Justice for Colombia Peace Monitor

REPORT **#02**
WINTER 2018/2019

Peace Monitor
Monitoreo de Paz
Justice for Colombia

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A Justice for Colombia project

Supported by Fórsa

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1. Introduction

This report details the conclusions from the Justice for Colombia (JFC) Peace Monitor delegation to Colombia which took place between 15 and 21 August 2018.

The JFC Peace Monitor delegation, comprised of British parliamentarians, trade union leaders, and a Northern Ireland Human Rights Commissioner visited Colombia to observe the current state of implementation of the peace agreement signed between the Colombian Government and the FARC-EP.

This was the second in a series of JFC Peace Monitor delegations which will continue to observe the implementation of the Final Peace Agreement throughout 2019.

This report recognises the official mechanisms that exist for verification of implementation of the peace agreement and does not have the intention of offering an exhaustive verification of all elements of the Final Peace Agreement. The objectives of the report are to detail the principal themes that were raised during the visit in terms of advances and concerns.

Justice for Colombia, and the JFC Peace Monitor and all its supporters are grateful to all of the individuals, organisations, and institutions who made themselves available during this delegation and have expressed a commitment to continue collaborating with this project. Due to this visit coinciding with the change in government in Colombia, and unlike the previous delegation in April 2018, it was not possible to meet officially with Government representatives on this occasion.

Whilst this report highlights many of the concerns that were expressed during the delegation, at the same time we recognise and congratulate the significant work being done on both sides of the negotiations and across different institutions and organisations often in the face of incredible difficulties and complexities to help ensure that the peace agreement between the Colombian State and the FARC brings a sustainable peace to Colombia. We also welcome the expressions of commitment to the implementation of the peace agreement from the new Colombian Government.

2. Recommendations

Whilst these recommendations are most specifically for the Colombian Government and the FARC, they are also relevant for all organisations and institutions involved in supporting the implementation of the peace agreement.

1. Ensure the continued functioning of all institutions and agencies working on the implementation of the peace deal including the implementation oversight committee (CSIVI) and the National Reincorporation Council (CNR).

2. Ensure full respect for the autonomy of the Special Jurisdiction for Peace.

3. Ensure that the Special Jurisdiction for Peace is able to guarantee the rights of victims of all involved in the armed conflict including the FARC, the Colombian State, and "third-party" actors.

4. In line with the requirements of the Framework for Implementation of the Peace Agreement, offer a detailed breakdown in national budgets for tasks relating to implementation.

5. Improve and accelerate the process of applying for and approving socioeconomic reincorporation projects for former FARC combatants, as well as providing access to land.

6. Continue to ensure the ongoing functioning of the Regionally Focused Development Plans (PDETs) and that the 16 regional plans (the PATRs) have the institutional and financial support to move from planning into action.

7. Maintain commitment to crop substitution programs as stipulated in the Final Peace Agreement and ensure that the Colombian State follows through on all commitments made to coca growing communities.

8. Promote greater coordination between the crop substitution program (PNIS) and rural reform programs.

9. Urgent measures need to be taken to provide protection for social leaders and human rights defenders, especially those engaging with the crop substitution and rural reform programs.

10. Bringing to justice by the Attorney General's Office of the intellectual authors of attacks against social leaders, human rights defenders and members of the FARC.

3. Background

3.I What is the JFC Peace Monitor?

In January 2018 Justice for Colombia (JFC) launched the JFC Peace Monitor with the objective of facilitating international accompaniment to the implementation of the Final Peace Agreement signed between the Colombian Government and the FARC-EP.

JFC, together with the support of the Irish public sector union Fórsa and with the backing of a significant number of other British and Irish trade unions, as well as the International Trade Union Confederation (ITUC) and several parliamentarians, created the JFC Peace Monitor as a continuation of JFC's work in support of the Colombian peace process.

The JFC Peace Monitor organises and hosts regular delegations to Colombia involving Members of Parliament and trade union leaders, with a focus on monitoring the advances and challenges for the implementation of the Peace Agreement.

3.II What is Justice for Colombia?

Justice for Colombia (JFC) is a London based organisation which was set up in 2002 by the British trade union movement to support Colombian civil society in its defence of human rights, labour rights, peace and social justice. It is supported today by both the British and Irish trade union movements.

