

AGREEMENT BETWEEN THE NATIONAL GOVERNMENT AND THE POPULAR LIBERATION
ARMY

Bogota, Special District, 15 February 1991

NATIONAL CONSTITUTIONAL ASSEMBLY

We recognise the sovereignty of the National Constitutional Assembly and the existence of the parties' initiatives to present proposals to it.

The aim of the political solution to the armed conflict represents a significant contribution to the National Constitutional Assembly, now recognised as the setting for achieving peace. The country acknowledges the contribution of the negotiations with the Popular Liberation Army (*Ejército Popular de Liberación*, EPL), the Revolutionary Workers' Party (*Partido Revolucionario de los Trabajadores*, PRT) and the Quintin Lame Armed Movement (*Movimiento Armado Quintín Lame*, MAQL) to steps toward this institutional reform process and the ability of the process to contribute to the climate of political expansion that lays the foundations for the effective ceasefire and recognition of the verdict of the people in the elections held on 9 December 1990. Given the maturity of the process for the demobilisation of EPL, with the deadline of 1 March set for the definitive surrender of arms, the President of the Republic awards the guerrilla organisation two spokespeople on the National Constitutional Assembly from its establishment. These spokespeople will then become permanent members with full rights from the day following the full and definitive surrender of arms.

INTERNATIONAL MONITORING

The agreed international monitoring commission will oversee, supervise and judge compliance with the agreements and commitments made by the parties in the definitive agreement. The parties will make arrangements for the permanent appointment of the monitoring commissions under the agreed terms and for the duration required for their mission. This will entail verification of the full and definitive disarmament of EPL forces,

compliance with the civil reinsertion tasks by the guerrilla organisation and the political guarantees provided to EPL, and the implementation of the development plans to which the national government committed in the final agreement for the demobilisation of EPL.

AMNESTY

As a result of the peace negotiation process and the concomitant surrender of arms, the decision of the EPL forces to re-join civil life and their full participation in national democracy, the national government issued Decree 213, 22 January 1991, on the termination of punishments and criminal proceedings for all EPL armed forces based on projects the bilateral commission was able to hear and debate.

HUMAN RIGHTS AND FACTORS OF VIOLENCE

One of the fundamental purposes of this agreement is to affect factors of violence that have been present in the zone where EPL has a presence, seeking to include community participation in designing and implementing solutions to effectively consolidate conditions of peace.

Both parties have agreed to establish a commission to overcome violence for this purpose. The commission will comprise five figures of recognised suitability and moral standing to ensure effective treatment of the issue. Regional fora with broad community participation will be held to overcome violence, strategies will be defined to eradicate the phenomenon and a report will be submitted to the government with general political recommendations and specific cases to be addressed.

The national government undertakes to consider and address the recommendations that are made and the agreed actions, strengthen mechanisms to improve control and civil commitment in the handling of public order, ensure the viability of political, legal and administrative measures for the eradication of paramilitary activity, establish a general programme to reopen cases of those affected by acts of violence and favour the application

of international humanitarian law by establishing expedited mechanisms to ensure its observation and compliance.

REGIONAL PLANS

We agree to develop regional plans in areas of influence where EPL has had a presence. The plans will provide foundations for the socio-economic development of regions, involve the participation of authorities at all levels, stimulate the participation of private enterprise and community organisations, and invite contributions from NGOs and academic organisations.

In each beneficiary municipality, the community will decide the projects and works to be carried out. For municipalities covered by the National Restoration Plan (*Plan Nacional de Rehabilitación*, PNR), extraordinary sessions of the restoration councils will be held with the joint participation of EPL and the government representative to explain the scope of the proposal. For municipalities not covered by the PNR, municipal peace councils will be created as mechanisms to allow community participation. The councils will be chaired by the municipal mayor and a representative from the restoration council and will include the participation of EPL, who will explain the scope of the proposals together with a government representative.

