



# 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 [2603 \(2021\)](#), by which the Council extended the mandate of the United Nations Verification Mission in Colombia, and Council 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 present report covers the period from 25 September 2021 to 27 December 2021.

#### II. Major developments

2. The reporting period was marked by the commemoration of the fifth anniversary of the signing of the Final Agreement for Ending the Conflict and Building a Stable and Lasting Peace. The weeks leading up to and following the anniversary on 24 November provided an opportunity for actors engaged in peacebuilding efforts and for Colombian society at large to discuss the Final Agreement and its implementation. The Government, former Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo (FARC-EP) combatants, State institutions, civil society, academia and the international community carried out commemorative events throughout the country, taking stock of progress, challenges and perspectives for the future.

3. I visited Colombia on 23 and 24 November 2021 to take part in the important cycle of activities marking the anniversary. In Bogotá, I attended commemorative events and held meetings with the President, Ivan Duque, and officials of his Government, leaders of the Comunes party, the heads of the transitional justice system, leaders of civil society and victims of the armed conflict. I also travelled to the department of Antioquia, where I visited a former territorial area for training and reintegration in which former FARC-EP combatants in the reintegration process are working closely with communities, as well as another municipality in which the Government is implementing development programmes with a territorial focus created under the Final Agreement. Throughout the visit, I conveyed a message of recognition of historic progress, acknowledged the major challenges that remain and encouraged Colombians to stay the course with the comprehensive implementation of the Final Agreement in order to fulfil its promise of lasting peace.



4. In October, the Prosecutor of the International Criminal Court, Karim Khan, closed the preliminary examination on Colombia, active since 2004, citing the progress made in the transitional justice process as an important factor. Additionally, the Prosecutor of the International Criminal Court and the President signed a cooperation agreement, whereby the Government commits to continue supporting the judiciary's efforts, including those of the Special Jurisdiction for Peace, to investigate and prosecute those responsible for crimes under the jurisdiction of the International Criminal Court. The agreement recalls that the International Criminal Court may reconsider its decision in case of significant changes in circumstances that might hamper relevant proceedings and provides for constant communication between the International Criminal Court, the Government and judicial actors. Prosecutor Khan asked all actors to extend their support to the Special Jurisdiction for Peace, and President Duque said that the decision reflects compliance by Colombia with international obligations.

5. Preparations for the 2022 congressional and presidential elections continue. According to the National Civil Registry, 2,835 candidates (1,131 women) are running for 108 seats in the Senate and 188 in the House of Representatives, to be elected in March, including the 16 special transitional electoral districts for peace. Regarding presidential elections, with its first round scheduled for May 2022, political actors continue defining alliances and candidacies, and some have included the implementation of the Final Agreement within their platforms.

6. Discussions are ongoing in Congress regarding draft bills to implement the Final Agreement, including one on a dedicated judicial mechanism for the resolution of land-related disputes, which previously failed to pass. Meanwhile, initiatives to reform the Final Agreement have been withdrawn or failed to pass, such as those seeking to eliminate or reform the Special Jurisdiction for Peace, reforms to the land restitution process, and the reduction of the number of seats in Congress. Discussions regarding the ratification of the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean, which the Government presented to Congress, are pending.

7. In November, the Government of the United States of America revoked its designation of the former Fuerzas Armadas Revolucionarias de Colombia (FARC) guerrilla as a terrorist organization, recognizing its laying down of arms under the Final Agreement, and noting this change would permit increased support for the peace process, including for the reintegration of former combatants. At the same time, the Government of the United States designated two dissident FARC-EP groups as terrorist organizations, including their leaders who have either refused to lay down their arms or abandoned the peace process.

### **III. Comprehensive implementation of the Final Agreement**

8. Acknowledging the wide range of causes, drivers and effects of the conflict, the parties devised an interconnected set of mechanisms whose ability to deliver long-awaited peace dividends depends on their simultaneous and coordinated implementation. The section below presents an overview of the current status of different sections of the Final Agreement, whose comprehensive implementation is required to unleash the transformative potential of the Final Agreement, including to ensure the sustainability of reintegration and provide the necessary security conditions to enable peace to take root.

### **Comprehensive rural reform**

9. Upon concluding the fifth year of implementation, some key aspects of this section, whose full implementation is at the core of communities' expectations, are underway. The Government has reported cumulative investments of over \$ 2.6 billion in the development programmes with a territorial focus. Royalties from mineral and hydrocarbon exploitation are the main funding source, through which 494 projects have been approved. Forty-nine of them have been completed, an additional 195 are under implementation and 250 are in contracting phase. To ensure their sustainability, the Government has finalized 13 of the 16 stabilization roadmaps, the long-term planning instruments that include over 32,000 initiatives submitted by more than 220,000 citizens who participated in the design of development programmes with a territorial focus and who continue to demand that their proposals be effectively implemented.

10. The Government reported that, of the goal of three million hectares, over 1.4 million have entered the Land Fund. Close to 250,000 hectares have been handed over to 10,032 families. Nonetheless, in a recent report, a group of members of Congress expressed their concern that only 1.5 per cent of the land had been allocated to landless peasants or peasants with insufficient land, as enshrined in the Final Agreement. In addition, they expressed concern that 58 per cent of the 36 laws for the implementation of the Final Agreement pending approval are related to the comprehensive rural reform.

### **Political participation**

11. The signing of the Final Agreement opened new spaces for political participation, including additional guarantees for opposition parties and allowing traditionally excluded conflict-affected regions to participate in decision-making. The legal status of four political parties that had disappeared as a result of political violence was recently reinstated pursuant to a ruling of the Constitutional Court, which, among other things, calls upon Congress to remove obstacles for political parties to obtain and maintain their legal status, as provided for in the Final Agreement.

12. Preparations are ongoing for the election of the 16 special transitional electoral districts for peace. The Government issued a decree establishing the requirements for candidate nominations, including a certification from the Victims' Unit. Women's, peasants' and ethnic organizations were required to present additional certifications, triggering criticism that this could hinder participation. Electoral authorities are also working to ensure a smooth election, including updating the voter registry and creating temporary electoral tribunals to guarantee transparency.

