

Country/entity	Colombia
Region	Americas
Agreement name	Preacuerdo entre el Gobierno Nacional y el MIR-COAR
Date	21 Jan 1997
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	<p>For the national government:</p> <p>HORACIO SERPA URIBE, Minister of the Interior</p> <p>DANIEL GARCIA-PEÑA, Peace Commissioner</p> <p>TOMÁS CONCHA SANZ, Head of the Presidential Reinsertion Programme</p> <p>For MIR-COAR:</p> <p>LUIS FERNANDO QUIJANO MORENO</p> <p>ALVARO DE JESÚS RAMÍREZ RIVERA</p> <p>SANTIAGO QUIJANO MORENO</p> <p>CARLOS MARIO ARENAS LÓPEZ</p>
Third parties	-
Description	<p>This is a preliminary agreement between the National Government and the Independent Revolutionary Movement, agreeing to find a permanent solution to the armed conflict.</p> <p>The negotiating parties agree among others on security and legal guarantees, the provision of sufficient operative measures and to further meetings.</p>

Agreement document	CO_970121_PREACUERDO ENTRE EL GOBIERNO NACIONAL Y EL MIR-COAR - tr.pdf (opens in new tab) Download PDF
Agreement document (original language)	Co_970121_PREACUERDO ENTRE EL GOBIERNO NACIONAL Y EL MIR-COAR.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	No specific mention.
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 No specific mention.

Traditional/religious leaders No specific mention.

Public administration No specific mention.

Constitution No specific mention.

Power sharing

Political power sharing No specific mention.

Territorial power sharing No specific mention.

Economic power sharing No specific mention.

Military power sharing No specific mention.

Human rights and equality

Human rights/RoL general	<p>Page 1, Untitled Preamble,</p> <p>The national government, under the constitutional mandate for peace, as a mandatory duty and right, in order to find a permanent solution to the armed conflict and provide the basis and conditions for the growth of long-lasting peace through negotiations, the expansion of democratic channels, respect for human rights and international humanitarian law, and the participation and reconciliation of all Colombians, has decided in mutual agreement with the insurgent armed group the Independent Revolutionary Movement – Armed Commandos (Movimiento Independiente Revolucionario Comandos Armados, MIR-COAR) to initiate a dialogue process to find ways to permit the affirmation of genuine participative democracy, the social development of the communities under the influence of MIR-COAR, the peaceful coexistence of Colombians, and the reincorporation of the organisation’s members into civil, social and political life.</p> <p>To achieve this, MIR-COAR undertakes to overcome all obstacles that may arise in order to carry out this process and guarantee the military demobilisation of its members, respect the rules, standards and provisions of international humanitarian law for the duration of the process to reach a permanent agreement, suspend offensive military activities throughout the process, and submit, in the course of the process, details of the urban and rural zones in which it operates and which are known to be under its influence.</p>
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Bill of rights/similar No specific mention.

Treaty incorporation No specific mention.

Civil and political rights No specific mention.

Socio-economic rights No specific mention.

Rights related issues

Citizenship No specific mention.

Democracy Page 1, Untitled Preamble,
The national government, under the constitutional mandate for peace, as a mandatory duty and right, in order to find a permanent solution to the armed conflict and provide the basis and conditions for the growth of long-lasting peace through negotiations, the expansion of democratic channels, respect for human rights and international humanitarian law, and the participation and reconciliation of all Colombians, has decided in mutual agreement with the insurgent armed group the Independent Revolutionary Movement – Armed Commandos (Movimiento Independiente Revolucionario Comandos Armados, MIR-COAR) to initiate a dialogue process to find ways to permit the affirmation of genuine participative democracy, the social development of the communities under the influence of MIR-COAR, the peaceful coexistence of Colombians, and the reincorporation of the organisation's members into civil, social and political life.
To achieve this, MIR-COAR undertakes to overcome all obstacles that may arise in order to carry out this process and guarantee the military demobilisation of its members, respect the rules, standards and provisions of international humanitarian law for the duration of the process to reach a permanent agreement, suspend offensive military activities throughout the process, and submit, in the course of the process, details of the urban and rural zones in which it operates and which are known to be under its influence.

Detention procedures No specific mention.

Media and communication Rights related issues→Media and communication→Other
Page 2, Mutual commitments, Article 1,
Carry out meetings with the greatest possible discretion and privacy, without issuing communications to the press, in order to respect the security of the members of the commissions.

