

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

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

This report covers the findings from July 1 to December 31, 2023, during which time the Mission carried out a total of 833 field missions in 300 communities in 112 municipalities in 18 of Colombia's departments. These communities included municipal capitals, districts (*corregimientos*), villages (*veredas*), Indigenous reserves (*resguardos*), and community councils. During this period, the Mission covered 107,715 kilometers by land and 656 kilometers by river.

Implementation of the MAPP/OAS mandate is possible thanks to the trust and steadfast support of the international community, which recognizes the Mission as a key player for peacebuilding in Colombia. The General Secretariat of the OAS (GS/OAS) is grateful to the OAS member States and observers, especially the members of the Basket Fund—Germany, Canada, Chile, Spain, United States, Ireland, Italy, the Netherlands, United Kingdom, and Turkey—whose political and financial support makes the Mission's operations possible. The GS/OAS also recognizes the contributions made by Norway and Switzerland, which strengthen the Mission's work in fundamental areas like participation and dialogue. Likewise, it thanks the governments of Germany, Argentina, and Switzerland for assigning professionals via secondments.<sup>2</sup>

### **1. GENERAL CONSIDERATIONS**

In the first year that Law 2272 of 2022, or the Total Peace Law,<sup>3</sup> has been in force, the GS/OAS recognizes that the peace dialogues and talks between the national government and various armed groups represent an opportunity to mitigate the impacts of the armed conflict on the civilian population and to prevent human rights violations and breaches of international humanitarian law; and that the country has made progress on executing the Total Peace policy, especially with regard to establishing agreements with a territorial impact on humanitarian and citizen participation issues, for immediate implementation.<sup>4</sup>

Along these lines, the GS/OAS also recognizes that the government's simultaneous negotiations with different armed groups that have converged in the same territory poses a structural challenge for Total Peace. For these negotiations to be successful, all State institutions must work in sync and in a unified, coordinated way, as a strategic, political, communicative, and operational unit, pursuant to territorial circumstances among the national government delegations to each of the peace talk roundtables and the forums for social and legal discussion.

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<sup>1</sup> The mandate of the MAPP/OAS derives from the agreement entered into by the Government of the Republic of Colombia and the General Secretariat of the OAS, signed on January 23, 2004, and Resolution CP/RES. 859 (1397/04), adopted by the Permanent Council on February 6, 2004. This mandate has been expanded and extended eight times, most recently until January 24, 2025.

<sup>2</sup> Under this system, a country assigns one of its nationals to perform a job for a specific period of time.

<sup>3</sup> This law facilitates the ongoing peace processes and the processes geared towards dismantling high-impact armed organized crime structures.

<sup>4</sup> The Mission adopts the concept of armed groups and understands it as a generic category that combines the denominations contained in legal frameworks (Law 2272 of 2022 and Resolution 036 of 2023) and the titles the armed groups give themselves and with which they are recognized in the territories. Accordingly, this report refers to the actions of the FARC-EP Central High Command (*Estado Mayor Central de las FARC-EP*), National Liberation Army (*Ejército de Liberación Nacional*), Gaitanista Self-Defense Forces of Colombia (*Autodefensas Gaitanistas de Colombia*), the Second Marquetalia (*Segunda Marquetalia*), the Conquistador Self-Defense Forces of the Sierra Nevada (*Autodefensas Conquistadores de la Sierra Nevada*); as well as the groups that predominantly operate in urban areas like Los Shottas, Los Espartanos, Locos Yam, Los Mexicanos, and the RPS Armed Forces (*Fuerzas Armadas RPS*), and the criminal groups present in the Aburrá Valley in Antioquia. This concept may be reviewed based on the description to be issued by the high-level agency created by Decree 2655 of 2022.

Effectively resolving these issues will make it possible to organize priorities and coordinate implementation of agreements, protocols, immediate actions, and other public policies implemented in the territories, as well to promote the free participation of all genuine forms of social organization, with security guarantees in place at the various stages of the peace talks process. This will increase the probability of making a positive impact in the short term and bringing changes that have historically been put off to fruition.

The GS/OAS urges the stakeholders to continue to participate in the dialogues and talks, and to streamline execution of their commitments by implementing actions to increase support from civil society and political and economic sectors. These processes also require conditions to be in place for the parties involved to come together and reach minimum levels of consensus on how to understand and approach the challenges entailed in building complete peace.

This first year was also marked by the debate over the law's constitutionality, especially with regard to the government's authority to hold talks with various armed groups, including groups considered to be neither rebels nor political. On November 29, 2023, the Constitutional Court confirmed that the president did have the authority to carry out all acts geared towards initiating rapprochements and to hold talks to search for peaceful solutions with all armed groups. It also confirmed that seeking to demobilize the high-impact armed organized crime structures is a legitimate aim within the constitutional framework.

For the GS/OAS, this early confirmation of the legal frameworks for peace is key to ensuring the legal certainty of the dialogues, as well as to making headway on the reconciliation and demobilization processes, while ensuring the victims can effectively enjoy their rights. In turn, the decision represents a valuable opportunity for the country to move forward with the quest for a strong consensus among State institutions and government branches on the tools for furthering the peace talks and dialogues with all the armed groups.

The GS/OAS thanks the delegations to the peace talk roundtables between the national government and the FARC-EP Central High Command for officially inviting the Mission to permanently back this process, and reaffirms its commitment to providing political and technical support to the roundtables, pursuant to its mandate and in line with the duties established in the "Agreement on the International and Support Component of the Peace Talk Roundtable" and the "Agreement on Respect for the Civilian Population and Implementation of the Temporary, Bilateral, and National Ceasefire with Territorial Impact," and as part of the Oversight, Monitoring, and Verification Mechanism. At the same time, the GS/OAS recognizes that both delegations have included social, economic, political, and environmental considerations on the agenda, prioritizing protection of the population most affected by the armed conflict, respect for international humanitarian law, and territorial transformations.

From August to October 2023, the country began to implement two ceasefires as a result of the political agreements reached in the peace talks. The first one was signed by the national government and the National Liberation Army (*Ejército de Liberación Nacional*) (ELN), during the third cycle of the peace talk roundtables held in Havana, Cuba, and was established through Decree 1117 of July 2023. The second was agreed upon by the national government and the FARC-EP Central High Command, at the peace talk roundtables held in Tibú, Norte de Santander, and was put into effect by Decree 1684 of 2023.

Both ceasefires coincided with the October 29 regional elections and the development of the Democracy Plan, an initiative of the National Committee for Coordinating and Monitoring Electoral Processes, chaired by the Ministry of the Interior and including the leaders of the country's security forces. Notably, the Mission did observe tensions in connection with these events in the departments of Cauca, Caquetá, and Guaviare and in the regions of southern Meta and northern Antioquia.

That said, under the ceasefires, the permanent supporters of the peace talks, including the MAPP/OAS, helped prevent clashes between law enforcement agencies and the FARC-EP Central High Command, through humanitarian measures that led to the release of the kidnapped civilian population, members of the armed groups, and law enforcement personnel detained in clashes, as well as to the recovery of civilian property in the departments of Antioquia, Arauca, and Cauca, and in the regions of Catatumbo and southern Bolívar.

Civil society participation continued to be one of the major issues brought up in the rapprochements, peace talks, and forums for social and legal discussion among the national government and the armed groups during the period covered by this report. The establishment of the National Participation Committee and development of forums for exchange and consultation with various sectors and population groups made it possible for civil society to contribute its ideas for designing the methodological proposal for its participation in the talks between the national government and the ELN, which confirmed the parties' commitments to involving the civilian population.

In turn, at their peace talk roundtable, the national government and the FARC-EP Central High Command agreed to strengthen the direct participation of social organizations while respecting their autonomy, pluralism, and self-government, and to make progress on building a "Special Agreement for Participation and Decisions" and "Participation Protocol."

The MAPP/OAS continued to back the urban peace initiatives, supporting the formalization of the exploratory rapprochements by setting up three forums for social and legal discussion (in Medellín and the Aburrá Valley, Quibdó, and Buenaventura), aimed at bringing the armed groups to justice and dismantling them. In all three areas, the outgoing and elected regional and local authorities all included the peace and human rights agendas in their handovers. For the GS/OAS, this backdrop represents an opportunity to foster and ensure the continuity of the actions derived from the forums for social and legal discussion, such as the truce between Los Shottas and Los Espertanos in Buenaventura, and to make progress towards transforming these municipalities.

With a view to peace in prisons, the MAPP/OAS supported and implemented initiatives within the prison system focused on decreasing violence, promoting participation, and creating the circumstances for peacebuilding. In the Jamundí Prison Complex, the Presidential Office for Women's Equity, with Mission support, collected proposals on peace and security from incarcerated women, as inputs for putting together the National Action Plan for Resolution 1325 of 2000 (PAN 1325/00). This is the first time in the world that imprisoned women were included in this process.<sup>5</sup>

On another note, environmental conservation and restoration were considered to be key aspects of the peace talks in Colombia. For the GS/OAS, the main challenge to the implementation of peace policies with an environmental impact is the persistence of the armed conflict, in particular the social control that the groups exercise through economic sanctions or detrimental impacts on the civilian population and actions like logging, hunting, and illegal mining, as well as restrictions on the entry and execution of government programs in the territories.

The Mission, monitoring the impacts on the civilian population, was able to verify that, given the weak State presence in various territories, the armed groups tried to position themselves not just militarily, but also as "benefactors" who meet the population's needs through community or road infrastructure works. In this way, they supplant the State and undermine the communities' autonomy

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<sup>5</sup> The MAPP/OAS actively facilitates the PAN 1325/00. During this process, the Mission supported over 1,500 women in drawing up collective proposals through regional macroforums and territorial and crossborder meetings. In these forums, women leaders from areas with high levels of armed conflict raised the need to incorporate the territorial perspective and context analysis into the formulation and subsequent implementation of the Plan, which should include the Women, Peace, and Security Agenda.

in regions like Catatumbo and La Cordillera de Nariño. To consolidate their presence, the armed groups also used the strategy of constraining the civilian population, thereby pressuring the law enforcement forces to leave regions like northern and northeastern Antioquia, the Micay Canyon in Cauca, and Guaviare.

The GS/OAS is also concerned about the significant underreporting of complaints of cases of forced recruitment, use, and abuse of children and adolescents, which results from the fear of retaliation and the normalization of these issues due to the population's familiarity with armed groups' presence and actions. The deaths of minors who were forcibly recruited in clashes among armed groups in the regions of northern and southern Cauca, northern Antioquia, and Bajo Putumayo, and in the department of Arauca, are of great concern.

The GS/OAS also continues to be alarmed by the persistence of confinements, the collective forced displacement of ethnic and campesino communities, extortions, gender-based violence, and social control by the armed groups, which in particular affects the resolution of community conflicts, social leaders' participation and agendas, the execution of community projects, and communities' mobility. These actions are all strategies for the armed groups to advance or consolidate their management of the territories.

Despite its efforts and the progress made on implementing the Total Peace policy, the country has been unable to prevent the armed groups from getting stronger, growing, and expanding their actions, which has led to grave impacts on the civilian population, especially in territories that are disputed among the groups. With deep concern, the Mission reports and highlights all these adverse impacts, which impel it to redouble its commitment to cooperating with peace in Colombia. The GS/OAS will continue to support initiatives whose objective is peace and priority is safeguarding and protecting the civilian population from violence in the territories. Colombia is not alone, and the Mission is a clear example of the realization of many efforts, commitments, and choices that reflect the entire continent's support for the country's transition to Complete Peace.

February 6, 2024, will be the 20th anniversary of the signing of the OAS Permanent Council resolution that authorized creation of the MAPP/OAS, a political and technical mission established at the Government of Colombia's request, to support the peace efforts made by the Colombian State and people, directly in the zones most affected by crime, inequality, and the armed conflict.

The completion of two decades of uninterrupted work in Colombia serves as a new opportunity to review the path traveled; understand the innumerable achievements, challenges, and lessons learned from this intense journey; and acknowledge those whose trust has made it possible for us to support their tireless efforts towards peace.

Accordingly, the General Secretariat and the MAPP/OAS thank the national, departmental, municipal, and ethnic-territorial authorities for their joint work based on close, transparent relationships; the communities whose generosity has allowed the Mission to support their efforts and initiatives in the quest for Total Peace from the territories; and the Mission employees, who have served, with commitment, dedication, and vocation, as an effective bridge between the communities and the institutions. It also thanks the Basket Fund member countries and the international community for their political and financial support, as they face the formidable short-term challenge of making good on their contributions to guarantee the MAPP/OAS's continuity and operations.

## **2. SECURITY CONDITIONS**

The national government made progress on implementing the Total Peace policy, especially at the peace talk roundtables and the forums for social and legal discussion, and through the bilateral ceasefires with some armed groups.

In addition, the National Commission on Security Guarantees designed the programmatic document and formulated the permanent public policy action plan to dismantle criminal organizations

that threaten peacebuilding, including the so-called successors of paramilitarism and their support networks, principally through operational planning, preparation, early execution of the permanent public policy action plan, and the construction of work protocols for prioritizing the territories.<sup>6</sup>

However, the communities remain fearful, since the armed groups' presence, actions, and social control are now more apparent in certain urban and rural areas and on main roads. In this context, the armed groups have also been executing and inaugurating works and carrying out social, community, and political activities, involving minors.

The armed groups retained their capacity to engage in armed clashes with other groups, harass the authorities, and respond to police raids, as well as to remain visible in the capitals through the presence of their uniformed, armed members. They also strengthened their partnerships with criminal gangs in order to carry out illegal activities.

The Mission observed the armed groups' repeated use of ordnances and booby traps against police facilities and their surroundings and transmission towers. The armed groups also used these means to damage and destroy the only financial entity responsible for delivering government subsidies and to steal the money stored there. These actions all impact security in the departments of Antioquia, Cauca, and Valle del Cauca.

In territories where their influence has been consolidated and the presence of institutions is weak, the armed groups continued to set down guidelines for the work of social and historical community organizations, imposing new leaders and forms of organization, and limiting leaders' capacity for dialogue with institutions, through threats. This dynamic greatly affected the organizations' autonomy, and was most evident in the departments of Cauca, Caquetá, and Guaviare, and the regions of southern Meta and La Cordillera de Nariño.

In turn, the criminal gangs got stronger by selling their criminal services to the armed groups: extortions, threats, kidnapping, and targeted (contract) killings.<sup>7</sup> The gangs turn the victims over to the armed groups, who keep them captive, negotiate their release for the payment of large sums of money, and coordinate their delivery back to the family members. These practices have been verified in regions like Catatumbo, the Pacific Coast of Nariño, southern Cesar, and the municipalities of Anorí in Antioquia and Puerto Gaitán in Meta.

