

**Security Council**

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Identical letters dated 10 March 2023 from the Permanent Representative of Colombia to the United Nations addressed to the Secretary-General and the President of the Security Council

I have the honour to transmit a communication dated 14 February 2023, by Álvaro Leyva Durán, Minister for Foreign Affairs of Colombia, regarding a request to task the United Nations Verification Mission in Colombia with the verification of the ceasefires agreed upon under the total peace policy (see annex).

I would be grateful if the present letter and its annex could be issued as a document of the Security Council.

(Signed) Leonor **Zalabata Torres**
Ambassador
Permanent Representative



Annex to the identical letters dated 10 March 2023 from the Permanent Representative of Colombia to the United Nations addressed to the Secretary-General and the President of the Security Council

[Original: Spanish]

Bogotá, 14 February 2023

I am writing to follow up on the commitment announced to you in my letter dated 17 October 2022. In that letter, I stated that the Government of Colombia would keep you informed about the steps taken to advance towards total peace and that it might require the support of the United Nations Verification Mission in Colombia.

I am therefore pleased to inform you that on 21 November 2022, the dialogue process was resumed between the Government of Colombia and the Ejército de Liberación Nacional (National Liberation Army). In this regard, the national Government commends the good offices provided by the Special Representative and Head of the Mission, Carlos Ruiz Massieu, with the support of the Secretary-General for these purposes in a letter dated 8 December 2022.

This Government welcomed the Mission's efforts during the ceasefire unilaterally declared by the Ejército de Liberación Nacional from 24 December 2022 to 2 January 2023. I am also pleased to inform you that, as part of the agenda agreed upon with the Ejército de Liberación Nacional for a second round of talks, which began on 13 February in Mexico City, the issue of a possible bilateral ceasefire will be considered.

Furthermore, I am very pleased to inform you that some progress has been made in political dialogues as well as in other conversations with non-political groups, with the aim of achieving total peace. Overall, this has reduced the violent bloodshed, something that is of utmost importance for the benefit of the country in general and particularly for the excombatants of the former Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo (Revolutionary Armed Forces of Colombia-People's Army) whose security guarantees are verified by the Mission.

In making this progress, my Government has issued several decrees, all dated 31 December 2022, copies of which are attached, indicating the intention to request the support of United Nations verifiers, as appropriate, depending on their origin and nature.

We trust that the Security Council will give favourable consideration to the possible expansion of the role of the verification mission in Colombia. The foregoing is based on the understanding that a legal distinction is made between what is meant by negotiations with a political scope and conversations that could be carried out concerning the jurisdiction of the ordinary courts with respect to other groups that may be willing to accept the legal framework applicable to such cases. This is in line with the Government's goal of achieving total peace.

I reiterate that the Government of the Republic of Colombia is convinced that the verification of the United Nations Mission within the country will contribute in a very important way to the effective implementation of the agreements reached. You will well understand the great benefit that would accrue to all communities and especially to vulnerable populations. Let me say again that we believe this is the right path to achieve total peace in our homeland.

(Signed) **Álvaro Leyva Durán**
Minister for Foreign Affairs

Enclosure I

Republic of Colombia Ministry of Defence

Decree No. 2656 of 31 December 2022 whereby a temporary bilateral national ceasefire is decreed, in the context of the political dialogue between the national Government and the central general staff of the Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo, and other provisions are enacted.

The President of the Republic of Colombia, exercising his constitutional and legal powers, in particular those conferred by articles 22, 188 and 189 of the Constitution, Act No. 2272 of 2022 extending, amending and supplementing Act No. 418 of 1997, Act No. 548 of 1999, Act No. 782 of 2002, Act No. 1106 of 2006, Act No. 1421 of 2010, Act No. 1738 of 2014, Act No. 1941 of 2018 and Act No. 2272 of 2022, and

Considering:

That article 22 of the Constitution provides that peace is a compulsory right and duty and that, pursuant to article 188 thereof, the President of the Republic symbolizes national unity, and upon swearing an oath to comply with the Constitution and the laws undertakes to guarantee the rights and liberties of all Colombians,

That under article 189, paragraph 4, of the Constitution, the President of the Republic, as Head of State, Head of Government and supreme administrative authority, is responsible for maintaining public order throughout the country and re-establishing it where it has been disturbed, and pursuant to paragraph 3 of the same article of the Constitution, the President of the Republic heads the public security forces and has command of them as supreme commander of the Armed Forces,

That article 1 of Act No. 2272 of 2002 states that the policy of peace is State policy,

That article 2 of Act No. 2272 of 2022, in referring to total peace, states that “The policy of peace is State policy. It will be a cross-cutting priority in State affairs, and will be participatory, broad, inclusive and comprehensive, in the implementation of agreements and in relation to negotiation processes, dialogue and the administration of justice. The primary purpose of the instruments of total peace will be the achievement of stable and lasting peace, with guarantees of non-repetition and security for all Colombians, and standards that prevent impunity and guarantee, to the greatest extent possible, victims’ rights to truth, justice and reparation”,

That the aforementioned article 2 also states that the Government may have two types of processes relating to the policy of peace: political dialogues in which peace agreements are reached, and rapprochements and talks concerning the administration of justice and decommissioning,

That article 5 of Act No. 2272 of 2022, amending article 8 of Act No. 1941 of 2018, establishes, among other things, that “Representatives expressly authorized by the national Government to promote reconciliation and peaceful coexistence among Colombians and to achieve peace, in accordance with the guidelines set by the President of the Republic, may carry out all acts intended to establish rapprochements and talks with organized armed units involved in high impact crime that demonstrate willingness to move towards the rule of law (...) and carry out all acts intended to establish and advance dialogues and negotiations and reach agreements with spokespersons or members representing outlaw organized armed groups (...)”,