JFC also works closely with Parliamentary Friends of Colombia, a cross-party group of over sixty MPs.

JFC has always supported efforts to reach a politically negotiated solution to the conflict which delivers peace with social justice and led numerous initiatives to support the negotiations between the Colombian Government and the FARC-EP. JFC works with representatives of all sides of the Good Friday Agreement to harness their experience to support and strengthen the Colombian Peace Process and took several high profile cross party delegations to meet with negotiators in Havana.

JFC has also engaged with the experience of the South African transition to democracy, taking experts involved in that process to advise in Havana during the talks.

In March 2015 and January 2016 JFC organised two ground-breaking events in the British and European parliaments which saw the Colombian Government and the FARC share a public platform outside the formal peace talks for the first time. JFC has also hosted a number of leading Colombian peace activists in events at Westminster, Stormont and Dublin. The JFC Director was named an advisor in the peace process in 2016 a role which continued throughout 2018.

4.
Details of Delegation

4.1
Members of the delegation

Tony Lloyd MP
Tony Lloyd MP is a Member of the British Parliament for the Labour Party. Between 1997 and 1999 he was a Foreign Office Minister for Latin America. He has also served as Police Commissioner for Greater Manchester and the Mayor of Greater Manchester. He visited Colombia as a Minister in 1998, and with JFC in 2007 and in 2013 when he visited the FARC and Government negotiators in Havana.

John McCallister
John McCallister is a member of the Northern Ireland Human Rights Commission, an official human rights body in Northern Ireland. He has served as an elected Member of the Legislative Assembly and is former Deputy Leader of the Ulster Unionist Party. He has visited Colombia twice with Justice for Colombia and met with the Government and FARC negotiators in Havana.

Jo Stevens MP
Jo Stevens MP was elected to the British Parliament in 2015 representing Cardiff Central for the Labour Party, after 27 years as a trade union lawyer. She has served as Shadow Solicitor General, shadow Justice Minister and Shadow Secretary of State for Wales. She is Chair of the Parliamentary Friends of Colombia group of over 60 MPs.

Stephen Cavalier
Stephen Cavalier is Chief Executive of Thompsons, the largest trade union law firm in Britain, with a focus on Employment Law. He has acted as an expert witness to the European Parliament and has pursued successful cases for unions to the European Court of Justice and the European Court of Human Rights.

Nick Crook
Nick Crook is Head of International Relations at UNISON, Britian's largest public services union with 1.3 million members. He is an executive committee member of Public Services International (PSI) and the European Trade Union Federation of Public Services.

Mark Fairhurst
Mark Fairhurst is Chair of the POA prison officers trade union, which has a membership of 33,000. Mark was elected as chair in 2017, having been a member of the union for 25 years.

Paul Glover
Paul Glover is an Executive Committee member of UNISON, the trade union representing public services workers in Britain and Ireland. He is also a member of the UNISON International Committee.

Sally Hunt
Sally Hunt served as President of the TUC, the British trade union centre which represents over 6 million workers. She is General Secretary of the University and College Union (UCU), which has 120,000 members and is the largest further and higher education trade union in the world.

John Metcalfe
John Metcalfe represents Northwest England & North Wales on the Executive Committee of ASLEF, the trade union representing train drivers in Britain. He is the former Mayor of the city of Carlisle.

Joe Simpson
Joe Simpson is Deputy General Secretary of the POA prison officers trade union. The POA represents 33,000 prison workers.

Mick Whelan
Mick Whelan is General Secretary of the ASLEF train drivers' union. He is Chair of the Justice for Colombia Governing Committee and is also a member of the Labour Party's National Executive Committee.

