

FINAL AGREEMENT

Between the national government and the Quintin Lame
Armed Movement

Pueblo Nuevo Camp

Caldono–Cauca

27 May 1991

PREAMBLE

The parties recognise that the commitments acquired in this agreement are the culmination of the process of direct negotiations that began on 26 June 1990 between the Council for Peace in representation of the national government and the Quintin Lame Armed Movement. As part of the process, it was possible to overcome all differences based on mutual respect for the truth and especially the permanent willingness to understand with due flexibility the limitations acting on the parties in their desire to sign the commitments and guarantees contained in this agreement, understanding that it makes a decisive contribution to the foundations of political tolerance and facilitates the transition to a new phase of our history characterised by the expansion of participative democracy, for which the National Constitutional Assembly provides an extraordinary setting to agree our destiny as a politically civilised nation.

Whereas during the negotiation process for the surrender of arms by the Quintin Lame Armed Movement and the reinsertion of its members into civil and democratic life, bilateral mechanisms were agreed to study development works to benefit the indigenous communities of Cauca,

where Quintin Lame has had an armed presence. Bilateral commissions were also agreed to allow for advanced preparation for the process for the productive reinsertion of members of the movement, and a plan was launched to teach literacy and provide fast-track validation of primary education for the majority of Quintin Lame members in the Pueblo Nuevo camp in the municipality of Caldone, where all its forces are located, as agreed between the parties on 6 March 1991 at the talks in Togoima in the municipality of Páez in this department.

Whereas on this same opportunity, 31 May 1991 was set as the deadline for the definitive surrender of arms by the Quintin Lame Armed Movement, with the national government undertaking to appoint a permanent spokesperson for the organisation on the National Constitutional Assembly based on the understanding that Quintin Lame will be entitled to request the plenary of the assembly to change the status of its spokesperson to include voting rights, with the parties also recognising the valuable contribution made by all people and entities involved in this negotiated peace process in different ways.

Whereas as a result of the maturity of the negotiation process and as a measure of mutual trust, the Council for Peace, on behalf of the national government, and the Quintin Lame Armed Movement sign this final agreement:

I. SURRENDER OF ARMS

Upon request by the Quintin Lame Armed Movement (*Movimiento Armado Quintín Lame*, MAQL), it is agreed to request that the Confederation of Evangelical Churches verifies compliance with the commitments made by the parties during the peace negotiation process.

1. MAQL will provide the full list of arms, ammunition, explosives and equipment for the exclusive use of the armed forces for evaluation by the national government.
2. Arms, ammunition, explosives and military equipment will be rendered unusable for war. Explosive material will be detonated and equipment incinerated at the Pueblo Nuevo camp on the aforementioned date.
3. It is agreed to appoint the World Council of Indigenous Peoples, an international institute that will be invited by both parties, to receive arms and melt them down on 31 May.

II. INTERNATIONAL AND NATIONAL MONITORING

Upon request by MAQL, it is agreed to request that the Confederation of Evangelical Churches verifies compliance with the commitments made by the parties during the peace negotiation process.

III. GUARANTEES

As a result of the peace negotiation process, the concomitant surrender of arms and the decision of the MAQL forces to rejoin civil life and fully participate in national democracy, the government makes the following guarantees:

- a. Termination of punishments and criminal proceedings as set out in Decree 213, 22 January 1991, for all members of the guerrilla organisation, provided these are for political offences or appurtenances and in line with the demands and requirements set out in the decree. MAQL will submit on this date the full list of its organisation's military forces in as much detail as possible, indicating people deprived of liberty and the authority dealing with the case.

