

<b>Country/entity</b>	Colombia
<b>Region</b>	Americas
<b>Agreement name</b>	Hacia un Nuevo Campo Colombiano: Reforma Rural Integral
<b>Date</b>	6 Jun 2014
<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 V - Santos

<b>Parties</b>	Delegates of Government of the Republic of Colombia (The National Government) and the Revolutionary Armed Forces of Colombia (FARC-EP)  Los delegados del Gobierno de la República de Colombia (el Gobierno Nacional) y las Fuerzas Armadas Revolucionarias de Colombia (FARC-EP)
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<b>Third parties</b>	-
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<b>Description</b>	This agreement provides for a place an Integral Rural Reform with the aim to put an end on the conflict, lay the bases for a structural transformation of the countryside and improve the conditions of the rural population. It defines I. its principles, II. Access and Use. Unproductive lands. Formalisation of property ownership. Agricultural Frontiers and the protection of reservation zones, III. Development programmes with territorial approach, IV. National Plans for the Integral Rural Reform
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<b>Agreement document</b>	<a href="#">CO_140606_ReformaRural - tr.pdf (opens in new tab)</a>   <a href="#">Download PDF</a>
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<b>Agreement document (original language)</b>	<a href="#">CO_140606_ReformaRural.pdf (opens in new tab)</a>
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**Groups**

## Children/youth

Groups→Children/youth→Rhetorical

Page 2, I. Towards a new Colombian countryside: comprehensive rural reform

Considering:

... That, in terms of food and nutrition, the RRI aims to ensure for all rural and urban citizens in Colombia availability and sufficient access in opportunity, quality, quantity, and price, to food necessary for good nutrition, especially for that of children, pregnant and lactating women, and the elderly, advancing first and foremost the production of food and generation of income.

Page 3, Principles,

3. Prioritisation: integrated agricultural development is a universal policy and, its execution prioritises the most in need and vulnerable populations, and the communities most affected by conflict, poverty, and abandonment, as well as placing emphasis on small and medium-scale producers. The rights of children, women, and the elderly deserve special attention.

Groups→Children/youth→Substantive

Page 15, Article 3.2. Social development: health, education, housing, eradication of poverty, 3.2.1 Health;

with the goal of offering communities health services, strengthening the infrastructure and quality of rural areas' public networks and improving the timeliness and relevance of the service, a National Rural Health Scheme will be created and implemented. When developing the Scheme, the following approaches will be considered:

...

b. Adopting a differential and gender-based approach, including special measures for pregnant women and children when it comes to prevention, advancement and care in the context of health.

Page 15, Article 3.2.2. Rural education;

with the goal of providing comprehensive care from early childhood, ensuring coverage, quality and relevance of education, and eradicating illiteracy in rural areas, as well as encouraging young people to play a productive part in the countryside, the national government will create and implement the Rural Education Special Scheme. When developing the scheme the following approaches will be considered:

a. Universal coverage with comprehensive early childhood care.

Page 19-20, Article 3.3.5. Rural labour formalisation and social protection: the National Government will fully strengthen the protection and social security system of the rural population. In light of the rules of the International Labour Organisation (OIT), which Columbia is a part of, and with the goal of ensuring decent work and countryside workers' rights, as well as their social protection (protection from old age and occupational risks, the National Government will create and implement a progressive Scheme for social protection and ensuring rural workers' rights.

The Scheme will dignify rural working conditions, through the full implementation, with labour inspection, of regulations on contractual relations, the corresponding regulation on working hours, remuneration and subordination considering jurisprudential developments which favour workers, the applicable international rules of the OIT, regarding work in general and in particular rural work, that effectively ensure the fundamental right to work. When developing the Scheme, the following approaches will be considered:

a. Campaigns to eradicate child labour and immediate measures to eradicate the worst forms of child labour.

Page 21, Article 3.4. (sovereign) Food safety system;

... d. Developing programmes against hunger and malnutrition with national coverage, especially for rural population in conditions of poverty, pregnant and lactating women

**Disabled persons**      Groups→Disabled persons→Substantive

Page 19-20, Article 3.3.5. Rural labour formalisation and social protection: the National Government will fully strengthen the protection and social security system of the rural population. In light of the rules of the International Labour Organisation (OIT), which Columbia is a part of, and with the goal of ensuring decent work and countryside workers' rights, as well as their social protection (protection from old age and occupational risks, the National Government will create and implement a progressive Scheme for social protection and ensuring rural workers' rights.

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...

d. Encouraging working relationships with people with disabilities.

## **Elderly/age**

Groups→Elderly/age→Rhetorical

Page 2, I. Towards a new Colombian countryside: comprehensive rural reform

Considering:

... That, in terms of food and nutrition, the RRI aims to ensure for all rural and urban citizens in Colombia availability and sufficient access in opportunity, quality, quantity, and price, to food necessary for good nutrition, especially for that of children, pregnant and lactating women, and the elderly, advancing first and foremost the production of food and generation of income.

Page 3, Principles,

3. Prioritisation: integrated agricultural development is a universal policy and, its execution prioritises the most in need and vulnerable populations, and the communities most affected by conflict, poverty, and abandonment, as well as placing emphasis on small and medium-scale producers. The rights of children, women, and the elderly deserve special attention.

Groups→Elderly/age→Substantive

Page 19-20, 3.3.5. Rural labour formalisation and social protection: the National Government will fully strengthen the protection and social security system of the rural population. In light of the rules of the International Labour Organisation (OIT), which Columbia is a part of, and with the goal of ensuring decent work and countryside workers' rights, as well as their social protection (protection from old age and occupational risks, the National Government will create and implement a progressive Scheme for social protection and ensuring rural workers' rights.

