

***PASTORAL LETTER INSISTING ON THE FULLFILLMENT
OF THE AGREEMENT FOR THE TERMINATION OF THE CONFLICT AND THE
THE CONSTRUCTION OF A STABLE AND DURABLE PEACE IN COLOMBIA***

July 2018

Righteousness and justice will reign in all parts of the country.
Justice will produce peace, tranquility and confidence forever.
Isaiah 32: 12-17. The Bible.

As people belonging to faith communities, different churches and religious leaders from various parts of Colombia and the world, we have experienced and are aware of the sociopolitical violence and other forms of criminality in Colombia for more than 70 years amid deep historical inequities that have left millions of victims deeply impacted.

We have also witnessed the great efforts to end the armed conflict and great advances towards the construction of peace for hundreds of initiatives of victims and rural communities. We have supported the processes of talks between the Colombian government and the former guerrilla of the FARC-EP, today the FARC political party – Revolutionary Alternative Power of the Common – which led to the signing of the agreements in September and November of 2016.

We have supported the process of talks with the ELN guerrilla and the bilateral ceasefire agreed by the parties. We have also requested our participation and that of the communities in this process. We have high hopes that the dialogue will bring about the possibility of a new peace agreement between the Colombian government and these guerrilla.

We have participated and are aware of other peace processes in the world and know building paths to peace and reconciliation with justice is not easy. That is why we believe the agreement between the government of President Juan Manuel Santos and the FARC-EP is novel and profound, as it goes beyond the disarmament and the reincorporation into the civilian life of the ex-guerrillas. This agreement meets the standards of international law of the rights of victims with due process guarantees for all parties with the Integral System of Truth, Justice, Reparation and Non-Repetition.

It contains important clues to resolving structural issues that make it possible to create a modern state of law such as comprehensive rural reform, political participation, the solution to the illicit drug problem, and a vision for the end of conflict that includes preventative mechanism to avoid the emergence of new forms of criminality.

Our oversight work and international trips made to Colombia have allowed us to hear the opinions and testimonies of victims, ex-combatants, government officials, verifying

organizations, and all of them agree that implementation of the agreements has had a number of setbacks and there are not only shortcomings but also risks within the framework of the change of national government and congress.

In recent days the concern for the murder of social leaders had increased. According to the Ombudsman's Office in the last two years, in the framework of the post-agreement, 311 social leaders have been murdered, which is considered a practice of mass murder¹.

In the legislative sphere, the Final Agreement between the Colombian government and the FARC-EP has been modified with regard to the Special Jurisdiction for Peace -JEP- since the compulsory nature of the subjection of the civilian third parties involved in the armed conflict was eliminated and recently the Congress of the Republic approved the rules of procedure limiting its exercise against eventual extraditions, access and validation of evidence.

In addition, a constitutional reform was included for the military to have a special courtroom, composed of new magistrates. "The foregoing implies that members of the Public Force who committed serious violations of human rights may enjoy conditioned and anticipated freedom without the need to contribute to the truth and to the reparation of the victims, affecting the international law of more than 10,000 victims to timely and effectively access justice²." In this way the possibility of accountability of all actors is lost, generating new imbalances and perhaps promoting new mechanisms of impunity.

Another example of non-compliance was the refusal of Congress to create the 16 peace districts that sought to guarantee participation in the House of Representatives of victims from areas where the intensity of the armed conflict has been high. These and other clear changes affect the real search for peace and are to the detriment of the victims that are the centrality of the agreements.

After the great achievement of the abandonment of arms by the FARC-EP and its passage to be a political party, the reincorporation of ex-combatants has had many difficulties. Of the 26 Territorial Training Spaces ETCT (formerly the Veredales Zones), 2 were eliminated by the government. Of the rest, its operation is limited since no land has been awarded for the development of productive projects of the reincorporated population. Due to this, many ex-guerrillas have left these ETCRs and there are already some 30 more spaces with the voluntary generation of self-sustainability processes. Others have taken up arms again.

