

NINTH VERIFICATION REPORT ON THE IMPLEMENTATION OF THE FINAL PEACE AGREEMENT IN COLOMBIA

Executive Summary

Presentation

The final Peace Agreement -A-F-, which was signed by the Government and the FARC, established a Technical Secretariat of the International Verification component – ST- to verify the commitments of the A.F. (numeral 6-3) and therefore, in 2017, the parties involved agreed in the CSIVI (Commission for Verification, Promotion, and Monitoring of Implementation) that the ST was going to be carried out by two institutions: CERAC and CINEP.

CERAC y CINEP as ST, follow the mandate established in the A.F. (6.3.2) to “carry out the analysis of the compliance with what was agreed, identify controversial questions and make suggestions on ways to improve and/or solutions”. This task should be completed in September 2021, by which time ten reports on the Implementation of the six points of the A.F., six reports on the Gender Approach, and three reports on the Ethnic Approach will have been published. The S.T reports follow up on the commitments established in the A.F. and analyses the progress, difficulties, and delays in the implementation as well as their correspondence with the A.F.

In response to the mandate, the ST makes available to the public this Ninth Verification Report on the implementation of the Peace Agreement, which, like the previous ones, was financed by the United Nations Multi-Donor Fund for Peace Sustainability.

The analysis of this report covers the period between December 1, 2020, and March 31, 2021, and as in the previous two, it includes the verification of the implementation status in three PDET sub-regions that have been prioritized by this ST: Sur de Córdoba, Catatumbo and Pacifico Medio.

Thematic Analysis

In the four months covered by this report, the ST highlights several events that have a significant impact on the course of implementation, either because they generate synergies or because they represent risks and obstacles to the implementation of various commitments. Their examination provides opportunities for improvement in order to contribute to a more dynamic implementation by the signatory parties, regional and local authorities and, in particular, by the responsible entities as established in the A.F. and the PMI (Framework Plan for Implementation).

Three situations shape the context for the implementation of the A.F. in the period under study: the continuity of the COVID-19 health crisis with its consequences in economic, social, and political spheres, the complex cycle of violence in several territories of the country, and the concerns of international organizations and some governments about both the violent actions and the functioning of the implementation of the Agreement in many of its commitments. In this context, the UN High Commissioner for Human Rights called for increased protection of rural populations: "I call on the Colombian authorities to take stronger and more effective measures to protect the population from this horrendous violence" (UNHCHR, 2020, para. 6); and the European Parliament expressed its concern about the upsurge of violence in rural and urban sectors in the country (JEP, 2021a).

Undoubtedly, this is a complex context, especially since it is a pre-electoral year in which the possibilities for these cycles of violence to worsen are high, particularly in those groups that make political opposition or lead community processes of different kinds. Political violence has historically marked electoral processes in Colombia and, therefore, the current situation is concerning.

For verification purposes and following the methodology used by the ST, questions were identified -as in the two previous reports- that guide the examination in each of the 6 points of the A.F. and which make up the analytical framework of the thematic priorities established for the period of study:

- **Point 1:** Has the implementation of the A.F. contributed to the strengthening of farmer, family, and community economy -ECFC-?
- **Point 2:** How have the Territorial Peace Councils -CTP- been operating and what has been their influence on the strengthening of democratic participation and decentralized planning at a territorial level?
- **Point 3:** What is the status of implementation of the A.F. commitments regarding the assets handed over by the FARC and the obtainment of resources for victim reparation?

Following the issuance of CONPES 3931 of 2019, what is the status of the commitments on access to land and the implementation of the National Reincorporation System?

Regarding security guarantees, what are the advances and challenges in terms of criminal investigation and prosecution of crimes against ex-combatants?

- **Point 4:** What progress has been made in terms of the implementation of the RRI and eradication and substitution programs taking into account the environmental and security approach?
- **Point 5:** After the full implementation of the SIVJRNR, are the advances presented by the entities aligned with its guiding criteria, and do they represent significant progress regarding the objectives outlined in their mandates?
- **Punto 6:** What is the status of peace agreement funding from international cooperation and private parties? Did the fiscal situation generated by the Covid-19 pandemic affect the funding of the National General Budget for the A.F.?

In this report, the ST continues with the verification of the **territorial implementation** in the three prioritized PDET sub-regions: Catatumbo, Sur de Córdoba, and Pacífico Medio. Given the current context, the territorial analysis is guided by the following question:

To which extent has the participation of communities and responsible entities in the territorial implementation been achieved?

Based on this question, relevant questions are established in each of the points according to their thematic content:

Point 1:

- How has the participation of organizations and **motor groups** been in the territorial planning and monitoring processes in the implementation of the PATRs?
- Participation in the definition and implementation of the Single Roadmap in Catatumbo, Sur de Córdoba, and in the process underway in Pacífico Medio.

Point 2:

- Have security conditions for the exercise of politics impeded participation in the region? Considering the upcoming elections, are there any electoral risks found in the region? and, what are the main barriers to the right to free and informed voting in each territory?
- How have the processes of creation and functioning of the Territorial Peace Councils been working?
- What initiatives are there in the territories to guarantee the right to protest?

Point 3:

- Reincorporation:

- How well integrated into the Territorial Development Plans is the public policy of reincorporation?
- What is the contribution of community reincorporation processes within the territories?
- Safety Guarantees:
 - What are the territorial advances in terms of security to favor the reincorporation of ex-combatants in the territories?

Punto 4:

- During the verification period of this report, the ST did not find significant documented progress regarding the priorities defined for this report, meaning the fulfillment of the commitments in the three PDET regions. Progress will be presented in the next ST report.

Point 5:

- Have victims participated in the work carried out by the SIVJRNR entities in each of the 3 territories?
 - Especially in matters such as material guarantees, as well as protection and security guarantees, the quality of the spaces designed for participation and dialogue, and the main outcome.

Point 6:

- Do reforms to tools and policies from ZOMACs and PDETs, Works for Taxes, and the General System of Royalties, increase or reduce resources for the implementation of the A.F.? Do those changes boost or accelerate implementation in the selected PDET territories?

1. Comprehensive Rural Reform

The A.F. included a combination of strategies and measures for the rural sector to expand access and reduce the high concentration of rural property while promoting the formalization of land tenure, improving land management, and allowing greater access to justice for rural communities¹The A.F. also recognizes "the fundamental role that the farmer, family and community economy has in the development of the countryside, the eradication of hunger, the generation of employment and income,

¹ Multipurpose cadastre, alternative conflict resolution measures, and agrarian jurisdiction, among others.

the dignification and formalization of work, food production and, in general, in the development of the nation" (A.F. 2016, p. 11). In addition, the A.F. highlights the role of women of ethnic groups in terms of development and rural economy and establishes priority attention to the farmer, family, and community agriculture. These aspects are developed through the principles and measures of access to land, conflict resolution and access to justice, environmental zoning, Farmer Reserve Areas-ZRC-, Development Programs with a Territorial Approach -PDET- and the National Plans for Comprehensive Rural Reform -PNRRI-.

Likewise, the sustainable socio-environmental management of the territory plays a central role in the integral vision of the countryside proposed by the RRI and it is materialized through measures such as the closing of the agricultural frontier, the protection, and promotion of access to water, sustainability in the Forest Reserve Areas -ZRF-, the Environmental Zoning Plan -PZA-, as well as the environmental conditions for the construction and implementation of the PDETs.

