

 PEACE MAIL

December 6-December 12, 2016

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.

On December 7th, the MM&V published a press release with their findings to date. The release contained six observations and four urgent challenges. The observations included the following: (1) the locations of all 27 transitional camps and zones have been identified; (2) both the GOC and the FARC have shared with the MM&V their member lists; (3) beginning D+5 (December 6th), the FARC started to move towards the transitional zones; (4) the MM&V has begun operating both in its national headquarters, and in six of eight of its regional sites; (5) all members of the MM&V have been trained; and (6) the MM&V has worked to guarantee and resolve disputes regarding the Bilateral Ceasefire and Laying Down of Arms (CFHBD).

Among the major concerns are the following four items: (1) the habitability of the transitional points and zones; (2) logistical demands of maintaining the FARC in their pre-grouping zones; (3) Medellin and Quibdó regional site launches; and (4) improvement of the MM&V's own operational and information processing capabilities.¹

On December 9th, the MM&V released another statement regarding the November 12th confrontation between the FARC and the GOC, the first break in the ceasefire agreement that demanded the attention of the Mechanism. After finding operational errors on both sides, the FARC assumed responsibility for their part in the encounter, agreeing that they violated a protocol that prohibits them from engaging in any act that threatens the civilian population.²

Colombian President Juan Manuel Santos receives Nobel Prize in Oslo

Over the weekend, President Juan Manuel Santos received the Nobel Peace Prize in Oslo, Norway. During an on-site press conference, he emphasized the role that the Prize played in facilitating the new peace accords, and used the opportunity to urge the Constitutional Court to pass the "fast track" element of the Legislative Peace Act, a worrying uncertainty for those eager to implement the peace accords.²

Constitutional Court continues deliberating validity of Congressional approval of peace accords

After ten hours of debate on Monday, December 12th, the Colombian Constitutional Court ended their session still at odds over whether or not the November 30th Congressional approval of the peace accords is sufficiently qualifies as a popular referendum. While some magistrates believed

that members of the Senate and the House of Representatives do qualify since they were popularly elected, others argued that only another plebiscite or *cabildo* (community consultation) process would catalyze the Legislative Peace Act.³ The Peace Act is critical in that it contains the Fast Track mechanism, required to implement the peace accords in the agreed-upon timeline.

FARC movement to transitional zones experiencing early challenges

D+5 (Tuesday, December 6th) marked the day on which the FARC began to move to 27 transitional points and zones. However, some delays have occurred in the process due to logistical challenges in the regions and a lack of funding, reports GOC High Commissioner for Peace, Sergio Jaramillo.⁴ Another sticking point relates to the Constitutional Court delays on approving the Legislative Act for Peace, which would set the Amnesty Law proceedings in motion – a critical precursor for FARC willingness to move forward with laying down their arms. Without the guarantees included in the proposed Amnesty Law – namely, the suspension of a wide range of arrest warrants for crimes related to rebellion - FARC leaders note that there are concerns about gathering in these zones, where insurgents might be collectively captured by GOC officials.⁵ As a result, FARC members have decided to linger between their pre-grouping points and the transitional zones. This has had the unfortunate effect of allowing time for other organized crime elements to close in on FARC locations, prompting concerns for an eventual confrontation.⁶