

**A PASTORAL LETTER CALLING FOR THE FULL IMPLEMENTATION OF THE
COLOMBIAN PEACE ACCORD**

July 2018

*Then justice will dwell in the wilderness, and righteousness abide in
the fruitful field. The effect of righteousness will be peace, and the
result of righteousness, quietness and trust forever.*

Isaiah 32:16-17 (NRSV)

As people belonging to communities of faith and different churches and religious leaders from various parts of Colombia and the world, we have lived through and are aware of the sociopolitical violence and various forms of criminality in Colombia (for more than 70 years). This violence manifests itself in the midst of deep historical inequalities that have generated millions of victims. This causes us great pain.

We have also witnessed the considerable efforts to end the armed conflict and the significant steps towards peace through hundreds of victims' and rural communities' initiatives. We supported the peace talks between the Colombian government and the former FARC-EP guerrilla group, today the FARC political party (Common Revolutionary Alternative Force), which led to the signing of the peace agreements in September and November 2016.

We supported the talks with the National Liberation Army (ELN) guerrilla group and backed the bilateral ceasefire agreement. We also requested to participate, along with rural communities, in these talks. We strongly hope these talks will continue and that they will lead to a new peace agreement between the Colombian government and the ELN.

We have participated in and studied other peace processes around the world and we know that building paths of peace and reconciliation with justice is not easy. Therefore, we believe that the agreement between the Santos administration and the FARC-EP is unique and profound. It goes beyond the disarmament and the reincorporation of guerrilla ex-combatants into civilian life. This agreement's Holistic System of Truth, Justice, Reparation and Non-Repetition (SIVJRNRR) meets international law standards for victims' rights with due process guarantees for all parties.

The Peace Accord seeks to solve structural issues such as comprehensive rural reform, political participation, the illicit drug trade and measures to prevent the emergence of new forms of criminality, which would create a modern state under the rule of law.

Our peace accord monitoring work, as well as accompaniment of international delegations to Colombia, has allowed us to hear the opinions and testimonies of victims, ex-combatants, government officials and monitoring organizations. They all agree that the implementation of the peace accord has suffered from numerous shortcomings. Currently the implementation faces not only these failures but also new risks arising from the change in presidential administrations and the election of a new congress.

In recent days our we have been pained by and concerned about the rising number of murdered social leaders. According to the Human Rights Ombudsman's Office, in the last two years since the signing of the peace accords, 311 social leaders have been murdered; this is mass murder[1].

Congress has now modified the Special Jurisdiction for Peace (JEP) section of the Peace Accord. Civilian third parties involved in the armed conflict are no longer obligated to appear before the court. And congress recently approved the JEP's procedural rules limiting its jurisdiction in cases involving extradition.

Furthermore, a constitutional reform was included for the military to have a special tribunal, composed of new magistrates. "This implies that members of the state security forces who committed serious human rights violations may enjoy sentence reduction without needing to contribute to truth and reparations for victims. This negatively affects the right to timely and effective access to justice, afforded to more than 10,000 victims by international law"[2]. Thus the possibility of all parties to the conflict being held accountable is lost, generating new imbalances which could lead to impunity.

Another example of failure of Peace Accord implementation was Congress' refusal to create the sixteen electoral "peace districts" that sought to guarantee victims, from regions highly affected by the armed conflict, representation in the House of Representatives. These and other changes affect the chances for real peace and are detrimental to the victims that are at the center of the peace accord.

After the great achievement of the disarmament of the FARC-EP and its transition into a political party, the reincorporation of ex-combatants has faced many difficulties. Of the 26 Territorial Zones for Training and Reincorporation (ETCR), two were eliminated by the government. Development is limited at the remaining ETCRs since land has not been designated for the ex-combatant's development projects. Due to this, many ex-guerrillas have left these ETCRs and there are already some thirty new locations with independent development projects. Other ex-combatants have surely taken up arms again.

The Interchurch Dialogue for Peace (DIPAZ) has reported on the concerns of the ex-combatants in the ETCR as part of their humanitarian monitoring of the peace accord implementation. Among the concerns shared were: the end of the food supply in August 2018, the government's failure to implement development projects, security risks for ex-combatants and their families (at least 70 FARC members have been murdered), the future of the New Settlement Points (NPA) which are self-managed small agricultural

projects that will not be able to cover the basic needs of the ex-combatants, and limited access to potable water, decent housing and healthcare, among others.