The Scheme will dignify rural working conditions, through the full implementation, with labour inspection, of regulations on contractual relations, the corresponding regulation on working hours, remuneration and subordination considering jurisprudential developments which favour workers, the applicable international rules of the OIT, regarding work in general and in particular rural work, that effectively ensure the fundamental right to work. When developing the Scheme, the following approaches will be considered:

...

i. The extension of programmes for effective protection from the economic risk of old-age for the rural elderly population in extreme poverty that is not covered by the social security system.

Page 21, Article 3.4. (sovereign) Food safety system;

... d. Developing programmes against hunger and malnutrition with national coverage, especially for rural population in conditions of poverty, pregnant and lactating women, children, and for the elderly. These programmes will include 'shock' plans for the rural population which is most vulnerable and in extreme poverty.

## **Migrant workers**

No specific mention.

**Racial/ethnic/  
national group**

Groups→Racial/ethnic/national group→Rhetorical

Page 2, Untitled Preamble,

... That the farmers and the indigenous, afro-descendant, raizal and palenquera communities, as well as other ethnic communities in their territories, will contribute to the structural transformation of the countryside and in particular to the closure of the agricultural border, with a sustainable socio-environmental regulation system. This requires the recognition and support of Farmer Reserve Areas (Zonas de Reserva Campesina) and other forms of solidarity-based collaboration. ...

Groups→Racial/ethnic/national group→Substantive

Page 3, Principles,

2. Welfare and well-being: the final objective is to eradicate poverty and to fully satisfy the needs of the citizens of rural areas, so that in the shortest possible amount of time the farmers and communities (including afro-descendant and indigenous) will be able to fully exercise their rights, and the convergence of rural and urban quality of life can be reached, respecting the territorial approach and the cultural and ethnic diversity of the community.

Page 8, Article 1.8 Mechanisms to resolve conflicts of ownership and use and to strengthen food production,

... d. Will create mechanisms that will allow consultation and social dialogue between the national, regional, and local government, and the farmers and indigenous, black, afro-descendant, raizal and palenquera communities, as well as other communities comprised of different ethnic groups and cultures, and private sector companies that are advancing their economic activity in rural areas. This is with the goal to create formal spaces for discussion between parties with different interests, which will facilitate the promotion of a communal development agenda, orientated towards socio-environmental sustainability, as well as the welfare of the rural population and growing the economy with equity.

Pages 8-9, Article 1.9 Creating and updating the land registry and rural property tax:,  
... 3. The guarantee of a large amount of and effective public participation to ensure transparency of information. In all cases, land registry issues which are related to rural communities will be dealt with the participation of the members of said community. Under no circumstances will that which is agreed upon here affect rights acquired by indigenous, afro-descendant, or other rural communities. ...

**Religious groups**

No specific mention.

**Indigenous people** Groups→Indigenous people→Rhetorical

Page 2, Untitled Preamble,

... That the farmers and the indigenous, afro-descendant, raizal and palenquera communities, as well as other ethnic communities in their territories, will contribute to the structural transformation of the countryside and in particular to the closure of the agricultural border, with a sustainable socio-environmental regulation system. This requires the recognition and support of Farmer Reserve Areas (Zonas de Reserva Campesina) and other forms of solidarity-based collaboration. ...

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Groups→Indigenous people→Substantive

[Summary: The agreement ensures throughout that a territorial, differential, and gender-based approach is adopted in the design, implementation and monitoring of the policies and strategies provided for in the agreement. This implicitly grants special attention to indigenous, rural communities and areas mostly affected by the conflict and requires to take into account the various threats, particularities and experiences of different people in their communities and territories.]

Page 8, Article 1.8 Mechanisms to resolve conflicts of ownership and use and to strengthen food production,

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Pages 8-9, Article 1.9 Creating and updating the land registry and rural property tax;

... 3. The guarantee of a large amount of and effective public participation to ensure transparency of information. In all cases, land registry issues which are related to rural communities will be dealt with the participation of the members of said community. Under no circumstances will that which is agreed upon here affect rights acquired by indigenous, afro-descendant, or other rural communities. ...

**Other groups**

Groups→Other groups→Substantive

[Summary: The agreement ensures throughout that a territorial, differential, and gender-based approach is adopted in the design, implementation and monitoring of the policies and strategies provided for in the agreement. This implicitly grants special attention to indigenous, rural communities and areas mostly affected by the conflict and requires to take into account the various threats, particularities and experiences of different people in their communities and territories.]



<b>Refugees/displaced persons</b>	<p>Groups→Refugees/displaced persons→Substantive</p> <p>Page 3, Principles,</p> <p>5. Restoration: the reestablishment of the rights of victims of displacement and dispossession, and the reversal of the effects on communities and territories caused by conflict and abandonment.</p>
	<p>Page 7, Article 1.7 Restitution,</p> <p>the national government and FARC-EP share the goal of reversing the effects of conflict and returning to communities and to victims of dispossession and forced displacement their rights regarding land, and of achieving the voluntary return of those displaced.</p> <p>*The conclusions of point 5 of the general agreement will be reviewed, to see if they change the content of this point 1.7.</p>
<b>Social class</b>	<p>No specific mention.</p>

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**Gender**

**Women, girls and gender**

Page 1, Toward a New Colombian countryside: Integral Rural Reform:  
It will be considered:

...

that a true structural transformation of the countryside requires measures to promote the proper use of land, in accordance with its designated use and to stimulate the formalisation, restitution and equitable distribution of land. It should also ensure progressive access to rural property for inhabitants of the countryside, and in particular to women and the most vulnerable population. Such transformation should regularise and democratise property rights, promote the redistribution of land, in order to fulfil its social function ....