In connection with the rapprochements, peace talks, and forums for social and legal discussion, local institutions and sectors of the civilian population warned about the potential for disagreements within the armed groups over the characteristics and continuity (or not) of these processes. These conflicts pose challenges to the State, the armed groups, and the processes themselves, insofar as they could constitute heightened risks for the civilian population and for the members of the armed groups participating in the rapprochements, talks, and forums.

## **2.1. Presence and actions of the armed groups**

The armed groups concentrated their presence in areas that allowed them to maximize the capture of economic resources, mainly through drug-related activities<sup>8</sup> and illegal mining, as well as in areas that could be used as mobility corridors due to their geography.

Consistent with the Mission's monitoring of its priority zones, this report covers the actions of the FARC-EP Central High Command (*Estado Mayor Central de las FARC-EP*), National Liberation Army (*Ejército de Liberación Nacional*) (ELN), Gaitanista Self-Defense Forces of Colombia

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<sup>6</sup> Peace Agreement Implementation Unit. (2023). "Response to Official Letter RAD.EXT23-00188994. Request for institutional achievements. MAPP/OAS Thirty-fifth Semiannual Report," pp. 1-2.

<sup>7</sup> The scope of this relationship, whether it is situational or structural, and the type of benefits obtained by the armed groups in employing these criminal services, are all still unclear.

<sup>8</sup> These activities include the planting of illegal crops and the processing thereof to produce, transport, and sell illegal drugs, and involve armed groups and mafias, among other players.

(*Autodefensas Gaitanistas de Colombia*) (AGC),<sup>9</sup> the Second Marquetalia (*Segunda Marquetalia*), the Conquistador Self-Defense Forces of the Sierra Nevada (*Autodefensas Conquistadores de la Sierra Nevada*), the groups that predominantly operate in urban areas like Los Shottas, Los Espartanos, Locos Yam, Los Mexicanos, the RPS Armed Forces (*Fuerzas Armadas RPS*), and the criminal groups present in the Aburrá Valley in Antioquia.

The ELN was present in areas of the departments of Antioquia, Arauca, Bolívar, Chocó, La Guajira, Nariño, Norte de Santander, and Valle del Cauca.

The FARC-EP Central High Command was present in sections of the departments of Antioquia, Arauca, Bolívar, Caquetá, Cauca, Guaviare, Meta, Nariño, Norte de Santander, Putumayo, and Valle del Cauca.

The factions that form the Second Marquetalia, which include the Border Command-Bolivarian Army (*los Comandos de la Frontera-Ejército Bolivariano*) and the Guerrilla Coordinator of the Pacific (*Coordinadora Guerrillera del Pacífico*) were present in areas of the departments of Caquetá, Cauca, Nariño, and Putumayo.

The AGC primarily operated in regions of the departments of Antioquia, Bolívar, Chocó, Córdoba, La Guajira, Magdalena, Valle del Cauca, and Meta.

The Conquistador Self-Defense Forces of the Sierra Nevada operated in regions of the departments of La Guajira and Magdalena.

In turn, Los Shottas and Los Espartanos operated in Buenaventura and Valle del Cauca, while the Locos Yam, Los Mexicanos, and the RPS Armed Forces were present in Quibdó, Choco. Furthermore, 17 structures, which brought together approximately 300 criminal gangs, continued their influence in Medellín and the Aburrá Valley.

This territorial convergence of the armed groups results in different types of relationships among them, which vary depending on circumstances in each region and not necessarily due to the directives of their central commands, leading to diverse trends.

For example, the ELN and the FARC-EP Central High Command clashed in the department of Arauca and in the regions of the Micay Canyon in Cauca, the Raposo River basin in Valle del Cauca, and Abades in Nariño. However, in Catatumbo in Norte de Santander, they coexisted without clashing, with continuing impacts on the civilian population, and in Bajo Cauca and northeastern Antioquia as well as in southern Bolívar, the two groups established partnerships to stand against the AGC.

In other regions, like the basins of the Sipí and San Juan Rivers in Chocó and Calima in Valle del Cauca, the ELN clashed with the AGC; in northern Antioquia, the AGC also clashed with the FARC-EP Central High Command .

The FARC-EP Central High Command and the Second Marquetalia continued to dispute territory in the Caquetá mountain range, along the Caquetá-Putumayo border, and on the Pacific coast of Nariño.

Other partnerships have stood the test of time in various regions, and are publicly acknowledged by the armed groups themselves. Over the past few years, the ELN and the Second Marquetalia partnered up to counteract the FARC-EP Central High Command in regions like Sanquianga and Telembí in Nariño<sup>10</sup> and in the Micay Canyon and northern Cauca.

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<sup>9</sup> At closing of this report, the Mission learned of statements in which this armed group now calls itself the Gaitanista Army of Colombia (*Ejército Gaitanista de Colombia*) (EGC).

<sup>10</sup> On January 12, 2004, the ELN Southern Community Front (*Frente Comunerios del Sur*) and the Second Marquetalia Guerrilla Coordinator of the Pacific announced a “unity and coordination agreement” in Nariño.

The territorial disputes involved armed clashes and adverse impacts like homicides, kidnappings, and threats against persons identified as collaborators with rival groups or law enforcement agencies in Antioquia, Arauca, Bolívar, Caquetá, Cauca, Chocó, Nariño, Putumayo, and Valle del Cauca.<sup>11</sup>

In contested areas, the armed groups continued to impose “armed strikes,”<sup>12</sup> which in addition to affecting the civilian population and causing humanitarian crises, allowed them to mobilize their members and procure periods of rest from the continuing clashes, as occurred in the San Juan River and Sipí River basins in the department of Chocó.

In regions like Bajo Cauca and northeastern Antioquia, the armed groups restricted the transportation and provision of fuel to rival groups’ areas of influence, with a view to undermining their sources of financing (the tapping of ore deposits). These types of measures significantly impacted the economies of the families whose incomes depend on mining.

Restrictions on the civilian population’s mobility continued in regions where one group’s influence was predominant, as did limitations on the entry of State institutions. The impositions varied depending on the armed groups’ interest in increasing their control over the territories in question at specific times. This dynamic occurred in the regions of southern Córdoba, La Cordillera in Nariño, and northern Caquetá, and the departments of Meta and Guaviare.

Another strategy used by the armed groups to consolidate their control was to constrain the civilian population in order to pressure law enforcement to leave regions like northern and northeastern Antioquia, the Micay Canyon in Cauca, and the department of Guaviare. In La Cordillera in Nariño, members of armed groups approached police facilities, announcing their control over the area.

Given the weak State presence in various territories, the armed groups tried to position themselves not just militarily, but also as “benefactors” who meet the population’s needs with community and road infrastructure works in regions like Catatumbo and La Cordillera in Nariño. With this dynamic, they supplanted the State and undercut the communities’ autonomy.

In some of the territories affected by clashes among the armed groups, the civilian population and institutions agreed that the entry of law enforcement personnel is a deterrent to the repetition and/or prolongation of these clashes. Accordingly, they advised that such a presence must be permanent in order to mitigate the possibility of future clashes.

In September, the President of the Republic ordered the military forces to go ahead with the “Operation Thunder” in the Micay Canyon in Cauca, so as to recover the area from the influence of armed groups and to develop, with other entities, a comprehensive strategy for replacing the illegal economies.<sup>13</sup> Local institutions and communities indicated that, in addition to the extensive deployment of law enforcement agencies and the reestablishment of their presence in certain rural areas of the municipalities of El Tambo and Argelia, comprehensive State services would be needed.

### **3. IMPACTS ON THE CIVILIAN POPULATION<sup>14</sup>**

The armed groups continued to commit violations against the civilian population’s rights to life, liberty, humane treatment, and security. The forced recruitment, use, abuse, sexual violence,

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<sup>11</sup> Regions of Bajo Cauca, northern and northeastern Antioquia; the municipalities of Arauquita, Fortul, Puerto Rondón, and Tame in Arauca; the municipalities of Santa Rosa del Sur and Morales in Bolívar; the mountain range region and the Caquetá River basin bordering Putumayo; the Micay Canyon region and northeastern Cauca; the Sipí River and San Juan River basins in Chocó; the region of Sanquianga and the municipalities of Tumaco, Samaniego, Los Andes, and La Llanada in Nariño; the Calima River and Raposo River basins in Valle del Cauca.

<sup>12</sup> Understood to mean armed groups’ imposition of restrictions on mobility in certain land or river corridors. These strikes take place during both limited and open-ended periods of time and affect the general population.

<sup>13</sup> Message to the Public, Office of the President of the Republic of Colombia, November 7, 2023. Available [here](#).

<sup>14</sup> Impacts are understood to mean the violent actions, deeds, and conduct perpetrated in the context of the Colombian armed conflict and the criminal behavior threatening the life, liberty, personal integrity, and security of the civilian population.

gender-based violence, and human trafficking primarily impacted Colombian and foreign women and children and adolescents, while the restrictions on movement, social control, confinement, and forced displacement affected the campesino and ethnic communities, social organizations, and guilds.

The confinement and collective forced displacement of ethnic and campesino populations<sup>15</sup> took place repeatedly in three types of areas: first, in areas being disputed among armed groups, where armed clashes occasionally occurred within populated areas;<sup>16</sup> second, in areas where the security forces and armed groups had engaged in combat;<sup>17</sup> and third, in various municipalities, where the restrictions on mobility imposed by the armed groups led to humanitarian crises.<sup>18</sup>

On occasion, individual forced displacement served as a protective measure adopted by the civilian population after the armed groups imposed their social control, for example after persons who had been identified as collaborators with the opposing group or with the security forces, or as having violated the armed groups' regulations, were attacked, kidnapped, or murdered;<sup>19</sup> or when they faced the high likelihood of being forcibly recruited by or brought into the armed groups. These victimizing acts frequently went unreported, which led to underreporting and institutional ignorance.

Moreover, members of the armed groups continued to commit sexual violence against Colombian and foreign women, minors, and young people in Ituango, Zaragoza, and Dabeiba in Antioquia; Policarpa, Cumbal, Ipiales, and Tumaco in Nariño; Puerto Libertador in Córdoba; and El Carmen del Darién in Chocó.

Despite institutional efforts,<sup>20</sup> the armed groups' social control hindered the resolution of community conflicts,<sup>21</sup> social leaders' participation and agendas, the development of community projects, communities' mobility,<sup>22</sup> and the election of local authorities. This social control was also perceived to be a strategy for the groups to further or consolidate their control of the territories, by replacing the public authorities and earning public recognition as political groups through their social efforts.<sup>23</sup>

In the regions of northern Cauca, southern Valle del Cauca, Bajo Cauca in Antioquia, Medio and Bajo Putumayo, and the department of Arauca, armed groups kidnapped civilians, mainly adolescents and young people identified as collaborators with other groups or with the security forces and as perpetrators of common crimes, microtrafficking and use of illegal drugs, to bring them to "trial." The victims of these kidnappings were released, murdered, made to do forced labor, forcibly displaced, or made to pay fines.

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<sup>15</sup> The ethnic communities in Antioquia, Arauca, Cauca, Chocó, Nariño, Norte de Santander, and Valle del Cauca are forced to lock down to avoid threats and damage to their property by the armed groups, as well as to not be forcibly displaced or subjected to precarious institutional services, especially with regard to food and nutrition.

<sup>16</sup> In the regions of southern Cesar, southern Bolívar, northern, northeastern, and Bajo Cauca in Antioquia, Bajo and Medio Putumayo, Sanquianga, Telembí, and La Cordillera in Nariño, southern and northern Cauca, Baudó, and San Juan in Chocó, in the department of Arauca, and in the municipalities of Ciénaga in Magdalena, and Buenaventura in Valle del Cauca.

<sup>17</sup> In regions like Alto Sinú in Córdoba, northern and southern Cauca, and in the municipality of Bojayá in Chocó.

<sup>18</sup> In communities living along the banks of the San Juan River in Chocó and in the rural areas of the municipalities of Samaniego and La Llanada in Nariño, Briceño, and Segovia in Antioquia, Santa Rosa del Sur in Bolívar, and Puerto Rondón, Fortul, and Tame in Arauca.

<sup>19</sup> In the regions of southern Bolívar, northern and northeastern Antioquia, Sarare in Arauca, northern Cauca; and in the municipalities of Puerto Guzmán and Puerto Leguizamón in Putumayo, Buenaventura and Jamundí in Valle del Cauca, Miraflores and San José del Guaviare in Guaviare, Santa Bárbara in Nariño, and Puerto Libertador in Córdoba.

<sup>20</sup> Like Presidential Directive 07 of December 13, 2023, designed to support and recognize the work done to defend human rights in Colombia. This directive was drafted through institutional coordination and consultation with various human rights organizations, which made it possible to describe risk scenarios and the affected population.

<sup>21</sup> Above all, conflicts and tension over issues like illegal drug use, sexual violence, boundaries, common crime, arguments or fights among residents, and waste management.

<sup>22</sup> Through the imposition of illegal roadblocks, the establishment of traffic schedules, censuses of the civilian population, authorization letters for people to move around, and control over access to institutions or for foreigners to work in productive sectors. These restrictions impacted the economy in the department of Arauca, the region of Bajo Putumayo, and the municipalities of El Retorno in Guaviare and Cáceres in Antioquia.

<sup>23</sup> Such as the renovation of nursing homes, schools, dentistry and hairdressing days, the painting of sports venues and parks, cleanup of common areas and reforestation, treatment for illegal drug use, etc.



The armed groups continue to make impositions on and constrain and intimidate the communities into attending meetings, establishing or coming together in various types of organizations or participating in existing ones, and engaging in diverse activities<sup>24</sup> and social mobilizations. Some of the mobilizations took place in the context of operations or deployments in the territories by the authorities, especially the security forces and legal authorities. Notable tense scenarios occurred with implementation of the Democracy Plan<sup>25</sup> in Cauca, Caquetá, and Guaviare, and the regions of southern Meta and northern Antioquia; as well as with implementation of the Ayacucho Strategic Campaign Plan in southern Córdoba and the Caguán River, Caquetá River, and Putumayo River basins.

In connection with the elections, some armed groups prohibited traditional parties' activities and vote buying.<sup>26</sup> However, they also extorted and arranged to meet with some candidates, forcing them to explain their proposals and to receive permission in order to conduct political campaigns in certain municipalities of Antioquia, Cauca, Córdoba, La Guajira, Magdalena, Meta, Nariño, and Putumayo.

