



Advocacy for Human Rights in the Americas



RESEARCH  
REPORT

## ADVANCE THE PROMISES OF THE 2016 PEACE ACCORD

### Civil Society Perspectives on Peace in the Chocó

By the Washington Office on Latin America

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# ADVANCE THE PROMISES OF THE 2016 PEACE ACCORD

## Civil Society Perspectives on Peace in the Chocó

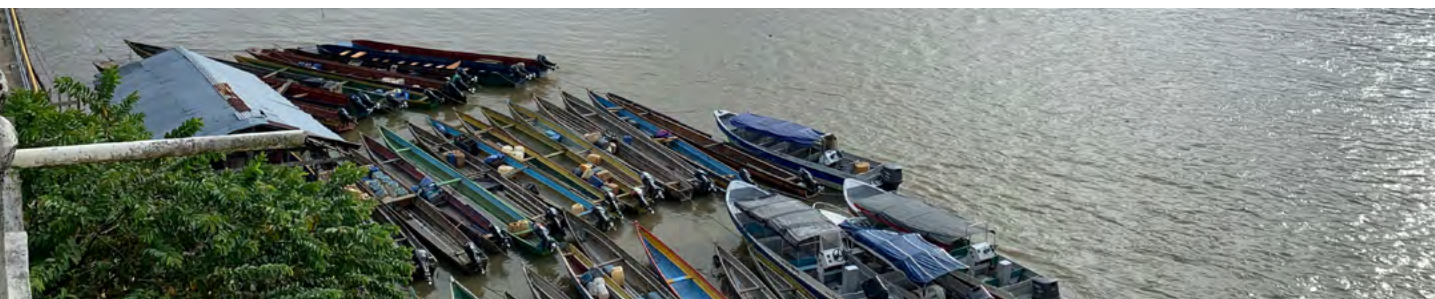
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Between February 2021 and May 2021, the Washington Office on Latin America (WOLA) worked with Colombia-based consultants and partners to gather the perspectives of people at the community level about their experiences with the implementation of Colombia's historic 2016 peace accord.

While there are good academic, statistical, and investigative reports on different aspects of Colombia's peace, WOLA gathered perspectives on how various civil society actors were viewing the implementation of the 2016 peace on the ground. For peace to be properly consolidated on the ground, understanding how those most affected by the conflict is key and their viewpoints are vital to guaranteeing that peace is successful. Colombia's regions are each unique with their own historical, cultural, geographic and ethnic differences and the conflict has played itself out differently throughout the country, which has resulted in distinct dynamics on the ground.

Our research covered four different regions of Colombia—Arauca and Catatumbo in the northeast, Chocó in the northwest, and northern Cauca in the southwest. For people to speak candidly without fear of reprisals, there is no direct attribution of the sources of the information in this document. This report summarizes the findings of WOLA's work with partners and includes recommended actions voiced by the communities themselves. This collaboration also sought to identify recommendations for the United States' and international community's support for the peace accord and its implementation.





## THE CURRENT CONTEXT IN CHOCÓ

The department of Chocó, located in northwest Colombia and bordering Panama, is inhabited by Afro-Colombian, Indigenous and mestizo communities. It is one of the most biodiverse regions on the planet, and the only sub-national territorial entity in the world with coasts on both the Atlantic and Pacific oceans. While its environmental richness and geostrategic location are strengths, they have also made the department vulnerable to illicit activities and economies, which include the drug trade, irregular migration, unregulated mining of gold and other extractives, and the depletion of old-growth forests. Illegal armed group presence, despite the 2016 demobilization of the Revolutionary Armed Forces of Colombia (*Fuerzas Armadas Revolucionarias de Colombia*, FARC), continues to cause alarming and increasing levels of violence, internal armed conflicts, and mass internal displacements. The different illegal armed groups operating in the region promote coca cultivation, illicit precious-metal mining, and the trafficking of drugs, weapons, and human beings. In recent years, the department has become a transit route for foreign migrants, such as Haitians, Cubans, Africans, and others, seeking to cross Panama's dangerous Darien

Gap en route to Central and North America.

The Afro-Colombian and Indigenous peoples who inhabit the Chocó are organized into 64 major community councils<sup>1</sup> and 132 Indigenous reservations. For these populations, dialogue and peace processes with illegal armed groups, particularly with the guerrillas of the FARC and the National Liberation Army (*Ejército de Liberación Nacional*, ELN), are viewed as the only way to truly cease hostilities and guarantee respect for the human and ethnic-territorial rights of the civilian population.

In fact, the 2012-2016 period when the Colombian state and the FARC were negotiating the signing of the 2016 peace accord in Cuba, and previous efforts to dialogue with the ELN, have all served as respites from hostilities. Communities were finally able to breathe and feel tranquility after decades of relentless violence. That period of respite from the armed conflict generated tremendous hope in the region that structural issues would be addressed and there would finally be peace and justice for the victims. Hundreds of people in Chocó have dedicated their lives to these peacebuilding efforts, as peace is

<sup>1</sup>Self-governing territories where land is held communally.

something the communities deeply long for. Unfortunately, this tremendous sense of tranquility was short-lived because the current Colombian government is sidelining efforts to consolidate the peace accord.

To advance peace accord implementation, it is important to understand the department's security situation. After President Duque took office in 2018, there were severe setbacks in peace accord implementation in territories throughout the Chocó. Once again, many communities were submitted to the authoritarian rule and territorial controls of illegal armed groups. Selective assassinations began to rise. There was an increase in illicit crop cultivation and natural resource exploitation—through activities like irregular mining, indiscriminate logging, deforestation, and wildlife trafficking—by legal and illegal actors. In sum, when the Duque administration assumed office, civilians once again felt the wrath of illegal armed groups, including guerrillas. Locals have noted an alarming and significant growth in the factions that make up the ELN guerrilla, as well as the paramilitary structures of the Gulf Clan (*Clan del Golfo*) and the Gaitanista Self-Defense Forces of Colombia (*Autodefensas Gaitanistas de Colombia*, AGC).

Illegal armed groups and their ongoing conflicts are resulting in grave violations of international humanitarian law and eviscerating the human rights of the civilian population. These conflicts are ongoing in the Baudo River (High, Low), Atrato River (Bojayá, Riosucio, Carmen del Darién, Quibdó), the Pacific Coast communities (Juradó, Bahía Solano, Nuquí) and San

Juan River areas (Novita, Condotó, Istmina, San José del Palmar and Litoral del San Juan). Internal displacement, selective assassinations, and confinements (the inability to move freely throughout the territories) are leading to food insecurity and humanitarian crises. Indigenous guards, who have tried to defend their communities from armed actors (security forces, insurgencies, militias, organized criminal groups), have been murdered. Along the Pacific Coast, there are clashes among illegal armed groups who fight for control of illicit economies. In the San Juan region, locals report being subject to thefts, extortion, sexual violence, and even harassment at the hands of state security forces. In Bahía Solano and Jurado, locals are subjected to the violence of drug trafficking structures. Criminal gangs are also present in the Istmina municipality and dedicate themselves to extortion, micro-trafficking, theft, selective assassinations, and threats, in order to assert control over the civilian population. In Acandí, there is a growing humanitarian crisis that is threatening the lives of migrants from across the world, including from Africa, Asia, Cuba, and Haiti.

Crime has increased in Quibdó—the department's capital—where criminal organizations exert violent control. Through tactics like kidnappings, curfew impositions, and seizures of entire neighborhoods, armed actors leave locals trapped within the invisible borders of their neighborhoods or “confined” to their homes. Both the AGC paramilitary and the ELN guerrilla operate in the city. Illegal armed groups tend to co-opt or convert petty criminal groups into

armed actors or make alliances with them to advance their agendas—a concerning and growing trend that undermines the rights of the ethnic communities that make up the Chocó. In various parts of the department, the ELN guerrilla also carries out political kidnappings and extortion, particularly against politicians, miners, and merchants. Extortion of commercial establishments and local residents, homicides, thefts, and confrontations among armed groups in residential neighborhoods have all become commonplace in Quibdó.

