



Total Peace

Law 2272 of 2022, known as the "Total Peace Law", is one of the most ambitious initiatives of President Gustavo Petro's government. Its central objective is to establish mechanisms to achieve a comprehensive and sustainable peace in Colombia. It seeks to put an end to the violence caused by illegal armed actors by bringing to justice illegal armed groups that do not have a political status or peace dialogues with illegal groups that do have a political status. The total peace policy integrates other dimensions such as the full implementation of the 2016 Peace Agreement with the FARC-EP and places the concept of human security at the

forefront, so that the right to life, the socio-economic well-being of the population and the protection of the natural environment are fully guaranteed. The most advanced peace negotiation processes to date are those with the ELN and the dissident Estado Mayor Central (EMC) of the FARC-EP. However, the numerous obstacles encountered with both groups have highlighted the complexity of the effective implementation of this policy. The results so far have not been as expected, as violence in the territories continues to be a reality, with strong impacts on the civilian population.

Delays in the implementation of the 2016 final peace agreement



Photo:
Brasil de Fato

Eight years after the signing of the peace agreement between the Colombian state and the FARC-EP guerrillas, its implementation has been insufficient. Despite progress in the demobilisation of combatants, there are significant delays in areas such as security, comprehensive rural reform, substitution of illicit crops, and especially in the ethnic chapter and gender provisions. Several challenges remain:

- The political context has had a negative influence, with the government of Iván Duque (2018-2022) showing a lack of political will and the current government of Gustavo Petro (2022-2025) facing coordination difficulties.
- Security guarantees for ex-combatants and human rights and environmental defenders are insufficient, with 421 ex-combatants and 1,535 defenders killed since the signing of the agreement until mid-2024.
- Some ex-combatants chose not to join the peace process or have returned to the armed struggle.
- Territorial reconfiguration and the control of armed groups and criminal structures have deteriorated the humanitarian situation in communities, which continue to suffer forced displacement, internment, forced recruitment of minors and large-scale killings.

Violence against children and adolescents.

In the year 2023, according to COALICO's Observatory of Children and Armed Conflict, 520 events of armed conflict were recorded, of which **362 events directly affected children and adolescents**. In comparison with the figure for the same period in 2022, **there was an increase of 123 events, an increase of 33.9%, with 46,900 children and adolescents directly affected by the armed conflict**.

With regard to the serious violations of children and adolescents being recruited into the armed conflict, **77 events** were recorded that affected at least **155 children and adolescents**, an increase compared to the same period in 2022, in which **66 events** were reported. **The main impacts are on indigenous peoples, with special emphasis on the Cauca region.**

Transitional Justice and the Special Jurisdiction for Peace

The Special Jurisdiction for Peace ("JEP"), created in 2017 as a result of the Peace Agreement signed between the Colombian State and the former FARC-EP guerrillas, is one of the most complete, robust and innovative transitional justice mechanisms that has been established for a peace process in the world. The investigations and hearings undertaken by the Special Jurisdiction for Peace ("JEP") have been instrumental in clarifying the truth about the armed conflict and assigning responsibilities. However, there have been considerable delays: the first judgments of the JEP are expected in 2024, almost halfway through its 20-year mandate. In this context, threats by some former commanders of the FARC-EP to disassociate themselves from the JEP, alleging supposed but unfounded "non-compliance" with the jurisdiction, are worrying.



The opening of macro-case 011, which addresses gender-based violence, including sexual and reproductive violence, took seven years despite it being one of the most frequent, invisible and least sanctioned crimes of the armed conflict. According to human rights and women's organisations, serious delays have been reported in the accreditation of survivors. Furthermore, the lack of specialised teams has resulted in minimal progress in the JEP's investigations into these crimes.

The European Union, together with several of its Member States, has provided financial, technical and political support to the Special Jurisdiction for Peace ("JEP") since its establishment. Similarly, the United Nations has offered substantial support to the JEP and, through its Verification Mission in Colombia, will be in charge of monitoring the implementation of the sanctions imposed.

What should be done by the international institutions:

Photo: Carlos Miguel Varona



- **The international institutions should demand that the Colombian government provide security guarantees for the participation** of civil society at the negotiating tables, while also calling for the inclusion of gender and ethnic approaches in the negotiations. Respect for International Humanitarian Law should be a fundamental point in all negotiations.
- **The international institutions should demand that the Colombian government guarantee the full and effective participation of the survivors of the armed conflict** in defining all the restorative sanctions of the transitional justice system that seek to make reparations to them.
- **The international institutions should provide Colombia with financial and technical support to** strengthen specialised JEP teams to investigate gender-based violence, including sexual and reproductive violence, and to expand mechanisms for psychosocial support and protection for accredited survivors.
- **The international institutions should support the strengthening of the community's own protection and self-protection mechanisms.**
- **The international institutions should insist that the Colombian government investigate** all serious crimes committed during the armed conflict, including non-prioritised actions and incidents, strictly apply international standards for the definition of command responsibility, and improve coordination between the different justice systems.
- **The international institutions should maintain support to Colombian civil society** so that it can continue to build peace.
- **They should insist that there be humanitarian minimums in order** to be able to carry out negotiations with the armed groups within the framework of the dialogue roundtables inherent to the total peace policy. The cessation of the recruitment of minors must be central to these humanitarian minimums.