

November 27-December 3

WEEKLY UPDATE: Implementing the Peace Accords

This callout box includes a weekly update on releases and work specifically related implementing the Final Peace Accord between the Government (GOC) and the FARC in Colombia.

The Truth, Coexistence, and Non-Repetition Commission (TC), one of three transitional justice mechanisms outlined by the Peace Accord, began its three-year implementation on 29 November. The opening ceremony was attended by victims, the Public Forces, businesspeople, former FARC combatants, and former paramilitaries, all of whom expressed their support for this temporary body, which will seek to construct a collective and inclusive account of what happened during more than 50 years of armed conflict. The head of the TC, Father Francisco de Roux, also called on the 11 commissioners to work towards reconciliation, and reiterated that the TC is outside of the justice system, and will not issue judgements or sentences.¹ The TC will operate in 10 “macroregions” and 26 municipalities, functioning through mobile commissions to uncover the roots, patterns, and effects of violence across the country.²

The military presented its initial document detailing 207,645 cases relating to kidnappings carried out by the FARC (Case 001) to the Special Jurisdiction for Peace (JEP) on 30 November. The most common cases affecting servicepeople were those of forced displacement, homicide, forced disappearance, and anti-personnel mines. The JEP’s investigation will also draw on information presented by the Attorney General’s Office, and civilian victims’ testimonies.³ On 1 December, President Duque called on former combatants responsible for crimes against humanity to assume responsibility and appear directly before the JEP to contribute to the truth-telling process.⁴ He will also issue a decree allowing the Attorney General to confiscate FARC assets which were not declared when they disarmed in 2017,⁵ responding to a clash between the ordinary and transitional jurisdictions over the administration of these resources for victims’ reparations.⁶

FARC second-in-command Iván Márquez wrote to UN Secretary General António Guterres on 28 November, encouraging him to call on the GOC to fulfil its Peace Accord obligations. Márquez abandoned the Miravalle (Caquetá) Territorial Training and Reincorporation Space (ETCR) five months ago, citing the lack of security and legal guarantees. In the letter, he also denounced the changes made to the Accord by Iván Duque’s Government, and reminded the UN of its commitments to monitoring and verifying its implementation, particularly in terms of rural and political reform, peace districts, and crop substitution.⁷ The UN’s Vice Secretary General for Political Affairs arrived in Colombia on 3 December to supervise the implementation of the Accord,⁸ three days after Jean Arnault stepped down after 3.5 years at the helm of the UN Verification Mission.⁹

The ELN and FARC dissident groups appear to have come to an agreement in Arauca, on the border with Venezuela. Local sources also point to growing coordination with the FARC’s dissident First Front, controlled by Iván Mordisco and operating under the umbrella movement led by Gentil Duarte, whose direct access to the border is essential to their project to revive the guerrilla group.¹⁰ On 30 November, the GOC once again called for Cuba to implement the INTERPOL Red Notice issued against Nicolás Rodríguez Bautista (alias “Gabino”), high commander of the ELN named as a member of their negotiating team last week.¹¹

The UN Special Rapporteur for Human Rights, Michel Forst, expressed his **grave concerns over the situation of social leaders** in Colombia on 3 December. Over his 14-day stay, he visited various regions and met with Indigenous, Afro-Colombian, LGBTQI persons, and local actors to compile a report on human rights in the country, a document which will guide the GOC’s response. Four human rights defenders have been killed since he arrived, leading Forst to condemn the high level of impunity in such cases.¹²