In 2020, Colombia's Human Rights Ombudsman's Office issued six early warnings.<sup>2</sup> A mechanism designed as a call to action for state authorities, an early warning alerts against imminent risks of human rights abuses and details ongoing violations. These early warnings are also issued when armed actors fail to uphold international humanitarian law and when the legitimate actions of state security forces place civilians at risk. Unfortunately, despite these warnings, recommended actions were not taken by the institutions involved and many

situations that could have been prevented ended up occurring. The lack of response to such warnings by the national government generates tremendous distrust and cynicism among communities and victims who believe that governmental authorities are not there to serve their interests.

Ethnic authorities, made up of community and Indigenous councils, have documented how abuses by armed actors violate their ancestral norms and their autonomous right to govern life in their communities. The presence of armed actors in Indigenous and Afro-Colombian communities weakens the ability for rightful authorities to exercise the territorial administration of their peoples. This undermining of ethnic rights is not exclusive to rural regions of the department. These security trends are even more concerning in urban areas, specifically Quibdó municipality, where petty criminal groups are factored into the overall context. The alliances forged among illegal armed groups and petty criminal structures increase the ability for armed actors to assert violent control over ethnic communities, fomenting deep fear among locals. A common practice of these alliances among armed actors is to demand extortion payments from locals, known colloquially as *vacunas*. Failure to abide by the demands of these armed actors is oftentimes lethal. While much of this criminal activity is circulated by locals on messaging applications and social networks like WhatsApp and Facebook, little of this activity is reported in the mainstream media, and dramatically less so at the national level.

The ongoing violence and criminal activity

<sup>2</sup>Defensoria del Pueblo Colombia. Alerta Temprana N° 009-2020 del 6 de marzo de 2020, Chocó department. 2020. <https://alertasstg.blob.core.windows.net/alertas/009-20.pdf>  
Defensoria del Pueblo Colombia. Alerta Temprana N° 012-2020 del 17 de marzo de 2020, Chocó department. 2020. <https://alertasstg.blob.core.windows.net/alertas/012-20.pdf>  
Defensoria del Pueblo Colombia. Alerta Temprana N° 016-2020, de inminencia del 22 de abril de 2020, Chocó department. 2020. <https://alertasstg.blob.core.windows.net/alertas/016-20.pdf>  
Defensoria del Pueblo Colombia. Alerta Temprana N° 021-2020 del 14 de mayo de 2020, Chocó department. 2020. <https://alertasstg.blob.core.windows.net/alertas/021-20.pdf>  
Defensoria del Pueblo Colombia. Alerta Temprana N° 030-2020, de inminencia del 9 de julio de 2020, Chocó department. 2020. <https://alertasstg.blob.core.windows.net/alertas/030-20.pdf>  
Defensoria del Pueblo Colombia. Alerta Temprana N° 030-2020, de inminencia del 19 de mayo de 2020, Chocó department. <https://alertasstg.blob.core.windows.net/alertas/049-20.pdf>

in the department casts a wide net that impacts nearly all sectors of Chocoan society. This insecurity affects people living in urban centers along the department's rivers. It affects youth, Afro-Colombian and Indigenous authorities, demobilized former combatants, merchants, public servants, public contractors, and teachers. It also has a disproportionate impact on already socially stigmatized populations such as LGBT+ people, candidates for public corporations, and victims of the internal armed conflict, as well as the advocates and organizations that support them. Major issues reported by communities throughout the Chocó include the recruitment of minors and the risks to civilians when they are unwillingly caught in the middle of armed confrontations. Many people report that the illegal groups restrict their mobility and impose prohibitions upon them, which exacerbate their food insecurity. Of extreme concern, members of Chocoan civil society underscored how these groups are perpetrating widespread environmental and ecological damage linked to illegal mining, processing of illicit crops, and large-scale development projects—commonly referred to as megaprojects—such as oil and palm. Landmines and active munitions are also injuring and killing civilians in the department. In general, locals say that illegal armed groups and the deep insecurity they generate are obstructing and limiting the labor opportunities, cultural norms, religious traditions, and overall way of life of ethnic communities throughout the Chocó.

Chocoans describe the situation as an “invasion” by third parties of their

collectively entitled Afro-Colombian and Indigenous territories. Ethnic authorities, land rights leaders, and environmental leaders are especially vulnerable because of their work defending their territories from the threats posed by illegal groups. Members of such groups consume and distribute psychoactive substances, exploit natural resources, and impose their illicit economies on Chocoan communities. These armed actors are also responsible for sexual violence against women and attacks against the LGBT+ community. The use of children and adolescents to establish informant networks for these armed groups further deepens the security crisis being experienced in the department. Addressing this insecurity is made difficult when some of these armed actors co-opt the local organizational and ethnic processes of communities to misconstrue the realities on the ground to outsiders. These dynamics place local leaders advocating for their communities at great risk.

In the Bajo Baudó River region, there is an upsurge in violence that is closely linked to the construction of cocaine processing laboratories and trafficking routes for illicit supplies and weapons. Armed actors in the region forcibly recruit minors from Indigenous communities. The area is also plagued with illegal checkpoints manned by armed groups that control who enters and exits the community. In Lloró, community members recount how the ELN guerrillas installed insurgency flags in the town, which was done against the will of locals. By explicitly marking their presence, the guerrillas not only generate fear in the community but



also stigmatize its community members. This forced association with the guerrillas makes community members military targets of Colombia's armed forces and illegal armed groups that operate in the region. These terrorizing methods silence the population and submit them to the control of guerrillas and paramilitary groups.



## IDENTIFYING THE CHALLENGES TO CONSOLIDATING PEACE IN THE CHOCÓ: Viewpoints from Civil Society

Chocó's ethnic organizations have established working groups where community members express their experiences and views of the peace accord and its implementation. A particular focus for such groups is implementing the accord's transversal Ethnic Chapter.

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*“This lack of political will not only stems from the national government, that lack of will also stems from the regional governments, the governor's office, the mayoralties, and different state entities.” — rural community leader*

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### **Lack of Political Will**

There is a strong belief among Chocoan civil society that the Duque administration has no political will to fulfill the peace accord as it was agreed to in 2016. Based on their experiences with the implementation process, locals believe the Colombian government is deliberately not complying with, and even sidelining, the commitments made in the peace accord. Civil society emphasized how the Colombian government instead creates obstacles for and hinders the ability to advance peacebuilding efforts, as advocating for the peace accord presents inconveniences for its political agenda. The government has not supported the

many initiatives presented by community organizations, which would advance the accord's implementation and benefit communities throughout the department. In order to truly advance the commitments in the peace accord, the Colombian government must surround itself with Afro-Colombian, indigenous and mestizo authorities and social leaders who took part in designing and ratifying the peace accord.

The accord's faltering implementation, as well as explicit violations to the spirit of what was agreed upon between the Colombian state and the FARC guerrilla, is undermining



the rights of ethnic minority communities. One particular instance is the national government's persistence in undertaking aerial fumigation operations that spray glyphosate over territories in attempts to halt coca crop cultivation. This policy has generated social discord and protests by those directly affected by the practice because, not only does it subvert voluntary coca crop substitution programs designed in the peace accord, it is also an affront to their communities' economic, social, and cultural rights. Without the free and informed prior consultation of communities, the national government, via the Ministry of Defense and the National Police, has submitted new applications for an environmental license to resume spraying glyphosate via aerial fumigation on territories inhabited by ethnic communities which was put on hold due to a 2017 decision by Colombia's Constitutional Court. The communities that would be affected by the detrimental environmental and health consequences brought about by this practice are deeply concerned.

