

PEACE DIALOGUES TABLE BETWEEN THE NATIONAL GOVERNMENT OF THE REPUBLIC OF COLOMBIA AND THE CENTRAL GENERAL STAFF OF THE FARC-EP

AGREEMENT ON THE JOINT LEGAL COMMITTEE AND GUARANTEES OF SECURITY

Character

The Mixed Commission on Legal Affairs and Guarantees of Security of the Peace Dialogues Table (MDP), between the National Government of the Republic of Colombia and the Central General Staff of the FARC-EP, is a mechanism for inter-institutional articulation and of the EMC FARC-EP, with the participation of the permanent accompaniers of the MDP.

OBJECTIVE

Propose and promote legal, security and humanitarian recommendations on the situation of members of the Central General Staff of the FARC-EP who are deprived of their liberty, including those who have been prosecuted or sentenced, as well as those who are not deprived of their liberty and/or have a legal situation to be resolved, and when appropriate carry out actions to speed up the release of the members representatives, spokespersons, Peace managers and members of the EMC of the FARC-EP. Likewise, to develop priority humanitarian actions aimed at preventing and protect the life, health and personal integrity in dignified conditions.

SITUATIONS SUBJECT OF ATTENTION

In order to address the situation of members of the Central General Staff of the FARC-EP who are deprived of their liberty, as well as those who are not deprived of their liberty and whose legal situation has yet to be resolved, the following shall be done:

1. To propose, recommend and follow up on the legal, health, sanitary, psychological and family situation of women who are deprived of their liberty and priority is given to statutory benefits for women.
2. To carry out and update a biweekly census (universe of cases subject of attention). For this purpose, the EMC FARC - EP, the institutions that are part of the commission and those invited may share their records.
3. To carry out and update a census of members of the EMC of the FARC-EP in a situation of disability and sick people in critical health conditions who are deprived of their liberty.
4. To propose and follow up on the legal recommendations on the target population defined by the Peace Dialogues Table. In particular, vis-à-vis representatives, spokespersons and directors of Peace, and in particular to recommend requests to the competent authorities for the suspension of the corresponding criminal judicial measures, including: arrest warrants, the measure of assurance consisting of preventive detention in a prison centre or place of residence, and the suspension of the execution of prison sentences for convicted persons.
5. To propose recommendations and monitor the implementation of security and protection measures for the target population defined by the Peace Dialogues Table.

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6. To propose recommendations and monitor the implementation of humanitarian recommendations.
7. To propose and carry out visits to promote attention to urgent legal, social, health, overcrowding and security situations.
8. To propose and promote the pertinent judicial, disciplinary and/or administrative actions if, during the visits, situations are found that threaten personal integrity and dignity and are contrary to current regulations.
9. Propose and monitor the implementation of specific peace zones within prison and detention centres, and harmonisation centres for cases involving indigenous people.

CONFORMATION

1. Two delegates(as) from the Delegation of the National Government at the Peace Dialogues Table with the Central General Staff of the FARC-EP.
2. Two delegates(as) from the Delegation of the Central General Staff of the FARC-EP at the Peace Dialogues Table with the National Government.
3. One (a) delegate (a) by the Adviser Commissioner for Peace Republic of Colombia
4. Two technical (as) advisors (as) delegates (as) by the Peace Commissioner Adviser Republic of Colombia.
5. Two technical (as) Advisors (as) delegates (as) by Central General Staff of the FARC-EP

Within the framework of its constitutional, legal and regulatory powers, it may invite, among others, and by consensus of the parties:

1. Delegate (a) of the Ministry of Justice and the Law
2. Delegate (a) of the High Council of the Judiciary
3. Delegate (a) Ministry of Defence
4. Delegate (a) of Permanent Negotiating Table. In case it is necessary, the parties may invite a representative of the indigenous authority of the region that corresponds.
5. Delegate (a) of the Directorate for Human Rights of the Ministry of the Interior
6. Delegate (a) of the Chancellery of the Republic of Colombia.
7. Delegate (a) of the National Penitentiary and Prisons Institute.
8. Delegate (a) of the Penitentiary and Prison Services Unit
9. Ombudsman's Office
10. Inspector General Office
11. Attorney General Office

Accompanying persons:

1. UN Verification Mission in Colombia
2. OAS Mission to Support the Peace Process in Colombia
3. Colombian Episcopal Conference
4. World Council of Churches.