According to public reports issued by social organizations and public institutions,<sup>27</sup> the number of homicides of social leaders, community representatives, and human rights defenders decreased, against the backdrop of significant underreporting of homicides and other less visible forms of violence, like kidnapping, forced displacement, confinement, threats, extortion, persecution, damage to private property, and harm to family members.<sup>28</sup>

The principal risks of social leadership involved the issues associated with defending territorial autonomy, participating in implementing State strategies, and refusing to comply with the armed groups' demands to block the presence of the State, foster support for a political candidate, or disseminate their regulations.

### **3.1. Forced recruitment and the use and abuse of and sexual violence against children and adolescents.**

The State continued to design intersectoral strategies to respond to the risks of forced recruitment, use, and abuse of and sexual violence against children and adolescents. In this context, the Colombian Family Welfare Institute (ICBF) launched the “Dreamcatcher” (*Atrapa Sueños*) strategy, designed to help minors and their families build plans for their lives, through community initiatives that promote participation and ownership.<sup>29</sup>

The Intersectoral Commission for Preventing the Recruitment and Use of and Sexual Violence against Children and Adolescents held local and national meetings for institutional monitoring of this issue. These working meetings produced specific action plans for each subregion, while providing

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<sup>24</sup> Such as the armed groups providing roads and bridges and adapting educational institutions in Tibú in Norte de Santander and El Rosario and Policarpa in Nariño, and delivering presents and school supplies in Campamento in Antioquia, Acandí, Alto Baudó, and Medio Baudó in Chocó, and Jamundí in Valle del Cauca.

<sup>25</sup> The Democracy Plan, in which the joint work done by various State institutions with law enforcement agencies to mitigate the risks of the electoral process took form, was launched by the National Committee for Coordinating and Monitoring Electoral Processes, chaired by the Ministry of the Interior.

<sup>26</sup> Practice classified in Colombia's Criminal Code as “voter corruption,” which occurs when an individual promises, pays, or hands over money or gifts to citizens so they will vote for a certain candidate or political party.

<sup>27</sup> This information on the decrease in murders of social leaders was also presented in research done by the Special Jurisdiction for Peace and the Institute for Development and Peace Studies (Indepaz). Likewise, according to the Office of the Ombudsman, a comparison of murders of social leaders showed that in 2023, there were 215 fewer murders than in 2022, for a decrease of 16% (January 9, 2024). Available [here](#).

<sup>28</sup> Especially in Nariño's Pacific region as well as the regions of Catatumbo, southern Córdoba, northern and southern Cauca, Bajo Cauca, northern and northeastern Antioquia, Bajo Putumayo, San Juan in Chocó; in the departments of Arauca and Guaviare; and in the municipalities of Jamundí and Buenaventura in Valle del Cauca.

<sup>29</sup> The ICBF helped extricate 322 children and adolescents, through the Specialized Care Program for the Restoration of Rights of Children and Adolescent Victims of Recruitment. It also developed protection strategies to lessen the risk of use and abuse, in support of 317 children and adolescents and 191 families in Caucasia in Antioquia, El Salado in Bolívar, Guapi and Piendamó in Cauca, Riosucio in Chocó, Tumaco in Nariño, Villa del Rosario and Cúcuta in Norte de Santander, and Cali in Valle del Cauca. ICBF (2023).

methodologies that can be replicated throughout the country.<sup>30</sup> These methodologies notably included the institutional technical assistance integrated with ancestral wisdom at the Alto Río Bojayá Embera Indigenous Reservation, to address the issue of adolescent suicide in relation to the risk and likelihood of being forcibly recruited, used, or abused by armed groups.

Notwithstanding the foregoing, armed groups continue to recruit, use, and abuse children and adolescents and bring in youth in disputed areas and areas where there are armed incursions or they have an established presence. The affected population typically ranges in age from 12 to 17 years; minor members of Indigenous communities in Arauca, Cauca, Nariño, and Putumayo are particularly vulnerable.

The armed groups continue to employ the same mechanisms to get children, adolescents, and young people away from their families and protective environments and rope them in: they use violence;<sup>31</sup> offer goods, money, and jobs;<sup>32</sup> hold talks and recreational activities; and repeatedly pass through schools and community areas.<sup>33</sup> Lastly, they also adopted a certain level of flexibility, allowing minors to leave their ranks after the military training periods in Meta and Guaviare.

In Caquetá, Nariño, and Norte de Santander, they use children and adolescents to bolster their social control and display their influence in the territories, through photographs and videos of minors participating in their activities, in order to spread political, community, and social messages on digital media.<sup>34</sup>

Since 2022, in its Thirty-fourth Semiannual Report, the Mission has been pointing out the trend of armed groups taking minors and young people who were forcibly recruited and brought in, to armed conflict zones.<sup>35</sup> That said, the armed groups did modify the way they transfer minors in Cauca, moving children and adolescents originally from municipalities in the south to the north and vice versa, to prevent them from having contact with their families, relatives, and caregivers.

In the regions of northern and southern Cauca, northern Antioquia, and Bajo Putumayo, and in the department of Arauca, the deaths of minors who were forcibly recruited in clashes among the armed groups are troubling. In Cauca and Putumayo, various testimonies allege the existence of mass graves for children and adolescents.

Moreover, cases of forced recruitment, use, and abuse of children and adolescents continue to be significantly underreported, due to fear of retaliation from the armed groups and the normalization of these issues as a result of the population's familiarity with their presence and actions. In this regard, in some territories, parents and caregivers do not perceive minors' interactions with members of

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<sup>30</sup> According to official figures from the Presidential Council on Human Rights and International Humanitarian Law, 4,166 people were trained through recruitment-prevention workshops. Around 80% of the country's territories were trained on the actions included in the National Plan for Human Rights Education. Progress was also made on training 1,000 members of the Black, Afro-Colombian, Raizal, and Palenquero communities in Bolívar, Atlántico, Chocó, Valle, and Meta. In turn, this prioritization of institutional actions aligns with the prioritization of territories where the risk of forced recruitment is high, especially in Cauca, Antioquia, Caquetá, Nariño, Arauca, Putumayo, Bolívar, and Valle del Cauca.

<sup>31</sup> Targeted killing, threats, and forced disappearance in the regions of northern and southern Cauca and Catatumbo, and in the municipalities of Campamento, Briceño, Anorí, Cáceres, and Ituango in Antioquia, and Carmen del Darién and Medio San Juan in Chocó.

<sup>32</sup> In the region of Sanquianga in Nariño and in the municipalities of Valdivia, Nechí, Mutatá, and Dabeiba in Antioquia, and Puerto Libertador and San José de Uré in Córdoba. In Cauca, parents have received offers from the armed groups to "buy" their children and adolescents, who are then incorporated into their ranks.

<sup>33</sup> In Antioquia, Córdoba, Chocó, Meta, and Nariño, the armed groups use digital media, like Facebook, WhatsApp, and TikTok, and young people and adolescents for forced recruitment.

<sup>34</sup> Infobae, "Con cura y virgen a bordo, así inauguran disidentes de las Farc obras en municipio de Nariño: comunidad agradeció a los guerrilleros" (November 5, 2023). Available [here](#). Canal 1 "Disidencias de las FARC inauguran el puente La Esperanza en la vereda Chiquinquirá en Tibú, en el Catatumbo" (June 16, 2023). Available at: <https://www.youtube.com/watch?v=DKZ87dQUtNQ>.

<sup>35</sup> In addition to what was indicated in these reports, children and adolescent victims of forced recruitment originally from Putumayo were also transferred to conflict zones in Cauca.

armed groups in their family, school, and community environments as a danger to or violation of violate their rights.<sup>36</sup>

When children and adolescents are extricated<sup>37</sup> from the armed groups, they or their families typically face other detrimental impacts. In the municipality of Tumaco in Nariño, San José de Palmar in Chocó, and the border area between Caquetá and Putumayo, children and adolescents recovered by their communities became victims of persecution and targeted killings by the individuals responsible for their forced recruitment; in other cases, their family members were forced to move because of threats.<sup>38</sup>

In Remedios in Antioquia, the armed groups imposed fines as payments for the recovery of minors or to allow young people to leave their ranks. Furthermore, in the department of Cauca and the municipalities of San Calixto in Norte de Santander and Ipiales in Nariño, the armed groups continued to argue that it was the “children and adolescents’ wish” to be forcibly recruited, and they accordingly blocked community initiatives to extricate the minors.

In response to the institutional strategies to address the forced recruitment, use, and abuse of children and adolescents, the communities reiterated the difficulties of extricating minors in risk zones, the insufficient psychological care, and the need to strengthen protective environments. They also indicated that the institutional response was centered on investing resources in meetings and events, which over diagnose the problems and lead to significant media attention, thereby increasing risk. Therefore, they called for the implementation of effective prevention and protection actions.

### **3.2. Antipersonnel landmines, unexploded ordnance, and booby traps**

The Office of the High Commissioner for Peace (OACP) declared 23 zones free of suspected mines as a result of humanitarian demining operations, meaning that 81% of Colombian municipalities have now received this recognition. In turn, agents continued their humanitarian demining operations in 94 municipalities. For the ethnic territories, the OACP began 11 new consensus-building processes and continued executing its 43 ongoing processes to monitor and complete humanitarian demining operations in community councils and Indigenous reservations. It also entered into 12 contracts with Afro-Colombian and Indigenous community associations to implement the Comprehensive Action against Antipersonnel Landmines strategy in their territories.

As for education on the risks of antipersonnel mines (APM), the OACP and appointed agents held workshops to teach safe behaviors in 60 municipalities where security conditions were not in place to allow humanitarian demining. With regard to comprehensive care for victims of APM, the OACP updated the healthcare pathway for this population, informed the Ministry of Health and Social Protection thereof, and made progress on setting up a working group to monitor cases of migrant victims of APM and unexploded ordnance (UXO) and booby traps.

UXO contamination repeatedly occurred in areas disputed among armed groups or where armed groups clash with law enforcement agencies, specifically in the regions of Bajo and Medio Putumayo, Telembí, and Sanquianga in Nariño, northern and northeastern Antioquia, southern Bolívar, southern and northern Cauca, the San Juan River and Baudó River basins in Chocó, and in the municipalities of Puerto Rondón, Fortul, Arauquita, and Tame in Arauca and Samaniego and La Llanada in Nariño.

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<sup>36</sup> The Office of the Ombudsman recorded 184 cases of forced recruitment of minors in 2023 (110 boys and male adolescents and 74 girls and female adolescents, ages 9 to 17), which illustrates the magnitude of this issue. Office of the Ombudsman (February 13, 2024). Available [here](#).

<sup>37</sup> As explained in the Thirty-fifth Semiannual Report, the Mission knows that, in addition to agencies working to extricate minors, ethnic authorities, community leaders, churches, women’s associations, and families all tried to persuade the armed groups to let them go, in some cases with support from international organizations.

<sup>38</sup> Particularly striking was the targeted killing of four minor members of Indigenous communities in the Alto Predio Putumayo Reservation in mid-2023. Other cases have been monitored in the lower zone of the Caquetá River basin.

Likewise, armed groups continue to plant APM to protect their areas of influence and prevent other groups or law enforcement forces from entering or ambushing them, in the regions of Bajo and Medio Putumayo, southern Bolívar, the San Juan River and Baudó River basins in Chocó; and in the municipalities of Ricaurte in Nariño, and Segovia, Tarazá, Briceño, and Valdivia in Antioquia.

In the regions of northern Cauca, southern Córdoba, Catatumbo, and Bajo Putumayo; and in the municipalities of Jamundí in Valle del Cauca, Samaniego in Nariño, Tame in Arauca, Cáceres in Antioquia, and Puerto Rico in Meta, a significant number of the APM and booby traps planted and set up by the armed groups as “car or parcel bombs” were meant to counteract security forces’ operations and strategies.<sup>39</sup>

The assets most affected by armed groups’ use of explosive devices were roads, rivers, educational institutions, transmission towers, oil pipelines, agricultural crop zones, farms, residences, and military and police facilities.

In the municipalities of Anorí in Antioquia, Araucita in Arauca, Sardinata in Norte de Santander, Valle del Guamuez in Putumayo, and Jamundí in Valle del Cauca, the armed groups and criminal gangs used explosive devices to intimidate individuals and companies that refused to pay extortion fees.

One of the primary impacts of the contamination with explosive devices was the restricted mobility of ethnic and campesino communities in areas where APM accidents had occurred, as well as in populated areas where people had been forcibly displaced and had returned without institutional support. These cases were concentrated in some municipalities of Antioquia, Arauca, Caquetá, Córdoba, Chocó, and Nariño.

The communities’ fears of zones allegedly made dangerous by APM and UXO continued to lead to confinements and forced displacements, especially in the municipalities of Tumaco, Barbacoas, Samaniego, and La Llanada in Nariño, Buenos Aires in Cauca, and Segovia in Antioquia.

In Solano and Milán in Caquetá, Mesetas in Meta, Puerto Guzmán in Putumayo, and Campamento in Antioquia, humanitarian demining agents suspended their work due to clashes among armed groups, extortions, and kidnappings of members of their work teams. However, despite the security challenges and risks, the communities continue to request humanitarian demining actions, especially in the regions of Bajo and Medio Putumayo; Abades and Telembí in Nariño; northern, northeastern, and Bajo Cauca in Antioquia; Alto Sinú in Córdoba; northern and southern Cauca, and in the department of Arauca.

#### **4. TOTAL PEACE POLICY**

The national government continued to implement the Total Peace policy in the complex context of the diversity of armed groups and the intensification of social, environmental, and humanitarian problems. The simultaneous dialogues and talks among the national government and various armed groups represent an opportunity to mitigate the impacts of the armed conflict on the civilian population and prevent grave violations of human rights violations and international humanitarian law.

The MAPP/OAS recognizes the progress made on execution of this policy, and especially on defining agreements with a territorial impact on humanitarian and citizen-participation issues, for immediate implementation. Along these lines, it invites the parties involved in the dialogues and talks to streamline execution of their commitments by implementing actions to increase support from civil society and political and economic sectors. It also highlights the need to move forward with the processes that are still in the rapprochement phase.

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<sup>39</sup> In Putumayo, the armed groups used drones to launch explosives and interfere with the security forces.

The need to simultaneously negotiate with different armed groups that converge in the same territory presents a structural challenge for Total Peace, and requires the national government delegations at each of the peace talk roundtables and forums for social and legal discussion to coordinate at the strategic, political, procedural, and operational levels, based on circumstances in the territories. Along these lines, one major hurdle is that the impact of each agreement must be analyzed ahead of time, through a fixed process in the specific territories, in which the presence of other groups will be verified, whether or not agreements have also been made with them.