Five years after the peace accord's ratification, there are still no effective agreements in place for how to carry out manual eradication and voluntary crop substitution. For crop substitution programs to be effective, the government initiatives must be truly agreed upon with the territorial authorities of the regions that depend on coca crops. These initiatives must also guarantee that territorial authorities and community members can return to their lands once the state has carried out its voluntary coca crop eradication operations.

Chocoan civil society has explicitly expressed that the actors responsible for obstructing peace accord implementation are national, departmental, and municipal government officials. Those interviewed by WOLA drew attention to how the Duque administration dramatically altered the peace accord's rightful implementation through its "Peace with Legality" initiative, distorting the true intent and structure of a peace accord that was created through a very necessary dialogue among the Colombian state, FARC guerrilla, and several sectors of civil society. One individual added that "he [President Duque] is only interested in using the resources designated for the Territorially Focused Development Plans (*Programas de Desarrollo con Enfoque Territorial*, PDET) in ways that guarantee his political party's continuity in power."

The funding of the peace accord's implementation is often a contentious topic. Many Chocoans believe that the Colombian government has sufficient resources to finance the peace accord's implementation, yet continues to promote a narrative that implementation is underfunded. This narrative is used as an excuse by the government to neglect implementation, according to various individuals interviewed by WOLA. The reality, as pointed out by locals in Chocó, is that funds are not being directly allocated to the plans, programs, and projects designed in the peace accord nor to human rights programs that complement the spirit of the accord. Rather funds are utilized for other projects determined by local officials. Many have expressed concern that the government is more interested

in projecting a positive image of peace accord implementation at the international level and believe this duplicitous image is obstructing international observers from seeing the realities of the peace accord's weak implementation. A specific concern that was expressed by Chocoan civil society is the insufficient budget allocated to the peace accord's transitional justice system. Additionally, resources allocated to the PDET in the Chocó are only provided to local elected authorities. There is a lack of transparency with how funds are allocated and disbursed to programs and projects, meaning it is difficult for civil society to monitor potential fraud. Ultimately, this lack of transparency has allowed for alleged diversion of peace accord implementation funds to corporate infrastructure projects.



## ***Killings of Demobilized Combatants, Limited Support for Reintegration***

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*“A guerilla front is composed of approximately 110 men. If approximately 266 signatories (former FARC combatants) have been exterminated, then that is the equivalent of two and a half fronts killed without being in combat.” — Former Combatant of the FARC in Chocó*

*“In Quibdó there are 86 accredited former combatants of the FARC. However, there are more than 70 requesting to be accredited and there is a lacking government will to help them. With the closing of the Territorial Training and Reincorporation Spaces (Espacio Territorial de Capacitación y Reincorporación, ETCR), many people are abandoning the reintegration process and some have been forced to integrate into other illegal groups.” — Former Combatant of the FARC in Chocó*

A major spoiler for peace are the ongoing assassinations of the FARC's former combatants. These are individuals who are signatories of the peace accord and have committed themselves to peacebuilding efforts. Colombian authorities are failing to guarantee basic and minimum safety assurances for former combatants and the scale of such homicides underscores a systematic trend. In Chocó, 14 former combatants were assassinated as of November 14, 2021<sup>3</sup>. In all of Colombia, since the signing of the peace accord through November 18, 2021, as indicated in a special hearing held by the Special Jurisdiction for Peace (*Jurisdicción Especial para la Paz*, JEP), armed actors have assassinated more than 293 former

combatants of the FARC.<sup>4</sup> Food insecurity is also an issue of concern raised by the families of the FARC's former combatants. If a family member dies or is murdered due to a lack of government protection, there are no assurances for the basic survival of these families. Many women, who are partners of former combatants, feel unprotected. The high concentration and presence of other illegal armed groups in Chocó is generating immense security concerns for both former combatants and communities alike.

*“One of the great challenges and concerns [of my reintegration] was overcoming institutional obstacles and the lack of commitment by state agencies. I was at the mercy of the changes in political...*

<sup>3</sup>“Líderes Sociales Defensores de DD.HH y Firmantes de Acuerdo Asesinados en 2021”, Instituto de Estudios para el desarrollo y la paz (INDEPAZ), <http://www.indepaz.org.co/lideres-sociales-y-defensores-de-derechos-humanos-asesinados-en-2021/>

<sup>4</sup>JEP Colombia, “Audience Seguimiento a órdenes impartidas al Consejero Presidencial y al Director de la UNP (SAR)”, YouTube Video, 5:33. 18 de noviembre de 2021, <https://www.youtube.com/watch?v=PE9MPgA0sag&t=1s>



*...administration, their stance on the peace accord, and even the varying emotional states of whichever official was on duty. Many officials hold the belief that the government, not the law, determines their functions. After having been in a hierarchical organizational structure where one obeys commands and one's activities are determined by rank, such beliefs held by government officials affected how former combatants perceived state officials. We began to assess each official based on their capacity, level of commitment to the peace process, and what their personal position is on what was agreed to in Havana. The latter generated obstacles for us since they decided what to implement or not implement with what was agreed to in the accord. Even so, I continued within the FARC reintegration process to prevent others from falling to recidivism and losing the commitment they had already acquired [to the process]."*

*— Former Combatant of the FARC in Chocó*

Regarding the FARC's reintegration process, a former combatant stated it was difficult, at the time, to make the government understand that the Territorial Training and Reincorporation Spaces (*Espacio Territorial de Capacitación y Reincorporación*, ETCR) could not be temporary, short-term transitional spaces for former combatants. Adding to these complexities was the uncertainty of the land designated for former combatants to transition into civil society. Additionally, an adequate education plan for ex-combatants did not exist. The classrooms where former combatants were supposed to receive reintegration training were either not built

or were left unfinished by the state. Instead, former combatants were the ones who either built or finished building these basic spaces needed to provide these necessary trainings. The state even failed to supply the reintegration program with supplies like books, notebooks and other basic items required for their education, so the individuals committed to the peace process could effectively reintegrate into society "as human beings with rights."

According to individuals interviewed, ex-combatants were not included in the development of the Transitional Normalization Concentration Zones (*Zonas Veredales Transitorias de Normalización*, ZVTN) and Transitory Normalization Points (*Puntos Transitorios de Normalización*, PTN) until the very end of the process. As such, many felt uncertainty as to how these would turn out and skepticism about how these met their reincorporation needs. The same occurred with community leaders concerned about how the creation of these zones and transport of men and goods for these zones would affect the security and other matters of the communities in the region. The Caracolí ETCR was located between Carmen del Darién and Riosucio and the village of Brisas-La Florida in Ríosucio (Chocó), an area where the logistical aspects required to maintain such zones in compliance with the agreement presented many difficulties.

In 2018, the government unilaterally eliminated these spaces, leaving former combatants and their families adrift. As a result, those who were concentrated in those areas are now dispersed. The



dispersal and the subsequent need to fend for themselves has exposed them and their families to threats and assassinations. The areas designated to carry out the FARC's reintegration process—where the former combatants originally arrived—were ridden with deep security risks. Many interrelated factors contributed to these risks, such as the presence of armed groups, illicit crops, forced recruitment, illegal mining, illegal logging, drug trafficking routes, human trafficking, and weapons trafficking. Moreover, these areas have no functioning state presence.

Since the peace accord's inception, those opposing it have promoted the idea that the accord should not be complied with. They believe the accord supports impunity and favors the FARC. These narratives have played out in the media and have heavily stigmatized former combatants, making their reintegration into civil society more difficult. The realities on the ground, however, between victims and former combatants in shared spaces geared for reconciliation, have shown positive results. Many former combatants expressed that they were shown a certain degree of tolerance and empathy. They also mentioned that it was heartening that many in Chocoan society accept former combatants who are complying with the peace accord.

