

Country/entity	Colombia
Region	Americas
Agreement name	Acuerdo de la Puerta del Cielo
Date	15 Jul 1998
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/conflict level	Intrastate/intrastate conflict

Colombian Conflict (1964 -)

The Colombian conflict is really a set of conflicts and the peace agreements reflect both different processes relating to different conflict groups and dyads, and processes taking place at different times in a complex peace process history. The Colombian civil war has its roots in the late 1940s and the violent infighting between liberal and the conservative factions. Emerging from the liberal tradition with a thorough grounding in nationalist communist ideology, the Revolutionary Armed Forces of Colombia—People's Army (FARC) began its armed insurrection against the Colombian government in 1964. Other left-wing guerrillas emerged as well, most notably the socialist/populist M-19, which would later be integrated into the formal political system in the peace process of 1990s; the National Liberation Army (ELN), which has strong roots in liberation theology, and the Maoist Ejército Popular de Liberación (EPL) (also part of the 1990 process, less successfully). Several stages of peace processes were undertaken by the various sides, which were further complicated by the emergence of right-wing paramilitary 'self-defence' forces. The peace agreement between the Colombian government under President Uribe and the main alliance of the paramilitary groups, the United Self-Defence Forces of Colombia (AUC), concluded in 2005 and is still heavily disputed as several remnants are still active, but now subsumed under the heading 'Bacrim' (Bandas criminales). In addition, FARC and ELN maintain a military presence, but both demonstrate a strong interest in completing successful peace negotiations with the government, with the most recent agreements being between FARC and the Government.

Close
Colombian Conflict (1964 -
)

Stage	Pre-negotiation/process
Conflict nature	Government
Peace process	Colombia II - Samper

Parties Presented in the preamble as an agreement of:
civil society that is represented here, the National Liberation Army (Ejército de Liberación Nacional, ELN) and the National Peace Committee,

This agreement is signed by the following people on 15 July in Würzburg, Germany.

Aída Abello, Gustavo Alvarez Gardeazábal, Hernando Angarita Figueredo, Pablo Beltrán, Ana Teresa Bernal, Jaime Bernal Cuéllar, Néelson Berrio, Jaime Alberto Cabal, Jaime Caicedo, César Carrillo, Monsignor Luis Augusto Castro, José Fernando Castro, Luis Eduardo Garzón, Carlos Gaviria, Ana Mercedes Gómez, Mario Gómez, Camilo González Posso, Milton Hernández, Hernando Hernández, Gabriel Izquierdo, Father Jorge Martínez, Eugenio Marulanda, Alfredo Molano, Víctor Moncayo, Samuel Moreno, Antonio Picón, Sabas Pretelt de la Vega, Javier Darío Restrepo, José Noé Ríos, María Isabel Rueda, Carlos Alberto Ruiz, Francisco Santos, Juan Manuel Santos, Eduardo Umaña Luna, León Valencia, Alejo Vargas, Juan Vásquez, Luis Carlos Villegas, Jorge Visbal

Third parties Presented in preamble as an agreement 'facilitated' by: Episcopalian Conference of Germany and Colombia'

Description This agreement establishes an inclusive process for national dialogue and calls on the parties to respect humanitarian law and protect human rights. It also calls for human rights investigation of past crimes. They agree to start the peace process with the ELN. The document is about the participation of civil society and the potential inclusion of the FARC in the peace process; it is reaffirming the rights and duties towards civilians and prisoners of war within the context of the war, it addresses the need to talk about access to natural resources; it calls for, defines and sets principles and rules of a national convention and its objectives with the ultimate goal of peace and social justice, greater democracy and consolidated sovereignty. Source: En ausencia de un proceso de paz: Acuerdos Parciales y Mandato Ciudadano por la Paz, Biblioteca de la Paz – 1994-1998, Fundación Cultura Democrática, Ed. Álvaro Villarraga Sarmiento, Bogotá D.C., 2009 (book IV) p. 275

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Agreement document (original language) [CO_980715_Acuerdo De La Puerta Del Cielo.pdf \(opens in new tab\)](#)