4.II
Delegation Meetings

The delegation held meetings with the following individuals, organisations and institutions:

United Nations

- Jean Arnault, Special Representative of the UN Secretary-General for Colombia and Head of the UN Verification Mission in Colombia
- Raúl Rosende, Chief of Staff and Director of Verification of the UN Verification Mission in Colombia
- Louise Bosetti, Cúcuta Regional Office of the UN Verification Mission in Colombia
- Brigitta von Messling, Head of Arauca Sub-Office of the UN Verification Mission in Colombia

Representatives of the FARC

- Rodrigo Londoño, President of the FARC
- Pastor Alape, Member of the National Political Council of the FARC, and sits on the National Reincorporation Council (CNR) with the Colombian Government
- Jesús Santrich, Congressman-elect currently imprisoned
- Rodrigo Granda, Member of the National Political Council of the FARC, and sits on the implementation oversight committee (CSIVI)
- Mauricio Jaramillo, Member of the National Political Council of the FARC
- Liliana Suárez, Member of the National Political Council of the FARC
- Members of the ETCR (FARC Reincorporation Space) in Filipinas, Arauca

Jesús Santrich Legal Team and Campaign

- Gustavo Gallardo
- Alejandra Rios
- Francisco Toloza
- Oscar Perdomo

International Embassies

- Peter Tibber, British Ambassador to Colombia
- Adam Forbes, First Secretary Peace and Security, British Embassy in Colombia
- Breda Lee, Political Counsellor, EU Delegation to Colombia

Members of Congress

- Aida Avella, Senator, Decency Coalition
- Alberto Castilla, Senator, Polo Democrático
- Feliciano Valencia, Senator, Partido Mais
- Maria Jose Pizarro, Member of the House of Representatives, Decency Coalition
- Sandra Ramirez, Senator, FARC
- Victoria Sandino, Senator, FARC
- Iván Marulanda, Senator, Green Party
- Jorge de Jesús Restrepo, Member of the House of Representatives, FARC
- Marcos Calarcá, Member of the House of Representatives, FARC

Political advisors in representation of the following members of Congress:

- Antanas Mockus, Senator, Green Party
- Juanita María Goebertus, Member of the House of Representatives, Green Party

Human Rights Organisations

- Cristian Delgado, Head of Human Rights, Patriotic March
- Camilo Bonilla, Colombian Commission of Jurists (CCJ)
- Erika Gómez, Permanent Human Rights Committee (CPDH)

Visit to Catatumbo

- Representatives of the Peasant Association of Catatumbo (ASCAMCAT)
- Representatives of organisation representing coca and other illicit crop farmers promoting the crop substitution program (COCCAM)
- Representative of local businesses
- Representative of the Colombian Police
- Representative of the Colombian Army
- Members of local community organisations
- Victims of human rights violations and family members of murdered social leaders

Trade Unions

- Executive Committee members of the Central Unitaria de Colombia (CUT)
- Executive Committee members of the Unión Sindical Obrera (USO)

** Due to this visit coinciding with the change in government in Colombia, and unlike the previous delegation in April 2018, it was not possible to meet officially with Government representatives on this occasion.*

4.III
Delegation Locations

5. Peace Process

5. I
Timeline

2012 **February to August 2012**
Exploratory talks between the Colombian Government and the FARC-EP leads to signing of the "General Agreement to End the Conflict and Build a Stable and Lasting Peace"

18 October 2012
The peace talks are officially launched in Oslo before beginning in Havana, Cuba

2016 **24 August 2016**
Colombian Government and FARC-EP announce final peace agreement

29 August 2016
Bilateral ceasefire comes into effect

2 October 2016
Plebiscite rejects peace agreement with 50.21% voting "No" on a 38% turnout

30 November 2016
A revised peace agreement is ratified by the Colombian Congress

2017 **27 June 2017**
FARC finalise their disarmament process

1 September 2017
The FARC legal political party officially formed

2018 **18 January 2018**
Publication of Framework for the Implementation of the Peace Agreement programmed to last fifteen years until 2032

15 March 2018
The Special Jurisdiction for Peace officially begins functioning

21 July 2018
8 of the 10 chosen FARC representatives are officially sworn in as Members of Congress

5. II
Summary of the Final Agreement [1]

The agreement was structured around the six following points:

1 Comprehensive Rural Reform
This chapter seeks to help rural communities:
- Gain access to land and formalise land titles
- Access the means to make this land productive
- Participate in the planning of their regions

2 Political Participation
This chapter seeks to:
- Open up democratic space and guarantee rights for the political opposition
- Reform the electoral process
- Guarantee that politics and weapons are no longer used together