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
Page 2, Mutual commitments, Article 2,
Work together to establish a professional team that will jointly evaluate with communities the socio-economic situation of the areas submitted as zones of influence of the insurgent group to provide the basis for making decisions regarding social investment in these areas, this being understood as the social restoration of neighbourhoods.

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 1, Government commitments, Article 1,
Provide the guarantees required by the spokespeople and representative members designated by MIR-COAR while the political-social negotiation process takes place.

Page 1, Government commitments, Article 2,
Guarantee under the terms set out in Law 104, 1993, reformed by Law 241, 1995, the suspension of the execution of capture orders for the representatives-members and spokespeople appointed by the organisation and recognised by the national government.

Page 2, Government commitments, Article 3,
Guarantee legal assistance to members of the organisation from the signing of this document throughout the talks. Under all circumstances, the government reserves the right to suspend them if this is warranted by the development of the process.

Page 2, Government commitments, Article 4,
Guarantee secure transport of spokespeople and representatives-members, as required, to carry out talks.

Page 2, Government commitments, Article 5,
Provide sufficient operative measures to make progress in this contact process.

Page 2, Mutual commitments, Article 1,
Carry out meetings with the greatest possible discretion and privacy, without issuing communications to the press, in order to respect the security of the members of the commissions.

Page 2, Mutual commitments, Article 2,
Work together to establish a professional team that will jointly evaluate with communities the socio-economic situation of the areas submitted as zones of influence of the insurgent group to provide the basis for making decisions regarding social investment in these areas, this being understood as the social restoration of neighbourhoods.

Ceasefire

No specific mention.

Police

No specific mention.

Armed forces

No specific mention.

DDR

No specific mention.

Intelligence services

No specific mention.

Parastatal/rebel and opposition group forces	<p>Page 1, Untitled Preamble,</p> <p>The national government, under the constitutional mandate for peace, as a mandatory duty and right, in order to find a permanent solution to the armed conflict and provide the basis and conditions for the growth of long-lasting peace through negotiations, the expansion of democratic channels, respect for human rights and international humanitarian law, and the participation and reconciliation of all Colombians, has decided in mutual agreement with the insurgent armed group the Independent Revolutionary Movement – Armed Commandos (Movimiento Independiente Revolucionario Comandos Armados, MIR-COAR) to initiate a dialogue process to find ways to permit the affirmation of genuine participative democracy, the social development of the communities under the influence of MIR-COAR, the peaceful coexistence of Colombians, and the reincorporation of the organisation’s members into civil, social and political life.</p> <p>To achieve this, MIR-COAR undertakes to overcome all obstacles that may arise in order to carry out this process and guarantee the military demobilisation of its members, respect the rules, standards and provisions of international humanitarian law for the duration of the process to reach a permanent agreement, suspend offensive military activities throughout the process, and submit, in the course of the process, details of the urban and rural zones in which it operates and which are known to be under its influence.</p>
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[Summary: For provisions on DDR please see DDR.]

Withdrawal of foreign forces	No specific mention.
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Corruption	No specific mention.
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Crime/organised crime	No specific mention.
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Drugs	No specific mention.
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Terrorism	No specific mention.
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Transitional justice

Transitional justice general	No specific mention.
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Amnesty/pardon	No specific mention.
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Courts	No specific mention.
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Mechanism	No specific mention.
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Prisoner release	No specific mention.
Vetting	No specific mention.
Victims	No specific mention.
Missing persons	No specific mention.
Reparations	No specific mention.
Reconciliation	Page 1, Untitled Preamble, The national government, under the constitutional mandate for peace, as a mandatory duty and right, in order to find a permanent solution to the armed conflict and provide the basis and conditions for the growth of long-lasting peace through negotiations, the expansion of democratic channels, respect for human rights and international humanitarian law, and the participation and reconciliation of all Colombians, has decided in mutual agreement with the insurgent armed group the Independent Revolutionary Movement – Armed Commandos (Movimiento Independiente Revolucionario Comandos Armados, MIR-COAR) to initiate a dialogue process to find ways to permit the affirmation of genuine participative democracy, the social development of the communities under the influence of MIR-COAR, the peaceful coexistence of Colombians, and the reincorporation of the organisation’s members into civil, social and political life.

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	No specific mention.
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. 293