Groups

Children/youth	Groups→Children/youth→Substantive Page 4, Article 17, Reaffirm the commitment of civil society and ELN to respect and ensure full respect for the rights of children. The organisation will not employ children under 16 in its permanent military force, with this age raised to 18 in the future.
Disabled persons	No specific mention.
Elderly/age	No specific mention.
Migrant workers	No specific mention.
Racial/ethnic/ national group	No specific mention.
Religious groups	No specific mention.
Indigenous people	Groups→Indigenous people→Rhetorical Page 4, Article 16, Promote respect for the autonomy, beliefs, culture and the right to neutrality of indigenous communities and other ethnic groups and their lands among all armed actors and involved parties.
Other groups	No specific mention.
Refugees/displaced persons	Groups→Refugees/displaced persons→Rhetorical Page 2, Article 13, Regarding the serious problem of forcibly displaced persons, we will promote and support their organisation and voice for the defence of their legitimate interests and needs, especially their safe return, the ownership of land, where applicable, and their full development, together with their regions.
Social class	No specific mention.

Gender

Women, girls and gender	Page 2, Article 10, ELN undertakes to stop detaining people or depriving them of liberty for financial gain insofar as the sufficient availability of resources for ELN is resolved by other means, provided that, until conclusion of the peace process with the organisation, it does not result in its strategical weakening. Furthermore, from today, it will cease to detain minors and elderly people over 65, and under no circumstances will pregnant women be deprived of liberty.
Men and boys	No specific mention.
LGBTI	No specific mention.
Family	No specific mention.

State definition

Nature of state (general)	No specific mention.
State configuration	No specific mention.
Self determination	No specific mention.
Referendum	No specific mention.
State symbols	No specific mention.
Independence/ secession	No specific mention.
Accession/ unification	No specific mention.
Border delimitation	No specific mention.
Cross-border provision	No specific mention.

Governance

Political institutions (new or reformed) No specific mention.

Elections No specific mention.

Electoral commission No specific mention.

Political parties reform No specific mention.

Civil society

Page 2, Article 2,
Recognise and sponsor the permanent involvement of civil society to bring about the conclusion of the peace process.

Page 2, Article 3,
Promote more research and proposals in areas of the peace process that seek structural or partial changes in the life of the country.

Page 2, Article 4,
Arrange meetings with various sectors to secure the achievements of the peace process.

Page 2, Article 5,
Promote the projection of the spirit of this document with respect to the government and continue with activities to promote peace, with the support of the international community.

Page 3, Article 7,
Place ourselves in the service of the large national movement inspired by the mandate for peace that has arisen throughout the country to bring an end to war, promoting its expansion and consolidation at events such as the Permanent Assembly of Civil Society for Peace.

Page 3, Article 8,
Ensure civil society facilitates and finds spaces with the government to demand compliance with the political guarantees and public freedoms of the constitution throughout the country.

Page 3, Article 14,
To exclude assets protected by international humanitarian law, such as those in the following list, from armed attacks, they will be identified and demarcated with the leadership of civil society and the coordination of the Office of the Inspector General and the Ombudsperson:

- aqueducts and dams
- schools
- human and animal health centres
- hospitals
- centres and resources for supplying the civilian population
- ambulances, fire services and rescue vehicles
- vehicles, ships and planes for civilian use not being used for military purposes
- human and animal hygiene and social interest campaigns
- education, sports, cultural, leisure and religious centres
- power transmission infrastructure for the civilian population
- installations with dangerous forces such as dammed water or nuclear material.

Page 3, Article 15,
ELN reaffirms its unilateral acceptance of the recommendations made by Amnesty International for the insurgent movement in its 1994 report on Colombia. As such, it confirms compliance with the following recommendations:
A. Humane treatment of prisoners, people who are injured or those who intend to surrender. Regardless of whether they are civilians or members of the armed forces, they must not be killed.

B. Planned and arbitrary murders of non-combatants will be prohibited under all circumstances.

C. Prisoners will not be used as hostages. People who are detained will be identified and their healthy and safe release will be guaranteed.

Traditional/ religious leaders	Page 6, Article 21, The signatories to this agreement are committed to its development, support, evaluation and monitoring, as well as linking this work to other sectors that represent Colombian society. We express our gratitude to the Episcopal conferences of Germany and Colombia for the hospitality and cordiality of their support to help us achieve this mission.
Public administration	No specific mention.
Constitution	No specific mention.