3 End of the Conflict
This chapter seeks to:
- Carry out the FARC's disarmament
- Guarantee FARC members' transition into civilian life and their political, social and economic reincorporation
- Dismantle paramilitary groups and guarantee security conditions for former combatants and communities

4 Solution to the problem of illicit drugs
This chapter seeks to:
- Help illicit crop growers transition to legal activity by implementing a crop substitution program
- Facilitate treatment for consumers
- Fight against the entire chain of drug trafficking

5 Victims
This chapter seeks:
- To establish a Truth Commission to clarify what happened during the conflict
- Justice regarding crimes committed by all actors during the conflict with a focus on truth and restorative justice
- Establish a special unit to find the disappeared
- Comprehensive reparation of victims
- Guarantees that these events will never happen again

6 Implementation and verification
This chapter seeks that:
- The Peace Agreement is implemented
- A commission (known by its Spanish acronym CSIVI) with three senior Government and three FARC members is established to follow up the implementation process
- Implementation is accompanied internationally by several institutions and organisations and verified by a UN Special Political Verification Mission

1 The summary of aims is adapted from 'The Colombian Peace Agreement: The opportunity to build peace', a 2016 publication of The Office of the High Commissioner for Peace. Accessible at: https://colombiapeacemonitor.org/2018/02/22/the-final-peace-agreement/

6. Main Advances in Implementation

6.I Renewed Executive Support for Peace Process

On 7 August 2018 the new Colombian President, Iván Duque, took office. The change of President had long been considered a potentially critical moment for the peace process.

Whilst human rights organisations and representatives of the FARC expressed concern at declarations made as part of Duque's electoral campaign which had cast doubt over the new Government's commitment to the peace process, the delegation also heard how since the election there had been a softening of language towards peace. Concerns remained regarding different elements of the new Government's approach to implementation (see 7.I Challenges to the Special Jurisdiction for Peace and 7.II Funding for Implementation) but some important steps that had been taken since entering into government were also welcomed.

These steps include the renovation of the implementation institutions and the renewal of the UN Verification Mission mandate (see Point 6.II Renovation of Implementation Institutions). The signing of the "Agreement to defend the right to life and the protection of social leaders and human rights defenders" by the Colombian President and state institutions in the immediate aftermath of the visit was another welcome gesture from the new Government.

Meanwhile in meetings with the FARC leadership in Bogotá and members of the FARC inside a reincorporation zone in Arauca, there was clear and explicit commitment on their behalf to continue working to ensure the success of the peace process.

6.II Renovation of Implementation Institutions

The previous JFC Peace Monitor report emphasised the importance of "the creation and ongoing functioning of institutions and agencies aimed at the implementation of the peace agreement".

The delegation heard once again of the importance of these spaces both for the practical work related to the implementation of the Final Peace Agreement, but also because they allow for ongoing dialogue and interaction between the two sides.

Although there was concern that the implementation oversight body (CSIVI) and the National Reincorporation Council (CNR) – the two principal implementation bodies – had been dormant for some time, the delegation heard that the new President was in the process of naming its representatives and that they were to be high level members of his administration.

In addition, the delegation heard that there was to be an official request from the new Colombian Government to extend the UN Verification Mission in Colombia for another year. This was confirmed at the UN Security Council at the beginning of September 2018 with the mandate extended until 25 September 2019 and a willingness expressed to extend further as necessary.

The renovation of the implementation institutions and oversight bodies gives a welcome indication that the new Colombian Government will continue to support the implementation of the Final Peace Agreement.

6.III Initiation of Special Jurisdiction for Peace

The Special Jurisdiction for Peace (JEP), the transitional justice system agreed as part of the Final Peace Agreement, officially began its functioning on 15 March 2018. The JEP has responsibility for both investigating crimes committed in the context of the armed conflict and administering justice. This is carried out according to the overall framework contained within the Comprehensive System of Truth, Justice, Reparation and Non-Repetition which was created as part of the peace agreement.

The delegation heard that despite a number of ongoing difficulties (see 7.I Challenges to the Special Jurisdiction for Peace) the newly created justice system was advancing and had opened its first three cases – focused on illegal detentions carried out by the FARC; violence affecting communities in different parts of Nariño with both the FARC and the Colombian state implicated; and extrajudicial executions carried out by state forces. In September a fourth case was opened looking at incidents of violence in the Urabá region of northwest Colombia including violence against trade unionists and the San Jose de Apartadó Peace Community.