That paragraph 8 of the aforementioned article 5 states that the President of the Republic, as the person responsible for the preservation of public order throughout

the country, is exclusively responsible for directing all types of rapprochements, talks, negotiations and dialogues with outlaw organized armed groups and/or signing terms of administration of justice with organized armed groups or organized armed units involved in high impact crime,

That on 24 December 2022, the self-styled central command structure of the Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo announced a unilateral ceasefire,

That during the exploratory phase carried out with commanders of the aforementioned armed movement and the Office of the High Commissioner for Peace, in the presence of international delegates, the self-styled central command structure of the Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo expressed, of its own accord, its compliance with international humanitarian law and in agreement with the Government made commitments as to the implementation of international humanitarian law in areas pertaining to respect for life and the environment,

That on 14 November during the exploratory phase an agreement was made on guarantees for an internal meeting of commanders for the preparation of protocols and the appointment of its delegates, and on starting peace talks,

That on 21 December 2022 at the humanitarian meeting for peace in Cauca, in the presence of the Minister for Internal Affairs, the High Commissioner for Peace, the Ombudsman, delegates from the Commission of the House of Representatives and international humanitarian, human rights and peace organizations, there was a united call from indigenous, Afro-Colombian and rural people, through their various representative organizations, for a bilateral ceasefire and the start of peace talks with this armed organization,

That the aforementioned armed organization on 30 December 2022 publicly announced its willingness to begin talks, following the exploratory phase held with the High Commissioner for Peace,

Hereby decrees:

Chapter I

Temporary bilateral national ceasefire

Article 1

It is hereby decreed that from 00:00 hours on 1 January 2023 until 24:00 hours on 30 June 2023 a temporary bilateral national ceasefire will be in effect between the national Government and the central command structure of the Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo. The temporary bilateral national ceasefire may be extended by the national Government, on the recommendation of the oversight, monitoring and verification mechanism.

The main objective of the temporary bilateral national ceasefire will be to suspend the humanitarian impact on the population in general and in particular on ethnic and rural communities, suspend offensive actions and prevent armed incidents between the public security forces and the central command structure of the Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo.

The temporary bilateral national ceasefire will be conditional on compliance with the rules, commitments and terms agreed upon by the national Government and the central command structure of the Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo in the relevant protocols.

The agreements to be signed between the national Government and the central command structure of the Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo regarding the temporary bilateral national ceasefire are an integral part of this decree and will remain confidential, pursuant to Act No. 1437 of 2011 and Act No. 1712 of 2014.

Chapter II

Operations of the public security forces

Article 2

It is hereby ordered that there will be a suspension of military and police operations against members of the central command structure of the Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo who participate in the peace process and comply with the procedures for implementation of the agreement on a temporary bilateral national ceasefire and relevant protocols.

The suspension of military and police operations will be without prejudice to the performance of the functions of the public security forces and their constitutional and legal obligation to protect the national territory, preserve the constitutional order and ensure the necessary conditions for the exercise of public rights and liberties throughout the national territory.

Article 3

Members of the public security forces will strictly comply with the Constitution, the law and other domestic regulations and international instruments for the protection of human rights and compliance with international humanitarian law. Their actions will be undertaken based on the principle of good faith.

Article 4

At all times and under all circumstances it must be borne in mind that the actions taken by the public security forces pursuant to this decree are being carried out within the framework of a peace process expressly authorized by the President of the Republic, permitted by law and mandated under the Constitution as a requirement for all Colombians.

Chapter III

Mechanism for oversight, monitoring and verification of the temporary bilateral national ceasefire

Article 5

A mechanism for oversight, monitoring and verification of the temporary bilateral national ceasefire is hereby established as a technical body, composed of the national Government (Ministry of Defence, Office of the High Commissioner for Peace and public security forces), the central command structure of the Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo, national social organizations and the Catholic Church. The World Council of Churches will also be part of the oversight, monitoring and verification mechanism if they so decide, as well as an international component made up of the United Nations Verification Mission in Colombia and the Mission to Support the Peace Process of the Organization of American States.

A request will be made to the United Nations Security Council to have the United Nations Verification Mission in Colombia verify the ceasefires that are agreed

upon under the policy of total peace. Similarly, the Ministry of Defence and the Office of the High Commissioner for Peace may request other intergovernmental organizations to participate in the observation, monitoring and verification of the ceasefires decreed in the context of total peace.

The Government will authorize the representative members appointed by the central command structure of the Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo to be part of the oversight, monitoring and verification mechanism, and they will be given the necessary guarantees to fulfil their mission.

Article 6

The National Police, through the Police Unit for Peacebuilding, will perform the duty of protecting the members of the oversight, monitoring and verification mechanism, without prejudice to the harmonious collaboration to be provided by other State security institutions in the exercise of their duties.

Article 7

The representatives of territorial social organizations will be accredited with the Office of the High Commissioner for Peace and the Ministry of Defence. The central command structure of the Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo may appoint members of its organization or trusted civilians to be part of the oversight, monitoring and verification mechanism.

Article 8

The oversight, monitoring and verification mechanism will have its own regulations for its national, territorial and local operations, and will establish the necessary procedures to ensure effective implementation of the objective of the temporary bilateral national ceasefire.

The Government and the central command structure of the Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo will lead the oversight, monitoring and verification mechanism, will establish an impartial decision-making process and will also set a limit on the number of representatives of each institution or organization that is part of the aforementioned mechanism.