13. A total of 403 candidates (202 women) registered for the upcoming elections in the special electoral districts. In the light of persisting violence, logistical challenges and context-specific dynamics in the 16 regions, civil society organizations, including women's organizations, have requested Government and State institutions to deploy enough voting stations in rural areas and provide the necessary security so as to guarantee full participation by communities historically affected by conflict, as envisioned in the Final Agreement.

14. Despite progress, State oversight entities, members of the opposition and civil society organizations continue to highlight delays in the implementation of key measures from the section in the Final Agreement on political participation, including a political reform and legislation on the right to peaceful protest.

**Substitution of illicit crops**

15. The National Comprehensive Programme for the Substitution of Illicit Crops continues to provide essential support to nearly 100,000 families who decided to transition to legal income-generating opportunities. As of October 2021, the Government has reported cumulative investments of \$398 million, 45,002 hectares of illicit crops eradicated through the programme, and over 73,000 families receiving technical assistance.

16. According to the Government, 14,725 families in the programme (one-third of which are headed by women) have productive projects. However, despite recent increased coverage, civil society organizations and members of Congress continue to raise concerns regarding the slow pace of implementation of the projects.

17. Communities insist on the need to prioritize voluntary over forced eradication, and to fully implement the Final Agreement, including security guarantees in areas particularly affected by illegal armed groups and criminal organizations.

**Comprehensive System of Truth, Justice, Reparations and Non-Repitition**

18. The work of the three entities of the Comprehensive System continues to advance, often amidst significant challenges. The Special Jurisdiction for Peace reports progress in all of its cases with a view to delivering justice and reparations for victims. To date, it has received almost 500 reports from victims and State institutions. Over 13,000 individuals are subject to its jurisdiction (74 per cent former FARC-EP, 25 per cent public security forces and 1 per cent non-combatant State agents).

19. The Unit for the Search for Persons Deemed as Missing and the Special Jurisdiction for Peace jointly recovered 46 bodies in Caquetá department, including remains of former combatants and, possibly, of children forcibly recruited by FARC-EP. The Unit recovered another 123 bodies in six departments, among them women, children and a member of the military, all potential victims of different armed groups. Civil society organizations and former combatants provided information leading to some of these findings. The Unit has so far recovered 345 bodies, of which 132 have been returned to their relatives.

20. The Truth Commission, whose mandate was extended by the Constitutional Court until August 2022, has carried out 53 meetings, in which different parties to the conflict have acknowledged their responsibility for crimes committed during the conflict. During the reporting period, several former FARC-EP leaders acknowledged their responsibility and have asked for forgiveness for the murders of a catholic priest and seven indigenous leaders. In addition, a number of former paramilitary members have acknowledged murders, massacres, disappearances and land grabs; and some former members of the military have acknowledged extrajudicial killings of civilians.

21. In view of the continued violence against communities and individuals participating in the transitional justice process, the System set up a mechanism to monitor risks and raise alerts on possible violations of their human rights. In December, the mechanism issued its first warning reporting that the State's effective authority was weakening significantly in nearly one-tenth of Colombia's municipalities, and that FARC-EP dissident groups and other illegal armed groups were strengthening.

**Mechanisms for dialogue on implementation**

22. Sustaining progress and addressing the challenges inherent to putting an end to conflict and building a lasting peace depends heavily on the parties' ability to engage

in constructive dialogue. To date, the Government and former combatants' representatives continue making use, in varying degrees, of the institutions created to follow up and strengthen implementation. This includes the Commission for the Follow-Up, Promotion and Verification of the Implementation of the Final Agreement, the National Reintegration Council (see para. 25) and the National Commission on Security Guarantees (see para. 63).

23. Within the Commission for the Follow-Up, Promotion and Verification of the Implementation of the Final Agreement, the parties have continued discussing the methodology for its future engagement with the various entities with responsibilities for the implementation and follow-up of the Final Agreement, including on reintegration and security guarantees. In addition, with the support of the Mission and the guarantor countries, the parties are defining the work methodology for 2022, including a concrete action plan required to make full use of the Commission as the Final Agreement's top-level forum for dialogue and problem-solving, and thereby boost implementation.

24. The parties have also established ad hoc mechanisms to address key issues, such as the tripartite mechanism on landmines, with ongoing joint efforts to gather information on mine fields. In December, with support from the United Nations Mine Action Service and the Mission, former FARC-EP combatants submitted information to the Office of the High Commissioner for Peace on 84 possible mined areas. This information was collected through a tripartite effort and is essential to continue conducting humanitarian demining operations.

## **IV. Mission tasks**

### **Reintegration**

25. Five years after the signing of the Final Agreement, the joint efforts of former combatants, Government authorities and host communities, with the support of the international community, have been crucial to overcome the challenges facing the reintegration process. During the reporting period, dialogue between the parties in the context of the National Reintegration Council has continued regarding key issues, including security, land and housing, all priority concerns of former combatants. In addition, the Government has also held meetings regarding reintegration matters with former combatants outside the Comunes party, and has reiterated its commitment to ensuring reintegration benefits to all accredited former combatants.

#### *Access to land and housing*

26. Following meetings between the National Reintegration Council and representatives for former combatants, a working group on housing was established and has been meeting regularly and the working group on land was reactivated. Both forums have proven to be important information-sharing and confidence-building mechanisms.

27. No additional plots of land were purchased for former territorial areas for training and reintegration during the reporting period. To date, the Government has purchased land for nine former territorial areas, and former combatants from a former territorial area in Cauca have reached an agreement with indigenous authorities regarding the use of land. Fourteen former territorial areas hosting some 1,300 former combatants and their families are still pending purchase of land.

