

<b>Country/entity</b>	Colombia
<b>Region</b>	Americas
<b>Agreement name</b>	Acuerdo entre el Gobierno Nacional y las FARC-EP (Acuerdo Humanitario)
<b>Date</b>	2 Jun 2001
<b>Agreement status</b>	Multiparty signed/agreed
<b>Interim arrangement</b>	Yes
<b>Agreement/conflict level</b>	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 - )

<b>Stage</b>	Framework/substantive - partial
<b>Conflict nature</b>	Government
<b>Peace process</b>	Colombia III - Arango
<b>Parties</b>	National Govt, FARC-EP

<b>Third parties</b>	-
<b>Description</b>	Agreed exchange of soldiers and policemen for FARC-EP members, facilitated by the ICRC Source: Diálogo, negociación y ruptura con las FARC-EP y con el ELN, Biblioteca de la Paz – 1998-2000, Fundación Cultura Democrática, Ed. Álvaro Villarraga Sarmiento, Bogotá D.C., 2009 (book V) p. 223

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<b>Agreement document</b>	<a href="#">CO_010602_Government-FARC humanitarian exchange accord.pdf (opens in new tab)</a>   <a href="#">Download PDF</a>
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## 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** Page 1,  
... That Law 418/97, renewed by Law 548/99 provides that the State will encourage the establishment of a just social order which will secure peaceful coexistence, the protection of the rights and freedoms of the individual; and will adopt measures in favour of groups affected by marginalization or discrimination in order to achieve conditions of real equality and to provide all with the same opportunities for appropriate development of the individual, the family and the social group; ...

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## **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** Pages 2-3, INSTRUMENTS,  
... The F ARC-EP have delivered to the Government the list of sick soldiers and policemen in their power, and undertake to place them in places which will permit their easy and immediate verification by the International Red Cross Committee; and these places will be determined by the Government and FARC-EP; ...  
The Government has performed the appropriate medical examination through a group of doctors recommended by the International Red Cross Committee or an entity named by the Government, for the members of the FARC-EP referred to in this Agreement; ...  
With regard to the sick soldiers and policemen in the power of the F ARC-EP, once their state of health has been established the International Red Cross Committee will receive them at the place agreed by the parties, on the same day that the members of the F ARC-EP are released.  
The sick members of the F ARC-EP to whom the Government has determined that this Agreement may apply, will be released to the International Red Cross Committee at their place of confinement, once the detention order or sentence has been effectively suspended;  
The International Red Cross Committee will deliver them at the place and time agreed by the Parties; ...  
The Government and FARC-EP agree that the United Nations Organization and the Office of the People's Defender will be invited to attend on the day of the release of the sick; ...

**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.

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## **Human rights and equality**

**Human rights/RoL general** Page 1,  
  
That Law 418/97, renewed by Law 548/99 provides that the State will encourage the establishment of a just social order which will secure peaceful coexistence, the protection of the rights and freedoms of the individual; and will adopt measures in favour of groups affected by marginalization or discrimination in order to achieve conditions of real equality and to provide all with the same opportunities for appropriate development of the individual, the family and the social group;

**Bill of rights/similar** No specific mention.

**Treaty incorporation** Page 2, GENERAL,  
This Agreement is signed for humanitarian reasons and therefore its scope is restricted to its specific content; and None of the terms of this Agreement reduce the minimum obligations of common Article 3 of the 1949 Geneva Conventions and their supplementary Protocol II, and the terms of this Agreement have no effect on the juridical status of the signatories in the light of the content of common Article 3 of the Geneva Conventions.

**Civil and political rights** No specific mention.

**Socio-economic rights** No specific mention.

## **Rights related issues**

<b>Citizenship</b>	No specific mention.
<b>Democracy</b>	No specific mention.
<b>Detention procedures</b>	No specific mention.
<b>Media and communication</b>	No specific mention.
<b>Mobility/access</b>	No specific mention.
<b>Protection measures</b>	No specific mention.
<b>Other</b>	No specific mention.