Accordingly, a comprehensive vision of Total Peace must be designed, to make it possible to organize priorities and coordinate implementation of strategies, processes, agreements, protocol, and actions in the territories. This vision has two important purposes: to foster autonomous, diverse, and inclusive participation with security guarantees; and to prevent the duplication and fragmentation of institutional and social efforts that would lead to harmful action.

The parties also face the challenges of strengthening mutual trust in the peace talk roundtables and the forums for social and legal discussion, assuming responsibility for the acts of violence committed, and bolstering coordination and harmonization of the various State branches to ensure timely fulfillment of the legal and political commitments.

The MAPP/OAS reiterates the importance of incorporating gender, ethnic, and intersectional approaches in the various phases of the participatory process, as well as in drawing up and implementing agreements and deciding the subjects that will be on the agendas.

#### **4.1. Rural peace**

##### **4.1.1. Peace talk roundtables between the national government and the FARC-EP Central High Command**

The MAPP/OAS thanks the President of the Republic and the delegations to the peace talk roundtable between the national government and the FARC-EP Central High Command for the official invitation to support the process on an ongoing basis. The Mission reaffirms its commitment to providing political and technical support to the roundtables, pursuant to its mandate and in line with the duties established in the “Agreement on the International and Support Component of the Peace Talk Roundtable” and the “Agreement on Respect for the Civilian Population and Implementation of the Temporary, Bilateral, and National Ceasefire with Territorial Impact,” as part of the Oversight, Monitoring, and Verification Mechanism.

In Tibú in Norte de Santander, on October 16, the delegations began the peace talk roundtables and signed four agreements<sup>40</sup> and two protocols<sup>41</sup> that established guidelines for execution. Both parties have shown a willingness to negotiate and to include social, economic, political, and environmental considerations on the agenda, prioritizing protection of the population most affected by the armed conflict, respect for international humanitarian law, and territorial transformation.

During the exploratory phase and the cycles of talks, the roundtables achieved significant results on humanitarian issues, such as the signing of the bilateral ceasefire agreement, the release of kidnapped individuals, and the prevention of clashes between the security forces and the

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<sup>40</sup> Agreement I: Agreement on Respect for the Civilian Population and Implementation of the Temporary, Bilateral, and National Ceasefire with Territorial Impact between the national government of the Republic of Colombia and the FARC-EP Central High Command.  
Agreement II: Agreement on the International and Support Component of the Peace Talk Roundtable.  
Agreement III: Agreement on Basic Guidelines for Preparing the Peacebuilding and Dialogue Agenda.  
Agreement IV: Agreement on Guidelines for the Special Agreement on Transforming the Territories and Overcoming the Dependence on Illicit Economies.

<sup>41</sup> Protocol I. Protocol of rules and commitments for the temporary, bilateral, and national ceasefire with territorial impact.  
Protocol II. Protocol for the mandate of the Oversight, Monitoring, and Verification Mechanism in connection with the agreement to respect the civilian population and implement the temporary, bilateral, and national ceasefire with territorial impact.

FARC-EP Central High Command, as well as the preparation of guidelines for territorial transformation in Arauca, Caquetá, Cauca, Guaviare, Norte de Santander, and Putumayo.

In the third cycle, the parties reached Agreement V on the pathway for social participation, agenda of the peace talk roundtable, socioenvironmental commitment, territorial transformations, and humanitarian, legal, and security aspects. In addition, they established a timeline for compliance with prior commitments in which they specified the territories and sphere of intervention through social dialogues with diverse sectors and stakeholders.

They also agreed to establish a Mixed Legal Commission, with MAPP/OAS support, to manage legal decisions on the suspension of arrest warrants, release from prison, and recognition of advisors, delegates, spokespersons, and supporters. It also drew up a schedule of prison visits to conduct a census and identify proposals for improving prison conditions for incarcerated members of the FARC-EP Central High Command.

The diversity of individuals who make up the government delegation will strengthen the agreements' legitimacy and sustainability, through the incorporation of the various perspectives held by the different stakeholders and political, economic, and social sectors.

The peace talk roundtables also face several challenges, like fulfilling the communities' and social leaders' requests to streamline implementation of the agreements made, with consideration of the territories whose social and economic development is lagging and where armed groups have interfered. This entails taking into account the progress and experience derived from public policies for peace, like comprehensive reparation for victims, and for the comprehensive transformation of the territories.

Another one of the challenges is to make headway on concluding the “Special Agreement for Participation and Decisions” and the “Protocol for the participation and social oversight of the population, its communities, and the organizations,” which ensures all types of organizations will be independently bound to the different stages of the peace talks process, with security guarantees.

The MAPP/OAS invites the parties to standardize the criteria for communication with the public, respect compliance with the agreements, maintain the confidentiality required, address the challenges to be expected in a negotiation process, and to continue to participate in the peace talk roundtables, as well as to establish a clear, consensual methodology on the cycles' logistics and agendas, so as to help the process move forward in an organized way and to create conditions for the delegations to build agreements and protocols.

#### **4.1.2. Impacts of implementation of the ceasefires**

The information included in this section results from the MAPP/OAS's work monitoring the territorial dynamics, in compliance with its regular mandate in force since 2004. It corresponds to what the MAPP/OAS has noted in the territories with respect to the impact of the implementation of the ceasefires in connection with the peace talk roundtables among the Colombian government and the armed groups.<sup>42</sup> Therefore, the observations presented are not included in the roles and commitments taken on by the Mission as part of the monitoring and verification mechanisms created for each process.

From August to October 2023, two ceasefires began to be implemented, as a result of the political agreements reached in the peace talks. In both cases, the Colombian government and the armed

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<sup>42</sup> Although the term “ceasefires” does not have one single definition, it typically refers to formal agreements among two or more parties in the context of an armed conflict. Ceasefires are also typically associated with political dialogue, and establish specific terms of validity, geographical area of application, prohibited activities, and monitoring and verification procedures. In turn, truces are informal agreements without these characteristics.

groups signed specific commitments and actions, designed to protect the civilian population and ensure respect for international humanitarian law.

Through Decree 1117 of July 2023 and in accordance with the agreements made in the third cycle of the peace talk roundtables<sup>43</sup> between the national government and the ELN, the President of the Republic established a temporary, bilateral, and national ceasefire from August 3, 2023 until January 29, 2024. The purpose of this ceasefire was to improve the humanitarian situation of the populations and the territories, with an emphasis on social and environmental leaders, ethnic peoples, women, human rights defenders, and minors.

As part of the agreement, on July 6 the parties suspended offensive actions and made progress on setting up and launching the Monitoring and Verification Mechanism at the national and territorial levels, as well as on analyzing the facts related to the ceasefire.<sup>44</sup>

In turn, the temporary, bilateral, and national ceasefire with territorial impact between the national government and the FARC-EP Central High Command was one of the first agreements considered in the exploratory stage. It was ratified by the parties at the installation of the peace talk roundtables.

The President of the Republic issued Decree 1684 of 2023, which established the temporary, bilateral national ceasefire with territorial impact from October 17, 2023 until January 15, 2024. This ceasefire was focused on ensuring respect for the civilian population, reducing violence, alleviating humanitarian crises, and fostering a more favorable climate for the talks, among other purposes. Prior to this ceasefire, the law enforcement agencies and the armed group had suspended their offensive actions for a short period, from October 10 to 16.<sup>45</sup>

On December 12, in Bogotá, Capital District, the national government, FARC-EP Central High Command, MAPP/OAS, and United Nations Verification Mission, accompanied by the Catholic Church and the World Council of Churches, established the national agency of the Oversight, Monitoring, and Verification Mechanism. The participants in this event included representatives of the international community and of the countries serving as guarantors for the peace talks.

From December 2023 until January 2024, the Oversight, Monitoring, and Verification Mechanism launched regional agencies in Arauca, Bucaramanga, Villavicencio, and Mocoa. At the end of the third cycle of the peace talk roundtables between the national government and the FARC-EP Central High Command, the parties decided where some of the local agencies would be located and agreed on a schedule for setting them up.<sup>46</sup> This decision strengthens the Mechanism's operation for fulfillment of its mandate.

In the second half of the year, the permanent supporters of the peace talks process, including the MAPP/OAS, helped prevent clashes between law enforcement agencies and the FARC-EP Central High Command, through humanitarian measures that led to the release of the kidnapped civilian population, members of the armed groups, and law enforcement personnel who had been detained in clashes, as well as to the recovery of civilian property in the departments of Antioquia, Arauca, and Cauca, and the regions of Catatumbo and southern Bolívar.

These actions did not necessarily fall within the framework of the roles played by each of the peace talks supporters in the Oversight, Monitoring, and Verification Mechanism, but rather were reflective of their signed commitments, within their respective mandates, to foster trust-building

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<sup>43</sup> Held from May 2 to June 8, 2023, in Havana, Cuba. During these roundtables, the parties signed Agreement 10, the "First Cuba Agreement."

<sup>44</sup> Office of the High Commissioner for Peace (2023). "Request for Information OFI24-00004530 / GFPU13020000. Annex 1."

<sup>45</sup> Article 2 of Decree 1640 of 2023 created a special contingency team to monitor the suspension of offensive military operations and special police operations and prevent incidents between the two parties. The MAPP/OAS formed part of this team.

<sup>46</sup> According to Protocol II, the number and location of the regional and local agencies may vary pursuant to agreements made by the parties and to the Mechanism's needs.

actions among the parties and provide support during disputes, through their good offices, with a focus on protecting the civilian population and respecting international humanitarian law.

The main impacts of the two ceasefires include fewer clashes between the security forces and the armed groups that signed these agreements and a smaller number of soldiers and policemen killed on the job<sup>47</sup> in municipalities of Arauca, Cauca, Nariño, and Valle del Cauca, and the region of Catatumbo. In some areas, the suspension of offensive actions helped communities get closer to civil institutions and law enforcement agencies, thereby creating change in the ways they interact.

On the other hand, in departments like Arauca and Guaviare and the northern Cauca region, the civil and military authorities continue to stigmatize some communities, accusing them of being sympathetic to certain armed groups. This undermined citizen trust in them, as did the alleged irregularities in the country's security forces, such as the case in Tierralta in Córdoba, in which National Army soldiers appeared before a community dressed like members of an armed group to intimidate the civilian population.<sup>48</sup>

Implementation of the two ceasefires allowed the civilian population to call on the armed groups' commanders in the field to provide relief from issues like kidnapping, forced recruitment, and restrictions on mobility. In the northern Cauca region, the Indigenous communities demonstrated against the continued harm to their members.

The communities' and civil and ethnic authorities' trust and belief in the ceasefires' impact on protecting their lives, liberty, integrity, and security were undermined due to the persistence of territorial disputes among armed groups and the occurrence of homicides, social control, kidnappings, extortions, and restrictions on exercising social leadership in territories like southern Meta, southern Valle del Cauca, northern and northeastern Antioquia, Telembí in Nariño, and southern Bolívar, as well as in the departments of Arauca, Cauca, Caquetá, Guaviare, and Putumayo.

The ceasefires also coincided with the territorial elections held in October and with implementation of the Democracy Plan, which led to tense situations in departments like Cauca, Caquetá, and Guaviare, and in the regions of southern Meta and northern Antioquia. However, the existence of a ceasefire agreement that included guarantees for holding the electoral process facilitated the steps that made it possible to set up polling stations in rural areas and de-escalate potential armed clashes and social tensions, thereby mitigating the risks to exercising the right to vote.

On December 12<sup>49</sup> and 17,<sup>50</sup> the existing peace talk roundtables announced that the two armed groups would put a stop to kidnapping<sup>51</sup> for economic ends as part of the negotiations to extend the ceasefires. This created expectations among the civilian population, especially with regard to the treatment of individuals who had already been kidnapped. The parties now face the challenge of defining the scope of these commitments, especially to provide clarity for verification and monitoring.

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<sup>47</sup> According to official figures, 84 members of the security forces in 2023, far fewer than the 130 agents killed in 2022. Taken from the Ministry of National Defense (2023). “*Seguimiento a indicadores de seguridad y resultados operacionales. Diciembre 2023* [Follow-up on security indicators and operational results. December 2023],” p. 57.

<sup>48</sup> Days after this incident, the national government publicly stated that two members of the National Army had been suspended and that the competent agencies were taking criminal and disciplinary actions.

<sup>49</sup> Peace talk roundtables between the national government and the FARC-EP Central High Command. “Message to the Public.” Available [here](#).

<sup>50</sup> Peace talk roundtables between the Government of the Republic of Colombia and the National Liberation Army. “Joint Statement No. 19.” Available [here](#).

<sup>51</sup> For this report, the Mission understands the term kidnapping to refer to the deprivation of liberty of one or more people by an armed group, with the humane treatment, security, and release of the victim(s) conditional on the fulfillment of certain economic, political, military, and other types of demands. Although international humanitarian law calls this crime “hostage-taking” and in Colombia some armed groups call it “detention,” Colombian society, the domestic legal criminal framework, the Unit for the Care and Comprehensive Reparation of Victims, and the Truth Commission's final report use the term “kidnapping” to refer to these acts. Accordingly, this report does too. Available [here](#).



With the extensions of the two ceasefires,<sup>52</sup> the territorial monitoring clearly revealed the need to bolster the pedagogical work in two ways: first, by raising awareness and ensuring ownership of the commitments made and specific actions to be completed by the security forces and armed groups; and second, by sharing information with the communities, social organizations, and civilian and ethnic authorities, with a view to spreading clear messages about their roles.<sup>53</sup> In the department of Guaviare and the southern Meta region, local authorities indicated that they are unclear on their role in implementing the ceasefire between the national government and the FARC-EP Central High Command, and highlighted the need to strengthen dialogue with the Office of the High Commissioner for Peace as well as with other agencies.

For the specific case of the temporary, bilateral, and national ceasefire with territorial impact between the national government and the FARC-EP Central High Command, the parties face the challenge of defining the scope and ways that social oversight will interact with the Oversight, Monitoring, and Verification Mechanism.

Given the continuing actions of other armed groups and the intransigence of the disputes over the territories, the communities and civil and ethnic authorities insisted on calling for progress on multilateral ceasefire agreements that focus on respecting and protecting the civilian population and facilitate entry of the institutions responsible for providing humanitarian care and implementing the Final Peace Agreement, thereby helping to consolidate trust in and the credibility of the peace talk processes.

