, this law was challenged before the Constitutional Court with a view to it being declared unenforceable. The high court convened a public hearing for the month of August 2023, in order to have the plaintiffs, national authorities, and experts answer questions on technical aspects related to analysis of the context of the armed conflict and criminality in Colombia; the presidential power to engage in talks or rapprochements with EAOCAI and with persons demobilized through previous peace agreements, as well as to designate members of social and humanitarian organizations deprived of their liberty as spokespersons.⁴⁶

On March 15, the Ministry of the Interior and the Ministry of Justice and Law submitted to Congress Bill No. 288 of 2023, which seeks to establish mechanisms of subjection to ordinary justice, guarantees of non-repetition, and the dismantling of EAOCAI. Despite the fact that this initiative reflects previous experiences in macro-litigation (*macrojudicialización*) in peace contexts, some organizations expressed their disagreement with the conditions and consequences of subjection, considering that the rapprochements with the national government could be an opportunity to make adjustments. Likewise, due to the dynamics of a legislative agenda focused on the major reforms of this Government, the discussion of this bill was not prioritized by the various political forces represented in the Congress of the Republic.

The national government made progress in talks with the EAOCAI through facilitators and direct contacts; however, one of the main challenges is the lifting of arrest warrants and conditional suspensions of execution of the sentence of the representatives of these groups in order to achieve opportunities for socio-legal talks, as happened with the Autodefensas Conquistadoras de la Sierra Nevada (ACSN).

⁴³ Those standards include, inter alia, effective litigation (*judicialización*) and the internal consistency test (*test de sistematicidad*) that involves analyzing the criminal apparatus.

⁴⁴ Congress of the Republic (2022), subsection C, Article 2 of Law 2272 of 2022. "(...) An organized armed group outside the law shall be construed to mean that which, under the direction of a responsible command, exercises such control over a part of the territory as to enable it to carry out sustained and concerted military operations."

⁴⁵ Congress of the Republic (2022), subsection C, Article 2 of Law 2272 of 2022. "(...) Armed Organized High Impact Crime Structures shall be understood as those criminal organizations made up of a plural number of persons, organized in a hierarchical structure and/or network, that are dedicated to the permanent or continuous practice of punishable forms of conduct, possibly including those typified in the Palermo Convention, as part of criminal patterns that include violent subjugation of the civilian population of the rural and urban territories in which they operate and perform functions in one or more illicit economies."

⁴⁶ The analysis focuses on the context of the actors responsible for serious and massive human rights violations, war crimes, and crimes against humanity in Colombia; past negotiations with these armed groups; recidivism and its impact on the dynamics of violence in the country; and the implications of non-compliance by some individuals with previous peace agreements. Source: <https://www.corteconstitucional.gov.co/noticia.php?Corte-fija-fecha-de-audiencia-publica-para-analizar-demandas-contra-la-Ley-2272-de-2022-denominada-por-el-Gobierno-Nacional-Paz-Total-9579>

Furthermore, the challenge of clarifying acts of violence and guaranteeing the rights of victims, as well as achieving the effective reintegration of former members of the United Self-Defense Forces of Colombia (AUC), persists to this day, 18 years after the enactment of Law 975 of 2005 (Justice and Peace). In this sense, the national government's announcements that it will keep certain sections of this law would be an opportunity to establish a legal framework that facilitates the processes of subjugation and dismantling of the EAOCAI.

Since 2005, the Mission, in accordance with its mandate, has monitored and provided support to the transitional justice mechanisms in Colombia, especially Justice and Peace, a task that has allowed it to accumulate knowledge and experience that can be used for initiatives undertaken by the State to take advantage of the progress made, find solutions to the current challenges, and give a decisive boost to the processes leading to peace, reconciliation, and recognition of the victims.

4.3. Urban peace⁴⁷

In the urban peace component, the national government made progress in its approaches to several IAGs in Quibdó, Buenaventura, Medellín and the metropolitan area of the Aburrá Valley to explore a negotiated surrender. In the latter case, on June 2, the OACP began social and legal talks with the participation of delegations from the government, IAGs, and the international community. The challenges of these approaches are to define a thematic agenda and its respective methodology in terms of non-repetition; the coordination of institutional actions in the neighborhoods and communes that lead to local transformations; and the approach to legal security for victims and perpetrators that will manage to establish transition scenarios in the medium term and make it possible to overcome recurrent violence.

In December 2022, the national government created the High-Level Body (IAN)⁴⁸ to study, characterize, and qualify EAOCAIs. The IAN established its regulations and formed the Technical Information and Intelligence Team for the management of inputs that will make it possible to determine which groups will fall into this category.⁴⁹ Although this classification is under way, the OACP has used this name to refer to several groups, which has generated confusion among local institutions and civil society and poses a challenge in the short term for continuing with social/legal approaches.

On June 2, in Itagüí in Antioquia, with the support of the MAPP/OAS, a social/legal discussion forum was set up with delegations from at least 17 organizations (“structures”) representing 300 criminal groups from the municipalities of the Aburrá Valley. The groups established a multilateral truce that led to a 14% reduction in homicide rates in the region.⁵⁰ However, the Mission ascertained that this process faces challenges such as the legal treatment of international crimes, the interference and actions of other IAGs in some of the neighborhoods, the involvement of all municipal authorities, the elimination of the commission of crimes such as extortion, among others.

In Buenaventura, the urban peace process was dubbed “Total Peace Laboratory” by the national government. The Diocese of Buenaventura and the MAPP/OAS implemented initiatives that contributed to the rapprochement between Los Shottas and Los Espartanos commanders, developed processes to strengthen leaders at the urban level as peace promoters, and promoted training to address social conflicts within their neighborhoods and communities.

Between January and March, following the national government's rapprochements with these IAGs, there was a 24% decrease in homicides, a trend that was reversed between April and June with an

⁴⁷ Term used by the Presidency of the Republic and the OACP to refer to the social/legal approaches it espouses with urban IAGs, as in Medellín and the Aburrá Valley in Antioquia, and in Buenaventura in Valle del Cauca.

⁴⁸ Created through Decree 2655 of 2022.

⁴⁹ Ministry of National Defense. "Response to the request for institutional achievements. Thirty-fifth Semiannual Report MAPP/OAS. RS. 20230718114271."

⁵⁰ According to National Police figures, between January and June 2022, 281 homicides were recorded in Valle de Aburrá, while in the same period of 2023, 243 were reported. Source: <https://www.policia.gov.co/grupo-informacion-criminalidad/estadistica-delictiva>

escalation⁵¹ triggered by the disappearance and subsequent murder of one of the delegates of these groups.

That also led to a resurgence in disappearances and forced displacements of the civilian population, as well as clashes between IAGs and the perception of an increase in extortion, especially in disputed areas, as in the case of commune seven. In addition, these groups reactivated the imposition of invisible borders⁵² as a mechanism to ensure territorial control, which resulted in mobility restrictions for the communities.

Progress with rapprochements has been hampered by some of the IAG members reportedly moving to other cities, such as Cali, in order to obtain economic resources (mostly through illegal economies), while others have left the country because they consider their lives to be at risk. Another challenge is posed by the reconfiguration of violent phenomena due to the operation of groups that are not linked to Urban Peace.

In Quibdó, at the end of 2022, various illegal armed groups announced a unilateral ceasefire.⁵³ However, after the announcement they continued to clash over the control of micro-trafficking and extortion in urban neighborhoods. They also continued to threaten the civilian population.

MAPP/OAS fostered trust between the national government and the IAGs by facilitating rapprochement. In this context, the communities highlighted results such as plans for community spaces, sports fields, the development of environmental initiatives, and the generation of productive projects, for which they formed neighborhood committees and teams of young communicators.

4.4. Peace in prisons⁵⁴

Based on the MAPP/OAS recommendations, the National Penitentiary and Prison Institute (INPEC) designed a strategy to strengthen the human rights culture in National Prison Establishments (ERON) by carrying out activities that promoted the identification of, and attention to, cases of human rights violations of persons deprived of liberty (PPL).

As a result, INPEC strengthened promotion of the rights of PPL and the differential approach principle through a monitoring process that included 420 sessions of human rights committees and 420 sessions of differential approach committees in order to listen to the needs of PPL. It also conducted 96 face-to-face sessions with a differential approach, prioritizing LGBTIQ+ populations, indigenous peoples, and women.⁵⁵ It also designed a strategy for monitoring hunger strikes in order to overcome difficulties and improve institutional care.

However, at the national level, the crisis in guaranteeing the human rights of people deprived of their liberty continued, and they called for protests and hunger strikes. In particular, in the ERONs of Bogotá, Pedregal, and Puerto Triunfo in Antioquia, Jamundí in Valle del Cauca, Popayán in Cauca, and El Barne in Boyacá, ELN groups (*los colectivos del ELN*), as well as the PPLs linked to other IAGs, protested on several occasions about the poor quality of food, non-compliance with schedules, delays in health care, and delays in referrals to specialists, procedures, and surgeries. In view of these situations, the MAPP/OAS recommended that the institutions take action to overcome the crisis and requested the presence of the competent authorities to engage in talks with the PPL. In some cases, this resulted in decisions to improve prison conditions and end strikes.