Power sharing

Political power sharing	No specific mention.
Territorial power sharing	No specific mention.
Economic power sharing	No specific mention.
Military power sharing	No specific mention.

Human rights and equality

Human rights/RoL general	Page 4, Article 17, Reaffirm the commitment of civil society and ELN to respect and ensure full respect for the rights of children. The organisation will not employ children under 16 in its permanent military force, with this age raised to 18 in the future. Pages 4-6, Regarding the national convention, ... The national convention itself will decide on the decision-making procedure and other aspects of its operation. Its agenda will include issues such as defining the terms for the required transformations of social, economic and political structures through concerted action that takes into account the full force of human rights, social and economic justice, political democratisation, sovereignty, integration and internationalisation, and the role of public force in a peaceful country.
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Bill of rights/similar No specific mention.

**Treaty
incorporation**

Page 2, Article 11,

Demand real progress in fighting impunity for crimes against humanity, including forced disappearances, massacres, genocide and torture that fully meet the spirit of international regulations in this area.

Page 3, Article 14,

To exclude assets protected by international humanitarian law, such as those in the following list, from armed attacks, they will be identified and demarcated with the leadership of civil society and the coordination of the Office of the Inspector General and the Ombudsperson:

- aqueducts and dams
- schools
- human and animal health centres
- hospitals
- centres and resources for supplying the civilian population
- ambulances, fire services and rescue vehicles
- vehicles, ships and planes for civilian use not being used for military purposes
- human and animal hygiene and social interest campaigns
- education, sports, cultural, leisure and religious centres
- power transmission infrastructure for the civilian population
- installations with dangerous forces such as dammed water or nuclear material.

Pages 3-4

15. ELN reaffirms its unilateral acceptance of the recommendations made by Amnesty International for the insurgent movement in its 1994 report on Colombia. As such, it confirms compliance with the following recommendations:

A. Humane treatment of prisoners, people who are injured or those who intend to surrender. Regardless of whether they are civilians or members of the armed forces, they must not be killed.

B. Planned and arbitrary murders of non-combatants will be prohibited under all circumstances.

C. Prisoners will not be used as hostages. People who are detained will be identified and their healthy and safe release will be guaranteed.

D. Mines will not be used to kill or deliberately maim civilians.

E. Allegations of abuses committed by guerrillas will be investigated to determine their responsibility.

F. Guerrillas suspected of having committed or ordered abuses will be removed from any post of authority and any service that gives them the opportunity to commit such abuses again.

Page 4

Promote the ratification by congress of the Ottawa Convention on the prohibition of the use of anti-personnel mines. A commitment will also be made not to deploy anti-personnel mines in sites where there is a risk to the civilian population, especially children. We also demand compliance with the prohibition of bombing assets and areas used by the civilian population.

Civil and political rights

Human rights and equality→Civil and political rights→Life

A. Humane treatment of prisoners, people who are injured or those who intend to surrender. Regardless of whether they are civilians or members of the armed forces, they must not be killed.

B. Planned and arbitrary murders of non-combatants will be prohibited under all circumstances.

Human rights and equality→Civil and political rights→Torture

E. Allegations of abuses committed by guerrillas will be investigated to determine their responsibility.

F. Guerrillas suspected of having committed or ordered abuses will be removed from any post of authority and any service that gives them the opportunity to commit such abuses again.

Human rights and equality→Civil and political rights→Equality

Page 5, Regarding the national convention,

In light of the positive results from this meeting, we also agree to convene a national convention for peace and social justice, the expansion of democracy and the consolidation of national sovereignty under the following terms:

Human rights and equality→Civil and political rights→Liberty and security of person

C. Prisoners will not be used as hostages. People who are detained will be identified and their healthy and safe release will be guaranteed.

Human rights and equality→Civil and political rights→Humane treatment in detention

Page 3, Article 15,

ELN reaffirms its unilateral acceptance of the recommendations made by Amnesty International for the insurgent movement in its 1994 report on Colombia. As such, it confirms compliance with the following recommendations:

A. Humane treatment of prisoners, people who are injured or those who intend to surrender. Regardless of whether they are civilians or members of the armed forces, they must not be killed.