*“With changes in political administration, the commitments already acquired from the peace accord are diminished more and more, non-compliance from the government is exacerbated, and we are forced to advocate from scratch and*

*engage in dialogue to ensure peace accord implementation continues. We ultimately want a state public policy that advocates for peace. Chocoan society has been much more committed to the peace process and accepting of former combatants in the reintegration process than the Colombian state; for example, in Quibdó, a merchant donated a certain amount of land he owned so former combatants could start a productive economic project.”*

*— Local Chocoan resident*

Despite all these obstacles and adversities, many FARC former combatants in the Chocó expressed a will to continue with the reintegration process. Additionally, several former commanders organized efforts to guarantee that former combatants do not remobilize. Even with the immense security risks that ongoing exposure with their adjacent communities brings, including the fact that it makes them targets for armed actors, former combatants say that contact with surrounding communities has helped foster reconciliation. They highlight Colombia's Peace and Reconciliation Platform (*Plataforma de paz y reconciliación Colombia*, PARE<sup>5</sup>). The platform focuses on the creation of schools, soccer training in areas where former combatants previously operated, and compensating victims of the conflict. This reconciliation project has been developed without state support in the Middle Atrato, Atrato, and Quibdó and has helped create new opportunities for children and adolescents.

<sup>5</sup>Partido FARC. “Club Deportivo (PARE): Club Deportivo Paz y Reconciliación Colombia.

## Insufficient Knowledge of the Benefits of the Peace Accord

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*“In Quibdó, to date, some 150 youths have been killed. These are people in neighborhoods that recruit from all over the department because it is the capital. If we go out to find employment opportunities, what are these? Where are the factories? Where are the industries? What produces jobs? In the city, the only options are transporting passengers on motorcycles or street vending. This is because there is no effective state investment that generates decent conditions for people to be able to work. This is why you need effective implementation of the peace accord so there is true social development and lasting peace.” — female civil society leader in Quibdó*

Those interviewed by WOLA noted that many local people, who are not active in civic organizations or politics, do not feel the benefits of peace accord implementation and some even believe that it is only the FARC's former combatants who are benefitting from the accord. As such, social leaders, ethnic authorities, and supporters of the peace accord note that it is important to establish a pedagogy for peace, which would teach broad sectors of Colombian society the stipulations and benefits of advancing the peace accord's implementation.

An education program for raising awareness about the peace accord should highlight how specific regions will reap the benefits from its implementation. It is suggested that if such an educational effort is undertaken it should highlight that the peace accord is aimed at addressing inequities present in the rural

countryside. The provisions pertaining to illicit drugs should help advance an alternative approach to the root causes of the issue in Colombia. Finally, it is important for educational efforts to raise awareness of the fact that victims were a central focus of the peace accord. As such, this accord benefits not just the FARC former combatants but the many victims of the conflict generated in the Chocó. Ensuring peace accord implementation and establishing subsequent development plans in Chocó not only will benefit the department but also the entire country. The aspects of the accord that improve political participation would greatly solve the problems faced by many organizations at the local level. If more Chocoans have a better understanding of how the peace accord benefits them, they are likely to push for its implementation.

Persons who underscored how the

peace accord can help to diversify political participation and improve its response to the citizenry, also noted that the Duque administration has obstructed the legislation required to advance the 16 special congressional districts for victims' representatives (*Circunscripciones especiales de paz*) contemplated in the accord. These special districts would represent regions hard hit by the internal armed conflict.<sup>6</sup> Many locals believe that the way to transform the realities faced in the Chocó is to form a political movement or party with its own local identity that can fight for the collective interests of the department. The 2016 peace, if implemented properly, could pave the way for such a political party to become more accepted at the national level. If victims are granted true and active participation in politics, public policies can be much more inclusive and representative of all sectors of Colombian society. The Colombian state is also tasked with providing reparations to 8 million victims of the internal armed conflict. While these reparations are an aspiration, many Chocoans are skeptical about the current government's willingness to strive towards this aspiration.

On the other hand, there is a firm belief that such educational efforts should also point out that failing to

implement the peace accord will be disastrous to the region. Civilians will be the "collateral damage" of non-implementation.

More education on the importance of peace and buy-in by the society in general would facilitate transformational efforts that have taken place. For example, beneficiary communities and former combatants have made proposals to mayors and the governor, but have not been supported with these reconciliation initiatives. Projects like PARE<sup>7</sup> Colombia, which was designed to generate opportunities through athletic training for children and adolescents who are victims of the armed conflict, have been presented as viable reconciliation efforts for the government to fund and support. Nonetheless, the national government has provided no support to such efforts and the project requires more coaches, clothing, and equipment. Most of what has advanced in terms of peacebuilding is due to the voluntary contribution of people who believe in the peace process. Those who believe in it understand that achieving a stable peace is key to preventing the devastating consequences of war for civilians.

<sup>6</sup>These interviews were conducted by WOLA between February 2021 and May 2021. On August 26, 2021, following these interviews and after much obstruction to advance this legislation, the Duque administration approved the creation of the 16 special congressional districts for victims' representatives.

<sup>7</sup>Partido FARC. "Club Deportivo (PARE): Club Deportivo Paz y Reconciliación Colombia.

## Advancing the Territorially Focused Development Plans (PDETs)

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*“Resources must go where they are intended. The money that has reached the Mayor’s Offices has not been seen by the local community, especially when it comes to financial support from international donors. Additionally, the granting of these resources is often portrayed as a product of government efforts, rather than a result of the peace accord’s implementation of international cooperation. Government reports and statistics often depict that the peace accord is supposedly being executed perfectly, which they are able to pull off because the local community is unaware of these reports. Additionally, these local communities are not organized to demand their rights and conduct oversight. If there were greater oversight of how resources are allocated and used, it would be much easier and better.” — Chocoan human rights defender*

In Chocó, the PDET was renamed by locals as the “PDET Chocó” because it was developed with the participation of several sectors of Chocoan society. It was carried out by mobilizing some 10,000 people, an unprecedented feat. Dialogue and debates allowed for reflections about some of the biggest difficulties facing the department at the time of the PDET Chocó’s development, which took into account the idiosyncrasies and particular structure of each community involved, including each community’s language and cultural understandings.

The resulting Action Plan for Regional Transformation (*Plan de Acción para la Transformación Regional*, PATR)<sup>8</sup> came after convening 14 community

assemblies and 14 main assemblies. It had to overcome many shortcomings, including a lack of understanding and awareness by many locals on what the PDET is meant to do. According to one person, “when the consultation began in Bojayá, the Indigenous peoples had no idea what was being carried out because there had been no prior mass awareness efforts... The Inter-Ethnic Solidarity Forum Chocó (*Foro Interétnico Solidaridad Chocó*, FISCH) ended up having to take on the role of educating constituents and basically doing the Territorial Renewal Agency’s (*Agencia de Renovación del Territorio*, ART) job.”

Several projects have been carried out according to what was developed in the framework of the first institutional work session of PDET Chocó. These include 3 productive projects that benefit the municipalities of Acandí,

<sup>8</sup>Presidencia de la República. Plan de Acción para la Transformación Regional-PATR Subregión Chocó, Bogotá 19 del septiembre de 2021, [https://serviceweb.renovacionterritorio.gov.co/artdev/media/files/2021-06-05\\_162405\\_174692559.pdf](https://serviceweb.renovacionterritorio.gov.co/artdev/media/files/2021-06-05_162405_174692559.pdf)



Bojayá, Carmen del Darién, Condoto, El Litoral del San Juan, Istmina, Medio Atrato, Medio San Juan, Nóvita, Riosucio, Sipí and Unguía<sup>9</sup>. Under the Duque Administration, 43 projects have been approved, of which 33 have been delivered and 10 are in the process of being implemented.