⁵¹ Between January and March 2023, 11 homicides were recorded, while between April and June of the same year, 42 homicides were reported. National Police (2023) "Crime statistics - homicides". Source: <https://www.policia.gov.co/grupo-informacion-criminalidad/estadistica-delictiva>

⁵² A strategy mostly used by IAGs in urban areas to divide territories and impose jurisdictions for their operations. This action results in harm to people going beyond those limits, in the form of homicides, extortions, and other harassment.

⁵³ Press release: Que avance la paz integral en Quibdó. Source: <https://www.altocomisionadoparalapaz.gov.co/prensa/comunicado-de-prensa-que-avance-la-paz-integral-en-quibdo>

⁵⁴ This refers to all those actions carried out in prisons aimed at generating reconciliation, dialogue, conflict transformation, and restorative justice practices that contribute to the construction of a Complete Peace.

⁵⁵ INPEC (2023). "Inputs, Institutional Achievements. Thirty-fifth Semiannual Report MAPP/OEA" Official Letter 8100-DINPE-OFPLA.

Difficulties in food and health care, in addition to overcrowding, lack of study and work opportunities, little family contact, insufficient legal counsel, and problems of coexistence, among others, constitute a challenge for the construction of peaceful scenarios in prisons. To help improve this state of affairs, MAPP/OAS has supported and accompanied the creation of prison working groups⁵⁶ with the participation of hundreds of PPL who have acted in the context of the armed conflict and who, from prisons, seek to contribute to the national government's peace policy.

In the prisons of El Barne, Itagüí, Jamundí, La Dorada, Medellín, Santa Marta, and Valledupar, the prison working groups carried out activities such as disarmament days, campaigns to eliminate extortion, opportunities for restorative justice and conflict transformation, as well as calling for meetings with authorities and civil society organizations to make known their commitment to peace.

MAPP/OEA held a workshop on "Dialogue, conflict transformation, constructive communication and negotiation" in the Valledupar prison, the purpose of which was to strengthen dialogue skills and offer useful peace-building tools to the PPL who, in some cases, were actors in the armed conflict and are part of the prison working group known as the "Peace Roundtable" ("*Mesa de Paz*"). The participants recognized that these educational activities enhance their abilities to put themselves at the service of peace, transmit the knowledge they have acquired to others, and expressed their interest in replicating similar training in other prisons.

On the other hand, the Peace Talks Roundtable of the National Government and the ELN recognized the serious humanitarian situation in the prisons and agreed to provide emergency humanitarian attention to a group of ELN prisoners by granting humanitarian relief to improve their prison conditions, especially health care. Likewise, the ELN delegation proposed "regionalization" consisting of the transfer of its groups (*colectivos*) to prisons located near their families or in the places where their judicial proceedings are taking place and the eventual designation of peace promoters and managers. MAPP/OAS has called upon the authorities to move forward with the granting of the aforementioned relief and has supported the work of the Gestoría de Paz to achieve this goal.

4.5. Environmental peace

Disputes over the control and exploitation of natural resources, as well as the income they generate, have been both a cause and a consequence of the armed conflict. Land use and land tenure, the presence of illicit crops, gold and timber extractive economies, logging⁵⁷ of National Natural Parks (PNN), and Forest Reserve Zones (ZRF) for cattle ranching, indiscriminate logging of timber forests, among others, are activities that have been intertwined with the dynamics of violence in Colombia.⁵⁸

The General Secretariat reiterates its recognition to the national government for making the environment an essential component of the Total Peace policy and encourages progress in the implementation of the legal framework and the policies and strategies defined in the PND⁵⁹, the Final Peace Agreement⁶⁰, the Escazú Agreement, and the Policy on Security, Defense, and Citizen

⁵⁶ The prison working groups created at the initiative of the PPL in different ERONs have pursued such objectives as contributing with initiatives to improve prison conditions, create scenarios for dialogue, strengthen training in conflict transformation, generate entrepreneurship initiatives for job opportunities upon release, and implement restorative justice practices.

⁵⁷ This is understood as the increase in the areas of pastures planted for the establishment of extensive livestock systems, where the main activity is the felling and logging of natural forest, which leads to the transformation of natural cover, which, in turn, causes the deterioration of the ecological structure of the land. Source: <https://siatac.co/praderizacion/#:-:text=La%20Praderizaci%C3%B3n%2C%20se%20define%20como,el%20deterioro%20de%20la%20estructura>

⁵⁸ According to the Forest and Carbon Monitoring System of the Institute of Hydrology, Meteorology, and Environmental Studies (IDEAM), deforestation in the Colombian Amazon declined by 25% in 2022 compared to the immediately preceding year. In order to maintain this trend, the Ministry of Environment and Sustainable Development planned the creation of a special group against environmental crimes.

⁵⁹ It lays out the roadmap for advancing a biodiverse and inclusive economy and establishes a framework for climate action in five dimensions: Water and people at the center of land use planning; waste management; safe, reliable and efficient energy transition; protected areas; environmental justice and deforestation.

⁶⁰ The Integrated Rural Reform (RRI) determines a logical sequence of implementation that begins with participatory environmental zoning for the identification of environmental protection areas and the closing of the agricultural frontier. Also, the definition of land use and tenure (access and large-scale formalization); the installation of essential public goods and services in rural areas; and the development and economic integration of the areas most affected by the armed conflict (Development Programs with a Territorial Approach - PDET).

Coexistence⁶¹ for the achievement of environmental peace. Likewise, the incorporation of two delegates from the environmental sector in the National Participation Committee derived from the Peace Talks Roundtable between the national government and the ELN, as well as environmentalists in the government delegations for the Peace Talks Roundtable with the ELN and with the FARC-EP Central General Staff, represents a step forward. The sum of these efforts is fundamental for overcoming challenges in the construction of a Complete Peace.

The recognition of the protection and conservation work carried out by the rural and ethnic communities that live in or border the National Natural Parks (PNNs) and Forest Reserve Zones (ZRFs) generated a change in the relationship between the Ministry of the Environment and Sustainable Development and the rural communities. This represents an opportunity to define strategies that balance environmental conservation with food production and the economic development of the population living in environmentally strategic ecosystems.

One of the main difficulties in advancing peace building is the imposition of environmental control standards by the IAGs. In Caquetá, Guaviare, and southern Meta, they prohibited the communities from entering and interacting with environmental authorities and, through what they called a "zero smoke" strategy, prohibited the burning of 50% of the total area of each property and required the maintenance of vegetation on the roads to monitor the movement of people and to act in the event of possible offensive actions by the security forces. Meanwhile, in Mapiripán in Meta, they encouraged colonization and deforestation for the construction of large farms, cattle ranching, and for the cultivation of crops.

In the department of Putumayo and the region of La Bota caucana, the illegal armed groups established restrictions on the species allowed for hunting and prohibited logging, as well as the illegal extraction of gold deposits and the use of heavy machinery for such purposes. In Antioquia, they set limits on the number of trees or hectares that each family could deforest.

There were two main causes of contamination of water sources. The first was the continued illegal exploitation of gold deposits in Antioquia, Bolívar, Caquetá, Cauca, Nariño, and Chocó. The second was related to the effects of the explosives used in attacks by IAGs on the hydrocarbon transportation infrastructure, especially against the Caño Limón-Coveñas oil pipeline, which was dynamited eight times, causing the contamination of major rivers and ravines that supply water to population centers in Arauca and Norte de Santander.

Environmental conflicts continued to lead to social mobilization in some areas of the country. In Caquetá, peasant communities mobilized in response to non-compliance with commitments, such as the *Emerald Energy* oil company's failure to repair environmental damages. The protest turned violent due to clashes between the National Police and some demonstrators who entered the company's facilities. The escalation of tensions led to the death of a policeman and a civilian, as well as the detention, which for some sectors was a kidnapping, of more than 70 members of the institution and six company officials for about 36 hours.

In Antioquia and Córdoba, the resumption of actions by the security forces against the illegal extraction of mining deposits led to a strike, organized by the "Comité pro Paro Minero del Bajo Cauca, Valdivia, Nordeste antioqueño, sur de Bolívar y sur de Córdoba, con vocación nacional" (Mining Strike Committee). Its objective was to demand compliance with Law 2250 of 2022⁶² and the suspension of operations against this activity, as it is the source of economic livelihood for a large number of families in the area.

The protest also included violent incidents such as injuries, an attack on the National Police, the burning of two ambulances and a tollbooth, and the interruption of water service. In this regard, the

⁶¹ It established strategies for the protection and preservation of diversity and water resources, with special emphasis on preventing deforestation, managing climate change, and addressing the illegal exploitation of mining deposits. These strategies recognize the intrinsic relationship between the presence of IAG and environmental impacts.

⁶² Article 1. Purpose. The purpose of this law is to establish a special legal framework for legalization and formalization, as well as for financing, marketing, and the establishment of special environmental regulations.

