



Peace

2

Implementation of recommendations from the previous period

Nepal, Peru, Australia, Uruguay, and Togo recommended that Colombia persist with the consolidation of peace by allocating the legal, institutional, and financial resources required to implement the Final Peace Agreement (FPA). However, the current implementation level is low due to ongoing delays and a misappropriation of funds for the Agreement's implementation, which has reduced progress.

Canada, the Netherlands, Norway, Korea, and Austria stated that the functions of the Comprehensive System of Truth, Justice, Reparation, and Non-Repetition were vital. However, the System has faced continuous budget cuts. The Truth Commission delivered its final report, but there are no guarantees for the implementation of its recommendations. The JEP has taken significant steps with its investigations, although some victims have expressed dissatisfaction with the lack of recognition of responsibility by perpetrators and their contributions to truth in this judicial scenario.

Although Ukraine, Afghanistan, and Spain recommended promoting women's effective participation in peace processes and the Agreement's implementation, gender measures remain stagnant. Additionally, measures from the ethnic chapter have not been implemented, despite recommendations from Haiti and Canada.

Current status

Implementation is long overdue The Final Peace Agreement will be seven years old in 2023 and, according to the Kroc Institute (1) just 31% of its provisions have been fully implemented. This is followed by 20% of provisions that are in an intermediate state of implementation, 37% have a minimal level of implementation, and 13% of provisions have not been implemented at all. There is a high risk that policies that are central to the Final Agreement, such as the Comprehensive Rural Reform, (2) the National Program for the Substitution of Illicitly Use Crops (PNIS), (3) and even the reparation of victims of the armed conflict (4) lack the institutional and financial resources for their full implementation. In addition, the macro case on sexual violence has not been formally opened. (5)

Security for peace signatories. Security conditions for former FARC-EP combatants have thus far been neglected by the State. There are systematic violations of the fundamental rights of peace signatories, their families, and members of the Comunes political party. As of July 2023, 390 signatories had been murdered since the signing of the Final Peace Agreement. (6) Reincorporation continues to be threatened by the reconfiguration of the armed conflict and a lack of progress with their access to rural and urban housing and land for economic projects.

(1) KROC INSTITUTE. "Seis años de implementación del Acuerdo Final: retos y oportunidades en el nuevo ciclo político. diciembre 2021 a noviembre 2022" In: <https://curate.nd.edu/downloads/jw827943q15>

(2) According to the Kroc Institute's fifth report, and in the case of Item 1, there were setbacks with the state of implementation.

(3) According to the Fundación Ideas para la Paz (FIP), if the PNIS continues on its current course, it will not contribute to the outcome established in the Agreement. At: https://multimedia.ideaspaz.org/infografias/que_hacer_pnis.html

(4) EL ESPECTADOR. Petro asegura que no hay recursos para cumplir el Acuerdo de Paz ni para víctimas. At:

<https://www.elspectador.com/colombia-20/paz-y-memoria/petro-afirma-que-no-hay-dinero-para-acuerdo-de-paz-ni-para-indemnizar-a-victimas-del-conflicto/>

(5) Corporación Sisma Mujer. "Tratamiento de la temática de violencia sexual en la Jurisdicción Especial para la Paz: Llamado feminista para poner fin a la impunidad y construir una paz con enfoque de género" (2022). Available at: <https://www.sismamujer.org/wp-content/uploads/2022/05/Tratamiento-de-la-violencia-sexual-en-la-JEP-7.pdf>

(6) JEP Investigation and Indictment Unit (UIA). At: https://www.jep.gov.co/uia/Paginas/mecanismo_monitoreo/index.aspx

There has been little progress with implementing Point One of the Agreement, which seeks progressive access to land ownership for vulnerable populations in the context of the armed conflict. As of October 2022, "progress in land adjudication is less than 1%" (7) in terms of the goal of adjudicating 3 million hectares.

There are also significant delays with the comprehensive implementation of the PDET plans, which contain immediate actions for agrarian and economic development in the municipalities most affected by violence.

The creation of the Agrarian Jurisdiction and the push to create and consolidate the Peasant Reserve Areas—included in the Petro administration's Development Plan—represent important progress, as is the creation of four new areas during the last quarter of 2022.

Implementation of women's measures established in the Agreement The implementation of gender-specific measures in the FPA continues to lag.

According to the Kroc Institute, (8) as of November 2022, 18% of the provisions had not started implementation, 52% had minimal implementation, 18% had intermediate implementation, and just 12% had been fully implemented. To date, there is no clear plan to reverse this backlog over the next eight years.

Implementation of the Ethnic Chapter The delays in implementing the FPA's measures that incorporate an ethnic perspective are equally significant. As of November 2022, of the 80 ethnic provisions in the FPA, 14% had not been initiated, 60% had minimal implementation, 14% had intermediate implementation, and just 13% had been fully implemented. (9)

This situation, coupled with the continued presence of illegal armed groups and violence in the territories, raises concerns about security guarantees for ethnic communities.

(7) KROC INSTITUTE. "Seis años de implementación del Acuerdo Final: retos y oportunidades en el nuevo ciclo político. diciembre 2021 a noviembre 2022" At: <https://curate.nd.edu/downloads/jw827943q15>

(8) KROC INSTITUTE. "El tiempo se agota para la implementación del enfoque de género: avances, retos y oportunidades a seis años de la firma del Acuerdo Final" At: <https://curate.nd.edu/downloads/3b591834f38>

(9) KROC INSTITUTE. "Seis años de implementación del Acuerdo Final: retos y oportunidades en el nuevo ciclo político. diciembre 2021 a noviembre 2022" In: <https://curate.nd.edu/downloads/jw827943q15>

Recommendations

1. Guarantee the adequate implementation of the Final Peace Agreement, taking into account the current context, by ensuring adequate funding for each of its programs, and making institutional adjustments to counteract the low implementation rate.
2. Specify the security measures required to safeguard the lives of peace signatories and their families, taking into account the guidelines laid out in the public policy for the dismantling of criminal organizations and paramilitary successor groups, which has been created by the National Commission for Security Guarantees.
3. Create a plan to accelerate comprehensive implementation and a gender- sensitive budget distribution that will allow rapid progress to fulfill the FPA measures with a gender approach.
4. Make prompt progress with the comprehensive implementation of measures from the FPA's ethnic chapter in order to protect and guarantee the human rights of ethnic peoples.