This ninth report analyzes **how the implementation of the A.F. has contributed to the strengthening of the Farmer, Family and Community Economy -ECFC-** and sustainable development through the approval and implementation of the Single Roadmaps of the PDETs, the materialization of initiatives for economic reactivation and construction of productive infrastructure, and the approval and implementation of the PNRRI.

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In 2020, the country experienced the largest drop in GDP in its history. To address this situation, the National Government approved, in February 2021, an economic reactivation policy to respond to the impact caused by the pandemic on the Colombian economy (CONPES Document 4023), mainly in terms of poverty. For the agricultural sector, which had some growth during the pandemic, the document highlights factors that contribute to its vulnerability, such as the low quality of employment, lack of potable water, and insufficient access to land and productive assets. It also establishes commitments to RRI in terms of infrastructure, development of inclusive projects, multipurpose cadastre, contract farming, and some social measures, but does not assign a role to the farmer, family, and community economy in the reactivation process.

Regarding *Access to Land and Sustainable Development*, as of the closing date of this report, the PZA has not been formulated despite being a commitment that was to be fulfilled in the first two years of the implementation of the A.F. In this regard, the Government reported that the preparation of the technical document concluded in 2019 and is in the phase of socialization and closure by the entities. Regarding *Access to Land and Sustainable Development*, as of the closing date of this report,

the PZA has not been formulated despite being a commitment that was to be fulfilled in the first two years of the implementation of the A.F. In this regard, the Government reported that the preparation of the technical document concluded in 2019 and is in the phase of socialization and closure by the entities. Concerning the municipal environmental zoning plans, whose completion was foreseen by the Implementation Framework Plan -PMI- for 2018, the ST reports its compliance in the 170 PDET municipalities in 2019; however, as pointed out by the Office of the Attorney General of the Nation -PGN-, this result is only a first step since the cartographic scale used in the plans is not sufficient for several environmental and productive planning processes.

Progress in the implementation of other tools related to environmental commitment and sustainability, in 2020, is summed up as follows: (i) there was no progress reported in terms of Payments for Environmental Services -PSA-; however, there are work plans to implement PSA. (ii) Agreement No. 58 of 2018 on use contracts on unassignable vacant land that grant tenure and use of the land was modified; now, the use of this figure is allowed in forest reserve areas classified as type A with priority application in areas affected or at risk of being affected by illicit crops, in PDETs and municipalities targeted for the Social Ordering of Rural Property -OSPR-. At the end of this report, the National Government granted 111 contracts in Tierralta, Córdoba.

Regarding the Farmer Reserve Areas -ZRCs-, whose expansion and creation is part of the PATR initiatives in eight subregions, no progress has been reported since the establishment of the ZRC in Montes de María in 2018, even though seven of them have been in the process for 10 years. This limits the possibilities for the development of the ZRCs, which are of great importance for the ECFC.

During this reporting period, an important event was the publication of the Single Roadmaps -HRU- for Sur de Bolívar and Sur de Córdoba, which follow the methodology developed in the Catatumbo pilot plan. The ST does not know the completion date of the remaining HRUs. The largest number of prioritized initiatives in the three sub-regions mentioned above are grouped under the pillars of Economic Reactivation, Agricultural Production and Infrastructure, and changes on land use. On the other hand, the pillars of the System for the Progressive Guarantee of the Right to Food, Reconciliation, Coexistence and Peace Building, and Rural Health are those with the fewest prioritized initiatives. The ST is concerned that the participation of the population in the process is limited to the last phase of territorial validation of the HRUs, that the mechanisms and instances for citizen participation,

control, and follow-up are not established, and that there is insufficient articulation with the other instruments, as mandated by the National Development Plan -PND-.

As for the implementation of PATR initiatives, the Agency for Territorial Renewal -ART- developed a general scheme for monitoring the implementation of PDETs with a strategic approach, which allows identifying progress against the main outcome, and another one for managing the implementation of PDET initiatives. According to this scheme, the ART reports that given the broad nature of many of the initiatives, the projects associated with them may be at different stages of the preparation and implementation cycle and there is not necessarily a direct correlation between an initiative and a project.²

Regarding the *Development Programs with a Territorial Approach and sustainable development*, the ST identified 86 sub-regional initiatives on protected area management, subtraction of ZRF, participatory planning, and management, among others, which are related to sub-theme 1.1.10. of the A.F. The available information informs about green business contracts, Payments for Environmental Services -PSA-, conservation contracts, and the implementation of productive projects for economic, environmental and forestry reactivation in 19 departments and 59 municipalities.

In the area of *Development Programs with a Territorial Approach and Farmer, Family and Community Economy*, under Pillar 7, Economic Reactivation and Agricultural Production, the ST identified 78 and 37 initiatives at the sub-regional level, which make explicit reference to the ECFC and the support or promotion of organizational forms specific to this system, respectively. Through the Structuring Master Plan -PME- of PDET projects, developed by ART to identify strategies and sources of financing for the projects, 258 projects related to this pillar were structured. However, the information does not specify their location or the type of project. In 2020, the Territorial and Integrating Intervention Projects -PITI- began, which sought articulated and focused intervention for income generation through productive development, access to public goods, education, health, and road connectivity. At the closing date of this report, projects of this type were being implemented in eight municipalities in eight PDET zones.

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²This implies that according to the entity's response, the ART does not know for sure the degree of development of each of the PATR initiatives. It only informs if an initiative is "related" to some project, plan, or management, at different times of development of these without it being clear what precise implications the word related has.

Progress in measures to strengthen the ECFC can be summarized in specific actions related to access to assets, support for organizations, research and development, financing and marketing. Concerning the PNRRI, although the ST notes progress in the implementation of actions, the information available is not sufficient to assess the extent to which the RRI objectives are being contributed to with the ECFC. The ST considers that disaggregating the information on the implementation actions that contribute to the development of the ECFC, according to the axes, guidelines, and actions provided by Resolution 464 of 2017, would allow a better assessment of its potential.

In the period covered by this report, *two PNRRI* were issued: the National Plan for the Promotion of the Solidarity Economy and Rural Cooperative, as well as the Progressive Plan for Social Protection and Guarantee of Rights of Rural Workers. The remaining plans related to education, health, food, drinking water and basic sanitation, technical assistance, formalization, and environmental zoning are in technical closure.

The PNRRI related to the ECFC are:

- The National Plan for Promoting the Commercialization of the Farmer, Family and Community Economy.
- The National Plan for Irrigation and Drainage for the Farmer, Family and Community Economy (Resolution 0091 of April 2020).
- The Plan for supporting and consolidating income generation for the farmer, family and community economy.
- The National Plan for the Promotion of the Solidarity Economy and Rural Cooperative

This report offers an analysis of its formal approaches and highlights the progress in the implementation of the programs on its first stages and it is envisaged to see their advance throughout 2021; therefore, it is not possible for the ST in this report to assess the positive or negative impacts on the development of the ECFC.

2. Political participation: democratic openness for peacebuilding

As in previous reports, during the period of analysis covered by this ninth report, it continues to be of great concern for the ST that this point is the one that presents the least progress in the implementation of the commitments established in the A.F.

Given the importance of political and citizen participation for the implementation of point 2, as well as the upcoming electoral process, the ST includes a series of questions that are considered relevant in terms of the functioning of the Statute of Opposition, security guarantees, the new electoral code, guarantees of citizen participation and, finally, the Territorial Peace Councils -CTP- and their influence on the strengthening of democratic participation and decentralized planning.

As in the Eighth Report, the ST recognizes that the Opposition Statute (Law 1909 of 2018) has reinforced deliberation and debate in the political system. Nevertheless, its implementation represents a challenge since efforts made by the National Electoral Council -CNE- and other institutions, haven't been able to fully guarantee the rights of the opposition.

