

4. Solution to the problem of illegal drugs

The history of the internal conflict in Colombia spans various decades, predating and with causes unrelated to the appearance of large-scale farming of crops for illegal use and the production and sale of illegal drugs inside the country.

The persistence of illegal crops is partly linked to the existence of conditions of poverty and marginality, a weak institutional presence and the existence of criminal drug-trafficking organisations.

To help lay the foundations for building a stable and long-lasting peace, it is necessary to find a permanent solution to the problem of illegal drugs, including crops for illegal use and the production and sale of illegal drugs.

We aspire to be a peaceful country, free from the problem of illegal drugs, and we are aware that achieving this goal also depends on global consensuses and definitions involving all states, particularly those directly or indirectly affected by this transnational problem.

In light of the above, the national government and the Revolutionary Armed Forces of Colombia – People's Army (*Fuerzas Armadas Revolucionarias de Colombia – Ejército Popular, FARC-EP*) agree that:

Many of the country's regions and communities, especially those suffering from poverty and neglect, have been directly affected by the growing, production and sale of illegal drugs, exacerbating their marginality, inequality and lack of development.

The production and sale of illegal drugs and criminal economic activity have had serious effects on the Colombian population, both in the countryside and in the city, affecting its ability to enjoy and exercise its rights and freedoms.

The cultivation, production and sale of illegal drugs has also cut across, fuelled and funded the internal conflict.

The integrity and performance of national and local institutions have been affected by corruption associated with drug trafficking.

Various sectors of society have been directly or indirectly involved in the production and sale of illegal drugs.

All the above has contributed to undermining peaceful values and coexistence, hindering the possibility of making progress in social inclusion and the expansion of democracy.

In light of this situation, the end of the conflict must represent an opportunity to build a joint and integrated solution to the problem of illegal drugs.

In light of the above, it is necessary to design a new vision that addresses the causes and effects of the phenomenon, emphasising alternatives that lead to improvements in the conditions of well-being and *buen vivir* of communities in the territories affected by crops for illegal use. It must also address the use of illegal drugs, with a focus on public health and intensifying the fight against criminal drug-trafficking organisations, including activities for illegal financing, money laundering, the trafficking of precursors and the fight against corruption as part of efforts to dismantle the full drug-trafficking value chain.

This new vision involves the search for evidence-based alternatives, giving a different and differentiated treatment to the phenomenon of the use of illegal drugs, the problem of crops for illegal use and organised crime associated with drug trafficking. In this respect, new policies are required to reflect this new vision and differentiated approach.

These policies must be governed by the principles of sovereign equality and non-intervention in a state's internal affairs, and must ensure coordinated action in the context of international cooperation, insofar as the solution to the problem of illegal drugs is the collective responsibility of all states.

These new policies will have a general approach based on human rights and public health, differentiated and taking gender into account. Adjustments will be made over time based on evidence, the lessons of good practices and the recommendations of specialised national and international experts and organisations.

The elements of public policy that address the phenomenon of drugs must have sufficient flexibility to allow the incorporation of new knowledge that makes them more effective and helps detect undesired costs and damage.

These policies will give special treatment to the weakest links in the drug-trafficking supply chain, that is the growers and users of illegal drugs, intensifying efforts to dismantle criminal organisations.

To build sustainable solutions, guarantee the rights of citizens and prevent the re-emergence of the problem, the policy must have a territorial approach based on public participation, emphasising the presence of institutions responsible for social care and the security and protection of communities, strengthening their effectiveness, efficiency and transparency, and with a focus on human rights.

The policy must maintain recognition of ancestral and traditional uses of coca leaves as a part of the cultural identity of the indigenous community and the possibility of medicinal and scientific uses of crops for illegal use, in addition to other legal uses that may be determined.

One aspect of the solution to the problem of illegal drugs is the permanent solution to the problem of crops for illegal use, for which it is necessary to implement a new programme. As part of the structural transformation of the countryside of the Integrated Rural Reform (*Reforma Rural Integral*, the RRI), this programme will contribute to creating conditions of well-being and *buen vivir* for the populations affected by these crops.

New options should be sought, centred on processes for the substitution of crops for illegal use and the implementation of integrated substitution and alternative development plans, which will form part of the new Integrated National Programme for the Substitution of Crops for Illegal Use (*Programa Nacional Integral de Sustitución de Cultivos de Uso Ilícito*, the PNIS), accompanied by a new institutional framework.

The permanent solution is possible provided it is the result of a joint construction between the communities and the authorities, based on participative planning processes, stemming from the government's commitment to ensure the implementation of the RRI and the integrated substitution and alternative development plans and the commitment of communities to make progress in the voluntary substitution processes. The commitment of communities to voluntary substitution is a fundamental aspect of achieving the objectives.

The solution to the problem of crops for illegal use through the structural transformation of territories and the creation of conditions of well-being implies the application of and respect for the principles and laws of a social state based on the rule of law by institutions and citizens alike.

The solution to the problem of illegal drugs also requires addressing the issue of the use of illegal drugs based on the joint commitment and work of the authorities, the community and families for a policy to promote health, prevention, the reduction of damage, integrated care and social inclusion for users of illegal drugs, with a differentiated and gender-based approach.

The permanent solution to the problem of illegal drugs requires intensifying the fight against criminal drug-trafficking organisations and money laundering, which will also help create the conditions required for the implementation of the agreement in the territories and the construction of stable and long-lasting peace.

Notwithstanding the country's limitations when it comes to providing a permanent solution to a transnational problem, every effort will be made to transform the conditions of the communities in the territories and ensure Colombia is a country free from crops for illegal use and free from drug-trafficking.

The permanent solution to the problem of illegal drugs must be a dynamic process that responds to consensuses reached among society and the international community. As such, it is necessary to create spaces for reflection and discussion to take into account the feeling of those affected, including communities.

All the above is only possible with the effective commitment of the government and the contribution of communities and society as a whole, including the commitment by FARC-EP to contribute in various ways to the permanent solution to the problem of illegal drugs, a goal shared by Colombian society as a whole.

All the above is only possible with the effective commitment of all those involved:

- The commitment of the national government to put in place policies and programmes in this area, to intensify and decisively address the fight against

corruption in institutions caused by the problem of illegal drugs and to lead an effective national process to permanently sever any links between this scourge and the various spheres of public life.

