

PEACE MAIL

May 16-22 2017

WEEKLY UPDATE: Implementing the Peace Accords

The final peace accord contains a three-pronged approach to ensuring fulfillment of commitments included in the text: the *Commission for Monitoring, Promotion, and Verification of the Implementation of the Peace Accord* (CSIVI), the *National Reincorporation Council* (CNR) and the GOC-FARC-UN tripartite *Monitoring and Verification Mechanism* (MM&V). This callout box includes a weekly update on releases and work related to these supports for implementing the peace accords in Colombia.

In terms of the process of **laying down arms**, 1,000 of the total personal arms of the FARC-EP registered with the United Nations are now housed in controlled U.N. containers. While the official total number of arms is not available, early inventories estimated roughly 14,000. Only 12 guerrillas have received their certificates for laying down their arms. The remaining arms are managed in by the FARC-EP. The former guerrillas have additionally handed in the coordinates for 949 weapons caches and/or arms repositories in the country; four of these have been officially destroyed.¹

Constitutional Court overturns two key elements of congressional fast track mechanism

On Wednesday, May 17th, the Colombian Constitutional court rejected two items (Rules H&J) within the July 7th, 2016 Legislative Act for Peace - the act which put into motion the congressional fast track mechanism. The spirit of the Act was to ensure that draft laws and legislative acts were in line with what was agreed upon in the final peace accord, and to reduce the length of the approval process to ensure continued momentum behind the implementation process. In a vote of 5:3, the Constitutional Court overturned the two rules: Rule H, which notes that bills and acts may only be amended if they conform to the original accord and if they have the prior approval of the national government. Rule J was also rejected, which provided for projects to receive approval (with prior national government backing) in a single vote. The Court found that the clause in each of the two Rules that allowed for “prior approval” of the national Government represented a *substitution of powers* that contradicts the principle of *separation of powers* guaranteed by the constitution. The ruling is expected to have long-term impact with regards to implementing the peace accords. Currently 33 laws, 10 decrees, and one Compes document await processing (Compes documents are public policy documents produced by various ministries in collaboration with one another) – representing roughly 80% of the mechanisms for implementing the accords. In the processing time of the 33 laws alone, the court ruling creates a minimum delay of one year.²

ELN-GoC begin second round of talks

The ELN peace delegation released their 13th Communiqué on Wednesday, May 17th, marking the beginning of the second round of dialogues in Quito, Ecuador. The delegation wrote that they looked forward to arriving at a set of humanitarian accords and to ensure guarantees for public participation in

the process; it reaffirmed the guerrilla's commitment and political will to establish a stable and durable peace.³ Over the week that followed, both sides discussed (1) the shared development of pedagogy for peace, (2) humanitarian demining, (3) and the creation of a second group of supporting countries for peacebuilding in Colombia.⁴ For his part, ex-minister Juan Camilo Restrepo of the GoC delegation noted that he was looking forward to a near-term de-escalation of conflict, and to assurances that those negotiating on the part of the ELN were indeed speaking for the entire group and able to implement agreed-upon initiatives throughout their rank-and-file.⁵