Mining Strike Committee publicly stated that it was not involved in actions to provoke demonstrators to disturb public order; on the other hand, national and departmental authorities pointed to the intervention of IAGs in the disturbances.

4.6. Total peace and ethnic authorities

In San Basilio de Palenque in Bolívar, with the support of MAPP/OAS, the second National Meeting of Indigenous and Maroon Guards was held, bringing together 300 ethnic authorities from all over the country with a view to promoting processes related to Total Peace. The participants discussed their role in current policies and designed a road map for fulfilling the goals of the ethnic chapter of the Final Peace Agreement, related to their own protection systems. In addition, they received training in assessing the work of the guards and the construction of peaceful scenarios in their territories.

For ethnic communities, the implementation of the Total Peace Policy represents an opportunity to overcome violent scenarios in which IAGs threaten the life, liberty, and integrity of their authorities and hinder autonomous decision-making in indigenous reserves and community councils.

In Antioquia, Cauca, Caquetá, Córdoba, Chocó, Guaviare, Nariño, Norte de Santander, and Valle del Cauca, IAGs continued to threaten and attack ethnic authorities and indigenous guards. In particular, the Nasa, Awá, Bari, and Nukak peoples were affected by the actions of different groups.

Within the framework of negotiations, rapprochements, and talks with IAGs, the national government faces the challenge of coordinating with the indigenous peoples all actions and decisions that impact their lives and territories, starting with the design of a participation system based on the particularity and culture of each people to guarantee protection mechanisms, the de-escalation of violence, and respect for their own rights.

In the case of rapprochements with the ACSN, social/legal talks depend on achieving the participation of the Wiwa, Kogui, Arhuaco, Kankuamo, and Wayúu peoples present in the Sierra Nevada de Santa Marta and the department of La Guajira. To that end, MAPP/OAS provided the national government with a guide on the indigenous peoples' own systems as a resource for decision-making.

On the other hand, the lifting of arrest warrants for members of the IAGs who are currently in negotiations, rapprochements, and talks with the national government, has generated discontent within the indigenous peoples because some of these people are involved in judicial investigations for committing crimes against ethnic authorities, and they consider that this could hinder their prosecution.

5. PARTICIPATION AND SOCIAL DIALOGUE

Broad and diverse participation is one of the fundamental pillars of democracy as it includes the collective knowledge of citizens in the construction of public policies, generating trust in their governments and increasing their influence on decision-making.

For the national government, participation and social dialogue continue to be central to the design, construction, and implementation of public policies. For example, as part of the Escazú Agreement, the Ministry of Environment and Sustainable Development included the expansion of citizen participation in environmental decisions. The OACP included a component that relies on strong articulation with civil society under the strategy called Peace Missions⁶³ that seek to mitigate the humanitarian crisis in the territories most affected by the actions of IAGs and consolidate communities' territorial peace projects.

Although some sectors of civil society feel they are consulted, they consider that they have no influence on decision making, so they demand the incorporation of their proposals and the possibility of following up on them.

⁶³ Urgent and immediate intervention is carried out in three stages: preparation and installation; development and implementation; and the deepening and consolidation of permanent inter-agency and integral action to mitigate the humanitarian crisis in the territories most affected by the presence and actions of IAGs.

The creation of a significant number of opportunities for dialogue for the transformation of social conflicts, especially after the signing of the Final Peace Agreement, has led to the dispersion of the participatory process, making it difficult to build consensus and comply with agreements. The national government faces the challenge of identifying sound practices and lessons learned from previous experiences of participation, as well as of honoring the commitments made by previous administrations with various social sectors.

At the end of the third cycle of the dialogue between the national government and the ELN, the parties signed an agreement on the process by which society would participate in forging an agenda of transformations for peace. That involved the inclusion of diverse political, economic, and social sectors leading to a National Agreement to overcome the armed conflict. Responsibility for construction of the methodological proposal for the civil society participation phase is assigned to the National Participation Committee, created in the agreement and made up of 80 members from 30 social movements and organizations, ethnic authorities, trade unions, and institutions.

Strengthening the focus on the centrality of citizen participation represents a significant step in advancing towards more inclusive models of negotiation and peace dialogues. Therefore, participation processes should seek to respect and guarantee the autonomy of the communities' natural forms of organization, as well as consider the sectors that may not be represented in established participation scenarios.

They should also take into account the lessons learned from other negotiations and peace processes, especially with regard to the importance of establishing security guarantees for all those who participate in all stages. For the communities, this would allow them to highlight the problems and challenges they face in their territories without fearing reprisals against their life, liberty, and integrity. This also applies to the various humanitarian processes and strategies such as the Peace Missions promoted by the OACP in the national territory.

After more than a year of inactivity, the first plenary session of the National Council for Peace, Reconciliation, and Coexistence was held on April 11. This, together with the Territorial Councils for Peace, Reconciliation, and Coexistence, constitute a fundamental pillar for citizen participation in the negotiations, rapprochements, and peace talks by incorporating a wide variety of social sectors and being a consultative body of the national government.

At the same time, given the persistence of social conflicts over land between indigenous, Afro-descendant, and peasant communities and the sugar sector, the Norte del Cauca Peace Talks Roundtable (MDNC) has remained active and has come significantly closer to reaching an agreement with the different sectors. Under the leadership of Vice President Francia Márquez and the coordinated work of the Ministry of the Interior, the Ministry of Agriculture and Rural Development, and other government agencies, progress was made in reaching a consensus on the contributions to be made by the institutions involved. In this sense, the holistic approach that addresses both the purchase and delivery of land and the support for productive and social development in the rural areas of the region, respecting the cultural aspects of each population sector and integrating public and private financing, is correct.

The challenges facing the national government in this process are concentrated in three areas. First, to make progress in the prevention of violent acts such as homicides, personal injuries, and damage to productive infrastructure, among others, which persisted as a result of the escalation of tensions over access to land in the region. Second, to build consensus and develop clear and unified communication on the part of the institutions involved given the confluence of a large and diverse number of sectors of society in the MDNC.

And third, to strengthen and support the role of local dialogue bodies, such as the Interethnic and Intercultural Council, so that the communities develop proposals that are taken into account in all phases of the process and that, as far as possible, are integrated into government policies aimed at managing and transforming the conflict.

Reaching an agreement in the northern part of the Cauca would constitute a benchmark for the comprehensive approach to other similar conflicts, as well as a milestone in peace building in the region and a precedent for Comprehensive Rural Reform, particularly given the persistence of armed conflict combined with the implementation of a development model in the midst of uncertainties regarding land use and tenure.

6. IMPACT OF STRATEGIES AND POLICIES FOR PEACE

6.1. Rural Transformation for Peace: Comprehensive Rural Reform (RRI)

The national government strengthened the comprehensive approach and the territorial and environmental governance of point 1 of the Final Peace Agreement on the RRI, through recognition of the peasant population as a subject of special constitutional protection, the creation of the agrarian and rural jurisdiction, as well as the regulatory adjustments incorporated in the PND. Those adjustments include the reactivation of the National Agrarian Reform and Rural Development System and the revision of Implementation Framework Plan (PMI) indicators.

The budget allocation for RRI, which amounts to 82.5% of the total resources allocated to peace,⁶⁴ together with existing institutional arrangements, provide an opportunity to overcome implementation shortfalls, especially those related to the economic integration of the territories, the installation of public goods and services for the effective enjoyment of rights, and the broad and diverse participation of rural communities. A number of political, trade union, and international cooperation sectors have announced their support for implementation of the RRI.

The Ministry of Environment and Sustainable Development moved ahead with its development of a methodology for implementing Participatory Environmental Zoning in Caquetá and Guaviare, as well as with its strategy of using forestry development nuclei to prevent deforestation. These actions, together with campesino forestry concessions and the provision of community facilities and housing in strategic ecosystems, represent progress in the construction of a Comprehensive Peace with environmental governance by campesino and ethnic communities.

Significant additions to the budget,⁶⁵ decentralization, and the application of technology, among others developments, allowed the National Land Agency to deliver land titles covering 641 thousand hectares, the formalization of 240 thousand hectares, and the purchase of 28 thousand of the 70 thousand hectares that the national government expects to acquire in 2023.⁶⁶ Thus, the Ministry of Agriculture and Rural Development launched the Sustainable Livestock Mission strategy for Agrarian Reform, which established financial incentives for the sale of land by the livestock sector, especially the Colombian Federation of Cattle Raisers (FEDEGAN).

This ensures the purchase of land suitable for food production and progress in the modernization of the livestock sector under a model in which it is possible to reforest and have more livestock on less land; this being one of the main challenges of the productive and environmental reconversion of the agricultural sector in Colombia.