This information will be further developed by DIPAZ in its next report, which will argue that these negative effects of non-implementation of the Peace Accord affect not only the ex-combatants, but also the civilian population. In several regions that were previously under the influence of the FARC-EP, which they have now left due to their reincorporation into civilian life, there is now a fight for territorial control between several armed actors, including FARC-EP dissident groups that did not accept the terms of the peace process. This has directly affected the civilian population causing new forced-displacement, armed attacks, threats, and other concerns.

FARC ex-combatants have expressed a fear of the legal limbo that they currently face. This uncertainty stems not only from a lack of progress in processing the amnesties for ex-combatants (there are still some 600 ex-combatants in prison), but also because of the "Jesus Santrich" case. His requested extradition by the United States has caused a clash between the regular justice system and the transitional justice system, as to who has jurisdiction in the case. Additionally, President-elect Iván Duque has publicly requested that FARC party congresspersons chosen to occupy ten seats in Congress (as mandated by the Peace Accord) not do so until they appear before the JEP.

In February the European Parliament's International Commission for the Verification of Human Rights in Colombia, stated that as of then only 18.5% of the Peace Accord had been fulfilled. That included 5% of the provisions for rural reform, 19% of the provisions for political participation, and 33% of the provisions for the end of the conflict[3]. Added to that are other concerns such as the lack of implementation of the territorial peace provisions, a pillar of the peace accord. Vice President Oscar Naranjo said that one of the biggest challenges for the new administration is to guarantee a state committed to maintain state presence in the territories[4].

We are concerned by these situations, as well as by the statements of President-elect Iván Duque saying that he would "correct" or "modify" the Final Accord with the FARC. Also concerning are the conditions he has put on continuing the dialogues with the ELN. For these reasons, we are putting out this urgent alert and asking the new administration and the new Colombian congress to fully implement the Peace Accord. We join with the guarantor countries of Cuba and Norway who stated on April 15, "We urge the institutions of the Colombian State to guarantee the protection of the Final Peace Accord and ensure strict compliance with the agreement."

Guided by the spirit of God and by the Gospel of Jesus, which calls us to be builders of peace and to be ambassadors of reconciliation, we ask:

1. The international community to request the new administration and Colombian congress to guarantee the protection of the Final Peace Accord and ensure its strict compliance.
2. The Swiss Federal Council in Bern and the Security Council of the United Nations, as depositaries of the Final Peace Accord within the framework of International Humanitarian Law, to exercise their role in guaranteeing compliance.
3. The United Nations Security Council, to maintain its role of verifying compliance with the Final Peace Accord and to carry out a new field visit to Colombia to dialogue with the new administration and congress.
4. Churches all across the world, to increase their support, accompaniment and care for the Colombian people, so that they do not falter in seeking peace with social justice and reconciliation.
5. The new administration and congress that they continue with the implementation of the Final Peace Accord and make all necessary legislative, political, judicial and budgetary efforts in order to comply with the accord.

Our prayer and commitment is to fulfill the promise for Colombia foreseen in Psalm 85:10-11, enabling us to live with lasting peace and reconciliation:

Steadfast love and faithfulness will meet; righteousness and peace will kiss each other. Faithfulness will spring up from the ground, and righteousness will look down from the sky.
(NRSV)

Signed,

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[1] <http://www.elcolombiano.com/colombia/mapa-de-lideres-y-defensores-asesinados-en-colombia-DI8956261>

[2] Coordinación Colombia Europa. Documento de Incidencia. Julio 2018

[3] <http://www.elcolombiano.com/colombia/implementacion-de-acuerdo-de-paz-con-las-farc-va-en-el-18-5-LG8181287>

[4] Semana En Vivo. Programa de Análisis Político. 24 de abril de 2018. Vicepresidente Oscar Naranjo y el investigador Ariel Avila- ONG Fundación Paz y reconciliación. <https://www.youtube.com/watch?v=vVQ7Wghv9E>