

Country/entity	Colombia
Region	Americas
Agreement name	Primer Acuerdo entre el Gobierno Nacional y el Movimiento Jaime Bateman Cayón, Bases de la Negociación
Date	8 Feb 1996
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/conflict level	Intrastate/intrastate conflict

Colombian Conflict (1964 -)

The Colombian conflict is really a set of conflicts and the peace agreements reflect both different processes relating to different conflict groups and dyads, and processes taking place at different times in a complex peace process history. The Colombian civil war has its roots in the late 1940s and the violent infighting between liberal and the conservative factions. Emerging from the liberal tradition with a thorough grounding in nationalist communist ideology, the Revolutionary Armed Forces of Colombia—People's Army (FARC) began its armed insurrection against the Colombian government in 1964. Other left-wing guerrillas emerged as well, most notably the socialist/populist M-19, which would later be integrated into the formal political system in the peace process of 1990s; the National Liberation Army (ELN), which has strong roots in liberation theology, and the Maoist Ejército Popular de Liberación (EPL) (also part of the 1990 process, less successfully). Several stages of peace processes were undertaken by the various sides, which were further complicated by the emergence of right-wing paramilitary 'self-defence' forces. The peace agreement between the Colombian government under President Uribe and the main alliance of the paramilitary groups, the United Self-Defence Forces of Colombia (AUC), concluded in 2005 and is still heavily disputed as several remnants are still active, but now subsumed under the heading 'Bacrim' (Bandas criminales). In addition, FARC and ELN maintain a military presence, but both demonstrate a strong interest in completing successful peace negotiations with the government, with the most recent agreements being between FARC and the Government.

Close
Colombian Conflict (1964 -)

Stage	Pre-negotiation/process
Conflict nature	Government
Peace process	Colombia II - Samper

Parties	For the national government
	<ul style="list-style-type: none"> • DANIEL GARCÍA PEÑA JARAMILLO • RUBÉN SÁNCHEZ DAVID • ALFREDO MOLANO BRAVO
	For the Jaime Bateman Cayón Movement:
	<ul style="list-style-type: none"> • JHON JAIRO • JORGE ELIÉCER ZAPATA
Third parties	For the Peace Facilitation Commission:
	<ul style="list-style-type: none"> • NUBI FERNÁNDEZ PERLAZA • GERMAN ROJAS NIÑO • LIBARDO OREJUELA DÍAZ
Description	This document is about the composition and rules of the negotiation table and the agenda for discussions.

Agreement document	CO_960208_PRIMER ACUERDO ENTRE EL GOBIERNO NACIONAL Y EL MOVIMIENTO JAIME BATEMAN CAYON - tr.pdf (opens in new tab) Download PDF
Agreement document (original language)	CO_960208_PRIMER ACUERDO ENTRE EL GOBIERNO NACIONAL Y EL MOVIMIENTO JAIME BATEMAN CAYON.pdf (opens in new tab)

Groups

Children/youth	No specific mention.
Disabled persons	No specific mention.
Elderly/age	No specific mention.
Migrant workers	No specific mention.
Racial/ethnic/ national group	No specific mention.
Religious groups	No specific mention.

Indigenous people Groups→Indigenous people→Substantive
Page 2, 2. Composition and operation of the negotiations, Article d,
Two representatives of community organisations in the demilitarised zone may be present at the talks as witnesses: the governor of the indigenous council and another representative directly elected by the communities living in the demilitarised zone. Other witnesses may be invited by mutual agreement.

Other groups No specific mention.

Refugees/displaced persons No specific mention.

Social class No specific mention.

Gender

Women, girls and gender No specific mention.

Men and boys No specific mention.

LGBTI No specific mention.

Family No specific mention.

State definition

Nature of state (general) No specific mention.

State configuration No specific mention.

Self determination No specific mention.

Referendum No specific mention.

State symbols No specific mention.

Independence/secession No specific mention.

Accession/unification No specific mention.

Border delimitation No specific mention.

Cross-border provision No specific mention.

