



KROC INSTITUTE
FOR INTERNATIONAL PEACE STUDIES



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State of Implementation

of the Colombia Peace Agreement

Report Two

December 1, 2016

May 31, 2018

This Executive Summary presents the Kroc Institute's main findings regarding the implementation of the Colombian Final Agreement. The complete version of the "State of Implementation of the Colombia Peace Agreement: Report Two" can be found here: <https://kroc.nd.edu/research/peace-processes-accords/pam-colombia/>

With the support of:



State of Implementation of the Colombia Peace Agreement December 2016-May 2018

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Executive Summary

Report Two on the State of Implementation of the Colombia Peace Agreement was presented to the Commission for Monitoring, Promoting and Verifying the Implementation of the Final Agreement (CSIVI) on July 2, 2018, by the Kroc Institute's Barometer Initiative. This executive summary presents the main findings regarding the state of implementation at the 18-month mark.

In our first report we showed that the combined efforts of the Government of Colombia and FARC, with support from the international community, achieved significant progress in ending the armed conflict and taking initial steps to secure peace. In this report we look systematically at each point of the accord and assess the degree of implementation within that point, according to specific themes and subthemes, utilizing the Kroc Institute's unique quantitative methodology drawn from the Peace Accords Matrix, combined with the qualitative methodology particularly designed to followup on the implementation of Colombia's Peace Accord. We assess implementation advances and gaps for all 578 stipulations in the accord. A "stipulation" is a measurable and observable commitment by one or several of the parties mentioned in the accord. We provide a whole-of-accord analysis to guide decisionmakers in identifying implementation priorities and avoiding negative cascading effects that could impede the consolidation of peace. We also compare the level of implementation of the Colombia accord with other comprehensive peace processes at a similar stage in their development. We explain the obstacles to implementation and where appropriate identify possible solutions for achieving sustainable peace.

Summary of the Implementation Process

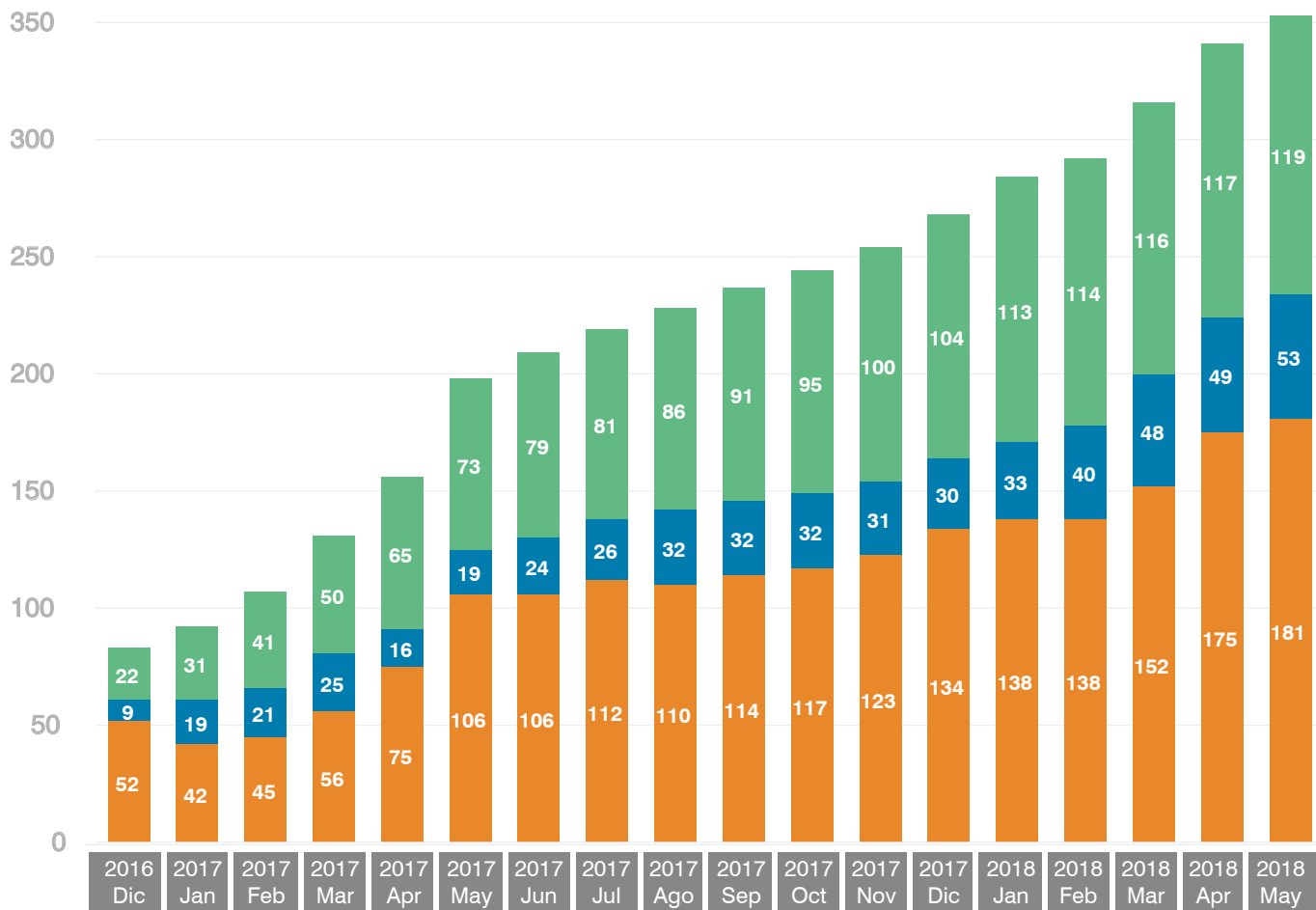
Our findings show that implementation of the Colombia Final Accord continues to advance. As seen in Graph 1, which shows the progress of implementation from December 2016 to May 31, 2018, there has been significant implementation activity over the past 18 months. The orange segment represents stipulations with minimum implementation status each month, the blue segment represents stipulations with an intermediate