#### **4.1.3. Humanitarian strategies**

The Total Peace policy fostered humanitarian agreements in connection with the peace talks and forums for social and legal discussion, and implemented institutional programs through the Office of the High Commissioner for Peace. At the same time, and despite the security risks, the communities and civil society organizations maintained their networks for collaboration, oversight, monitoring, documentation, warning, and local and national advocacy,<sup>54</sup> to demand respect for international humanitarian law and human rights, and to promote negotiated solutions to the armed conflict as well as multilateral ceasefires.

In the third cycle of negotiations, the peace talk roundtables between the national government and the ELN reached the First and Second Caracas Agreements<sup>55</sup> on humanitarian actions and dynamics; they also defined zones to be addressed in phases. One of the first-phase actions was the humanitarian caravan to Bajo Calima and Medio San Juan, which took place in January 2023. Thanks to coordination among the Victims' Unit, Office of the High Commissioner for Peace, and Office of the

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<sup>52</sup> On January 14, 2024, the President of the Republic issued Decree 016 of 2024, which extended the temporary, bilateral, and national ceasefire with territorial impact with the FARC-EP Central High Command to July 15, 2024, and maintained the agreements and protocols that governed the prior period. Likewise, on February 5, 2024, through Decree 0104 of 2024, the national government extended the temporary, bilateral, and national ceasefire with territorial impact with the ELN to August 3, 2024.

<sup>53</sup> The territorial education initiatives on the Total Peace policy and the temporary, bilateral, and national ceasefire with territorial impact, like the one carried out in Guaviare in November, with MAPP/OAS support, for military authorities, mayors and mayor-elects for the department and the southern Meta region, can be strengthened.

<sup>54</sup> One example of these humanitarian civil society networks is the Humanitarian Coordinating Agency (*Coordinadora Humanitaria*), made up of over 700 social organizations from 16 territories. In December 2023, this umbrella organization held the Fourth National Humanitarian Summit and presented an overview of the humanitarian situation in the midst of the agreed-upon ceasefires. This overview was based on 10 focal points regarding breaches of international humanitarian law and grave human rights violations that took place between January 1 and December 5, 2023.

<sup>55</sup> Agreement 12 “Political and Conceptual Framework for Humanitarian Actions and Dynamics. First Caracas Agreement,” in which the parties set out the background, preamble, humanitarian principles, concepts, purposes, approaches for the humanitarian actions and dynamics, and field of application. Agreement 13 “Critical or Humanitarian Crisis Zones. Second Caracas Agreement” defines the zones and lists the territories by phase, as follows: Phase 1: Bajo Calima and San Juan; Phase 2: San Juan River to Istmina; Phase 3: Urban areas of Buenaventura, Dagua, Cali, and Istmina; and Phase 4: Region of Naya and Baudó, all under the leadership of the Office of the Vice President of the Republic in coordination with the peace talk roundtables. The agreement also establishes verification of conditions and the types of humanitarian action in Bajo Cauca and southern Bolívar.

Vice President of the Republic, food was delivered and the return of members of the Indigenous community of Santa Rosa de Guayacán was initiated.

In September, these delegations visited the village of Colonia in the region of Bajo Calima in Valle del Cauca. There, the communities established the Interethnic Roundtable of Bajo Calima and Medio and Bajo San Juan to monitor the caravan commitments. At this roundtable, the delegations highlighted the delays in most of the agreed-upon relief measures, especially the ones associated with the proposal for humanitarian corridors, which had been submitted by the communities in February 2023 as a means to address the confinement that is still taking place in the area.

Furthermore, the armed groups exacerbated the humanitarian situation through violent actions, like the armed strikes in Medio San Juan, and continued to impose confinements, forced displacement, threats, and other adverse impacts.

As for urban peace, the forum for social and legal discussion in Buenaventura carried out humanitarian actions, delivering food supplies and holding sports and cultural activities in the neighborhoods. Subsequently, the parties agreed that the Neighborhood Peace<sup>56</sup> actions would focus on young people brought into the groups or at risk of being brought in. Although the agreements made at the forum include work plans and management arrangements, such as the creation of a Neighborhood Peace Subcommittee, they must be harmonized with the district's other public planning instruments for effective participation and implementation by the forum and the national and territorial institutions.

Moreover, the Peace Missions program is the Office of the High Commissioner for Peace's strategy to promote the national government's presence and the civil institutional response in areas with high levels of armed conflict and detrimental impacts on the population, especially in communities that are confined, being forcibly displaced, or undergoing a humanitarian crisis. The Office of the High Commissioner for Peace implemented Peace Missions in departments like Caquetá, Chocó, Magdalena, Nariño, and Valle del Cauca.<sup>57</sup>

These Peace Missions allowed the Office of the High Commissioner for Peace to enter the communities, by setting up institutional tents and bringing in volunteers who conducted cultural, psychosocial, pedagogical, and sports activities with the communities. At the same time, the Office of the High Commissioner for Peace began preparing diagnostic assessments of the needs of the communities, and addressed the humanitarian risks caused by the armed groups in the presence of the delegations to the peace talk roundtables delegations.

Even though the communities recognize the importance of the presence of civil institutions, they indicated that in order to increase their impact, consensus building among the national government, local authorities, and ethnic organizations and authorities must be improved, and the scope of actions for territorial transformation and effective mitigation of humanitarian risks, expanded. Furthermore, the Peace Missions face the challenges of making progress on educating the communities and State agencies<sup>58</sup> about their objectives, and of preventing the duplication of actions being taken by other humanitarian initiatives, such as the ones that derive from the peace talks and forums for social and legal discussion.

As for extrajudicial humanitarian searches, the Disappeared Persons Search Unit (UBPD) made progress on implementing regional search plans in Antioquia, Arauca, Bolívar, Caquetá, Caldas,

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<sup>56</sup> Neighborhood Peace is the forum for social and legal discussion's strategy to recognize and include the neighborhood as the place where actions for peace must be carried out to transform conflicts, with the involvement of the community.

<sup>57</sup> In the El Pato-Balsillas zone in San Vicente del Caguán in Caquetá; the Wounaan Unión Balsalito Indigenous reservation in Litoral de San Juan in Chocó; in the municipalities of Puerto Nuevo in Ciénaga in Magdalena, in Ricaurte and Samaniego in Nariño, and in Buenaventura in Valle del Cauca.

<sup>58</sup> For example: The Victims' Unit and local authorities. The latter are the primary respondents to humanitarian crises derived from the armed conflict.

Casanare, Cauca, Córdoba, Chocó, Cundinamarca, Guaviare, Huila, Meta, Nariño, Norte de Santander, Putumayo, Sucre, Tolima, and Valle del Cauca.

The first search of bodies of water began in Buenaventura. This experience demonstrated good practices in coordination among the forum for social and legal discussion, the communities, and the national and territorial institutions. Along the same lines, the UBPD and the National Indigenous Organization of Colombia launched an interadministrative agreement to conduct a search for disappeared persons, focused on ethnic communities, in Nariño.<sup>59</sup>

Although the UBPD did coordinate its entry into the territories ahead of time with institutions and communities, it continued to face dangers and detrimental impacts on the search process. In the rural zone of the municipality of Pradera (Valle del Cauca), the armed groups stole a vehicle and restricted the mobility of the Cali UBPD territorial team. Furthermore, the continuing armed conflict made it difficult to build trust in order to engage social actors in the search and convince them to provide information. Accordingly, the security guarantees must be reinforced for the UBPD teams and the other participating institutional and civil society actors in Arauca, Caquetá, Cauca, Chocó, Nariño, and Norte de Santander.

In this context, moreover, it is critical for the parties to the peace talks and forums for social and legal discussion to put the humanitarian and extrajudicial search for disappeared persons on their agendas, and to clearly agree upon the contributions they will make.

In consideration of the rights of the victims of forced disappearance, the Special Jurisdiction for Peace decreed precautionary measures to protect cemeteries where the bodies of disappeared persons are presumed to be buried.<sup>60</sup> These measures contribute to progress on guaranteeing the right to comprehensive reparation for victims, including the searching families, on honoring their memory, and on identifying risks at forensic points of interest where victims may be found.

#### **4.1.4. Peace Office as an element of the peace talk roundtables between the national government and the ELN**

The MAPP/OAS, in compliance with its mandate and at the express request of the Office of the High Commissioner for Peace, supports, together with Norway and the GPAAC,<sup>61</sup> the ELN Peace Office in implementing its work plan, especially the actions involving humanitarian relief in critical zones<sup>62</sup> and prisons, and in promoting civil society participation.

As for prison relief, the Mission supported information-gathering for the census of persons from the ELN deprived of liberty, the signing of informed consent forms to perform studies on the level of security and the request for transfers to the prisons selected for relocation of ELN groups. In addition, by way of the National Participation Committee, the Mission attended the first meeting held in the country's prisons to craft proposals for the design of the participation phase with groups of persons deprived of liberty and civil society organizations.

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<sup>59</sup> This agreement includes the Awá and Eperara Siapidara Indigenous peoples in Ricuarte, Barbacoas, Tumaco, Olaya Herrera, and El Charco in the department of Nariño.

<sup>60</sup> The precautionary measures decreed by the Special Jurisdiction for Peace protect the following cemeteries: El Salado, municipality of Carmen de Bolívar, Bolívar; Yopal Old Cemetery, Casanare; Neiva Central Cemetery, Huila; El Universal Cemetery Garden in Medellín, Antioquia; Las Mercedes Catholic Cemetery in Dabeiba and Turbo Municipal Cemetery, Antioquia; San Martín Cemetery (also known as the Cementerio de las Pobres), municipality of Aguachica, Cesar; Cemeteries of the municipalities of Victoria, Samaná, Norcasia, and La Dorada, Caldas; La Dolorosa Cemetery of Puerto Berrío, Antioquia; San José del Guaviare Municipal Cemetery in Guaviare; Nuestra Señora de Belén Cemetery in Fusagasugá, Cundinamarca; San José Cemetery in Paz de Ariporo, Casanare; Rincón del Mar and San Onofre Cemeteries in the municipality of San Onofre, Sucre; and the Albornoz neighborhood Cemetery in Cartagena, Bolívar.

<sup>61</sup> Group of Support, Accompaniment, and Cooperation Countries (*Grupo de Países de Apoyo, Acompañamiento y Cooperación*) formed by Germany, Spain, Switzerland, and Sweden.

<sup>62</sup> Agreement 13 "Critical or Humanitarian Crisis Zones. Second Caracas Agreement."

Norway and the MAPP/OAS responded positively to the government's request to support humanitarian relief for persons from the ELN deprived of liberty as peace promoters,<sup>63</sup> reaffirming their political and financial commitment to the process. This relief will make it possible to change custodial measures to extramural ones, so that these peace promoters can progressively conduct educational activities on the peace process.

#### **4.2. Urban peace<sup>64</sup>**

The national government and some armed groups formalized their exploratory rapprochements through establishment of three forums for social and legal discussion in Medellín and the Aburrá Valley,<sup>65</sup> Quibdó, and Buenaventura. The aim was to achieve these groups' negotiated surrender to justice and to dismantle them.

Since the rapprochement phase, the national government has professed that the inclusion of civil society was one of the main pillars of these Total Peace processes. According to the Office of the High Commissioner for Peace, the strategy for participation in urban peace has four components: (i) monitoring and understanding of the dynamics of urban violence; (ii) recognition, identification, and participative design of the community peace initiatives; (iii) interagency coordination; and (iv) development of peace initiatives.<sup>66</sup>

At the three forums for social and legal discussion, the national government carried out activities to identify community initiatives. Although this strategy is still in its initial phase, civil society points out the need to provide clarity about the template for and methodology and scope of its participation in the forum agendas.

Along these lines, one of the challenges of urban peace is the construction and implementation of participation protocols for each forum for social and legal discussion that account for the territorial contexts and clearly establish how civil society will be included, while providing the respective security guarantees and ensuring conditions are in place for it to play an influential role. Furthermore, the population must be better educated about the forums' progress and reach, in order to foster trust in and the credibility of the processes.

In Buenaventura,<sup>67</sup> Medellín, and Quibdó, the outgoing and elected regional and local authorities included the peace and human rights agendas in their transitions. This situation represents an opportunity to push for the new administrations to prioritize these issues and ensure the continuity of the actions associated with the forums.

##### **4.2.1. Forum for social and legal discussion in Medellín and the Aburrá Valley**

The Aburrá Valley forum for social and legal discussion was held at the Itagüí prison, with the participation of delegations from the national government and the armed groups,<sup>68</sup> as well as the Catholic Church and the MAPP/OAS, which attended as facilitators and witnesses. One of the objectives of the meetings was to construct the protocols for the operation of the forums for social

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<sup>63</sup> "Partial agreement on the legal assessment of the situation of political prisoners and persons deprived of liberty recognized as members of the ELN recruited in the country's prisons and detention centers," signed on September 4, 2023, by the national government and the ELN.

<sup>64</sup> Term used by the Office of the President of the Republic and the Office of the High Commissioner for Peace to refer to the social and legal rapprochements being conducted with urban armed groups, as in Medellín and the Aburrá Valley in Antioquia, in Buenaventura in Valle del Cauca, and in Quibdó in Chocó.

<sup>65</sup> Includes 10 municipalities: Barbosa, Copacabana, Girardota, Bello, Medellín, Envigado, Itagüí, Sabaneta, La Estrella, and Caldas.

<sup>66</sup> Office of the High Commissioner for Peace. (2023) "Request for Information OFI24-00004530 / GFPU13020000. Annex 1."

<sup>67</sup> For example, the previous mayor of Buenaventura launched the public policy on human rights for peace. This policy focuses on issues like forced disappearance; the civic space and the right to assembly and participation; the right to work, human rights, and the business sector; human rights defenders, social leaders and ethnic authorities; ethnic territorial rights; and peace. The current district administration will decide whether to foster and implement this policy, among other issues.

<sup>68</sup> At least 17 organizations representing 300 criminal groups from the municipalities of the Aburrá Valley.

and legal discussion and to define a thematic agenda. Once agreed upon, these would be published for civil society and the institutional and political stakeholders.

With the establishment of the forum for social and legal discussion, the delegation formed by members of various armed groups undertook the commitment to reduce violence through nonaggression pacts among them. In view of the concern expressed by communities, social organizations, and civil authorities over the murders that have occurred in neighborhoods of the Robledo commune in Medellín, the forum issued a joint statement<sup>69</sup> indicating that these parties had interceded to settle a dispute within a group, which had reduced violence.

