

FINAL AGREEMENT FOR PEACE AND COEXISTENCE, THE NATIONAL, DEPARTMENTAL AND  
MUNICIPAL GOVERNMENT AND THE MILITIAS OF MEDELLÍN

26 May 1994

## Introduction

The national government, under its peace policy dated 7 August 1990, to achieve peaceful coexistence between Colombians and overcome the phenomena of violence through the use of dialogue as the best means to deliver a political solution to conflicts and to promote the exercising of citizens' rights in the context of the constitution and the law, and the Popular Militias of the People and for the People (*Milicias Populares del Pueblo y para el Pueblo, MP/PP*), the Independent Militias of the Valle de Aburrá (*Milicias Populares Independientes del Valle del Aburrá, MP/IVA*) and the Metropolitan Militias, hereinafter jointly referred to as "the Militias", based on accepting the laws in force and their decision to relinquish arms as a means for exercising their political ideas, have agreed to sign this agreement as a decisive contribution to achieving peace and coexistence in the communities, in Medellín and in Colombia.

## Chapter 1

### Social investment in communities

To contribute to improving living conditions and developing the communities affected by the conflict, the municipality undertakes to carry out a series of infrastructure works for roads and services and to improve and expand the installed capacity for education, health, leisure and communal equipment. Works will include the following: construction, refurbishment and maintenance of multi-sport plazas, football pitches, parks and recreational areas; building and maintaining roads and bridges; canalising streams and gullies; improving hydro structures; protective works, paths and water treatment; communal sites and the creation of a sport initiation centre in the neighbourhood of San Blas. Works will be carried out in line with the schedule and conditions set out in Annex 1.

Following the surrender of arms, working groups may be set up in the communities detailed in this agreement with the participation of the government and its community representatives to analyse and debate the problems affecting the zone and reach agreements that make it possible to overcome these problems while promoting public coexistence and peace.

## Chapter 2

### I. Normalisation of civil life

#### A. Civil life centres

1. Through the Presidential Council for Medellín, the national government undertakes to build two centres for coexistence or civil life in the neighbourhoods of Granizal and Santa Cruz using land provided by the municipality, annexed to the schools Granizal, María Cano and Arzobispo García, respectively. The premises will be indicated on the map annexed to the municipal planning dated 6 April 1994.
2. COP 200 million will be provided from the available budget for 1994 to build and fit out these centres. If land cannot be made available for legal reasons, equivalent sites will be sought by mutual agreement between the government, the municipality and the community representatives, or, in their absence, houses will be acquired that can be refurbished and meet the space requirements for the services defined below.
3. Each centre will include offices for the following services:
  - a. municipal inspection office;
  - b. dispute resolution office;
  - c. family dispute resolution office, including a representative from the local family support station;
  - d. legal advice office;
  - e. an office for the defence of community rights (ombudsperson, national public prosecutor, municipal authority or representative of the permanent office of human rights);

- f. office for meetings of local community organisations.
4. The operation of each centre, its staff and the administrative and running costs will be covered by the municipality of Medellín, with the exception of the staff in the office for the defence of rights, whose costs will be met by the respective institution.

## **II. Occupational training**

1. As part of the programmes being implemented by the national government in the city of Medellín to provide occupational training, the council for Medellín will reserve spaces and cover the costs of occupational training in the following areas for young people between 16 and 29:
  - a. short occupational training courses lasting two months (20 spaces);
  - b. construction, manufacturing or metalwork courses lasting 18 months (10 spaces);
  - c. intermediate courses lasting approximately four months in areas such as construction, mechanics and electricity.
2. If necessary, the number of spaces may be increased, provided this increase is not concentrated on a single course.
3. Special community services:
  1. As an integral part of the development of the national police in the city of Medellín, a special programme will be established for special military service placements for high-school graduates in the national police force. Candidates for this programme will be chosen from high-school graduates living in the areas covered by this agreement and will work on civil and community activities in the same areas.
  2. Caritas Arquidiocesana (Pastoral Social), will design and implement a programme to promote civil society in the communities affected by the conflict to train leaders and promote tolerance, peaceful coexistence and harmony in the community. A group of 50 Militia members will be involved in implementing the programme, for which they will receive prior training. The national government

will provide the resources required for the implementation of this and other programmes agreed with Caritas.

## B. Coexistence and security plan

1. Taking into account the concerns of the community regarding future changes in the security conditions in the zone in which the Militias have been present, the national government and the Militias agree a normalisation and coexistence plan for civil life.
2. The objective of the normalisation plan will be to reach and maintain peaceful coexistence by ensuring security under the constitution and the law and consolidating the institutional presence in the zone.
3. Facilitating the full reincorporation of the Militias into legal life must form a fundamental part of the normalisation plan.
4. For this purpose, the national government will support the Militias in the creation of the Security and Community Service Cooperative (*Cooperativa de Seguridad y Servicio a la Comunidad*, COOSERCOM) whose objective will be to promote the social and economic improvement of its members and the community in its area of influence by providing security and surveillance services, social services and improving the physical infrastructure in the area.
5. The cooperative will have the following general properties:
  - a. it will be governed by its bylaws in line with the current regulations and provisions for cooperatives and private surveillance activities;
  - b. the Surveillance and Security Supervisor will undertake special permanent supervision of the cooperative;
  - c. the cooperative's area of action will have specific limits per the description and map in Annex 2;
  - d. the cooperative will initially have 52 administrative staff and 306 operations staff, making a total of 358.