Regarding security guarantees, although the National government reports progress in the functioning in instances of the Comprehensive Security System for the Exercise of Politics – SISEP- and in the National Commission of Security Guarantees -CNGS-, these continue to maintain a limited and disjointed functioning with other instances and with State agencies. The OACP presented the guidelines and action plan of public and criminal policy regarding the dismantling, established in Article No. 1 of Decree-Law 154 of 2017, however, the CNGS's civil society delegates stated they did not have access to the final document and, based on a draft document, pointed out that what was presented was limited to ratifying security policies designed by the National Government, which shows problems of effectiveness and coordination that the CNGS was going through. This is an instance that, to this day, does not have internal regulations.

The ST is concerned about the functioning of the SISEP, especially in light of the recent increase in the murders of male and female leaders, human rights activists, and former combatants. SISEP's low activity limits the capacity to address the security crisis that some areas in the country are going through, which implies even higher risks, taking into account next year's elections; since it has occurred in previous electoral cycles, it is possible to see an increase in political violence.

The assassination of social leaders and former combatants persists in a context of poor safety conditions in regions where the A.F.'s implementation was supposed to be prioritized. Despite the issuance of early warnings and the functioning of the Intersectional commission of Rapid Response to Early Warnings -CIPRAT-, the response capacity has been limited and it persists in areas where imminent risk had previously been announced. Hence the importance of the fact that the First Instance Section for cases of non-recognition and non-responsibility of the JEP court issued

Auto AI-008-2020, which orders the implementation of measures to guarantee the security of combatants.

About electoral participation, the ST analyses some of the implications of the new Electoral Code in terms of promoting a democratic and participatory culture. A positive aspect we highlight is the potential to dynamize the electoral process and to expand the democratic scenario through the modernization of voting mechanisms (electronic voting), the elimination of ID card registration, to avoid transhumance, the increase of parity in political parties' lists and, finally, the technological advance with electronic voting for residents, and early voting for citizens living abroad. However, there are doubts regarding greater electoral participation focused on the extension of the electoral day, while having no initiatives for facing the huge rates of abstention in the country.

The ST highlights some problematic aspects of the Code for the upcoming electoral processes: (i) the existence of articles that limit citizen control over the monitoring of processes when transparent information is not available; monitoring initiatives are prohibited, and fines are imposed on those who carry out those initiatives. (ii) the appointment of electoral bureaucracy at the municipal and departmental levels without consideration of administrative career officials, which affects autonomy and creates the risk of having political positions in dispute. (iii) the transparency of contracting processes, due to the power granted to the Registrar without public bidding processes for greater guarantees.

Regarding the strengthening of democratic participation and decentralized planning at a territorial level, there has been some progress in the functioning of the Territorial Councils for Peace -CTP- as a participatory space. The ST highlights the support given by the National Council for peace and the Office of the High Commissioner for Peace in the reactivation and creation of the CTPs. Furthermore, their support in the creation of action plans, in the training of the territorial counselors by articulating and promoting the national and territorial levels through meetings with the National Committee to define approaches and their structure, and in the promotion of strategies and activities related to peacebuilding.

The ST is concerned about the fact that the councils are not operating, or they only function sporadically; besides, they do not have the participation of all sectors of civil society according to Decree 885 of 2017. In addition, the action plans that set the Council's goals are, oftentimes, not adapted to local needs and do not acknowledge territorial dynamics. Finally, the lack of information about its goal is concerning as well. This could result in functions that do not correspond to this entity, or in the absence of resources assigned to the municipal budget in order to achieve their

goals. Likewise, limitations in terms of participation deserve attention; partly, derived from the isolation caused by the pandemic, as well as the dangerous situations faced by social leaders in the territories, which may reveal the security commitments of the A.F are not being met.

In relation to the guarantees for citizen participation, the ST highlights the creation of the Working Group made up of the Ministry of Interior, the Attorney General's Office, the Ombudsman's Office, the Prosecutor General's Office, and members of civil society, to comply with the design of the protocol for the use of force established by the Supreme Court of Justice. Despite the creation of these working groups, in which institutions and civil society members participated, and which resulted in Decree 0003 of January 5, 2021, that regulates the use of force in demonstrations, structural issues such as the training of Police personnel, the review of academic records of the training, carried out by an external entity, nor the handling for the transfer of detained demonstrators, as well as the verification by Human Rights organizations, were not addressed. Therefore, these measures are not sufficient to provide greater guarantees, as they do not address systematic failures that make this right one of the most stigmatized and risky.

3. End of conflict

The implementation of Point 3 on “End of conflict” focuses on two major issues: first, the process of political, economic, and social reincorporation of former FARC combatants to civil life (A.F 3.2), which includes the creation and functioning of the FARC political party and the economic and social transition of this population on several fronts: productive projects, associative forms, sustainability, education, health, basic income, single normalization allowance, among others. In addition, it includes the foundations for reincorporation in the long term, in accordance with the provisions of CONPES 3931 of 2018, which adopts the public policy of reincorporation. The second topic, related to safety guarantees (A.F 3.4), establishes the implementation and functioning of a new institutional architecture, as well as judiciary and administrative measures, which aim to strengthen the policies of criminal investigation and to guarantee the protection of the FARC political party, that of former combatants going through the reincorporation process, their families and that of communities and organizations in the territories.

For this ninth report, the ST prioritized the following topics: first, the commitments to provide information on the inventory of assets of the extinct FARC guerrilla; second, compliance with the commitments established in CONPES 3931 of 2018 on land access for ex-combatants in the reincorporation process; third, the implementation of the National Reincorporation System -SNR-; and finally, regarding safety

guarantees, the functioning of the judicial and criminal investigation apparatus established in the A.F.

Concerning the **provision of information on the assets inventoried** by the FARC, the ST notes that on May 29 of 2017, the National government issued Decree Law 903 “by which provisions are established on the realization of an inventory of the goods and assets at the disposal of the FARC-EP” in the aim of facilitating the implementation of the A.F.’s commitments indicated in numerals 3.1.1.3 and 5.1.3.7. That inventory was delivered on August 15, 2017, by the FARC and it contained 12.070.000.000 Colombian pesos in cash, 252,500 grams of gold, 722 real estate, 319 vehicles, 51,992 units of personal property and household items, and 24,456 units of livestock (SAE, 2019). Likewise, since 2017, the FARC has provided information on the search and destructions of coves. They have also facilitated the transfer of movable goods, real estate, dollars, and grams of gold to the Special Assets Society –SAE-.

According to the SAE’s latest report, which was submitted by the Presidential Council for Stabilization and Consolidation -CPEC- to the Special Jurisdiction for Peace – JEP, the percentage of what was handed over by the FARC does not exceed 20% of the total reported in the inventory and, in some cases, it is less than 5%, as in the case of furniture and household items, real estate, vehicles, and livestock. The creation of a Round Table on assets, in the National Council for Reincorporation – CNR- may accelerate the extemporaneous delivery of the inventoried goods. This Round Table would also dynamize SAE’s work in the receipt and monetization of these goods for the reparation of the victims of the armed conflict.