Page 2, Toward a New Colombian countryside: Integral Rural Reform:  
It will be considered:

...

In relation to food and nutrition, the IRR (Integral Rural Reform) will ensure sufficient availability and access of opportunity, quantity, quality and price for food necessary for good nutrition, for all rural and urban citizens in Colombia, especially for boys and girls, pregnant and lactating women, and the elderly. This will be achieved primarily by promoting the production of food and income generation.

Page 3, Principles, 3. Prioritisation:

Integral agricultural development policy will be universal and its implementation will prioritise the most disadvantaged and vulnerable populations and territories, including the communities most affected by poverty, neglect and the conflict. The policy will focus on small and medium producers. Particular attention will be paid to the rights of children, women and the elderly.

...

Page 5, 1. Access and Use. Unproductive lands. Formalisation of property ownership.  
Agricultural Frontiers and the protection of reservation zones

...

1.3. Beneficiaries: the beneficiaries of the plan of free allocation, integral subsidy and special credit will be agricultural workers without land or with insufficient land. Women heads of household and displaced populations will be prioritised. Other beneficiaries may include Agricultural workers' associations without land or with insufficient land, as well as people and communities that participate in settlement and resettlement programs with the aim, among others, to protect the environment, replace illicit crops and strengthen food production.

Page 5, 1. Access and Use. Unproductive lands. Formalisation of property ownership.  
Agricultural Frontiers and the protection of reservation zones, 1.4. Integral Access:

In the development of principles of well-being, good-living, integrity as well as access to land, the National Government will make available, to male and female beneficiaries of the Land Fund, support plans for housing, technical assistance, capacity building, soil improvement and land recovery where necessary, production projects, commercialisation and access to means of production that increase the value, and scale up the provision of public goods within the framework of the Agricultural Development Programs with Integral Territorial Approach (PDET).

Page 13, 3. National Plans for the Integral Rural Reform, 3.2. Social development: health, education, housing, poverty eradication,  
3.2.1 Health:

...

b. The adoption of a targeted gender approach, including special measures for pregnant women, boys and girls in the prevention of disease and the promotion of health care

<b>Men and boys</b>	Gender→Men and boys→Gender neutral wording Page 6, Article 1.4 Comprehensive access, the development of welfare, well-being, and integrity principles, as well as access to land, the National Government will make available the following to men and women benefitting from the Land Fund: support schemes in housing, technical support, training, land improvement and land reclamation where necessary, production projects, as well marketing of and access to means of production that will add value. It will also increase the provision of public goods under the Programmes of Integrated Agricultural Development with a Territorial Approach, hereinafter PDET.
<b>LGBTI</b>	No specific mention.
<b>Family</b>	Pages 6-7, Article 1.6 Inalienable and unseizable land, in order to ensure the welfare and wellbeing of beneficiary families, and to avoid the concentration of land distributed through free allotment or integrated subsidised grants and of formalised public land, the above shall be inalienable and unseizable a period of 7 years. Distributed properties, and those acquired through integrated subsidised grants that have received comprehensive support, that despite this become, because of the beneficiary, unutilised during this period, or that are utilised illegally, will be assigned to the Land Fund, unless caused by unforeseen circumstances or force majeure. At all times the function of rural property and in particular family farming will be promoted.

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## State definition

<b>Nature of state (general)</b>	No specific mention.
<b>State configuration</b>	No specific mention.
<b>Self determination</b>	No specific mention.
<b>Referendum</b>	No specific mention.
<b>State symbols</b>	No specific mention.
<b>Independence/ secession</b>	No specific mention.
<b>Accession/ unification</b>	No specific mention.
<b>Border delimitation</b>	No specific mention.
<b>Cross-border provision</b>	No specific mention.

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**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 3, Principles,

7. Participation: the planning, execution and following of the schemes and programmes will advance with active participation from the communities, which will also act as a guarantee of transparency when coupled with accountability, citizen oversight committees, and special supervision of the competent bodies.

Page 6, Article 1.5 Mass formalisation of small and medium rural property,

... 1. Will tailor a scheme of mass formalisation and advance the relevant regulatory and operational reforms, guaranteeing the participation of communities and their organisations. ...

Pages 8-9, Article 1.9 Creating and updating the land registry and rural property tax:,

... 3. The guarantee of a large amount of and effective public participation to ensure transparency of information. In all cases, land registry issues which are related to rural communities will be dealt with the participation of the members of said community. Under no circumstances will that which is agreed upon here affect rights acquired by indigenous, afro-descendant, or other rural communities. ...

Page 9, Article 1.10 Closure of the agricultural border and protection of reserve areas:, delimiting the agricultural border, protecting areas of particular environmental interest, and generating balanced alternatives between environment and wellbeing and welfare for farmers that border or occupy such areas. With the above goals, and under the principles of participation of rural communities, the national government:

...

2. For the development of the scheme, the national government will consider the coexistence and development ventures themselves, and the participation of the rural communities as a guaranty as a guarantee that the goals of this point will be met, without prejudice towards the interests of the communities, the common good, and socio-environmental interests.

...