6. The government will provide the necessary support for the creation and launch of the cooperative and will contract its services through Metroseguridad Medellín for which it will make the corresponding inter-administrative agreements. The contract will run for two years and may be extended subject to the mutual agreement of the parties insofar as the objectives of the cooperative set out in this agreement and the objectives of the contract have been fulfilled. For this purpose, the opinion of the evaluation commission defined in the following item will be binding.
7. An evaluation commission will be formed to evaluate the work of the cooperative. The commission will comprise one representative of each of the following:
  - national government;
  - office of the mayor of Medellín;
  - Surveillance and Security Supervisor;
  - national police;
  - the cooperative's board of directors;
  - the community, chosen by the local administrative committees in the area where the cooperative will operate;
  - the church.

The manager of the cooperative, the deputy manager, the three second-line managers and the associated management staff will form part of the evaluation commission, with the right to speak but not to vote.

8. The first meeting of the commission will take place eight days after signing this agreement to establish its regulations, define its structure and establish the venue and dates for meetings.

The commission will periodically evaluate the cooperative's compliance with its objective, in addition to its administrative, technical and financial management. On completion of its evaluation, it will produce a report of its findings and recommendations in each of these areas. The commission will send a copy of the report to the Ministry of the Interior, the Presidential Council for Peace, each of its constituent parts, its board of directors and the manager and internal auditor of the cooperative.

The responsible parties must strictly comply with the commission's recommendations and the date and place for their implementation.

9. The commission will carry out a special evaluation of the cooperative to study the possibility of authorising the extension of its surveillance services to third parties in different areas of the communities covered by this agreement. This evaluation will be carried out six months after the commission begins operations.

## Chapter 3

### Reinsertion programme

#### 1. Participation in public administration

While national institutions operating Medellín or departmental or municipal institutions may decide to appoint members of the Militias, it is nonetheless agreed to establish a working team of ten members of the Militias, to be appointed by the Militias, and one professional appointed by the coordinating body. The team will operate for two years from the date of the surrender of arms and will be coordinated by Caritas Arquidiocesana (Pastoral Social), Medellín, which will be responsible for hiring and paying of members of the team. Caritas will provide special “community leaders” training courses and design the programmes to be implemented to promote the consolidation of peaceful coexistence in the communities in which the Militias have been present. Caritas will also define the minimum requirements for appointment and the specific functions of the members of the team. There will be a monthly salary of COP 590,000 for the coordinator and the professional appointed to the team and the other members (nine in total) will receive COP 220,000. The national government will provide the resources required for the implementation of this programme.

#### 2. Promotion of the process

The following is agreed to promote the peace process between the government and the Militias:

1. Publication of a one-page notice in one national and two regional newspapers on the day of the surrender of arms. The text will detail the history of the process and will be the responsibility of the Militias.
2. Publication of a one-page notice in one national newspaper and two regional newspapers one month later. The text will set out the Militias' proposals as an organisation and will be the responsibility of the Militias.
3. One year after the surrender of arms, the government will fund the publication of a report in two national and one regional newspapers with the results of the process. The report will be based on the joint evaluation by the parties.
4. The government undertakes to promote the process for negotiation, demobilisation and reincorporation into civil life in three slots of the National Restoration Plan (*Plan Nacional de Rehabilitación*, PNR) institutional programme *Amarillo, Azul, Rojo*, with one broadcast per month following the surrender of arms. These programmes will also provide information about the progress and results of the working groups established with the participation of the communities.
5. The government undertakes to use the slots of Audiovisuales to broadcast one half-hour programme on the history of the Militias and their decision to embark on the negotiation process that resulted in the surrender of arms. The government will cover the costs of this programme, whose script will be jointly written by representatives of the Militias appointed for this purpose.
6. Regional promotion of the process: programmes to promote the peace process with the Militias and the consolidation of peaceful coexistence and public participation will be produced and broadcast on the regional radio and television slots in which the Presidential Council for Medellín and its metropolitan area have programmes. The number of programmes, their frequency and their content will be coordinated between the Presidential Council for Medellín and the Militias. The Militias will appoint a representative for this purpose.
7. Subject to presentation of the corresponding project, the national government will fund the research and publication of 3,000 copies of a book on the history of the Militias.