Additionally, the strategy for the recovery of unduly appropriated wasteland⁶⁷ and the recognition of peasant territories and agro-food aquatic ecosystems, not only constitute important steps towards meeting the obligations established in the Final Peace Agreement. They also contribute to the objective

⁶⁴ Government of Colombia (2023) "Pluri-annual Investment Plan in the 2022-2026 National Development Plan." P. 11. Available at: <https://colaboracion.dnp.gov.co/CDT/portalDNP/PND-2023/2023-02-06-Plan-Plurianual-de-Inversiones-2023-2026-%28CONPES%29-Comunicaciones.pdf>

⁶⁵ Available at: <https://www.minagricultura.gov.co/noticias/Paginas/Minagricultura-obtuvo-dos-billones-de-pesos-adicionales-para-presupuesto-de-2023.aspx> y <https://www.funcionpublica.gov.co/eva/gestornormativo/documentos/ley-2299-2023-anexo2.pdf>

⁶⁶ Available at: <https://www.ant.gov.co/titulacion-rural-entregada/>

⁶⁷ According to the National Land Agency, the goal for the recovery of wasteland in 2022-2026 is 270,000 hectares.

of reducing poverty⁶⁸ and food insecurity indexes,⁶⁹ as well as closing inequality gaps in rural areas of Colombia.

At the same time, the strategy of the Territorial Renewal Agency for the implementation of 24 high-impact integrative projects, the change in the model for participation based on a citizen oversight approach through municipal community roundtables,⁷⁰ as well as the adjustments for the equitable distribution of resources in the 16 sub-regions with Development Programs with a Territorial Approach (PDET), adoption of internal adjustments to facilitate the contracting of works with the communities and the allocation of 30% of the budget for the implementation of ethnic initiatives,⁷¹ all foster the recovery of trust and a sense of the continuity of the PDETs among local and community authorities.

In addition, the creation of the Land Administration System and the incorporation of the participatory and intercultural approach through indigenous, Afro-descendant, and campesino land managers substantially improve the planning and land management processes. In particular, ethnic and campesino cadastral managers will directly carry out tasks such as the identification of strategic locations for the development of community activities and the identification of conflicts associated with land use and tenure. These changes will facilitate compliance with the goal of implementing the multipurpose cadaster in 80% of the national territory and thus the adoption of evidence-based public policies.

The challenges facing RRI can be grouped under three headings. The first is related to the exercise of control over land by IAGs restricting access by institutions, restricting the participation of communities and local authorities, and extorting fees equal to 10% of the proceeds from the sale of land.

In Catatumbo, illegal armed groups threatened and kidnapped personnel from entities with jurisdiction over the RRI and sometimes stole their vehicles. They also regulated land use and tenure and imposed solutions to land conflicts and irregularly assigned and purchased land in the departments of Arauca, La Guajira, Magdalena, the southern region of Bolívar, and the regions of Bajo Cauca, Urabá Antioquia, and southern Córdoba

The second area is related to the challenge of coordination, regulation, and financing. Still pending is the choice of the national government body or authority that will put together and head the RRI processes and articulate them with the Total Peace policy. In addition, recent changes in approaches and regulatory adjustments require an additional effort in concerted regulation, prompt materialization of objectives, and the provision of the economic resources needed to continue progress with regard to major aspects of the RRI, such as PDETs and land purchase.

And the third area is the methodological challenge of achieving the broad, diverse, and informed participation of campesino and ethnic sectors, at a time when they are being called upon to participate in numerous bodies to address rural development and peace issues.

6.2. Victims and Land Restitution Law

6.2.1. Comprehensive Reparation with emphasis on Collective Reparation

The Victims Unit (UARIV) and the Ministry of Justice and Law⁷² announced the presentation of a legislative initiative to reform the Victims Law (Law 1448/2011),⁷³ with the aim of promoting effective

⁶⁸ In 2022, the Rural Multidimensional Poverty Index was 27.3, tripling that of urban centers (8.7). <https://www.dane.gov.co/index.php/estadisticas-por-tema/pobreza-y-condiciones-de-vida/pobreza-multidimensional>

⁶⁹ In 2022, 33 out of every 100 rural households experienced moderate or severe food insecurity. <https://www.dane.gov.co/files/operaciones/FIES/bol-FIES-2022.pdf>

⁷⁰ These provide an opportunity for dialogue regarding implementation of the PDET that brings together different social and community viewpoints including representatives of core groups (*delegados de grupo motor*), ethnic authorities of the municipality, community members, youth, women, victims, reincorporated persons, dissidents, sexually diverse people, and persons with disabilities.

⁷¹ Exceptionally, 199 PDET initiatives agreed upon with the Jiw and Nukak indigenous communities of the Macarena Guaviare subregion were added during the period.

⁷² The Land Restitution Unit (URT), the National Center for Historical Memory, the National Roundtable for the Effective Participation of Victims and the Special Transitory Peace Circumscriptions have joined this legislative initiative along with various leaders and other entities.

⁷³ Extended in Act 2078 of 2021

progress in the administrative reparation process. The initiative would include strengthening the National System of Care and Comprehensive Reparation to Victims, coordinating with the entities created by the Final Peace Agreement, recognizing a growing number of people affected by the armed conflict, establishing sources of funding, and creating a strategy to overcome the Unconstitutional State of Affairs, among other prioritized issues.

The process constitutes an opportunity to consolidate a proposal consistent with the requests of the victims that contributes to the effective enjoyment of their rights, avoids regression, and proposes solutions in key matters, such as differential approaches, nation-territory articulation, and collective reparation.

In addition, the PND considered the Comprehensive Collective Redress Plans (PIRC) as one of the complementary instruments⁷⁴ for implementing National Sectoral Plans in an articulated vision of RRI. The objective of the national government is to overcome the lag in the processes with the greatest impact on the reparation and reconstruction of people's lives and prospects, with the victims being differential actors for change under a model of concerted formulation and prioritized implementation for the PIRCs.

The persistence of the armed conflict and the delay in complying with the collective reparation roadmap continued to cause distrust in the institutional framework, disincentives for participation, and administrative costs that constituted a barrier to reparation and transformation. In particular, in the damage diagnosis or damage characterization phase, in some cases, the information provided by the groups was limited due to fear of retaliation by the IAGs, which led to inaccuracies in the base documents and, consequently, in the PIRC.

The subjects of collective reparations in El Tigre and Tierra Candela in Bojayá in Chocó noted that at the damage diagnosis phase they did not have sufficient security guarantees to report the loss of their community house and plan a consequent reparation measure. Now, the ethnic community is requesting completion of the damage diagnosis and modification of the PIRC. These types of requests are not contemplated in the administrative roadmap and attending to them would entail additional financial costs.

During the 2021 - 2023 period, the UARIV managed to include representatives of groups entitled to collective redress in the Roundtables for Effective Participation of Victims. Although this strengthened the political dimension of the collectives in the Reparation Model, the representation experience did not meet the victims' expectations of advocacy, which is why they demand a direct relationship with the UARIV's Collective Reparation and Participation Subdirectorates. One immediate challenge for the entity is therefore providing an institutional response that proposes alternatives for collective participation.

As part of the collective reparation process for the Community Action Organizations, autonomous elections were held to change their board of directors, and the Ministry of the Interior carried out a Community Unified Command Posts for Life (PMUV) operation and reactivated the Community Security Committees. Community work in the territories was impacted by homicides, threats, forced displacements, and other acts perpetrated by IAGs. In this scenario, the challenge is still to propose a timely response in terms of prevention, protection, and investigation in order to ensure non-repetition.

6.2.2. Restitution of lands and territories

The Land Restitution Unit (URT) installed the Permanent Roundtable of the Campesinos Roadmap (*Mesa Permanente de Trabajo de la Ruta del Campesinado*), one of its main strategies being to advance in the comprehensive reparation of this group entitled to special constitutional protection. This is based on the premise that the land dispossession caused by the armed conflict had a negative impact on its

⁷⁴ Together with the Regional Transformation Action Plans (PATR), Substitution and Alternative Development Plans (PISDA), and Return and Relocation Plans (PRR).

political project and, consequently, the restitution process should implement measures aimed at its restoration.

Twelve years after the beginning of the land restitution policy, the URT made progress in the design of a proposal to incorporate collective criteria in the individual requests presented by the campesino population, based on the experience of the ethnic roadmap. This would entail filing a single restitution claim for a group of properties and claimants with similar geographic, cultural, and productive characteristics, with the direct participation of authorities of, inter alia, the Campesino Reserve Zones and Community Action Boards.

This change of focus is reflected in the proposed adjustment to the Institutional Strategic Plan,⁷⁵ which includes actions that seek to support judicial decisions and their enforcement, while respecting judicial independence and the autonomy of other State institutions.

For the implementation of the land restitution policy, the URT expanded its interpretation of contexts allowing for entry into areas with complex security conditions, especially those that have not had intervention. In so doing, the Social Directorate designed tools to consult local institutions, international organizations, and communities on their perception of security, in addition to assessing information from the security forces.⁷⁶

The strategy yielded specific results in Cúcuta in Norte de Santander, where the URT reactivated 22 applications after two years without actions on the ground. In the southern region of Córdoba, it issued resolutions for the opening of new microzones and lifted the suspension in places where there had been no intervention for more than a year, thereby activating more than 100 applications. In addition, the entity identified new scenarios for access to areas of difficult access in Cauca, Córdoba, and the Magdalena Medio region.

