



# Security Council

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## United Nations Verification Mission in Colombia

### Report of the Secretary-General

#### I. Introduction

1. The present report is submitted pursuant to Security Council resolution [2704 \(2023\)](#), by which the Council extended the mandate of the United Nations Verification Mission in Colombia, and resolution [2366 \(2017\)](#), in which the Council requested the Secretary-General to report on the implementation of the mandate of the Mission every 90 days. The report covers the period from 27 December 2023 to 26 March 2024.

#### II. Major developments

2. The reporting period saw continuing efforts to advance implementation of various aspects of the Final Agreement for Ending the Conflict and Building a Stable and Lasting Peace between the Government of Colombia and the former Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo (FARC-EP) and to further dialogue initiatives within the framework of the total peace policy of the Government. The period was also marked by persistent calls from communities in conflict-affected areas to provide them with security and increased opportunities through concrete and sustainable actions, illustrating the need to make substantial progress even amid the inherent challenges in transitioning out of decades of conflict and in resolving ongoing expressions of violence through dialogue.

3. Implementation of the comprehensive rural reform, a fundamental aspect of the Final Agreement, remained a priority for the Government. Encouraging progress was made, including through a progressively increasing allocation of funds aimed mainly at accelerating land delivery and rural development in regions affected by poverty and inequality. Strategic use of these resources and inter-institutional coordination are a prerequisite to meeting reform-related goals in 2024 and ensuring that land delivery efforts reach vulnerable groups, such as landless peasants, victims of the conflict and rural women.

4. Other elements of the Final Agreement also continued to move forward, including the provision of land for the reintegration of former combatants, the approval of the strategic security and protection plan for former FARC-EP members, and the establishment of follow-up mechanisms to accelerate the implementation of the ethnic chapter.



5. As the Special Jurisdiction for Peace advanced towards the issuance of its first restorative sentences, some concerns about the scope of its work were raised by the seven members of the former FARC-EP secretariat, all under the jurisdiction of the Special Jurisdiction for Peace. Through public statements and a letter addressed to the President of Colombia, Gustavo Petro, they questioned, among other issues, the number of amnesties granted by the Special Jurisdiction for Peace, which they considered to be insufficient and in contradiction with the agreed principle of providing the widest amnesty possible. Furthermore, they queried the decision by the Special Jurisdiction for Peace to investigate low- and middle-ranking former combatants which, in their view, went beyond what is set forth in the Final Agreement, which is focusing the investigations on those most responsible for serious infringements under international human rights law and violations of international humanitarian law. The former FARC-EP leaders called upon the Special Jurisdiction for Peace to adhere to the spirit of the Final Agreement and stated that there was a risk that former combatants may abandon the transitional justice process owing to those difficulties. They went so far as to suggest that an alternative justice mechanism be established.

6. Responding publicly to these statements, the Special Jurisdiction for Peace emphasized its status as the justice mechanism of the Final Agreement. It noted that its actions were undertaken within the Constitution and the law, pointed to the existence of specific procedural mechanisms to challenge its decisions and called for respect for its autonomy and independence. The statements by former FARC-EP leaders sparked reactions from several national actors, including former government peace negotiators, noting some legitimate concerns raised by the former FARC-EP leaders needed to be addressed and for prioritizing dialogue to resolve these differences, discounting calls for alternative mechanisms. The Special Representative of the Secretary-General for Colombia and Head of the United Nations Verification Mission in Colombia, Carlos Ruiz Massieu, is making his good offices available.

7. The Government's dialogue initiatives continued to advance with different illegal armed groups whose clashes are driving violence in rural areas and posing serious obstacles to peace implementation. Addressing these conflicts is crucial to achieving sustainable peace in the country. The Government is also conducting three dialogue initiatives with urban criminal organizations in the cities of Buenaventura, Medellín and Quibdó.

8. The Government and the Ejército de Liberación Nacional (ELN) held a sixth round of talks in Cuba from 22 January to 6 February. Of all the dialogues currently taking place, this is the most advanced. The sides held frank and, at times, challenging discussions, focusing mostly on the implementation of the bilateral, national and temporary 180-day ceasefire which began on 3 August 2023. The Minister of Defence, who attended the talks for two days, reiterated the commitment of the Government to the ongoing dialogue and to the ceasefire. At the end of the round of talks, the sides announced they had agreed to extend the ceasefire for another 180 days, starting on 6 February, making it the longest ceasefire ever between the Government of Colombia and ELN. So far, the ceasefire monitoring and verification mechanism has been able to take actions to prevent 27 instances of potential armed clashes between the sides, thereby fulfilling an important confidence-building role in support of positive developments at the negotiating table.

9. In addition to the renewal of the bilateral ceasefire, ELN committed, unilaterally and temporarily, to suspend ransom kidnappings and entrusted the monitoring and verification mechanism to follow-up on this commitment. Subsequently, the Government announced that ELN had released all 26 persons abducted for ransom as at December 2023. Furthermore, the sides announced an agreement to establish a multi-donor trust fund to manage funds from the Government and international

donors to support the peace process with ELN within the framework of the agenda established in the agreement subscribed in Mexico in March 2023 (see paras. 85–88 below).

10. In January, the Government and the group referred to as the Estado Mayor Central Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo (EMC FARC-EP) agreed on extending their bilateral national ceasefire for an additional period of six months. The report prepared by the oversight, monitoring and verification mechanism in January, covering the initial three-month period of the ceasefire (17 October 2023–15 January 2024), revealed that 21 people that were being held hostage by EMC FARC-EP had been released, bringing to 45 the total number of hostages released since July 2023. The mechanism also reported that coordinated work – at the national level and through its four regional branches installed during the reporting period – prevented 11 instances of potential armed clashes between the parties.