- The commitment of FARC–EP to make an effective and determined contribution in different ways through practical actions to support the permanent solution to the problem of illegal drugs in an end-of-conflict scenario, severing any relationships with this phenomenon that may have arisen as part of its rebellion.
- The national government and FARC–EP express their firm commitment to the permanent solution to the problem of illegal drugs.
- The commitment of society as a whole, including its various forms of political and social organisation, to reject any relationship with the problem of illegal drugs and associated funds.
- Finally, the construction of a stable and long-lasting peace requires the desire of all those involved to contribute to clarifying the relationship between the conflict and the cultivation, production and sale of illegal drugs and the laundering of funds derived from these activities to ensure that drug-trafficking never again threatens the country's future.

4.1 Programmes for the substitution of crops for illegal use: integrated development plans involving community participation in the design, implementation and evaluation of substitution and environmental restoration programmes in the areas affected by these crops

The national government will create and launch a new PNIS in the context of the end of the conflict and the construction of peace in order to create material and immaterial conditions of well-being and *buen vivir* for the populations affected by crops for illegal use, particularly peasant communities living in a situation of poverty whose subsistence currently derives from these crops, and to find a sustainable and permanent solution to the problem of crops for illegal use and all associated problems throughout the territory.

The PNIS will be the competent national authority, headed by the Office of the President of the Republic, in coordination with departmental and municipal authorities. It will have a civil status, notwithstanding coordination with the necessary state authorities to guarantee its

full operation, including those responsible for the security and protection of communities (as necessary and in line with the corresponding description in this agreement).*

* Agreement on this phrase is conditional on resolving the statement in parenthesis.

The PNIS will implement a participatory planning process to guarantee the active and effective participation of communities in the decision-making process and the joint construction of solutions. FARC-EP will participate in the programme and contribute to the solution to the problems of crops for illegal use after the final agreement has been signed and in line with points 3 and 6 of the agenda of the general agreement.

The programme will contribute to structural transformations of rural society resulting from the implementation of the RRI, of which it forms part, and the launch of the agreed citizen participation mechanisms.

4.1.1 Principles

Insofar as the PNIS forms part of the RRI, it will be governed by the following principles (in addition to others agreed in the RRI framework):

- **Integration with the RRI:** The PNIS is a component of the RRI. It covers populations and territories with specific characteristics, which require additional and specific measures over and above the other rural communities. The territories affected by crops for illegal use may coincide with the priority zones in which the Territorial Development Programmes (*Programas de Desarrollo con Enfoque Territorial*, PDETs) are implemented, in which case the actions and implementation of the programme must be carried out in the framework of the regional transformation action plan for the respective territory. Where the territories do not coincide with the PDET_s, integrated development plans will be implemented in agreement with the communities and on existing farmland, or the plans and programmes set out in point 1.10.3 will be implemented to contribute to preventing the expansion of farmland. The integration will also involve interrelationships, engagement and coordination with the local, territorial and national levels. In this respect the PNIS will be integrated into the development plans at the various levels of territorial legislation.

- **Participative and concerted joint construction:** The transformation of territories and the alternatives for communities affected by crops for illegal use will be based on the joint and participative construction of the solution to the problem of crops for illegal use and overcoming the conditions of poverty by the communities and the national, departmental and municipal authorities. This joint effort will be based on the decision of communities to abandon and substitute these crops to switch to other economic activities. Community agreement is a priority for planning and establishing the guidelines for the implementation and control of the programme in the territory.
- **Differentiated approach based on the conditions of individual territories:** The PNIS that is implemented must have a territorial approach under the terms defined by the RRI (point 1). It must recognise and take into account the needs, characteristics and specific economic, cultural and social circumstances of rural territories and communities, particularly indigenous communities and people of African descent, guaranteeing socio-environmental sustainability. The participative nature of the PNIS will make it possible to design programmes in line with the specific circumstances and socio-economic nature of the problem in the various regions in the national territory.
- **Respect for and application of the principles and norms of the social state based on the rule of law and citizen coexistence:** Delivering structural transformations of the territories and guaranteeing the well-being and *buen vivir* of the communities affected by the presence of crops for legal use and the transition to legal economic activities implies the application of and respect for the principles and norms of the social state based on the rule of law, the strengthening of democratic values, citizen coexistence and the observance of human rights by institutions and citizens.
- **Voluntary substitution:** Based on the decision and commitment of growers to abandon crops for illegal use, voluntary substitution is a fundamental principle of the programme, generating trust between communities and creating conditions that help to address the problem of crops for illegal use, notwithstanding the economic, social and environmental sustainability of the communities and the respective territories. This implies actions to promote voluntary substitution and the definition of economically and socio-environmentally sustainable alternatives with

communities that can strengthen family economies and guarantee dignified living conditions. The above is notwithstanding the fact that the process of substitution and sustainability requires government support under the terms agreed with the communities. (See the point on “Agreement with communities” and “Participative construction and development of Integrated Municipal and Community Plans for Substitution and Alternative Development”).

4.1.2 Objectives

The PNIS will be implemented under the framework of and as part of the RRI and must comply with the following objectives:

- Overcome the conditions of poverty of peasant communities (particularly the family nuclei of which they are comprised) affected by crops for illegal use by creating conditions of well-being and *buen vivir* in the territories, and contributing to the structural transformations of rural society resulting from the implementation of the RRI and the launch of the components in point 2 “Political participation”.
- Promote the voluntary substitution of crops for illegal use by promoting integrated municipal and community plans for substitution and alternative development, designed in a concerted manner with the direct participation of the communities involved.
- Generate production policies and opportunities for growers by promoting associativity and the solidarity economy, and generating policies and opportunities for employment for harvesters and sharecroppers¹ involved in crops for illegal use in the context of the RRI and with the possibility of opting to be beneficiaries under the terms of point 1.3 of this agreement.
- Contribute to preventing the expansion of farmland, restoring ecosystems and ensuring sustainable development under the terms of point 1.10 of the RRI. The PNIS will support the development plans for Peasant Reserve Zones (*Zonas de Reserva Campesina*, ZRCs) that have been and will be established, in addition to other forms of organisation or association, where these coincide with the zones affected by crops

¹ Sharecropper (*amediero*): tenant farmer who cultivates the land and shares part of the produce with the owner.

for illegal use. As established in point 1, ZRCs are agricultural initiatives that contribute to building peace, guaranteeing political, economic, social and cultural rights for peasants, development with socio-environmental and food sustainability, and reconciliation among the Colombian people. As such, point 1.10 (especially point 1.10.5) of the RRI will receive priority attention.