implementation status, and the green segment shows stipulations with full implementation each month. The last 18 months of implementation can be summarized as follows.

- Each month since December 2016, the number of stipulations that have moved from zero implementation into the categories of minimum, intermediate, and complete implementation has increased.
- The percentage of stipulations in various stages of implementation has increased from 14% in December 2016 to 61% in May 2018.
- The percentage of stipulations that have been fully implemented has increased from 4% in December 2016 to 21% in May 2018, a five-fold increase in completed stipulations.

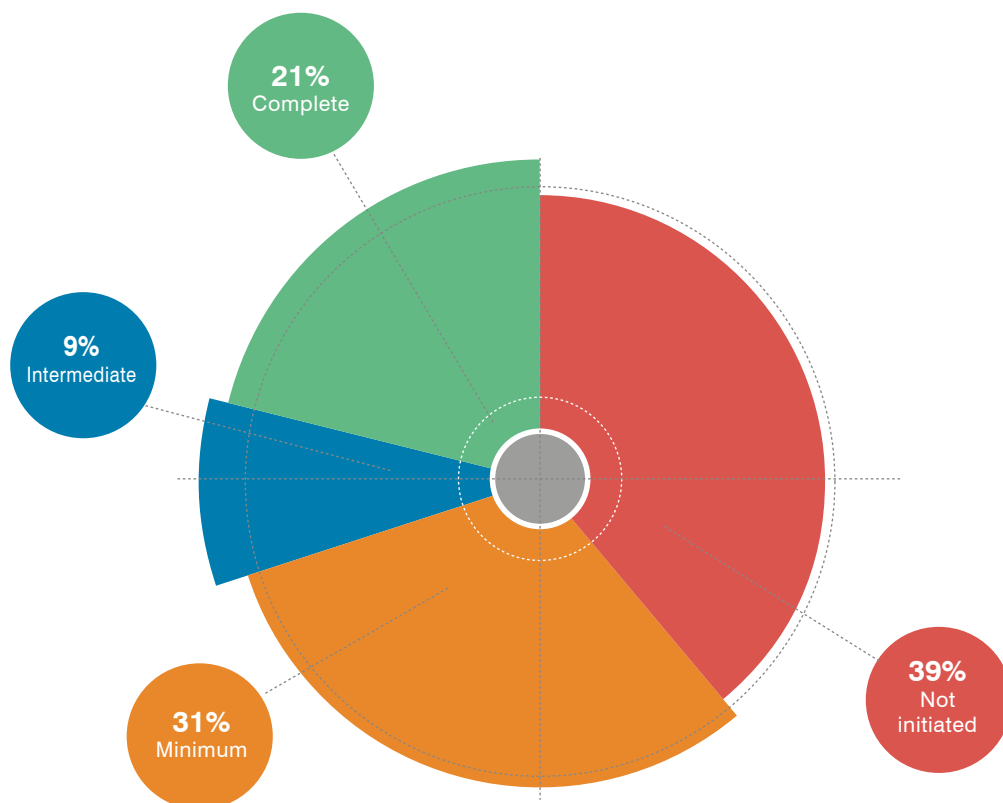
Graph
1 Summary of Monthly Implementation Status

Minimum Intermediate Complete



Graph 2 below shows that approximately 21% of the stipulations in the Colombian Final Accord have been fully implemented, 9% have an intermediate implementation level, and 31% have been minimally implemented. Thirty-nine percent of the commitments in the accord have not been initiated. However, it is important to highlight that according to the Implementation Framework Plan and the sequential logic of implementation, a subgroup of these commitments that have not been initiated (approximately 5%) are scheduled to begin in 2019 or later years.