11. The parties held two additional rounds of talks, one in Bogotá in January and one in San José del Guaviare in March. Both rounds focused on measures to improve the impact of the ceasefire in terms of protection for communities, specifically in conflict-affected territories where EMC FARC-EP, among other groups, is present. The parties also made progress towards defining activities aimed at fostering rural development and environmental sustainability, to be implemented initially in Caquetá, Guaviare, Meta and Norte de Santander Departments. An overarching agenda for the talks was yet to be agreed.

12. Deplorable acts of violence perpetrated by EMC FARC-EP on 16 and 17 March 2024 against Indigenous communities in the municipality of Toribio, Cauca Department, caused the death of a traditional community leader, Carmelina Ascué Yule, and the wounding of two Indigenous guards. In response, President Petro, announced a suspension of the ceasefire as at 20 March in Cauca, Nariño and Valle del Cauca Departments.

13. In addition, in February, the Government and Segunda Marquetalia, a second group deriving from the former FARC-EP, announced they have initiated a peace dialogue process. The Government appointed Armando Novoa as its chief negotiator and formally recognized eight individuals as representatives of the armed group for the talks.

14. Violence in Departments such as Antioquia, Cauca, Chocó, Nariño and Putumayo remained of great concern, particularly affecting Indigenous and Afro-Colombian communities. A further 10 former FARC-EP members (all men) were killed nationwide, compared with 11 in the previous quarter.

15. In January, the regional and local authorities elected in October 2023 took office without incident around the country, including 18 former combatants and candidates of the Comunes party (10 women). Authorities at the regional and local levels can make important contributions to consolidating peace. Their work with local stakeholders on municipal and departmental development plans gives them the opportunity to contribute to improving the lives of their communities through concrete policies and actions. The Unit for the Implementation of the Final Agreement coordinated planning and advocacy efforts among entities with peace-related responsibilities, with the aim of integrating mandatory peace chapters into municipal and departmental development plans.

16. At the national level, several bills related to the implementation of the Final Agreement signed in 2016 remained under discussion in Congress. The bills include proposals presented by the Government, the Office of the Ombudsman, and the representatives of the special transitional electoral districts for peace, aiming at

strengthening reparation for victims through a reform to the Victims and Land Restitution Act adopted in 2011. Furthermore, two Government-proposed bills regulating aspects of the Agrarian Jurisdiction were submitted for discussion.

17. On 12 March, the Supreme Court of Justice elected Luz Adriana Camargo as the new Attorney General from a slate of three women candidates proposed by President Petro for the 2024–2028 term. The decision followed several rounds of voting amid much public debate on the selection process and demonstrations calling for a prompt consensus. The Court reiterated the importance of respecting its autonomy and independence.

18. The visit by the Security Council to Colombia between 7 and 11 February was received as a strong demonstration of support and encouragement to the Government of Colombia and its people to continue working towards a comprehensive and inclusive peace. The diverse actors who met with the Council delegation – including Government leaders, lawmakers, magistrates, civil society representatives, women leaders, former combatants, community leaders and victims – have reiterated to the Mission their appreciation for the Council’s role in supporting the peace process and for having the opportunity to share their views, concerns and proposals for how to strengthen peace initiatives and their implementation. The visit provided an opportunity for President Gustavo Petro and Vice-President Francia Márquez to re-state their commitment to the implementation of the Final Agreement, with the President assuming full responsibility as the leader and coordinator of a Government-wide response to that end.

### **III. Main activities and priorities**

#### **A. Verification of the implementation of the Final Agreement**

19. While the comprehensive and ambitious nature of the policies of the Government and its planning and prioritization efforts are to be commended, there is a growing need, given the challenging context on the ground, for swift and concrete actions to translate those policies and plans for the implementation of different sections of the Final Agreement into tangible results.

##### *Comprehensive rural reform*

20. The prioritization by the Government of rural reform was demonstrated by an unprecedented increase in the allocation of resources, which will entail significant implementation challenges due to institutional and coordination constraints. Examples of the major resource increase are the fact that the budget for 2024 for the National Land Agency was doubled and there was a fourfold increase in the Agency for Rural Development budget. The Government also sought to strengthen the participation of intended beneficiaries in reform efforts, announcing its decision to establish 200 rural reform committees at the departmental and municipal levels in 2024, within the framework of the National Agrarian Reform System. The committees aim at fostering the participation of peasant organizations mainly, as well as of ethnic communities and rural women’s representatives, in the implementation of reform-related policies.

21. The Government has prioritized some regions for rural reform, such as the Caribbean, the Magdalena Medio and the Amazonía, yet progress in reform implementation has been uneven. For example, the Caribbean region saw developments in land acquisition, while in the Amazonía region, the Government focused on recognizing the rights of peasants in forest reserve zones while guaranteeing environmental conservation. The uneven implementation of the rural

reform calls for effective use of the recently created National Agrarian Reform System and synchronized implementation of the national plans for rural reform to optimize coordination and impact.

22. One of the key objectives of the chapter on rural reform of the Final Agreement is access to land for landless peasants, rural women and victims of the conflict. This goal is to be achieved mainly through the acquisition and adjudication of land, the acceleration of restitution of land to persons who lost their land amid the conflict, and formalization of tenure in areas where beneficiaries do not have access to property titles.

23. Regarding purchase and adjudication, owing to practical implementation limitations, the Government reduced one of the goals on land delivery in its National Development Plan from 3 million to 1.5 million hectares by 2026. During the reporting period, the Government acquired 113,051 hectares, for a total of 401,157 during the current administration, of which 75,452 have been delivered to beneficiaries. The challenge remains to move forward swiftly with the definitive adjudication, which is essential to secure beneficiaries' rights over land and a precondition for long-term sustainability. The National Land Agency pledged to acquire 600,000 hectares for the Land Fund and to formalize land tenure for 1 million hectares in 2024.

