

Country/entity	Colombia
Region	Americas
Agreement name	Acuerdo 5: Institucionalización de la Mesa de Diálogos
Date	12 Dec 2022
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/territory
Peace process	Colombia VII - Petro Peace Dialogues with ELN

Parties	Government of the Republic of Colombia (represented by the National Government under President Gustavo Petro) Ejército de Liberación Nacional (ELN)
Third parties	-
Description	This agreement establishes the institutional framework and operational procedures for the Peace Dialogue Roundtable between Colombia's government and the ELN guerrilla organization, formally resuming negotiations that were interrupted in August 2018. The agreement declares that peace policy constitutes binding state policy that cannot be suspended by future governments, establishes nine governing principles including consensus-based decision-making, confidentiality, and the requirement that all participants attend negotiations unarmed with perfidy constituting an international crime.

Agreement document	CO_221212_Acuerdo_5_Institucionalización_de_la_Mesa_de_Diálogos_EN (opens in new tab) Download PDF
Agreement document (original language)	CO_221212_Acuerdo 5 Institucionalización de la Mesa de Diálogos (opens in new tab)
Source of document	https://www.consejeriacomisionadadepaz.gov.co/dialogos-elN/Documents/Acuerdo%205.pdf

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 **1. On the Delegations and the Roundtable**
...
1.3.6. The Parties acknowledge that the heart of this process is the participation of society in defining and carrying out the transformations necessary for peace.
...
For such purposes, communications shall be truthful, clear, and timely, and shall incorporate adequate peace pedagogy, fundamentally based on facts that generate trust within society as a whole and the international community.

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

Preamble

...

The Parties, in accordance with the principle of pacta sunt servanda, the general rule that agreements must be compliant, acknowledge that, as the subject matter concerns human rights, the right to peace, and humanitarian law, the commitments made and the agreements reached must, without question, be the object of full compliance. These are, indeed, values and duties belonging to the most advanced body of international law and, at the same time, to one of the oldest traditions: the struggle for human and peoples' dignity, an accumulation which today calls for the proscription of crimes against peace.

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 No specific mention.

**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** **Preamble**
...
In this regard, the role of the guarantor countries in this process must be safeguarded, and their participation must not be subject to any impairment, harm, or aggression.
...

1. On the Delegations and the Roundtable

...
1.3.5. At all times, in all places, and under all circumstances, members of both Parties shall attend the Roundtable unarmed, in a spirit of constructive dialogue, and accept that perfidy or the unlawful exploitation of such a situation of defencelessness constitutes an international crime and therefore shall not be admissible under any circumstances.
...

1.3.7. Within the dynamics and context of the dialogues, each Party undertakes to suspend espionage activities and to preserve the physical and legal security of all components of the Roundtable.

Ceasefire No specific mention.

Police No specific mention.

Armed forces No specific mention.

DDR No specific mention.

**Intelligence
services** **1. On the Delegations and the Roundtable**
...
1.3.7. Within the dynamics and context of the dialogues, each Party undertakes to suspend espionage activities and to preserve the physical and legal security of all components of the Roundtable.

Parastatal/rebel and opposition group forces	1. On the Delegations and the Roundtable 1.1. The Peace Dialogue Roundtable is composed of the two signatory Parties: the Colombian State, represented by the National Government, and the Ejército de Liberación Nacional, ELN. Each Party shall appoint its delegates, counsellors, advisers, and technical observers under its own responsibility. ... 1.3.5. At all times, in all places, and under all circumstances, members of both Parties shall attend the Roundtable unarmed, in a spirit of constructive dialogue, and accept that perfidy or the unlawful exploitation of such a situation of defencelessness constitutes an international crime and therefore shall not be admissible under any circumstances. ... 1.3.7. Within the dynamics and context of the dialogues, each Party undertakes to suspend espionage activities and to preserve the physical and legal security of all components of the Roundtable.
Withdrawal of foreign forces	No specific mention.
Corruption	No specific mention.
Crime/organised crime	1. On the Delegations and the Roundtable ... 1.3.5. At all times, in all places, and under all circumstances, members of both Parties shall attend the Roundtable unarmed, in a spirit of constructive dialogue, and accept that perfidy or the unlawful exploitation of such a situation of defencelessness constitutes an international crime and therefore shall not be admissible under any circumstances.
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	No specific mention.