5. ZRCs are agricultural initiatives that contribute to building peace, to guaranteeing the political, economic, social and cultural rights of farmers, to sustainable socio-environmental and food development, and to the reconciliation between Colombians. By consequence, the national government, in consultation with the communities, and taking into account the issues raised in principles 2 and 7 of this Agreement, will promote access to land and the planning of its use in ZRCs, making the support of the development schemes from constituted areas effective, in response to community and agricultural society initiatives that these consider representative. In this way they will achieve the aim of boosting farming economy and contributing to closing agricultural borders, contributing to food production and to protecting Forest Reserve Areas. Active participation of the communities that inhabit ZRCs will be encouraged when executing their development plans. ...

Page 12, Article 2.4 Participation mechanisms:,

The basis of the PDET is the active participation of communities, paired with territorial entity authorities. To allow this, decision-making authorities will be established for each level of territory, which will include both a representative presence of the communities as well as support from supervisory bodies, so as to:

- Define priorities when implementing national schemes (roads, irrigation, infrastructure, services, etc.) in the area, according to the needs of the population.
- Ensure participation from the community when executing and maintaining projects.
- Establish mechanisms for monitoring and overseeing projects.

Page 13, Article 3.1 Land infrastructure and improvement, 3.1.1. Road infrastructure:,

with the goal of achieving regional integration and access to social services and markets

<b>Traditional/ religious leaders</b>	No specific mention.
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<b>Public administration</b>	No specific mention.
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<b>Constitution</b>	No specific mention.
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#### **Power sharing**

<b>Political power sharing</b>	No specific mention.
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<b>Territorial power sharing</b>	No specific mention.
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<b>Economic power sharing</b>	No specific mention.
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<b>Military power sharing</b>	No specific mention.
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#### **Human rights and equality**

<b>Human rights/RoL general</b>	Page 11, Article 2. Development programmes with a territorial approach (PDET), 2.1 Objective, the objective of the PDET is to achieve a structural transformation of the countryside and rural areas, as well as an equitable relationship between countryside and city, in such a way that ensures: • The welfare and wellbeing of rural population, making their political, social, and cultural rights effective, and reversing the effects of poverty and conflict. ...
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<b>Bill of rights/similar</b>	No specific mention.
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<b>Treaty incorporation</b>	No specific mention.
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<b>Civil and political rights</b>	No specific mention.
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<b>Socio-economic rights</b>	Human rights and equality→Socio-economic rights→Other Page 20, Article 3.4. (sovereign) Food safety system;, in aid of the obligation to progressively guarantee the human rights to healthy nutrition, culturally and nutritionally suitable, and with the goal of eradicating hunger and therefore boost availability, access to, and consumption of sufficient amounts of food and of sufficient nutritional quality, the National Government will put in place a special (sovereign) food and nutritional security system for the rural population.
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**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.



## Mobility/access

Page 1, Untitled Preamble,

... That a true structural transformation of the countryside requires adopting measures to promote appropriate use of the land in accordance with its suitability, and to stimulate the formalisation, restitution, and fair distribution of this land, guaranteeing progressive access to the rural property of the inhabitants of the countryside and in particular to women and those most vulnerable in the population, regularising and democratising ownership of property and promoting the decentralisation of land ownership, in accordance with its social function.

That although this access to land is a necessary condition for the transformation of the countryside it will not be sufficient without the state establishing national finance schemes, intended for the integrated rural development, for the provision of public services and goods, such as, including but not limited to, education, recreation, infrastructure, technical assistance, food and nutrition, that provide welfare and wellbeing to the rural population. ...

Page 4, Principles,

11. Democratisation of access to and suitable use of land: methods and guarantees that allow for the largest possible amount of the rural population, currently without or with insufficient amounts of land, to have access to it, as well as encouraging their suitable use of the land with criteria for environmental sustainability, suitability of the land, land management, and participation from the communities.

Pages 4-8, Article 1. Access and use. Unproductive lands. Formalisation of property.

Agricultural border and protection of Farmer Reserve Areas,

1.1 Land Fund (name pending)

The National Government will create a Land Fund which will be distributed free of charge, with the aim of achieving the democratisation of access to land, for the benefit of the rural population currently without or with insufficient amounts of land and for the benefit of the rural communities most affected by poverty, abandonment and conflict, as well as regularising the property rights and thus decentralising and promoting equitable distribution of land.

[Summary] For further details about the access to land please see 'land reform'.

Page 13, Article 3, National schemes for the RRI,

The main objective of the national schemes for the RRI is on one hand overcoming poverty and inequality, to provide welfare to the rural population; and on the other hand it is integration, and closing the gap between city and countryside.

Overcoming poverty is not achieved by simply improving the income of families, but rather by ensuring that they have adequate access to public goods and services. That is the basis of a decent life. For this reason, overcoming poverty in the countryside depends first of all on united action of the national schemes for RRI, which, over the course of a 10 year transition phase, will achieve eradication of extreme poverty and reduction of all dimensions of rural poverty by 50%, as well as diminishing inequality and creating a trend towards convergence of higher living standards in the city and the countryside.

Pages 15-16, Article 3.2.2. Rural education;

... e. Improving the conditions for access and permanency in the education system, through free access to tools, texts, school meals and transport.

...

h. Making available scholarships with forgivable loans to give the poorer rural population access to technical, technological and university training, which includes, when possible, support regarding maintenance. ...

## Protection measures

Rights related issues→Protection measures→Protection of groups

Page 6, 1.5 Mass formalisation of small and medium rural property: with the purpose to regulate and protect the rights of small and medium rural property, i.e. guaranteeing the rights of the legitimate owners and holders of land, so that violence is not again resorted to as a means to resolving conflicts related with the land, and as a guarantee against dispossession of any kind.

....

3. In the framework of agrarian jurisdiction that will be formed, the government will ensure the existence of a fast and efficient course of action for the protection of property rights.