The PDET Chocó was incorporated into local development plans and is supported by municipal administrations through investments and interests. Unfortunately, there is a disconnect among the advances presented by the municipalities, social organizations, victims, the PART and mayor's offices. The lack of recognition by some mayors of proposals that were previously agreed upon by others is setting back PDET Chocó implementation. Moreover, rather than moving forward with what was already advanced, many mayors decided to put together new working groups that started processes from scratch.

Integrating the principles of the peace accord's Ethnic Chapter was one of the most important advancement in the development of the PDET Chocó<sup>10</sup>. When the work began to construct the PDET Chocó, the Ethnic Chapter was taken into account and incorporated. However, when mayors realized the demands these projects would place upon them and the resources

required to carry them out, some did not continue the process. There were also differences between the demands of communities and the region's local governments. Local governments became more interested in promoting the implementation of programs that could generate resources for the development of their own policies and not necessarily those that the communities were requesting for the PDET Chocó.

There are entire Chocoan communities who have been unable to participate in the PDET Chocó or reap its benefits because they are reeling from ongoing violence, a major design flaw. The Duque administration's shift to a "Peace with Legality" approach has delayed implementation of the peace accord because institutions were altered to meet the approach. As such, local community leaders think that the development and application of PDET Chocó projects require monitoring from organized Chocoan civil society and the international community, most notably the U.S., to guarantee that the voices and interests of the local communities and the principles of the Ethnic Chapter are maintained and that what was agreed to with local representatives is what is actually implemented.

<sup>9</sup>Agencia de Renovación del territorio; Documento Hoja de Ruta. Departamento del Chocó, agosto de 2021.

<sup>10</sup>Final Accord.Ethnic Chapter. <https://www.wola.org/wp-content/uploads/2016/10/PeaceEthnicChapterENGLISH.pdf>

## Victims and Land

*This government puts the peace process aside and generates a totally different context that is facilitating abuses and generating victims in the Chocó. Even in the capital of Quibdó there is an alarming increase in homicides and thefts and the relationship between illegal armed groups and criminal structures is strengthening.”---local member of the religious community*



The peace accord is lauded for placing the victims at the center of the process. However, prior commitments made to the victims, most notably Law 1448 of 2011, have yet to be fully realized. While many victims believed that the peace accord would both reinforce existing efforts designed to benefit victims and deepen programs for victims and their rights, this has not been the case. The opposite has occurred. The government became less willing to advance policies that were already in place to uplift victims prior to the peace accord and, when urged to do more for them, it cited the peace accord itself as the reason why it was not advancing those policies.

Persons interviewed feel that the peace accord efforts should incorporate prior programs and policies that existed for victims as a starting point and add to them. Unfortunately, under the present government, victims have

experienced many setbacks. According to victims who were interviewed, many are experiencing re-victimization, increasing confinements and internal displacement, and they are very concerned about the killings of community social leaders and victims' representatives. According to the Institute for Development and Peace Studies (*Instituto de estudios para el desarrollo y la paz*, INDEPAZ), since the signing of the peace accord and up until April 19, 2021, armed actors have assassinated at least 44 social leaders in Chocó.<sup>11</sup>

As for land restitution, the Lower Atrato accounts for the most instances where formal, legal return of territories is occurring. However, this formal return of land did not derive from the peace accord. It was a legal process achieved by victims prior to the signing of the

<sup>11</sup>“ConLideresHayPaz”, Instituto de Estudios para el desarrollo y la paz (INDEPAZ), abril 22 de 2021.

accord. This has not stopped state institutions from presenting these advances as positive developments of peace accord implementation in their reports when actual restitution has not taken place.

*“For example, in Jiguamiandó, the long Curvaradó gave titles to people who were stripped of theirs. These requests, however, had been requested before the peace accord, but are being portrayed as if they are being fulfilled within the framework of the accord. It’s simply not true. These statistical figures are not correct, at least not in Chocó.”— rural Chocoan resident*

Judges are lagging in formalizing these land restitution cases and, in many instances, land titles are in the hands of individuals who are not victims of the internal armed conflict. Government officials view the victims as subjects of the law and argue that care and reparation, as well as restorative processes, take time. However, some people express concern that this government narrative is a means of avoidance. Locals believe that the government is deliberately slowing these land restitution efforts to lower victim morale and eventually diminish their will to claim their land. People will eventually tire and not want to submit to such a tedious, bureaucratic process. It is believed that the government’s real goal is to facilitate the purchase of land by third parties for a cheap price. The land belongs to people who

personally suffered the internal armed conflict and who were displaced by the violence, not outsiders.

Despite the fact that the Land and Victims’ Law is supposed to facilitate the return of land to its rightful owners, the state has not stopped the violence and crimes of individuals and groups who wish to usurp lands in the Chocó. The absence of state civilian institutions in the territory has enabled this violence to occur. At the same time the public forces, the army and police, are not doing enough to dismantle the criminal structures that operate with the intent to obtain territorial control for their illicit economies in these areas. Since there is no central state in many parts of rural Chocó, confronting these armed actors falls to the community councils (Afro-Colombian territorial authorities).

Several individuals interviewed by WOLA highlighted that land grabbing did not only occur through means of traditional violence. Some lands were usurped in a process that may be considered legal. In these cases, third parties played a role in obtaining lands, despite pre-existing claims placed upon them by victims before judges. While some officials claim that only in a few cases have land restitution processes been suspended or delayed so that other interested parties who are not victims can become owners—locals counter this claim and underscore how this trend occurs frequently.



*“There are cases where land restitution processes do not even have opponents. Yet, there is no formal, legal change in the ownership of the land. The officials representing the state fail to do what should be done on behalf of the victims. As a result, the dispossession of land is no longer carried out with weapons. Rather, this dispossession occurs by generating exhaustion, weakening the morale of victims, and creating a climate of uncertainty, so that interested third parties can enter and offer to buy the land at a cheap price.” — ethnic rights lawyer*





## Bojayá: Obstacles to Reconciliation

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On May 2, 2002, an indiscriminate cylinder bomb launched by the FARC guerrilla hit the church in the town of Bellavista in Bojayá municipality, Chocó department, massacring dozens of innocent civilians. While the Attorney General's Office reports 79 casualties, the community has documented at least 86 lives taken. This tragedy occurred after days of armed confrontations between the FARC guerrilla and United Self-Defense Forces of Colombia (*Autodefensas Unidas de Colombia*, AUC) paramilitary group in the territory, and is indicative of the horrific civilian casualties in the conflicts among right-wing paramilitaries and guerrilla fighters like the FARC. On December 6, 2015, while the peace accord was still under negotiation, a process of reconciliation began between the FARC and the victims of this massacre. Gimena Sánchez-Garzoli of WOLA was one of the few outsiders invited by the community and the Catholic Church to accompany them during the act of recognition and subsequent process.

Interviewees were asked about how the reconciliation process has progressed since then. They informed us that the forgiveness and reconciliation process between the FARC and the victims of the Bojayá massacre started out very