Simultaneously, the Office of the High Commissioner for Peace spearheaded the opportunity for civil society to identify the local and neighborhood players who could contribute to urban peace, the actions of each social organization, and the mechanisms for citizen participation in this process. Approximately 30 social organizations participated, as did the Office of the Mayor of Medellín and the MAPP/OAS, as supporter, among others. Civil society continued to hold these meetings, pointing out the need for greater institutional support.

#### **4.2.2. Forum for social and legal discussion in Quibdó**

In Quibdó, in August 2023, the national government delegation and the spokespersons for Los Mexicanos, Locos Yam, and the RPS Armed Forces publicly opened the forum for social and legal discussion<sup>70</sup> at an event attended by the High Commissioner for Peace, civil and military authorities, representatives of the Catholic Church, and the MAPP/OAS, among others. In December, the parties approved the protocol for the operation of the forum for social and legal discussion and held discussions to define the thematic agenda, contemplating issues like the legal situation of members of armed groups and the improvement of prison conditions.

There are two work components for urban peace in Quibdó. The first involves engaging in social community affairs in order to have an influence on improving quality of life for neighborhood residents. This component includes actions like building proposals for the communities on their visions for productive and cultural development, delivering food supplies, and providing training on updating land registries, property surveys, and the enforceability of environmental and social rights. These actions were carried out in partnership with the Agustín Codazzi Geographic Institute and the Environmental Research Institute of the Pacific, respectively.

The second component is social/legal work with facilitators, spokespersons, and members of Los Mexicanos, Locos Yam, and the RPS Armed Forces. In this respect, the parties held meetings in the neighborhoods and in the Quibdó prison to craft a proposal for improving detention conditions in the La Victoria police station and in the Anayanci prison.<sup>71</sup> This proposal involves adapting the infrastructure for transferring members of these armed groups who are in prisons and temporary detention facilities<sup>72</sup> in other cities.

The two components of the forum for social and legal discussion were handled separately, which led to the establishment of initiatives that had not been previously agreed upon by neighborhood leaders and the fragmentation of socio-community and socio-legal initiatives. Coordination of the various actions included in this process is a challenge for urban peacebuilding in Quibdó.

#### **4.2.3. Forum for social and legal discussion in Buenaventura**

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<sup>69</sup> Forum for social and legal discussion among the national government and spokespersons for the organized armed groups of Medellín and the Aburrá Valley (2023). “Message to the Public #1.” Available [here](#).

<sup>70</sup> Office of the President of the Republic (2023). “Resolution 264 of 2023.” Available [here](#).

<sup>71</sup> Office of the High Commissioner for Peace (2023). “Request for Information OFI24-00004530 / GFPU13020000. Annex 1.”

<sup>72</sup> Specifically, the MAPP/OAS observed the harsh conditions in which detainees were kept at the La Victoria police station in Quibdó, and accompanied the Office of the Ombudsman on a humanitarian mission to address health, legal, and coexistence issues.

In Buenaventura, on July 18, 2023, the delegations of the national government, Los Shottas, and Los Esparteros officially opened the forum for social and legal discussion,<sup>73</sup> with support from the Catholic Church, the MAPP/OAS, and others. This forum prepared drafts of the operation protocols as well as a draft thematic agenda geared towards reducing violence, reconciliation, the transition to legality for members of these groups, and overcoming illicit economies. The documents are being studied by the delegations for approval and subsequent publication.

The national government carried out cultural activities and delivered food and toiletry kits to the families of both armed groups, under the commitments taken on in the forum for social and legal discussion. Furthermore, the delegations announced that civil society would be brought into the forum, and convened leaders from the urban zone to gather inputs to define the participation methodology.

In August, Los Shottas and Los Esparteros declared a truce that, after various announcements,<sup>74</sup> was extended until February 4, 2024. This commitment was interrupted in several periods, due to the murder and forced disappearance of members of the groups, which resulted from factors like internal disputes and arguments over the management of the illicit economies, coordination and communication difficulties among members, the presence of other armed groups, and the exercise of social control in view of noncompliance with regulations like the ban on using illegal drugs.

### **4.3. Peace in prisons<sup>75</sup>**

The MAPP/OAS monitored the detention conditions of persons deprived of liberty who were members of armed groups linked to the Total Peace processes, and issued recommendations for improving their situation. It also supported and implemented initiatives within the prisons to decrease violence and encourage participation and contributions to peacebuilding outside their walls. To that end, it coordinated educational, cultural, and sports activities with various public institutions and social organizations, to strengthen capacities for dialogue, negotiation, and conflict transformation.

In the Jamundí Prison Complex, the Presidential Office for Women's Equity, with Mission support, collected proposals on peace and security from incarcerated women, as inputs for putting together the National Action Plan for Resolution 1325/00. This is the first time in the world that imprisoned women are being included in this process.

Among the contributions made by these women, the following stood out: the need for the criminal justice system to have a gender approach and guarantee human rights standards in the process of effective reintegration into society; the improvement of psychosocial and mental health programs; the strengthening of forums for incarcerated women to participate in peace processes; training on conflict resolution; and access to education, among others.

In the Valledupar prison, the Presidential Council for National Reconciliation learned about the work of the peace and coexistence roundtable,<sup>76</sup> primarily formed by detainees who had belonged to various armed groups. With MAPP/OAS support, this roundtable carried out actions to reduce violence inside the prison and to improve coexistence through dialogue and conflict transformation. Specifically, the Office of the High Commissioner for Peace thanked the Mission for its support for this roundtable, which, in its first year of operation, worked to reduce extortions from inside the prison

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<sup>73</sup> Office of the President of the Republic (2023). "Resolution 210 of 2023." Available [here](#).

<sup>74</sup> The first announcement took place on August 9 and was for a 30-day truce. On September 4, Los Shottas and Los Esparteros extended this period for 60 more days; and on November 4, they extended it until February 5, 2024. Likewise, on February 5, 2024, these armed groups expressed their willingness to uphold their commitment until May 5 of this year.

<sup>75</sup> Peace in prisons is understood to refer to all actions carried out in prisons with a view to reconciliation, dialogue, conflict transformation, and restorative justice practices that contribute to the construction of a Complete Peace.

<sup>76</sup> The objectives of the peace and coexistence roundtables created on the initiative of the persons deprived of liberty include helping to improve detention conditions, creating opportunities for dialogue, improving conflict transformation training, and developing entrepreneurial initiatives to create job opportunities for these individuals after their release, and implementing restorative justice practices.

and fostered the voluntary surrender of over 100 bladed weapons, showing that prisons can be centers of transformation for peace.

At the Santa Marta prison, the incarcerated members of armed groups presented<sup>77</sup> the work they have been doing for over ten years through the peace and coexistence roundtable to the Office of the Inspector General and the Office of the Ombudsman. Their actions centered on reducing crimes like threats, extortion, and kidnapping. This presentation showed the security forces that the detainees were committed to crime reduction, and led them to offer a health care and support day to the prisoners and their families.

The MAPP/OAS strengthened capacities through the “Dialogue, conflict transformation, constructive communication, and negotiation” program for the incarcerated members of armed groups in the Itagüí and Valledupar prisons. The objective of this program was to form leaders and potential peacebuilders who will help improve coexistence, reduce violence, and create spaces for trust, tolerance, and reconciliation both inside and outside of the prisons. The National Penitentiary and Prison Institute recognized this work as the Mission’s contribution to humanizing the prison system and giving prisoners back their dignity.

#### **4.4. Legal framework for Total Peace**

In 2023, there were significant debates in Colombia’s legal sphere over the constitutionality of Law 2272 of 2022 (the Total Peace Law), and specifically, over the national government’s power to initiate talks with various armed groups, including groups considered to be neither rebels nor political.<sup>78</sup> Furthermore, the country still needs to make headway on closing the Justice and Peace jurisdiction<sup>79</sup> and, accordingly, disclose its results.

On November 29, the Constitutional Court reported its decisions on the claims of unconstitutionality made against Law 2272 of 2022.<sup>80</sup> Among them, it confirmed that the President of the Republic can, with a wide range of powers, take action to initiate rapprochements and talks in order to reach peaceful solutions with all armed groups, including the high-impact armed organized crime structures.

The Court also confirmed the national government’s power to ask the judicial authorities to suspend search warrants against high-impact armed organized crime structure members and spokespeople, but only for cases in which such suspension would be essential for dismantling the structure.

Furthermore, on December 11 a coalition of congresspersons from a broad political spectrum filed Draft Law 209 to amend the Justice and Peace Law.<sup>81</sup> This objectives of this bill are to establish definitive terms for the proceedings that were started beginning in 2005 but have not yet been decided; to expand the scope of the law in order to facilitate the peace processes and the reintegration of members of armed groups into civilian life; and to streamline the legal procedure, for example, through early termination for groups when the alleged conduct falls within a pattern of macrocrime already clarified by the Justice and Peace system.<sup>82</sup>

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<sup>77</sup> The participants included representatives of the First Division of the National Army, the Magdalena Police Department, and the Unified Action Groups for Personal Action.

<sup>78</sup> Law 2272 of 2022 (the Total Peace Law) calls them high-impact organized crime structures.

<sup>79</sup> Law 975 (the Justice and Peace Law) establishes special Justice and Peace criminal proceedings through which alternative sentences can be handed down for beneficiaries who have contributed to achieving peace in the country, collaborated with justice, truth, and comprehensive reparation for the victims, and adequately resocialized. The phrase Justice and Peace also refers to Law 1592 of 2012, which introduced amendments to Law 975 of 2005.

<sup>80</sup> Statement No. 50, November 29, 2023, Judgment C-525/2023.

<sup>81</sup> Congressional Gazette No. 1767, December 12, 2023.

<sup>82</sup> In its [Twenty-third Semiannual Report](#) (p. 25), the GS/OAS mentioned early terminations, highlighting their potential for easing the procedural bottleneck. This concept is currently found in the bill.

The Constitutional Court's decision on Law 2272 of 2022 provided certainty that allowed the rapprochements and talks with the high-impact armed organized crime structures to continue to progress, while making them conditional on the legislation regulating a legal framework for demobilization, which guarantees the victims' rights to truth, justice, and comprehensive reparation.

In view of the potential amendment of the Justice and Peace Law, the Mission reiterates the need to move forward with coordinating the Justice and Peace system and the Special Jurisdiction for Peace.<sup>83</sup> This is because both of the transitional justice mechanisms have had unique experiences investigating and prosecuting macrocrimes, which they have not shared systematically.

Due to the scale of the victimizing acts and the high level of complexity of the legal treatment of the armed conflict, this coordination is imperative in order for the country to improve future transitional justice proceedings and prevent the fragmentation of cases based on the same macrocrime pattern in various jurisdictions. The Mission considers it important to advance coordination among the Justice and Peace, Special Jurisdiction for Peace, and ordinary criminal justice systems to end impunity for patterns of crime that have taken place throughout the armed conflict, and to cover both combatants and third parties in the same legal system.

It also considers it important to move towards a binding methodology to make hearings more efficient and to ensure decisions are handed down faster. These types of changes would greatly satisfy the victims and the applicants for benefits under the Justice and Peace Law, who have been mired in these processes for several years.

#### **4.5. Environmental peace**

Environmental conservation and restoration were considered to be key issues in the peace talks in Colombia. At the peace talk roundtable between the national government and the FARC-EP Central High Command, the parties committed to acknowledge, strengthen, and support the communities' independent environmental protection efforts. To that end, they established a timeline for one national and three regional meetings<sup>84</sup> under the agreements to immediately implement the socioenvironmental agenda. In addition, the National Participation Committee, created at the peace talk roundtable between the Colombian government and the ELN, held two regional meetings<sup>85</sup> with social leaders from the environmental sector, to gather inputs for designing the citizen participation system to come out of this process.

Meanwhile, the national government began implementing the multipurpose cadastre and participatory environmental zoning in Guaviare and Caquetá. These two commitments from the Final Peace Agreement help strengthen the communities' environmental governance, the adoption of evidence-based land use decisions and community consensus building, and the replacement of legal and illegal economies harmful to the ecosystems with sustainable development alternatives based on new social and productive relationships.

Furthermore, Colombian institutions launched the Comprehensive Plan to Contain Deforestation, whose objectives include developing government/community partnerships for the transition towards associative forest and biodiversity economies. The Plan also promotes institutional coordination to investigate and prosecute the primary links in the organized crime networks for deforestation and other environmental crimes.

The willingness demonstrated by the rural communities and the Ministry of the Environment and Sustainable Development in the social dialogues in areas where armed group have interfered constitutes a significant step forward towards improving the credibility of and trust in the institutions.

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<sup>83</sup> See, for example, the [Thirty-fifth Semiannual Report](#) (p. 33) in which the Mission highlights the need for greater coordination among the Special Jurisdiction for Peace and the Justice and Peace system.

<sup>84</sup> In Bucaramanga in Santander.

<sup>85</sup> In San José del Guaviare in Guaviare, San Vicente del Caguán in Caquetá, and in the region of the Colombian massif.



Along these lines, the recent creation of campesino environmental groups in the Amazon to review compliance with prior agreements will make it possible to decide the priorities in order to target institutional efforts and resources.

The increase in institutional investment for implementing associative economies,<sup>86</sup> the design of sustainable development plans for campesino reserve zones, and the regulatory changes to make them possible within the forest reserve zones will facilitate implementation of the environmental commitments derived from the various peace talk roundtables.

These institutional efforts have focused on the Amazon, with international cooperation support. Accordingly, it is important for the environmental institutions to consider applying similar interventions in other strategic ecosystems that have been affected by illegal mining, the installation of handmade valves to steal hydrocarbons, and the explosion of oil pipelines, among other criminal activities that illegally enrich the armed groups.

Accordingly, the main challenge to the implementation of peace policies with environmental impact is the persistence of the armed conflict, in particular the social control exercised by the groups through economic sanctions against or consequences for the civilian population, and actions like logging, hunting, or illegal mining, as well as the restriction on the entry and execution of government programs in the territories.

In July, in the southern Meta region and the departments of Caquetá, Guaviare, and Putumayo, the armed groups amended the environmental restrictions prohibiting the burning and logging of forests that they had laid down a year earlier. This notably increased deforestation. In November, in these areas, the armed groups restricted, under threats, the entry of environmental authorities and nongovernmental organizations, and prohibited the communities and social leaders from answering calls for meetings or continuing with processes that they had already started.

In addition, the environmental institutions face major challenges, like coordinating actions with local authorities, strengthening community autonomy for participation in implementation and citizen oversight of the environmental initiatives, and fostering cultural changes regarding agricultural production and care for the environment that will make associative development models for forestry use viable.