- Strengthen the participation and capacities of peasant organisations.
- Strengthen the relationships of trust, solidarity and coexistence, and reconciliation within the communities.
- Contribute to meeting the objectives of the Food Security (Sovereignty) System, in point 3.4 of the RRI.
- * Government: ensure the national territory is free of crops for illegal use.
- * FARC-EP: ensure the territory is free of crops for illegal use, preventing damage to the environment.

(The wording will be reviewed after the discussion of point 4.1.)

- Strengthen the institutional presence of the state in the territories affected by crops for illegal use, promoting integrated development and satisfying the rights of all citizens, guaranteeing security, coexistence and the observance and protection of human rights while ensuring the provision of aspects such as infrastructure, public services, education and access to communications, thus ensuring respect for and the application of the principles and norms of the social state based on the rule of law. The security of territories affected by crops for illegal use will be guaranteed, taking into account the principles and guarantee set out in the final agreement and in line with the principles and obligations that inspire a social state based on the rule of law.
- Build the management capacity of communities and their organisations through direct participation in the production, implementation, monitoring and evaluation, and citizen control and oversight of the PNIS, applying the principle of participative and concerted joint construction by the communities and the authorities.
- Ensure the sustainability of the PNIS in all territories as a guarantee for the permanent solution to the problem of crops for illegal use via continuous and persistent intervention by the state, ensuring conditions of well-being and *buen vivir*

for communities through the participation and commitment of all parties, including FARC–EP, following the signing of the final agreement and under the terms agreed in the context of point 3.2 of the general agreement.

4.1.3 Description and elements of the PNIS

The PNIS will be a special chapter of the RRI included in this agreement and will respond to the specific needs of territories affected by crops for illegal use.

In this context and in line with the principles and objectives of the RRI, the PNIS will contribute by creating conditions to allow growers of crops for illegal use to have opportunities to permanently switch from this activity, allowing all the residents of affected areas to benefit from conditions of well-being and *buen vivir*.

For this purpose, the PNIS will complement and integrate with the plans and programmes agreed as part of the RRI (point 1) for access and the registration of ownership, the adaptation of land, housing, technical support, stimuli for the solidarity and cooperative economy, subsidies, the generation of income and credit, marketing and sales, state purchasing programmes and the provision of public goods and services.

The PNIS will promote the voluntary substitution of crops for illegal use by promoting municipal and community integrated substitution and alternative development plans in the context of the RRI, designed in a concerted manner and with the direct participation of the communities involved.

The participation of women in the planning, execution, monitoring and evaluation of integrated substitution and alternative development plans will be guaranteed.

The PNIS will be entitled to employ community leaders to build its capacity and contribute to its effectiveness in fulfilling the objective of creating conditions of well-being and *buen vivir* for the population affected by crops for illegal use and to ensure a permanent solution to the problem.

The forms of participation and contribution for FARC–EP will be defined in the discussion of points 3 and 6 of the agenda for the general agreement.

The PNIS will have the following elements:

4.1.3.1 Security conditions for communities and territories affected by crops for illegal use

In addition to creating the conditions to satisfy the economic and social rights of the population and promote integrated development, the sustainability of the PNIS and compliance with its objectives also require the provision of guarantees and conditions of security for the communities and territories affected by crops for illegal use, strengthening the institutional presence of the state and its capacity to protect communities, particularly in the face of coercion and threats, in addition to its capacity for the prohibition and legal enforcement of territorial drug-trafficking networks under the concept of security set out in the final agreement.

The protection of communities and the guarantee of the right to life and well-being for the rural population also requires the removal of mines. After signing the final agreement and in the context of its implementation, the national government will implement a mine removal and clearance programme in the areas of the national territory affected by the presence of anti-personnel mines and unexploded ammunition.

The government and FARC-EP will jointly contribute to this purpose in the corresponding ways, including the supply of information as set out in the final agreement, as part of the mutual commitment to end the conflict and build stable and long-lasting peace.

The above provisions are notwithstanding any agreements that may be reached in terms of satisfying the rights of victims.

This commitment entails special treatment for the territories where the PNIS is being implemented.

4.1.3.2 Agreements with the communities

An undebatable and fundamental part of the permanent solution to the problem of crops for illegal use is that it is a voluntary and concerted effort and thus expresses the manifest desire of the communities to switch to alternatives to crops for illegal use and the commitment of the government to create and guarantee dignified living and working conditions for well-being and *buen vivir*. As part of the formalisation of this commitment

and the decision to substitute crops for illegal use, agreements will be made between the communities, the national government and the territorial entities before launching the programme in a given territory.

The agreement includes the formalisation of the commitment of communities to voluntary and concerted substitution and to abstain from replanting, the full commitment not to cultivate or be involved in work associated with crops for illegal use or participate in the illegal sale of raw materials derived from them, and the commitment of the government to formalising the plan for immediate attention and the launch of the process for the joint, participative and concerted construction of the integrated municipal and community substitution and alternative development plans.

Agreements with the communities will define the timescales for complying with the commitments made by the government and the communities as part of the substitution process.

In cases where, in the context of signing agreements with communities under the PNIS, growers do not express their agreement to substitute crops for illegal use or fail to comply with the commitments made, notwithstanding fortuitous events and force majeure, and in spite of the efforts of the programme and the communities to persuade them, the national government will proceed to eradicate them manually, following a process of awareness-raising and providing information among communities.

Where it is not possible to reach an agreement with communities, the national government will proceed to eradicate crops for illegal use, prioritising manual eradication where possible, taking into account the respect for human rights, the environment and *buen vivir*. FARC-EP insist that manual eradication must be used under all circumstances.

4.1.3.3 Prioritisation of territories

The PNIS has national coverage, although its implementation will begin with the priority territories, in line with the following criteria:

- Priority zones under the PDET_s, taking into account the principle of integration with the RRI.