Article 9

The oversight, monitoring and verification mechanism will prepare, every two months, an evaluation of the commitments made for the temporary bilateral national ceasefire, any related incidents, the handling and resolution of conflicts, and any other matter they deem relevant to evaluate compliance with the objective of the ceasefire.

Article 10

The Minister of National Defence will issue the necessary guidelines to the public security forces for compliance with the provisions of this decree, within their competence, including the appointment of representatives of the public security forces for the national oversight, monitoring and verification mechanism.

The public security forces personnel appointed to the oversight, monitoring and verification mechanism will coordinate with the Ministry of Defence, the High Command of the Military Forces through the Joint Strategic Transition Command and the Directorate General of the National Police through the Police Unit for Peacebuilding.

Article 11

With respect to coordination with military and police units required by the members of the oversight, monitoring and verification mechanism in connection with

the temporary bilateral national ceasefire, for the military forces such coordination will be carried out through the Joint Strategic Transition Command of the High Command of the Military Forces. The Directorate General of the National Police and the Police Unit for Peace Building will ensure coordination with the National Police. The foregoing will be done in accordance with the guidelines established by the Ministry of Defence.

Article 12

The rule of law will be maintained at all times and in all places. The civilian authorities will continue to exercise their constitutional, legal and regulatory functions and powers, without exception.

Article 13

The temporary bilateral national ceasefire may be terminated at any time for grave non-compliance as determined by the parties to the negotiations, following an evaluation and report by the oversight, monitoring and verification mechanism.

Chapter IV

Other provisions

Article 14

The national Government, through the fund for special peace programmes and/or other funds created for these purposes, will have the necessary resources for the implementation of the commitments and responsibilities arising from this decree.

Article 15

The national Government, through the fund for special peace programmes and/or other funds created for this purpose, will allocate the necessary resources for dissemination, awareness-raising and education campaigns aimed at local and territorial communities and nationwide regarding this process.

Article 16

Coordination with national, departmental or municipal authorities will be channelled through the Office of the High Commissioner for Peace.

Article 17. Entry into force

The present decree will be in force as of the date of its publication.

To be published, communicated and implemented.

DONE at Bogotá on 31 December 2022

(Signed) Iván Velásquez Gómez

Minister of National Defence

Enclosure II

Republic of Colombia Ministry of Defence

Decree No. 2658 of 31 December 2022 whereby a temporary bilateral national ceasefire is decreed, in the context of the rapprochements and talks between the national Government and the Autodefensas Gaitanistas de Colombia (Gaitanista Self-Defence Forces of Colombia) and other provisions are enacted.

The President of the Republic of Colombia, exercising his constitutional and legal powers, in particular those conferred by articles 22, 188 and 189 of the Constitution, Act No. 2272 of 2022 extending, amending and supplementing Act No. 418 of 1997, Act No. 548 of 1999, Act No. 782 of 2002, Act No. 1106 of 2006, Act No. 1421 of 2010, Act No. 1738 of 2014, Act No. 1941 of 2018 and Act No. 2272 of 2022, and

Considering:

That article 22 of the Constitution provides that peace is a compulsory right and duty and that, pursuant to article 188 thereof, the President of the Republic symbolizes national unity, and upon swearing an oath to comply with the Constitution and the laws undertakes to guarantee the rights and liberties of all Colombians,

That under article 189, paragraph 4, of the Constitution, the President of the Republic, as Head of State, Head of Government and supreme administrative authority, is responsible for maintaining public order throughout the country and re-establishing it where it has been disturbed, and pursuant to paragraph 3 of the same article of the Constitution, the President of the Republic heads the public security forces and has command of them as supreme commander of the Armed Forces,

That article 1 of Act No. 2272 of 2002 states that the policy of peace is State policy,

That article 2 of Act No. 2272 of 2022, in referring to total peace, states that “The policy of peace is State policy. It will be a cross-cutting priority in State affairs, and will be participatory, broad, inclusive and comprehensive, in the implementation of agreements and in relation to negotiation processes, dialogue and the administration of justice. The primary purpose of the instruments of total peace will be the achievement of stable and lasting peace, with guarantees of non-repetition and security for all Colombians, and standards that prevent impunity and guarantee, to the greatest extent possible, victims’ rights to truth, justice and reparation”,

That the aforementioned article 2 also states that the Government may have two types of processes relating to the policy of peace: political dialogues in which peace agreements are reached, and rapprochements and talks concerning the administration of justice and decommissioning,

That article 5 of Act No. 2272 of 2022, amending article 8 of Act No. 1941 of 2018, establishes, among other things, that “Representatives expressly authorized by the national Government to promote reconciliation and peaceful coexistence among Colombians and to achieve peace, in accordance with the guidelines set by the President of the Republic, may carry out all acts intended to establish rapprochements and talks with organized armed units involved in high impact crime that demonstrate willingness to move towards the rule of law (...) and carry out all acts intended to establish and advance dialogues and negotiations and reach agreements with spokespersons or members representing outlaw organized armed groups”,

That paragraph 8 of the aforementioned article 5 states that the President of the Republic, as the person responsible for the preservation of public order throughout

the country, is exclusively responsible for directing all types of rapprochements, talks, negotiations and dialogues with outlaw organized armed groups and/or signing terms of administration of justice with organized armed groups or organized armed units involved in high impact crime,