28. On 17 December, following increased threats from illegal armed groups (see para. 53), over 40 former combatants and their families who were still residing in the former territorial area for training and reintegration of La Macarena, Meta

department, had to be urgently relocated by the Government, in consultation with former combatants, to neighbouring Caquetá department, where temporary accommodations have been provided. Several actors supported and accompanied the relocation, including departmental and municipal authorities, the Office of the Ombudsman, as well as the Mission and the United Nations Development Programme (UNDP). On the day of the transfer, alleged members of an illegal armed group fired at the convoy transporting former combatants and incinerated one vehicle. Nevertheless, all residents arrived at the new location unharmed. Expedited solutions are also required for the concerted relocation of another three former territorial areas facing insecurity in Cauca and Putumayo departments, where plots for their relocation have yet to be identified.

29. Regarding housing, dialogue continues between the Government and former combatants about access to subsidies, designs and materials, as well as former combatants' participation, in three out of five former territorial areas for training and reintegration that have completed technical assessments to build housing. In contrast, dialogue has been suspended in the remaining two due to disagreements regarding the scope of subsidies to build houses and requests by former combatants for a more comprehensive housing programme. To date, no permanent houses have been built in former territorial areas.

30. As for housing for former combatants outside former territorial areas for training and reintegration, the Agency for Reintegration and Normalization has carried out eight urban fairs to provide information on existing housing subsidies. Former combatants have pointed out that obstacles to access such subsidies persist, especially in relation to access to credit.

#### *Productive projects*

31. Five years into the implementation of the Final Agreement, almost 59 per cent of accredited former combatants participate in productive projects. To date, 107 collective projects have been approved, comprising 3,687 former combatants (1,030 women) and 3,560 individual projects, involving 4,285 former combatants (981 women). During the reporting period, the National Reintegration Council approved eight new collective productive projects for 213 former combatants (64 women) and the Agency for Reintegration and Normalization approved an additional 370 individual projects, in which 436 former combatants (100 women) take part.

32. As the number of former combatants who participate in productive projects steadily increases, ensuring the sustainability of these initiatives –including through access to land– has become the focus of discussions at the National Reintegration Council. The Agency for Reintegration and Normalization, Comunes, UNDP, the International Organization for Migration and the Mission have been working on a road map on this matter, which has yet to be considered by the National Reintegration Council.

33. Currently, 64 per cent of women former combatants participate in productive projects. However, their active and meaningful participation in economic reintegration continues to face challenges related to the lack of dedicated technical assistance, difficulties to establish business plans and an overload of domestic and family care tasks.

34. In the context of the commemoration of the fifth anniversary, fairs featuring former combatants' productive projects, as well as initiatives from victims and beneficiaries of crop substitution programmes, were held in six cities, including Bogotá, where I attended an impressive exhibition. The exhibition included over 200 projects in areas such as textiles, tourism and agriculture, including a federation of 37 coffee-producing initiatives.

35. In November, after almost four months of delays in the delivery of provisions to former territorial areas for training and reintegration, the Government, the contractor and former combatants reached agreements on distribution lists, leading to the resumption of food delivery in almost all former territorial areas.

*Former combatants outside former territorial areas for training and reintegration, including in new reintegration areas*

36. The geography of the reintegration process has changed over these five years, with some 10,500 former combatants currently conducting their reintegration outside former territorial areas for training and reintegration, in 584 of Colombia's more than 1,100 municipalities. At least a third of them are involved in collective reintegration initiatives in approximately 75 new reintegration areas, with an increasing number living in urban areas. So far, 50 collective productive projects are implemented outside former territorial areas; four additional ones were approved during the reporting period.

37. Insecurity continues to affect the reintegration process, particularly outside former territorial areas for training and reintegration. Twenty-six former combatants associated with cooperatives have been killed and another 11 have been victims of homicide attempts, especially in Antioquia, Cauca and Nariño departments. During the reporting period, the deterioration of the security situation in Chocó department resulted in the relocation of leaders of a cooperative and of the Comunes party, disrupting their economic and political reintegration. Killings and threats against former combatants in the new reintegration area in Argelia, Cauca department, have forced them to leave the area and their productive initiatives.

*Health*

38. Health visits to former territorial areas for training and reintegration have been carried out as planned and included vaccination campaigns against the coronavirus disease (COVID-19). According to the Agency for Reintegration and Normalization, 291 former combatants (86 women) have tested positive for COVID-19, nine of whom have died (all men). In December the National Reintegration Council approved the continuation of health services for all former territorial areas for 2022. While permanent health care services will be reduced in some areas, health visits will increase.

39. The working group on health and its committee monitoring the implementation of the *CaPAZciudades* programme benefiting former combatants living with disabilities, have been meeting regularly. The definition of an action plan to provide these former combatants with prosthesis and support to access rehabilitation programmes, is pending. To date, 98 per cent of the 1,222 former combatants with disabilities have received certification in order to access services.

*Reintegration policies and institutions*

40. While there has been progress at the technical level regarding the definition of the scope and functioning of the National Reintegration System, it has yet to be presented to the National Reintegration Council.

41. According to the Agency for Reintegration and Normalization, as at October 2021, 62 per cent of the objectives defined by the national policy on reintegration had been met. Arguing inconsistencies, former combatants have requested greater access to information regarding the reporting on the policy's implementation.

42. The Working Group on Gender of the National Reintegration Council continued to promote the implementation of the 18 gender actions of the national reintegration

policy, including through field visits to Caquetá, Cauca and Nariño departments. Gaps remain at the local level in terms of knowledge, ownership and resources for gender-sensitive reintegration efforts.

#### *Role of regional authorities and community-based reintegration*

43. Two new departmental reintegration working groups were established in Magdalena and Norte de Santander departments, for a total of 20 such mechanisms nationwide. The working groups bring together departmental authorities, the Agency for Reintegration and Normalization, former combatants and the Mission, and have played a key role in supporting the reintegration process at the regional level. As a positive example, the Office of the Governor of Antioquia funded housing for the 12 former combatants who remained in Ituango, following the relocation of the former territorial areas for training and reintegration to Mutatá in 2020.