- The density of crops for illegal use and population.
- Natural national parks.
- Cases in which the communities outside the territories detailed in the above criteria have accepted differentiated criminal treatment. In these cases, special measures will be put in place to assist coordination with regional and local authorities, including access to government social support programmes, notwithstanding the possibilities of access to national plans agreed under the RRI and qualification as a beneficiary under point 1.5 of the RRI.

4.1.3.4 Differentiated criminal treatment

In the end-of-conflict scenario and on account of its contribution to building peace and ensuring the most effective use of legal resources against criminal organisations linked to drug trafficking and based on an integrated vision of the permanent solution to the problem of crops for illegal use, which has a multi-causal origin, including causes of a social nature, the government undertakes to process the legislative changes required to allow amnesty from criminal proceedings and terminating criminal punishment of small-scale growers who are or have been linked to the cultivation of crops for illegal use and who formally express their decision to renounce cultivating or maintaining crops for illegal use to the competent authorities, within a period of two years, counted from the taking force of the new law.

The voluntary expression of renouncing crops for illegal use and ensuring this remains permanent may be on an individual basis or as part of substitution agreements with communities.

4.1.3.5 Participative construction and development of Integrated Municipal and Community Plans for Substitution and Alternative Development (*Planes Integrales Comunitarios y Municipales de Sustitución y Desarrollo Alternativo, PISDAs*)

In light of the political, economic, social, environmental and cultural nature of the problem to be addressed and the effects of the lack of development in rural areas, the illegal economy and violence associated with crops for illegal use, broader community participation is required, including those directly involved in cultivation, to formulate, implement and monitor the PISDAs and thus comply with the objectives of the PNIS. For this

purpose, and to strengthen local democracy, the municipality and its authorities must play a key role, together with communities.

This process of participative planning involving communities, the national government and local authorities must result in the formulation and implementation of integrated substitution plans to deliver a structural transformation of the territory and hence the permanent solution to the problem of crops for illegal use.

Community assemblies

Community assemblies will be supported and strengthened to implement the bottom-up participative planning process and monitoring bodies will be created at the municipal level and for the community assemblies.

The community assemblies form the basis of the participative planning system. This begins with the formulation of a proposal with an integrated vision of the territory and identifies needs, opportunities and priorities in the context of the PNIS and in line with its content.

The community assemblies will comprise all the communities in the affected zone, including producers of crops for illegal use, and will guarantee the effective participation of women in these spaces. The necessary assemblies will be created together with the communities in each municipality, taking into account the characteristics of the territory and the populations, specifying their territorial scope.

The participative construction of an integrated vision of the territory first requires a proposal based on a collective diagnostic, making it possible to establish the social, economic and environmental profile of the territory, the needs for physical, social and institutional infrastructure, the prioritisation of projects that respond to these needs, the production potential and areas with crops for illegal use and their layout in the territory.

As the competent national authority, the PNIS will define and implement a participative planning methodology, guided by the methodology for producing the PDETs and which must reflect the contributions of the assemblies. The PNIS will provide technical support to communities in the process of developing the integrated vision and the proposal, identifying the projects and priorities in coordination with the municipalities.

PISDAs

The different proposals by the community assemblies will form the basis for producing the PISDAs in the zones affected by crops for illegal use. The plan will be produced and implemented with the active participation of communities, including their territorial social organisations. The community plans will be produced as part of the municipal plan and will be an integral part thereof, taking into account the proposals of the respective assemblies. The development of both the municipal and community plans will involve communities, the national, departmental and municipal authorities and the PNIS as the competent national authority.

To ensure the various proposals of the assemblies are integrated, prioritised, validated and coordinated in a municipal substitution and alternative development plan, the PNIS must put in place municipal participative planning commissions with the municipal, departmental and national level authorities related to the implementation of the PNIS and the representatives chosen by the community assemblies.

The municipal plan that brings together the community plans will form the basis for the implementation of the PNIS.

The main participative planning forums at the local level are the community assemblies and the municipal participative planning commissions, of which the representatives of the assemblies form a structural part. The structure and content of the plans will be produced using a bottom-up approach, starting at the community assembly level, using the PNIS methodology and with the necessary technical support, taking into account local technicians and those suggested by the communities. In the construction of the municipal plan, the methodology must ensure maximum participation and inclusion and be as faithful as possible to the proposals of the assemblies, reaching consensus where possible and optimising and ensuring the equitable use of resources. The PNIS will have direct dialogue with the communities in defining and implementing its guidelines.

The municipal plan resulting from the participative planning exercise as part of the municipal commissions will be appropriately communicated at the community assemblies to guarantee its understanding and appropriation among society.

The community assemblies will elect their representatives and, if they deem necessary, may organise them in boards, committees, councils and other forms of organisation as decided by election for the purpose of participating in the municipal participative planning commissions and the monitoring and evaluation councils for the substitution and alternative development plans, in addition to facilitating coordination between the assemblies and the PNIS authorities. The representatives will report their work and activities to the community assemblies they represent.

The hiring of community organisations will be privileged for implementation of the substitution plans and efforts will be made to promote the creation of employment in the areas covered by the PNIS. In doing so, social and community organisations and cooperatives will be strengthened, together with the promotion of associative and solidarity approaches and technical training.

The substitution plans will form part of the municipal, departmental and national development plans.

Integration with PDETs

Where the PNIS coincides with the priority zones of the PDET^s (see point 1), the required integration of the substitution plans and the action plan for regional transformation will be achieved using the participative methodology established in the framework agreed in point 1 for producing the action plans for regional transformation. The methodology will guarantee the effective participation of delegates of the community assemblies and the consensus will serve as the basis for the decision-making process.

Monitoring and evaluation

The monitoring and evaluation of the implementation of and compliance with the community plans will be jointly carried out with the authorities in the context of the community assemblies and will form the basis for monitoring and evaluation at the municipal level, with the participation of the representatives of the community assembly.

The monitoring and evaluation of the implementation of and compliance with the municipal plans will be carried out periodically in the framework of the municipal monitoring and

evaluation councils for the substitution and alternative development plans, which will comprise the representatives of the community assemblies and the national, departmental and municipal authorities involved in the implementation of the PNIS. The council will be entitled to invite other economic and social sectors of the municipality, such as rural and peasant organisations, the business community, churches, academics and NGOs.