That on 30 December 2022 the Autodefensas Gaitanistas de Colombia, following three exploratory meetings with facilitators appointed by the Office of the High Commissioner for Peace and a meeting held with the Office of the High Commissioner for Peace in the presence of international delegates, reiterated their willingness to enter into a unilateral ceasefire, and indicated that they had decided to actively participate in a social and legal dialogue mechanism and appoint their spokespersons and representatives,

That this Government is committed to listening to ethnic and rural communities, who have special rights protections, and that we have heard them and received their written submissions conveying a universal call from indigenous, Afro-Colombian and rural groups, through their various representative organizations, for a bilateral ceasefire and the start of peace talks with this armed group,

Hereby decrees:

Chapter I

Temporary bilateral national ceasefire

Article 1

It is hereby decreed that from 00:00 hours on 1 January 2023 until 24:00 hours on 30 June 2023, a temporary bilateral national ceasefire will be in effect between the national Government and the Autodefensas Gaitanistas de Colombia. The temporary bilateral national ceasefire may be extended by the national Government, on the recommendation of the oversight, monitoring and verification mechanism.

The main objective of the temporary bilateral national ceasefire will be to suspend the humanitarian impact on the population in general and in particular on ethnic and rural communities, suspend offensive actions and prevent armed incidents between the public security forces and the Autodefensas Gaitanistas de Colombia.

The temporary bilateral national ceasefire will be conditional on compliance with the rules, commitments and terms agreed upon by the national Government and the Autodefensas Gaitanistas de Colombia in the relevant protocols.

The agreements to be signed between the national Government and the Autodefensas Gaitanistas de Colombia regarding the temporary bilateral national ceasefire are an integral part of this decree and will remain confidential, pursuant to Act No. 1437 of 2011 and Act No. 1712 of 2014.

Chapter II

Operations of the public security forces

Article 2

It is hereby ordered that there will be a suspension of military and police operations against members of the Autodefensas Gaitanistas de Colombia in order to facilitate the establishment of a forum for dialogue and achieve the administration of justice and their decommissioning, in accordance with the procedures for implementation of the agreement on a temporary bilateral national ceasefire and the relevant protocols.

The suspension of offensive military and police operations will be without prejudice to the performance of the functions of the public security forces and their constitutional and legal obligation to protect the national territory, preserve the constitutional order and ensure the necessary conditions for the exercise of public rights and liberties throughout the national territory.

Article 3

Members of the public security forces will strictly comply with the Constitution, the law and other domestic regulations and international instruments for the protection of human rights and compliance with international humanitarian law. Their actions will be undertaken based on the principle of good faith.

Article 4

At all times and under all circumstances it must be borne in mind that the actions taken by the public security forces pursuant to this decree are being carried out within the framework of a forum for dialogue expressly authorized by the President of the Republic, permitted by law and mandated under the Constitution as a requirement for all Colombians, for the purpose of ensuring the administration of justice and decommissioning in order to achieve peace.

Chapter III

Mechanism for oversight, monitoring and verification of the temporary bilateral national ceasefire

Article 5

A mechanism for oversight, monitoring and verification of the temporary bilateral national ceasefire is hereby established as a technical body, composed of the national Government (Ministry of Defence, Office of the High Commissioner for Peace and public security forces), the Autodefensas Gaitanistas de Colombia, national social organizations and the Catholic Church. The World Council of Churches will also be part of the oversight, monitoring and verification mechanism if they so decide, as well as an international component made up of the United Nations Verification Mission in Colombia and the Mission to Support the Peace Process of the Organization of American States.

A request will be made to the United Nations Security Council to have the United Nations Verification Mission in Colombia verify the ceasefires that are agreed upon under the policy of total peace. Similarly, the Ministry of Defence and the Office of the High Commissioner for Peace may request other intergovernmental organizations to participate in the observation, monitoring and verification of the ceasefires decreed in the context of total peace.

The Government will authorize the representative members appointed by the Autodefensas Gaitanistas de Colombia to be part of the oversight, monitoring and verification mechanism, and they will be given the necessary guarantees to fulfil their mission.

Article 6

The National Police, through the Police Unit for Peacebuilding, will perform the duty of protecting the members of the oversight, monitoring and verification mechanism, without prejudice to the harmonious collaboration to be provided by other State security institutions in the exercise of their duties.

Article 7

The representatives of territorial social organizations will be accredited with the Office of the High Commissioner for Peace and the Ministry of Defence. The Autodefensas Gaitanistas de Colombia may appoint members of their organization or trusted civilians to be part of the oversight, monitoring and verification mechanism.

Article 8

The oversight, monitoring and verification mechanism will have its own regulations for its national, territorial and local operations, and will establish the necessary procedures to ensure effective implementation of the objective of the temporary bilateral national ceasefire.

The Government and the Autodefensas Gaitanistas de Colombia will lead the oversight, monitoring and verification mechanism, will establish an impartial decision-making process and will also set a limit on the number of representatives of each institution or organization that is part of the aforementioned mechanism.

Article 9

The oversight, monitoring and verification mechanism will prepare, every two months, an evaluation of the commitments made for the temporary bilateral national ceasefire, any related incidents, the handling and resolution of conflicts, and any other matter they deem relevant to evaluate compliance with the objective of the ceasefire.

Article 10

The Minister of National Defence will issue the necessary guidelines to the public security forces for compliance with the provisions of this decree, within their competence, including the appointment of representatives of the public security forces for the national oversight, monitoring and verification mechanism.

The public security forces personnel appointed to the oversight, monitoring and verification mechanism will coordinate with the Ministry of Defence, the High Command of the Military Forces, through the Joint Strategic Transition Command and the Directorate General of the National Police through the Police Unit for Peacebuilding.