Regarding the commitments established in the **CONPES 3931 of 2018** on land access for ex-combatants and the implementation of the SNR, the ST highlights the progress made by the National Government in terms of land Access for former combatants through the acquisition of 1,060 hectares, the allocation of 16,000 million COP for the purchase of 19 pieces of land and the inclusion to the territorial planning of the 24 AETCRs where 2,626 ex-combatants and their families live (ARN, 2021). With the land purchase, the National Government directly includes the construction of rural housing projects in the AETCR for ex-combatants in the process of reincorporation and their families. Although this is not a commitment established in the A.F., it is an important advance in the fulfillment of commitment 3.2.2.7 of the A.F. in terms of economic and social reincorporation. The “consolidation strategy” of the 24 AETRC, established in the “Peace with Legality” policy is an opportunity for reinforcing the commitments established in the CONPES 3931 of 2018, on the

reincorporation policies for former FARC combatants in terms of land access for this population, as well as for the development of productive and housing projects.

Regarding the SNR, in February 2021, the CPEC announced its implementation, which gathers 38 national entities to articulate the work of accompanying ex-combatants in the reincorporation process, within the framework of the five components³ established in the formulation of the economic and social reincorporation route (Resolution 4309 of 2019) (CPEC, 2021a). However, this process generated some controversy: the FARC component in the CNR expressed its disagreement as it considered that the creation of the SNR was the result of a unilateral decision made by the Government with no prior consultation and adopted by resolution, failing to comply with what was stated in the CONPES regarding its adoption through a normative instrument. The ST calls for the National Government and FARC to jointly adopt the legal, technical, and budgetary measures for the implementation of the National Reincorporation System -SNR-, which allows improving the articulation and coordination of the entities responsible for the reincorporation process, complying with one on the commitments established in CONPES 3931 of 2018.

Regarding **productive projects** for ex-combatants in the process of reincorporation, up to April 2021, the CNR approved a total of 90 collective productive projects benefiting 3,400 people who are going through reincorporation (El Espectador, 2021), of which 40 are located outside of the AETCR (NN.UU., 202, p. 7). Of these projects, 80 have received financial support and only 4 have had access to land (Ibid). The Superintendence of Industry and Commerce -SIC- through Resolution 3836 of February 3, 2021, granted the ARN the registration of the mixed trademark "Desde la Raíz, Hechos con Historia", to identify and promote the products and services of the ex-combatants in the reincorporation process (ARN, 2021b), being a positive advance for the economic sustainability of the productive projects in the medium and long term. In this sense, the SIC's recognition of the ARN shows how the cooperation groups of ex-combatants in the process of reincorporation have an opportunity to obtain greater economic value for their products, thanks to their differentiating factors, which would allow them to create commercial alliances at the local, national, and international levels.

Regarding **security guarantees** (A.F. 3.4), the ST highlights the fact that all instances established in the A.F. for the fulfillment of accomplishments in terms of politics and criminal investigation were created by law, they are operating and show some progress in their mandates: the National Commission for Security Guarantees

³Components: Education, housing, health, family, and community.

-CNGS-, the Special Investigation Unit of the Attorney General's Office, and the Elite Corps of the National Police. However, persistent challenges and delays limit their activities to meet the overall objective of dismantling criminal organizations, which represent the greatest threat to the implementation of the A.F. and territorial peacebuilding.

Some of these challenges are related to internal factors, such as limitations in internal capacity and disagreements among the members (especially in the CNGS), and external factors, concerning the security situation of the territories and geographical aspects.

About this institutional architecture and its functioning, the ST identifies multiple opportunities for improvement aimed at boosting compliance with these provisions, the purpose of which is to dismantle criminal organizations, especially in the face of the Special Investigation Unit of the Attorney General's Office. In this regard, although this body has made progress in clarifying 49.17% of cases of murders of ex-combatants, its work has focused on the prosecution and clarification, instead of the dismantling of these organizations, nor on the identification of the perpetrators of the crimes, which has made very little progress.

The increase in the local capacity of the Unit, in terms of increased prosecutors, judicial police investigators, and specialized judges, could favor the investigation, clarification, and judicialization of the determiners of these facts, as well as their dismantling. The ST also stresses that both the Special Investigation Unit, the CNGS, and the Elite Police Force can direct greater efforts to the development of good institutional practices to achieve results that will make it possible to boost the fulfillment of their mandates; this means monitoring achievements, public presentation of results, and recognition of research constraints.

In addition to this institutional assessment, in this period of analysis, the ST highlights that the Government delivered the "Guidelines of public policy for the dismantling of criminal organizations", as well as the "Strategic Plan for Security and Protection" to the Special Jurisdiction for Peace within the framework of the process of precautionary measures of protection for ex-combatants. Both documents were pending and fundamental commitments in the fulfillment of the Agreement on Security Guarantees, whose implementation is necessary to improve territorial security conditions and favor the implementation of the A.F. in its entirety. The Strategic Plan case is necessary to protect members of the Commons Party, rejoining ex-combatants and their families. In this process that began in June 2020, the Special Jurisdiction for Peace – JEP – set an important precedent on the need to implement the A.F. and guarantee the protection of the population in the

reintegration process, since it has allowed the implementation of outstanding commitments, which is key to the fulfillment of the A.F. in terms of security and protection for ex-combatants, and their appearing before the JEP.

4. Solving the problem of illicit drugs

Point 4 of the A.F. recommends actions that give differential treatment to the phenomena of production, consumption, and commercialization of illicit drugs, actions that recognize the need to transform drug policy and promote a productive transformation of the territories affected by illicit crops. Point 4 is divided into four themes: (i) Illicit Crop Substitution Programs and Comprehensive Alternative Development Plans with community participation; (ii) National Program of Comprehensive Intervention against the Consumption of Illicit Drugs; (iii) Solution to the phenomenon of production and commercialization of narcotics and (iv) Comprehensive action against antipersonnel mines.

For the ST, the most significant aspect in the implementation of this point is the progress that has been made regarding the government's intention to resume aerial spraying with glyphosate, which could mean a setback in what has been achieved so far with the substitution programs. The Government issued Decree 380 of 2021 that regulates the control of health and environmental risks, within the framework of the eradication of illicit crops, and the National Environmental Licensing Authority - ANLA-, approved the modification of the Environmental Management Plan -PMA- of the Program for the Eradication of Illicit Crops by Aerial Spraying with the Herbicide Glyphosate -PECIG-. It is still necessary to comply with some of the procedures imposed by the Constitutional Court, such as the technical concept of the National Institute of Health —INS— (on which there was progress in the period analyzed), the study of the scientific literature, and the administrative act by the CNE, in which the decision to resume the spraying is adopted or not. In this regard, it is important to note that the Decree has several gaps. The most important, and that directly impacts the implementation of the A.F., is that although it is mentioned that Decree Law 896 of 2017, through which the PNIS was created, must be taken into account, this decree is not enough, since it excludes the territories where the PNIS is implemented. Likewise, the Decree does not contemplate the territories in which the communities have expressed their willingness to replace illicit crops, nor the possibility of advancing agreements with communities that, although they have not joined the PNIS, also want to replace their crops. Finally, there is no stipulation as to how to demonstrate if there are communities that are not willing to substitute their crops in the places where the program is implemented.

As for compliance with the PNIS, as of December 31, 2020, the farmers who were part of the program had eradicated 43,711 hectares of illicit crops (voluntarily and in an assisted manner) of the 60,266 hectares diagnosed by UNODC. This means compliance of 98%; because of the 38,370 hectares eradicated by the families, UNODC only identified the permanence of crops of illicit use in 676 hectares. Despite the progress, the government has insisted on prioritizing the forced eradication of crops. For this reason, by 2021 the goal of eradicating 130,000 hectares was maintained. Between January and February 2021, there was a 65% increase in the number of hectares eradicated with respect to the same period of 2020, and the persistence of forced eradication has been the cause of demonstrations by farmers, as well as clashes between them and the police force. As a result, these confrontations demonstrate that the implementation of the PNIS has moved away from the initial proposal, from its comprehensive vision, which had a focus on territorial development of public health and human rights.