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## **Rights institutions**

<b>NHRI</b>	No specific mention.
<b>Regional or international human rights institutions</b>	No specific mention.

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## **Justice sector reform**

<b>Criminal justice and emergency law</b>	No specific mention.
<b>State of emergency provisions</b>	No specific mention.
<b>Judiciary and courts</b>	No specific mention.
<b>Prisons and detention</b>	No specific mention.
<b>Traditional Laws</b>	No specific mention.

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## **Socio-economic reconstruction**

**Development or socio-economic reconstruction** No specific mention.

**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.

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## **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.

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## **Security sector**

**Security Guarantees** No specific mention.

**Ceasefire** No specific mention.

**Police** [Summary]  
The agreement provides for an exchange of 15 sick prisoners (FARC members) for 42 sick soldiers and policemen. For details please see entry at 'prisoner release'.

<b>Armed forces</b>	<p>[Summary]</p> <p>The agreement provides for an exchange of 15 sick prisoners (FARC members) for 42 sick soldiers and policemen. For details please see entry at 'prisoner release'.</p>
<b>DDR</b>	<p>Security sector→DDR→Demilitarisation provisions</p> <p>Page 1,</p> <p>... That Article 8 of Law 418/97, renewed by Law 548/99, expressly gives the Government the permanent power, to be exercised by the Government alone, to sign agreements with the representatives of armed organizations which act outside the law which have been recognized to h~ a political character, designed to obtain solutions to armed conflict, the effective application of international humanitarian law, respect for human rights, the cessation or reduction of the intensity of hostilities, the reincorporation of the members of such organizations into civil life and the creation of conditions which favour a just political, social and economic order;</p> <p>...</p> <p>That the Government has decided to proceed with dialogue and negotiation with F ARC-EP and to sign agreements with its representatives in accordance with the progress made at the negotiating tables, in order to create conditions for the reincorporation into civil life of the members of that organization, in order to favour a just political, social and economic order; That FARC-EP have on many occasions stated that the signature of this Agreement would represent a substantial step forward in the peace process; ...</p>
<b>Intelligence services</b>	No specific mention.
<b>Parastatal/rebel and opposition group forces</b>	<p>[Summary]</p> <p>The agreement provides for an exchange of 15 sick prisoners (FARC members) for 42 sick soldiers and policemen. For details please see entry at 'prisoner release'.</p>
<b>Withdrawal of foreign forces</b>	No specific mention.
<b>Corruption</b>	No specific mention.
<b>Crime/organised crime</b>	No specific mention.
<b>Drugs</b>	No specific mention.
<b>Terrorism</b>	No specific mention.

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## Transitional justice

**Transitional justice general** No specific mention.

**Amnesty/pardon** No specific mention.



<b>Courts</b>	No specific mention.
<b>Mechanism</b>	No specific mention.
<b>Prisoner release</b>	<p>[Summary]</p> <p>The agreement provides for an exchange of 15 sick prisoners (FARC members) for 42 sick soldiers and policemen. Furthermore, FARC-EP undertake to release unilaterally at least 100 soldiers and policemen who are in their power and are not sick, within 15 days of delivery of the sick soldiers and policemen. It is assumed that the released FARC members will not take part in future hostilities due to their physical health.</p> <p>The agreement is stated to be signed for humanitarian reasons and has a restricted scope. The exchange of prisoners/hostages will be facilitated by the International Red Cross Committee.</p>
<b>Vetting</b>	No specific mention.
<b>Victims</b>	No specific mention.
<b>Missing persons</b>	No specific mention.
<b>Reparations</b>	No specific mention.
<b>Reconciliation</b>	No specific mention.

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## **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** Source: Diálogo, negociación y ruptura con las FARC-EP y con el ELN, Biblioteca de la Paz – 1998-2000, Fundación Cultura Democrática, Ed. Álvaro Villarraga Sarmiento, Bogotá D.C., 2009 (book V) p. 223

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