Page 4, Article 19,

The meeting emphasised that prisoners and detainees of the insurgency must receive humane treatment, with respect for their dignity and their status as political prisoners.

The non-penalisation of social protest will be supported.

Human rights and equality→Civil and political rights→Other

D. Mines will not be used to kill or deliberately maim civilians.

Page 4

Promote the ratification by congress of the Ottawa Convention on the prohibition of the use of anti-personnel mines. A commitment will also be made not to deploy anti-personnel mines in sites where there is a risk to the civilian population, especially children. We also demand compliance with the prohibition of bombing assets and areas used by the civilian population.

Socio-economic rights

No specific mention.

Rights related issues

Citizenship	No specific mention.
Democracy	<p>Pages 4-6, Regarding the national convention, In light of the positive results from this meeting, we also agree to convene a national convention for peace and social justice, the expansion of democracy and the consolidation of national sovereignty under the following terms:</p> <p>The term national convention refers to a process with various spaces for dialogue that allows the participating representatives of the state, society and the guerrilla organisation to make proposals.</p> <p>The convention will seek to define the terms of a political agreement for social reforms and transformations with a view to the democratisation of the state and society. It will be implemented via the required administrative or legislative mechanisms, including the organisation of a National Constitutional Assembly.</p> <p>The national convention must facilitate participation by representatives of the state and be backed by the national government, for which the National Peace Council, in its capacity as an advisory institution to the government, will serve as facilitator. FARC and the guerrilla coordinator will be invited to participate in the national convention and contribute their proposals.</p> <p>Regarding participants, it is important to ensure these are as representative as possible, based on the current group of participants at the meeting in Mainz, who will constitute a preparatory commission for the national convention and establish an operating committee for this purpose.</p> <p>The process of this national convention must promote regional and sectoral spaces for drawing up the convention. The preparatory commission must organise the national convention before 12 October 1998.</p> <p>The national convention itself will decide on the decision-making procedure and other aspects of its operation. Its agenda will include issues such as defining the terms for the required transformations of social, economic and political structures through concerted action that takes into account the full force of human rights, social and economic justice, political democratisation, sovereignty, integration and internationalisation, and the role of public force in a peaceful country.</p> <p>The national convention will take place in Colombian territory in an area in which there will be a bilateral ceasefire, with the necessary guarantees provided to all participants. To coincide with the national convention, major milestones in the peace process will be encouraged, such as the ceasefire and cessation of offensive operations by all parties in the national territory.</p>
Detention procedures	No specific mention.
Media and communication	No specific mention.
Mobility/access	No specific mention.
Protection measures	No specific mention.
Other	No specific mention.

Rights institutions

NHRI No specific mention.

Regional or international human rights institutions No specific mention.

Justice sector reform

Criminal justice and emergency law No specific mention.

State of emergency provisions No specific mention.

Judiciary and courts Page 2, Article 12,
Based on the concepts of the United Nations, ensure regional justice is not extended beyond the current legal mandate. Similarly, the urgency of recovering the effectiveness, speed, impartiality and procedural guarantees of the justice system is emphasised.

Prisons and detention No specific mention.

Traditional Laws No specific mention.

Socio-economic reconstruction

Development or socio-economic reconstruction Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development
Pages 4-6, Regarding the national convention,
In light of the positive results from this meeting, we also agree to convene a national convention for peace and social justice, the expansion of democracy and the consolidation of national sovereignty under the following terms:
The term national convention refers to a process with various spaces for dialogue that allows the participating representatives of the state, society and the guerrilla organisation to make proposals.
The convention will seek to define the terms of a political agreement for social reforms and transformations with a view to the democratisation of the state and society. It will be implemented via the required administrative or legislative mechanisms, including the organisation of a National Constitutional Assembly.
The national convention must facilitate participation by representatives of the state and be backed by the national government, for which the National Peace Council, in its capacity as an advisory institution to the government, will serve as facilitator. FARC and the guerrilla coordinator will be invited to participate in the national convention and contribute their proposals.
Regarding participants, it is important to ensure these are as representative as possible, based on the current group of participants at the meeting in Mainz, who will constitute a preparatory commission for the national convention and establish an operating committee for this purpose.
The process of this national convention must promote regional and sectoral spaces for drawing up the convention. The preparatory commission must organise the national convention before 12 October 1998.
The national convention itself will decide on the decision-making procedure and other aspects of its operation. Its agenda will include issues such as defining the terms for the required transformations of social, economic and political structures through concerted action that takes into account the full force of human rights, social and economic justice, political democratisation, sovereignty, integration and internationalisation, and the role of public force in a peaceful country.
The national convention will take place in Colombian territory in an area in which there will be a bilateral ceasefire, with the necessary guarantees provided to all participants. To coincide with the national convention, major milestones in the peace process will be encouraged, such as the ceasefire and cessation of offensive operations by all parties in the national territory.