The ability of the JEP to continue advancing was emphasised as fundamental for the success of the peace agreement and particularly to ensure the rights of victims are fully respected.

6.IV FARC Political Participation

On 20 July 2018 members of the new political party created by the FARC – The People's Alternative Revolutionary Force (still adopting the FARC acronym in Spanish) – took up their seats in the Colombian Congress.

Guarantees for political participation of the FARC was a central tenet of the Final Peace Agreement and as such the initiation of their involvement in congressional politics was a highly significant moment. The FARC are guaranteed ten congressional seats for two electoral periods, although currently two members have not taken their seats.

The delegation met with the FARC leader and representatives from both the Senate and the House of Representatives.

6.V Established Advances – End of Armed Conflict and Tripartite Collaboration

The previous JFC Peace Monitor report emphasised two important advances which have now become well established in Colombia. The ongoing importance of these issues remained implicit throughout the visit:

1. **End of Armed Conflict** – it is estimated that at least 3,000 lives were saved in the first five years since the beginning of the Colombian peace process. The ending of the most significant element of the more than 50-year Colombian civil war has signified a permanent reduction in armed violence in Colombia.

2. **Tripartite Collaboration** – throughout the special zones created for the reincorporation process to take place there is an ongoing collaboration between the FARC and state security forces with the support of the UN. The establishment of security relationships based on collaboration between actors previously engaged in warfare is a concrete demonstration of peace in action.

Representative of Colombian Armed Forces:

"It is a special situation where after 50 years of armed conflict we have ex-combatants counting on us [state forces] for protection"

7. Concerns in Implementation

7. I
Challenges to the Special Jurisdiction for Peace

Whilst the progress of the transitional justice system – officially called the Special Jurisdiction for Peace (JEP) – was highlighted as an important advance for the peace process (see 6.III Initiation of the Special Jurisdiction for Peace) there was also concern expressed during the visit at some of the challenges it is facing. Principal amongst those concerns were the legal challenges towards the JEP coming from the Attorney General's Office (*Fiscalía*) and the stated intentions of members the President's political party to change the transitional justice process in Congress.

The delegation heard about the case of Jesús Santrich (see also 7.III Jesús Santrich and Legal Security for FARC Members) and the related legal confrontation between the JEP and the Attorney General's Office regarding the scope of the JEPs jurisdiction in the case. Although a Constitutional Court decision had clarified the JEP's jurisdiction to review evidence relating to the case there was concern expressed that the Attorney General's Office would continue to challenge the legal authority of the JEP in this and other cases.

In the weeks following the delegation several incidents have intensified the perceived pressure on the JEP from the Attorney General's Office.

A welcome intervention came at the end of October from the Congressional Peace Commission which has put itself forward as mediator and has hosted meetings bringing the two institutions together.

The previous JFC Peace Monitor report highlighted concerns about changes made to the JEP in the Colombian Congress and particularly the fear that those changes were aimed at "manipulating the JEP so that only the FARC had to pass through the justice system". The delegation heard about ongoing concerns relating to further potential changes. As this report was being published new legislation which would make changes to the justice had begun its process in the Senate. These changes could potentially see new magistrates appointed to the Special Jurisdiction for Peace through a process open to political influence and with the intention of differentiating how state security forces and other state officials are treated. The Chief Prosecutor of the International Criminal Court expressed her concern at the implications of these latest potential changes.

Erika Gomez, Human Rights Defender:

"We have to keep defending structures like the JEP, if we don't all the progress that has been made so far could start being reversed"

7. II
Funding for Implementation

The overall commitment of the new Government to the implementation process was a concern that surfaced throughout the delegation. One area that was considered a key indicator would be whether the new Government ensured sufficient funding for the implementation of the Final Peace Agreement.

In the months following the delegation a number of concerns regarding funding have surfaced. The National Audit Office (*La Contraloría General de la Nación*) released a report which indicated that an additional $76 billion pesos (roughly £18 billion) would be needed on top of the $129.5 billion pesos (roughly £31 billion) currently budgeted for the implementation over 15 years.