As for the Family Immediate Care Plan —PAI—, there was a significant acceleration in the components of Comprehensive Technical Assistance, Self-Maintenance, Food Safety, and Productive Projects. In particular, it highlights the increase in the number of families with productive projects, which went from 4,286 in October to 6,757 in February 2021. This represents 8.20% of the total number of families registered, which is still a low number. Despite the progress, likely, it will not have the expected impact on communities and on the transformation of territories that is required, since implementation remains concentrated in the individual component and has not prioritized the community component; in fact, there is no significant progress in the delivery of basic goods and services.

With regard to the Comprehensive Community and Municipal Plans for Replacement and Alternative Development (PISDA), the ST learned that in the eight PNIS municipalities that do not have a geographical coincidence with the PDET, the approved documents include 1,444 initiatives that are part of the components established in the A.F. (4.1.3.6.).

Finally, about the substitution of crops for illicit use in national natural parks — PNN — progress is limited since it is concentrated on the formulation of technical documents and guidelines, rather than on the comprehensive intervention of these areas. In August 2020, the Government released the "Guide for Differentiated Comprehensive Technical Assistance in the Areas of the National Natural Park System of Colombia" – SPNNC – and in October 2020 the Directorate for the Substitution of Crops for Illicit Use – DSCI – of the Territory Renewal Agency – ART – issued Resolution 56 of 2020, which adopts a technical document for the

"development of voluntary substitution in environmentally strategic or ecologically important areas". Finally, according to information from UNODC (2021), there are lots in the PNN with the presence of crops for illicit use in 21 of the 56 municipalities where the PNIS operates, and according to the CPEC (2021b), the PNIS operation covers 11 PNNs of which 2,222 families are a part of. To date, however, the PNIS has not provided realistic alternatives to families currently living in or near PNN, who are economically dependent on illicit crops.

The status of implementation of **Topic 2 - Consumption Prevention and Public Health** remains the same as reported in the Eighth ST's Verification Report. In the period covered by this report, there were advances related to adjustments to the "Comprehensive Route of Care for people with mental problems, mental disorders, consumption of psychoactive substances and epilepsy", in terms of care for users of psychoactive substances and accompaniment to territorial entities. However, there are still delays in the implementation of the National System of Attention to Consumers, and in the implementation of a monitoring and assessment system for the actions in the field of consumption prevention and assistance to consumers, which as reported by the CPEC (2021d), although the final document is ready, this strategy has not been implemented although the pilot was expected to start at the end of last year.

Regarding Item 3 - **Solution to the phenomenon of production and commercialization of narcotics**, progress is limited and what has been done, to date, has not promoted concrete actions that allow a comprehensive and effective response to this phenomenon. The actions implemented seem to be disjointed from the other issues on this Point. What has been reported on this issue shows that the emphasis of the government's drug policy is on reducing illicit crops, and not on a comprehensive approach to production and marketing. In addition, there is currently no clear strategy aimed at dismantling criminal organizations that are articulated with the security guarantees agreement (3.4), although the National Criminal Policy Plan 2020-2024 could be a window of opportunity.

However, it is worrying that at the end of this report, the National Criminal Policy Plan has not been approved by the Higher Council for Criminal Policy, and it is not possible to follow up on indicators of the greatest importance in the solution and production of narcotics (such as the creation of investigation and financial control bodies, criminal investigations), since they do not have technical files in the SIPO.

The ST recognizes that in terms of territorial strategies that allow the strengthening and articulation of instances and mechanisms of investigation and judicialization,

there was progress in 2020 when five workshops were held with local and judicial authorities of around 20 municipalities of the Future Zones.

On the other hand, the ST also considers sees an opportunity in the renewal of the indicators related to the fight against corruption associated with drug trafficking, as well as the international conference to reflect on the policy against drugs, and the regional dialogues, as commitments that do not end in a single event, since this could give an important boost to the implementation of this Point.

Finally, on **Item 4 - Comprehensive Action against Land Mines**, there was no significant progress in the period covered by this report. The Government did not declare new municipalities free of suspicion of land mines, so the figure remains in 432 municipalities of the 715 that have some impact. In fact, in the period covered by this report. There is concern about the slowdown in humanitarian demining during 2020, which was warned by this ST in its Eighth Verification Report. Another concern is related to the records by the MAPP/OAS that show the increase in the use of land mines by the ELN, Post-FARC groups, and the Gaitanist Self-Defense Militias of Colombia, and how these groups are an obstacle for the demining work. Thus, the organization *Descontamina Colombia* (2021c) reported that in 2020 there was a 46.49% increase in the number of victims by MAP and MUSE in 2019 (from 114 to 167) and a decrease of 20.59% between January and February 2021 regarding the same period of 2020 (from 34 to 27). However, the ST considers worrying the underreporting of *Descontamina Colombia* in the number of victims of these devices, since according to the International Committee of the Red Cross –ICRC- (2021) in 2020 this committee recorded 389 victims of explosive devices (of which, 241 are due to MAP and explosive remnants of war) and in the first quarter of 2021, 104 victims of explosive devices.

5. Agreement on the victims of the conflict

The Truth, Coexistence and No-recurrence Commission -SIVJRNR-, is made up of the Commission for the Clarification of the Truth -CEV-, the Missing Persons Unit -UBPD- and the Special Jurisdiction for Peace -JEP-, as well as Comprehensive Reparation Measures for victims of the armed conflict and the Commitments and Guarantees in Human Rights -DDHH-.

The continuity of restrictive measures due to the pandemic has had great implications on the implementation of the A.F., which has affected its legitimacy due to the lack of victims' participation, especially for entities such as the SIVJRNR because of connectivity issues in the territories (FIP, 2020). Likewise, the ST identifies a very poor institutional capacity-building to work on the A.F.'s provisions,

as well as preexisting problems in the territories affected by the armed conflict where illegal economies, armed groups, and very weak State presence coexist (OAS, 2020; *La Silla Vacía*, 2021a).

Given the context, the ST thinks it is relevant to establish the following guiding question for this report: Does the progress made by different entities in strategic issues contribute to the fulfillment of some of the goals outlined in their mandates?

Regarding the component of Truth, the ST highlights how the CEV defines the structure, guidelines for its analysis and writing, of their final report, which will be published on November 28. The Commission suggested expanding the public recognition of that report by its spread on social media and advocacy plans at the territorial level. The CEV continues to work on a network of partners and the creation of the Follow-Up Committee in order to maintain its legacy. Conversely, the ST is concerned about the difficult access to information of State entities, the obstacles for the disclosure of confidential information, the unsafe conditions in the territories, and the lack of recognition of those conditions by the security forces.

Meanwhile, UBPD presented the "Guidelines for Participation in the UBPD's Search Process" and the "Territorial Approach Document for the Search of Missing Persons in the Context of Armed Conflict in Colombia". At the territorial level, there are 17 work teams and 6 satellite groups. The Unit's work, jointly with the Attorney General's Office, the Superintendence of Notaries and Registry, the National Institute of Legal Medicine and Forensic Sciences -INMLCF-, the National Civil Registry Office, among others, aims to advance in the process of information gathering and task development such as the identification of skeletonized corpses. The challenges for the Unit are related to the absence of an operational plan and work schedule for the National Search Plan, the partial fulfillment of some of the core indicators of their mission, and the lack of concrete strategies for the participation of the victims families and their organizations.