24. Regarding the agreement between the Government and the Colombian Federation of Cattle Ranchers, 24,109 hectares, of a total goal of 3 million hectares, have been purchased since 2022 for rural reform purposes. There were no significant developments during the reporting period.

25. On land formalization, progress continued, albeit at a slower pace, with the formalization of 82,014 hectares, bringing the total to 807,815 hectares during the current Administration. Peasants, who are intended to be the primary beneficiaries of the reform as stated in the Final Agreement, have been awarded 22 per cent of the formalized land.

26. As for restitution, the Unit for Land Restitution submitted additional cases on behalf of claimants for more than 1,665,004 hectares during the reporting period. Of the 10 million hectares being processed since 2011, only about 3 per cent (326,637 hectares) have been restituted or financially compensated for, owing to poor security conditions in the field and judicial overload. Given the lengthy procedures involved, the Ministry of Agriculture has reinforced the Unit's capacity to enable early returns of displaced populations whenever possible.

27. Another important component of rural reform is land productivity, a precondition for successful and sustainable redistribution. To that end, the Agency for Rural Development approved \$107 million to implement 127 agricultural development projects in 2024, a six-fold increase compared with 2023. In addition to resource allocation, coordination between national institutions, local governments and beneficiaries will be required for the latter to receive the necessary technical assistance and support for their productive projects.

28. In accordance with the Final Agreement, rural women have been identified as a priority group for rural reform. In a positive development, the Development Fund for Rural Women, an instrument predating the Final Agreement, was allocated \$8 million to support women's projects in 14 Departments.

29. There is much still to be done to establish the first land cadastre in Colombia, a key requisite enshrined in the Peace Agreement for the implementation of the rural reform. So far, the cadastre has updated information on land property and related issues in 12.6 per cent of the national territory, as planned in 2023. The land registry

authority aims to reach 35.7 per cent in 2024 and is developing training sessions for peasants and Indigenous peoples.

30. Long-standing conflicts over access to land highlight the importance of effective mechanisms for conflict resolution. Following the approval in July 2023 of the Agrarian Jurisdiction, regional tribunals will be established in five departments during the first semester of 2024. A separate source of tension, the inhabiting by peasants of forest reserve zones, was addressed in an agreement between the Environment and Agriculture ministries aimed at regulating the use of land in such cases.

31. The development programmes with a territorial focus, as conceived in the Final Agreement, aim to reduce developmental gaps across the country. The Government prioritized the inclusion of development programmes' projects within the local development plans designed by newly inaugurated authorities.

32. In an attempt to optimize the potential of development programmes with a territorial focus projects and improve institutional coordination for implementation, the Government launched a review of 33,007 development programme initiatives to prioritize those with a higher impact, and those benefiting women. Of the current development programmes with a territorial focus projects, 495 have been finalized during the current administration, for a total of 3,689 to date.

33. Furthermore, the Government is aiming to reflect the comprehensive nature of the development programmes with a territorial focus with 12 umbrella projects, 2 of which will be implemented in 2024. The design of seven other umbrella projects is under way, focusing on activities such as economic development, environmental conservation and infrastructure. A project related to fishing covering five development programmes with a territorial focus municipalities in Nariño is being developed with an initial investment of \$11 million.

34. One of the overarching objectives of the rural reform outlined in the Final Agreement is the reduction of rural poverty and inequality by half through the implementation of 16 national plans for rural reform. To date, all plans except for the rural health plan have been approved. While the Ministry of Agriculture made progress aligning programmes and strategies with the national plans in areas such as land formalization and production reactivation, concerted efforts by all relevant ministries, including through the allocation of resources, will be needed in order to achieve the intended transformations.

#### *Reintegration of former FARC-EP combatants*

35. Reintegration continued to evolve from necessary measures to kick-start the transition into civilian life towards longer-term actions, which require sustained cooperation between the Agency for Reintegration and Normalization, former combatants and their representatives, and the active involvement of Government and State entities at the national, regional and local levels.

36. At the national level, the approval by the National Reintegration Council of the Comprehensive Reintegration Programme in December was a positive step. Nevertheless, the decrees formalizing it as a policy and the establishment of the National Reintegration System, essential for giving a Government-wide approach to its implementation, are yet to be approved. This is also the case for another decree on the collective reintegration of former combatants, both inside and outside former territorial areas for training and reintegration. Ownership across all necessary sectors of the Government in support of the Agency for Reintegration and Normalization is key to enabling these policies and mechanisms to unfold.

37. At the regional and local levels, there were complementary efforts by the parties to include reintegration matters into municipal and departmental development plans. The Agency for Reintegration and Normalization pressed for the provision of basic services for former combatants and their families in 147 municipalities and 18 departments and supported women-led advocacy efforts in 12 municipalities. Simultaneously, the Comunes component of the National Reintegration Council encouraged the active participation of former combatants in the local planning committees. The Verification Mission is supporting these efforts by engaging with newly elected officials and helping to promote local reintegration working groups.

38. Access to land remains essential to providing former combatants with a long-term outlook. To that effect, nine new plots totalling 4,758 hectares were purchased by the Government for productive use. To date, over 11,800 hectares have been acquired, with a quarter allocated to the consolidation of former territorial areas for training and reintegration and the remainder to productive projects. The National Land Agency committed itself to sustaining the pace of acquisition and prioritizing purchases based on reintegration needs. Those include, for example, former combatants facing security risks in former territorial areas for training and reintegration in Antioquia and Putumayo Departments. Overall, enhanced institutional coordination remains necessary to ensure that land distribution is accompanied by technical assistance, credits and productive assets.

39. The housing deficit for former combatants remained one of the most significant challenges facing the Government. Almost two years since the launching of housing projects in the four former territorial areas for training and reintegration deemed suitable for such purposes, progress has only taken place in Caldone, Cauca Department, with 37 out of 145 planned houses built so far. Furthermore, 31 housing subsidies have been granted to former combatants living outside former territorial areas for training and reintegration, some 10,500 individuals in total. Action on the part of the Ministry of Housing is crucial to resolving this situation. The implementation of solutions such as programmes for former combatants to build their own houses and the facilitation of access to housing subsidies would be beneficial.