44. Implementation of the joint community-based reintegration strategy in 35 municipalities has begun, fostering joint development initiatives between host communities, former FARC-EP members and their families in areas where reintegration is underway.

#### *Political reintegration*

45. Comunes senators and representatives have actively promoted over 70 draft bills presented by the party both individually and in coalition with other parties in Congress since July. The proposed legislation is related to the implementation of the Final Agreement and to other social and economic measures. The party has remained active within the peace commissions in both chambers, including in field visits to discuss the status of peace implementation with local communities.

46. In November, several former combatants were elected to local administrative boards. Similarly, in December, nine Comunes party members (including one woman former combatant), out of the 89 candidates, were elected to municipal youth councils.

47. In preparation for the upcoming legislative elections in March 2022, Comunes endorsed 41 candidates, including 18 women and 25 former combatants. Comunes representatives have reported challenges when trying to open bank accounts, as well as security concerns and stigmatization.

### **Security guarantees**

#### *Regional dynamics of violence*

48. Despite initial reductions in conflict-related violence across the country after the signing of the Final Agreement, five years into its implementation, regions historically affected by the armed conflict are seeing an upsurge in crimes that represent the main obstacle to the materialization of the Final Agreement's promises. The absence of an effective State presence in parts of the territory in some regions, such as Argelia in the department of Cauca or Buenaventura in the department of Valle del Cauca, has led to intensified disputes between illegal armed groups and criminal organizations for social, territorial and strategic control, further aggravating violence against civilians, hindering governance and altering the lives of entire communities.

49. During the reporting period, the Office for the Coordination of Humanitarian Affairs registered 34 events of forced mass displacement, affecting over 11,800 persons in 10 departments (Antioquia, Arauca, Cauca, Córdoba, Chocó, Guaviare, Nariño, Norte de Santander, Putumayo and Valle del Cauca ). In 2021, some 72,600 persons have been displaced and 65,200 forcibly confined, of which 41 per cent are

indigenous and 29 per cent are Afro-Colombians. In addition, the Office of the United Nations High Commissioner for Human Rights (OHCHR) documented seven large-scale killings resulting in 29 victims, bringing the total for 2021 to 56 large-scale killings and 222 victims.

50. Since the signing of the Final Agreement, attacks against human rights defenders and former combatants, large-scale killings, mass displacements and confinements have been concentrated largely in 30 municipalities in 12 of Colombia's 32 departments, mostly linked to violence caused by illegal armed groups and criminal organizations. All but three of these municipalities are included in the development programmes with a territorial focus and are covered by the special transitional electoral districts.

51. The arrest in October of "Otoniel", the top leader of the Clan del Golfo (also known as Autodefensas Gaitanistas de Colombia), was a significant development during the reporting period; this group is responsible for much of the violence affecting various regions.

#### *Security and protection for former combatants*

52. Five years after the signing of the Final Agreement, violence against former combatants remains the single greatest threat to their transition into civilian life. To date, 303 former combatants, including 10 women, have been killed. In addition, 79 former combatants (four women) have been victims of attempted homicides, and 25 are reported as missing (all men). During the reporting period, 10 former combatants were killed, including one woman, María Muñoz, an indigenous former combatant from Cauca, who was the widow of an Afro-Colombian former combatant, Yorbis Carabalí, killed last June.

53. Killings of former combatants have decreased by 27 per cent, from 74 in 2020 to 54 in 2021. Nevertheless, the Mission has observed an increasing trend of threats by illegal armed groups targeting former combatants involved in collective initiatives in former territorial areas for training and reintegration and in new reintegration areas, affecting their productive projects and cooperatives. In November, in the former territorial area of La Macarena, Meta department, alleged members of a FARC-EP dissident group threatened bodyguards of the National Protection Unit, incinerated five of their vehicles and demanded that the bodyguards and the over 100 former combatants residing in the reintegration area abandon it immediately. In December, two soldiers from the preventive deployment assigned to provide security to this reintegration area were killed by alleged members of the same dissident group.

#### *Precautionary measures issued by the Special Jurisdiction for Peace*

54. The precautionary measures ordered by the Special Jurisdiction for Peace have proven key to boosting implementation of security guarantees, leading to an increased protection of former combatants, including through additional funds for the Subdirectorates of the National Protection Unit and an accelerated review and approval of pending protection requests. In November, the Special Jurisdiction for Peace ordered additional specific measures for the Government, including to develop an action plan to assist surviving family members of killed former combatants.

55. Also during the reporting period, pursuant to orders from the Special Jurisdiction for Peace, the Office of the Presidential Counsellor on Stabilization and Consolidation developed an evacuation strategy for former combatants and their families in Cauca, Nariño and Valle del Cauca departments. Nonetheless, challenges persist in the coordination of relevant State entities.

56. In November, the Special Jurisdiction for Peace held a hearing to follow up on orders addressed to the Presidential Counsellor for Stabilization and Consolidation and the Director of the National Protection Unit in 2020. The Special Jurisdiction for Peace expressed concerns regarding the persisting attacks against former combatants and the lack of a sustainable security strategy. To address this situation, the Special Jurisdiction for Peace ordered the Presidential Counsellor to revise the Strategic Plan on Security and Protection, approved in March, in order to include the observations presented by former combatants. The Special Jurisdiction for Peace also ordered the National Protection Unit to present a report on budget allocations to ensure implementation of new protection measures, to resolve the 101 pending protection requests and to hire 101 new bodyguards by 31 December 2021.

57. The National Protection Unit continued making progress. Since January 2021, 100 per cent of pending requests have been assessed and 837 have been approved, including 125 for women and 66 collective protection measures. As at 30 November, 560 of the 686 additional bodyguards ordered by the Special Jurisdiction for Peace in 2020 had been hired. In order to adapt protection measures to women's specific needs, the National Protection Unit hired specialized personnel and provided training on gender-sensitive risk analysis.

