

- The situation in Colombia is critical. The peace agreement signed in November 2016 between the FARC and the Colombian government is facing huge challenges and more so since the election of President Ivan Duque.
- The implementation of the agreement has been slow and there have been attempts to change the agreement by the Duque administration.
- The implementation of the chapters dealing with the root causes of the conflict – comprehensive rural reform and political participation – have seen little progress.
- The chapters dealing with the consequences have been subject to attempts to change their nature and have been under resourced by the state.
- The current government, led by President Ivan Duque, is from a party 'Centro Democrático' which has openly attacked the peace agreement and challenges the transitional justice model as agreed which would affect the rights of all victims of the conflict.
- He was elected on such a platform and the extreme polarisation seen during the election remains.
- As mentioned, I am currently the Senior International Officer at the TUC. Between 2016 and 2018 I was an adviser in the peace process, liaising with the international mechanisms established to verify the implementation of the agreement, the UN Verification Mission given a mandate by the UN Security Council and other mechanisms. I participated in the negotiations and advised in the CSIVI monitoring and oversight commission made up by three government ministers and three FARC representatives. Prior to this I was Director of Justice for Colombia, and led an initiative to take cross party representatives involved in negotiating the Good Friday Agreement and trade unionists to share their experiences in Colombia and Havana during the talks.
- The agreement was not for the benefit of the FARC, but for all the people of Colombia.
- Whilst the FARC have complied with their obligations – their disarmament was verified by the UN Verification Mission, they have appeared before the Special Jurisdiction for Peace – the transitional justice process known by its Spanish acronym JEP, the government has not implemented crucial areas of the agreement, attempted to change the JEP's scope and we have seen a huge and alarming number of social leaders and former FARC combatants assassinated with little effective action taken by the government.

- At the heart of the agreement is the transitional justice process – including the JEP, as well as a Truth Commission and a Unit to search for the Disappeared.
- The JEP has been subject to repeated attacks by the ruling party, attempts to change its scope, and undermined by the former Attorney General.
- Despite this, the JEP has heard several cases since it started to work: case 001 related to kidnappings (the whole former leadership of the FARC appeared before the court), case 002 related to acts of war in the municipalities of Ricaurte, Tumaco and Barbacoas and case 004, related to the humanitarian situation in Urabá. Case 007 is about the recruitment of minors and is being prepared.
- Both the Parliament and the Constitutional Court excluded the mandatory jurisdiction of the JEP over civilian State agents (politicians and public administration) and third parties (funders and organisers of paramilitary groups), limiting the mandatory jurisdiction to former combatants, members of the public security forces and former guerrillas.
- The attacks on the system raise the question whether there are sectors afraid of the truth being revealed. And of putting an end to the impunity many have enjoyed for decades.
- On March 10, 2019, the President expressed 6 objections to the Draft Statutory Law of the Special Jurisdiction for Peace. The international community strongly pronounced their support the law and finally, on April 8, the government's objections were rejected by Congress.
- The JEP has received significant international support. Repeated Security Council sessions on Colombia have called for its autonomy to be respected. The UN Secretary General in a press statement to announce the publication of the UN Verification Missions' latest report stated that "I call upon all parties to ensure that any reforms undertaken respect the commitments made to those who laid down their arms in good faith and on the basis of provisions in the Peace Agreement, a principle that the Security Council has itself underscored."
- There is also concern over funding for the system. The Truth Commission is lacking resources and has seen itself rely on international support for its functioning.
- The chapter of the agreement dealing with political participation – where political exclusion and a lack of democratic space has been recognised as a cause of the conflict, has several areas which haven't been implemented. Crucially, the 16 seats in the House of Representative agreed for civil society representatives from the regions most affected by the conflict have not been established.

- In the area of comprehensive rural reform there is also slow progress. The government's own national development plan sees less than 1% of its budget dedicated to investment in the countryside.
- One of the main concerns for peasant organisations is the creation of the Strategic Zones of Comprehensive Intervention (ZEI in Spanish), which many people perceive as a return to the old war on drugs, where the main responsibility in terms of eradication of crops will fall on the Ministry of Defence. This is far removed from the measures stipulated in the Peace Agreement. Many compare the ZEI to the "Consolidation Areas", which were areas of military control and operation under the Uribe administration – raising concerns about the potential for human rights abuses.
- The security conditions of those who work in the program to substitute illicit crops is worrying - there are reports of around 50 murdered so far.
- The President has announced intentions to return to fumigation of crops – which cause huge environmental damage and health risks and goes against the road map established in the peace agreement to deal with the problem of coca and other crops in a sustainable way.
- The situation of reincorporation of former combatants remains very concerning. There is still an urgent need to purchase land for former combatants to establish agricultural projects.
- Support for the Areas for Training and Reincorporation – known as ETCR's - are due to finish in August 2019. Yet the slow reincorporation means there is not a sustainable situation for many former guerrillas.
- The uncertainty caused by the lack of economic reincorporation combined with the killings of former combatants creates a worrying panorama – according to the FARC, 135 former members have been murdered, and 11 forcibly disappeared.
- One of the most recent to be killed was [Dimar Torres](#), a FARC member who is alleged to have been murdered by a Colombian soldier who then appears to have intended to disappear his body.
- A [recent statement](#) by the UN Special Rapporteur on Extrajudicial Executions and the UN Working Group on Enforced Disappearances urged the Colombian Government ***"to cease inciting violence against demobilised individuals of the FARC-EP and to meet the guarantees that were made to them during the negotiations in Havana, most importantly respect of the right to life"*** .

- The Minister responsible for peace implementation, [Emilio Archila](#), reacted by calling their statement ‘badly intentioned’ and rejected their conclusions.
- The UN Verification Mission’s report covering the period March 26th – June 26th, stated that during this reporting period “14 former FARC-EP members were killed, including the second recorded killing of a female former combatant, Lucero Jaramillo Alvarez, on 4 April in Putumayo.”
- The figures of killings of human rights defenders and social leaders is similarly alarming. Figures vary. Some human rights organisations [estimate](#) that since the signing of the agreement in November 2016, 591 social leaders have been assassinated – 236 of these in the last ten months since President Duque took office. These include human rights defenders, trade unionists, social leaders, community leaders promoting coca crop substitution and others defending the peace process.
- A human rights monitoring program Somos Defensores identified that between January and March there were 245 different aggressive acts against human rights defenders – a 66% per cent increase from the same period last year.
- The ITUC’s just published Global Rights Index shows that 34 trade unionists were killed in Colombia last year – meaning the majority of trade unionists killed are Colombian – with little action being taken to bring those responsible to justice. It is listed as amongst the 10 worst countries to be a worker and where workers have ‘no guarantee of rights’.
- This all occurs in the context of upcoming local elections in October this year. The non-governmental Electoral Observation Mission warned in a May 27th report that violence and intimidation against local candidates may increase during this period. It noted that already, incidents against potential candidates are 50% higher than in the equivalent period in previous local elections in 2015.
- Despite the challenges many brave Colombians remain committed to the peace process.
- The current situation in Colombia means the role of the international community is increasingly crucial if we want to see a lasting and sustainable peace.
- The peace agreement was signed not just by the Santos administration, but by the Colombian State. It is an official document circulated within the UN Security Council. The State, regardless of the ruling party’s opinion, has an obligation to implement it.