Further concerns were indicated by the Congressional Peace Commission in reference to the proposed national budget for 2019. Whilst the Framework for the Implementation of the Peace Agreement agreed in 2018 declared that national budgets must explicitly indicate the amounts destined for implementation from each government department, the proposed 2019 budget does not include these specific details. Whilst a total of $2.9 billion pesos were dedicated to implementation there are concerns that to ensure implementation programs are guaranteed greater clarity as to the destination of these funds would be needed.

In order to guarantee that finances are available for implementation it is essential that specific funding details are made available in line with the Framework for Implementation of the Peace Agreement.

7. III
Jesús Santrich and Legal Security for FARC Members

Jesús Santrich a key FARC negotiator during the peace talks and a Member of Congress-elect was arrested on 9 April 2018 on the order of an international arrest warrant issued by a New York court which requests extradition.

The delegation visited Jesús Santrich in his prison cell and also met with his legal team. There was concern from the lawyers of Jesús Santrich that in spite of being kept in prison for several months they had still not been able to review any of the evidence being used in the case.

Concern was also expressed regarding the conditions in which Jesús Santrich is being held and particularly in reference to his blindness. He has been kept in isolation in the maximum security wing of La Picota prison in Bogotá and has been denied access to vital equipment needed to assist him with his visual impairment. These concerns were shared by members of the delegation including representatives from the British trade union for prison officers, the POA.

The delegation heard of the ruling from the Constitutional Court which ratified the jurisdiction of the JEP to review evidence in the case (see 7.I Challenges to the Special Jurisdiction for Peace) and of the importance more generally of the JEP being able to carry out its functions with autonomy.

The delegation heard that the potential scenario of an extradition request being granted without the JEP being able to fully examine evidence has created a sense of legal insecurity for members of the FARC. There is concern that the potential weakening of the autonomy of the JEP could expose FARC members to judicial processes outside of what was agreed in the Final Peace Agreement. This situation has led to the lead peace negotiator Iván Márquez to not take up his seat in the Senate.

The delegation also heard that several hundred FARC members remained in prison

Legal guarantees for members of the FARC was a core element of the agreement and their application will be fundamental to the success of the peace process.

7. IV

Comprehensive Rural Reform

The delegation heard of the urgent need for concrete advances in relation to rural reform. As was documented in the previous JFC Peace Monitor report, implementation of commitments relating to rural reform is also fundamental for the success of both the crop substitution (see 7.V **Crop Substitution**) and the socioeconomic reincorporation of FARC members (see 7.VI **Socioeconomic Reincorporation**).

As part of the Final Peace Agreement, 16 regions with high levels of economic deprivation and heavily affected by the armed conflict were selected for special *Regionally Focused Development Plans (PDETs)*. These regions cover a total of 170 municipalities. The delegation visited two of these regions, in Arauca and Catatumbo, and were able to witness and hear testimony as to how, amongst other things, the lack of infrastructure was a serious limitation to potential economic activity. The poor state of local roads was offered as a specific example of where attention was needed.

The PDETs are under the direction of the Agency for Territorial Renewal (ART) which proposes to have all 16 regional plans prepared by the end of 2018. Once developed the plans should cover a ten-year period.

In addition to calls for progress and guarantees in the implementation of the PDETs, concerns were once again expressed regarding the lack of progress in ensuring access to land. As part of the Final Peace Agreement a national land fund of 3 million Ha was due to be created and 7 million Ha of land titles were due to be legalised.

Alberto Castillo, Colombian Senator:

> ***"Without legislation allowing the land issues at the core of the armed conflict to be addressed the entire peace process will be gravely affected"***

7. V

Crop Substitution

The voluntary crop substitution program created as part of the Final Peace Agreement is called the *Comprehensive National Program for the Substitution of Illicit Crops* (PNIS). Its first pilot program began in June 2016 and it was brought into law in May 2017. According to the Colombian NGO FiP, at the time of the delegation 83,161 families had registered into the program with a commitment to voluntarily eradicate 49,049 Ha of coca. Whilst these efforts should be commended, there are concerns that a further 40,000 families have signed agreements but have not yet been officially entered into the program and that of those already inside the program only 63% had received the first of their payments offered as part of the process.

