

## FINAL AGREEMENT

*This final agreement has been reached in Don Gabriel in the municipality of Ovejas (Sucre) following the negotiations that have taken place over the last six months between the national government and the Revolutionary Workers' Party.*

### I.

#### PARTICIPATION IN THE CONSTITUTIONAL ASSEMBLY

Under the political agreement dated 2 August 1990 and in light of the deadline of 26 January 1991 set for the surrender of arms in the agreement signed on 28 December by the national government and the Revolutionary Workers' Party (*Partido Revolucionario de los Trabajadores*, PRT), the president of the republic awards the guerrilla organisation a permanent representative on the constitutional assembly. This participation will be on the same terms as the other members, with the exception of voting.

Before accepting this offer, PRT confirms its aspiration for its representative to obtain full rights.

### II.

#### POLITICAL GUARANTEES AND PROMOTION OF THE PROCESS

1. The national government will facilitate the legal and administrative measures to allow the legal constitution of PRT as a political party.
2. The press and television will be used to promote the process, with the national government guaranteeing a special television programme and undertaking to make arrangements to issue special notices or programmes regarding the process over the country's radio channels and in its press.

### III.

#### PROMOTION OF THE POLITICAL PROJECT

This promotion is provided to support the public activities of PRT, make clear to the public its importance as a political project deriving from the peace negotiations and highlight its contribution to the development of ways to participate in the country's democratic life. For this purpose, the following provisions are established:

1.

The broadcast of a second television programme and three segments in the *Amarillo, Azul y Rojo* slot during the same week.

2.

A one-page notice in two national and four regional newspapers, in addition to a half-page notice in one national and three regional newspapers, with the texts to be decided by PRT.

3.

To complement this, the national government undertakes to make arrangements with the various media organisations for these special notices or programmes regarding PRT.

4.

For the surrender of arms, the national government will provide resources and transport to support the civil celebration of the surrender of arms in Sincelejo on 17 January.

5.

The government will pay for the rental of premises in Bogota for presentation of the PRT political project.

6.

The government will provide a total of COP 2 million per month for four months to fund the installation and operation of five Houses for Life (*Casas por la Vida*) in Bogota, Barranquilla, Medellín, Sincelejo and another location to be decided by PRT.

**IV.**

**LEGAL CONSTITUTION OF THE POLITICAL PARTY**

To facilitate the public activities of PRT, the council undertakes to make arrangements with the corresponding authorities for the registration and legal constitution of the political party, subject to provision of the required documentation by the interested parties. These arrangements may only be made once arms have been surrendered.

**V.**

**LEGAL GUARANTEES**

1.

The national government will apply the act of amnesty for the termination of punishments and criminal proceedings for political offences and appurtenances with the exceptions set out therein and based on the list provided by PRT.

2.

The list submitted by PRT will include members of the organisation who are in prison, provided they have been imprisoned under proceedings related to the offences covered in the aforementioned decree.

**VI.**

**SECURITY PLAN**

1.

The government will provide a special security service with a total of seven units for the security of members of PRT. The security team for the representative on the constitutional assembly will have a special vehicle and four bodyguards and the remainder will have one bodyguard per vehicle. Each will include the corresponding equipment in terms of arms, communications and bullet-proof vests. Security teams will be mixed. The government will allocate 14 bullet-proof vests for the protection of PRT leaders.

2.

The council will make arrangements with the national police to guarantee the provision of a permanent surveillance and security service at PRT houses.

3.

The PRT national head of security will have a seat on the Security Plan Commission, attached to the National Normalisation Council, and will thus be empowered to coordinate all relevant aspects for the security of PRT members with the Criminal and Interpol Investigation Division (*Dirección de Investigación Criminal e INTERPOL*, DIJIN), the Department of Security (*Departamento Administrativo de Seguridad*, DAS) and the Special Fund for Peace.

4.

PRT will be entitled to add members to the bodyguard service provided it covers their cost and bodyguards have received previous training from DAS. The arms used by this staff must have legal documentation. The security commission of the normalisation council will agree the plan to be followed.

5.

The security commission will undertake periodic assessments of the security plan and will carry out a general assessment to update its coverage one year after signing this agreement.

## VII.

### SURRENDER OF ARMS

1.