40. Regarding economic reintegration, the percentage of accredited former combatants involved in individual and collective productive initiatives remained at 79 per cent (8,063 men and 2,815 women). Nearly 63 per cent of those former combatants are engaged in individual initiatives, and 37 per cent in collective ones. The remainder are not linked officially to any such initiatives, for various reasons, including that some have opted for other types of employment or self-funded initiatives. No new collective projects were approved by the National Reintegration Council during the reporting period and 138 individual projects were approved by the Agency for Reintegration and Normalization, signalling a trend towards individual initiatives despite the increased sustainability challenges that they face compared to collective projects.

41. The 41 collective projects prioritized within an ambitious sustainability strategy are yet to receive much-needed technical support. Meanwhile, the sustainability challenges facing a broader number of individual and collective initiatives remain unaddressed.

42. Of the 41 prioritized projects, 2 are from women's associations, part of the goal of the Agency for Reintegration and Normalization to strengthen projects led by women. Overall, 89 per cent of women participate in productive projects, primarily as affiliated members (2,010), with fewer in administrative roles (107) and legal representation (59), highlighting the need to promote women in decision-making roles.

43. The collective endeavours of former combatants are often established around cooperatives. To date, there are 243 registered cooperatives, including 22 women's associations. During this period, the Agency for Reintegration and Normalization allocated approximately \$700,000 to strengthen the capacities of the two main cooperatives' federations, Economías Sociales del Común (ECOMUN) and the Efraín Guzman Federation.

44. Regarding health services, the National Reintegration Council endorsed a new model established by the Ministry of Health, which was set to begin in April in former territorial areas for training and reintegration and prioritized collective reintegration areas. In a positive development, the Central Military Hospital will now deliver medical and rehabilitation services to former combatants with disabilities.

45. A community-based reintegration strategy that was launched in 2023 to foster reconciliation moved forward with the holding of dialogues between former combatants and communities in 66 municipalities. Seeking to expand its scope, the Agency for Reintegration and Normalization decided to allocate \$4 million for activities that include combating stigmatization, strengthening the capacities of organizations, and promoting peace education.

46. The increased exercise of their rights and responsibilities as citizens by former FARC-EP members, is a key aspect of their overall reintegration. To this end, the Agency for Reintegration and Normalization set as a priority for 2024 to implement political leadership schools focused on promoting women and youth participation.

#### *Security guarantees*

47. Security constitutes both a core goal of the Final Agreement and a precondition for overcoming structural causes of the conflict. Lasting improvements continue to depend on extending an integrated presence of State institutions and services throughout the country.

48. After finalizing design and consultation phases, the roll-out of key security guarantees policies remained at a standstill, as the decrees setting normative, budgetary and institutional frameworks were yet to be issued. These include the public policy to dismantle illegal armed groups and criminal organizations, and the comprehensive protection programme for former combatants. Inter-institutional coordination remained a challenge, which could be addressed with a more strategic use of the High-Level Unit of the Comprehensive Security System for the Exercise of Politics.

49. The National Commission on Security Guarantees, having developed the public policy to dismantle illegal armed groups and criminal organizations, still has an important role to play on the provision of guidance for the policy's implementation at the local level, including a gender and ethnic focus, and for fostering overarching coherence with other peace and security policies.

50. Progress by the Ministry of Interior remained limited with respect to several measures designed to address the security challenges facing former combatants, social leaders and communities. These include the implementation of the Comprehensive Protection Programme for Communities and Organizations in the Territories, the design of an action plan for the Comprehensive Programme for Safeguards for Women Leaders and Human Rights Defenders, and the strengthening of the Intersectoral Commission for Rapid Response to Early Warnings to foster more coordinated and timely actions following the alerts issued by the Office of the Ombudsman.

51. Between 27 December and 26 March, the Office for the Coordination of Humanitarian Affairs documented the forced displacement of 14,365 people and the



confinement of 35,432 across nine Departments and 35 municipalities with a disproportionate impact on ethnic communities, which represented 64 per cent of those affected (42 per cent Indigenous people and 22 per cent Afro-Colombians). Insecurity was particularly acute in Departments such as Antioquia, Bolívar, Caquetá, Cauca, Chocó, La Guajira, Nariño, Putumayo and Valle del Cauca, owing to conflicts between armed groups and criminal organizations, and to a limited State presence. The violence is disrupting the lives of entire communities and further constraining the ability of those authorities present to fulfil their responsibilities.

52. Illegal armed actors enforced a complete stop of daily activities for communities in five municipalities in Chocó Department, four in Caquetá Department and three in Putumayo Department, lasting between 4 and 27 days. According to the Office of the Coordination of Humanitarian Affairs, those events disrupted the lives of some 61,000 people, who faced hindered access to essential goods and services. Moreover, the Office of the United Nations High Commissioner for Human Rights (OHCHR) registered 18 massacres (4 verified, 13 in the process of verification and 1 inconclusive), with a total of 13 victims (10 men and 3 children) among the verified cases. The massacres took place in Bolívar, Huila, Nariño and Putumayo Departments.

53. Despite a reported decrease in landmine incidents, the persistent use of landmines continues to affect vulnerable communities in rural areas. The Office of the High Commissioner for Peace has registered 24 victims since January, nearly 80 per cent of them civilians, mainly members of ethnic communities. The Departments of Antioquia and Cauca are the most affected.