POLITICAL GUARANTEES AND PROMOTION OF THE PEACE PROCESS

To facilitate the emergence of the political project arising from EPL, the council undertakes to make arrangements with the corresponding authorities for the registration and legal constitution of its party, subject to provision of the necessary documentation by the interested parties. These arrangements may only be initiated following the surrender of arms.

The government undertakes to promote the negotiation process and progress in the disarmament and reinsertion work, facilitate the coverage of information, make arrangements with the respective mayors to authorise the opening of Houses of Peace

(*Casas de la Paz*) and develop a security plan with the institutional measures and resources agreed in each individual case.

The council undertakes to arrange a joint meeting with the Ministry of the Interior, the group leaders of the National Constitutional Assembly and the EPL negotiating commission to allow the organisation to present its constitutional reform project to the constituent parties.

REINSERTION PLAN

The insertion of EPL in the country's political, economic and social life is an act of reconciliation that forms part of a political project designed to promote democratic coexistence and a fairer and more equal society. The government and EPL agree the process should build support for coexistence and the expansion of democracy.

To ensure both the communication of the peace process with EPL and the civil and productive reinsertion projects for its forces have the necessary public backing from civil and business organisations and to ensure the tasks to be undertaken for these purposes are supported by the sectional governments, the council will promote the official creation of operational committees for the promotion of the peace process via the sectional government where the EPL camps are located. These committees will include an official from the respective sectional government, the mayor or representative, an official from the PNR and a member of EPL. The committees will be responsible for the initiative for public communication of and participation in the peace process.

The council will engage governors and mayors to ensure their contribution to promoting the future EPL political project following the surrender of arms, recommending the organisation of fora, roundtables, meetings etc. through the measures and resources they have available.

The success of the political, economic and social reinsertion of each member of the demobilised organisation requires the commitment of the members, the government, society, private sector unions and each and every Colombian. It is better to take part in peace than violence.

There are three main phases: transition, reinsertion and monitoring and evaluation.

The government and EPL will begin the transition phase in the camps with the participation of government, non-governmental and private bodies and the organisation that is being demobilised. The transition will run for six months following life in camps and entail the development of formal education, technical–professional training and business consultancy, public participation, public communication, culture and leisure activities. When the camps are wound up, the government will authorise a subsistence payment for veterans. The funds will be managed and distributed by the foundations legally constituted for the purposes of this peace process. It will also provide integrated health insurance, contracted from a specialised body.

In the reinsertion phase, beneficiary veterans will begin productive projects, with technical assistance and soft loans for agroindustry projects. Land will be made available through the current agrarian reform programme. Higher education studies will be started or continued by the interested parties through a credit fund with ICETEX to cover fees and maintenance. Finally, the government will make arrangements for work placements in the public and private sector.

In the monitoring and evaluation phase, the government will establish the special fund from Law 35, 1982, and will create one national office and four regional offices in Montería, Medellín, Santanderes, and the Atlantic Coast. There will be a guarantee of the bilateral cooperation of the teams for the design and implementation of programmes and there will be an EPL representative on the National Normalisation Council and the regional councils where EPL is present.

Por el Gobierno Nacional:

JESÚS ANTONIO BEJARANO AVILA

Consejero Presidencia,

CARLOS EDUARDO JARAMILLO

Asesor de la Consejería

TOMAS CONCHA

Asesor de la Consejería

ALVARO HERNANDEZ

Asesor de la Consejería

GABRIEL RESTREPO FORERO
Asesor de la Consejería
GONZALO DE FRANCISCO
Asesor de la Consejería

Por el EPL:

JAIME FAJARDO
Comisión Negociadora
ANÍBAL PALACIO
Comisión Negociadora
FERNANDO PINEDA
Comisión Negociadora

BERNARDO GUTJÉRREZ
Comisión Negociadora
JAIRO MORALES
Comisión Negociadora
MARCOS JARA
Comisión Negociadora