- b. On 31 May, the government will provide safe-conducts to all members of MAQL for the offences covered by Decree 213, 22 January 1991, based on the list to be submitted by the organisation to allow access to the legal benefits set out in the aforementioned provision.
- c. In the camp where the MAQL forces are present, the government commits to facilitate the registration of births with the civil registry, the provision of ID cards for those who do not have such documents and expedite the process for obtaining a military ID and legal certification, provided the interested parties meet the legal requirements.
- d. Following the surrender of arms or the end of life in camps, the government will provide a monthly subsistence payment of COP 12 million for all members of the guerrilla organisation for six months. This sum will be paid within the first 10 days of each month to the Sol y Tierra foundation, established by MAQL. The foundation will manage and pay beneficiaries of Decree 213, 22 January 1991, in line with the purposes for which this sum is provided. At the end of the six months, the payment may only be extended if the productive programmes or educational projects could not be completed by the planned deadline as a result of causes beyond the control of the organisation demobilising its members.
- e. The government will offer the same people covered by item a) of this section an integrated health service, which may only be provided via the sectional health service of Cauca or any other department, if necessary, for six months. Psychosocial assistance will also be provided if essential.
- f. To facilitate promotion of the peace process by MAQL, the organisation has appointed seven legal spokespeople to undertake its activities in the department of Cauca and the city of Bogota. The government undertakes to support this promotion with a one-off payment of COPD 2.5 million to be paid to the organisation's representative upon presentation of accounts to the special fund for the application of Law 35, 1982.
- g. The government will pay the accommodation and subsistence costs of the permanent spokesperson on the National Constitutional Assembly in Bogota for two months, together with two bodyguards who are members of MAQL.

- h. The government is obliged to provide members of the armed movement with two changes of clothes, comprising a pair of boots, a pair of trousers, a shirt, a pair of socks and male or female underwear, in line with the sizes specified by the organisation. The first change of clothes will be provided in the camp in April, in line with the previous commitment. The second will be provided before the surrender of arms, together with one case per person.
- i. To explain the importance of the political negotiation process and promote the strengthening of democracy through public participation, the government will pay for two pages in a national newspaper on a date indicated by MAQL and three half-page publications in a regional newspaper. Similarly, four segments will be broadcast on different days on the institutional programme *Amarillo, Azul, Rojo*.
- j. The national government will make a one-off payment of COP 7 million to support the reinsertion programmes for MAQL promoted by the Sol y Tierra foundation.

IV. HUMAN RIGHTS

To promote respect for human rights and their defence, particularly in indigenous communities, MAQL will propose two members for appointment to the Commission to Overcome Violence, subject to consultation with the members of the commission and the Popular Liberation Army (*Ejército Popular de Liberación, EPL*).

It is proposed to recommend that the commission study the conclusions of the forum on this issue held in the Pueblo Nuevo camp in April and the working document drawn up by the sub-commission for studies on human rights and indigenous rights, noting that this commission was the result of commitments previously made in the peace process. A copy of the study, paying particular attention to the aspects that merit constitutional treatment, will be passed to the corresponding sub-commission of the National Constitutional Assembly for consideration.

V. SECURITY PLAN

1. For the security of members of MAQL, the government will provide a security service comprising a total of four teams with the same level of protection. Two will be based in Bogota and the other two in Popayán. One of these teams will include the team currently providing security to the permanent spokesperson for the National Constitutional Assembly, which consists of a special vehicle and two bodyguards. The remainder will comprise one bodyguard and one vehicle. Each service will include the corresponding duly licensed arms and communication equipment. The government will allocate three bullet-proof vests for the protection of MAQL leaders.
2. The MAQL national head of security will have a seat on the Security Plan Commission, which reports to the normalisation council, and as such, will be entitled to coordinate all aspects related to the security of MAQL members with the Criminal and Interpol Investigation Division (*Dirección de Investigación Criminal e INTERPOL*, DIJIN), the Department of Security (*Departamento Administrativo de Seguridad*, DAS) and the special fund for peace.

MAQL insists on the correct functioning of security teams, since the team for the constitutional spokesperson has exhibited irregularities.

3. MAQL will be entitled to supplement the bodyguard service with members chosen from its ranks, provided it assumes the costs and staff receive previous training from DAS.

Arms used by this staff must have legal documentation and the council will support the process to obtain this. The security commission of the national normalisation council will agree the plan to be followed.

4. The security commission will undertake periodic assessments of the security plan and will conduct a joint general assessment six months after the signing of this agreement to review the coverage of risks and any new requirements, such as cancelling or modifying the adopted measures. Security equipment provided under this agreement will remain the property of the government and may be reallocated by the government, the council or state security services if the joint assessment deems levels of risk have disappeared or fallen.

5. To facilitate the travel of protected leaders, the special fund for peace under Law 35, 1982, will be used to pay the travel expenses of DIJIN or DAS bodyguards assigned for their protection.