The national government is satisfied with the full list of arms, ammunition, explosives and equipment for the exclusive use of the armed forces submitted by PRT.

2.

Arms, ammunition, explosives and military equipment will be rendered useless for war. Explosives will be detonated and equipment destroyed at the Don Gabriel camp.

3.

To render PRT arms unusable for war, they will be dumped in open seas in the Caribbean Sea in a ceremony to take place on 26 January and in the presence of a commission comprising PRT, the peace council and special guests.

4.

The act of rendering arms unusable for war must be witnessed by the monitoring commission, which shall comprise members of the National Constitutional Assembly and include witnesses from the national government. The commission will verify that the material rendered unusable agrees with the previously submitted list. Following the consultation of the constituent parties, the commission will also act to guarantee all commitments made in this final agreement.

## VIII.

### HUMAN RIGHTS

1.

The national government undertakes to establish a delegate office of the Presidential Council for the Defence and Promotion of Human Rights for the Atlantic Coast region. The remit of the office will include implementation of the actions previously established by the council at the national level for the Atlantic Coast.

2.

The national government will create a delegate governmental commission for human rights for the Atlantic Coast, which will work in coordination with the delegate office of the Presidential Council. This commission will comprise the governors of the Atlantic Coast departments, regional prosecutors, two representatives of municipal officials, commanders of the Atlantic naval force and army divisions, and commanders of the police departments. It will also include a representative of the Colombian Episcopal Conference and two representatives from human rights organisations on the Atlantic Coast, one of which may represent social organisations. These latter members will be appointed by the office of the president of the republic.

3.

The human rights commission for the Atlantic Coast will provide mechanisms to allow access by organisations and the community in general for campaigns to promote and defend human rights and make the situation of these rights in the region known, notwithstanding the legal and institutional instances for investigating claims. Particular importance will be given to the constitution of the municipal committees for the defence, protection and promotion of human rights in the municipalities of the Atlantic Coast, for which it is recommended that the national government gives the required instruction to all its regional agents to ensure the community are involved in this process. In this respect, it is recommended to undertake a regional campaign using the media for communication.

4.

To complement the work of the governmental commission, in coordination with the national attorney general and any other national institutions deemed appropriate, the Presidential Council for the Defence and Promotion of Human Rights will hold ten human rights analysis and diagnostic meetings in different municipalities throughout the country. These meetings will be used to establish the educational programmes required in the area of human rights.

5.

A special office for receiving claims related to the violation of human rights in the region will be established in the department of Sucre.

6.

The foundation to support family members of the victims of violence will provide COP 30 million for family members of victims of violence related to the presence of PRT in the zones of conflict. This sum may be adjusted in line with requirements. The bilateral sub-commission, in coordination with the aforementioned foundation will define the people and families to be covered by this programme.

7.

The commission for the analysis of violence in the department of Cauca will be expanded to include a PRT representative.

8.

The government will propose to the national television council the creation of a television slot in which the official bodies (inter-institutional group) can provide or request information on cases of the forced disappearance of people

9.

National and widespread communication regarding progress on item IV of the Political Pact for Peace and Democracy signed between the government and the 19th of April Movement (M-19).

10.

Inform the country of the arrangements made by the advisory and coordination commission for actions against death squads, groups of hitmen, and self-defence or private justice groups, incorrectly referred to as paramilitaries, per Decree 813, 1989.

11.

From the enactment of the Statute for the Defence of Justice, the government undertakes to consider the proposal of the international Red Cross committee to provide the organisation with the names of people captured for reasons of public order, subject to administrative sanction.

12.

The bilateral commission established by the government and PRT in previous agreements will continue its functions until the end of March in order to present the final recommendations arising from the initial work agenda. The bilateral commission will also provide the relevant cooperation for implementing the aforementioned procedures.

## IX.

### **INDIGENOUS POLICE**

It is agreed that as part of the restructuring of the national police force established by the government, a proposal will be made to take the creation of the indigenous police force into account. The national government will commission a study to be carried out within three months to draw up the proposal.