*Special Investigations Unit of the Office of the Attorney General*

58. Efforts to curb impunity remain essential for the overall success of the provisions on security guarantees provisions of the Final Agreement. According to the Special Investigations Unit, criminal organizations and illegal armed groups are responsible for 78 per cent of attacks against former combatants. During the reporting period, the Unit reported four new convictions, for a total of 49 convictions in the 352 cases it is investigating. Four convictions are against those who ordered the attacks. In addition, 53 cases are in the trial phase, 27 are under investigation and 179 arrest warrants have been issued. An additional 212 arrest warrants are pending execution, including 66 against those who ordered the attacks.

*Security for Comunes and other political parties*

59. During the reporting period, incidents of threats and violence have been registered in several regions against representatives of political parties across the spectrum, including against members of municipal councils. The Government has set up a series of prevention and protection strategies to guarantee safe elections, such as the Democracy and Agora II plans. However, these strategies are not linked up with the Comprehensive Security System for the Exercise of Politics, stipulated in the Final Agreement, whose High-level Unit has not been convened.

*Attacks against social leaders, human rights defenders and conflict-affected communities*

60. During the reporting period, OHCHR received information about the killings of 34 human rights defenders (7 verified and 27 under verification). Of these, five victims were women, one was Afro-Colombian, one was a member of the lesbian, gay, bisexual, transgender and intersex community and six were indigenous persons. In 2021, 196 killings were reported to OHCHR, including 28 women, 47 indigenous persons, 8 Afro-Colombians and three members of the lesbian, gay, bisexual, transgender and intersex community. Of these cases, 75 were verified, 38 are under verification and 83 were inconclusive or not verifiable.

61. On 28 November, elections were held to select more than 63,000 members of local administrative boards. While no major security incidents were reported on

election day, two candidates were killed before the elections, and the president-elect of one board was killed a week after the elections.

62. The Intersectoral Commission of Guarantees for Women Leaders and Human Rights Defenders, comprised of 17 government entities, met in November. Participants highlighted the importance of implementing prevention and non-stigmatization measures at the local level, as well as ensuring that local institutions actively contribute to addressing cases of attacks against women leaders and human rights defenders.

*National Commission on Security Guarantees*

63. Only technical meetings concerning the internal regulation of the National Commission on Security Guarantees were held during the reporting period. With one-third of the time frame envisioned for the implementation of the Final Agreement and despite urgent security challenges across the country, the public policy to dismantle illegal armed groups, criminal organizations and their support networks has not been adopted.

*Early warning system of the Office of the Ombudsman*

64. During the reporting period, the Office of the Ombudsman issued seven early warnings in 13 municipalities in Cesar, Chocó, Norte de Santander, Santander and Valle del Cauca departments related to security risks facing social leaders, human rights defenders, communities and former combatants, among others. The Office of the Ombudsman and the Intersectoral Commission for Rapid Response to Early Warnings chaired by the Ministry of Interior are working on mechanisms aimed to enhance the fulfilment of recommendations provided in the early warnings.

*Comprehensive security and protection programme for communities and organizations in the territories*

65. The Ministry of Interior and two national-level civil society organizations prioritized in the two pilots for implementing the programme are defining collective protection measures in view of the security risks facing them. In addition, 15 peace promoters were certified in Meta while the certification of peace promoters in Bolívar, Córdoba, Nariño, Norte de Santander and Putumayo departments is still pending. There has been limited progress in other components of the programme aimed at strengthening human rights organizations' access to justice and rural and collective protection, including due to budgetary constraints.

**Restorative sentences of the Special Jurisdiction for Peace**

66. The Special Jurisdiction for Peace has continued to advance in its various cases, including through the issuance in 2021 of indictments and other important rulings in Case 01, on hostage-taking, other severe deprivations of liberty and other concurrent crimes committed by the FARC-EP, and Case 03, on killings and forced disappearances presented as casualties in combat by State agents. The first restorative sentences of the Special Jurisdiction for Peace are expected to be issued in 2022.

67. In preparation for the implementation of the Mission's mandate related to the verification of the restorative sentences to be issued by the Special Jurisdiction for Peace, the Mission and the Special Jurisdiction for Peace have agreed on the composition, objectives and functions of the Monitoring and Verification Mechanism devised for that purpose. The Mechanism will ensure coordination between the Special Jurisdiction for Peace and the Mission and will help overcome difficulties in the fulfilment by sentenced persons of the terms of their sentences and in the efforts by State authorities to guarantee the necessary conditions for their fulfilment. The

Mission and the Special Jurisdiction for Peace established a working group to operationalize the Mechanism, including the practical conditions needed for the implementation of restorative sentences by relevant authorities, such as security and funding. Importantly, the Government has reaffirmed its commitment to providing the necessary support and resources and is collaborating with the Special Jurisdiction for Peace in this regard.

68. The Mission has also held meetings with other stakeholders, including the Office of the Presidential Counsellor for Stabilization and Consolidation, which presented its proposed route for the follow-up of tasks, works and activities with restorative content to be funded by the Government. The Mission is also engaging with former combatants' representatives, lawyers of members of the public security forces and the Office of the Inspector-General, among others, to discuss progress and challenges in preparation for the implementation of restorative sentences. Moreover, the Mission is working with relevant United Nations entities to enhance complementarity on matters regarding victims and the strengthening of the Special Jurisdiction for Peace, including on gender mainstreaming throughout its procedures.

69. During the reporting period, the Special Jurisdiction for Peace received written observations from victims and the Inspector-General in response to the acknowledgment of responsibility by former members of the FARC-EP Secretariat within Case 01, on hostage-taking and other severe deprivations of liberty and other concurrent crimes committed by FARC-EP. Over 200 victims have also expressed their observations on the Case during several hearings.