VI. PROMOTION OF THE PEACE PROCESS

To help promote the peace process, MAQL will open two centres for the Sol y Tierra foundation in Popayán and Belalcázar, which will have its legal domicile in Popayán. The council undertakes to make arrangements with the respective mayors to authorise the operation of these premises, which will also promote democracy in Colombia and public education under the principle of respect for the opinions of others and political tolerance.

VII. REINSERTION PLAN

1. Purpose of reinsertion

The insertion of MAQL in the political, economic and social life of the country is an act of political reconciliation that aims to show the importance of democratic coexistence and the desire for a fairer and more equal society governed by tolerance and the opportunities for individual participation.

The success of reinsertion depends on the joint effort of the government, society as a whole and the guerrilla organisation that is demobilised, in addition to and above all, the conviction of all veterans to accept the commitments bound up with their reinsertion and the concomitant degree of participation in tasks until achieving their final objective.

On 31 May, MAQL will submit an initial survey on the aptitudes and suitability of all members of the organisation, which will form the basis of the education and productive reinsertion projects. The design of productive projects, the associated training courses and the implementation of projects will be the responsibility of the reinsertion unit of the secretary for public integration of the Office of the President of the Republic and the

respective regional office in the department of Cauca or any other regional office where MAQL veterans are settled.

Technical assistance for reinsertion projects will be contracted by mutual agreement from a specialist institute.

2. Coverage

The reinsertion plan will only cover veterans who are beneficiaries of Decree 213, 22 January 1991, present in the camp and those who are deprived of liberty in line with the list submitted by MAQL. This list will form the basis for calculating the programmes and costs for reinsertion. Programmes will be restricted to the final options established in the reinsertion phase.

3. Criteria

- a. In the design and implementation of the reinsertion plan, the parties will adopt the criterion of taking full advantage of the potential of MAQL members, promoting the maximum interinstitutional cooperation at the various levels of government, civil society and the community in general.
- b. The parties will make a special effort to call for the support of private enterprise and the international community to ensure the success of the reinsertion process, in addition to the action of the indigenous communities and councils of Cauca in particular, in order to find the best conditions for the economic and social adaptation of veterans in their communities of origin.

4. Transition phase

This phase is planned to last for six months from the surrender of arms and will conclude with the start of the reinsertion phase. However, it is envisaged that the technical training programmes will overlap with the reinsertion phase.

The activities in this phase of the transition will comprise: a) informal education and suitable validation of primary education; and b) technical training.

- a. **Informal education.** The programme for literacy and primary/secondary education, based on candidates' current level of education. The national government will commit the resources required to fund the special primary education validation programme agreed with the Proindígenas foundation. The programme has been approved by the Ministry of Education and has currently been implemented in the Pueblo Nuevo camp. Programmes will conclude one month after the surrender of arms and a location in Cauca will be chosen, for which government funding will be provided.

Given the special nature of this type of primary education programmes, the specific conditions for official validation will be studied with the Ministry of Education.

Mechanisms for the validation of secondary studies will be established by the bilateral commission.

The special programme that is underway was divided into three levels: literacy; reinforcement of reading, writing and maths; and accelerated validation of primary school education.

- *Level 1: literacy.* This course will be provided for 15 fighters and will cover reading and writing. It will be taught by community teachers and specialists from the Proindígenas foundation.
- *Level 2: reinforcing reading, writing, and maths.* This course will be provided to 25 fighters who have completed first- and second-year primary education. It will cover reading, writing and basic maths. Community teachers will be used, advised by the Cauca Regional Indigenous Council (*Consejo Regional Indígena del Cauca*, CRIC) bilingual education programme and the indigenous education team at the University of Cauca.
- *Level 3: accelerated primary validation.* This programme will be provided to 50 fighters who have completed third- and fourth-year primary education. The curriculum subjects are linguistics, ethno-history and oral tradition, indigenous legislation, natural sciences and maths. The programme will be taught by community education agents, CRIC and the University of Cauca, and coordinated by the Proindígenas foundation.

