

**PARTIAL AGREEMENT ON THE LEGAL ASSESSMENT OF THE SITUATION OF
POLITICAL PRISONERS AND PERSONS DEPRIVED OF LIBERTY
RECOGNISED AS MEMBERS OF THE ELN HELD IN THE COUNTRY'S PRISONS
AND DETENTION CENTRES**

The Government of the Republic of Colombia and the Ejército de Liberación Nacional (ELN), within the framework of Agreement No. 3, "Humanitarian Actions and Dynamics", of 23 November 2022, and with the aim of identifying legal avenues, mechanisms and alternatives to analyse the rights situation of political prisoners and persons deprived of liberty recognised as members of the ELN held in the country's prisons and detention centres, agree as follows:

1. To establish a Legal Commission composed of at least four (4) legal advisers, two from each delegation, whose purpose shall be to identify legal avenues, mechanisms and alternatives to address the following matters:
 - 1.1. The immediate favourable differentiated treatment for political prisoners and persons deprived of liberty recognised as members of the ELN, in order to modify the current security classification applied by INPEC.
 - 1.2. The redemption or commutation of time for peace-building activities undertaken by political prisoners and persons deprived of liberty recognised as members of the ELN who are serving sentences or involved in criminal proceedings.
 - 1.3. Transfers, for security, family proximity, and procedural purposes, of political prisoners and persons deprived of liberty recognised as members of the ELN, taking into account conditions of detention aimed at allowing them to remain collectively in designated wings, corridors, or specific prison facilities.
2. The Legal Commission shall be temporary in nature and shall commence its work on 8 September 2023 in the city of Bogotá; its functioning and working arrangements shall be defined in that session.
3. The Legal Commission shall present its report at the start of the Fifth Cycle of the Peace Dialogue Roundtable, which must include its findings and recommendations.
4. The Parties agree on the formalisation of the dialogue space of the Commission for Monitoring, Support and Management of Prison Relief Measures, dependent on the Roundtable, established in the joint assessment of 10 May 2023 (point 5.4.4.1), which shall present reports at the beginning of each cycle.
5. The ongoing procedure undertaken by the Office of the High Commissioner for Peace is recognised, with a view to issuing the resolutions appointing 10 political prisoners or persons deprived of liberty recognised as members of the ELN, included in the humanitarian prison relief lists, as peace promoters, so that their health needs may be addressed and they may take part in peace process education activities, thereby facilitating progress on what has been agreed.

Caracas, Bolivarian Republic of Venezuela, 4 September 2023.

Signed,

Delegation of the Government of the Republic of Colombia

José Otty Patiño Hormaza
Head of the Government Delegation

Iván Danilo Rueda Rodríguez
High Commissioner for Peace

Iván Cepeda Castro

Adelaida Jiménez Cortés

Horacio Guerrero García

Olga Lillia Silva López

Orlando Romero Reyes

Rosmery Quintero Castro

Rodrigo Botero García

Carlos Alonso Rosero

Dayana Paola Urzola Domicó

José Félix Rentería Lozano

Nigeria Rentería Lozano

Álvaro Matallana Eslava

María José Pizarro Rodríguez

Delegation of the Ejercito de Liberacion Nacional (ELN)

Pablo Beltrán
Head of the ELN Delegation

Aureliano Carbonell

Bernardo Téllez

Nicolás Rodríguez Bautista

Isabel Torres

Simón Pabón

Manuel Aponte

Fabián Sepúlveda

Omar Vásquez

As Witnesses and Depositaries

Guarantor Countries

Glivânia Maria de Oliveira
Federative Republic of Brazil

Raúl Vergara Meneses
Republic of Chile

Alejandro Malmierca Castaño
Republic of Cuba

Roberto de León Herta
United Mexican States

Jon Otto Brødholt
Kingdom of Norway

Carlos Martínez Mendoza
Bolivarian Republic of Venezuela

Permanent Companions

Carlos G. Ruiz Massieu
Special Representative of the Secretary-General of the United Nations in Colombia

Mons. Héctor Fabio Henao Gaviria
Delegate for Church–State Relations, CEC