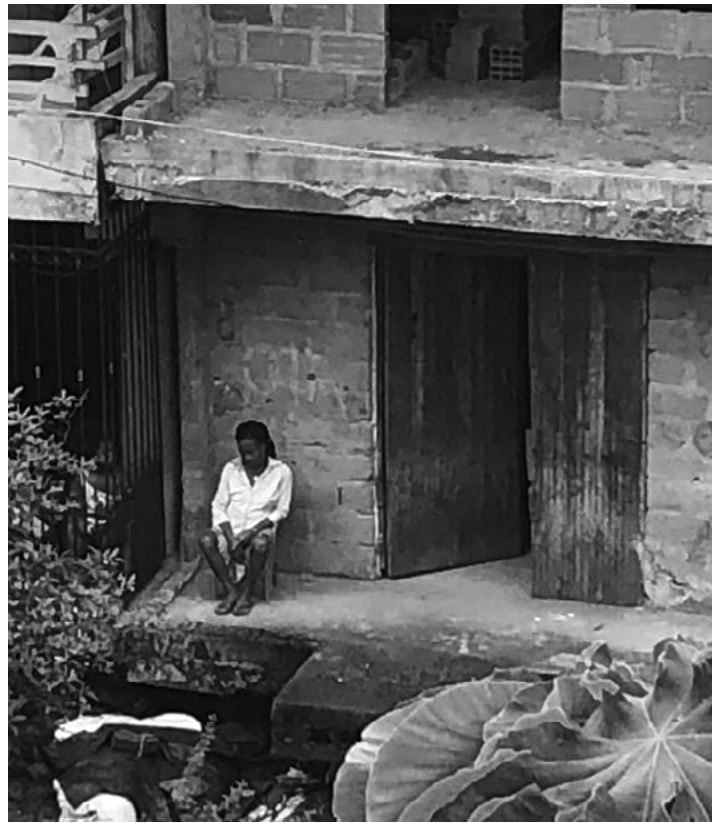
robustly<sup>12</sup>. However, with time and due to the high level of insecurity in the region, it has not continued to advance. There are disparities between what was reported in the news and what is actually happening in Bojayá with victims. Throughout 2016 and 2017, a plan was drawn up to continue the reconciliation process in Bojayá. Since the Duque administration assumed office, the Colombian state has not promoted the continuation of the process. While the FARC and victims complied with the recognition process and there is still will on both parts to continue much-needed reconciliation efforts, the government has not shown willingness to advance this facet of the peacebuilding process and it has not generated the minimum conditions for it to move forward.

One huge obstacle towards advancing the reconciliation process is insecurity. The process requires time, dialogues with the community, and visits to the territory—for which there is no budget. At the same time, in this area, forced recruitment is increasing, social leaders are under threat, and the human rights situation has deteriorated. The Bojayá community lives in anxiety and fear about past events of tragedy

<sup>12</sup>“Ojalá algún día seamos perdonados”: FARC”, *Semana*, 12 del diciembre de 2015, <https://www.semana.com/nacion/articulo/farc-ojala-algun-dia-seamos-perdonados/453289-3/>

repeating themselves. Many say they are just waiting for the moment when they have to be displaced again. Their territories no longer belong to the community, but are instead authoritatively controlled by either armed groups or businessmen who have been approved by the government to exploit natural resources in the area.

The Bojayá victims played a fundamental role in the peace dialogues that took place in Cuba and overall in advancing peace in the country. It is unfortunate that the government shows no interest in supporting the reconciliation process and guaranteeing realization of victims their rights. Furthermore, over 19 years after the Bojayá massacre, the victims have not received compensation for the atrocious events that took place. On the contrary, they are being re-victimized not only by the illegal armed groups present in the region, but also by the government. Some describe this as “the policy of forgetfulness.” One person noted that when it comes to the reconciliation process, “the government acted with very little interest, it just focused on how it could get media coverage.” The victims living with consequences of the atrocities related to the massacre strongly require psychosocial support and the government’s disinterest in their situation deepens their trauma.



## Truth Commission and Transitional Justice

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*“The Truth Commission is the peace accord entity that has made the most progress because it has worked in an articulated way and with a much more pedagogical and differential communication with the communities it enters.”*

*— leader of local victims association*

Colombia's tripartite transitional justice system has progressed in advancing its mandate in the Chocó. The Truth Commission and Special Jurisdiction for Peace (JEP) advanced Listening Spaces (Espacios de Escucha)—a mechanism for collective interviews to hear from a more diverse set of individuals involved in the conflict.<sup>13</sup> These spaces have brought together victims and former combatants in the department. The transitional justice system has carried out collective activities with the leadership of the 34th Front of the FARC and individual activities with victims of the internal armed conflict. The Truth Commission has articulately worked with the Inter-Ethnic Solidarity Forum Chocó -FISCH (*Foro Interétnico Solidaridad Chocó*). Their representatives have approached communities with a differentiated Afro-Colombian, Indigenous, and gender approach. They have directly contacted victims, social leaders, and communities—an approach that has generated trust. They've provided training that has helped explain to locals what different aspects of the accord mean for them.

<sup>13</sup>“La Comisión de la verdad pone en marcha los ‘Espacios de Escucha’, La Comisión de la verdad, 3 del Marzo de 2020, <https://comisiondelaverdad.co/actualidad/noticias/la-comision-de-la-verdad-pone-en-marcha-los-espacios-de-escucha>

Although several remains of persons deemed missing have been found in Curvaradó, and the search for others continues, locals in Chocó pointed out that the Unit for the Search of Disappeared Persons (*Unidad de Búsqueda de Personas Desaparecidas*, UBPD) has not taken on a differentiated ethnic approach in their work. According to an individual interviewed by WOLA: “it distorts the ethnic approach...they have a wrong concept in the government that just by hiring a Black, Indigenous, or palenquero, that this fulfills the differentiated approach.” It is not sufficient to simply hire ethnic minorities in these positions if they are not familiar with the specificities of the territory concerned. The Ethnic Chapter calls upon all aspects of the peace accord to be implemented in consultation with the affected communities. By undertaking this consultation, locals will be more confident and trusting of the work being carried out by the UBPD.

A similar critique, that of superficially portraying a differentiated ethnic approach, was made against some officials working with the JEP in Chocó. Some felt that the approach of these officials in Chocóan communities has

not been interpreted in ways that are understandable for the locals. Simply traveling to territories to listen and collect information is not effective. Some locals interviewed by the JEP do not have a basic understanding of what the JEP is, its functions, and how their testimonies will be used. For the locals, there needs to be a clear and understandable pedagogy utilized by the JEP and other transitional justice measures in the territories. Raising awareness of how the peace process works will allow locals to take ownership of the process and feel empowered by what they are contributing to the transitional justice system.

Another area of great concern is that the National Commission for Security Guarantees (*Comisión Nacional de Garantías de Seguridad*), set up to dismantle illegal armed groups, has not advanced in the Chocó. At the same time, many stated that the National Protection Unit (*Unidad Nacional de Protección*, UNP) is not doing enough to guarantee the safety and security of social leaders in the department. Social leaders have grown tired of requesting protection support or changes to their protection schemes that never arrive. As such, threats, attacks, intimidation, displacement, and killings of social leaders continue.

*“From the start, the government failed to place basic parameters on how transitional justice would function operationally, and did much*

*less to prepare Colombian society. People in major urban areas who have never experienced violence, hunger, and difficulties related to the internal armed conflict are not concerned or interested in the victims of the conflict. They do not face the same obstacles and needs. They are able to meet their needs and have real opportunities to get ahead. In society, it is easier to think that people can be erased, whether they are victims, leaders, or others. This sentiment is also one materialized by certain groups that act outside the law making reconciliation difficult.”*

— Afro-Colombian analyst

From the point of view of victims, individuals who hold public positions should fully execute and enforce each of the chapters included in the peace accord. Some have not yet understood how significant the restorative and transitional justice policies are for Colombian society.





## Illicit Crops and Illegal Mining

*“The Colombian government often refers to the Chocó department as rich, the lung of the world. This image is not portrayed when individual political and economic interests are involved. The government fails to invest resources for the population to protect the environment.” — local leader*

The illicit economies such as illicit crop cultivation and illegal mining make the consolidation of peace in the region harder. So far, there is no effective execution of policies to substitute illicit crops and illegal mining. Current government attitudes and policies fail to recognize and take into account the reality that these activities are to some extent developed by community members as a means of subsistence for families, in the absence of opportunities offered by the government.

Illegal mining has also taken hold in the department. In addition to drug trafficking, it is a source of financing for several of the illegal armed groups. These groups obtain money by exploiting gold and its transport. They extort miners and impose their control on the entire process.