Article 11

With respect to coordination with military and police units required by the members of the oversight, monitoring and verification mechanism in connection with the temporary bilateral national ceasefire, for the military forces such coordination will be carried out through the Joint Strategic Transition Command of the High Command of the Military Forces. The Directorate General of the National Police and the Police Unit for Peace Building will ensure coordination with the National Police. The foregoing will be done in accordance with the guidelines established by the Ministry of Defence.

Article 12

The rule of law will be maintained at all times and places. The civilian authorities will continue to exercise their constitutional, legal and regulatory functions and powers, without exception.

Article 13

The temporary bilateral national ceasefire may be terminated at any time for grave non-compliance as determined by the parties at the negotiating table, following an evaluation and report by the oversight, monitoring and verification mechanism.

Chapter IV

Other provisions

Article 14

The national Government, through the fund for special peace programmes and/or other funds created for these purposes, will have the necessary resources for the implementation of the commitments and responsibilities arising from this decree.

Article 15

The national Government, through the fund for special peace programmes and/or other funds created for this purpose, will allocate the necessary resources for dissemination, awareness-raising and education campaigns aimed at local and territorial communities and nationwide regarding this process.

Article 16

Coordination with national, departmental or municipal authorities will be channelled through the Office of the High Commissioner for Peace.

Article 17. Entry into force

The present decree will be in force as of the date of its publication.

To be published, communicated and implemented.

DONE at Bogotá on 31 December 2022

(Signed) Iván Velásquez Gómez

Minister of National Defence

Enclosure III

Republic of Colombia Ministry of Defence

Decree No. 2659 of 31 December 2022 whereby a temporary bilateral national ceasefire is decreed, in the context of the rapprochements and talks between the national Government and the Autodefensas Conquistadores de la Sierra Nevada (Conquering Self-Defence Forces of the Sierra Nevada) and other provisions are enacted.

The President of the Republic of Colombia, exercising his constitutional and legal powers, in particular those conferred by articles 22, 188 and 189 of the Constitution, Act No. 2272 of 2022 extending, amending and supplementing Act No. 418 of 1997, Act No. 548 of 1999, Act No. 782 of 2002, Act No. 1106 of 2006, Act No. 1421 of 2010, Act No. 1738 of 2014, Act No. 1941 of 2018 and Act No. 2272 of 2022, and

Considering:

That article 22 of the Constitution provides that peace is a compulsory right and duty and that, pursuant to article 188 thereof, the President of the Republic symbolizes national unity, and upon swearing an oath to comply with the Constitution and the laws undertakes to guarantee the rights and liberties of all Colombians,

That under article 189, paragraph 4, of the Constitution, the President of the Republic, as Head of State, Head of Government and supreme administrative authority, is responsible for maintaining public order throughout the country and re-establishing it where it has been disturbed, and pursuant to paragraph 3 of the same article of the Constitution, the President of the Republic heads the public security forces and has command of them as supreme commander of the Armed Forces,

That article 1 of Act No. 2272 of 2002 states that the policy of peace is State policy,

That article 2 of Act No. 2272 of 2022, in referring to total peace, states that “The policy of peace is State policy. It will be a cross-cutting priority in State affairs, and will be participatory, broad, inclusive and comprehensive, in the implementation of agreements and in relation to negotiation processes, dialogue and the administration of justice. The primary purpose of the instruments of total peace will be the achievement of stable and lasting peace, with guarantees of non-repetition and security for all Colombians, and standards that prevent impunity and guarantee, to the greatest extent possible, victims’ rights to truth, justice and reparation”,

That the aforementioned article 2 also states that the Government may have two types of processes relating to the policy of peace: political dialogues and talks concerning the administration of justice and decommissioning,

That article 5 of Act No. 2272 of 2022, amending article 8 of Act No. 1941 of 2018, establishes, among other things, that “Representatives expressly authorized by the national Government to promote reconciliation and peaceful coexistence among Colombians and to achieve peace, in accordance with the guidelines set by the President of the Republic, may carry out all acts intended to establish rapprochements and talks with organized armed units involved in high impact crime that demonstrate willingness to move towards the rule of law (...) and carry out all acts intended to establish and advance dialogues and negotiations and reach agreements with spokespersons or members representing outlaw organized armed groups”,

That paragraph 8 of the aforementioned article 5 states that the President of the Republic, as the person responsible for the preservation of public order throughout

the country, is exclusively responsible for directing all types of rapprochements, talks, negotiations and dialogues with outlaw organized armed groups and/or signing terms of administration of justice with organized armed groups or organized armed units involved in high impact crime,

That on 30 December 2022 the Autodefensas Conquistadores de la Sierra Nevada, following exploratory meetings with the Office of the High Commissioner for Peace, expressed their willingness to enter into a unilateral ceasefire, and indicated that they had decided to actively participate in a social and legal dialogue mechanism and appoint their spokespersons and representatives,

That this Government is committed to listening to ethnic and rural communities, who have special rights protections, and that we have heard them and received their written submissions conveying a universal call from indigenous, Afro-Colombian and rural groups, through their various representative organizations, for a bilateral ceasefire and the start of peace talks with this armed group,

Hereby decrees:

Chapter I

Temporary bilateral national ceasefire

Article 1

It is hereby decreed that from 00:00 hours on 1 January 2023 until 24:00 hours on 30 June 2023 a temporary bilateral national ceasefire will be in effect between the national Government and the Autodefensas Conquistadores de la Sierra Nevada. The temporary bilateral national ceasefire may be extended by the national Government on the recommendation of the oversight, monitoring and verification mechanism.