The community councils and assemblies will constitute reporting spaces for the PNIS, the authorities and the communities executing the projects.

- * The form of international support will be discussed under point 6.
- * The participation of FARC-EP will be defined in the discussion of points 3 and 6 of the agenda of the general agreement.
- * The terms agreed in this agreement will be implemented without prejudice to the commitments made by the government and the authorities to the communities and their organisations as part of the direct dialogue spaces, in which its due compliance has been agreed. Paragraph agreed and to be inserted.

4.1.3.6 Components of the integrated substitution plans

Given the specific circumstances of the communities especially affected by crops for illegal use, the integrated substitution plans for these regions will include, in addition to projects for the implementation of the national plans agreed in point 1 (adaptation of land, road and communications infrastructure, social development, technical assistance, credit and finance, marketing, state purchases, etc.), where applicable, the following components:

FARC-EP proposal: “in places where the substitution plans do not coincide with the PDETs, public spaces must be complementarily served by special RRI programmes”. Pending proposal by the government.

Plan for immediate attention and development of production projects

Once the commitment to substituting and not replanting crops for illegal use has been made, the following measures will be implemented to facilitate the transition of growers, harvesters and sharecroppers to legal economic activities via immediate support measures

to guarantee their subsistence and the food security of their family nuclei and ensure income and conditions of well-being and *buen vivir* for growers, harvester, sharecroppers and communities in general via the structuring of production processes with long-term sustainability:

1. For the family nuclei of growers linked to crops for illegal use:
 - a. Immediate food aid, consisting of the direct provision of goods for up to (* government proposal: six months; FARC–EP proposal: two years), in line with the size of each family nucleus, individual circumstances and the needs of each population and region, in addition to projects to generate income. Priority will be given to local suppliers for the supply of markets and the solidarity and associative economy will be promoted to allow the communities to contract their supply with the government.
 - b. The establishment of home vegetable gardens and small-scale livestock with the corresponding technical support, provision of supplies and food for animals, in line with the preference of each family nucleus.
 - c. Projects for the rapid generation of income, such as short-cycle crops, fish farming and poultry, with the corresponding technical support, aiming to meet the immediate needs of family nuclei and provide timely and sufficient substitution of income that previously originated from crops for illegal use, in line with the preference of each family nucleus and the conditions and potential of the zone.

In parallel, long-term production projects will be designed with growers and small-scale producers in the territory as part of the RRI, ensuring increased income for families and dignified living conditions. The production of food, the creation of added value and production chains to first cover the demand of the communities themselves will be given priority, in addition to national and international niches. Alongside agricultural and livestock farming activities, economic activities related to handicrafts, industrial production and services will be promoted, especially those that create added value for the goods produced by communities and other activities of interest to the community in line with the potential of the territories in order to guarantee income and dignified work for the peasant communities most affected by crops for illegal use. Special measures will be implemented to

promote cooperative organisation and the solidarity economy. These activities must be guided by the principles of the RRI, especially environmental sustainability, well-being and *buen vivir*, and where appropriate contribute to preventing the expansion of farmland and to promoting environmental restoration. The same package of immediate assistance will be provided for sharecroppers that are settled and opt to remain in the region.

2. The actions for harvesters will comprise:

- a. Immediate food aid for harvesters resident in the territories where the PNIS is implemented with the direct provision of goods to each family nucleus² for up to (* government proposal: six months; FARC–EP proposal: two years), in line with the circumstances of each population and region.
- b. Temporary employment options for harvesters both settled and not settled in the region: identification of community works and other sources of employment arising in the context of the implementation of the RRI, which give priority to employing members of the family nuclei of harvesters, notwithstanding the possibility of opting for beneficiary status under the terms of point 1.3 of the RRI.

The universe of settled and unsettled harvesters and settled sharecroppers resident in the region will be based on the census of the community assemblies and the PNIS, which will be conducted in a participative manner.

3. For the community in general:

- a. Early childhood: to facilitate access to employment opportunities for women at the head of families and contribute to food security in early childhood, a programme of nurseries for rural children will be implemented in the districts affected by crops for illegal use.
- b. School population: to improve food security among children of school age and ensure they remain in schools, a programme to build and equip school canteens will be implemented, together with the supply of food to guarantee breakfast for all schoolchildren in the territories affected by crops for illegal

² There cannot be more than one member of the family nucleus of the harvester receiving direct food aid for their family. The family nucleus may comprise just one person.

- use, notwithstanding point 1 of the Special Rural Education Plan, especially the two action plans under item d of point 3.4 Food Security (Sovereignty) System.
- c. Creating employment opportunities: information mechanisms will be created to facilitate access to employment opportunities arising in the context of the implementation of the RRI, particularly the integrated substitution and alternative development plans, allowing communities resident in the territories affected by crops for illegal use to identify and access available employment opportunities.
 - d. Elderly: programmes to prevent hunger will be implemented for the elderly as part of the Food Security (Sovereignty) System agreed in point 3.4 of the RRI.
 - e. Programmes will be implemented to overcome poverty and generate income.
 - f. Task forces to provide basic health care will be promoted, notwithstanding the provisions of point 2.8.1 National Rural Health Plan.
 - g. The feasibility and sustainability of production projects for the substitution of crops for illegal use requires the government to implement the plan set out in point 3.3 of the RRI regarding stimuli for the solidarity and cooperative economy, technical assistance, subsidies, generating income and credit, and marketing.

The PNIS support measures will be conditional on compliance with the timeline of commitments acquired by growers as part of the agreements for substitution and abstaining from replanting on the understanding that the substitution process and its sustainability require government support under the terms agreed with the communities. The voluntary manifestation to abstain from crops for illegal use and the permanency of this activity may arise individually or as part of voluntary substitution agreements with the communities. However, there must always be a full commitment not to grow, be involved in the activities associated with growing or participate in the illegal sale of the raw materials derived from crops for illegal use.

Social infrastructure works for rapid execution

To provide a quick response to the needs of the community, the plans will define social infrastructure works for rapid execution. These will be prioritised by the communities and will include local roads and improvements to schools, health centres and community centres, notwithstanding the implementation of other infrastructure plans and programmes as part of the RRI.