Governance

Political institutions (new or reformed) No specific mention.

Elections No specific mention.

Electoral commission No specific mention.

Political parties reform No specific mention.

Civil society

Page 1, Article 1, Objective of the negotiations,
The objective of the negotiations is to find a permanent solution to the armed conflict by creating the conditions for long-lasting peace and the application of a methodology that allows all Colombians to participate in the process. The creation of conditions that render the use of arms unnecessary will be based on the expansion and consolidation of democracy, the participation of marginalised communities in the strengthening of national unity and the development of mechanisms to allow Colombians to live with their differences in order to build a new society.

Page 1, 2. Composition and operation of the negotiations, Article c,
One member of the Peace Facilitation Commission will be present at the talks and will act as moderator.

Page 2, 2. Composition and operation of the negotiations, Article d,
Two representatives of community organisations in the demilitarised zone may be present at the talks as witnesses: the governor of the indigenous council and another representative directly elected by the communities living in the demilitarised zone. Other witnesses may be invited by mutual agreement.

Pages 2-3, Composition and operation of the negotiations, Article h,
For each of the issues, if deemed appropriate, the parties may convene a forum for analysis and consensus with broad participation from civil society. The forum will conduct an initial analysis of the issue and will issue its conclusions, which will be submitted as proposals and working documents for the negotiations. Subject to the agreement of the parties, talks may continue while the forum for analysis and consensus takes place. Analysis and consensus forums will be subject to the following rules:

1. They will be chaired by one spokesperson from each of the parties and a representative of the Peace Facilitation Commission, who will act as moderator. Each of the forums will have rules of operation.
2. The chair of each forum will be entitled to invite up to 30 participants (advisers, specialists or stakeholders) to contribute analysis and proposals in the search for a solution.
3. The analysis and consensus forums will have a maximum duration of two weeks.
4. The analysis and consensus forums may hold public audiences to support the peace process, inviting groups of citizens interested in the issue to voice their demands, proposals and alternatives. Each such audience will last for one day.
5. The collective presidency of the forum will submit a signed statement of conclusions and recommendations to the talks, setting out the conclusions and recommendations in areas where consensus was reached and an annex of areas where it was not. This statement will serve as a basic input to the talks, although its acceptance is not mandatory.

Page 4, Article 5. Support,
The Peace Facilitation Commission will continue to actively support the process and provide its good offices as required. The verification commission for the demilitarised zone will also continue its work.

Traditional/ religious leaders

No specific mention.

Public administration	No specific mention.
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Constitution	No specific mention.
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Power sharing

Political power sharing	No specific mention.
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Territorial power sharing	No specific mention.
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Economic power sharing	No specific mention.
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Military power sharing	No specific mention.
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Human rights and equality

Human rights/RoL general	Pages 3-4, Article 3. Agenda, The agenda for the first round of talks is as follows: a. international humanitarian law b. the media c. legal guarantees. The agenda for the second round will include the following issues: a. multilateral dialogue b. scaled social development c. the use of arms.
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Bill of rights/similar	No specific mention.
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Treaty incorporation	No specific mention.
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Civil and political rights	No specific mention.
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Socio-economic rights	No specific mention.
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Rights related issues

Citizenship	No specific mention.
Democracy	Page 1, Article 1, Objective of the negotiations, The objective of the negotiations is to find a permanent solution to the armed conflict by creating the conditions for long-lasting peace and the application of a methodology that allows all Colombians to participate in the process. The creation of conditions that render the use of arms unnecessary will be based on the expansion and consolidation of democracy, the participation of marginalised communities in the strengthening of national unity and the development of mechanisms to allow Colombians to live with their differences in order to build a new society.
Detention procedures	No specific mention.
Media and communication	Rights related issues→Media and communication→Other Pages 3-4, Article 3. Agenda, The agenda for the first round of talks is as follows: a. international humanitarian law b. the media c. legal guarantees. The agenda for the second round will include the following issues: a. multilateral dialogue b. scaled social development c. the use of arms.
Mobility/access	No specific mention.
Protection measures	No specific mention.
Other	No specific mention.