## X.

### **PEACEFUL RECONCILIATION PLAN**

The peaceful reconciliation plan aims to guarantee the reinsertion of PRT members in civil society in a context of political tolerance and respect for life. The plan seeks to re-incorporate demobilised forces into society under dignified economic and social conditions, in line with the legal establishment of PRT as a political party and the concomitant free practice of politics, with the guarantees of the security of its members and the support of the regional development process.

The formulation, design, execution and monitoring will be the joint responsibility of the government and PRT. The former will guarantee the financial, technical and human resources required and the latter will be responsible for complying with the programmes and actions that are defined, and, insofar as possible, managing supplementary resources. The plan comprises an initiation phase, a transition phase, a consolidation phase and permanent monitoring and evaluation, all of which will run for three years from the signing of this agreement.

#### A. Initiation phase

To show the change in the life of veterans, the government will provide each of the beneficiaries with a personal provision in the first month.

#### B. Transition phase

1. *Life payment.* The national government will provide a universal monthly payment through a foundation responsible for distributing the corresponding allocations to the beneficiaries. This payment will be provided for a maximum of six months and may be extended if the government does not comply with its responsibilities during the reinsertion phase. The resources for the six months will be as follows:<sup>1</sup>
2. *Health.* To cover health care expenses under a formula to be agreed by the parties in line with the opportunities offered by the health sector. Special medical cases will also be covered.
3. *Education.* Comprises a literacy programme and a special accelerated formal education programme (primary and secondary) for which the parties will study various formulas.
4. *Training.* Consists of specialist technical assistance contracted by the government for training beneficiaries in the formulation of productive projects and urban or agroindustry services, as well as guaranteeing their correct monitoring. The parties will ensure the programme has an integrated design and examine various alternatives offered by government and non-governmental bodies.
5. *Supplementary programmes.* Support for the programmes presented by the foundation for the following activities: cultural, public administration, leisure, sports and the environment. There will also be a psychosocial care programme.

#### C. Consolidation phase

In this phase, the beneficiaries will adopt one of the three life project options set out below:

1. *Projects for productive and urban or rural services.* For this purpose the government will provide a loan of COP 2 million per beneficiary with a two-year grace period, to be paid back within four years from provision at an annual interest rate of 12% and an arrears rate of 24%. The loan will be provided subject to a favourable assessment from the body contracted by the government for technical assistance and the monitoring for projects and based on the criterion of guaranteeing proper continuity between the transition and

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<sup>1</sup> It was subsequently established at the value of the subsidy would be COP 75,000 (around USD 120) per veteran for six months [editor's note].

consolidation phases. For agroindustry projects, the government will design a special programme for awarding land and providing technical assistance. Projects will show environmental management.

2. *Higher education.* A scholarship fund will be created to cover fees and up to COP 2 million per beneficiary for maintenance, with the cost of fees covered by a complementary fund. The loan will have an annual interest rate of 12% with the same terms as those established by ICETEX.
3. *Stable employment.* Governmental management of the search for stable employment in the public or private sector.

#### D. Global evaluation phase

1. PRT will have two members on the National Normalisation Council, one of which will form part of the council's Security Plan Commission, and a technician on the team that will be established for the Special Fund for Peace reinsertion policy.
2. Regional normalisation councils will be established in Sucre, Córdoba, Bolívar and Magdalena. PRT will also have representatives on the regional councils of Cauca, Antioquia and Atlántico.
3. The government will include PRT members in the regional reinsertion and normalisation teams in the regions covered by the plan.
4. Periodic meetings will be held between the government and the various sub-commissions to coordinate the various components of the peace process with PRT.
5. The parties will jointly search for supplementary national and international resources to support the success of the peace process.

## XI.

### **NORMALISATION POLICY: REGIONAL PLANS**

The regional plans constitute a series of investments using state resources to benefit the community. Their aim is to promote regional development by improving living conditions and welfare. The plans also seek to help eliminate economic and social inequalities and factors of violence, strengthen the democratisation of production and reinforce community participation in decision-making processes for the planning of investment and the orientation of development.