In the Justice component, despite the pandemic, the JEP was able to overcome some of the challenges that came with the confinement and completed the implementation of the "More Digital Justice" program. Throughout the analysis of this report, there has been some progress in two of the seven macro cases: case 001 with the issuance of Auto 19 of 2021 (charges against the former FARC secretariat for war crimes against humanity) and case 003 with Auto 033 of 2021 (geographic prioritization strategy). The entity continues to work on the protection of places and information through the deployment of precautionary measures. However, some

aspects that concern the ST are the accusations against FONDETEC for allegedly manipulating witnesses of the Public Force, in addition to some political obstruction that the National Government and Government party continue to impose on the JEP. During the period of this report, there are no changes or modifications to this mandate. The ST considers it important to always keep the victims at the center of the legal and political debates that take place around the jurisdiction and to reserve the legal security of the participants A.F.5.).

As for Comprehensive Reparation measures, Law 2078 of 2021, which extends the validity of the Victims and Land Restitution Law up to 2031, was enacted. In this regard, the ST registers the progress made by the National Government concerning the new CONPES, which proposes guidelines, the execution plan, budget, and monitoring mechanisms for this Law and, on the other hand, the reform bill of "Protocol of Effective Participation of the Victims of the conflict". Nevertheless, some victims' organizations believe that insufficient mechanisms have been deployed for their effective participation. Collective reparation and land restitution measurements could have better functioning in the medium term through the extension of the Victims Law and a budgetary and technical review that could enable feedback on low progress processes related to the A.F. commitments.

The ST does not know of any early acts of recognition of collective responsibility. The dynamization of these processes, particularly those of the public force, promotes the fulfillment of the commitments established in the A.F. in the psychosocial rehabilitation component, there are serious delays previously reported by this ST in the implementation of the "National Psychosocial Rehabilitation Plan" and decree that adopts it, which continues to be under review. As for the assets handed over by the FARC, tensions continue with the National Government. Although progress was reported in the handover (by the FARC) and the management of these assets (by SAE), the CPEC's statements regarding the failure of the former combatants to comply with their commitments and their presentation to the JEP of the obstacles that are being encountered in the process, reveal the lack of coordination and the difficulties in the building agreements to overcome them.

Finally, the commitments and guarantees in Human Rights remain behind schedule as established in the A.F. The Presidential Council for Human Rights, to advance in the construction of the Plan, set a schedule of participatory workshops in different parts of the country. However, the review of some other recommendations of the Advisory Commission to the preliminary document of the Plan is still pending, as well as the implementation of the "National Human Rights Information System", a tool

that can be very useful for national and local authorities, even more so in the context of uninterrupted human rights violations. Although the ST is aware of some progress in the formation of the Advisory Commission on Human Rights and Peace, it is noted that the construction of the “National Human Rights Action Plan” is still significantly behind schedule, as the PMI established 2018 as the year for the fulfillment of the commitment.

6. Implementation, verification y endorsement

Point 6 of the A.F. contemplates measures to guarantee the implementation and sustainability of the process in the short, medium, and long term, which includes, first of all, mechanisms for monitoring, promoting and verifying implementation, such as the Commission for Verification, Promotion, and Monitoring of Implementation – CSIVI—, an instance composed of the Government and the FARC, as well as international verification and accompaniment organisms. Secondly, it has the tools for the implementation of the A.F., such as the Implementation Framework Plan – PMI—, the necessary measures to finance the implementation, and the mechanisms to guarantee transparency during the process. Third, Point 6 contemplates the priorities for the normative implementation of the A.F., which are necessary to lay the normative foundations of the implementation process. Finally, this point contemplates the tools for the dissemination and pedagogy of the A.F.

During the period covered by this report, the ST monitored the execution of resources in two of the six sources of funding for the A.F.: International and private cooperation resources, unified in the "Colombia in Peace" Fund and the General Budget of the Nation — PGN — which together represent 52% of the A.F.'s financing. In the case of the "Colombia in Peace" Fund, the findings of this analysis show the continuous reduction of the resources allocated through this source during the three years reviewed (2017-2019), dropping 72% from 2017 to 2019, with Points 2, 4 and 6 being the most affected. 2017 was the year with the highest allocation, with 52% of the total resources allocated by the FCP, and Point 4, the one with the highest percentage of funding, concentrating 41% of the total resources.

As a priority for this ninth report, the ST analyzed the execution of PGN resources for projects related to the implementation of the A.F. in order to identify whether the fiscal situation generated by the pandemic during 2020 affected the financing of the implementation of the A.F. The results show that the budget cuts made during the year did not have an aggregate impact on total funding, however, five projects were cut 70% or more of their resources: (i) Three projects of Point 1, "Update and national cadastral management"; "Implementation of the national multipurpose cadastral system from the DNP national scope"; and "Development of plans for the social

management of rural property at the national level"; and (ii) Two projects under Point 5 "Strengthening of the Missing Persons Unit" and "Implementation of humanitarian and extrajudicial processes for the search of missing persons due to and in the context of the Colombian national armed conflict".

Regarding **measures to ensure the transparency of the process**, the ST noticed some progress related to the Integrated Information System for Post-Conflict (SIIPO). On the one hand, the Government issued Decree 1778 of 2020, which transfers the operation of the SIIPO to the National Planning Department –DNP—, which introduces changes related to its structure and the guidelines for the follow-up to the National Sectoral Plans. On the other hand, in terms of financial progress, it establishes specific roles for the CPEC, the DNP, the Ministry of Finance and Public Credit, and the Presidential Agency for Cooperation. In addition, it makes explicit that the entities with responsibilities in the implementation are responsible for the qualitative and quantitative report on the fulfillment of goals that must be done quarterly. Another advance is the inclusion of a module in the SIIPO that allows the monitoring of the indicators and strategies of the 16 National Sectoral Plans; however, despite these achievements, significant difficulties remain since there are still 54 indicators without a technical file and there is no articulation of SIIPO with the budget plotter for peace or other mechanisms for financial monitoring. In addition, Decree 1778 of 2020 does not explicitly define the need for public information to monitor the status of implementation of commitments to cross-cutting gender and ethnic approaches, in terms of physical and financial progress.

Regarding the progress of the mechanisms to promote implementation in the period covered by this report, there were several important advances and changes. On the one hand, the FARC partly changed its name to Commons, after the meeting of the National Political Council of the Party in March 2021. On the other hand, among the advances in the CSIVI, are: (i) the approval for the Office of the United Nations High Commissioner for Human Rights -ONCHR- to participate in the tripartite technical roundtable on security, and in the sessions held by the CSIVI with the civil society organizations and victims; (ii) the approval of a project to strengthen the technical capacities of the CSIVI; (iii) and the memorandum for governmental bodies to submit to the CSIVI the regulations related to implementation. However, several difficulties persist in the functioning of the Commission associated with the frequency of meetings, attendance of delegates, and coordination difficulties. These obstacles prevent the functioning of the Commission, as well as negatively impacting the trust between the signatory parties. In this regard, the ST considers that to improve the spaces for dialogue between FACR/Commons and the Government, it is necessary to strengthen coordination regarding the guidelines that the meetings should follow,

which would serve to speed up the development of the sessions and improve communication between the parties to promote the implementation of the A.F. Finally, the CSIVI also has the opportunity to prioritize its function of promoting implementation rather than monitoring, which could be included in the agenda.

