

Country/entity	Colombia
Region	Americas
Agreement name	Declaracion de Viana, Gobierno Nacional-ELN, Acompañamiento de la CCN y como testigo del Gobierno de España
Date	9 Feb 1998
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>This agreement is signed in the Palace of Viana in the city of Madrid, Spain, on 9 February 1998 by:</p> <p>JOSÉ NOÉ RÍOS and DANIEL GARCÍA PEÑA for the Colombian government</p> <p>MILTON HERNÁNDEZ for central command and the leadership of ELN</p> <p>JUAN VÁSQUEZ for the International Front</p> <p>AUGUSTO RAMÍREZ OCAMPO and ANA MERCEDES GÓMEZ for CCN</p>
Third parties	<p>Witness for the Spanish government:</p> <p>Fernando M. Villalonga, Secretary of State for International Cooperation</p> <p>Eduardo Gutiérrez Sáenz de Buruaga, Director General of Foreign Policy for Ibero-America</p>
Description	<p>This agreement sets the framework for future negotiations and establishes a forum for national dialogue to discuss peace, democracy and social justice.</p>

Agreement document	CO_980209_Declaracion de Viana - tr.pdf (opens in new tab) Download PDF
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Agreement document (original language)	CO_980209_Declaración de Viana.pdf (opens in new tab)
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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	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	<p>Page 1, Article 1, To convene a National Convention for Peace, Democracy and Social Justice to determine the structure of an agreement whose implementation will involve all required legislative instances and possible spaces, including the convening of a National Constitutional Assembly, in line with the insurgent group's proposals, a referendum involving the broad democratic participation of all Colombians.</p> <p>Pages 1-2, Article 2, The national convention will be convened following a preparatory meeting that will take place on 5, 6 and 7 June this year at a location in Colombia to be previously determined by the parties based on the following points: ... • A representative of the Spanish government will be invited as witness, in addition to a representative of each of the presidential candidates for the second round of the presidential elections (if a second round occurs), a representative of the incoming president and a representative of the party with the most votes other than the incoming president, the president of the National Congress, the president of the United Federation of Workers (Central Unitario de Trabajadores, CUT), the president of the Workers' Union (Unión Sindical Obrera, USO), a representative of the trade union council, a representative of the government organisations responsible for the defence of human rights and a representative of the Communist Party. ...</p>
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>Pages 1-2, Article 2, The national convention will be convened following a preparatory meeting that will take place on 5, 6 and 7 June this year at a location in Colombia to be previously determined by the parties based on the following points: ...</p> <p>Page 2, Article 3, The complementary aspects for the development of the process to lead to the termination of the armed conflict will be determined in parallel to the gathering of requests related to the political and social conflict. While the conflict persists, the parties will reach an agreement to ensure the respect for life and humanitarian conditions in the war in the context of international humanitarian law, in addition to safeguarding the civil population.</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, Article 1,
To convene a National Convention for Peace, Democracy and Social Justice to determine the structure of an agreement whose implementation will involve all required legislative instances and possible spaces, including the convening of a National Constitutional Assembly, in line with the insurgent group's proposals, a referendum involving the broad democratic participation of all Colombians.

Pages 1-2, Article 2,
The national convention will be convened following a preparatory meeting that will take place on 5, 6 and 7 June this year at a location in Colombia to be previously determined by the parties based on the following points:
...

- the terms for the transformation of social and political structures through concerted action taking into account factors such as the full force of human rights, social and economic justice, political democratisation, the definition of the role of the armed forces in a peaceful country, and sovereignty, integration and internationalisation; ...

Detention procedures	No specific mention.
Media and communication	No specific mention.
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	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.

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** No specific mention.

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**

Pages 1-2, Article 2,

The national convention will be convened following a preparatory meeting that will take place on 5, 6 and 7 June this year at a location in Colombia to be previously determined by the parties based on the following points:

- The government and ELN will each have three representatives and decisions will be made by consensus.

...

The sessions of the preparatory meeting will be in private and the public will be informed of the decisions by communications that are mutually agreed between the parties.

- The government and ELN will provide the required security for participants in the meeting under the same procedure used in Santa Ana, Antioquia on 2 November 1997.

The government will provide the guarantees required for transport and the negotiations.

- The preparatory meeting will determine the elements of the national convention, including:

- the terms for the transformation of social and political structures through concerted action taking into account factors such as the full force of human rights, social and economic justice, political democratisation, the definition of the role of the armed forces in a peaceful country, and sovereignty, integration and internationalisation;
- participants in the national convention, with a maximum of 100 people representing the country's economic, political and social forces;
- date and location for the national convention, which must take place after the second round of the presidential election;
- methodological aspects of the national convention.

Page 3, Article 5,

This agreement must be ratified by ELN at two meetings to take place in Itagüí, one with the commanders Francisco Galán and Felipe Torres, and another with representatives of the central command. The same representatives of the government and CCN who sign this agreement will attend. It will also be ratified by the President of the Republic.

**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 Witness for the Spanish government:
Fernando M. Villalonga, Secretary of State for International Cooperation
Eduardo Gutiérrez Sáenz de Buruaga, Director General of Foreign Policy for Ibero-America

Referendum for agreement Page 1, Article 1,
To convene a National Convention for Peace, Democracy and Social Justice to determine the structure of an agreement whose implementation will involve all required legislative instances and possible spaces, including the convening of a National Constitutional Assembly, in line with the insurgent group's proposals, a referendum involving the broad democratic participation of all Colombians.

International mission/force/similar No specific mention.

**Enforcement
mechanism**

4. The dialogue process to find the political solution, which begins with the signing of this preliminary agreement and its ratification, will be supported by the international community, primarily Spain, Mexico, Costa Rica and Venezuela.

The Spanish government will act as facilitator of the process, providing good offices and acting as host where necessary. This group may be extended by the agreement of the parties. International support must be based on the principles of neutrality, impartiality and discretion.

Related cases

No specific mention.

Source

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. 271