For its part, in the 2023 fiscal year, the URT has made institutional adjustments in order to comply with court orders within the framework of the Post-judgment, in favor of indigenous, Rom, Black, Afro-Colombian, Raizal, and Palenquero peoples and communities.

7. WOMEN, PEACE, AND SECURITY AGENDA (MPS AGENDA)

The Ministry of Equality and Equity,⁷⁷ through the Vice-Ministry of Women, will pursue effective application of the differential, intersectional, and gender approach in the Final Peace Agreement, including the bodies derived from it.⁷⁸ In addition, the PND incorporated approximately 25 courses of action (*líneas*) related to the MPS Agenda, including the Total Peace policy. Its implementation will require the strengthening of gender institutions in all government sectors, the deployment and expansion of the coverage of programs with specific budgets, as well as the design and monitoring of local and national indicators of a multisectoral nature.

Likewise, the Security, Defense, and Citizen Coexistence policy, under the human security perspective, seeks to guarantee the participation of women and the incorporation of the gender and diversity agenda in security matters and the mainstreaming of differential approaches, as well as to increase their institutional capacities.

Compared with previous international experience of the MPS Agenda, the construction of the National Action Plan of Resolution 1325 of 2000 (PAN R. 1325) showed certain novel aspects, such as significant participation by civil society, an emphasis on domestic policy, and efforts to achieve

⁷⁵ The document Strategic Change Plan URT 2023-2026 ("The Law and competence 'harmonized' with what, for the victims, their community authorities, and their organizations is Legitimate as a condition for effective restitution") proposes changes in the entity's mission model with a single focus: comprehensive territorial restitution.

⁷⁶ Decree 599 of 2011 establishes that the decision-making body for the opening or reopening of microzones is the Local Operating Committee for Restitution -COLR, with information provided by the Integrated Intelligence Center for Land Restitution- CI2RT.

⁷⁷ Congress of the Republic (2023). Law 2281 of 2023 "Whereby the Ministry of Equality and Equity is created and other provisions are enacted"

⁷⁸ Decree 1075 of 2023 of the Administrative Department of the Civil Service "Whereby the structure of the Ministry of Equality and Equity is adopted, and other provisions are issued."

intersectionality. In spite of the above and in view of the pedagogical efforts to bring civil servants closer to the process,⁷⁹ the current phase faces the challenge of involving the relevant institutions within the timeframe foreseen by the national government for formulating the policy.

The objective of converting NAP R. 1325 into a State policy requires guaranteeing the budgetary commitment of the national entities responsible for its effective implementation in the short, medium, and long term and the technical clarifications needed for its incorporation into institutional strategic planning instruments. It also requires bringing the gender and peace budget guidelines of the NDP into line with the follow-up and monitoring of the execution of NAP R. 1325 to ensure coherence, concurrence, and complementarity. These measures will avoid duplication of institutional functions, lack of coordination between the different levels of government, and the erosion of opportunities for intersectoral coordination.

Implementation of the gender measures of the Final Peace Agreement in the areas affected by the armed conflict is still lagging behind. In this regard, the Special Women's Body of the Commission for Follow-up, Promotion, and Verification of Implementation held working sessions in some PDET municipalities.⁸⁰ However, it still does not have the guarantees⁸¹ it needs for the exercise of its role at the national and territorial level, nor to fulfill its purpose of strengthening its relationship with local women's organizations.

The national government is moving forward with the reformulation of the Comprehensive Program of Guarantees for Women Leaders and Defenders and announced the expansion of its coverage. For its part, the Public Prosecutors' Office is deploying strategies for prevention and vigilance in the face of gender-related risks for women and women defenders.⁸² However, this has yet to materialize as an effective response to the cases of individual and collective threats against women leaders and defenders in the departments of Arauca, Cauca, Chocó, Norte de Santander, and Valle del Cauca; the Pacific region of Nariño and the district of Buenaventura.

At the same time, the Congress of the Republic approved the Law to Prevent and Punish Violence against Women in Politics⁸³ and the Presidential Advisory Office for Women's Equity, together with the Ministry of the Interior and the Gender Roundtable of International Cooperation, are deploying the strategy "More Women, More Democracy."⁸⁴ However, there were incidents of violence against women in politics in regions such as Magdalena Medio, Northeast Antioquia, and Catatumbo, indicating a lack of comprehensive security guarantees for pre-candidates for the 2023-2027 local elections to be held in October.

Despite the reinstallation of the Comprehensive Security System for the Exercise of Politics and the National Commission for Security Guarantees (CNGS), none of the gender body of these mechanisms have been reactivated, and there is a delay in the incorporation of a gender perspective in the design of

⁷⁹ As a pedagogical measure, the Inter-American Commission of Women (CIM/OAS), the Presidential Council for Women's Equity (CPEM), the Ministry of Foreign Affairs of the Government of Colombia, and the Mission to Support the Peace Process (MAPP) of the Organization of American States (OAS), organized for national institutions the course entitled "The Agenda for Women, Peace, and Security in Colombia: Towards an Inclusive National Plan".

⁸⁰ MAPP/OAS lent its assistance to the work being done by the Special Women's Body of the CSIVI in Montería in Córdoba, Ocaña in Norte de Santander, and Mocoa in Putumayo.

⁸¹ The guarantees required by that body have to do with regulations that grant stable public financing, in addition to, international cooperation resources; as well as fluid dialogue with the government's High-level Body on Gender Issues in regarding the definition of the gender measures contained in the Final Agreement that will be implemented during this four-year term.

⁸² The Procurators-General's Office (*Procuraduría General de la Nación*), through the strategy "On Behalf of Women (ProMujeres): A Procurator-General's Office committed to women," seeks to contribute to overcoming violence based on sex and gender, including the risk faced by women victims of the armed conflict, women human rights defenders, and women in territories most affected by the armed conflict.

⁸³ Conciliation Report of the Statutory Bill Number 06 of 2022 of the Senate, joined with the Bill Number 95 of 2022 of the Senate, 109 of 2022 of the Senate, and 320 of 2022 of the House "Whereby measures are established to prevent, address, reject, and punish violence against women in politics and to make effective their right to participate at all levels and other provisions are enacted." Congressional Gazette, June 13, 2023.

⁸⁴ The "More Women, More Democracy" strategy to strengthen women's political participation includes multi-party advocacy actions, a Political Training School for Women Candidates offering, inter alia, the Diploma Course "On Parity", conducted in partnership with the Escuela Superior de Administración Pública (ESAP) and completed by 709 women; as well as publicity covering women candidates for the 2023-2027 local elections.

the policy to dismantle organized crime. On the other hand, the Government's High-level Body for Gender resumed its work and, together with the Peace Agreement Implementation Unit of the OACP and with the support of the DNP, faces the challenge of redefining the gender measures of the Implementation Framework Plan (PMI) to be executed during the current administration.

As a result of the third cycle of the Peace Talks Roundtable between the national government and the ELN, the parties called on a number of women's platforms and organizations to form the National Participation Committee and established parity throughout the process. Women were also appointed to the ELN's Peace Management Team. In contrast, the other negotiation processes, dialogues, and approaches to IAGs lack clarity regarding women's participation and strategies to make the MPS Agenda effective, politically and operationally.

8. DEVELOPMENTS IN BORDER AREAS

The national government strengthened diplomatic relations with the Bolivarian Republic of Venezuela,⁸⁵ promoted strategies to contribute to safe and organized migration to North America, and made progress in binational proposals with Ecuador, Peru, and Panama to improve border security conditions.⁸⁶ In addition, Migración Colombia and other competent entities continued to combat migrant smuggling and human trafficking.⁸⁷

With respect to the implementation of the Temporary Protection Statute for Venezuelan Migrants, Migración Colombia adopted a change of focus that led to the prioritization of strategies to encourage greater commercial openness and economic exchange and the reduction of humanitarian assistance to the migrant population. However, Colombian communities in the border areas of Arauca, La Guajira, Nariño, and Norte de Santander considered that these actions failed to stimulate local trade and led to the loss of jobs, shortages, and inflation of higher basic foodstuff prices, which meant that xenophobic discourse continued.

Migratory dynamics showed changes related to the departure of Venezuelan nationals from Arauca, Meta, Norte de Santander, and Putumayo to the border with Panama, Ecuador, or Venezuela, as well as the arrival of Venezuelan migrants to the Catatumbo region and the Metropolitan Area of Cúcuta with a view to becoming involved in coal extraction activities, and the departure of coca leaf collectors from Putumayo and Norte Santander to Ecuador and Venezuela.

Despite the normalization of bilateral relations with Venezuela, the use of unauthorized crossings, the perception of institutional corruption, smuggling, extortion, and security risks for the population that crosses or resides on this border continue. For their part, IAGs maintained checkpoints and used the territories located on the borders with Ecuador, Panama, and Venezuela as rearguard zones or to evade state actions.