The main objective of the temporary bilateral national ceasefire will be to suspend the humanitarian impact on the population in general and in particular on ethnic and rural communities, suspend offensive actions and prevent armed incidents between the public security forces and the Autodefensas Conquistadores de la Sierra Nevada.

The temporary bilateral national ceasefire will be conditional on compliance with the rules, commitments and terms agreed upon by the national Government and the Autodefensas Conquistadores de la Sierra Nevada in the relevant protocols.

The protocols to be signed between the national Government and the Autodefensas Conquistadores de la Sierra Nevada regarding the temporary bilateral national ceasefire are an integral part of this decree and will remain confidential, pursuant to Act No. 1437 of 2011 and Act No. 1712 of 2014.

Chapter II

Operations of the public security forces

Article 2

It is hereby ordered that there will be a suspension of military and police operations against members of the Autodefensas Conquistadores de la Sierra Nevada in order to facilitate the establishment of a forum for dialogue and achieve the administration of justice and their decommissioning, in accordance with the procedures for implementation of the agreement on a temporary bilateral national ceasefire and the relevant protocols.

The suspension of offensive military and police operations will be without prejudice to the performance of the functions of the public security forces and their constitutional and legal obligation to protect the national territory, preserve the constitutional order and ensure the necessary conditions for the exercise of public rights and liberties throughout the national territory.

Article 3

Members of the public security forces will strictly comply with the Constitution, the law and other domestic regulations and international instruments for the protection of human rights and compliance with international humanitarian law. Their actions will be undertaken based on the principle of good faith.

Article 4

At all times and under all circumstances it must be borne in mind that the actions taken by the public security forces pursuant to this decree are being carried out within the framework of a forum for dialogue expressly authorized by the President of the Republic, permitted by law and mandated under the Constitution as a requirement for all Colombians, for the purpose of ensuring the administration of justice and decommissioning in order to achieve peace.

Chapter III

Mechanism for oversight, monitoring and verification of the temporary bilateral national ceasefire

Article 5

A mechanism for oversight, monitoring and verification of the temporary bilateral national ceasefire is hereby established as a technical body, composed of the national Government (Ministry of Defence, Office of the High Commissioner for Peace and public security forces), the Autodefensas Conquistadores de la Sierra Nevada, national social organizations and the Catholic Church. The World Council of Churches will also be part of the oversight, monitoring and verification mechanism if they so decide, as well as an international component made up of the United Nations Verification Mission in Colombia and the Mission to Support the Peace Process of the Organization of American States.

A request will be made to the United Nations Security Council to have the United Nations Verification Mission in Colombia verify the ceasefires that are agreed upon under the policy of total peace. Similarly, the Ministry of Defence and the Office of the High Commissioner for Peace may request other intergovernmental organizations to participate in the observation, monitoring and verification of the ceasefires decreed in the context of total peace.

The Government will authorize the representative members appointed by the Autodefensas Conquistadores de la Sierra Nevada to be part of the oversight, monitoring and verification mechanism, and they will be given the necessary guarantees to fulfil their mission.

Article 6

The National Police, through the Police Unit for Peacebuilding, will perform the duty of protecting the members of the oversight, monitoring and verification mechanism, without prejudice to the harmonious collaboration to be provided by other State security institutions in the exercise of their duties.

Article 7

The representatives of territorial social organizations will be accredited with the Office of the High Commissioner for Peace and the Ministry of Defence. The Autodefensas Conquistadores de la Sierra Nevada may appoint members of their organization or trusted civilians to be part of the oversight, monitoring and verification mechanism.

Article 8

The oversight, monitoring and verification mechanism will have its own regulations for its national, territorial and local operations, and will establish the necessary procedures to ensure effective implementation of the objective of the temporary bilateral national ceasefire.

The Government and the Autodefensas Conquistadores de la Sierra Nevada will lead the oversight, monitoring and verification mechanism, will establish an impartial decision-making process and will also set a limit on the number of representatives of each institution or organization that is part of the aforementioned mechanism.

Article 9

The oversight, monitoring and verification mechanism will prepare, every two months, an evaluation of the commitments made for the temporary bilateral national ceasefire, any related incidents, the handling and resolution of conflicts, and any other matter they deem relevant to evaluate compliance with the objective of the ceasefire.

Article 10

The Minister of National Defence will issue the necessary guidelines to the public security forces for compliance with the provisions of this decree, within their competence, including the appointment of representatives of the public security forces for the national oversight, monitoring and verification mechanism.

The public security forces personnel appointed to the oversight, monitoring and verification mechanism will coordinate with the Ministry of Defence, the High Command of the Military Forces through the Joint Strategic Transition Command and the Directorate General of the National Police through the Police Unit for Peacebuilding.

Article 11

With respect to coordination with military and police units required by the members of the oversight, monitoring and verification mechanism in connection with the temporary bilateral national ceasefire, for the military forces such coordination will be carried out through the Joint Strategic Transition Command of the High Command of the Military Forces. The Directorate General of the National Police and the Police Unit for Peace Building will ensure coordination with the National Police. The foregoing will be done in accordance with the guidelines established by the Ministry of Defence.

Article 12

The rule of law will be maintained at all times and in all places. The civilian authorities will continue to exercise their constitutional, legal and regulatory functions and powers, without exception.

Article 13

The temporary bilateral national ceasefire may be terminated at any time for grave non-compliance as determined by the parties at the negotiating table, following an evaluation and report by the oversight, monitoring and verification mechanism.