Sustainability and environmental restoration component

To contribute to preventing the expansion of farmland and provide processes for environmental restoration, especially in municipalities bordering zones of special environmental interest, plans will have a sustainability and environmental protection component, which will include the following:

- Actions to restore and adapt land to permit the establishment of legal crops.
- Actions to mitigate environmental damage to zones of special environmental interest, fragile ecosystems and vulnerable water systems, and to promote the restoration of forests.
- Environmental protection and environmentally sustainable production projects in zones of special environmental interest, such as silvopasture projects and others set out in point 1.10.3.

Property registration plan

To promote access to land and incentivise the process for the substitution of crops for illegal use in the areas that comply with the commitments made by growers under the PNIS, registration processes will be expedited in the terms set out in the large-scale property registration plan in point 1.5 of the RRI. The government will adapt legislation to allow assignment to this type of beneficiary.

Plans for isolated and sparsely populated zones

In zones with a low population density and zones that are hard to access on account of their location and distance, thus impeding the provision of goods and services for the well-being and *buen vivir* of the population, together with its territorial integration, special measures will be implemented for the substitution of crops for illegal use, the restoration of

ecosystems, the creation of new employment opportunities related to river transport, environmental restoration programmes and the protection of forests and fauna, notwithstanding alternatives to relocate such communities to improve their living conditions, where possible and necessary, and in agreement with the communities.

Timelines, targets and indicators

The integrated substitution and alternative development plans, in addition to the agreements, must include timelines for their execution, with targets and indicators, including the commitments of the community, making it possible to measure the impact of projects on the well-being of communities and monitor the plan.

4.1.4 Implementation of the PNIS in natural national parks

To overcome the problem posed by the presence of crops for illegal use in natural national parks and guarantee the well-being and *buen vivir* of communities and the preservation and conservation of natural national parks, direct dialogue mechanisms will be established for communities to reach agreements for the eradication of crops to guarantee the control, restoration and effective protection of these areas.

This point will be based on the terms of point 1.10 (in particular point 1.10.3) of the RRI.

4.1.5 Communications strategy

A communications strategy will be implemented to promote substitution agreements, motivate communities and generate trust for participation in processes to jointly develop the integrated municipal and community substitution plans, which must contribute to improving living conditions and *buen vivir*, and the permanent solution to the problem of crops for illegal use, in addition to emphasising the commitment of the government and FARC-EP to contribute to and support this objective. The communication of the PNIS and the community participation mechanisms in the various phases will be carried out directly through community meetings and indirectly through the media, especially local and community media.

4.1.6 Financing

PNIS resources will be allocated in line with the provisions of the plans for immediate attention and the integrated municipal and community substitution and alternative development plans. There will be an emphasis on guaranteeing the efficiency, effectiveness and speed of execution.

* The funding commitment for this programme will be discussed in the context of point 6 of the agenda of the general agreement.

4.2 Programmes for preventing the use of illegal drugs and promoting public health

The use of illegal drugs is a phenomenon with multiple causes, generated by economic, social, family and cultural circumstances specific to the society or environment in which people live, and as such must be addressed as a public health concern. The solution requires the commitment and joint work of the authorities, communities and families for a policy of promotion in health, prevention, integrated care³ and social inclusion, with a special emphasis on children and adolescents.

Actions in this area must be built in a democratic and participative manner, involving society as a whole, particularly social agents specialising in the area.

The policy on the use of illegal drugs must be a state priority and requires, among other aspects, national and local capacity-building as part of the social protection system and the corresponding availability of resources.

4.2.1 National integrated intervention programme for the use of illegal drugs

The government will establish the national integrated intervention programme for the use of illegal drugs as a high-level authority to coordinate institutions with powers in the area and coordinate a participative process for reviewing, adjusting and implementing policy related to the use of illegal drugs.

4.2.1.1 Principles

The national policy for the use of illegal drugs will be guided by the following principles:

³ Integrated care includes treatment, rehabilitation and the reduction of damage.

- **Human rights approach:** actions to prevent and overcome the use of illegal drugs and mitigate risks and damage must be framed by the respect for and effective enjoyment of human rights, which implies aspects such as preventing the stigma and discrimination of users of illegal drugs and criminal persecution based on their use.
- **Public health approach:** the actions to tackle the use of illegal drugs must be integrated, effective and sustainable over time and include work to promote healthy lifestyles and living conditions, prevent the use of illegal drugs and provide treatment and rehabilitation by identifying the health care needs of the population.
- **Differentiated and gender approach:** in the context of the respect for human rights, a differentiated approach is required to ensure actions that are implemented for the use of illegal drugs meet the realities of users of illegal drugs and are effective and sustainable, defining the most vulnerable populations in terms of variables such as age groups, gender, socio-economic status and geographic location.
- **Community participation and coexistence:** maximising the effectiveness of actions to tackle the use of illegal drugs requires community participation in the construction and implementation of solutions that make it possible to create solid bonds between people and their community.
- **Evidence-based:** actions to tackle the use of illegal drugs must be based on evidence, grounded in validated and evaluated knowledge.

4.2.1.2 National care system for users of illegal drugs

To improve care for users of illegal drugs that require progressive treatment and rehabilitation, the national government will design and implement a national care system for users of illegal drugs, which will include complementary rehabilitation and social insertion activities.

4.2.1.3 Participative review and adaptation of public policy on the use of illegal drugs

The programme will coordinate the participative reformulation of the policy for the use of illegal drugs, focused on promoting health, prevention and overcoming usage, as well as mitigating risks and damage based on the evaluation and review of actions that have been

implemented so far, taking into account specific circumstances and needs based on age groups, gender, socio-economic status and geographic location.

To guarantee the participative review and adaptation of the policy on the use of illegal drugs based on the principles described above, the government will create a national body with representatives of the authorities that have powers in the area, scientific institutions, specialist centres, educational institutions, parents' associations, religious communities and users of illegal drugs.

The authority must take the following considerations into account in performing its role:

- The review and evaluation of policies and strategies developed at the national and local levels for preventing and overcoming the use of illegal drugs and mitigating risks and damage, with the participation of communities and experts in the area.
- Territorial analyses of the use of illegal drugs in coordination with the departmental and municipal authorities to identify and contextualise the problem, risks, vulnerabilities, trends, consequences and new dynamics related to the use of illegal drugs.
- Existing experiences at both the international and national level and recommendations issued by international organisations.