70. The Special Jurisdiction for Peace recently ruled in line with the observations by the Inspector General to requalify the actions by FARC-EP of imposing forced labour on victims of kidnapping under the crime against humanity of enslavement. Consequently, the Special Jurisdiction for Peace is requiring that the former commanders indicted in January 2021 specifically recognize this crime. In its decision, the Special Jurisdiction for Peace stated that the conducts were grave but isolated, and do not constitute an independent pattern of criminality. The indicted individuals have rejected this new legal qualification and formally challenged the decision. While reaffirming their responsibility for the actions previously established by the Special Jurisdiction for Peace, the former commanders argue that FARC-EP was not an organization involved in enslavement and that the decision infringed their right to due process.

71. The Special Jurisdiction for Peace was designed as a comprehensive judicial mechanism of incentives for parties to the conflict to contribute to upholding victims' rights. As such, the Special Jurisdiction for Peace assesses whether individuals under its jurisdiction are complying with their obligations towards victims. During the reporting period, the Special Jurisdiction for Peace determined for the first time that four individuals were not eligible to receive restorative sentences as a result of their lack of acknowledgement of responsibility. One of them is a former member of Congress investigated in Case 01, and the other three are former colonels investigated in Case 03, on extrajudicial killings by State agents. If convicted by trial, they could face up to 20 years in prison, as provided for in the Final Agreement.

72. In December, in Case 03, 22 of the 26 individuals indicted for crimes against humanity and war crimes (including one former general, two former colonels and one civilian third party) acknowledged their responsibility before the Special Jurisdiction for Peace. The Special Jurisdiction for Peace ordered to start a dialogue process between victims and the individuals indicted in preparation for the public hearing of acknowledgment of responsibility and with a view to jointly identify proposals for "tasks, works and activities with reparatory and restorative content," which are to be carried out by the indicted as part of their restorative sentences.

73. During the reporting period, the Special Jurisdiction for Peace heard the individual versions of over 70 members of the public security forces in four cases, including one general and two former generals. In Case 06, regarding the victimization of members of the Patriotic Union party by State agents, a retired police general and former director of national intelligence, refused to provide his version. The Special Jurisdiction for Peace has reiterated the obligation of individuals under its jurisdiction to contribute to justice in order to maintain benefits.

74. In Case 05, on the situation of northern Cauca department and southern Valle del Cauca department, the Special Jurisdiction for Peace held its first hearing with victims about sexual and gender-based violence committed by members of the former FARC-EP and the public security forces. Around 60 women, nine men and several members of organizations representing women and lesbian, gay, bisexual, transgender and intersex persons expressed their views and mentioned challenges regarding the inclusion of the gender approach in the cases opened by the Special Jurisdiction for Peace, and concerns over security of victims providing testimonies. During the hearing, the Office of the Inspector-General and victims' organizations insisted on their request for the Special Jurisdiction for Peace to open a specific case on the matter. Also in Case 05, the Special Jurisdiction for Peace approved a coordination protocol with the special indigenous jurisdictions of northern Cauca department to jointly call 36 indigenous former combatants appearing in the case to provide their voluntary versions.

## V. Cross-cutting considerations

### Gender

75. The Government has reported to date that 9 of the 51 gender indicators of the Framework Plan for Implementation of the Final Agreement have been completed and the other 42 are in progress. However, women's organizations and the Special Forum on Gender have expressed concerns regarding limited funding to advance the gender provisions of the Final Agreement, noting that progress on these provisions is slower compared to the overall implementation of the Final Agreement.

76. Women and girls in Colombia continue to face multiple forms of violence, including sexual violence and femicide. The latest bulletin on gender-based violence from the Office of the Ombudsman, which covers the period from January to 30 October 2021, informed about 64 cases of femicide and 76 attempts of femicide, mainly in Caquetá, Cauca, Chocó, Córdoba, Norte de Santander and Santander departments, where disputes between illegal armed groups have had a severe impact on women and girls.

77. In events commemorating the International Day for the Elimination of Violence Against Women, women demanded an end to the violence and respect for their rights. In the Bajo Cauca region of Antioquia department, for example, the women's organization Ruta Pacífica mobilized more than 3,500 women calling upon illegal armed groups to halt violence and requesting prevention measures.

78. The Mission, in coordination with women's organizations, women former combatants and local governments, organized several events for the prevention of violence against women. Acknowledging the tireless work of the regional network of women human rights defenders of Nariño department, the Governor of the department formally recognized the network in November, enabling it with access to resources and participation in relevant programmes that could boost the impact of its efforts.

79. In November, the offices of the Inspector General and the Ombudsman presented a report on the implementation of the gender provisions in the Final

Agreement. The entities expressed concerns about violence against women former combatants and human rights defenders, and stigma against lesbian, gay, bisexual, transgender and intersex leaders, and called for specific measures by relevant institutions to respond to these issues, including the implementation of the national security strategy for women former combatants and measures for partners of former combatants killed.

### **Ethnic affairs**

80. In November, the High-level Forum of Ethnic Peoples created by the Final Agreement issued its first report assessing the status of ethnic-related provisions during the first five years of implementation of the Final Agreement, noting very limited progress. To foster much-needed improvement, the High-level Forum called for permanent dialogue with the Commission for the Follow-Up, Promotion and Verification of the Implementation of the Final Peace Agreement and for better coordination and dialogue between ethnic peoples and entities responsible for the implementation of the Final Agreement's ethnic provisions.

81. The insecurity facing ethnic communities, especially on the Pacific coast, continues to worsen. According to the Office for the Coordination of Humanitarian Affairs, in 2021, 69 per cent of the victims of confinements were indigenous and 16 per cent were Afro-Colombians, while 41 per cent of victims of forced displacement were Afro-Colombian and 15 per cent were indigenous.

82. During the reporting period, two indigenous former combatants were killed in Cauca department. In Nariño department, Afro-Colombian communities and members of the Awa indigenous community were affected by antipersonnel mines, threats, homicides of their leaders and forced displacements. Additionally, forced recruitment is disproportionately affecting ethnic communities. The association of indigenous reservations of northern Cauca department has warned about the increase of recruitment, allegedly from a FARC-EP dissident group.