We know from the work of humanitarian oversight in the field carried out by the Inter-Church Dialogue for Peace - DIPAZ - the uncertainty expressed by the population of the ETCR due to the termination in August 2018 of the food supply, the non-compliance with the productive

¹ <http://www.elcolombiano.com/colombia/mapa-de-lideres-y-defensores-asesinados-en-colombia-DI8956261>

² Coordinación Colombia Europa. Advocacy Document. July 2018.

initiatives, the risks to life and personal integrity of ex-combatants and their families (at least 70 people from Farc have been murdered), the future of the New Settlement Points NPA as expressions of microeconomic agricultural self-management that do not solve the basic needs, the limitations of access to drinking water, decent housing and health care, among others.

This information will be developed by DIPAZ extensively in its next report, where it is stated that these negative effects of non-compliance with the Peace Accords not only affect the reincorporated population, but also the civilian population. In several of the former areas where the FARC were present and now are not due to their process of reincorporation into civilian life, there is evidence of a dispute between several armed actors for territorial control, including dissidence of the FARC. This has direct effects on the civil population as new displacements, harassment, threats, amongst other issues.

In the framework of the reincorporation, the ex-guerrillas of the Farc have expressed their fear for the juridical insecurity that exists at this moment, not only for the scarce advance in the treatment of the amnesties to some 600 ex-combatants still imprisoned in prisons, but for cases such as that of Jesús Santrich requested in extradition by the United States and for which a clash between the ordinary justice and transitional justice has been generated for his treatment. Additionally, President-elect Iván Duque has publicly requested that the people of the Farc party elected to occupy the ten seats in Congress cannot do so until they appear before the JEP.

The International Commission for the Verification of Human Rights in Colombia before the European Parliament, said last February that 18.5% of the total agreement has been fulfilled. Of this, only 5% of the integral rural reform has been fulfilled; 19% of the political participation and 33% on the end of the conflict³. Other concerns are added such as the great difficulty for the implementation of territorial peace, this being one of the pillars of the agreement. Vice President Oscar Naranjo has said that one of the greatest challenges for the new government is that there is a state with a vocation for permanence in the territory⁴.

These evidences, in addition to the affirmations of the current president-elect Iván Duque of "correcting" or "modifying" the Final Agreement with the FARC and the conditions he has expressed to continue with the dialogues with the ELN, cause us concern. For this reason, we call for an alert to act in favor of compliance with the agreements, asking the new government of Colombia and the new Congress to comply, as well as the Guarantor countries of Cuba and Norway on April 15 in a public statement. : "We urge the institutions of the Colombian State to

³ <http://www.elcolombiano.com/colombia/implementacion-de-acuerdo-de-paz-con-las-farc-va-en-el-18-5-LG8181287>

⁴ Semana En Vivo. Program of Political Analysis. 24 April 2018. Vice President Oscar Naranjo and researcher Ariel Avila of the NGO Foundation Peace and Reconciliation. <https://www.youtube.com/watch?v=vVQ7Wghgv9E>

guarantee the protection of the Final Agreement and ensure strict compliance with the agreement."

Guided by the spirit of God and the Gospel of Jesus, who calls us to be builders of peace and to be ambassadors of reconciliation, we ask:

- The international community to request the new government and the Congress of Colombia to guarantee the protection of the final agreement and ensure its strict compliance.
- The Swiss Federal Council in Bern-Switzerland and the Security Council of the United Nations as depositaries of the Final Agreement within the framework of International Humanitarian Law, exercise their role as guarantors in compliance with the agreement.
- To the United Nations Organization, the Security Council, to maintain its purpose of verifying compliance with the agreements and to make a new field visit to Colombia to dialogue with the new government and the new Congress.
- To the Churches of all parts of the world, to redouble the support and accompaniment to surround the Colombian people, so that they do not falter in the search for peace and reconciliation.
- To the New Government and New Congress so that they continue with the implementation of the agreements and make all the necessary efforts in the legislative, political, judicial and budgetary for it.

Our prayer and commitment is that the promise for Colombia foreseen in Psalm 82: 10-13 that allows us to live a lasting peace and reconciliation be realized:

*Love and truth will meet, peace and justice will kiss,
the truth will come from the earth and justice will look from heaven.*