Rights institutions

NHRI	No specific mention.
Regional or international human rights institutions	No specific mention.

Justice sector reform

Criminal justice and emergency law No specific mention.

State of emergency provisions No specific mention.

Judiciary and courts No specific mention.

Prisons and detention No specific mention.

Traditional Laws No specific mention.

Socio-economic reconstruction

Development or socio-economic reconstruction Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development
Pages 3-4, Article 3. Agenda,
The agenda for the second round will include the following issues:
b. scaled social development

National economic plan No specific mention.

Natural resources No specific mention.

International funds No specific mention.

Business No specific mention.

Taxation No specific mention.

Banks No specific mention.

Land, property and environment

Land reform/rights No specific mention.

Pastoralist/nomadism rights No specific mention.

Cultural heritage No specific mention.

Environment No specific mention.

Water or riparian rights or access No specific mention.

Security sector

Security Guarantees Page 3, 2. Composition and operation of the negotiations, Article I,
Each of the parties undertakes to respect and guarantee the personal safety and integrity of the negotiators and leaders of the other party, together with the communities of the demilitarised zone, regardless of the result of the negotiations.

Pages 3-4, Article 3. Agenda,
The agenda for the first round of talks is as follows:
a. international humanitarian law
b. the media
c. legal guarantees.
The agenda for the second round will include the following issues:
a. multilateral dialogue
b. scaled social development
c. the use of arms.

Ceasefire No specific mention.

Police No specific mention.

Armed forces No specific mention.

DDR Security sector→DDR→Demilitarisation provisions
Page 4, 4. Schedule, Article a,
The demilitarised zone will be in force until 30 May 1996.

Intelligence services No specific mention.

**Parastatal/rebel
and opposition
group forces**

Page 1, 2. Composition and operation of the negotiations, Article a,
The number of spokespeople at the talks will be previously agreed in line with the needs and nature of the issue to be discussed. There will be the possibility of a civil spokesperson from the guerrilla movement with specific roles to inform the country of the negotiation process, in line with the law. All decisions will be taken by consensus of the parties.

Page 1, 2. Composition and operation of the negotiations, Article b,
Up to three advisers of each party may be present at the talks. Advisers will be entitled to take part in the talks but may not act as spokespeople.

Pages 2-3, Composition and operation of the negotiations, Article h,
For each of the issues, if deemed appropriate, the parties may convene a forum for analysis and consensus with broad participation from civil society. The forum will conduct an initial analysis of the issue and will issue its conclusions, which will be submitted as proposals and working documents for the negotiations. Subject to the agreement of the parties, talks may continue while the forum for analysis and consensus takes place. Analysis and consensus forums will be subject to the following rules:

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**Withdrawal of
foreign forces**

No specific mention.

Corruption

No specific mention.

**Crime/organised
crime**

No specific mention.

Drugs

No specific mention.

Terrorism

No specific mention.

Transitional justice

Transitional justice general No specific mention.

Amnesty/pardon No specific mention.

Courts No specific mention.

Mechanism No specific mention.

Prisoner release No specific mention.

Vetting No specific mention.

Victims No specific mention.

Missing persons No specific mention.

Reparations No specific mention.

Reconciliation No specific mention.

Implementation

UN signatory No specific mention.

Other international signatory No specific mention.

Referendum for agreement No specific mention.

International mission/force/similar No specific mention.

Enforcement mechanism Page 4, Article 5. Support, The Peace Facilitation Commission will continue to actively support the process and provide its good offices as required. The verification commission for the demilitarised zone will also continue its work.

Related cases No specific mention.

Source En ausencia de un proceso de paz: Acuerdos Parciales y Mandato Ciudadano por la Paz, Biblioteca de la Paz – 1994-1998, Fundación Cultura Democrática, Ed. Álvaro Villarraga Sarmiento, Bogotá D.C., 2009 (book IV) p. 204