The environmental peace strategies require specific, sustainable, verifiable, and measurable action plans. A good starting point for the transition to production models that result in economic integration and the effective enjoyment of rights by communities living in areas of special environmental interest affected by the armed conflict is the comprehensive, coordinated implementation of public policies derived from the Final Peace Agreement and the National Development Plan. These actions must be independent from the progress made at the peace talk roundtables, to prevent implementation from pressuring the parties.

## **5. PARTICIPATION AND SOCIAL DIALOGUE**

Civil society participation continued to be one of the major issues in the rapprochements, peace talks, and forums for social and legal discussion among the national government and the armed groups under the Total Peace policy.

The establishment of the National Participation Committee<sup>87</sup> and development of forums for exchange and consultation with various sectors and population groups made it possible for civil society to contribute its ideas on the design of the methodological proposal for participation in the talks between the national government and the ELN. This confirms the parties' commitments to involving civil society.

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<sup>86</sup> Through 22 forest development nuclei in the Amazon.

<sup>87</sup> Installed on August 3 and made up of 80 members of 30 social organizations and movements, ethnic authorities, guilds, and institutions.

Sectors of civil society indicated that the National Participation Committee's actions were broad and inclusive, which enabled various population groups to participate. However, they also indicate that, in order to consolidate this participation and make sure it is effective, the Committee must improve its outreach and the communications channels that guarantee access to and dissemination of the information. Some sectors also expressed concern over the construction and implementation of the methodological proposal, as the process of reaching agreements with other sectors, like the business sector, faces challenges.

In turn, women's organizations and platforms, with MAPP/OAS support, kept channels for dialogue open with representatives of both delegations to the peace talk roundtable between the national government and the ELN, and had representatives in the National Participation Committee. Even so, these women leaders reiterate that the gender and women's rights agenda for the talks goes beyond mere participation, and they expressed concern over the delays in the discussion and inclusion of the Women, Peace, and Security Agenda at the roundtable.

These recommendations could apply to all the Total Peace processes, along with actions designed to strengthen the teaching on peace processes and the ways of participating that allow for community interventions and help further broad and inclusive forms of negotiation.

A differential reading of the territorial context based on security is necessary for participation in the various peace talks and forums for social and legal discussion. Such a reading would provide security guarantees to communities and leaders through early identification of risks, the adoption of prevention, protection, and mitigation measures, and coordination with the various humanitarian strategies.

A coordinated strategy needs to be designed for the communities' participation in areas where several armed groups converge<sup>88</sup> and various actions derived from the Total Peace policy take place. Likewise, the existing stakeholders and forums for participation need to be included, in order to avoid duplication and not weaken the participation ecosystems.

In connection with these processes, the Mission calls for respecting the communities' autonomous forms of organization, avoiding interference in the election of their representatives, and ensuring that diverse and critical postures are heard. The failure to implement these guarantees would not only prevent participation from being free and safe, but could also cause grave damage to civil society's organizational fabric.

## **6. GENDER AND WOMEN'S RIGHTS AGENDA**

Colombia made progress on the National Action Plan for Resolution 1325 of 2000 (PAN 1325/00) participatory process, through which it seeks to adopt the Women, Peace, and Security Agenda as State policy. This second phase<sup>89</sup> of the Plan's design and development concluded in October, with over 1,500 women having put together collective proposals at 6 macroregional forums,<sup>90</sup> territorial meetings, 5 demographic forums,<sup>91</sup> and 1 crossborder forum.<sup>92</sup> At these forums, women leaders from

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<sup>88</sup> For example, in departments like Arauca, Antioquia, Cauca, Chocó, and the Catatumbo region.

<sup>89</sup> The Presidential Office for Women's Equity and Ministry of Foreign Affairs established a roadmap structured into 5 phases and agreed upon with the 27 women's and feminist organizations that form part of the Promotional Committee. The phases are: 1. Construction of the roadmap; 2. Participatory process; 3. Harmonization with government agencies and technical consolidation; 4. Outreach on the action plan; and 5. national and territorial implementation.

<sup>90</sup> The six regional forums were: 1. Pacific and Southwest; 2. Caribbean Coast; 3. Coffee-growing region; 4. East; 5. Orinoquia and the Amazon; and 6. Bogotá and Cundinamarca.

<sup>91</sup> The demographic forums were held with Indigenous women; Black, Afro-Colombian, Palanquero, and Raizal women; lesbian, bisexual, and trans women; incarcerated women; and women peace signatories. These forums produced proposals for ensuring intersectionality in development of the PAN 1325/00.

<sup>92</sup> The crossborder forum took place in Cúcuta, Norte de Santander, as an emblematic territory where women on the borders are harmed, transnational crime takes place, and the transition to a feminist foreign policy is challenged.

high-conflict zones raised the need to incorporate the territorial perspective and context analysis into the development and subsequent implementation of the Plan.

The International Cooperation Working Group on Gender, in which the MAPP/OAS participates, highlighted that this participation structure has posted achievements without precedent in the international experiences of developing the PAN 1325/00. This is especially due to the women and peace movement's involvement and advocacy for incorporating the intersectional approach and proposal to expand the Women, Peace, and Security Agenda politically and thematically.<sup>93</sup>

Subsequently, the national government began the third phase, interagency technical development, which projects implementation of the PAN 1325/00 at 10 years. The challenges in this phase involve coordination, budget allocation, and alignment of the various national and local planning instruments.

Women's organizations and leaders in high-conflict territories like Cauca, Chocó, and Norte de Santander warned about the disconnection among the agencies responsible for the PAN 1325/00, the actions of the Office of the High Commissioner for Peace, the peace talk roundtables, and the forums for social and legal discussion. This situation is perceived as a lost opportunity that blocks the political positioning of the Women, Peace, and Security Agenda.

Accordingly, the construction of the PAN 1325/00, the Total Peace policy, and the development of the new comprehensive citizen security and coexistence plans must be immediately, strategically, and operationally coordinated in order to guarantee women's right to peace and security.<sup>94</sup>

As for progress on victims' access to justice, on September 27, 2023, the Special Jurisdiction for Peace opened Macrocase 11 through Order 5 of 2023 of the Recognition of Truth, Responsibility, and Determination of Facts and Conduct Division, with a provisional universe of 35,178 victims. This macrocase will investigate gender-based violence, sexual violence, reproductive violence, and other crimes committed based on prejudices and the victims' sexual orientation, sexual expression, and/or diverse gender identities; determine the perpetrators; and punish them.

## **7. IMPACTS OF THE TERRITORIAL TRANSFORMATION POLICIES**

### **7.1. Rural transformation for peace**

The peace talk roundtable between the national government and the FARC-EP Central High Command signed an agreement for the territorial transformation of Arauca, Caquetá, Cauca, Guaviare, Norte de Santander, and Putumayo, for immediate implementation. With this commitment, the parties undertook the process of building consensus with civil society to implement comprehensive, coordinated solutions that will guarantee land access for ethnic and campesino communities, as well as to develop the social and productive infrastructure that will make it possible to replace the illegal economies operating in these territories.

Furthermore, the national government continued to comply with the commitments made in Item 1 of the Final Peace Agreement on Comprehensive Rural Reform, specifically the commitments regarding the Land Fund and the agricultural jurisdiction. These actions are coordinated with and complement the agricultural reform and drug policies.

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<sup>93</sup> The participatory phase designed 7 thematic lines, 11 outcomes, and 96 actions related to: 1. Women as guardians of peace and participation in negotiations; 2. Women's comprehensive, ancestral, and community health, with an emphasis on mental health; 3. Gender justice and prevention of gender-based violence, including sexual and reproductive violence in the armed conflict; 4. Protection of the territory from armed groups and extractive industries that drive violence against women; 5. Resolution of territorial conflicts based on women's perspectives and experiences; 6. Women's economic independence for building peace in the territories; 7. Human mobility, displacement, and migration.

<sup>94</sup> In this respect, the Office of the Inspector General made headway on building a monitoring and preventive surveillance mechanism to help strengthen territorial capacities for citizen security and coexistence, with a gender and peacebuilding approach. This progress was based on a diagnostic assessment that took into account circumstances in Caloto in Cauca, Cáceres and Caucasia in Antioquia, and Quibdó in Chocó.

Along these lines, the national government created the Intersectoral Committee for Agricultural and Comprehensive Rural Reform, moved up the first meeting of the Board of Directors of the National System for Agricultural Reform,<sup>95</sup> and established the municipal committees for standardizing the various policies, localizing food production programs, strengthening the campesino economy, and adjusting regulations and budgets as required.

In addition, the National Land Agency consolidated its decentralization process and finished establishing a Territorial Management Unit in each department of the country. Likewise, according to official figures from the Ministry of Agriculture and Rural Development, the National Land Agency purchased 118,000 hectares, recovered 71,458 hectares for the country, and formalized collective titles to 611,164 hectares for ethnic communities and individual titles to 184,209 hectares for campesino populations.<sup>96</sup> These figures demonstrate the significant and exponential upswing in property procurement and titling processes.<sup>97</sup>

However, since the land access and formalization processes focused on the department of Meta and the Caribbean Coast and Magdalena Medio regions, recognition of the impact of this strategy by the communities in other areas of the country was limited. Moreover, a significant sector of the rural population remained unaware of how to access the institutional services, and delays in the selection of beneficiaries persisted. As a result, less than a quarter of the properties procured have been handed over.<sup>98</sup>

Furthermore, the National Land Agency Board of Directors, in line with its recognition that campesinos are entitled to special constitutional protection and acknowledgement of their potential role in caring for the environment, made it possible to establish campesino reserve zones and bring the occupation and sustainable use of uncultivated land in forest reserve areas into compliance. These regulatory changes will facilitate the transformation of historical social conflicts over campesino communities' land access, without endangering the environmental protection of strategic ecosystems. In addition, they represent progress in the execution of the ecological function of property established in Colombia's Political Constitution.

The coordinated efforts of the Ministry of Agriculture and Rural Development and the Ministry of Justice and the Law made it possible to open the agricultural jurisdiction, with the creation of the first Agricultural and Rural Court with multiple judges and five agricultural and rural lower-level one-judge courts, which will have jurisdiction over agricultural disputes, including ones over environmental and ethnic issues. The remaining 5 multiple-judge courts and 35 one-judge courts are expected to be established progressively in late 2024. Despite the progress made on implementation of the Agricultural and Rural Jurisdiction, the Congress of the Republic still needs to move forward with approving the bills that govern its functions, jurisdictions, and procedures, which are essential in order for the judges and agricultural and rural courts to begin operating.

The Mission reiterates the importance of the participatory implementation of the Territory-Focused Development Programs. The capacity demonstrated by the Agency for Territorial Renewal for management and coordination with the various levels of government, private sector, and international cooperation agencies, represents an opportunity for the country to make progress on executing the 16 national sectoral plans for comprehensive rural reform and the 33,007 initiatives prepared by the campesino and ethnic communities most affected by the armed conflict.

In this context, the Agency for Territorial Renewal launched the system for impactful participation with the creation of 170 municipal community roundtables for territorial transformation;

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<sup>95</sup> Included in the National Development Plan.

<sup>96</sup> According to the official accountant of the Ministry of Agriculture and Rural Development, with cutoff date of January 5, 2024, the national government had formalized 572,743 hectares for Indigenous communities and 38,421 hectares for Afro-descendent communities. Available [here](#).

<sup>97</sup> In the second half of the year, procurements increased by 421% and formalization, 336%, compared to the first half of 2023.

<sup>98</sup> El Tiempo (2023). “*No se ha entregado ni una cuarta parte de tierras que se han comprado: minagricultura.*” Available [here](#).

strengthening of the special consultation mechanisms for ethnic communities; and construction of the Plan to Strengthen Community Capacities with Differential Approaches. It also implemented improvements for the social adaptation of the Development Programs with a Territorial Approach process like access to information and citizen oversight, as well as adjustments for the equitable distribution of OCAD Paz<sup>99</sup> resources, among other actions, which revived the communities' and local authorities' trust and interest.

Having new municipal and departmental civil authorities provides the country with the opportunity to align local development plans with the national government's public policies, specifically the policies on participatory land management, the transition to sustainable models of production, and execution of Development Programs with a Territorial Approach initiatives.

The country still faces the challenge of establishing a single communications strategy among the entities responsible for the comprehensive rural reform, the communities, and the civil and ethnic authorities that will clearly convey the progress made on the policies and programs, the scenarios for citizen participation, and the ways to access the institutional services available in each territory, as well as the channels for reporting alerts created through citizen oversight of the actions and resources.

## **7.2. Strategies and dynamics associated with drug trafficking**

Reduced marketing of coca paste meant that the increased stocks thereof were maintained in Catatumbo, the Pacific coast of Nariño, and southern Meta. In turn, this drove some people to move to other territories in search of economic alternatives.<sup>100</sup> Conversely, in regions like southern Córdoba, central and southern Cauca, and the department of Putumayo, the sporadic entry of buyers revived sales of coca paste in certain periods.

The interests of the armed groups did play a role in the differences in marketing dynamics in the territories. For example, in Putumayo the armed groups prohibited or allowed the sale of coca paste based on the decision of the head of each zone.

The search for alternatives to decrease the impact of the buildup of unsold coca paste on the economies and food subsistence were observed in some territories. On the one hand, coca paste was used as currency for purchasing goods, and would be left at the commercial establishments as a guarantee. On the other, the buildup of stock was used as way to hopefully increase the sales price and the circulation of money. This occurred in regions like northern Antioquia and southern Córdoba, where payments for purchasing coca paste were delayed and prices were low, ranging from COP1.8 million to COP2.4 million.

Under the National Drug Policy 2023-2033 “In sowing life we uproot drug trafficking,” the national government made progress on designing strategies to reach the targets projected for the next 3 years, namely that 90,000 hectares of coca leaf crops will have been eradicated<sup>101</sup> and 50,000 families will have switched to legal economic activities. The government also developed actions to counteract the drug trade and its social, economic, and environmental impacts on the territory, as well as to target the high-value strategic actors in drug trafficking. Despite the national government's initiatives to disseminate<sup>102</sup> and implement the new policy, it is still too early to identify the resulting changes.

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<sup>99</sup> Deliberative Administration and Decision Agency.

<sup>100</sup> According to the Directorate for the Substitution of Illicit Crops of the Agency for Territorial Renewal, some departments are showing a strong trend towards abandoning the cultivation of coca leaves for cocaine. This is the case in Antioquia, where this abandonment is linked to a shift to other illicit economies, primarily illegal mining in the municipalities of Bajo Cauca Antioqueño like Anorí, Cáceres, Taraza, and Briceño. Institutions have learned that over 60% of illegal crop areas have been abandoned in Guaviare, and in southern Bolívar and the municipalities of San Pablo and Santa Rosa as well.