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In special situations, the parties may, by mutual agreement, temporarily include representatives (as) of institutions in the commission.

In order to fulfil the purpose of the commission, by mutual agreement, the support of civil society organisations may be requested or accepted.

FUNCTIONING

The commission will meet once a month and extraordinarily when deemed necessary. After agreement of the agenda by the parties, to plan and review the development of the work, to receive the report of each one of the parties involved and to take stock of steps taken. Minutes will be drawn up.

Meetings will be face-to-face, virtual and/or mixed.

The commission will use as its initial means of communication the WhatsApp chat system (Telegram or Signal), which will remain active twenty-four hours every day of the year and will be coordinated by the UN Verification Mission in Colombia and the OAS Mission to Support the Peace Process in Colombia.

Eventually, and depending on the nature of the situation, physical written communications, telephone calls, and/or emails may be established as a complement.

Notification of the response

The different organizations must inform the commission about the progress of their actions, maintaining legal confidentiality, where applicable.

Signed in San José del Guaviare, on 10 March 2024.

Signed by the parties:

Camilo González Posso
Coordinator
Delegation of the National Government
in the Peace Dialogues Table

Leopoldo Durán García
Head of Delegation of the Central General
Staff of the FARC-EP

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Gloria Quinceno Acevedo
Peace Commissioner Advisor
National Government

Calarcá Córdoba
Delegation of the Central
General Staff of the FARC-EP

Fabio Valencia Cossío
Delegation of the National Government
in the Peace Dialogues Table

Willy Romero
Delegation of the Central
General Staff of the FARC-EP

Feliciano Valencia Medina
Delegation of the National Government
in the Peace Dialogues Table

Andrey Avendaño
Delegation of the Central
General Staff of the FARC-EP

Luz Darí Landázuri Segura
Delegation of the National Government
in the Peace Dialogues Table

José Tomás Ojeda
Delegation of the Central
General Staff of the FARC-EP

[No signature]
Carlos Murgas Dávila
Delegation of the National Government
in the Peace Dialogues Table

[No signature]
Javier 33
Delegation of the Central
General Staff of the FARC-EP

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REPUBLIC OF COLOMBIA AND THE CENTRAL GENERAL STAFF OF THE FARC-EP**

Coronel (r) Genny Calvo Olmos
Delegation of the National Government
in the Peace Dialogues Table

Fernanda Briceño
Delegation of the Central
General Staff of the FARC-EP

Yesid Arteta Dávil
Delegation of the National Government
in the Peace Dialogues Table

[No signature]
Robinson Caicedo Ríos
Delegation of the Central
General Staff of the FARC-EP

Oscar Gerardo Salazar Muñoz
Delegation of the National Government
in the Peace Dialogues Table

[No signature]
Sebastián Martínez
Delegation of the Central
General Staff of the FARC-EP

Coronel (r) Luis Alfonso Novoa Díaz
Delegation of the National Government
in the Peace Dialogues Table

Cipriano Cortés
Delegation of the Central
General Staff of the FARC-EP

[No signature]
Pedro Arenas
Delegation of the National Government
in the Peace Dialogues Table

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REPUBLIC OF COLOMBIA AND THE CENTRAL GENERAL STAFF OF THE FARC-EP**

Signed the guarantors as witnesses and depositaries:

Armando Franchi
Counsellor Embassy Bolivarian
Republic of Venezuela

Louise Wilson
Deputy Head of Mission
Embassy of Ireland

Phillip Lustenberger
Special Envoy
Swiss Confederation

Dag Nagoda
Minister Counsellor
Embassy of the Kingdom of Norway

Accompanying persons:

Raúl Rosende
Delegate of the Special
Representative of the General Secretary
Of the United Nations in Colombia

Edelma Gómez
Mission to Support the
Peace Process of the
Organisation of American
States (MAPP-OEA)

Padre Eliecer Soto Ardila
Representative Episcopal
Conference of Colombia

Humberto Martín Shikiya
Representative World
Council of Churches