54. The 10 killings reported during the reporting period brought the total number of homicides of former combatants since the signing of the Final Agreement to 416 (11 women, 50 Indigenous, 57 Afro-Colombian). The Mission has also recorded 137 attempted homicides against former FARC-EP members (12 women), and 37 forced disappearances (all men). Two forced disappearances were verified in Meta and Arauca. In Huila, a former combatant leader and delegate to the Commission for Monitoring, Promoting, and Verifying the Implementation of the Final Agreement, was killed along with his protection detail.

55. Since the signing of the Final Agreement, 87 former combatants have been killed while under or awaiting protection measures. During the reporting period, three former combatants who had protection measures in place and two personnel members of the National Protection Unit were killed, underscoring the urgency of risk assessment procedures and corresponding measures. While there was progress on the evacuation protocol for former combatants, more conventional protection measures continued to require urgent improvement. During the reporting period, 25 approved protection measures remained unexecuted and 127 were incomplete.

56. The Agency for Reintegration and Normalization, with the support of the Mission, led efforts to prevent and detect cases of sexual and gender-based violence against female former combatants and children in former territorial areas for training and reintegration. Between 2020 and 2023, 11 cases of such violence in six former territorial areas for training and reintegration were reported to the Mission and to the relevant authorities, all affecting women and girls. One case was reported to the Mission during the reporting period.

57. In order to bolster implementation of its precautionary measures, the Special Jurisdiction for Peace held a hearing in Huila on the situation of former combatants in Caquetá, Huila and Putumayo Departments, some of the regions most affected by violence. During the hearing, regional authorities attributed violence against former combatants to clashes among illegal armed groups. They expressed concern regarding the national authorities' capacity to provide adequate protection to former

combatants, social leaders and communities. Subsequently, the Special Jurisdiction for Peace ordered the Government to promptly issue the decrees establishing the public policy to dismantle illegal armed groups and criminal organizations and the comprehensive protection programme for former combatants.

58. Violence targeting social leaders remained a significant concern. Throughout the reporting period, OHCHR received 42 complaints (2 verified, 37 under verification and 3 inconclusive) regarding the killings of human rights defenders, comprising a member of the lesbian, gay, bisexual, transgender and intersex community; a woman; four Indigenous leaders; six Afro-Colombian leaders; and 13 peasant leaders. Most of these incidents occurred in Antioquia, Cauca, Putumayo and Valle del Cauca Departments. The Mission observed a significant increase in violence against social leaders in Putumayo compared with December 2022 to March 2023 and the continuously high rate of homicides in Cauca Department. Of serious concern to the Mission were also the attacks perpetrated against 10 peasant leaders involved in the comprehensive rural reform.

59. A key component of security guarantees is the effective investigation and prosecution of crimes committed against former combatants and social leaders. In February, the Special Investigation Unit of the Office of the Attorney General obtained the conviction of five public security forces members, including a retired Colonel as the main instigator, for the high-profile killing in 2019 of former FARC-EP member Dimar Torres. Since the signing of the Final Agreement, the Unit has investigated 513 cases, leading to 71 trials and 75 sentences. In addition, 1,187 arrest warrants were requested and 408 were executed. During the reporting period, two trials were held, resulting in four sentences and the issuance of 38 arrest warrants, none of which have been executed. Most cases remained unresolved, underscoring the urgent need for enhanced investigative capabilities in the most affected regions.

#### *Restorative sentences*

60. The Final Agreement stipulated that the objectives of the judicial component of the Comprehensive System for Truth, Justice, Reparation and Non-Repetition were to uphold and protect victims' rights, to contribute to the truth and to the achievement of a stable and lasting peace, and to grant legal certainty through its decisions to those who took part in the conflict. Colombia's innovative transitional justice system continued to strive to meet those goals, albeit amid significant challenges.

61. The Special Jurisdiction for Peace continued its essential work along these lines: for example, accrediting victims in recently opened cases, holding hearings for individuals who took part in the conflict to contribute to the truth, and preparing for the implementation of restorative sentences. The Special Jurisdiction for Peace announced that 2024 would likely see the first such sentences and that it aimed to conclude its investigative phase in 2025.

62. It is important that the Special Jurisdiction for Peace reach the stage where restorative sentences are issued. However, understanding the transitional justice process as a continuum involving interconnected stages is key to grasping the meaningful progress already attained. To date, 151 individuals have been indicted by the Special Jurisdiction for Peace: 47 members of the former FARC-EP (including all seven members of the former FARC-EP Secretariat), 100 members of the security forces (including eight generals and 11 colonels), three civilian third parties and one non-combatant State agent. Of the 121 indicted individuals whose recognition phase had come to an end, 89 per cent acknowledged their responsibility for war crimes and crimes against humanity.

63. Also in this regard, in February, the Special Jurisdiction for Peace reported that 30 of the 35 former members of the army indicted within Case 03 (on killings and

forced disappearances presented as combat casualties by State agents) for war crimes and crimes against humanity committed in Huila Department, acknowledged their responsibility. By contrast, five indicted retired Army generals did not accept responsibility and will face an adversarial process through the Investigations and Accusation Unit of the Special Jurisdiction for Peace. If found guilty, they face sentences of up to 20 years in prison.

64. In a recent decision, the Special Jurisdiction for Peace addressed the exceptional situation of a former commander of the paramilitary group Autodefensas Unidas de Colombia, Salvatore Mancuso, who had investigations under two parallel jurisdictions. The Special Jurisdiction for Peace declared its prevailing and exclusive competence to decide on the responsibility of Salvatore Mancuso for grave crimes perpetrated between 1989 and 2004, and on his liberty and conditionality regime.

65. Ensuring that all individuals under the authority of the Special Jurisdiction for Peace have clarity regarding their benefits and obligations, as stated in the Final Agreement, is paramount. In this vein, the Special Jurisdiction for Peace announced in February that, between 2017 and 2018, the Government had granted amnesties to 9,600 former FARC-EP members, as was envisaged under the Final Agreement for political or other relatively minor crimes as opposed to the more serious crimes for which amnesties cannot be granted. These amnesties were to be added to those granted by the Special Jurisdiction for Peace since 2018, which so far have been very low in number. The Special Jurisdiction for Peace stated that its Panel for Amnesty and Pardon was still dealing with a significant workload, which it planned to clear by 2025.