Pages 19-20, 3.3.5. Rural labour formalisation and social protection:

the National Government will fully strengthen the protection and social security system of the rural population. In light of the rules of the International Labour Organisation (OIT), which Columbia is a part of, and with the goal of ensuring decent work and countryside workers' rights, as well as their social protection (protection from old age and occupational risks, the National Government will create and implement a progressive Scheme for social protection and ensuring rural workers' rights.

...

b. Ensuring social protection, through a periodical economic benefit for retirement-age rural workers as well as an occupational risk allowance, proportional to an individual's savings coupled with a grant from the State.

Rights related issues→Protection measures→Other

Page 4,

9. Sustainable development: i.e. protecting and facilitating access to water in an environmentally and socially sustainable manner, with an orderly approach to the territory.

Page 4,

1. Access and use. Unproductive lands. Formalisation of property. Agricultural border and protection of Farmer Reserve Areas.

Page 5, 1.3 Beneficiaries:

... protecting the environment, replacing illegal crops and strengthening food production.

Page 7,

1.8 Mechanisms to resolve conflicts of ownership and use and to strengthen food production: contributing to the regularisation and protection of property rights...

a. Will create quick and effective mechanisms for conciliation and resolution of conflicts of ownership of land, whose goal will be to guarantee effective protection of property rights in the countryside...

Pages 9-10,

1.10 Closure of the agricultural border and protection of reserve areas: delimiting the agricultural border, protecting areas of particular environmental interest, and generating balanced alternatives between environment and wellbeing and welfare for farmers that border or occupy such areas.

1. Will develop in a timeframe of no more than two years an environmental zoning scheme that will delimit the agricultural border and will allow the update and, if necessary, the increase of inventory, as well as profiling the use of areas that require special environmental management, such as: forest reserve areas, areas with biodiversity, fragile and strategic ecosystems, basins, moors, wetlands, and other water sources and resources, with a view to protecting biodiversity and progressive right to water of the population, therefore promoting its sensible use.

...

giving special recognition and appreciation to those that are intangible spiritual and cultural and protecting social interest; sustainable food production and forest pasture systems; reforestation; Farmer Reserve Areas; and in general, other forms of organization of rural population and sustainable farming economy.

**Other** No specific mention.

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**Rights institutions**

**NHRI** No specific mention.

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

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**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.

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**Development or socio-economic reconstruction**

Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development

[Summary] This agreement in its entirety is a joint draft on political participation under sub-heading 1 of the General Agreement. Its main aims are to create conditions of well-being for the rural population, to adopt measures to promote appropriate use of the land in accordance with its suitability and to ensure for all rural and urban citizens in Colombia availability and sufficient access to good nutrition, education and health. That the effectiveness, transparency and the successful development of the Integrated Rural Reform (RRI) depend to a large extent on promoting an extensive amount of participation from the communities. Furthermore, special recognition is made to the indigenous, afro-descendant communities, as well as vulnerable groups such as women, children, the elderly and victims of the conflict.

The principles for this discussion point are:

Structural transformation, Welfare and well-being, Prioritisation, Comprehensiveness, Restoration, Regularisation of property, Participation, Democratisation of access to and suitable use of land, Benefit, impact and measurement, Sustainable development, and Presence of the State.

To achieve the democratisation of access to land, a Land Fund which will be distributed free of charge will be created. For the detailed provisions on this measure, please check the entry in the 'Land reform' box. Furthermore, for details about the rural property tax, please see box 'taxation'.

The Development programmes with a territorial approach (PDET) is also part of the RRI and shall achieve a structural transformation of the countryside and rural areas, as well as an equitable relationship between countryside and city. To do this appropriately, prioritisation criteria are included to select the areas for the PDET and to meet the objectives of the PDET, in each prioritised zone a plan of action for regional transformation must be decided upon, in a participatory manner. For detailed provisions on the participation mechanism please see entry under 'civil society'. The resources for the programme will be allocated by the national government and a monitoring and evaluation mechanism will be established to ensure that what is agreed upon is implemented and enforced.

The third point of the joint declaration refers to the national schemes for the RRI, aiming at overcoming poverty and inequality and closing the gap between city and countryside. Part of these schemes is the improvement of the infrastructure, including roads, electricity, and irrigation. For details on the latter please see 'water/riparian access' box. The active participation of the communities is encouraged in all projects, in prioritising, executing and monitoring, and a special priority is given to the sustainability of socio-environmental conditions. Another scheme covers the social development, encompassing health, education, housing, eradication of poverty. For special provisions on women, children, the elderly and drinking water please see appropriate categories. To encourage different associative forms of work, of or between medium and small-scale producers, based on solidarity and cooperation, the national scheme for fostering solidarity-based and cooperative rural economy shall be established. It includes measures regarding technical and financial support for rural communities, to improve production abilities and conditions and to support communal organisations and associations. For these purposes, also agricultural funds shall be provided, together with other forms of support to complement the national subsidies. The National Government will also create and implement a national Scheme for promoting a commercialising the rural economy's products. A social security scheme for the rural population is also to be strengthened, in accordance with the rules of the International Labour Organisation (OIT). The last scheme is supposed to be a food safety system to guarantee the right to food and nutrition. Among others, a national food and nutrition council for national

<b>National economic plan</b>	<p>Page 12, Article 2.3. Plans of action for regional transformation; to meet the objectives of the PDET, in each prioritised zone a plan of action for regional transformation must be decided upon, in a participatory manner, which should include all levels of land management, consulted with the local authorities and communities. The plans should address:</p> <p>...</p> <p>The National Development Plan will accept the priorities and goals of the PDET.</p>
<b>Natural resources</b>	No specific mention.
<b>International funds</b>	No specific mention.
<b>Business</b>	No specific mention.