Beyond the concrete details of the PNIS, the integral relationship between coca cultivation and rural development, as was highlighted in the previous JFC Peace Monitor report, was once again made explicit to the delegation. There were calls for the coca substitution program to work much more closely with programs for rural development.

The increased violence against community leaders has caused alarm across Colombia (see 7.VIII **Killing of Social Leaders and Human Rights Defenders**) and one pattern identified is the targeting of local leaders promoting the coca substitution programs. The delegation met with a regional representative of COCCAM – an organisation representing farmers growing coca and other illicit crops – who reported that 37 members of the organisation had been killed since its creation in January 2017.

A further challenge facing the PNIS is the historic levels of coca production currently being recorded in Colombia. According to a 2018 UNODC report, coca cultivation in Colombia has risen from 48,000 Ha in 2012 to 146,000 Ha in 2016 and to 171,000 Ha in 2017. This has provided a platform for government consultations on increased forced eradication programs and a potential return to aerial fumigations. The delegation heard how these practices have a knock-on effect of weakening trust between the coca farmers and the Colombian state.

Community leader in Catatumbo:

> ***"People are still growing coca here because we don't have any other options"***

7. VI
Socioeconomic Reincorporation

The socioeconomic reincorporation of former FARC combatants continues to be an area of grave concern. The failure to sufficiently advance economic projects or provide land for FARC members inside the reincorporation process was highlighted during the delegation replicating conclusions documented in the previous JFC Peace Monitor report. There were now additional concerns relating to the deteriorating quality of the temporary accommodation in which many FARC members are living and regarding the prospects for life once the period set-out for the specially created reincorporation zones and the monthly stipends comes to an end.

The delegation visited one of the 26 reincorporation zones (there are now also a similar number of so-called *New Reincorporation Points* set-up by FARC members who for different reasons have decided to leave the original zones).

As of September 2018, only two economic projects proposed by FARC members had been financed through the National Reincorporation Council, the official route for projects to be proposed and approved.

Other economic projects continued to be established in the different reincorporation spaces, offering examples of what can be achieved, but these remain reliant on the FARC's own initiatives and support from the international community.

FARC Member in Reincorporation Process:

"Where are we going to live when these temporary zones come to an end?"

7. VII
Killing of FARC Members

The killing of members of the FARC which was detailed in the previous JFC Peace Monitor report has continued.

The delegation heard from members of the reincorporation zone in Filipinas, Arauca about their security concerns. The FARC members spoke about how they feared for their safety outside of the specially created zone which is protected by state security forces with the presence also of the United Nations.

In November 2018, as this report was being produced, Erika Montero, a member of the FARC who met with the April JFC Peace Monitor delegation, survived an attempt on her life. In the aftermath of the attack the FARC released a statement in which they revealed that they had received intelligence of a criminal plan to assassinate their leaders.

Close to 80 members of the FARC in the reincorporation process or their close family have been killed since the peace deal was signed.

7. VIII
Killing of Social Leaders and Human Rights Defenders

Throughout the visit, the delegation heard about the significant increase in community activists being murdered. According to a representative of the Colombian political organisation, The Patriotic March, over 380 community leaders had been killed between January 2016 and August 2018. Most of the killings take place in rural Colombia and are considered to relate particularly to the control of local political and economic interests.

The delegation travelled to the region of Catatumbo in northeast Colombia where they heard directly of the fear being felt on a daily basis by members of community organisations. Three weeks before the visit ten people had been killed in a massacre carried out in the village of El Tarra. One of the people killed, Freddy Quintero, was from the local Peasant Association of Catatumbo (ASCAMCAT), the organisation that hosted the delegation's visit to the region (see Case Study on next page).

One of the concerns expressed was that the Colombian authorities had not been able to introduce sufficient state presence in the areas previously held by the FARC. The need for security enhancements to be introduced alongside improvements in socioeconomic conditions was also seen as fundamental. In terms of the perpetrators of the killings, there was emphasis on the need for the Colombian authorities to focus their judicial attention on the intellectual authors of the killings rather than just the material authors.