National economic plan No specific mention.

Natural resources Page 4, Article 20,
The signatories to this agreement will promote a broad forum in the context of the national convention to discuss the issue of sovereignty over natural resources, including oil, in order to propose changes to policies and regulations in this area that would benefit the country to congress and the government. This forum will take place in an area whose clearance will be requested by the government for this purpose.
While this event is taking place, ELN will cease from sabotaging oil pipelines, for which the organisation admits having been solely responsible.

International funds No specific mention.

Business No specific mention.

Taxation No specific mention.

Banks No specific mention.

Land, property and environment

Land reform/rights No specific mention.

**Pastoralist/
nomadism rights** No specific mention.

Cultural heritage Land, property and environment→Cultural heritage→Promotion
Page 4, Article 16,
Promote respect for the autonomy, beliefs, culture and the right to neutrality of
indigenous communities and other ethnic groups and their lands among all armed
actors and involved parties.

Environment No specific mention.

**Water or riparian
rights or access** No specific mention.

Security sector

Security Guarantees

No specific mention.

Ceasefire

Security sector→Ceasefire→Ceasefire provision

Pages 4-6, Regarding the national convention,

In light of the positive results from this meeting, we also agree to convene a national convention for peace and social justice, the expansion of democracy and the consolidation of national sovereignty under the following terms:

The term national convention refers to a process with various spaces for dialogue that allows the participating representatives of the state, society and the guerrilla organisation to make proposals.

The convention will seek to define the terms of a political agreement for social reforms and transformations with a view to the democratisation of the state and society. It will be implemented via the required administrative or legislative mechanisms, including the organisation of a National Constitutional Assembly.

The national convention must facilitate participation by representatives of the state and be backed by the national government, for which the National Peace Council, in its capacity as an advisory institution to the government, will serve as facilitator. FARC and the guerrilla coordinator will be invited to participate in the national convention and contribute their proposals.

Regarding participants, it is important to ensure these are as representative as possible, based on the current group of participants at the meeting in Mainz, who will constitute a preparatory commission for the national convention and establish an operating committee for this purpose.

The process of this national convention must promote regional and sectoral spaces for drawing up the convention. The preparatory commission must organise the national convention before 12 October 1998.

The national convention itself will decide on the decision-making procedure and other aspects of its operation. Its agenda will include issues such as defining the terms for the required transformations of social, economic and political structures through concerted action that takes into account the full force of human rights, social and economic justice, political democratisation, sovereignty, integration and internationalisation, and the role of public force in a peaceful country.

The national convention will take place in Colombian territory in an area in which there will be a bilateral ceasefire, with the necessary guarantees provided to all participants. To coincide with the national convention, major milestones in the peace process will be encouraged, such as the ceasefire and cessation of offensive operations by all parties in the national territory.

Police

No specific mention.

Armed forces

No specific mention.

DDR

No specific mention.

Intelligence services

No specific mention.

**Parastatal/rebel
and opposition
group forces**

Page 2, Article 6,
Facilitate meetings between the government and the commands of ELN and the Popular Liberation Army (Ejército Popular de Liberación, EPL). Promote a meeting of the signatories to this agreement with the commands of the Revolutionary Armed Forces of Colombia (Fuerzas Armadas Revolucionarias de Colombia, FARC), the Simón Bolívar Guerrilla Coordinating Board (Coordinadora Guerrillera Simón Bolívar, CGSB) and other parties involved in the war. Acknowledge the meeting of the incoming president Andrés Pastrana Arango and the FARC command as valuable to the future of peace.