83. While tailored measures for the reintegration of indigenous and Afro-Colombian former combatants remain limited, ethnic authorities are supporting the process, among others through the inclusion of former FARC-EP members into their communities. This is the case of the Afro-Colombian community of the Curbaradó River in Chocó, which in November allowed 66 former combatants (20 women) to use 100 hectares of their collective territory to implement productive projects.

### **Children**

84. The working group on children of the National Reintegration Council continued its assessment of the implementation of the programme "A Different Path of Life", established for the reintegration of children formerly associated with the FARC-EP. The assessment has allowed the working group to update the status of beneficiaries. To date, of the 124 participants initially included, 117 remain in the programme, 7 of whom have been identified as absent and the Agency for Reintegration and Normalization is currently searching for their whereabouts. Another 5 have been killed and 2 others have been imprisoned. In total, 110 adolescents have been recognized as victims, 77 have already received reparations and 33 are still pending receipt of their disbursement from the Government.

85. Economic reintegration remains challenging as 73 participants have not received the resources for productive projects, owing to delayed assessments by the Victims' Unit and lack of information available to potential beneficiaries on the status of their reparations. Coordination issues between the working group and the Ministries of Health and Education have been hampering follow-up on such areas.

86. The working group is also tracing 288 former combatants who were recognized between 2020 and 2021 as children at the moment of accreditation, to include them in the programme. To date, 13 are deceased (including nine confirmed homicides), three have been imprisoned and 21 have been identified as absent. From this group, at least 181 individuals have been recognized as victims and 127 have received reparations. To date, the number of combatants recognized as children at the moment of accreditation is 412.

87. According to the Agency for Reintegration and Normalization, approximately 7,500 children of former combatants live in or outside former territorial areas for training and reintegration. A comprehensive response in line with the best interests of the child to address cases of legal guardianship and to support some 400 children whose parents have been killed remains pending. At least seven child-friendly spaces in former territorial areas lack proper equipment and clarity about education and care methodologies.

### **Youth**

88. This year has been a defining moment for the participation of young Colombian men and women in social and political matters. In December, close to 1.3 million out of nearly 12 million potential voters between 14 and 28 years of age cast their first-ever vote to elect 10,837 members of municipal youth councils, including from youth organizations, political parties and independent candidacies. These bodies will have an advisory role to local governments in devising youth-related policies and programmes and could play a key role in channelling young people's needs and concerns.

89. In November, over 1,600 young leaders from across the country gathered in Santa Marta for the XII National Youth Festival, the largest youth-led event in the country. Topics discussed included the status of implementation of the Final Agreement and environmental preservation.

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

90. Since the signing of the Final Agreement, the United Nations country team has constantly worked alongside the parties, Colombian institutions and the Mission to support peace implementation efforts, including on matters of reintegration, security guarantees, transitional justice, rural reform and crop substitution.

91. With nearly 40 quick-impact projects, the United Nations country team and the Mission are supporting income generating ventures for former combatants in new reintegration areas and in support of community-based reintegration. The United Nations country team is also supporting over 3,000 former combatants through more than 70 entrepreneurial projects. Pre-feasibility studies were carried out by the United Nations country team to identify the technical and environmental viability for the construction of permanent settlements in eight former territorial areas for training and reintegration where 1,129 people (509 women) reside. The studies have helped identify some of the challenges facing housing construction in these areas.

92. The United Nations country team continued to promote the solution to the problem of illicit crops and the implementation of the comprehensive rural reform. During the reporting period, the United Nations country team supported the Government's programme to give land use rights to families as an alternative to illicit crops and in exchange for environmental conservation efforts. Support for the selection of families resulted in more than 1,600 families joining the programme. The

United Nations country team also supported the formalization of 1,391 plots intended for peasants, of which 47 percent were granted to rural women.

93. Regarding transitional justice, more than 5,000 children and youth between 7 and 28 years old from across the country participated in a national consultation led by the Truth Commission, with support from the United Nations. Their opinions will inform the strategies of dissemination of the Commission's final report. The United Nations country team also facilitated the participation of about 1,000 people in the regional search plans of the Unit for the Search for Persons Deemed as Missing.

94. During the reporting period, the United Nations multi-partner trust fund for sustaining peace in Colombia allocated \$4.8 million for three projects to support the marketing of products from crop substitution and former combatants' entrepreneurial initiatives.

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

95. As confrontations between the public security forces and the Ejército de Liberación Nacional (ELN) continue in various regions, the Government continues to reiterate that, for any rapprochement to take place, this guerrilla group must cease kidnapping, release hostages and cease other violent actions such as the forced recruitment of children, the installation of antipersonnel mines and drug trafficking. ELN insists that it does not accept the conditions and asks that they be addressed at a negotiating table.

96. Clashes between ELN and State forces, as well as with other illegal armed groups, are heavily affecting civilians in departments such as Chocó and Valle del Cauca, where thousands of people have been forcibly displaced and confined. Local communities in these and other regions, such as Arauca, Catatumbo and Magdalena Medio are strongly urging the parties to resume peace talks and adopt urgent measures to alleviate the serious humanitarian crisis facing them.

97. In September, the Government reported that the commander of the ELN Western Front, known as "Fabian", died at a medical centre after being wounded in a military operation in the department of Chocó. In November, ELN handed over the body of Tulio Mosquera, the former mayor of Alto Baudó, Chocó department, to a humanitarian mission created by the Red Cross and the Catholic Church. Mr. Mosquera had been kidnapped in 2019.

## **VIII. Mission structures**

### **Mission support**

98. As at 30 November 2021, the percentage of Professional and Field Service female staff on fixed-term, continuing and permanent contracts was 44 per cent. For other categories, women represented 61 per cent of United Nations Volunteers; 34 per cent of international observers; and 67 per cent of consultants and individual contractors. Overall, 50 per cent of all civilian personnel are women.

