

December 18-24

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.

Reports on extrajudicial killings in the Catatumbo region were delivered to the Special Jurisdiction for Peace (JEP) on 14 and 15 December. The reports document 158 cases committed by Mobile Brigade 15 between 2005 and 2008. The “false positives” scandal first broke in Catatumbo in 2008, and 18 State agents have already offered voluntary evidence, which will be compared with reports and victims’ testimonies.¹

The **Missing Persons Search Unit (UBDP)**, one of the three transitional justice mechanisms created by the Peace Accord along with the JEP and the Truth Commission, will have an administrative budget of approximately US\$11 million and US\$16 million for investment projects over 2019. According to the National Center for Historical Memory (CNMH), the conflict produced 135,251 victims of forced disappearance, recruitment, and kidnapping, and the UDBP will have 20 years to clarify what happened in these cases, as well as alleviate the suffering of family members. Its greatest challenges include encouraging awareness and participation, delivering results, and managing victims’ expectations.²

President Duque announced on 24 December that Hernán Darío Velásquez, **alias “El Paisa,” will be detained if he has returned to criminality.** The JEP began proceedings against him in October for not reporting on his reincorporation and the search for the remains of victims of kidnapping and disappearance (Case 001) along with 30 other former FARC leaders. El Paisa has not been located since he departed the Miravalle Territorial Training and Reincorporation Space (ETCR) in Caquetá several months ago, citing the lack of security and legal guarantees.³ A psychiatrist for the Reincorporation and Normalization Agency (ARN) and another man were found dead in Caquetá on 20 December, leading the local Mayor and El Paisa to exchange accusations with regards this and other acts of violence in the region.⁴ Since the signing of the Peace Accord, 89 former FARC combatants (according to their own figures) and more than 151 social leaders have been killed.⁵

Alias “Guacho,” the head of the dissident Óliver Sinisterra front of the FARC, was killed in an operation by the Public Forces in Tumaco, Nariño, on 21 December. President Duque took the opportunity to warn those who return to arms that they will face the full dissuasive, offensive, and punitive power of the State. Alias Guacho was responsible for the kidnapping and later murder of three Ecuadorian journalists in April this year, which led to a diplomatic crisis and subsequent withdrawal of Ecuador’s support as guarantor of the peace talks with the ELN.⁶ According to the Ministry of Defense, the ranks of FARC dissident groups have swollen to 1,749 in the context of 21 “instability factors” including drug trafficking, illegal mining, extortion, kidnapping, and contraband.⁸

The **ELN began their 12-day Christmas truce** on 23 December, as a sign of their commitment to peace negotiations with the GOC. The talks have been suspended since Duque took office on 7 August, and the High Commissioner for Peace, Miguel Ceballos, expressed his regret that the ELN had not included the release of hostages within their truce, a condition the GOC has declared a prerequisite for the resumption of talks.⁹

The **“Law of Submission”** approved by the Santos administration in July 2018 to encourage Organized Armed Groups (GAO) and Organized Criminal Groups (GDO) to voluntarily and collectively enter the justice system in return for reduced sentences has again come to the fore, as critics suggest it **does not offer favorable terms as compared to the ordinary justice system.** The Law would require those entering the system to provide information on the armed group to which they belonged, as well as on victims, recruitment of minors, kidnapping, and disappearances; to acknowledge all crimes; to inform on illegal economies, frontpeople, and support structures; and to hand over weapons and psychoactive substances.¹⁰