Graph
2 Implementation status of the 578 stipulations (May 2018)



Comparative analysis indicates that the degree of progress in the Colombia peace process is equivalent to the average pace of implementation in other comprehensive peace accords (CPA's) at the 18-month mark. Despite the progress achieved, advances have been slow in some points of the accord, and there are a number of problems that are impeding the process and could lead to setbacks and reversals in the months ahead.

Colombia has completed many of the initial short-term measures related to ending the conflict and establishing verification and monitoring mechanisms. The effectiveness of the cantonment and disarmament process and the joint verification and monitoring spaces showed the deep commitment of FARC-EP and the ability of both parties to work together. The process has now entered the more difficult phase of achieving rural reform, advancing economic development, enhancing citizen participation, reincorporating former fighters, substituting crops of illicit use, addressing the concerns of victims, and providing mechanisms for transitional justice.

Achieving these goals will require structural transformations and deep-seated institutional reform. The process of implementing long-term development and rural reform objectives in other CPAs typically takes up to a decade to accomplish. Sustained efforts will be needed in Colombia to enhance the capacity of the state to guarantee opportunities for development and citizen participation for all communities, especially in the territories most affected by the conflict.

Main areas of concern for implementation

While progress has been achieved in many areas of the accord, serious concerns exist regarding the lack of progress in areas that are critical to the construction of a quality peace. In this report, as in our first assessment of implementation, we call attention to three major areas of concern.

Inadequate guarantees of security and community protection

Dangerous dynamics of insecurity remain in the territories. Especially alarming is the increase and persistence of homicides against human rights defenders and social leaders, particularly community-based leaders, indigenous and Afro-Colombian authorities, the deteriorating humanitarian situation in the areas most affected by the conflict, and the killings of FARC ex-combatants and their families. Various armed groups, criminal gangs, successors of paramilitary groups, the ELN and dissident elements of FARC are fighting for control of drug trafficking and other illicit economies. There are also reports of an increase in sexual violence and gender-based violence, especially in areas previously controlled by the FARC-EP.

Addressing these and other threats to security will require sustained concrete actions in the territories, better inter-agency coordination, and continued financial commitments. A failure to resolve these problems will have negative effects on the implementation of territorial peace. To overcome the security threats in the territories it will be necessary for security forces to adopt strategies and methods of human security and community protection.

The slow processes of long-term political, social, and economic reincorporation for ex-combatants

The recently adopted National Policy for Reincorporation should be put into operation as soon as possible, so that ex-combatants and their families have a clear long-term horizon for integrating into civilian life. It is not yet clear how ex-combatants will gain access to the land they need for agricultural livelihoods. The absence of a robust long-term reincorporation strategy that integrates the visions and considers the special needs of ex-combatants by rank and regions has made the peace process more vulnerable. A lack of viable options for effective civilian reincorporation of ex-combatants in a context of incentives for illegality could undermine the peace process and prompt some former fighters to return to armed violence.

Pending regulatory and institutional adjustments

While recently passed legislative measures and government regulations have contributed to building the foundations of the implementation of the peace accord, other legislative and regulatory measures are still lacking. These include regulations that are essential to achieving some of the central promises of the Accord, including the political representation of historically marginalized areas (Special Transitory Peace Voting Districts), the centrality of victims (reform to Law 1448 of 2011 or Victims Law), and improvement of the quality of democratic participation writ large. On this last point, greater progress is needed in legislation and regulation related to strengthening the policy for democratic and participatory planning, guarantees and promotion of citizen participation, and guarantees for social protest and mobilization

In addition, concerns have been raised about adjustments made in legislation for the administration of justice through the Special Jurisdiction for Peace (JEP), and delays in regulatory measures for Comprehensive Rural Reform.

Conclusion

Peace processes are complex and difficult and often require many years to generate change. The Framework Plan for Implementation (PMI) establishes timelines of up to 15 years for the fulfillment of elements of the Colombia Final Agreement. At the heart of the Colombia accord is the promise of institutional and structural reform, especially in the territories, together with greater social inclusion, public participation, respect for human rights, and government accountability. The new government should persist in working to achieve these goals to assure sustainable peace and development and to create a more democratic and equitable society in Colombia.

The Barometer Initiative is a program of the Peace Accords Matrix at the Kroc Institute for International Peace Studies, part of the Keough School of Global Affairs at the University of Notre Dame, in partnership with the National Secretariat of the Social Pastorate - Caritas Colombiana.

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