Chapter IV

Other provisions

Article 14

The national Government, through the fund for special programmes and/or other funds created for these purposes, will have the necessary resources for the implementation of the commitments and responsibilities arising from this decree.

Article 15

The national Government will allocate the necessary resources for dissemination, awareness-raising and education campaigns aimed at local and territorial communities and nationwide regarding this process.

Article 16

Coordination with national, departmental or municipal authorities will be channelled through the Office of the High Commissioner for Peace.

Article 17. Entry into force

The present decree will be in force as of the date of its publication.

To be published, communicated and implemented.

DONE at Bogotá on 31 December 2022

(Signed) Iván Velásquez Gómez

Minister of National Defence

Enclosure IV

Republic of Colombia Ministry of Defence

Decree No. 2660 of 31 December 2022 whereby a temporary bilateral national ceasefire is decreed, in the framework of the approaches and talks between the national Government and the Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo, Segunda Marquetalia, Comandos de la Frontera del Ejército Bolivariano (Border Commandos of the Bolivarian Army), Coordinadora Guerrillera del Pacífico (Pacific Guerrilla Coordinating Body), and other provisions are issued.

The President of the Republic of Colombia, exercising his constitutional and legal powers, in particular those conferred by articles 22, 188 and 189 of the Constitution, Act No. 2272 of 2022 extending, amending and supplementing Act No. 418 of 1997, Act No. 548 of 1999, Act No. 782 of 2002, Act No. 1106 of 2006, Act No. 1421 of 2010, Act No. 1738 of 2014, Act No. 1941 of 2018 and Act No. 2272 of 2022, and

Considering:

That article 22 of the Constitution provides that peace is a compulsory right and duty and that, pursuant to article 188 thereof, the President of the Republic symbolizes national unity, and upon swearing an oath to comply with the Constitution and the laws undertakes to guarantee the rights and liberties of all Colombians,

That under article 189, paragraph 4, of the Constitution, the President of the Republic, as Head of State, Head of Government and supreme administrative authority, is responsible for maintaining public order throughout the country and re-establishing it where it has been disturbed, and pursuant to paragraph 3 of the same article of the Constitution, the President of the Republic heads the public security forces and has command of them as supreme commander of the Armed Forces,

That article 1 of Act No. 2272 of 2002 states that the policy of peace is State policy,

That article 2 of Act No. 2272 of 2022, in referring to total peace, states that “The policy of peace is State policy. It will be a cross-cutting priority in State affairs, and will be participatory, broad, inclusive and comprehensive, in the implementation of agreements and in relation to negotiation processes, dialogue and the administration of justice. The primary purpose of the instruments of total peace will be the achievement of stable and lasting peace, with guarantees of non-repetition and security for all Colombians, and standards that prevent impunity and guarantee, to the greatest extent possible, victims’ rights to truth, justice and reparation”,

That the aforementioned article 2 also states that the Government may have two types of processes relating to the policy of peace: political dialogues and talks concerning the administration of justice and decommissioning,

That article 5 of Act No. 2272 of 2022, amending article 8 of Act No. 1941 of 2018, establishes, among other things, that “Representatives expressly authorized by the national Government to promote reconciliation and peaceful coexistence among Colombians and to achieve peace, in accordance with the guidelines set by the President of the Republic, may carry out all acts intended to establish rapprochements and talks with organized armed units involved in high impact crime that demonstrate willingness to move towards the rule of law (...) and carry out all acts intended to establish and advance dialogues and negotiations and reach agreements with spokespersons or members representing outlaw organized armed groups”,

That paragraph 8 of the aforementioned article 5 states that the President of the Republic, as the person responsible for the preservation of public order throughout the country, is exclusively responsible for directing all types of rapprochements, talks, negotiations and dialogues with outlaw organized armed groups and/or signing terms of administration of justice with organized armed groups or organized armed units involved in high impact crime,

That on 30 December 2022, the self-styled armed group Segunda Marquetalia publicly announced its willingness to begin talks, following the exploratory phase held with the Office of the High Commissioner for Peace,

That during the exploratory phase with the commanders of this armed movement and the Office of the High Commissioner for Peace, in the presence of international delegates and members of the Church, this movement expressed of its own accord its compliance with international humanitarian law and agreed with the Government on measures for the implementation of international humanitarian law in the regions in which it operates,

That last December the Second Marquetalia, in a meeting with the Office of the High Commissioner for Peace, reiterated the importance of an internal meeting to appoint its delegates to engage in talks,

That this Government is committed to listening to ethnic and rural communities, who have special rights protections, and that we have heard them and received their written submissions conveying a universal call from indigenous, Afro-Colombian and rural groups, through their various representative organizations, for a bilateral ceasefire and the start of peace talks with this armed group,

Hereby decrees:

Chapter I

Temporary bilateral national ceasefire

Article 1

It is hereby decreed that from 00:00 hours on 1 January 2023 until 24:00 hours on 30 June 2023 a temporary bilateral national ceasefire will be in effect between the national Government and the Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo, Segunda Marquetalia, Comandos de la Frontera del Ejército Bolivariano, Coordinadora Guerrillera del Pacífico. The temporary bilateral national ceasefire may be extended by the national Government on the recommendation of the oversight, monitoring and verification mechanism.

The main objective of the temporary bilateral national ceasefire will be to suspend the humanitarian impact on the population in general and in particular on ethnic and rural communities, suspend offensive actions and prevent armed incidents between the public security forces and the Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo, Segunda Marquetalia, Comandos de la Frontera del Ejército Bolivariano, Coordinadora Guerrillera del Pacífico.