4.2.1.4 Participative action plans with a territorial and population-based approach

Based on the policy and territorial analyses for the use of illegal drugs, the programme will promote capacity-building for local authorities and support them in the participative formulation and implementation of departmental and municipal action plans to tackle the use of illegal drugs, in line with the specific circumstances of the different territories and population groups.

As a minimum, these plans must include the following:

- Evidence-based actions to promote health and prevent the use of illegal drugs that respond to the specific circumstances and levels of risk in each territory and that make it possible to strengthen protection factors that protect against the identified risks (self-esteem, conflict resolution, management of free time, strengthening

family nuclei, promoting school attendance, healthy lifestyles, developing cultural and sporting skills, and recreation activities). Special attention will be given to prevention among children and adolescents.

- Actions to strengthen communities to contribute to promoting health and preventing the use of illegal drugs.
- Actions to support and strengthen youth leadership processes with a positive impact on various environments (e.g. schools, clubs, neighbourhoods).
- Special prevention programmes at different levels in education institutions covering urban centres and rural zones and involving the participation of leaders, teachers, parents and students through integrated training activities.
- Evidence-based actions to reduce damage, aiming to minimise the negative impact of the use of illegal drugs on users, their families and the community, prioritising the most vulnerable populations, such as people who live in the street, women and the prison population.
- Actions to raise awareness and to guide the community and institutions to prevent the stigmatisation of users of illegal drugs.
- Actions to expand and improve access to and the provision of special health care and support for users of illegal drugs, including treatment and rehabilitation, taking into account factors such as gender.

4.2.1.5 Monitoring and evaluation of actions carried out for the use of illegal drugs

The programme will design and implement a monitoring and evaluation system for permanent monitoring of actions to address the use of illegal drugs, evaluate their impact and determine new needs.

The system will have participative monitoring and evaluation bodies at the municipal and departmental levels, comprising the authorities, scientific institutions, specialist institutes, parents' associations, religious communities, social organisations, experts and users of illegal drugs, among others.

4.2.1.6 Generating knowledge on the use of illegal drugs

The following measures will be put in place to ensure sufficient and up-to-date information on the promotion of health, prevention and integrated care for the use of illegal drugs to support decision-making and as an input for the evidenced-based design, implementation, monitoring, evaluation and adjustment of policy:

- Specialised research and studies on the use of illegal drugs, including a differentiated gender and age-group approach.
- Periodic territorial analyses on the use of illegal, synthetic and natural drugs in coordination with the departmental and municipal authorities to identify and contextualise the problem, risks, vulnerabilities, trends, consequences and new dynamics regarding the use of illegal drugs.
- Creating mechanisms to communicate information on the use of illegal drugs, taking into account the various target audiences.

* The commitment for funding this programme will be discussed under point 6 of the agenda of the general agreement.

4.3 Solution to the phenomenon of the production and sale of drugs

The problem of illegal drugs is a transnational problem whose solution requires simultaneous action both inside the country, in coordination with and with the commitment of the international community.

In the end-of-conflict scenario, to facilitate the implementation of the agreements and to tackle the challenge of organised crime associated with drug trafficking and money laundering in general, it is necessary to implement policies and programmes to deactivate the factors and mechanisms that stimulate and maintain the problem of the production and sale of illegal drugs for profit. The main objective is to dismantle criminal organisations involved in this scourge, including money-laundering networks.

We aspire to be a country free from drug trafficking. This must be a joint objective of all those involved and involve transformations in the political, institutional and social spheres to consolidate a culture based on values that go against drug trafficking and money laundering, allowing us to eradicate and overcome the impact of this phenomenon.

Finally, the construction of a stable and long-lasting peace involves clarifying the relationship between the production and sale of illegal drugs, on the one hand, and conflict, on the other, including the relationship between paramilitarism and drug trafficking. All those involved must be willing to contribute to this clarification.

4.3.1 Effective processing by the legal system

As part of the commitment to intensify the fight against organised crime and its support networks (point 3.4 of the general agreement), in the end-of-conflict scenario and in order to protect both communities and ensure the sound implementation of the PNIS, in addition to the implementation of agreements in the territory threatened by organised crime, and in general to dismantle the networks of these organisations, the national government will put in place a criminal policy strategy in parallel to implementing an integrated strategy for the fight against corruption, which will strengthen and certify the institutional presence and effectiveness, focusing its capacity on the investigation, processing by the legal system and the punishment of crimes associated with any criminal organisation or group related to the production and sale of illegal drugs, at all times taking into account the differentiated treatment to be given to rural peasants and residents linked to the exploitation of crops for illegal use.

The national government will also promote the certification and will build the legal system's capacity for effective treatment of members of organised crime organisations (especially key figures) by designing and implementing a national strategy that includes regional strategies to allow the strengthening and coordination of bodies and mechanisms for the investigation and legal processing of criminal networks associated with drug trafficking via the following measures:

- The creation of inter-institutional groups to conduct structural investigations, with mechanisms to recognise and understand the local, regional, national and transnational dynamics of criminal activity in all its dimensions and prevent the appearance of new groups dedicated to organised crime in close coordination with other state bodies and considering the contributions of specialised centres, academics and the general public in its various forms of organisation, as part of an integrated strategy.

- The strengthening and expansion of regional and international cooperation to identify networks, trafficking systems and routes used by criminal drug-trafficking organisations.