<sup>101</sup> In all, 69,000 hectares voluntarily replaced and 23,000 forcibly eradicated.

<sup>102</sup> In October 2023, the President of the Republic launched the Drug Policy 2023-2033 in the village of El Tablón of the municipality of El Tambo in Cauca.

According to the Ministry of National Defense, more cocaine hydrochloride was seized from July to December 2023 than in the same period of 2022 (417 tons versus 217). Notably, the 2022 Integrated Illicit Crop Monitoring System established that Colombia is able to produce 1,738 metric tons of cocaine.<sup>103</sup> Other indicators such as the destruction of illicit drug production infrastructure and seizures and immobilizations of aircrafts and vessels used for drug trafficking increased by 12.4%, 35.7%,<sup>104</sup> and 43.1%,<sup>105</sup> respectively. However, in these same periods, the manual eradication of coca leaf crops decreased by 51.6%.<sup>106</sup>

As part of the National Illegal Crop Substitution Program, the Directorate for the Substitution of Illicit Crops disbursed, to the families, the economic resources pending under the investment and Zero Hunger Program plans.<sup>107</sup> Although progress was made towards the objective of disbursing the committed payments without the intermediation of private operators, this did not occur for all of the resources, due to the validity of the contracts.

One of the challenges in implementation of the new drug policy will be structuring and implementing productive and substitution projects. Although the budget allocation is pending, Cauca, Chocó, Norte de Santander, and Putumayo are prioritized for focused intervention, on a preliminary basis. Another challenge to be addressed is the need to recover the civilian population's trust in the institutions involved in implementing substitution programs or strategies, as well as their interest in participating, regardless of what they are called.<sup>108</sup>

## 8. DYNAMICS ON THE BORDER

The national government continued its efforts to make progress on guaranteeing the rights of the communities that live on the borders. The population highlighted the opening of the border with Venezuela, the humanitarian actions that were carried out on the borders with Panama, and the tightening of the military control over the border with Ecuador and Peru. Likewise, the government made headway on implementing the immigrant integration process for the Venezuelan population brought in through the Temporary Protection Permit.

As for migration trends, the MAPP/OAS continued to monitor the border area between Colombia and Panama, and confirmed the increased arrivals of foreigners and Colombians trying to reach the United States and Canada. The armed groups with a presence in this area increased their control and influence over migrant-trafficking activities, and extorted and exploited the transportation, lodging, guide, and food services. Likewise, the Colombian and migrant population in transit faced extortions, threats, thefts, forced disappearance, targeting killings, and sexual violence.

On the border with Venezuela, the use of unauthorized crossings, where armed groups and criminal gangs operate, persisted. Some residents stated that using authorized border crossings is

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<sup>103</sup> From July to December 2022, 298.3 tons of cocaine hydrochloride were seized, while in the same period in 2023, 417.3 were. Consulted in Ministry of National Defense (2023). “*Seguimiento a indicadores de seguridad y resultados operacionales* [Follow-up on security indicators and operational results],” p. 43.

<sup>104</sup> From July to December 2022, 21 aircrafts were seized and immobilized, while in the same period of 2023, 96 were. Consulted in Ministry of National Defense (2023). “*Seguimiento a indicadores de seguridad y resultados operacionales* [Follow-up on security indicators and operational results],” p. 47.

<sup>105</sup> From July to December 2022, 146 vessels were seized and immobilized, while in the same period of 2023, 209 were. Consulted in Ministry of National Defense (2023). “*Seguimiento a indicadores de seguridad y resultados operacionales* [Follow-up on security indicators and operational results],” p. 48.

<sup>106</sup> From July to December 2022, 28,975 hectares of coca plants were manually eradicated, while in the same period of 2023, 14,014 were. Consulted in Ministry of National Defense (2023). “*Seguimiento a indicadores de seguridad y resultados operacionales* [Follow-up on security indicators and operational results],” p. 42.

<sup>107</sup> The Zero Hunger Program falls under the National System for the Progressive Guarantee of the Right to Food led by the Administrative Department of the Office of the President of the Republic. Starting in May 2023, this entity, jointly with the Agency for Territorial Renewal and the Ministry of Agriculture and Rural Development, has been targeting and prioritizing the program's intervention in municipalities that are participating in the National Illegal Crop Substitution Program.

<sup>108</sup> Agency for Territorial Renewal (2023). “*Respuesta de los principales avances, logros, y resultados de la Dirección de Sustitución de Cultivos Ilícitos* [Response to the main advancements, achievements, and results of the Directorate for the Substitution of Illicit Crops],” pp. 1-2.

costly and unsafe, since they widely perceive the authorities to be corrupt, and have to pay additional transportation costs to get from their residential areas to these crossings. Furthermore, they are afraid of becoming victims of retaliations by armed groups due to the likelihood of being identified as collaborators with the law enforcement agencies or other groups.

In addition, the foreign population passing through or living in Colombia continues to face violence due to the clashes among armed groups. In the region of Bajo Putumayo and the departments of Arauca, Norte de Santander, Chocó, and Nariño, a large part of the Venezuelan population that wants to stay in Colombia permanently was forcibly displaced. This led many to return to their country of origin or to head towards North America.

The population moving towards the border with Panama from Ipiales in Nariño, the Venezuelan border, and departments like Antioquia, Meta, Guaviare, and Putumayo faced threats, theft, forced disappearance, targeted killings, sexual violence, and extortions, due to the armed groups' social control.<sup>109</sup>

Kidnappings of foreigners who were later found dead with signs of torture persisted in Colombia's border zones with Venezuela and Ecuador. In addition, the armed groups reactivated their restrictions on the entry and mobility of the Venezuelan population in some municipalities of Arauca and Norte de Santander, and in the regions of Abades in Nariño and Bajo Putumayo. In these territories, they only allow Venezuelans who have letters of recommendation or the group-issued license to enter.

In some cases, members of the migrant population took jobs in the illegal economies in order to cover their basic needs. In Catatumbo and southern Valle del Cauca, for example, they worked in activities associated with harvesting coca leaves and producing illicit drugs. In turn, the foreign population attracted by the illegal extraction of gold from the San Juan River continued to arrive in Medio San Juan in Chocó.

In connection with human trafficking, members of the armed groups sexually exploited Colombian and foreign women and minors, using false job offers, threats, and scams to transfer them to brothels in areas under the groups' control. Specifically, in rural Tumaco in Nariño, an armed group maintains a human trafficking network that especially affects women who have ties to cartels or foreign mafias. The victims are typically from Venezuela or departments like Cauca, Antioquia, Huila, and Caquetá.

## **9. RECOMMENDATIONS**

### **9.1. For the Office of the High Commissioner for Peace**

*In connection with the rapprochements, peace talks, and forums for social and legal discussion*

- a. Develop a comprehensive vision of Total Peace in order to organize the priorities and coordinated implementation of agreements, protocols, immediate actions, and other public policies implemented in the territories. This should entail designing a plan for strategic, political, and operational coordination, with security guarantees, based on the circumstances in the territories among the national government delegations in each of the peace talk roundtables and forums for social and legal discussion.
- b. In coordination with the Ministry of the Interior, design a strategy for coordinating the various forms of participation in the Total Peace processes that ensures respect for autonomous organization, broad and diverse inclusion of the existing stakeholders, sectors, and

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<sup>109</sup> According to official figures from the National Planning Department, by December 2023 there was a population of 931,703 migrants in Colombian territory (mainly from Venezuela, Haiti, Ecuador, and China). These individuals primarily enter Colombia through Ipiales in Nariño and Los Patios in Norte de Santander. The municipalities of Necoclí and Turbo in Antioquia are the top areas of transit and deportation.

participation forums, especially in areas where several armed groups converge and various actions derived from the policy are being carried out.

- c. Ensure that the citizen participation protocols and agreements include access to prevention and protection services, focused on providing security guarantees to members of civil society involved in the various peace talk and dialogue processes.
- d. Make progress on multilateral ceasefire agreements that focus on respecting and protecting the civilian population, facilitate entry of the institutions responsible for providing humanitarian assistance and implementing the Final Peace Agreement, and help consolidate trust in and the credibility of the peace talk processes.
- e. Design a strategy for rapprochement and coordination with the new department and municipal authorities, as well as a strategy for communicating with citizens to publicize the operation, progress, planned actions, and challenges of the Total Peace processes.
- f. Propose putting up warning signs for areas contaminated by APM, UXO, and booby traps, and make progress on agreements to ensure the security of humanitarian demining organizations to enable them to carry out cleaning operations, and to provide comprehensive assistance for victims and education on the risk of mines.
- g. Conduct a midterm evaluation of the Peace Missions program and the humanitarian initiatives derived from the peace talks and forums for social and legal discussion to identify achievements, challenges, and opportunities for improvement. This will make it possible to guide decision-making, foster greater capacity for institutional coordination, and adopt measures to prevent, mitigate, and address humanitarian crises.
- h. In coordination with the Disappeared Persons Search Unit, agree to implement actions to facilitate the search for victims of forced disappearance, with a special emphasis on Arauca, Caquetá, Cauca, Chocó, Nariño, Norte de Santander, and Valle del Cauca.
- i. Propose concepts and recommendations, bills, regulatory acts, and amendments to ensure the legal frameworks are in place for facilitating the peace processes and the dismantling of all the armed groups, guaranteeing victims' rights to truth, justice, comprehensive reparation, and guarantees of nonrecurrence.
- j. Foster initiatives designed to create laws or legal frameworks that establish a mechanism for completing the processes started under the Justice and Peace system, to provide legal certainty and guarantee victims' rights in that jurisdiction.
- k. Bolster coordination with the Ministry of National Defense to consolidate compatible actions in the various processes, mechanisms, and actions tied to the armed groups.

### **9.2. For the Ministry of Foreign Affairs and the Ministry of Equality and Equity**

In coordination with the Office of the High Commissioner for Peace, set up and activate a mechanism for institutional coordination that will ensure inclusion of Resolution 1325 of 2000 and the Women, Peace, and Security Agenda in the peace talk roundtables and forums for social and legal discussion, as well as the proposals made by women in the “Women as guardians of peace and participation in negotiations” pillar, in connection with construction of National Action Plan 1325/00.

### **9.3. For the Ministry of National Defense**



Continue to develop strategies that make it possible to maintain the presence of law enforcement agencies to guarantee the security and protection of the civilian population, especially in the territories classified as areas where armed groups are in conflict.

Bolster coordination with the Office of the High Commissioner for Peace to consolidate compatible actions in the various processes, mechanisms, and actions tied to the armed groups.

#### **9.4. For the Ministry of Equality and Equity, the Ministry of National Defense, and the National Planning Department**

In coordination with local authorities, foster inclusion of the proposals from the participatory phase of developing the National Action Plan 1325/00 in the municipal and departmental development plans for 2024 to 2027 and in the comprehensive citizen security and coexistence plans, thereby helping to guarantee women's right to peace and security.

#### **9.5. For the Ministry of Justice and the Law**

Propose regulatory initiatives or amendments to establish an integrated transitional justice system that will prevent contradictions among mechanisms, contribute to the investigation of mass violence, and promote the transfer of knowledge and methods from the transitional justice system to the ordinary justice system.

#### **9.6. For the Ministry of Agriculture and Rural Development**

Within the framework of the National System for Agricultural Reform and Rural Development, produce a single communications strategy for the entities responsible for the comprehensive rural reform, the communities, and the civil and ethnic authorities that clearly conveys the progress made on the policies and programs, the scenarios for citizen participation, and the ways to access the institutional services available in each territory, as well as the channels for reporting alerts created through citizen oversight of the actions and resources.

#### **9.7. For the Directorate for the Substitution of Illicit Crops of the Agency for Territorial Renewal**

Develop strategies that make it possible to implement, in the short term, the productive and substitution projects in Cauca, Chocó, Nariño, Norte de Santander, and Putumayo, to launch this pillar of the drug policy and recover growers' overall trust in institutions.

#### **9.8. For the Presidential Council for Human Rights and International Humanitarian Law**

Under CIPRUNNA,<sup>110</sup> ensure that the strategies for preventing armed groups' recruitment, use, and abuse of and sexual violence against children and adolescents, strengthen the coordination with territorial bodies and civil society, promote recognition of minors as rights holders, and transform the cultural patterns that normalize this harm.

#### **9.9. For the National Prison and Correctional Institute**

Create and coordinate partnerships with other public agencies and educational institutions to carry out training programs that will improve the abilities of incarcerated persons who were players in the armed conflict, generating spaces for tolerance, reconciliation, and a comprehensive contribution to peacebuilding.

#### **9.10 For the Ministry of Justice and Law, the Higher Council of the Judiciary, the Special Jurisdiction for Peace, and the Office of the Prosecutor General**

Under the Integrated Transitional Justice System, share the achievements and lessons learned from the Justice and Peace, Special Jurisdiction for Peace, and ordinary justice systems that are hearing

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<sup>110</sup> Intersectoral Commission for Preventing the Recruitment, Use, and Abuse of and Sexual Violence against Children and Adolescents.

cases that involve the armed conflict, with the objectives of eradicating impunity, coordinating information management, and streamlining future transitional justice processes.

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

AGC - *Autodefensas Gaitanistas de Colombia* (Gaitanista Self-Defense Forces of Colombia)  
CIPRUNNA - *Comisión Intersectorial para la prevención del reclutamiento, el uso, la utilización y la violencia sexual contra niños, niñas y adolescentes* (Intersectoral Commission for Preventing the Recruitment, Use, and Abuse of and Sexual Violence against Children and Adolescents)  
ELN - *Ejército de Liberación Nacional* (National Liberation Army)  
ICBF - *Instituto Colombiano de Bienestar Familiar* (Colombian Family Welfare Institute)  
APM - Antipersonnel mines  
MAPP/OAS - Mission to Support the Peace Process in Colombia of the Organization of American States  
UXO - Unexploded ordnance  
OAS - Organization of American States  
OACP - Office of the High Commissioner for Peace.  
OCAD Paz - *Órgano Colegiado de Administración y Decisión* (Deliberative Administration and Decision Agency).  
PAN 1325/00- National Action Plan for Resolution 1325 of 2000 of the United Nations Security Council  
GS/OAS - General Secretariat of the Organization of American States  
UBPD - *Unidad de Búsqueda de personas dadas por Desaparecidas* (Disappeared Persons Search Unit)