The temporary bilateral national ceasefire will be conditional on compliance with the rules, commitments and terms agreed upon by the national Government and the Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo, Segunda Marquetalia, Comandos de la Frontera del Ejército Bolivariano, Coordinadora Guerrillera del Pacífico in the relevant protocols.

The protocols to be signed between the national Government and the Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo, Segunda Marquetalia,

Comandos de la Frontera del Ejército Bolivariano, Coordinadora Guerrillera del Pacífico regarding the temporary bilateral national ceasefire are an integral part of this decree and will remain confidential, pursuant to Act No. 1437 of 2011 and Act No. 1712 of 2014.

Chapter II

Operations of the public security forces

Article 2

It is hereby ordered that there will be a suspension of offensive military and police operations against members of the Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo, Segunda Marquetalia, Comandos de la Frontera del Ejército Bolivariano, Coordinadora Guerrillera del Pacífico in order to facilitate the establishment of a forum for dialogue and achieve the administration of justice and their decommissioning, in accordance with the procedures for implementation of the agreement on a temporary bilateral national ceasefire and the relevant protocols.

The suspension of military and police operations will be without prejudice to the performance of the functions of the public security forces and their constitutional and legal obligation to protect the national territory, preserve the constitutional order and ensure the necessary conditions for the exercise of public rights and liberties throughout the national territory.

Article 3

Members of the public security forces will strictly comply with the Constitution, the law and other domestic regulations and international instruments for the protection of human rights and compliance with international humanitarian law. Their actions will be undertaken based on the principle of good faith.

Article 4

At all times and under all circumstances it must be borne in mind that the actions taken by the public security forces pursuant to this decree are being carried out within the framework of a forum for dialogue expressly authorized by the President of the Republic, permitted by law and mandated under the Constitution as a requirement for all Colombians, for the purpose of ensuring the administration of justice and decommissioning in order to achieve peace.

Chapter III

Mechanism for oversight, monitoring and verification of the temporary bilateral national ceasefire

Article 5

A mechanism for oversight, monitoring and verification of the temporary bilateral national ceasefire is hereby established as a technical body, composed of the national Government (Ministry of Defence, Office of the High Commissioner for Peace and public security forces), the Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo, Segunda Marquetalia, Comandos de la Frontera del Ejército Bolivariano, Coordinadora Guerrillera del Pacífico, national social organizations and the Catholic Church. The World Council of Churches will also be part of the oversight, monitoring and verification mechanism if they so decide, as well as an international component made up of the United Nations Verification Mission in Colombia and the Mission to Support the Peace Process of the Organization of American States.

A request will be made to the United Nations Security Council to have the United Nations Verification Mission in Colombia verify the ceasefires that are agreed upon under the policy of total peace. Similarly, the Ministry of Defence and the Office of the High Commissioner for Peace may request other intergovernmental organizations to participate in the observation, monitoring and verification of the ceasefires decreed in the context of total peace.

The Government will authorize the representative members appointed by the Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo, Segunda Marquetalia, Comandos de la Frontera del Ejército Bolivariano, Coordinadora Guerrillera del Pacífico to be part of the oversight, monitoring and verification mechanism, and they will be given the necessary guarantees to fulfil their mission.

Article 6

The National Police, through the Police Unit for Peacebuilding, will perform the duty of protecting the members of the oversight, monitoring and verification mechanism, without prejudice to the harmonious collaboration to be provided by other State security institutions in the exercise of their duties.

Article 7

The representatives of territorial social organizations will be accredited with the Office of the High Commissioner for Peace and the Ministry of Defence. The Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo, Segunda Marquetalia, Comandos de la Frontera del Ejército Bolivariano, Coordinadora Guerrillera del Pacífico may appoint members of their organization or trusted civilians to be part of the oversight, monitoring and verification mechanism.

Article 8

The oversight, monitoring and verification mechanism will have its own regulations for its national, territorial and local operations, and will establish the necessary procedures to ensure effective implementation of the objective of the temporary bilateral national ceasefire.

The Government and the Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo, Segunda Marquetalia, Comandos de la Frontera del Ejército Bolivariano, Coordinadora Guerrillera del Pacífico will lead the oversight, monitoring and verification mechanism, will establish an impartial decision-making process and will also set a limit on the number of representatives of each institution or organization that is part of the aforementioned mechanism.

Article 9

The oversight, monitoring and verification mechanism will prepare, every two months, an evaluation of the commitments made for the temporary bilateral national ceasefire, any related incidents, the handling and resolution of conflicts, and any other matter they deem relevant to evaluate compliance with the objective of the ceasefire.

Article 10

The Minister of National Defence will issue the necessary guidelines to the public security forces for compliance with the provisions of this decree, within their competence, including the appointment of representatives of the public security forces for the national oversight, monitoring and verification mechanism.

The public security forces personnel appointed to the oversight, monitoring and verification mechanism will coordinate with the Ministry of Defence, the High Command of the Military Forces through the Joint Strategic Transition Command and

the Directorate General of the National Police through the Police Unit for Peacebuilding.

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Chapter IV

Other provisions

Article 14

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The national Government, through the fund for special peace programmes and/or other funds created for this purpose, will allocate the necessary resources for dissemination, awareness-raising and education campaigns aimed at local and territorial communities and nationwide regarding this process.

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To be published, communicated and implemented.

DONE at Bogotá on 31 December 2022

(Signed) Iván Velásquez Gómez

Minister of National Defence