4.3.2 Strategy for assets involved in drug-trafficking and money laundering

To fully overcome the phenomenon of the production and sale of illegal drugs and eliminate the factors that stimulate illegal economic activities, facilitate the funding of organised crime networks, allow illegal profits to be made, fuel corruption and disturb public coexistence, and also to contribute to building peace, the national government will implement a strategy to resolutely pursue goods and assets involved in drug-trafficking and prevent and control money laundering. The measures for implementing this strategy will include the following:

- **Identification of the drug-trafficking value chain:** the national government will undertake a process to map crime at all levels, including the regional level, to identify the funding mechanisms for organised criminal organisations, the use of these resources, those who are financially responsible, national and international money-laundering strategies, types and channels for money laundering, goods acquired using these funds and the network of fronts for criminal structures and their level of penetration in the state and its institutions. A group of national and international experts will be formed for this purpose, including delegates of international and regional organisations that specialise in this area. The experts will make recommendations and produce a public report on illegal finance networks, their operation and their impact on the national life.
- **Legislative changes and the certification and strengthening of institutional capacities to detect, control and report illegal financial transactions:** the national government will establish a commission of national and international experts, including academics and researchers, in addition to roundtables at the territorial level, in order to develop a new statute for the prevention of and fight against illegal finance. This will make it possible to adapt (as necessary), define and coordinate legislation in this area, emphasising pursuing the strongest links in the drug-trafficking chain, such as organisations dedicated to production, trafficking and

money laundering. The legislation will cover all sectors at risk of being used for money laundering. The commission will take into account the result of the exercise to map crime.

- **Investigative bodies:** the national government will also promote the certification and strengthening, and, as necessary, redesign or creation of investigative, supervisory, financial control and money-laundering bodies to identify the financial systems of organised crime networks associated with drug trafficking and their dynamics in line with the value chain at the national and local levels, in addition to their links at the international level. The heads of these investigative bodies will produce periodic public reports to ensure the accountability of their activities.
- **Anti-money-laundering culture:** the national government will implement a new national campaign to promote values, surveillance of new forms of money laundering and citizen participation and capacity in the spirit of point 2 of the general agreement to exercise control and enforcement over corruption associated with money laundering and irregular or suspicious transactions in order to prevent the public and institutions being used for money laundering.
- **Strategy for effective implementation of confiscation:** the national government will implement a new strategy to guarantee the effective application of confiscation, including the legislative and institutional resources and changes required to certify and strengthen the capacity of state authorities responsible for identifying assets, investigation and legal proceedings. This will be accompanied by the implementation of an integrated strategy to fight corruption.

The national government will also make the legislative and institutional changes required to guarantee transparent and efficient management of assets being confiscated. It will promote the assignment of assets and funds being confiscated to support the plans and programmes set out in the final agreement.

4.3.3 Control of supplies

The national government will review and establish strict state controls on the production, importing and sale of supplies and chemical precursors required to produce illegal drugs, and will build capacity for surveillance and control by the state. Regulations and

mechanisms will be established to ensure companies involved in production, importing and sales adopt measures to increase transparency and control over the end-use of supplies. Special protocols will be designed to make it possible to identify uses, frequencies and places of demand for supplies in order to ensure legal production activities are not affected.

4.3.4 Strategy for the fight against corruption

In the context of the integrated strategy for the fight against corruption (point 3.4 of the agenda of the general agreement), a specific strategy will be established to fight corruption related to drug trafficking, taking into account the results and recommendations of the group of experts formed to map the drug-trafficking value chain. Institutional capacities will be certified and strengthened in parallel to the fight against corruption.

The strategy must include the establishment of specialist inter-institutional groups to attack the various expressions of corruption and the figures responsible and contribute to improving institutional performance.

4.3.5 International conference and regional dialogue spaces

In the end-of-conflict scenario and as part of a permanent contribution to overcoming the problem of illegal drugs, the national government will promote an international conference in the context of the United Nations for reflection, objective evaluation of the policy against drugs and making progress in building the consensuses on the necessary changes, taking into account the international discussion and new developments in the area, in addition to the perspective of consumer and producer countries, especially the experiences and lessons learned in Colombia, identifying good practices based on evidence.

In this space, the national government will promote a discussion on the commitments and responsibilities, and in general the shared responsibility, between producer and consumer countries for tackling the problem.

As part of the conference, the participation of academic and research institutions, growers of coca leaves, opium poppies and marijuana, and organisations of users of illegal drugs will be promoted.

In parallel, the government will promote dialogue spaces in the context of regional organisations (Organization of American States, Union of South American Nations, Economic Commission for Latin America and the Caribbean) to make progress in building consensuses on the policy for the fight against drugs.

The national government will convene dialogue and reflection spaces at the national and local levels for the promotion, preparation and holding of the international conference and regional scenarios.

* The timeline will be discussed under point 6.

4.3.6 In the context of the discussion of point 5.2 of the agenda of the general agreement, the mechanism will be established for addressing issues such as clarifying the relationship between the production and trafficking of illegal drugs, on the one hand, and conflict, on the other, including the relationship between paramilitarism and drug-trafficking (aspect of point 3.7 of the agenda of the general agreement).

At the meeting of the drafting commission on 17 May 2014, the following changes were agreed to resolve some of the outstanding issues on the joint draft of point 4, submitted to guarantors on 16 May:

1. Second paragraph of 4.1. “Programmes for the substitution of crops for illegal use: integrated development plans involving community participation in the design, implementation and evaluation of substitution and environmental restoration programmes in the areas affected by these crops” changed to:

“The new the PNIS will be the competent national authority, headed by the Office of the President of the Republic, in coordination with the departmental and municipal authorities, and will have a civil nature, notwithstanding coordination with the state authorities required to guarantee its full performance, including those responsible for the security and protection of communities, in line with the definition of security set out in the final agreement.”

2. The following text in the parenthesis will be removed: “(as necessary and in line with the corresponding description in this agreement)” together with the following asterisk: “Agreement on this phrase is conditional on resolving the statement in parenthesis.”
3. In 4.1.2 “Objectives” the following asterisks will be removed:
 - a. “* Government: ensure the national territory is free of crops for illegal use.”
 - b. “* FARC–EP: ensure the territory is free of crops for illegal use, preventing damage to the environment.”
4. Also in 4.1.2 “Objectives”, the following objective will be included: “ensure the national territory is free of crops for illegal use, taking into account respect for human rights, the environment and *buen vivir*.”
5. Include a paragraph at the end of 4.1.3.3 “prioritisation of territories”: “In locations where substitution plans do not coincide with the PDETs, the communities will benefit from national RRI plans and special programmes from the departmental and municipal authorities in coordination with the PNIS.”
6. In 4.1.3.6 “Components of integrated substitution plans” delete the following text in parenthesis: “FARC–EP proposal: ‘in places where the substitution plans do not coincide with the PDETs, public spaces must be complementarily served by special RRI programmes’. Pending proposal by the government.”