

 PEACE MAIL

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**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.

**OPERATIONS:** The final group of FARC-EP combatants arrived Saturday, February 18<sup>th</sup>, in La Montaña, Caquetá. In total, roughly **6,900 FARC-EP guerrillas have gathered in transitional zones** throughout the country. The mission to move the guerrillas from their 36 pre-grouping zones to 19 transitional zones and 7 points spanned 19 days from January 28<sup>th</sup>-February 18<sup>th</sup> and was coordinated by the Strategic Transition Command and the Joint Monitoring and Verification Command (Military Forces); The Special Police Unit for Peacebuilding (National Police); the Office of the High Commissioner for Peace and the Monitoring and Verification Mechanism. The operations covered 5,400 miles and employed boats, cars, buses, and stretches on foot.<sup>1</sup>

High Commissioner for Peace, Sergio Jaramillo, announced on the 16<sup>th</sup> that the **FARC-EP militias will remain in their homes** so as not to burden the already strained infrastructures of the transitional zones, a decision justified by the argument that these militia members already have established living arrangements and routines – unlike the FARC-EP guerrillas prior to their transition to the pre-grouping and now transitional zones. He went on to emphasize the importance of a quick and effective operation to identify, register, and begin to transition to legality these members of the urban operations of the FARC-EP.<sup>2</sup>

FARC-EP leaders, after meeting with representatives of the GOC and the senate sub-committee for tracking the implementation of the peace accords, announced that **all minors will be out of the FARC-EP ranks by the beginning of April.**<sup>3</sup>

**TRANSITIONAL JUSTICE:** The GOC passed **Decree 277 (2017)**, which regulates the way in which judges and attorneys can apply **amnesty** to members of the FARC-EP. Amnesty will only apply to those crimes committed before “D Day,” or December 1<sup>st</sup>, 2016, when the Peace Accords came into legal effect, and the individuals must have their names included on the lists that the FARC-EP hand over in the transitional zones. All guerrillas applying for amnesty will need to sign an act of commitment to not engage in future armed rebellion.<sup>4</sup>

Separately, five individuals have been selected for the commission charged with selecting the nearly 100 of the magistrates who will comprise the **Special Jurisdiction for Peace (JEP)**, and who will be responsible for determining the fates of all guerrillas, military, and business leaders with crimes committed within the framework of the armed conflict.<sup>5</sup>

**JURIDICAL:** The second initiative after the Amnesty Law to take advantage of the Congressional *fast track* process has passed 54-0. The **new transitional article added to Law 5 (1992) allows for three members of the Voces de Paz movement to participate in the House of Representatives, with three additional in the Senate.** They will be permitted to participate in the debates, though they will not have the right to vote.

Additionally, the initiative solidified the participation of victims through the President of the National Victims' Committee in any legal or constitutional reform projects that have anything to do with victims of the armed conflict.<sup>6</sup>

#### **Jean Arnault addresses CSIVI on challenges in transitional zones and timeline for laying down of arms**

In a letter dated February 17<sup>th</sup>, Chief of Mission of the United Nations in Colombia, Jean Arnault, wrote to the Commission for Tracking, Promotion, and Verification of the Final Peace Accord (CSIVI) expressing concerns about the current status of the implementation process. In an effort to reinforce the ceasefire agreement, Arnault acknowledged directly the “gray zone” created by the fact that many of the transitional zones are not ready according to the commitments made by the GOC, nor are they precisely delimited. Regarding the security (juridical, physical, socioeconomic) of the FARC-EP in the transitional zones and heading into their reincorporation into civilian life, Arnault recognized the expressed concerns as legitimate and expressed an interest in collaborating to alleviate those concerns. Finally, the letter opens the door for a revision of the deadline for a complete disarmament, originally scheduled for the end of May.<sup>7</sup>

#### **ELN-GOC split into two sub-committees to continue simultaneous talks**

The GOC-ELN negotiating teams have divided into two distinct sub-teams that will work simultaneously in order to address, respectively, society's participation in the dialogues and humanitarian dynamics. The latter will take on as one of its talking points the de-escalation of the conflict between the guerrilla group and the GOC with the intention of moving towards a bilateral ceasefire. Chief negotiator for the ELN, Pablo Beltrán (alias), noted that the first week of the conversations focused on laying the ground rules for how the talks would proceed.<sup>8</sup>