Camilo Bonilla, Human Rights Defender:

"The people targeted are those challenging power structures at a local level"

CASE STUDY:

Peasant Association of Catatumbo (ASCAMCAT)

What is ASCAMCAT?

ASCAMCAT was formed in 2005 to organise rural communities in the Catatumbo region, in the Norte de Santander department in northeast Colombia. Its role is to represent the interests of marginalised agricultural communities, support human rights and protect natural resources and the environment.

The delegation heard directly about the alarming number of attacks against ASCAMCAT members during 2018.

What has happened to ASCAMCAT members in 2018?

CASE #1: Orangel Galvis:
In April, Orangel Galvis, an ASCAMCAT leader, managed to escape from his house after armed men arrived and opened fire.

CASE #2: Hector Santiago Anteliz:
In June, Hector Santiago Anteliz, a local village organiser for ASCAMCAT, was taken from his home by a group of armed men as his family watched on. He was found dead the next day.

CASE #3: Olger Perez and Alvaro Perez:
In July, Olger Perez, an ASCAMCAT executive committee member, survived an murder attempt after his car was shot at while travelling to a regional peace meeting. In April this year, Ólger's brother Álvaro, a local ASCAMCAT coordinator, was shot dead.

CASE #4: Frederman Quintero
In July, Frederman Quintero, a local village committee coordinator for ASCAMCAT, was murdered along with ten others as they relaxed in a pool hall.

CASE #5: Jhunior Maldonado:
In August, Jhunior Maldonado, an ASCAMCAT youth leader, was taken off the street by armed men, bundled into a car had his head covered and was interrogated as to his work in the region. He was later released.

CASE #6: Luis Tarazona Salamanca:
In November, as this report was being produced, news came of the murder of Luis Tarazona Salamanca, a local village representative of ASCAMCAT who had met with the delegation in August. Armed men entered his house and opened fire leaving his wife also injured.

8. Conclusion

Many supporters of the Colombian peace process had for a long time been concerned about how the change in Colombian Government might affect the peace process. However, whilst recognising the many ongoing challenges, there was a sense of growing optimism during the delegation that the worst fears of a complete reversal of the previous Government's approach would not be realised. The renovation of key implementation bodies and the arrival of the FARC into the Colombian congress were key advances and welcome indications of the ongoing adherence of the Colombian executive to its obligations under the terms of the Final Peace Agreement.

However, concerns remained regarding the Government party's ongoing efforts to change key elements of the agreement reached by the two negotiating teams. There were particular concerns at potential changes to the transitional justice system that could have adverse effects for the victims of actions carried out by the State during the armed conflict and an emphasis on the importance of the new Government offering funding guarantees for implementation programs.

The extreme intensification in killings of social leaders and human rights defenders including those involved with supporting the implementation of the peace agreement was especially worrying and despite positive words from the Government, concrete action is required to focus prosecution on the intellectual authors of these killings.

Advancement on issues of land and rural development – themes which lie at the heart of armed conflict – continued to be seen as an urgent requirement with significant emphasis also placed on their interrelation with other elements of the Final Peace Agreement. The socioeconomic reincorporation of FARC members and the crop substitution programs continued to advance slower than expected, and it was clear that their success is intrinsically tied to the ongoing implementation of the chapter on Comprehensive Rural Reform.

Whilst the initiation of the Special Jurisdiction for Peace was welcomed there were considerable concerns expressed in relation to some of the legal challenges that are questioning its ability to function with autonomy. These challenges have emanated particularly from the Attorney General's Office. The ongoing imprisonment and potential extradition of Jesús Santrich and the sense of legal insecurity that has been generated for members of the FARC were also issues which had generated considerable concerns including in relation to both Jesús Santrich and Iván Márquez not taking up their seats in the Congress. The release of Jesús Santrich is crucial to the success of the peace process.

In spite of the challenges, the ongoing commitment to the peace process from all of those with whom the delegation met was unwavering. The most significant element of the Colombian armed conflict has been brought to an end, and the delegation recognises that everyday lives are saved as a result. However, the challenge remains to guarantee the long-term sustainability of the peace process and to implement the chapters focused on the principal causes that created the conditions for the armed conflict to emerge and sustain itself for more than fifty years.

Peace Monitor

Monitoreo de Paz

Justice for Colombia

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