The failure to use models for the

production and exploitation of natural resources in a sustainable way, the issuance of permits, the limited application of current regulations, the lack of prior consultation, the general exploitation of the environment—wood, precious metals, among other resources—are leaving ecosystems in the area devastated. These regions are left without protection, and without minimal possibilities of recovery, which increasingly diminishes native species. There is an imminent danger to the continuity, sustainability, and preservation of the natural resources in the department.



## The COVID-19 Pandemic

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The pandemic has served as a pretext for failing to deliver humanitarian aid in all the municipalities of the Chocó<sup>14</sup> and no strategies were designed by the state for how to continue implementing the peace accord during the pandemic. On a positive note, the Truth Commission was able to advance its work.

Violence and human rights abuses have worsened since the start of the pandemic. The murders of social leaders increased, despite many having requested protection from the state. The pandemic made communication with, and the ability to request guarantees from the national government more difficult. Administrative procedures became more bureaucratic and slower. Many procedures that used to be carried out in person are now virtual. For many communities who do not have adequate access to technology, this has been problematic. At the same time, civil society organizations that monitor and advocate for implementation of the accord and human rights protections also worked virtually, slowing down their ability to advocate with authorities.

In some areas, access to food became a problem for communities and

limited aid was distributed in some of the municipal capitals. However, in townships and rural areas, aid was not delivered to address the humanitarian crisis caused by COVID-19. The pandemic also made the already precarious health system even more difficult. Administrative procedures such as referrals, authorizations, and transfers became difficult to obtain. People are now asked to send everything to an email affiliated with Colombia's public health care system (*Entidad Promotora de Salud, EPS*), which rarely, if ever, responds to requests. For residents in rural areas, where there is no access to the internet, these options are not viable. The Attorney General's office also had to intervene in several cases to get local residents transferred to health facilities outside of the department because the services required were not available in the region.



<sup>14</sup>“Comunicado Pública: Crisis, diálogo y derechos”, 9 del junio de 2021, <https://colombiapeace.org/wp-content/uploads/2021/06/COMUNICADO-SITUACION-CC%81N-EN-EL-CHOCO%81C%81-JUNIO-8-2021.pdf>

## Humanitarian Accord Now! for the Chocó

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*“Illegal armed actors operate throughout the region without any obstacle. The Gaitanista Self-Defense Forces of Colombia (Autodefensas Gaitanistas de Colombia, AGC) paramilitary, the Gulf Clan (Clan del Golfo) paramilitary, and the National Liberation Army (Ejército de Liberación Nacional, ELN) guerrilla group impose their law and destroy the lives of communities, placing themselves above ethnic authorities and community regulations. Our numerous complaints of these abuses in recent years have never been met with an adequate response from the national government. Our proposal and pleas for the “Humanitarian Agreement Now!” have been ignored. The hope of a real and lasting peace based on the accord signed between the Colombian state and the FARC has been frustratingly out of sight. There has been some progress in establishing proposals among ethnic groups in the Pacific to overcome humanitarian crises.” — local human rights defender*

After much deliberation on how to minimize the humanitarian and human rights situation facing civilian communities in the department, coalitions in Chocoan civil society, like community councils, cabildos, Afro-Colombian, Indigenous, mestizo, women and victims’ organizations, launched the Humanitarian Accord Now! for the Chocó (*Acuerdo Humanitario Ya! para el Chocó*) in August 2017. The ideas in the document initially formed part of proposals that the communities had presented to the parallel peace dialogues that the Juan Manuel Santos Administration undertook with the ELN in 2015. Once the Duque government took office, it decided to no longer engage in such dialogues; Chocoan civil society decided to make the strategies public and to extend it to all legal and illegal armed groups operating in their region.

More than a document, the Agreement<sup>15</sup> seeks to place limits on the internal armed conflict and violence linked to illegal armed groups in order to ensure guarantees for the lives and physical integrity of civilians living in the areas where such groups operate. Its intent is to minimize the impact of the conflict on civilians and to help pave the way for dialogues that can resolve issues by putting an end to the use of weapons to address conflict. The FISCH, the Permanent Working Table for Dialogue and Concertation with the Indigenous Peoples of Chocó (Mesa Permanente de diálogo y concertación de los

<sup>15</sup>El Acuerdo Humanitaria Ya para el Chocó <https://www.foroint-eretic.com.co/wp-content/uploads/Propuesta-de-Acuerdo-Humanitario-Ya-para-el-Choc%C3%B3.pdf>

pueblos indígenas del Chocó), regional Chocoan groupings, and the Catholic Church, are all working to promote and implement the Agreement. There is a Committee set up to guarantee its progress known as the Follow-up Committee (*Comité de Seguimiento*) and a Technical Secretary that interacts with the subregional committees throughout the department focused on the Agreement's realization.

Table for Dialogue and Concertation with the Indigenous Peoples of Chocó (*Mesa Permanente de diálogo y concertación de los pueblos indígenas del Chocó*), regional Chocoan groupings, and the Catholic Church, are all working to promote and implement the Agreement. There is a Committee set up to guarantee its progress known as the Follow-up Committee (*Comité de Seguimiento*) and a Technical Secretary that interacts with the subregional committees throughout the department focused on the Agreement's realization.

Individuals interviewed pointed out that the lack of implementation of the 2016 peace accord with the FARC is making it difficult to advance the Humanitarian Agreement with other illegal armed groups operating in the region. Both civil society actors and members of illegal armed groups including the ELN have lost hope for the state agreeing to any gestures of peace, including supporting the Humanitarian Agreement, during the

Duque administration's tenure. Civil society expressed that the Colombian state has zero political will to advance any peace or humanitarian agreements in the Pacific. They feel the state is not giving the 2016 peace accord the importance and value that they themselves give it on the ground.

Those advocating for the Humanitarian Agreement feel that only people in the Pacific Region—who desperately need protection from the illegal armed groups, and their combat operations and violence—are interested in establishing humanitarian minimums that protect civilians. Under the Juan Manuel Santos administration, the Humanitarian Agreement was accepted by the High Commissioner for Peace. He even encouraged its implementation and sought out resources for several aspects of the Agreement, especially for provisions focused on preventing the recruitment of children and adolescents by illegal armed groups. However, this interest and willingness to advance the Agreement was lost once the Duque administration assumed office. Many lament that the progress that had been made, especially with regards to demining efforts, ended.

Despite the setbacks towards advancing the Humanitarian Accord, the FISCH and other civil society organizations continue to advocate for all armed groups to adhere to it. They believe it is the only way that



armed conflict can be de-escalated in the region. Further, they believe that for peace to be integrated fully in the area, the Humanitarian Accord must be implemented in a parallel fashion. They think this is the only way to advance peace, as well as achieve truth, justice, and comprehensive reparation for the victims.

## CONCLUSION

In Chocó, individuals interviewed by WOLA were explicit about what is impeding peace consolidation in their department and what should be done about it. They were both constructively critical of the national, regional, and local governments and institutions and self-critical about how civil society can do more to guarantee peace and diminish violence and abuses in their region. They also respectfully provided recommendations for how the international community, and entities in the United States in particular, can help them achieve this collective goal.

The lack of an effective civilian presence of the Colombian state in the region was pointed to as a huge weakness for advancing peace. While this problem is not new, the ambitious goals of the different parts of the peace accord require strong institutions that can help put that architecture

in place working hand-in-hand with civil society. Rather than seeing this as an obstacle, the sentiment is that the peace accord provides the opportunity for the Colombian state to finally work towards bridging this gap for Chocoans. Strong institutions are required to address the multiplicity of challenges that undermine peace and generate violence like illicit crop production, illegal mining, and forced recruitment by illegal armed groups.