## **Taxation**

Socio-economic reconstruction→Taxation→Reform of taxation

Pages 8-9, Article 1.9 Creating and updating the land registry and rural property tax:, with the goal of promoting suitable, productive, and sustainable land use; creating an information system that is used to promote integrated rural development; increasing effective tax collection in communities and social investment; promoting decentralisation of unproductive rural property, and in general regulating with transparency and property, the national government will put forward:

1. A general information system for land registry information, which is both comprehensive and multipurpose, that within a maximum period of (xx) years will create and update the land registry, link the registry of rural properties, and run within the framework of municipal autonomy. To develop the principles of prioritisation and of welfare and wellbeing, this land registry must produce early results in priority areas, within the framework agreed by the national government and the FARC-EP.
2. Technical, administrative and financial support for municipalities for the creation, and where necessary, updating and maintenance of the rural land registry.
3. The guarantee of a large amount of and effective public participation to ensure transparency of information. In all cases, land registry issues which are related to rural communities will be dealt with the participation of the members of said community. Under no circumstances will that which is agreed upon here affect rights acquired by indigenous, afro-descendant, or other rural communities.
4. A system by which the municipalities settle, charge, and efficiently collect property taxes, within the framework of its autonomy, to update the land registry.
5. Adapting regulations so that the municipalities set property tax rates to help develop the progressive principle: who has more, pays more, based on social equity and justice.
6. Incentives to municipalities including, when necessary, payments to them, so that they may offer exemptions from property tax for beneficiaries of the access programmes and small-scale farmers.

The goals of creating and comprehensively updating the land registry, as a registry for rural properties, besides achieving sustainable improvement when it comes to information related to land registry, are to give social and judicial security, especially to small and medium-scale rural property, so as to benefit food production and environmental balance

\*The FARC-EP believe that the development of this point requires international backing. The discussion will be had under the framework of point 6 of the General Agreement.

\*Pending colophon discussion proposed by the FARC-EP: to help achieve a transformation of the relations of land ownership, the government will develop policies to overcome smallholdings and land concentration, based on encouraging associative, communal, and cooperative forms of ownership and land use. The definition of a smallholding will conform to that suggested in the IGAC.

\*Pending: within the framework of point 5 of the General Agreement, establishment of a special chapter on displacement and dispossession as part of an independent mechanism to help clarify the truth.

## **Banks**

No specific mention.





**Land reform/rights** Land, property and environment→Land reform/rights→Land reform and management  
Page 1, Untitled Preamble,  
... That a true structural transformation of the countryside requires adopting measures to promote appropriate use of the land in accordance with its suitability, and to stimulate the formalisation, restitution, and fair distribution of this land, guaranteeing progressive access to the rural property of the inhabitants of the countryside and in particular to women and those most vulnerable in the population, regularising and democratising ownership of property and promoting the decentralisation of land ownership, in accordance with its social function. ...

Page 4, Principles,

11. Democratisation of access to and suitable use of land: methods and guarantees that allow for the largest possible amount of the rural population, currently without or with insufficient amounts of land, to have access to it, as well as encouraging their suitable use of the land with criteria for environmental sustainability, suitability of the land, land management, and participation from the communities.

Pages 4-8, Article 1. Access and use. Unproductive lands. Formalisation of property.  
Agricultural border and protection of Farmer Reserve Areas,

#### 1.1 Land Fund (name pending)

The National Government will create a Land Fund which will be distributed free of charge, with the aim of achieving the democratisation of access to land, for the benefit of the rural population currently without or with insufficient amounts of land and for the benefit of the rural communities most affected by poverty, abandonment and conflict, as well as regularising the property rights and thus decentralising and promoting equitable distribution of land. The Land Fund will provide (xxx) millions of hectares over a period of (xxx) years, land which will come from the following sources:

- a. Land recovered by the state through civil forfeiture: the National Government will advance the reforms necessary to facilitate the process of civil forfeiture, so as to revert the concentration of illegal land.
- b. Land recovered in favour of the state: i.e. misappropriated uncultivated land, recovered through agricultural processes, without prejudice against the farmers, who can benefit from the formalisation programme. (This source should be strengthened through 'cadastral' training and modernisation which will be advanced under this Agreement)
- c. Land from the modernization, delimitation and strengthening of the Forest Reserve, intended for those parties benefiting from the Land Fund: subtraction of land through this method will be dependent on, with the participation of communities, schemes that will guarantee social and environmental sustainability.
- d. Unused land: land recovered by applying the current civil forfeiture administrative procedure for the breach of the social and ecological role of the property.
- e. Land acquired or expropriated for reasons of public interest or utility, acquired to promote access to rural property, with the appropriate compensation.
- f. Donated land: the National Government will advance the necessary arrangements to facilitate the procedure of donating land to the Land Fund, within the framework of ending conflict and building peace.

1.2 Other methods for improving access to land: in addition to the above methods, the National Government is committed to:

1. Comprehensive subsidy for purchases: a comprehensive subsidy will be granted for purchasing of land by the beneficiaries (see 1.3), in prioritised areas and as an alternative tool to help solve specific land-access problems.\*\*

2. Special credit for purchases: a new long-term subsidised credit line will be opened for purchasing of land by the beneficiaries (see 1.3).

**Pastoralist/  
nomadism rights**

No specific mention.