In Antioquia, Arauca, Cauca, Cesar, La Guajira, Magdalena, Nariño, Norte de Santander, Putumayo, and Valle del Cauca, the Venezuelan population continued to be victims of homicides, threats, forced displacement, and kidnappings as part of the social control exercised by IAGs. In particular, the women were killed because they were identified as informants, partners of IAGs members, or in charge of selling illicit drugs for one or other of the groups. They were also victims of trafficking for sexual exploitation in Arauca and Norte de Santander.

⁸⁵ In May 2023, the countries created the Commission for Neighborhood and Integration between Colombia and Venezuela and opened consulates in both nations.

⁸⁶ Such as the tripartite meeting in Panama City on April 11, 2023 between Colombia, Panama, and the United States, Colombia's interventions at the High-level Meeting on Human Mobility and Development in Latin America and the Caribbean, and the VII Summit of the Community of Latin American and Caribbean States (CELAC).

⁸⁷ Migración Colombia and the Attorney General's Office carried out a simultaneous operation in seven cities in the country that resulted in the dismantling of an organization dedicated to the smuggling of migrants. In addition, Colombia worked on the legislative process to accede to the Protocol against the Smuggling of Migrants by Land, Sea, and Air and made progress in consolidating the Action Plan of the new National Strategy to Combat the Smuggling of Migrants. For their part, control mechanisms such as the Procurator-General's Office and the Ombudsman's Office have issued recommendations to State entities related to the management of the migratory phenomenon and humanitarian crises through preventive reports and Binational Early Warning 014 of 2023: (Colombia-Panamá).

Local authorities continue to be concerned about the appearance of lifeless bodies of foreigners with signs of torture on the borders of Nariño and Norte de Santander. In addition, in these departments and in Arauca, IAGs use children, adolescents and young migrants for the sale and trafficking of illicit drugs, for surveillance tasks and for extortion.

9. DYNAMICS ASSOCIATED WITH ILLICIT CROPS AND DRUG TRAFFICKING⁸⁸

The national government stated in the PND that guaranteeing better socioeconomic conditions and the dismantling of multi-crime structures will be the main axes in the fight against illicit drug trafficking. For the latter purpose, the security forces will prioritize the control of inputs for processing, the destruction of production infrastructure, and forced eradication of industrial crops.⁸⁹

The Ministry of Justice and Law made progress in the compilation of inputs for the construction of the 2023-2033 National Drug Policy "Sowing life we banish drug trafficking", through inter-agency roundtables and the development of 26 territorial bases (*espacios consultivos*) in eight of the regions most affected by drug trafficking.⁹⁰ The result of this process was the formulation of a policy that focuses on the "oxygen" and "suffocation" (*asfixia*) pillars. While the first pillar targets territories and communities that have been affected by the illegal drug market and seeks to contain and reduce illicit crops and drug production through the economic reconversion of these areas, the suffocation pillar seeks to strengthen military and police efforts against the strategic nodes of the criminal system.

Regarding the Comprehensive National Program for the Substitution of Illicitly Used Crops (PNIS), expectations persisted regarding the elimination of operators and progress in the direct contracting of communities for implementation of the program's components. In addition, there are still challenges related to generating intervention strategies to solve possible irregularities in the delivery of inputs needed for each investment plan.

The Directorate for the Substitution of Illicit Crops also made progress with the Zero Hunger Agriculture program, which seeks to offer agricultural support to vulnerable families in coca-growing areas of Norte Santander, Cauca, Putumayo, Nariño, and Bajo Cauca in Antioquia.⁹¹ This was welcomed by those families, as was the announcement of the design of other programs for productive reconversion and collective industrialization contemplated in the PND for the territories with coca leaf, poppy, and marijuana crops.

At the same time, the hampering of cocaine basic paste marketing (*represamiento de la PBC*) identified a year ago continues to generate a decrease in the circulation of money, which has impacted the supply of food to households and led to a decline in the sale of goods and services. This happened at a time when, according to the latest report of the Integrated Illicit Crop Monitoring System (SIMCI), in 2022 Colombia recorded an increase of 12.7% in the area planted compared to 2021 and a 24.14% increase in potential production in the same period. In Catatumbo, people bartered PBC for basic necessities, which in turn limited the flow of money to resupply commercial establishments. In the northern and Bajo Cauca regions of Antioquia, the population opted to stockpile PBC in the face of an eventual normalization of trade and is considering autonomous processes of substitution of illicit crops through plantations such as coffee.

The actions of the IAGs changed in some areas and presented different patterns, ranging from a ban on continuing illicit crops to the imposing of demands that the population continue to be linked to drug trafficking.

⁸⁸ This is construed to mean the phenomenon related to the planting of illicit crops, their processing, the production of illicit drugs, and subsequent activities related to transportation, marketing, and the involvement of IAGs and mafias.

⁸⁹ The National Narcotics Council has not yet defined what constitutes an industrial crop.

⁹⁰ The regions were Atlántico, Catatumbo, Meta - Guaviare, Putumayo - Caquetá - Amazonas, Sur Occidente, Eje Cafetero, Bajo Cauca Antioqueño, and Sur de Bolívar.

⁹¹ This strategy involves, inter alia, the Administrative Department of the Presidency of the Republic and the Territorial Renewal Agency through the Directorate for the Substitution of Illicit Crops (DSCI). The DSCI has decided to allocate COP\$2,000,000 of the pending components, most of which corresponds to the long-cycle project, to the coca-growing areas.

In the department of Chocó and the Catatumbo region, illegal armed groups prohibited the planting of coca leaf crops in order to prevent other IAGs from financing themselves through this illegal economy. Particularly in the Catatumbo region, they insisted on the installation of illegal checkpoints to prevent the entry of unauthorized PBC buyers, while in Valle del Cauca they forced farmers to replace illicit crops with basic food crops and established fines for non-compliance.

In the south of Bolívar, some families reduced the hectares dedicated to illicit crops and increased the sowing of agricultural products to avoid extortion due to the territorial dispute between IAGs. In Nariño, under this same scenario and in addition to their interest in controlling drug trafficking routes, the illegal armed groups prohibited the entry of agrochemical inputs for the transformation of PBC into cocaine hydrochloride; as a result, the people dedicated to processing left the area in search of new sources of income.

Conversely, in Guaviare IAGs imposed norms to maintain the planting of illicit crops, indicating the number of hectares to be devoted to these plantations on each farm, while in Meta they allowed deforestation to adapt land to grow coca bushes. In Putumayo, they surveyed the number of hectares of illicit crops on each property and from this calculated the production potential, in order to control the commercialization of PBC and impose fines when it is sold to unauthorized persons. This reflected their interest in maintaining control over the routes to the interior of the country and also to Ecuador and Peru, where the processing infrastructure would be located.

10. COMPREHENSIVE SYSTEM FOR TRUTH, JUSTICE, REPARATION, AND NON-REPETITION (SIVJRNR)

10.1. Clarification of the Truth

To guarantee the right to truth and memory and to contribute to non-repetition and peace, in the first half of 2023 the Truth Commission (CEV) designed three channels to access information publicly and safeguard the data collected before its liquidation. Access to this transmedia information is open and permanent and is hosted by the University of Notre Dame. The Documentary Fund administered by the General Archive of the Nation is owned by the Special Jurisdiction for Peace (JEP) and the Federal Council of Switzerland approved the agreement on the preservation of the archives in an encrypted copy to prevent deterioration or loss of information.

The Follow-up and Monitoring Committee for the Commission's recommendations relies on the Network of Allies and some former members of the Commission for the Clarification of the Truth, Coexistence, and Non-Repetition (CEV) to mobilize The Legacy, so that the Final Report continues to reach the most remote areas affected by the armed conflict. Social networks facilitated the dissemination of events and the circulation of documents such as: the booklet on the systematization of coexistence experiences, pedagogical resources for The Legacy,⁹² forums for debate⁹³ and the improbable dialogues, to mention some of the products⁹⁴ regularly used in pedagogical work on the findings and recommendations.

Although the recommendations contained in the Final Report were not explicitly incorporated into the PND, as proposed by the CEV, the national government's commitment to implement the Final Peace Agreement means that around 50% of the recommendations made by the Commission will be adopted. This poses a challenge for the various political forces represented in Congress.

The Colombian State faces the immediate challenge of designing national and territorial strategies to deepen and publicly discuss the findings of the CEV in order to reduce the lack of knowledge of The

⁹² Available at: Soy Aliado de la Verdad (I am an Ally of Truth) <https://drive.google.com/drive/folders/15H2XZxTkPV5YoRgYjyKGIWBQzi5LTIKQ>

⁹³ Available at: <https://conversacionesdeverdad.com/>

⁹⁴ Especially notable are the documentation of lessons learned in connection with transitional justice, the custom of reading the report out loud, and the transmedia pedagogical primer.

Legacy and achieve the incorporation of the recommendations in municipal and departmental development plans, by urging territorial authorities to adopt them.