66. Also concerning legal certainty, attorneys of members of the public security forces under the authority of the Special Jurisdiction for Peace complained about the lack of clarity regarding the legal status of those who, despite not being deemed most responsible for grave crimes, have yet to see a definition of their situation.

67. Regarding restorative sentences, the Mission continued to insist on the need to step up efforts ensuring the establishment by the State of overall conditions for their implementation. In this regard, the Mission took part in the fourth session of the coordination mechanism established by the Government and the Special Jurisdiction for Peace to facilitate implementation and monitoring of these sentences, held in March. With prior support from the National Planning Department, the Special Jurisdiction for Peace engaged with mayors and governors to promote the inclusion of provisions on restorative sentences in their development plans. Effectively fulfilling these sentences represents an opportunity to further consolidate the State's presence, propel transformations in the territories and boost confidence in the peace process.

68. Furthermore, the Special Jurisdiction for Peace continued to work alongside the Government and several other stakeholders to design and promote restorative projects in Antioquia, Bogotá and Nariño. The implementation of those projects will serve to identify challenges and fine-tune solutions ahead of the issuance of the first restorative sentences. In keeping with the Special Jurisdiction for Peace dialogue-centred approach, the project in Nariño entails extensive engagement with Awá Indigenous authorities. Importantly, the Mayor of Bogotá committed to supporting restorative activities, underscoring the potential of synergies across all State levels. Several individuals indicted in various cases of the Special Jurisdiction for Peace are participating in these projects voluntarily.

69. While the transitional justice process was envisioned as unfolding within an environment of enhanced security following the Final Agreement, the persisting violence in various regions calls for improved prevention and response by authorities. In January, Argemiro Mayo, an Afro-Colombian leader and member of a community

council in Antioquia accredited collectively as victim under Case 04 (on the situation in the Urabá region) was killed. In February, a grenade was thrown into a residence in Santander owned by a member of a human rights organization collectively acknowledged as a victim in Case 08 (on war crimes and crimes against humanity allegedly committed by the public security forces and other State agents in association with paramilitary groups and third parties). Furthermore, a lesbian, gay, bisexual, trans and intersex leader, who is also a victim awaiting accreditation in Case 11 (on gender-based, sexual and reproductive violence and other crimes based on prejudice against persons with diverse sexual orientation, expression and/or identity) was killed in Tolima, prompting calls for better protection for women and lesbian, gay, bisexual, trans and intersex victims.

#### *Ethnic chapter*

70. To accelerate implementation of the ethnic chapter, the Office of the Vice-President established high-level round tables involving some 30 entities to monitor and promote the implementation of commitments laid down in the pact signed in November 2023 to complete at least 60 per cent of the chapter's implementation by 2026. This is a welcome development, given that tracking the implementation of the ethnic chapter has been a challenge. During the reporting period, according to the Integrated System of Information on the Implementation of the Final Agreement, only 4 out of 23 implementing institutions had met their 2023 ethnic chapter goals.

71. Afro-Colombian communities have been particularly affected by the lack of land tenure. In a welcome development, the Government issued a decree in February aimed at regulating the formalization and acquisition of land for Afro-Colombian community councils. This represented a step forward in upholding the rights of these communities. In addition, the Land Restitution Unit prioritized 29 cases during the first quarter of the year, with 11 belonging to Afro-Colombian community councils, and 18 to Indigenous reservations. In total, the Unit was processing 362 active restitution claims involving ethnic peoples.

72. In a bid to promote participation by Afro-Colombian organizations in rural reform, prior consultations concluded in March 2024 to allow them to become implementing partners for the activities regarding the multipurpose cadastre in relation to the over 4 million hectares of land that make-up the Afro-Colombian territory.

73. Regarding the involvement of ethnic peoples in the implementation of development programmes with a territorial focus, representatives of the Special Consultation Mechanism, which was designed to ensure their participation in decisions made by the Agency for Territorial Renewal, warned that continued violence and insecurity in municipalities with development programmes with a territorial focus may jeopardize programme implementation.

74. Indeed, violence continued to disproportionately impact ethnic peoples across various Departments, notably in northern Cauca, as seen in killings, kidnappings, and threats against traditional authorities and Indigenous guards. Amid the ongoing conflict between armed actors in their territories, stigmatization against Indigenous guards increased. Two guards who were killed during the reporting period in Cauca were former FARC-EP combatants with significant leadership roles in their communities.

75. Clashes among illegal armed groups also continued to cause massive displacements of Indigenous communities. Of particular concern were the situations of the Wiwa peoples in La Guajira Department, and the Eperara Siapidara, Awá, and Afro-Colombian peoples in Nariño Department. Moreover, territorial disputes in

Caquetá and Putumayo Departments caused the confinement of ethnic communities, some for periods lasting over a month, limiting their access to basic necessities.

76. The recruitment and use by armed groups of children from ethnic communities continued. According to Indigenous organizations in northern Cauca, there have been 15 cases of recruitment and use of Indigenous children since the beginning of 2024.

77. Another important aspect of the Final Agreement is its provisions for tackling the problem of illicit crops by offering alternatives to the small farmers who grow coca crops. As part of its commitment to strengthen their implementation, the Government approved 7,524 investment plans for crop substitution benefiting Afro-Colombian families participating in the National Comprehensive Programme for the Substitution of Illicit Crops in Tumaco, in Nariño Department, and 1,860 investment plans to provide Indigenous families in Cauca with alternative means of subsistence. The Government has committed \$18 million to implement the plans in 2024.