### **3. Economic and social promotion**

1. The national government will arrange the processing of ID documents, military IDs and criminal records for the official list of the Militias' demobilised fighters.
2. In partnership with the National Pedagogic University, the government will establish an education programme to validate primary and secondary education for members of the Militias who meet the requirements established for this purpose.
3. Through an agreement with ICETEX, the government will provide resources to facilitate higher education studies by members of the Militias who meet the academic requirements. ICETEX will establish the means and conditions for accessing these funds.
4. Militia members not employed by COOSERCOM or Caritas Arquidiocesana will be employed by Metroseguridad for the implementation of programmes to benefit the community run by the mayor's office or any of its secretaries and decentralised or subordinate bodies. Employees will receive a monthly salary of COP 150,000 for 18 months from the date of the surrender of arms. The national government will transfer the resources required to guarantee the funding of this programme to the Medellín Metropolitan Security fund (Metroseguridad). The first payment of the corresponding salaries will be made one month in advance. Subsequent payments will be displaced by one week until the fifth month, when payment will be made one month in arrears.
5. Medical assistance and health care will be provided for two years to the members of the Militias employed by Metroseguridad and their families. This assistance will be provided through Metroseguridad.
6. The government will provide a loan of COP 3.5 million to each member of the Militias on the official list of demobilised fighters for the implementation of individual or associative productive projects. Loans will have a grace period of two years and a further two years for repayment, with an annual interest rate of 18%. The value of the loan for members of the Militias who form part of the surveillance and security cooperatives will be COP 1.75 million. After 12 months, reinserted members whose productive projects are operating will no longer receive the payments established for people who do not form part of COOSERCOM.

7. In terms of housing, the government undertakes to:

1. support those who are reinserted with training for forming organisations that aim to develop housing programmes;
2. provide support to the organisations that are formed in the form of training for carrying out housing projects;
3. provide support to the organisations of reinserted members formed for the implementation of housing plans in the form of joint management to obtain housing subsidies.

#### **4. Foundation for public coexistence**

To contribute to the communication, support and implementation of the agreements reached in the negotiation process between the government and the Militias, a foundation will be established for public coexistence in the northeast communities of Medellín whose main objectives will be the promotion of participative democracy and civil rights, education for public participation and the management of community development under the principles of political tolerance, the acceptance of differences and harmony under the framework of the constitution and the law. The government will provide a total of COP 250 million for the design, set-up and implementation of these programmes, disbursed as follows: COP 50 million upon legal establishment of the foundation; COP 100 million three months after, and COP 100 million during the first half of 1995. Payments will be made upon submission of the corresponding spending programme.

#### **5. Monitoring and evaluation commission**

It is agreed to create a monitoring and evaluation commission for the agreements that have been signed, comprising the Catholic Church, representatives of the departmental and municipal governments, representatives of the Presidential Council for Peace, representatives of the reinsertion programme and representatives of the Militias.

## **Chapter 4**

### **Legal benefits**

Militia members will be entitled to the benefits of amnesty, cessation of procedure, resolution of preclusion of investigation and resolution of dismissal, as applicable and as set out in Law 104, 1993, under the criteria and procedures set out therein. The national government undertakes to:

1. Process and decide on the award of amnesty for Militia members sentenced for any of the offences set out in articles 48–60 of the aforementioned law, as defined in its article 14. The government will ensure an expedited amnesty procedure such that a decision is made within 30 days from completion of all the relevant documentation.
2. Support the processing of requests for writs of prohibition, preclusion of investigation and cessation of procedure before the legal authorities, as set out in Title III of Part I of Law 104, 1993.
3. Members of the Militias accused of various non-political offences or appurtenances and the exceptions in paragraph 2 of article 9 of the aforementioned law, may obtain benefits from effective collaboration with the law under the same article 9, and articles 369A and 369B of the Criminal Procedure Code, awarded by the corresponding judicial authority in line with the same provisions. Under paragraph 1 of article 9 of Law 104, 1993, the national government will provide the judicial authorities with the relevant information to verify that those requesting benefits are Militia members involved in the peace process.

## Chapter 5

### Protection programme

1. The national government will provide a security and protection service for Militia leaders from the date the agreement is signed. This will be the responsibility of the specialist state institutions for this type of services.
2. The security service will have three levels:

- Level 1 will cover two Militia leaders, each of which will have two vehicles with three bodyguards in each, including the corresponding drivers.
- Level 2 will cover three Militia leaders, each of which will have one vehicle with three bodyguards, including the driver.
- Level 3 will cover ten leaders from the organisation with five vehicles, each with two bodyguards, including the driver.

Each protection team will also have bullet-proof vests and the respective arms.

3. The security system will have a coordination sub-commission comprising one member of the council for peace, representatives of each of the security institutions responsible for security and protection and a representative of the Militias who will function as a security coordinator for the Militias.
4. The security units may include Militia members, although these must register with the special schemes established by the government for this purpose. A maximum of 30 people will be entitled to register for these schemes.
5. The security system coordinator will analyse the level of risk every three months to determine whether its size should remain the same or be reduced.

## Chapter 6

### Political favourability

If the constitutional court declares as admissible the law empowering the national government to create special electoral constituencies for the political movements arising from the subversive demobilised groups and the government does not decide to make use of these powers, it undertakes to include the city of Medellín in its area of application and include the political organisation or movement derived from the Militias with which the government signs this agreement among the political organisations that can make use of such constituencies. Two representatives of the Militias will be invited to all special meetings of the local administrative committees convened by the mayor of Medellín until

their next elections. Similarly, the municipal government may invite Militia representatives to meetings of institutions for planning social investment in their communities.

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