#### A. Criteria and objectives

1. A fundamental aspect of regional development plans is that the final decision on investment will be made by the community by means of a participation and consensus building exercise.
2. As a whole, regional development plans must propose planning alternatives to make economic, social, political and cultural processes more dynamic, overcoming the current conditions of misery and inequality through the participation of the community in the drawing up, implementing and monitoring of planning as a whole.
3. Community participation spaces must seek to build consensus and manage local and regional forces to achieve more harmonious and effective development in regions.
4. The regional plans must bring together all efforts involving the national government and PRT, including the commitment of all parties involved for whatever reason in the planning and implementation of regional plans. A diagnostic must also be carried out for the various regions, which will be presented to the communities for decision-making.
5. Investment will strengthen the production processes for collective wealth as a result of the business organisation of the community for specific purposes, which will require specific training processes.
6. Natural resources and conditions required for the reproduction of life will be preserved.

#### B. Development of regional plans

1. The peace fund will allocate COP 300 million for programmes and projects in the zone of conflict under PRT influence.
2. This sum will be distributed among the municipalities defined by the bilateral commission, which will comprise one representative from the council and one from PRT.
3. Municipalities proposed by PRT that do not form part of the regional plans will receive special treatment. In these municipalities, the national government undertakes to ensure the presence of communities of specific interest to PRT on the restoration councils with all the implications this might involve. In places where there are no restoration councils, arrangements will be made with governors, DRI, IPC, etc. to ensure these communities receive attention from the state.
4. The indigenous communities of Cauca, Sucre and Córdoba in the PRT zone of influence and not covered by regional plans will form part of integrated projects being implemented by the government for these sectors of society.

5. Regional plans will be implemented based on a diagnostic and work plan resulting from the analysis and compilation of the various existing regional development and sectoral plans being implemented by the various state, national, departmental and municipal bodies in the defined regions.
6. The diagnostic must take place within three months from signing the memorandum of commitment, for which extraordinary sessions of the restoration councils will be convened. A similar meeting will be convened in municipalities without restoration councils and will be chaired by the mayors of these municipalities.
7. The national government and PRT will seek mechanisms to link the development of regional plans to NGOs and the academic sector.
8. Once the diagnostic has been completed, it will be presented again at extraordinary sessions of the restoration councils and the community will opt for the implementation of a/the determined project. This will also take place in municipalities that do not have councils.
9. From the point at which PRT is legally established as a political party, its representatives will be entitled to participate on the restoration councils.
10. The national government will study the inclusion of the municipalities proposed by PRT in the National Restoration Plan (*Plan Nacional de Rehabilitación*, PNR). In light of the proposal made by the community, the municipalities of El Carmen de Bolívar, San Juan Nepomuceno, San Jacinto, El Guamo, Zambrano, Córdoba, María La Baja, Mahates and Soplavientos will be considered.
11. The bilateral commission will continue its work to draw up the final proposal for the participating integrated regional development plan, which will include the criteria for regionalisation and the formation of the plan, and the methodology and the coordination for the implementation of the projects and works to be carried out.
12. The bilateral commission responsible for the diagnostic will have the required travel resources and access to information on the development plans that exist in various entities.

## XII.

### **MONITORING OF AGREEMENTS**

1.

A bilateral commission will be established for monitoring all the points of the agreement, comprising the peace councillor and a representative of PRT.

2.

A technical commission will be formed for monitoring the normalisation, reinsertion and security policy, comprising a representative of the peace councillor and a representative of PRT.

3.

Without prejudice to its operational autonomy, the technical commission will coordinate its work with the general policy for normalisation and reinsertion set out by the National Normalisation Council, a body created by the government for this purpose. To ensure the correct representation of PRT, this body will be expanded to include the full participation of a PRT representative who will form part of the council's plural technical secretariat.

4.

The bilateral commissions will continue their work until implementation of the proposals established by each of these. This work must be coordinated with the National Normalisation Council.

DON GABRIEL, MUNICIPALITY OF OVEJAS, SUCRE

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**On behalf of the national government:**

JESUS ANTONIO BEJARANO

Presidential Council

CARLOS EDUARDO JARAMILLO

Council Adviser

GONZALO DE FRANCISCO

Council Adviser

ALVARO HERNÁNDEZ

Council Adviser

GABRIEL RESTREPO

Council Adviser

TOMAS CONCHA SANZ

Council Adviser

**On behalf or PRT:**

VALENTIN GONZALEZ

SERGIO SIERRA

PABLO RONCALLO

RAFAEL GONZALEZ

ERNESTO FALLA