Regarding the **International Verification Component**, there are no events that imply changes in the status of implementation, since the verification bodies that compose it continue to operate normally. In this regard, the ST reiterates that an opportunity to promote implementation and strengthen confidence between the parties is to maintain the meeting between the Government and the Commons Party, such as the one facilitated by United Nations Verification Mission. In addition, it recalls that the reactivation of the Notables in the International Verification Component is an opportunity to promote the A.F., identify room for improvement, and be a mechanism to which the parties can resort in case of disputes. Regarding the **International Accompaniment Component**, there is no change in the status of its implementation; in fact, CEPDIPO (2021) notes that there is a freeze on the component.

Concerning the **tools for the spread of information and pedagogy**, there was some important progress. On the one hand, the CSIVI approved the item on Mesetas (department of Meta) for the installation of a radio station for coexistence and reconciliation, in February. In total, 12 geographical points have been approved and six new radio stations started operating in May, which makes a total of 11. Besides that, the public TV channel *Radio Televisión Nacional de Colombia -RTVC-* launched the CdR/Lab "Ondas de Paz (Waves of Peace): radio for all the voices of the regions", and presented a booklet called "Ondas de Paz: a practical guide for creating and narrating stories for the radio". These events are a reflection of the commitment to define a series of training courses for up to 60 people who belong to victims' organizations, members of ECOMÚN, and other community organizations as radio producer operators.

Finally, the **implementation of pending regulatory priorities** remains a non-compliance in implementation. As of the cut-off date of this report, 11 of the 24 priorities (which can require one or more regulations) remain pending or with pending procedures. Likewise, during the period of analysis, Congress approved two bills that had some relation with the implementation of the A.F. (i) the Statutory Bill 409/2020C-234/2020S "whereby the Colombian Electoral code is issued and other provisions are enacted", and (ii) Bill 143/2020C – 350/2020S "whereby financing measures are adopted for the reactivation of the agricultural, fishing, aquaculture, forestry and agro-industrial sectors" (Law 2071 of 2020). In total, six bills with some

degree of impact on the implementation of the A.F. have been approved during the 2020-2021 legislature and 26 bills are currently being processed in Congress, four of which come from the 2019-2020 legislature.

7. Analysis of Implementation in the three PDET territories

Punto 1: Comprehensive Rural Reform

This ninth report presents for the PDET subregions of Catatumbo, Sur de Cordoba, and Pacifico Medio, and analysis of progress in terms of land access and the implementation of the Actions Plan for Regional Transformation -PATR-. Through the collection of information in the field, the ST analyses social participation in the Development Programs with a Territorial Approach – PDET- with the guiding question: **“What has been the role of organizations and motor groups in the territorial planning and monitoring of the PATR implementation?”**

The report shows that the progress in terms of land access for the three subregions is quite small and there is low participation in the plots of land in the “Land Fund” for free distribution. According to the strategy for social order of rural property, established in Decree-Law 902 of 2017, institutional action by supply is required, which also does not show major progress: of the total of 16 municipalities in the three subregions, only four of them (all in the South of Cordoba) completed the plan. Meanwhile, there is not a start date for Catatumbo and Pacifico Medio in the short term.

The report also analyses the link between the PATR and management and project structuring actions. In general, there are significant results of project structuring in order to make all initiatives a reality while taking into account the different pillars and municipalities. For Catatumbo and Sur de Cordoba, where a Unique Roadmap -HRU- has already been published, the percentage of people joining initiatives or projects that are considered Strategic is low.

Out of the three subregions, Catatumbo is the one with the most progress regarding PDET works. The PATR initiatives related to a project represent 22,8%, meaning there is very low participation of ethnic initiatives: out of all the initiatives in the HRU established as triggering or dynamizing, only 16,5% is linked to ethnic initiatives. In the South of Córdoba, there are also advances in PDET Works and there is an effort in the structuring of projects that allow these initiatives to become a reality. In this subregion, 18.2% of initiatives have been subject to some implementation action, but only 28% are part of those prioritized in the HRU. It is concerning for the ST that in Pacifico Medio no PDET Works have been delivered and that only the completion of some of these works is scheduled for the second half of this year. Of the initiatives

approved, 26.2% have some implementation action, mostly in Buenaventura, which is above other municipalities and even of initiatives at the subregional level.

Social participation in the PDET process has been affected in all three areas due to the escalation of the conflict and the dispute over territorial control between armed actors. In this context, local and regional community actors express their fear of participating in the implementation dynamics as this could mean putting their lives at risk. Likewise, the ST points out that decision-making by communities and organizations has been limited given the absence of information after the signing of the PATRs and the qualitative differences in participation between this phase, the beginning, and completion of the HRU for Catatumbo and South of Córdoba. This limitation is increased by the difficulties of connection in rural areas, aggravated in the context of the health emergency.

Finally, an analysis of social participation in the PDET process is developed. It highlights the existence of a qualitative difference between the process of planning and implementation of the PATRs, and that of construction of the HRU. In this last aspect, only active participation in the final phase of territorial validation is contemplated. The ST points out that, while recognizing the characteristics of each of these processes, there are opportunities to strengthen the participation of organizations and communities in decision-making, as well as to improve the articulation between social actors and public entities. Taking into account that the health contingency has limited access to information and participation, the ST calls for strengthening communication strategies with all actors involved in the planning of PATRs.

Point 2: Political Participation, democratic openness for peacebuilding

This report analyses the state of guarantees for political participation and democratic openness, taking into account the recognition made by the A.F. of the expansion of democracy as a fundamental axis of peacebuilding. To this end, the question of analysis is: ***To what extent have the security conditions for the exercise of politics prevented or allowed political participation and how do they relate to the pre-electoral panorama?***

On the other hand, considering that the Territorial Councils for Peace, Coexistence and Reconciliation stand as one of the main advances in implementation at the local level, the ST deepened its creation and functioning through the gathering of information in the field.

In general terms, the report describes a complex scenario for security guarantees that exists in the three PDET regions, which, among other aspects, is related to the limited developments and dispersion in terms of implementation that the subtopic of security guarantees at the national level has had, the limited functioning of SISEP, as well as the persistence of a militaristic conception of security, which is not in line with the security approach established in the A.F.

According to some leaders in El Catatumbo, the increased presence of the Public Force in this region has not represented an increase in security guarantees (SRC 2 C, 2021). The records of the Minga Association and the Catatumbo Social Integration Committee indicate that, between July and December 2020, there were 108 violations of human rights and international humanitarian law, of which 36 cases were homicides, 13 threats, and 12 kidnappings (Minga & Cisca Association, 2021).

In Sur de Córdoba, the security measures implemented by the National Government have not provided the conditions for guaranteeing political participation.

Militarization as the main form of institutional presence has generated armed confrontations, as well as the singling out of civilians by armed groups due to civil-military actions. For this reason, communities have been left in the middle of armed actions (Leader 7 SC, 2021).

The same occurs in Pacífico Medio, an area where several conflicts related to economic and political interests at the local level, linked to coca economies, strategic routes, mining, and land-use disputes, remain active. Through the 30-day Plan, the Public Force has strengthened its footprint in Cauca (Semana, 2021B; Strategic Communications Military Forces, 2021). However, the presence of armed contingents has not translated into better security conditions for the inhabitants.

The limited capacity of the Government to address the situation of insecurity for leaders and ex-combatants and the limited capacity for coordination with local governments, together with the proliferation of territorial and economic controls established by different armed actors in the three subregions, as well as the slow progress in the implementation and limited functioning of SISEP, demonstrate a complex panorama in terms of security guarantees and political participation at the territorial level, particularly in the face of to the upcoming electoral scenario.

