

Agreement between the National Government and the National Liberation Army to establish peace talks in Colombia

March 2016

The government of the Republic of Colombia (National Government) and the National Liberation Army (ELN), hereby known as “the delegations,” as a result of the confidential and exploratory talks, and due to their disposition for peace, have called for the installation of a public talks, to address the points that have been established in the agenda, with the goal of reaching a final agreement to end the armed conflict and agree to transformations to create a Colombia in peace and equality.

The exploratory talks were carried out between January 2014 and March 2016 in the Republic of Ecuador, the Federative Republic of Brazil and the Bolivarian Republic of Venezuela, whose governments acted as guarantors along with the government of Norway; during this phase the governments of the Republic of Cuba and the Republic of Chile acted as observers. To all of them the National Government and the ELN express deep recognition and gratitude. The continuation of the accompaniment by the international community is essential. Recognizing that peace is a supreme good of all democracy, and with the objective to put an end to the armed conflict, the political violence must be eradicated; centering the treatment of the situation of the victims; and advancing towards the national reconciliation by having active participation of the society in the construction of a stable and lasting peace.

As the delegations we have agreed to:

- 1) Install a table of public talks in Ecuador
- 2) The sessions of the table will be held in Ecuador, Venezuela, Chile, Brazil and Cuba. These countries along with Norway will be the guarantors.
- 3) To advance the talks direct and without interruption between the delegations of the Government and the ELN.
- 4) Execute the agenda with the great speed and rigor.
- 5) Carry out the following agenda:

I. AGENDA

1. Participation of the Society in the Contraction of Peace

The participation of the society will be:

- a) In function of initiatives and proposals, that make peace viable, in the course of this process and context.
- b) About the issues in the agenda.
- c) A dynamic and active exercise, inclusive and pluralist, that allows the construction of a common vision for peace that favors transformations for the nation and the regions.

2. Democracy for Peace

Democracy for peace is the purpose of this point of the agreement:

- a) Carry out a debate that allows for the examination of the participation and the decision-making of the society in the problems that affect their reality, and can channel in constructive elements for the society.
- b) Treatment of the conflicts towards the construction of peace.
- c) Revision of the regulatory framework and guarantees for public manifestations. Treatment of the legal situation of the accused and convicted for acts in social protest.
- d) Participation of the society in the construction of citizenry.

3. Transformation for Peace

Agreeing to transformations for peace is the purpose of this point, keeping in mind:

- a) The transforming proposals prepared by the society, supported in the results of the second point of this agenda ("Democracy for peace").
- b) Transforming programs to overcome poverty, social exclusion, corruption and environmental degradation, in the search for equality.
- c) Alternative integral plans with a territorial focus, that constitute economic and productive options that benefit the communities.

4. Victims

In the construction of a stable and lasting peace, the recognition of the victims and their rights is essential, in this way the treatment and the resolution to the situation must be based in truth, justice, reparation, and the promises of no repetition and never forgetting. The union of these elements lays the foundation for the pardon and projects the process of reconciliation.

5. The end of the armed conflict

The objective of this point is to bring an end to the armed conflict in order to eradicate the political violence and promote the shift of ELN to legal politics. For which the following points will be addressed:

- a) Definition of the future legal situation of the ELN and its members.
- b) Conditions and guarantees for the security for the ELN.
- c) Conditions and guarantees for the exercise of politics for the ELN.
- d) Deal with the deprivation of liberty of the members of the ELN who have been processed or convicted.
- e) Elucidate the phenomenon of paramilitarism so that it does not happen again.
- f) Humanitarian dynamics and actions.
- g) Bilateral cease fire and end of hostilities for the termination of the armed conflict.
- h) In the setting of the new circumstances generated by this process, an agreement about the arms of the ELN will be created to put an end to the armed conflict.

The government will make the institutional and procedural changes necessary to make sure the agreements in this point can be met.

6. Implementation

The implementation is focused on the execution of the agreements in the agenda, to materialize the changes that allow for the armed conflict to go towards peace, keeping in mind the following:

- a) The implementation phase of the agreements will be defined by a General Plan of Execution that fundamentally will be built with the specific plans from each point of the agenda. This plan will be elaborated in this point and will count on a timetable.
- b) The General Plan of Execution of agreements will include mechanisms of control, monitoring and verification, that will count on the participation of the society, the international community, the Government and the ELN.

- c) The General Plan of Execution of agreements will take into account the following dimensions: legal, political, social, economic and diplomatic.
- d) Agreement about referendum that consolidates the agreed and the projected for the future.
- e) The signing of the final agreement would be the start of the General Plan of Execution of agreements.

II. Public phase

1. Objective information for the country about the course of the debate and the advances in the talks:

- a) The society requires objective and balanced information about the talks and the peace process, in order to promote the effect, amongst others, of participatory communication.
- b) Joint declarations at the end of every cycle and when the delegations consider it best.
- c) Declarations from every Delegation when they consider it best, preserving confidentiality in issues that they agree to.
- d) The talks will have its own instruments of communication, such as the joint communiqués, bulletins, website and the rest which will be agreed upon during the public phase.

2. The pedagogy for peace will be supported by:

- a) Participation of the society.
- b) Advocacy from the talks in the transformation of the armed conflict.
- c) Creation of a favorable environment for peace.
- d) Communicate this pedagogy as an element in the construction of a culture of peace.
- e) The peace talks will take place in a respectful environment.

3. The functioning of the talks

- a) Each Delegation will be made up of at most 30 representatives. In the sessions of the talks up to 10 people from each delegation will participate, 5 principals and 5 substitutes.
- b) The talks in the public phase will be carried out in agreement with the order of the established agenda. Any changes will be done through mutual agreement.
- c) As soon as the process is made public, mechanisms will be established with the talks in Havana to identify issues that require coordination and synchrony.
- d) The delegations will agree to regulations of functioning of the talks for the public phase.
- e) In each work session the length of time for the next session will be established. The duration of the meetings, the breaks between each one and the consultations will be defined in agreement with the advance and needs of the joint work or by delegation. The time of joint work will be prioritized in order to carry out the agenda.
- f) Every delegation will have the consultants that they consider necessary for the development of the process, likewise for the public talks.
- g) For the treatment of the proposals received about the points of the agenda, there will be special importance given to those that come from the society. The delegations will define the methodology of the work and the forms in which these initiatives will be considered, such as the mechanisms and forms of participation of the society.
- h) Security mechanisms for the members of the delegations during their time in the work sessions and in the trips will be decided on.

4. Funding

The Colombian government will arrange the resources for the functioning of its delegation. The costs related to the ELN (Delegation, consultants and activities carried out during the process) will be financed by a fund of international cooperation resources, that will be established with this intention, and there will be a group of countries formed for support and cooperation for this reason.

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