78. Victims were granted a one-year extension to apply for collective reparations. This may benefit those ethnic victims who have not done so owing to fear or unfavourable local situations. The Victims' Unit advanced in a strategy of coordination with ethnic organizations on the development of comprehensive reparation plans, ensuring they are in alignment with the views and preferences of these communities. The Unit reported its 2024 goal of implementing 22 comprehensive ethnic collective reparation plans for 12 Indigenous communities and 10 Afro-Colombian communities.

79. The Special Jurisdiction for Peace fulfils an important function in dealing with conflict-related crimes that have disproportionately affected ethnic peoples, including through coordination with the constitutionally recognized special Indigenous jurisdiction. During the reporting period, the Special Jurisdiction for Peace issued 96 judicial orders with an ethnic approach and one with an ethnic and gender intersectionality perspective, 38 of which were complied with. These orders promote the participation of the victims and foster interjurisdictional coordination so that the restorative sentences to be issued respond to the needs of ethnic peoples.

80. The Unit for the Search for Persons Deemed as Missing continued making progress in the search of victims belonging to ethnic peoples. During the reporting period, the Unit reunited one person from the Pijao peoples in Huila with family and recovered 12 bodies of persons belonging to ethnic communities in Chocó.

#### *Gender issues*

81. Resource constraints continued to hamper implementation of the more than 100 gender-related provisions of the Final Agreement. Despite the creation of a Vice-Ministry of Women within the Ministry of Equality, and its crucial role in coordinating among entities with implementation responsibilities under the Final Agreement and the gender chapter of the National Development Plan, the Vice-Ministry remained underfunded. Increased gender-related resources within government entities are needed to accelerate the pace of implementation of the gender provisions of the Agreement and fulfil the expectations of the numerous women who participated in the design of the National Development Plan.

82. The process of women's participation that led to the Final Agreement's gender provisions became a baseline upon which women leaders continue to build. Women participated in efforts under the total peace policy, including as negotiators and as participants of events developed by the National Participation Committee established by the negotiation table between the Government and ELN. Nevertheless, women's organizations maintained their stance that both gender issues and the inclusion of the

women and peace and security agenda in the ongoing peace talks were limited. They also reiterated calls for guarantees for the safe participation of women, particularly at the local level, where they continued to suffer violence. They called upon the parties to agree to cease all forms of sexual violence and hostilities against communities as part of the ongoing ceasefires. In Chocó, as part of the commemoration for International Women's Day, more than 1,800 women marched demanding an end to violence by armed actors and the full inclusion of women in peacebuilding efforts.

83. Preparations for the adoption of Colombia's first national action plan on women and peace and security reached their final stage. The plan presents an opportunity to accelerate the gender provisions of the Final Agreement and to promote gender-related priorities within the total peace policy. The civil society steering committee, that supported the design of the plan, made specific recommendations to adopt a localized focus, ensure adequate funding, establish a monitoring mechanism, and incorporate an intersectional approach for matters pertaining to lesbian, gay, bisexual, trans and intersex persons and to ethnic communities.

#### *Other developments related to the implementation of the Final Agreement*

84. During the reporting period there were developments by the Unit for the Search for Persons Deemed as Missing that illustrated the benefits of inter-institutional coordination. Through its work with the Special Jurisdiction for Peace, 3,800 unidentified bodies were found in mass graves in a cemetery in Cúcuta, Norte de Santander Department, of which 211 were recovered and may belong to victims of enforced disappearance. The Unit also signed an agreement with the Ministry of Defence to strengthen cooperation.

## **B. Developments related to the Ejército de Liberación Nacional**

85. Subsequent to the sixth round held in Cuba, the talks between the Government and ELN faced a critical juncture with the freezing of the process owing to concerns by ELN regarding the role and status of the negotiations. This followed the announcement – outside of the negotiations – of a regional dialogue in Nariño, presumably involving one of the regional fronts of ELN, that would start in early March. As a result, a meeting was convened by the guarantor countries, the Catholic Church and the Special Representative of the Secretary-General for Colombia, which was held in Cuba from 24 to 26 February 2024. Both sides analysed the challenges facing the process and the commitments undertaken by each side. On 26 February, the parties announced that they would continue with the implementation of the agreements reached to date, including on the national bilateral ceasefire and on the participation of society in the peace process, and that they would further evaluate the dialogue process and the commitments undertaken to date during the next round of talks, to be held in the Bolivarian Republic of Venezuela from 8 to 22 April 2024.

86. As part of its mandate as the international component of the monitoring and verification mechanism, the Mission continued to monitor the security situation in areas covered by the mechanism. It pursued efforts to resolve problems in the field in coordination with the Episcopal Conference of Colombia and, whenever possible, with both parties. The mechanism's communication channel remained active and contributed to preventing possible armed clashes on four occasions by ensuring separation of forces between the two sides when circumstantial encounters were imminent or ending any initial armed engagement.

87. Overall both parties continued to respect the ceasefire, however the mechanism continued to receive reports of incidents on the ground. The reports continued to be processed in accordance with the different stages established by the sides, with the

aim of clarifying events reported by different actors at the national, regional and local levels, including the parties. The process required obtaining additional information, contrasting it with diverse sources, and carrying out field verification missions, in highly complex and fluid conflict dynamics.

88. Negotiations between the Government and ELN placed emphasis on local-level participation in the implementation of the agreements reached between the parties. The National Participation Committee, which held two plenary and 10 preparatory sessions at the regional level, also began organizing 10 territorial meetings, and six sectoral meetings, including gatherings of women, Afro-Colombians and businesspersons, to hear proposals and recommendations from citizens on the methodology and the national participation plan. The meetings will take place between April and May. So far, the Committee has organized 53 meetings with the participation of over 4,300 people from some 2,100 grassroots and civil society organizations. The Committee also determined that a national event would take place in May to finalize the participation design phase and to submit results to the parties.