Page 2, Article 10,
ELN undertakes to stop detaining people or depriving them of liberty for financial gain insofar as the sufficient availability of resources for ELN is resolved by other means, provided that, until conclusion of the peace process with the organisation, it does not result in its strategical weakening. Furthermore, from today, it will cease to detain minors and elderly people over 65, and under no circumstances will pregnant women be deprived of liberty.

Page 3, Article 15,
ELN reaffirms its unilateral acceptance of the recommendations made by Amnesty International for the insurgent movement in its 1994 report on Colombia. As such, it confirms compliance with the following recommendations:

- A. Humane treatment of prisoners, people who are injured or those who intend to surrender. Regardless of whether they are civilians or members of the armed forces, they must not be killed.
- B. Planned and arbitrary murders of non-combatants will be prohibited under all circumstances.
- C. Prisoners will not be used as hostages. People who are detained will be identified and their healthy and safe release will be guaranteed.
- D. Mines will not be used to kill or deliberately maim civilians.
- E. Allegations of abuses committed by guerrillas will be investigated to determine their responsibility.
- F. Guerrillas suspected of having committed or ordered abuses will be removed from any post of authority and any service that gives them the opportunity to commit such abuses again.

Page 4, Article 17,
Reaffirm the commitment of civil society and ELN to respect and ensure full respect for the rights of children. The organisation will not employ children under 16 in its permanent military force, with this age raised to 18 in the future.

Page 4, Article 20,
The signatories to this agreement will promote a broad forum in the context of the national convention to discuss the issue of sovereignty over natural resources, including oil, in order to propose changes to policies and regulations in this area that would benefit the country to congress and the government. This forum will take place in an area whose clearance will be requested by the government for this purpose. While this event is taking place, ELN will cease from sabotaging oil pipelines, for which the organisation admits having been solely responsible.

Pages 4-6, Regarding the national convention,
In light of the positive results from this meeting, we also agree to convene a national convention for peace and social justice, at the expansion of democracy and the consolidation of national sovereignty under the following terms:
The term national convention refers to a process with various spaces for dialogue that

Withdrawal of foreign forces No specific mention.

Corruption No specific mention.

Crime/organised crime No specific mention.

Drugs No specific mention.

Terrorism No specific mention.

Transitional justice

Transitional justice general	Page 3-4: 15. ELN reaffirms its unilateral acceptance of the recommendations made by Amnesty International for the insurgent movement in its 1994 report on Colombia. As such, it confirms compliance with the following recommendations: E. Allegations of abuses committed by guerrillas will be investigated to determine their responsibility.
Amnesty/pardon	No specific mention.
Courts	No specific mention.
Mechanism	No specific mention.
Prisoner release	Page 3, 15. . . .C. Prisoners will not be used as hostages. People who are detained will be identified and their healthy and safe release will be guaranteed.
Vetting	Page 3-4: 15. ELN reaffirms its unilateral acceptance of the recommendations made by Amnesty International for the insurgent movement in its 1994 report on Colombia. As such, it confirms compliance with the following recommendations: E. Allegations of abuses committed by guerrillas will be investigated to determine their responsibility. F. Guerrillas suspected of having committed or ordered abuses will be removed from any post of authority and any service that gives them the opportunity to commit such abuses again.
Victims	No specific mention.
Missing persons	No specific mention.
Reparations	No specific mention.
Reconciliation	No specific mention.

Implementation

UN signatory	No specific mention.
Other international signatory	No specific mention.
Referendum for agreement	No specific mention.

International mission/force/similar

No specific mention.

Enforcement mechanism

Page 6, Article 21,

The signatories to this agreement are committed to its development, support, evaluation and monitoring, as well as linking this work to other sectors that represent Colombian society. We express our gratitude to the Episcopal conferences of Germany and Colombia for the hospitality and cordiality of their support to help us achieve this mission.

Related cases

No specific mention.

Source

Source: En ausencia de un proceso de paz: Acuerdos Parciales y Mandato Ciudadano por la Paz, Biblioteca de la Paz – 1994-1998, Fundación Cultura Democrática, Ed. Álvaro Villarraga Sarmiento, Bogotá D.C., 2009 (book IV) p. 275