10.2. Search for Missing Persons

The creation of the National Search System (SNBPD) in the PND constitutes an advance in the right to truth, comprehensive reparation for victims of forced disappearance, and guarantees of non-repetition. The Unit for the Search for Missing Persons (UBPD), the Ministry of Justice and Law, and civil society organizations helped gather proposals for its regulation through five face-to-face forums⁹⁵ and the dissemination of a virtual form. The challenges facing the SNBPD are i) to formulate a comprehensive public policy to address, prevent, search for, and identify persons reported missing due to and in the context of the armed conflict, including victims of forced disappearance; ii) to promote and follow up on the National Search Plan; and iii) to strengthen existing synergies and create relevant synergies rooted in the country's institutions.

The Unit for the Search for Missing Persons (UBPD) conceives the participation of individual victims' families and their organizations as an integral and energizing process, including those who search for their relatives from abroad. For the latter, the entity has developed spaces for pedagogy⁹⁶ and genetic sampling.

This participatory approach has been pursued in Regional Search Plans⁹⁷ and Operational Plans, achieving the participation of nearly 2,000 people and approximately 200⁹⁸ organizations in the first half of 2023. For its part, the UBPD strengthened the Support Network⁹⁹ and made progress with the incorporation of the Technical Guidelines for Ethnic and Gender Differential Approaches at all stages of the process,¹⁰⁰ as well as with the development of protocols for relations and coordination with indigenous, black, Afro-descendant, Raizal, and Palenquero communities.

The UBPD signed an agreement with the UARIV for the interoperability of information systems and updating of the Single Registry of Victims in order to avoid duplication of efforts, as well as the possible re-victimization of family members in the delivery of information. For its part, together with the Internal Working Group for the Search, Identification and Surrender of Disappeared Persons (GRUBE) of the Attorney General's Office (FGN), it held four technical roundtables¹⁰¹ in which they analyzed nearly 160 cases and promoted dignified deliveries. And, with the National Institute of Legal Medicine and Forensic Sciences (INMLCF), it achieved progress in a project to strengthen capacities and resources in the identification of bodies (which is where the new excerpt begins). Finally, with the JEP, it continued the joint work of intervention in places where victims are presumed to have been buried.

Additionally, the UBPD coordinated with the JEP the incorporation of humanitarian search actions in its own sanctions and in the Tasks, Works, and Actions with Restorative Reparation Content (TOAR),¹⁰² in the regions of Urabá and Sumapaz. It also updated the criteria applicable to the steps to be taken for accreditation of contributions of information for the search by those who committed or

⁹⁵ Forums in which the Unit applied the "Café del Mundo" methodology with international organizations, the Technical Roundtables on Gender and Child Assistance Issues, human rights organizations, organizations of family members, and with State entities.

⁹⁶ The Victims' Satisfaction Measures Committee has participated in these forums, in which the UARIV, the URT, the JEP, the National Historical Memory Center, and the Ministry of Foreign Affairs have also participated.

⁹⁷ In February 2023, the Participation Roadmap of the Regional Search Plans and the "Strategy for participation and incorporation of differential, ethnic, and gender approaches in the search for persons reported missing in the context and due to the armed conflict" were approved.

⁹⁸ UBPD (2023), "Respuesta al oficio con solicitud de logros" (Response to the Official Letter requesting notification of achievements).

⁹⁹ This network is built through partnership agreements between UBPD and international, national and local civil society organizations.

¹⁰⁰ The moments of the search process, which do not occur in a linear fashion, include i) information, ii) prospection (location and georeferencing of sites of forensic interest, iii) identification (taking of samples), iv) dignified delivery (of the remains of missing relatives). Reunions are also the result of the search process.

¹⁰¹ The technical roundtables establish the conditions for access to and provision of information between the FGN, the UBPD, and the INMLCF.

¹⁰² The UBPD made progress in the formulation of guidelines so that the TOARs can include actions for each of the four moments of the search.

knew of forced disappearances in the context of the armed conflict¹⁰³ and defined the scope of this contribution, as well as the mechanisms for issuing certificates and accreditations in each case. However, pedagogical work still needs to be done with these people on the humanitarian and extrajudicial nature of the search process, in order to achieve a favorable scenario for the identification of information of interest.

The UBPD, in coordination with the Ministry of Foreign Affairs, made progress in identifying sites of forensic interest for the search of victims of forced disappearance on the borders with Brazil, Ecuador, Panama, and Venezuela.

One of the challenges facing the UBPD is continuing to perform its functions in the midst of the IAGs' actions.¹⁰⁴ In Caquetá, the UBPD postponed the development of prospecting activities to search for at least six victims of forced disappearance after the suspension of the CFBTN between the national government and the FARC-EP Central General Staff. In addition, the Corebajú indigenous community has suspended its contacts with the entity, as well as other tasks related to compliance with the Final Peace Agreement, following acts of intimidation against them by IAGs.

In Cumbal in Nariño, the UBPD postponed its plan to initiate educational activities with the indigenous authorities of the Mayasquer Resguardo due to the actions of illegal armed groups. In Putumayo, the territorial dispute between IAGs hindered the scheduling of three reunions and intervention in community cemeteries in consultation with indigenous communities.

10.3. Special Jurisdiction for Peace (JEP)

The JEP, through the Chamber for the Recognition of Truth, Responsibility, and Determination of Facts and Conduct, in territorial macro-cases 02 and 05, which prioritize the territorial situation of northern Cauca, southern Valle del Cauca, and the Nariño municipalities of Tumaco, Ricaurte, and Barbacoas, made decisions related to the legal qualification and attribution of responsibility of those appearing before the JEP considered to be the most responsible or determining participants for planning, ordering, facilitating, and/or committing war crimes and crimes against humanity.¹⁰⁵

The Recognition Chamber (*Sala de Reconocimiento*) found the participants responsible for the reproduction of "models of ethnic-racial domination" against the Nasa, Misak, Kokonuco, Yanakona, Kisgo, Ambaló, Inga, Eperara Siapidara, Totoró, and Inkal Awá indigenous peoples, as well as against the black and Afro-Colombian communities of Cauca, Nariño, and Valle del Cauca. The rulings drew attention to the fact that the actions were aimed at disrupting organizational processes, disregarding their autonomy, and imposing persecution and social control methods.

In addition to the above, the JEP recognized the victimization of ethnic territories as subjects of rights due to spiritual damage, the weakening and displacement of protective spirits, the desecration and destruction of sacred sites, and the disruption of the ancestral, natural, and cultural order.

These rulings constitute an important precedent for transitional justice, by taking the ethnic jurisdictional authorities into account in decision-making, in a context in which both jurisdictions had guarantees and an opportunity to learn. The intercultural and interjurisdictional dialogue, backed by the MAPP/OAS, was perceived by the ethnic authorities and victims as a restorative scenario for rebuilding the social fabric and contributing to the recognition of their rights and participation. This experience

¹⁰³ Including those appearing before the JEP and Justice and Peace applicants.

¹⁰⁴ It should be noted that, although some search actions have faced challenges related to the presence of illegal armed groups and contexts of armed confrontation in the territories, thanks to the construction of humanitarian corridors with the Office of the High Commissioner for Peace (OACP), the UBPD has been able to enter complex territories. An additional strategy reported by the entity has consisted in the construction of humanitarian access routes with the help of social and ethnic organizations, and community and church leaders, as well as with the help of searching families.

¹⁰⁵ Forced displacement, confinement, threats, homicides, installation of MAP/MUSE, forced recruitment, use and abuse of children and adolescents, imposition of de facto measures, forced disappearance, violence and sexual slavery, destruction of the environment, and of cultural property and places of worship were all analyzed.

provides an opportunity for the JEP to replicate these practices in macro-cases that include an ethnic component.

In relation to macro-case 03 on "murders and forced disappearances presented by State agents as casualties in combat," the JEP held a public acknowledgement hearing in the Las Mercedes cemetery in Dabeiba, Antioquia, in which eight members of the security forces accepted their responsibility and explained how the pattern of macro-criminality developed. In this way, the process was able to overcome years of impunity and, in some cases, provide victims with certainty about the whereabouts of their relatives and an understanding of how the events occurred. The JEP prepared this public hearing in private meetings over the course of several months, thus not only avoiding re-victimization, but also initiating a collective process of reconciliation.

In addition, former commanders and members of the AUC went to the JEP to request an eventual appearance. Some of them have been excluded from Justice and Peace and others are seeking greater procedural safeguards and physical security, given the information they could provide about their possible relationship with the security forces. This points to the need for greater synergy between the JEP and Justice and Peace in order to achieve a single judicial narrative at the national level and fill the temporal and behavioral gaps that Justice and Peace has due to exclusions and non-applications.