#### **IV. Coordination with the United Nations country team**

89. The United Nations country team and the Mission continued to coordinate advocacy and support for the implementation of the Final Agreement's security guarantees policies, in collaboration with the Unit for the Implementation of the Final Agreement. Issues on the agenda included the implementation of the public policy to dismantle illegal armed groups and criminal organizations, the introduction of a human security approach in protection measures for social leaders and political parties, and the inclusion of security guarantees provisions in local development plans. The country team and the Mission also provided the Government with recommendations on monitoring indicators from a human rights perspective related to the implementation of these policies at the local level.

90. The Country Team and the Mission, in consultation with the Office of the High Commissioner for Peace, continued to support negotiations between the Government and ELN through the Immediate Response Facility of the Peacebuilding Fund, including to advance the work of the National Participation Committee.

91. In March, during a visit to Catatumbo, Norte de Santander Department, the Steering Committee of the United Nations multi-partner trust fund for sustaining peace in Colombia approved a new investment plan for 2024. Additional support for the Special Jurisdiction for Peace and Case 11 was approved by the multi-partner trust fund and the Peacebuilding Fund. More than \$7 million have been invested by the multi-partner trust fund and the Peacebuilding Fund to date in Norte de Santander Department, a prioritized area heavily affected by the conflict. This support has been allocated to activities related to the comprehensive rural reform, community work with Indigenous peoples, youth, victims and reintegration.

#### **V. Conduct and discipline**

92. The Mission continued to prioritize training and sensitization of personnel on the Organization's zero tolerance to prohibited conduct through United to Respect training sessions and through mandatory training on the prevention of sexual exploitation and abuse. The Mission also reinforced anti-fraud measures in line with organizational policies.

93. There were three allegations of possible serious misconduct (sexual harassment and fraudulent acts) received within the reporting period that were referred for further investigation.

### **Observations**

94. Colombians are to be applauded for the courage and the persistence they have demonstrated in seeking to confront and resolve deep-seated issues that have affected social and political life in their country for decades. I call upon them to keep their sights firmly set on the overarching goal of achieving a durable peace and to prioritize dialogue to resolve their differences.

95. A successful implementation of the Final Agreement has the potential to set a standard against which current and future peace processes will be measured in Colombia, as well as internationally. However, this will require faster and more comprehensive actions that translate its vision into transformative changes. While recognizing important progress to date, it is of particular importance at this stage that stakeholders and beneficiaries, including victims, rural communities, ethnic peoples and former combatants alike, begin to more tangibly experience the positive impact of some of the key provisions of the Final Agreement.

96. The innovative and far-reaching transitional justice system, with the Special Jurisdiction for Peace as its judicial component, bears a responsibility which is commensurate with its importance as one of the structural pillars of the Final Agreement. Its success will lie in its ability to deliver justice promptly, for the benefit of the many victims of the conflict, combined with the sense of legal certainty that is to be afforded to former combatants, members of the public security forces and other contributors to the conflict who are under its jurisdiction, as part of the overarching political settlement between the Government of Colombia and FARC-EP. At this stage of the process, over seven years after the signing of the Final Agreement, I call for constructive dialogue among all concerned parties, within the established framework of the Final Agreement, in order to overcome the recently encountered obstacles.

97. Rural communities, in particular Indigenous and Afro-Colombian communities and women and children within them, continue to suffer disproportionately from the persisting violence and lack of development in many regions of Colombia where the presence of the State remains insufficient. The Final Agreement aims to address this problematic historic and social legacy through various of its sections, including the rural reform, the ethnic chapter and gender provisions, which collectively seek to resolve these long-standing issues. While their overarching goals are longer-term in nature, long-awaited progress must materialize in the more immediate future. I urge the Government and all entities with related responsibilities to advance promptly since time has come for successful and visible implementation on the ground.

98. As I have stated before, the successful implementation of the Final Agreement has become inextricably linked with the outcomes of ongoing efforts to resolve continuing armed conflict in Colombia through dialogue. I strongly encourage all sides to commit to these processes and take full advantage of the window of opportunity they represent for finding holistic and durable solutions to the challenges they have identified and to benefit from the opportunities afforded by peace.

99. I commend the Government and ELN for their achievements so far at the negotiating table, a process which has progressed beyond any other previous attempts between the two sides. I call upon the parties to build upon these accomplishments and continue to work at the negotiation table with the long-term interest of Colombia in mind.



100. The holding of a new round of talks between the Government and EMC FARC-EP is an opportunity to overcome difficulties, strengthen the ceasefire and move forward with the definition of an agenda for the talks. I call for a stop to the violence against the civilian population. Lives and the credibility of the process depend on it.

101. While ongoing ceasefires have produced concrete benefits, notably the effective reduction of armed confrontation between the sides, they are preliminary, limited in scope, and temporary by nature. However, they have also fostered expectations within Colombian society, who wish to see outcomes that address many of the structural issues as soon as possible. The legitimate aspirations of Colombians in that regard need to be taken into consideration at the negotiating tables. As the parties discuss their longer-term plans, with United Nations and international support, it is important that they seek to both strengthen civilian protection commitments and complement the ceasefires with immediate concrete measures for the benefit of communities in the short term, especially in conflict-affected regions. To that end, I call upon the Government to ensure the prompt implementation of the security guarantees measures of the Final Agreement and to strengthen the integrated presence of the State across the national territory. This is essential in its current efforts aimed at enlarging the scope of peace.

102. International support to Colombia-led endeavours continues to be fundamental and the United Nations stands ready to continue to work alongside the Government and all actors invested in bringing these commendable efforts to fruition. I am grateful to the Security Council for its continued support to the work of the Verification Mission in Colombia.

### VERIFICATION MISSION PRESENCE AND MUNICIPALITIES PRIORITIZED FOR THE IMPLEMENTATION OF THE PEACE AGREEMENT COLOMBIA

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