The process of reactivating the Territorial Peace Councils has continued in the 3 prioritized territories. Although the functioning of these bodies is not the same in each PDET zone, it is emphasized that all the Councils have municipal agreements, have been working on the Action Plans, and the councilors have received training and advice from the Office of the High Commissioner for Peace and the National

Peace Council. The latter has been focused on generating greater coordination and communication between the territorial and national levels. This has led to a diagnosis of the Territorial Councils complemented by a training plan for delegates through diplomas and virtual and face-to-face regional seminars. For its part, the OACP launched the *Pazo a Pazo* project, which aims to train 7,000 territorial councilors in 300 municipalities in conflict resolution and peacebuilding.

The difficulties in security and the consequences of the COVID-19 pandemic have hindered the participation of different sectors in the CTPs, in addition to the fact that the perception of those attending the councils is that there are few guarantees to participate. In addition, since there is no reservation on the issues discussed, it leads to greater visibility of the leaders vis-a-vis the armed actors, which implies greater risks for those who exercise leadership. Finally, the local authorities do not have a good convening exercise, which does not allow for adequate representation of the sectors that inhabit the different territories.

Point 3: End of the conflict

For this verification report, the ST conducted an analysis exercise on the process of reincorporation and security guarantees for ex-combatants in the three prioritized PDET zones, based on three aspects: (i) how the public policy of reincorporation has been included in the Territorial Development Plans of this area; (ii) the progress of the process of community reintegration in the territories; and (iii) the security conditions for the transit to civilian life of ex-combatants.

In terms of economic and social reintegration, the ST analyzed the inclusion of achievable goals in the Local Development Plans in the municipalities of the three PDET zones and recognizes the efforts of the local authorities in promoting the commitments of the A.F. and CONPES 3931 of 2018, especially those related to the implementation of collective and individual projects and access to land. In addition, the ST highlights institutional initiatives aimed at strengthening technical assistance for productivity, as well as educational issues at the territorial level.

Regarding community reintegration, the ST reports on the progress that has been made, specifically in Catatumbo, of the Community Strengthening Model -MFC- led by the NRA to create spaces between ex-combatants in the process of reintegration and the host communities, to carry out joint actions that impact on the territories in terms of the construction of tertiary roads, activation of product marketing routes, among others.

Finally, in terms of security guarantees, the ST emphasizes that in the three prioritized PDET zones there is an active security risk for the reintegration of ex-combatants. Although this risk is differentiated territorially (high level in Catatumbo and of lower intensity in the Middle and South Pacific of Cordoba), in these areas there have been homicides and threats against the population in transit to civilian life that impact the process of reintegration at the territorial level. In the case of Catatumbo, some advances in criminal investigation are also presented.

Point 4: “Solution to the illicit drugs problem”

During the verification period of this report, the ST did not find sufficient documented progress on the fulfillment of commitments in the three PDET regions of significant emphasis. Progress will be presented in the next ST report.

Point 5: Victims

The A.F. recognizes the gaps between the urban and rural sectors, the institutional precariousness, and the absence of the State in the territories, as elements that allow the persistence of armed groups outside the law, criminal activities and, therefore, a context of constant violence that facilitated the emergence and maintenance of the armed conflict in the country. The implementation of the commitments of point 5 of the A.F. at the territorial level is a factor for the construction of peace, in that it tests the transversality and integrality of the A.F. that has at its center the restoration and guarantee of the rights of the victims.

This ninth verification report presents the progress and challenges in terms of the effective participation of victims in the PDET Subregions of Catatumbo, Sur de Córdoba and Pacífico Medio within the framework of the Comprehensive System of Truth, Justice, Reparation, and Non-Repetition –SIVJRNR–, based on the question: **How has the participation of victims been in the work of the SIVJRNR entities in each of the three territories?** taking into account factors such as material guarantees, guarantees of protection and security, and the quality of the spaces for participation and dialogue in the subregions.

In the Catatumbo region, although links have begun between the SIVJRNR entities, especially between the CEV and the victims, numerous challenges remain for their adequate participation in the system's processes. Among them is the low institutional presence in several sectors of the region, accentuated by the pandemic situation and connectivity problems, the poor communication and socialization of interventions in the territory, as well as the low possibilities for victims to contact the SIVJRNR directly. In terms of reparation, victims do not perceive significant

improvements in the implementation of reparation measures, and even in the case of collective reparation, in many cases setbacks were identified.

In the region of Sur de Córdoba, the ST found very little information available about the mandate and progress of the SIVJRNR entities, especially in the most remote areas, as well as a widespread lack of knowledge among the communities about the ways for the participation of victims. However, some of the municipal groups for victims remain active and are important references for the inhabitants of the subregion's municipalities.

In the Pacífico Medio region, there is also no permanent or sustained presence of SIVJRNR entities, except for Buenaventura, where the CEV and recently the System has been developing awareness-making actions with the communities. However, the deterioration of security and the threat to leaders and social processes have been the subject of attention and denunciation by the entities and processes of intervention in the territory have been accelerated, which has facilitated their interaction with the communities. However, the municipalities of Cauca belonging to this PDET region (Timbiquí, Guapi, López de Micay) still do not benefit from this growing interest. With regard to reparation measures, specifically in the elaboration of the participation protocol, the victims perceive that their participation was very unequal, that is to say, there was no participation in all the territories; not all actors were involved and did not have an ethnic perspective, therefore it was not effective participation.

In conclusion, the ST identified a low presence of SIVJRNR entities in these three subregions, as well as difficulties in promoting community participation. Although there are efforts to territorialize the work of the system in the regions, centralist visions of institutions persist. This limits the creation of safe and accessible spaces for the populations of the PDET subregions, which continue to be the most vulnerable. However, the ST recognizes not only important efforts on the part of the entities, but also opportunities for improvement as long as it is possible to overcome the barriers of access to information, and the management of local authorities is linked to the work of all SIVJRNR entities.

Finally, in terms of reparation measures, the ST highlights that despite the opportunity represented by the recent extension of Law 1448 of 2011 and issuance of the Resolution that regulates the Protocol of Effective Participation of Victims, so far, participation at the territorial level remains precarious.

Point 6: “Implementation, verification, and endorsement”

For this report, the ST carried out an analysis of two recently approved reforms that impact the financing of the implementation of the A.F. in the PDET territories and that correspond to (i) the tax reforms that affect the financing mechanisms of the Areas Most Affected by the Armed Conflict—ZOMAC—; and (ii) the reform of the General System of Royalties. The purpose of this analysis is to establish whether such mechanisms contribute to accelerating implementation and increasing resources in PDET subregions. In addition, the ST conducted a brief analysis of the resources that have been financed by the tax works and OCAD Paz mechanisms in each of the subregions analyzed by the ST.

The reform of the Works for Taxes mechanism made it possible to include more funders for the projects by including natural persons in the mechanism, as well as increasing the lines of investment and the regions in which projects can be formulated. The ST recognizes these changes as an opportunity to accelerate the implementation of the A.F. with resources.

On the other hand, the reform of the General System of Royalties, which allows to advance up to 70% resources from this source for Peace may be an opportunity to accelerate the implementation of critical projects of the A.F. whose implementation is lagging in the PDET subregions. In addition, the reform improves the efficiency of spending by reducing a large number of bodies (more than a thousand) that made investment decisions for municipalities and departments, focusing decisions at the regional level. However, as the ST warns, resource advancement and regional targeting represent a challenge for resource management. To guarantee the good use of these resources that are brought forward, the ST highlights the importance of strengthening the articulation between the ART and the territorial entities.