**Cultural heritage**

Land, property and environment→Cultural heritage→Tangible

Page 15, Article 3.2.2. Rural education:,

... f. Offering recreational, culture and sport programmes as well as infrastructure. ...

Land, property and environment→Cultural heritage→Other

Page 2, Untitled Preamble,

... That the effectiveness, transparency and the successful development of the RRI depend to a large extent on promoting an extensive amount of participation from the communities, by creating inclusive and democratic institutional spaces in which they have the capacity to influence and transform the planning, implementation, and monitoring of the various agreed schemes and programmes. Participation also guarantees increased inclusiveness of rural communities in the political, economical, social and cultural aspects of their regions, and therefore of the nation.

... That the schemes and programmes agreed as part of the RRI should take a territorial approach that involves recognising and taking into account the economic, social, and cultural needs, characteristics and particularities of the territories and rural communities, as well as guaranteeing socio-environmental sustainability. ...

Page 7, Article 1.8 Mechanisms to resolve conflicts of ownership and use and to strengthen food production,

... b. Will create a high-level body that will be responsible for forming general guidelines for land use, by addressing the characteristics of its suitability, the common good, and territorial views of rural development within a participatory framework. When forming the guidelines the following will be taken into account:

... 4) the social, cultural and economic characteristics of the territories. ...

[Summary] Art.3.4(a) mentions 'culturally-appropriate food.'

## Environment

Page 2, Untitled Preamble,

... That the farmers and the indigenous, afro-descendant, raizal and palenquera communities, as well as other ethnic communities in their territories, will contribute to the structural transformation of the countryside and in particular to the closure of the agricultural border, with a sustainable socio-environmental regulation system. This requires the recognition and support of Farmer Reserve Areas (Zonas de Reserva Campesina) and other forms of solidarity-based collaboration.

...

That the schemes and programmes agreed as part of the RRI should take a territorial approach that involves recognising and taking into account the economic, social, and cultural needs, characteristics and particularities of the territories and rural communities, as well as guaranteeing socio-environmental sustainability. ...

Page 4, Principles,

9. Sustainable development: i.e. protecting and facilitating access to water in an environmentally and socially sustainable manner, with an orderly approach to the territory.

Page 4, Principles,

11. Democratisation of access to and suitable use of land: methods and guarantees that allow for the largest possible amount of the rural population, currently without or with insufficient amounts of land, to have access to it, as well as encouraging their suitable use of the land with criteria for environmental sustainability, suitability of the land, land management, and participation from the communities.

Page 5, Article 1.1 Land Fund (name pending),

...

c. Land from the modernization, delimitation and strengthening of the Forest Reserve, intended for those parties benefiting from the Land Fund: subtraction of land through this method will be dependent on, with the participation of communities, schemes that will guarantee social and environmental sustainability. ...

Page 5, Article 1.3 Beneficiaries,

the beneficiaries of the free allocation scheme, of the comprehensive subsidy, and of the special credit, will be workers with an agricultural vocation who currently have no or insufficient land, prioritising female heads of household and any displaced population. Associations of workers with an agricultural vocation who currently have no or insufficient land will also be potential beneficiaries, as well as people and communities who participate in settlement and resettlement programmes, with the goals being included but not limited to: protecting the environment, replacing illegal crops and strengthening food production. ...

Page 7, Article 1.8 Mechanisms to resolve conflicts of ownership and use and to strengthen food production,

... b. Will create a high-level body that will be responsible for forming general guidelines for land use, by addressing the characteristics of its suitability, the common good, and territorial views of rural development within a participatory framework. When forming the guidelines the following will be taken into account: 1) the socio-environmental sustainability and the conservation of water resources and biodiversity; 2) the compatibility between use and suitability of rural land; 3) the priority of food production for the development of the country, allowing it to coexist with other economic sectors and boosting its progression towards self-sufficiency; 4) the social, cultural and economic characteristics of the territories. ...

Pages 9-10, Article 1-10 Closure of the agricultural border and protection of reserve

**Water or riparian  
rights or access**

Page 4, Principles,  
9. Sustainable development: i.e. protecting and facilitating access to water in an environmentally and socially sustainable manner, with an orderly approach to the territory.

Page 14, Article 3.1.2. Irrigation infrastructure: with the goal of boosting familial agricultural production and the rural economy in general, ensuring democratic and environmentally sustainable access to water, the national government will create and implement the National Irrigation and Drainage Scheme for the rural economy, both familial and communal. When developing the plan the following approaches will be considered:

- a. Advancement and application of suitable irrigation and draining technological solutions for the familial and communal rural economy, in line with the characteristics of the area, of production projects, and of the communities.
- b. Recovery of the irrigation infrastructure of the familial and communal rural economy.
- c. Backing of user associations in designing and formulating irrigation and drainage projects.
- d. Technical support and advancement of the organisational capacities of the communities to ensure the maintenance, administration and economic and environmental sustainability of the irrigation and drainage projects.
- e. Advancement of best practices for water use in irrigation.
- f. Preparation required to mitigate risks caused by climate change.

Page 16, Article 3.2.3. Housing and drinking water:,  
with the goal of guaranteeing decent living conditions for inhabitants of the countryside, the national government will create and implement a national Scheme for constructing and improving social rural housing. When developing the Scheme, the following approaches will be considered:

- a. Implementing suitable housing solutions, in line with the features of rural areas, with a differential approach.
- b. Promoting and implementing suitable technological solutions (aqueducts and individual solutions) to ensure access to drinking water and to manage wastewater. Granting subsidies to construct and improve housing, that prioritise population in extreme poverty, victims, beneficiaries of the land distribution Scheme and female heads of household. The amounts of non-repayable subsidies, that will cover up to the entire cost of housing solutions, will be fixed in line with needs construction costs of each region, so as to ensure decent living conditions.
- c. Active participation from communities in determining housing solutions and executing projects.
- d. Technical support and advancing the organisational capacities of communities to ensure maintenance, operation and sustainability of solutions for water access and wastewater management.
- e. Promoting suitable practices for drinking water use.