- *Method.* Teaching will be based on the ethno-history foundations developed and collected from the experiences of the CRIC bilingual education programme and on curriculum proposed by the Proindígenas foundation, in addition to the experiences of teachers and other education agents in the community, such as traditional doctors, councillors, etc. to guarantee integrated education in the socio-cultural context in which the specific education process takes place, adapting the teaching of the content to the different levels established, using the mother tongue, oral tradition and audio-visual and other teaching resources.
- b. **Technical training.** This part of the programme aims to provide technical training for productive projects, preferably self-managed or based on the solidarity economy. Training programmes will be designed and implemented by various government institutions (e.g. the National Service of Learning [*Servicio nacional de aprendizaje, SENA*]), the Colombian Institute of Agriculture and Livestock Farming [*Instituto Colombiano Agropecuario, ICA*] and universities), study and research centres, NGOs and foundations, in line with the specific requirements of the demobilised fighters. For these purposes, MAQL's proposals based on two training centres in Toez and Pueblo Nuevo will be studied.

5. Reinsertion phase

In this phase, veterans will be reinserted into civil society, opting for one of two options established for this purpose.

- a. Initiation of a productive project, preferably self-managed or related to the associative economy. In addition to the previous training and technical support necessary for the success of the project, the government will provide a one-off COP 2 million loan for each person covered by the scheme, with an annual interest rate of 12%, payable within six years, with two grace years for capital repayment and an annual arrears interest rate of 24%, in consideration of the fact that the majority of projects are related to agriculture and livestock farming and the regional conditions in which they are to be implemented.

Links will be sought with councils and indigenous communities, using the current agrarian reform programme for the acquisition of land where necessary. Where possible, soft loans will be explored for any additional credit. Technical assistance will be provided by a specialised institute agreed by the parties.

- b. Work placement in the public or private sector, for which the government will make the necessary arrangements.

6. Monitoring and evaluation phase

- a. For the design and application of the reinsertion plan, the government will establish a reinsertion unit, reporting to the Secretary for Popular Integration. It will have sufficient funds for this purpose and an office in Popayán. The government will appoint members of MAQL to the reinsertion teams to guarantee the continuity of the bilateral work in the design and implementation of programmes.
- b. The national normalisation council will be expanded to include a representative appointed by MAQL, and likewise for the regional normalisation council in Cauca.
- c. The executive director of the reinsertion unit and the corresponding MAQL representative will submit a monthly report to the national normalisation council on the status of commitments, with a copy sent to the monitoring commission.
- d. To support and implement the reinsertion plan, MAQL will channel efforts through the Sol y Tierra foundation, which will be able to attract national and international resources for this purpose.

VIII. REGIONAL DEVELOPMENT WORKS

The national government will undertake regional works in the municipalities of Popayán, El Tambo, Totoró, Cajibío, Piendamó, Morales, Corinto, Santander, Caloto, Jambaló, Puracé, Caldon, Buenos Aires, Toribio, Páez and Inzá. The provision of funds for each municipality and the works to be carried out in them will be decided by the departmental normalisation council for Cauca, which will have a seat for a permanent representative of MAQL. The total

amount for these plans will be COP 600 million, which will be a one-off payment made using funds from the national budget (peace fund).

These plans seek to benefit communities, promote the general socio-economic development of regions and channel the resources of government bodies implementing programmes in the agreed municipalities. They also seek to promote support from community and indigenous organisations for this purpose.

On account of the negotiations, the specific needs of the population of Pueblo Nuevo and the establishment of the guerrilla movement at the Pueblo Nuevo camp, the national government, has funded the construction of two large halls, an office and a toilet block, fitted out with the respective sanitary, water and electricity installations and a telephone line. These will serve as temporary quarters for members of MAQL and will be subsequently donated to the Pueblo Nuevo community for the use and administration decided independently by its council when they have been completed to an adequate standard.

In line with the previous commitments made to the MAQL negotiating commission, an oral health programme was implemented with government funding and there is a commitment to carry out a second such campaign for which the council will provide the necessary drugs via the instrument managed by MAQL.

The departmental normalisation council will arrange with the various official bodies the implementation of works for some of the 16 agreed municipalities identified as priority during this negotiation process. The national government will support the arrangements in the normalisation council, in line with the commitments acquired during this process.

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The Spanish Human Rights Association:

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