

## **Colombia: UN expert calls for implementation of Peace Agreement as a State policy**

GENEVA/BOGOTA (26 March 2024) - UN International Human Rights Expert Antonia Urrejola today called on the Colombian State to implement the 2016 Peace Agreement as a State policy and ensure that all dialogue processes with non-state armed groups take a human rights approach focused on victims.

In her report, mandated by the UN Human Rights Council, Urrejola outlines the main obstacles to the implementation of the 2016 Peace Agreement, including those identified by the Special Jurisdiction for Peace in March 2023, and makes recommendations to contribute to peacebuilding in Colombia.

The report notes progress on some aspects of the Peace Agreement, related to comprehensive rural reform and to transitional justice. It also highlights that 80 percent of the signatories to the Agreement remain committed to being reintegrated into society, despite the obstacles, and risks to their lives.

The 2016 Peace Agreement is a roadmap to address the structural causes of the conflict and ensure non-repetition, the report notes, emphasizing that the State's human rights obligations must be implemented progressively and independently of the political context, with an emphasis on measures aimed at guaranteeing economic, social, cultural and environmental rights.

The report notes that the initial years following the signing of the Peace Agreement were crucial to ensuring its implementation and consolidating people's confidence in the Agreement but were marked by a political context hostile to the Peace Agreement. This resulted in patchy implementation and attacks against the transitional justice system.

The report points out to possible obstructions by the Attorney General's Office to the Special Jurisdiction for Peace in the case of "Jesús Santrich", a former member of the FARC-EP and negotiator of the Peace Agreement.

The report emphasizes that the case exemplifies the abusive use of criminal action to undermine people's confidence in the Agreement and in the transitional justice system.

"The stigma attached to the peace signatories was reinforced, their internal division accelerated, and their reintegration, as provided for in the Agreement, was affected. At the same time, it created doubts about the suitability and impartiality of the members of the Special Jurisdiction for Peace," the report says.

In the report, Urrejola urges the Attorney General's Office to prioritize the investigation of the Special Jurisdiction for Peace complaint of March 2023, and to determine possible criminal responsibilities within a reasonable time, through the creation of a group of independent experts to support and provide technical assistance in the investigation.

"The Attorney General's Office should publicly report on the progress and results of this investigation within one year," the expert said.

The report recommends "respecting and safeguarding the independence and autonomy of the Special Jurisdiction for Peace as the judicial authority in charge of prosecuting the most serious and emblematic crimes committed during the armed conflict, and ensuring the protection of its personnel, victims and those appearing before the Jurisdiction."

The State should also review and adapt legal procedures so that the process of extraditing Colombian citizens complies with Colombia's international human rights obligations, including the rights of victims to truth, justice and reparation, and the right to peace.

The expert also calls for the creation of an entity at the highest government level to oversee the implementation of the 2016 Peace Agreement, convene all entities and ministries, ensure the required inter-institutional coordination and coordination among the transitional justice public policies, with adequate financial resources.

She calls on the State to implement, as a priority, a policy for dismantling criminal organizations, with a territorial and participatory approach, and ensuring adequate resources.

"The dismantling of criminal structures and the fight against corruption are fundamental pillars for the consolidation of peace," says the report.

The expert asks the Colombian State to redouble its efforts to implement the recommendations of the Truth Commission in the State's public policies, particularly at the local and departmental level.

English:

<https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session55/advance-versions/A-HRC-55-18-en-UnofficialTranslation.pdf>

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