Page 20, Article 3.4. (sovereign) Food safety system;,  
... Food-related and nutritional politics in rural areas based on the progressive increase of food production, on generating profits, and in general on creating well-being conditions through national schemes for access to land, infrastructure, irrigation, housing and drinking water, technical support and training, marketing, credit, promoting associative forms based on solidarity and cooperation, and other schemes established in this agreement. ...

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**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** No specific mention.

**Withdrawal of foreign forces** No specific mention.

**Corruption** No specific mention.

**Crime/organised crime** Page 5, Article 1.3 Beneficiaries, the beneficiaries of the free allocation scheme, of the comprehensive subsidy, and of the special credit, will be workers with an agricultural vocation who currently have no or insufficient land, prioritising female heads of household and any displaced population. Associations of workers with an agricultural vocation who currently have no or insufficient land will also be potential beneficiaries, as well as people and communities who participate in settlement and resettlement programmes, with the goals being included but not limited to: protecting the environment, replacing illegal crops and strengthening food production. ...

Page 11, Article 2.2. Prioritisation criteria; the process of transforming the structure of the countryside must cover the entirety of the rural areas of the country. Areas that are most needy will be prioritised with PDET to implement national schemes that are created within the framework of this agreement more quickly and with more resources. The criteria of prioritisation for these areas will be:

...

- The presence of illicit crops and other illegitimate economies

<b>Drugs</b>	<p>Page 5, Article 1.3 Beneficiaries, the beneficiaries of the free allocation scheme, of the comprehensive subsidy, and of the special credit, will be workers with an agricultural vocation who currently have no or insufficient land, prioritising female heads of household and any displaced population. Associations of workers with an agricultural vocation who currently have no or insufficient land will also be potential beneficiaries, as well as people and communities who participate in settlement and resettlement programmes, with the goals being included but not limited to: protecting the environment, replacing illegal crops and strengthening food production. ...</p> <p>Page 11, Article 2.2. Prioritisation criteria:, the process of transforming the structure of the countryside must cover the entirety of the rural areas of the country. Areas that are most needy will be prioritised with PDET to implement national schemes that are created within the framework of this agreement more quickly and with more resources. The criteria of prioritisation for these areas will be:</p> <p>...</p> <ul style="list-style-type: none"> <li>• The presence of illicit crops and other illegitimate economies</li> </ul>
<b>Terrorism</b>	No specific mention.

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## Transitional justice

<b>Transitional justice general</b>	No specific mention.
<b>Amnesty/pardon</b>	No specific mention.
<b>Courts</b>	No specific mention.
<b>Mechanism</b>	No specific mention.
<b>Prisoner release</b>	No specific mention.
<b>Vetting</b>	No specific mention.

<b>Victims</b>	<p>Page 3, Principles, 5. Restoration: the reestablishment of the rights of victims of displacement and dispossession, and the reversal of the effects on communities and territories caused by conflict and abandonment.</p> <p>Page 7, Article 1.7 Restitution, the national government and FARC-EP share the goal of reversing the effects of conflict and returning to communities and to victims of dispossession and forced displacement their rights regarding land, and of achieving the voluntary return of those displaced. *The conclusions of point 5 of the general agreement will be reviewed, to see if they change the content of this point 1.7.</p>
<b>Missing persons</b>	No specific mention.
<b>Reparations</b>	<p>Transitional justice→Reparations→Material reparations Page 3, Principles, 5. Restoration: the reestablishment of the rights of victims of displacement and dispossession, and the reversal of the effects on communities and territories caused by conflict and abandonment.</p> <p>Page 7, Article 1.7 Restitution, the national government and FARC-EP share the goal of reversing the effects of conflict and returning to communities and to victims of dispossession and forced displacement their rights regarding land, and of achieving the voluntary return of those displaced. *The conclusions of point 5 of the general agreement will be reviewed, to see if they change the content of this point 1.7.</p>
<b>Reconciliation</b>	<p>Page 11, Article 2. Development programmes with a territorial approach (PDET), 2.1 Objective, the objective of the PDET is to achieve a structural transformation of the countryside and rural areas, as well as an equitable relationship between countryside and city, in such a way that ensures: ...</p> <ul style="list-style-type: none"> <li>• That it will make the Colombian countryside a scenario of reconciliation in which all work around a common goal, which is building peace, a supreme good and a compulsory right and duty.</li> </ul>

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## Implementation

<b>UN signatory</b>	No specific mention.
<b>Other international signatory</b>	No specific mention.
<b>Referendum for agreement</b>	No specific mention.

<b>International mission/force/similar</b>	No specific mention.
<b>Enforcement mechanism</b>	No specific mention.
<b>Related cases</b>	No specific mention.
<b>Source</b>	Mesa des Convergaciones para la Terminación del Conflict y la Construcción de una Paz Estable y Duradera en Colombia <a href="https://www.mesadeconversaciones.com.co/comunicados/borrador-conjunto-pol%C3%ADtica-de-desarrollo-agrario-integral?ver=es">https://www.mesadeconversaciones.com.co/comunicados/borrador-conjunto-pol%C3%ADtica-de-desarrollo-agrario-integral?ver=es</a>

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