### **Safety and security**

99. During the reporting period, there were 31 incidents affecting the United Nations system, mainly in Bogotá and Arauca, Cesar and La Guajira departments. The most frequent events were armed incidents, including an attempted robbery in La Guajira affecting a joint mission between a United Nations agency, a Government entity and a non-governmental organization where no injuries were reported. The

Department of Safety and Security registered movement restrictions owing to events in Arauca, Chocó and Magdalena departments, including as a result of protests and activities of illegal armed groups, without major impact on United Nations operations.

### **Conduct and discipline**

100. During the reporting period, two allegations of fraudulent acts were reported to the Mission. Efforts are ongoing to ensure full compliance with training on preventing fraud and corruption at the United Nations. Additionally, risk assessments of misconduct were conducted at the Mission's headquarters and in three regional offices.

101. Regarding the alleged case of sexual assault mentioned in the previous report, an investigation by the Office of Internal Oversight Services is ongoing. No new allegations of sexual exploitation and abuse were reported.

102. In November, the Mission launched a training on the "United to respect" toolkit to discuss the zero-tolerance policy on harassment, including sexual harassment, discrimination and abuse of authority.

## **IX. Observations**

103. The recent commemorations marking the five-year anniversary of Colombia's Final Peace Agreement celebrated its landmark nature, as well as the historic progress that is taking root through the determined efforts of so many Colombians. At the same time, formidable challenges remain. Yet with every step forward, Colombia is proving the value of investing in peace while providing an example that violent conflicts can be ended through dialogue and that societies can heal the wounds of war and bring about development opportunities to those most in need.

104. Countless lives have undoubtedly been saved by the end of the conflict with the former FARC-EP. And I am heartened by the dividends of peace that I witnessed during my visit to Colombia. Where progress is strongest, this is often a testament to the ability of the parties to work jointly towards a common goal, and I hope they will reinforce their dialogue and cooperation. I am encouraged by the efforts of Government and State institutions and by their reiterated commitment to peacebuilding. However, I am also concerned about the obstacles and the imminent threats facing the consolidation of peace described in the present report, especially the persisting violence and presence of illegal armed groups in areas prioritized for the implementation of the Final Agreement. While it is not too late to reverse this trend, it will require far more sustained and effective actions. Should these levels of violence persist in regions where the Final Agreement was expected to bring about long-awaited transformations, this historic window of opportunity may gradually close.

105. One of the most common concerns I heard from Colombians who actively support the peace process was the prospect that its ambitious goals, to not only end this conflict but to overcome the deep-rooted factors underlying the cycles of violence in Colombia, would not be fully met. This would be a missed opportunity. I therefore reiterate my call upon the Government and relevant State entities to spare no effort in comprehensively implementing the Final Agreement. Reinforced progress in all sections, including pending provisions on security guarantees, and an increased presence of the State are required to unleash the Final Agreement's transformative potential and enable civilian institutions to effectively provide long-awaited goods and services throughout the country.

106. Among the most important elements of the Final Agreement are those creating the conditions for the transition into civilian life of over 13,000 former members of the western hemisphere's largest and oldest guerrilla who laid down their arms and remain committed to peace. During my visit, this commitment was reaffirmed by former leaders of the FARC-EP, as well as by women and men who were part of the organization's rank-and-file members and who spoke to me of their hopes and concerns. It is of immense value that former combatants participate in, and contribute to, Colombian democracy, from exercising their right to vote to participating in the political process. With support from the Government, the private sector and the international community, hundreds of productive initiatives are currently underway, led by men and women who laid down their arms betting on a second chance. As they strive to become self-sufficient under challenging conditions, it is paramount that they are safe and that their efforts have the necessary support to guarantee their sustainability, including deeper transformations contained in other sections of the Final Agreement.

107. I visited a fascinating memorial space in the centre of Bogotá that was created as a result of the Final Agreement, called Fragmentos, its floor is made from metal forged from the weapons laid down by former FARC-EP members and hammered into form by women victims of the armed conflict. While I was there, I heard the testimonies of a diverse group of victims. This deeply moving encounter was a powerful reminder that victims are at the heart of the peace process. Their strength and generosity must be met with genuine commitment by all parties to the conflict to contribute to the truth and acknowledge their responsibilities, as well as to bring reparations for the damages caused. The Final Agreement created an innovative transitional justice system which is delivering encouraging results that will be a foundation for lasting peace and reconciliation. I renew my call for full cooperation and respect for the transitional justice system, especially as it enters a new, crucial phase, one for which the Security Council has entrusted the Mission with important responsibilities.

108. Even during the darkest years of the conflict, Colombia's vibrant civil society kept the flame of peace alive. It is no surprise, therefore, that grassroots, human rights, youth, women and ethnic movements and organizations, among others, remain active protagonists in peacebuilding efforts. I commend their efforts, and especially those of Colombian women who continue to work tirelessly to consolidate peace, and of indigenous and Afro-Colombian communities who, even in the face of tremendous hardship, work for the peaceful resolution of conflicts. The Final Agreement's unprecedented gender provisions and its ethnic chapter, including regarding security guarantees, must be fully implemented to address the specific impact that the conflict had on Colombian women and ethnic communities, and to enable their safe and meaningful participation, which is an essential condition for lasting and inclusive peace. I also welcome the election of the first youth councils in the country and encourage authorities to extend their full support to the newly elected representatives so that they can conduct their crucial work.

109. Given the devastating human toll of more than five decades of conflict between the State and the former FARC-EP, it is a moral obligation to guarantee the success of Colombia's hard-won peace. As the process enters a new stage and the country prepares for elections in 2022, I trust that all Colombians and the country's political leaders can recognize, once and for all, that achieving lasting peace can no longer be a source of disagreement. Colombians will remain at the forefront of the peace process and I am honoured that the parties continue to trust the United Nations to accompany their efforts, as we stand alongside them and Colombian society to continue working towards this most noble goal.

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

Verification Mission  
Geospatial 