11. RECOMMENDATIONS

11.1 To the Office of the High Commissioner for Peace

11.1.1 Within the framework of negotiations, rapprochements, and talks with IAGs:

- a. Propose the identification of areas contaminated by MAP, MSE, and Explosive Traps (TE), as well as agreements that guarantee the security of humanitarian demining organizations for conducting clearance operations in the most affected areas of Antioquia, Bolivar, Cauca, Chocó, Nariño, Norte de Santander, Valle del Cauca, particularly in the regions of Catatumbo, Telembí, Sanquianga, San Juan river, south of Bolivar, and the districts of Tumaco and Buenaventura.
- b. Propose the exclusion of children and adolescents from all phases of the armed conflict (from first to last), establishing special arrangements for their care and protection. This is part of the institutional preparation for the adoption of regulatory, institutional, and operational adjustments that allow the reestablishment of their rights, their comprehensive reparation, and their due transition to reincorporation or reintegration with differential psychosocial support.
- c. Design a specific strategy that allows for the inclusion of, and respect for, communities' natural and autonomous forms of organization, as well as those of sectors that might not be represented in the participation processes related to Total Peace. Likewise, guarantee the participation of ethnic authorities, based on the particularity and culture of each people (*y su sentido intercultural*) in relation to others.
- d. Incorporate in the ceasefires a concrete definition of prohibited acts against the civilian population and guarantees for the entry of the institutions in charge of humanitarian assistance and implementation of the Final Peace Agreement. In addition, in the case of ethnic communities, ensure respect for the Government and their own justice.
- e. In coordination with the Ministry of the Interior and the Ministry of Defense, establish, in agreement with the communities, a way in which they can access the offer of prevention and protection focused on providing security guarantees for those who participate in these processes.
- f. Advance in the achievement of thematic agendas for non-repetition, seeking legal security for victims and perpetrators, contemplating concrete humanitarian actions, generating transition scenarios, and overcoming the cycles of violence in neighborhoods and communities.
- g. Move ahead, with as much consensus as possible, with the definition of the parameters governing litigation (*judicialización*) and conditions governing the submission and dismantling

of illegal groups, contemplating compliance with national and international standards of legal treatment and guarantees of victims' rights.

11.2 To the Ministry of Foreign Affairs, the Ministry of Equality and Equity, and the Presidential Advisor's Office for Women's Equality

Strengthen the OACP's role as the Unit for Implementing the Peace Agreement, the Ministry of National Defense, and the National Planning Department within the construction process of the NAP R. 1325 to ensure that harmonization, concurrence, and complementarity between policies meet the technical and budgetary standards required for implementation of the MPS Agenda as a State Policy.

11.3 To the Ministry of Agriculture and Rural Development

In coordination with the OACP, the Ministry of the Interior, and the Ministry of the Environment and Sustainable Development, establish an institutional body with the capacity to lead and integrate the Total Peace policy and the citizen participation and consensus-building processes derived from the RRI, in order to direct institutional efforts and investment for inclusive rural development.

11.4- To the Ministry of the Interior

Strengthen the Community Security Committees to provide guarantees to the Community Action Organizations as an essential element for their collective reparation, including the competent institutions for prevention, protection, and investigation, establishing competent mechanisms in the regulations in force, and generating actions designed to follow-up on and evaluate the measures implemented.

11.5 To the Office of the Presidential Advisor for Human Rights and International Humanitarian Law and the Colombian Institute of Family Welfare

Strengthen attention to children and adolescents who are victims or at risk of forced recruitment, use, abuse, or sexual violence, through the creation of an immediate contact channel, operating 24 hours a day and with personnel trained in assisting populations, in the provision of psychological first aid, in existing roadmaps for disengagement and prevention.

11.6 To the Administrative Unit for the Management of the Restitution of Dispossessed Lands (*Unidad Administrativa de Gestión de Restitución de Tierras Despojadas*)

Define and establish guiding criteria for advocacy strategies in court rulings and the ways in which the entity expects to ensure effective compliance with restitution rulings. The latter can be achieved by strengthening harmonious collaboration with the National System for Comprehensive Attention to Victims, the Comprehensive System for Peace, and the judicial branch, taking care to respect independence in each case.

11.7 To the Missing Persons Search Unit

Strengthen pedagogical actions with those who committed or knew about forced disappearances in connection with the armed conflict, such as those appearing before the JEP and those who have been charged before Justice and Peace, on the humanitarian and extrajudicial nature of the search process in order to achieve a favorable scenario for the collection of information of interest.

11.8 To the Special Jurisdiction for Peace

11.8.1 Continue promoting intercultural and interjurisdictional dialogue scenarios in macro-cases that include an ethnic component, understanding the specific and particular contexts that a multiethnic and multicultural State requires.

11.8.2 Continue to promote coordination with the Justice and Peace jurisdiction to clarify the facts and guarantee the rights of victims with an intersectional differential (especially ethnic, gender and age) approach.

11.9 To the National Penitentiary and Prison Institute

Regulate the way prison roundtables work so that persons deprived of liberty related to IAG can create scenarios for dialogue, strengthen their capacities for conflict transformation, develop entrepreneurial initiatives for finding a job once they are released, and implement restorative justice practices.

LIST OF ACRONYMS AND ABBREVIATIONS USED IN THE REPORT

ACSN - Autodefensas Conquistadoras de la Sierra Nevada (Conquering Self-Defense Forces of the Sierra Nevada)
AEI - Improvised Explosive Devices.
AETCR - Former Territorial Spaces for Training and Reincorporation.
AGC - Autodefensas Gaitanistas de Colombia.
MPS Agenda - Women, Peace and Security Agenda.
ANT - National Land Agency.
ARN - Agency for Reincorporation and Normalization.
ART - Agency for the Renewal of the Territory.
AUC - United Self-Defense Forces of Colombia.
CEV- Commission for the Clarification of the Truth, Coexistence, and Non-Repetition.
CFBTN - Bilateral and Temporary National Ceasefire.
CIPRAT - Intersectoral Committee for a Rapid Response to Early Warnings.
CIPRUNNA - Intersectoral Committee to Prevent the Recruitment, Use, Abuse, and Sexual Violence Against Children Including Adolescents.
CITREP - Special Transitory Peace Circumscriptions.
CNGS - National Commission for Security Guarantees.
CPEM- Office of Presidential Counsel for Gender Equality.
CSIVI - Implementation, Follow-up, Promotion, and Verification Commission.
DDR - Disarmament, Demobilization, and Reintegration/Reincorporation.
DIH - International Humanitarian Law.
DNP - National Department of Planning.
IPR - International Criminal Law.
DRV- Binding Regional Dialogues.
EAOCAI - Armed Organized High Impact Crime Structures.
ELN - National Liberation Army.
ERON - National Prison Establishments.
ETPMV - Temporary Statute for the Protection of Venezuelan Migrants.
FEDEGAN - Colombian Federation of Cattle Raisers.
FGN- Office of the Attorney-General.
IAGs - Illegal Armed Groups.
GAO - Organized Armed Groups.
GRUBE - Internal Working Group for the Search, Identification, and Return of Missing Persons.
IAN - High-Level Body.
ICBF - Colombian Institute of Family Welfare.
INMLCF - National Institute of Legal Medicine and Forensic Sciences.
INPEC - National Penitentiary and Prison Institute.
JAC - Community Action Boards.
JEI - Special Indigenous Peoples' Jurisdiction.
JEP - Special Jurisdiction for Peace.
LGBTIQ+ - Lesbian, gay, bisexual, trans, intersex, and queer.
MAP - Antipersonnel Mines.
MAPP/OAS - Mission to Support the Peace Process in Colombia of the Organization of American

States.

MDNC - Norte del Cauca Peace Talks Roundtable.

MUSE - Unexploded Ordnance.

MVMV - Oversight, Monitoring, and Verification Mechanism

NNA - Children and adolescents.

OAC - Community Action Organizations.

OAS - Organization of American States.

OACP - Office of the High Commissioner for Peace.

ORIPAP - Organization of Indigenous Reserves of the Awá People of the Pacific.

PAN R.1325- National Action of United Nations Security Council Resolution 1325 of the year 2000.

PBC - Cocaine Paste (Pasta Base de Coca).

PDET - Development Programs with a Territorial Approach.

PIRC - Comprehensive Collective Reparation Plan.

PMI- Implementation Framework Plan.

PMUV - Unified Command Posts for Life.

PND- National Development Plan.

PNIS - Comprehensive National Program for the Substitution of Illicit Crops.

PNN - National Natural Parks.

PPL- Persons Deprived of Liberty.

PPT - Temporary Protection Permits.

PPR - People in the Process of Reincorporation.

PRB- Regional Search Plans.

PRI - Immediate Response Plans.

RRI - Integrated Rural Reform.

SG/OEA (GS/OAS) - General Secretariat of the Organization of American States.

SIMCI - Integrated Illicit Crop Monitoring System.

SIVJNRN - Comprehensive System of Truth, Justice, Reparation, and Non-Repetition.

SM FARC-EP - Second Marquetalia FARC-EP.

SNBPD - National System for the Search for Missing Persons.

TE - Explosive Traps.

TOAR - Works and Activities with Restoration-Repair content.

UARIV - Unit for the Attention and Comprehensive Reparation of Victims.

UBPD - Unit for the Search for Missing Persons.

URT - Land Restitution Unit.

VCMP - Violence Against Women in Politics.

ZRF - Forest Reserve Zones.