Local communities in Chocó held great expectations with the rural reforms stipulated in the peace accord. They believed they would be granted greater security, a sense of tranquility, the end of armed hostilities, economic stability, and the ability to be productive individuals in society. In stark contrast, everything written and signed in the peace accord seems to have remained on paper. Conflict

continues rampant in the territories, the accord has not materialized, and the national government is gradually destroying what is embodied in the accord. A robust agenda was designed, but with lacking commitment for effective implementation, it is difficult to identify positive prospects for what the national government will do to advance peacebuilding efforts. The FARC effectively laid down its arms, but Colombia as a state is not generating spaces for forgiveness, reconciliation, and non-repetition guarantees.

Chocoan society has a true desire for peace, many view the region as a “collective” victim of the conflict, and is willing to forgive and rebuild. The perception is that the government is not interested in the desires of Chocoans, it is simply interested in achieving its own political interests. Sadly, for state institutions, the victims only become statistics to show supposed results before monitoring bodies and international observers. Ultimately, they do not carry out their functions in compliance with their obligations as guarantors of rights and the ratified accord.

Peace can serve to unify the efforts of the Colombian state and civil society in the Pacific. It can help generate a synergy with rural Colombia that has never been fully integrated into the country’s national agenda. This can be done by working together on achieving true rural reform and economic

development and placing the people of Chocó as its leaders. Empathy between the rural sector and urban sector and vice-versa is required, since they often are not taking each other into account. Similarly, efforts that generate empathy between officials and victims are seen as necessary. The first step towards this would be to determine how connectivity between rural and urban communities could take place. This is especially important as there is resentment because prior dialogues between the rural and urban sectors were seen as superficial and orchestrated to promote particular political agendas, rather than truly addressing the needs of the rural sector. Effective communication mechanisms will go a long way in improving these relationships and enabling better dialogue, advocacy, monitoring, and input between the local, regional, and national authorities, as well as the community councils and cabildos. These mechanisms would have the added benefit of helping to address some of the complexities that have arisen during the pandemic.

Furthermore, mayors and municipalities need to adhere to both the 2016 accord and the numerous Constitutional Court decisions that affect the region. Mayors should improve their commitment to guarantee protections for social leaders and communities and to advance peace implementation, particularly its Ethnic Chapter. The regional, departmental,

and national governments must all work to decrease corruption, increase transparency of resources, and commit to not favor who voted or supported them in their political campaigns, once they are in office. Rather, they need to respond to the entire citizenry that they represent, equally, without bias, and based on needs. There is great support by communities for the 16 seats designated to victims in the peace accord, precisely because it is expected that members of Congress will support the collective interests of the people of the region they represent.

Social leaders and ethnic authorities need to be bolder in confronting narco-trafficking in the region. The financing that this illegal trade provides to the armed groups empowers them to corrupt, coerce, and force their will and agendas on the local populations. Coca cultivation and narco-trafficking also attract efforts like aerial fumigation that are very detrimental for the well-being of the people and the ecosystem in the area. Once established in a region, the illegal armed groups also take advantage of their power to become involved in multiple illegal trades, which is also highly problematic for communities. The government at all levels and its institutions should respect the right to free and informed consultation of ethnic minorities when it comes to its anti-narcotics policies. It should work in partnership with the very communities who are embattled

and suffering the consequence of this phenomena, not against them. Despite the danger and other obstacles, ethnic organizations must continue to do their work in the territories. The transitional justice system must improve its mechanisms for interacting with ethnic authorities, continue to do their work, and reinforce the principles found in the Ethnic Chapter.

It was recommended that the PDET should not only be implemented but that its implementation be used as a strategy to generate a greater degree of trust between the government and communities. Faith in the government and institutions will only grow if the PDET is advanced hand-in-hand with representatives of its recipient communities. This, in turn, will lead to increased community pressure against the illegal armed groups, making them weaker and more willing to comply with the Humanitarian Agreement, dialogues, peace, and to dismantle their operations. Transforming the economic situation in the territories not only prevents cycles of violence, it also creates opportunities so that the other aspects of the peace accord can be fulfilled.

## HOW THE U.S. GOVERNMENT AND CIVIL SOCIETY ORGANIZATIONS CAN SUPPORT PEACE IN THE CHOCÓ

When persons interviewed were asked what can the U.S. government and civil society organizations do to support peace efforts in the region, the following proposals were made:

### **Recommendations:**

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#### **1. Support the creation of a Commission that can dialogue directly with U.S. policymakers**

The U.S. government and civil society organizations should support the creation of a binational commission that serves as an interlocutor with U.S. policymakers to advance peace accord implementation in the Chocó. The Commission would include the U.S. government, Chocoan civil society, U.S. civil society and experts chosen due to their expertise). By helping create this commission, the international community can ensure the 2016 peace accord's Ethnic Chapter is prioritized, and that peace is implemented in Chocó with a differentiated ethnic, gender, and disability approach. This commission should also incorporate the peace-related demands from various social movements that have formed in the department to petition the government. These include civic strikes (paro cívicos) and Indigenous collective peaceful protest actions known as Mingas, all of which urge for the Ethnic Chapter's comprehensive implementation.

#### **2. Closely monitor the implementation of the Territorially Focused Development Plans (PDET's)**

The full and comprehensive implementation of the PDET's, a central commitment of the peace accord's first chapter, can help transform the structural obstacles to consolidating peace in Colombia. For these plans to function as envisioned by the peace accord, international actors need to closely monitor and advocate for their implementation to help guarantee



their advancement and to address complications that may arise. All proposals and projects related to the PDET Chocó must fully integrate an ethnic and gender approach and include the full participation of beneficiary communities. An ethnic approach does not mean superficially placing Afro-Colombian and Indigenous individuals in key positions; rather, only by integrating ethnic communities into all levels of participation and governance at the national level can the PDET truly address on-the-ground realities. As for implementing a gender approach, women and LGBT+ individuals from the territories must be included in the PDET as designers, implementers, and beneficiaries. Finally, the PDET must seek to activate local economies by supporting economic projects proposed by the community councils and the cabildos. Supporting the projects designed by the communities themselves will transform the rural countryside and foment peacebuilding among receptor communities.

### **3. Send resources directly to civil society organizations**

At the moment, resource allocation is at the whim of who holds political office, which often results in alleged embezzlement practices. Civil society organizations have noted suspicious instances where funds are channeled to individuals who actively supported the political campaigns that elected those who hold political office. Therefore, to ensure resources and funds truly meet the needs of implementing the peace accord, international resources to support Colombia's peace should be administered directly by communities in the Chocó who uphold the well-being of the community. This means empowering civil society organizations to administer resources. These organizations, made up of and elected by the communities themselves, have a wide breadth of experience working to solve the department's challenges. As such, they hold a deep understanding of the needs of the communities and are beholden to them. Directly allocating much-needed resources to these civil society organizations provides stronger guarantees of transparency and accountability, increasing the likelihood that the resources will be used as intended and preventing their diversion when changes, inevitable in a politicized local context, occur in municipal and departmental governments.

### **4. Help develop an alliance among victims, ex-combatants, and civil society to demand and monitor the peace accord's implementation**

To advance peace accord implementation at the departmental level, a transformative pedagogy of peacebuilding is required. This strategy must move beyond its current emphasis on university professors and students. It should prioritize the participation of victims of the internal armed conflict, former combatants who are signatories of the peace accord, and diverse sectors of civil society like territorial leaders, social leaders, women, LGBT+ leaders, and youth representatives.

These different sectors already exist in some form. However, they must unify their efforts by forming an alliance that advocates for the peace accord's full implementation. For such an alliance to form, and for it to be effective, these sectors should join together in solidarity and ensure their communities understand what the peace accord stipulates and how they can demand the implementation of what the state is obligated to fulfill. This alliance should carry out broad-based education campaigns about the stipulations of the peace accord and how state institutions, including the National Police and the judicial and legislative branches, can be used as tools to guarantee short- and long-term compliance to what was agreed to in the 2016 peace accord.

## **5. Advocate for the Humanitarian Accord Now Chocó!**

To sustain the 2016 peace accord and for it to be fully implemented, the other illegal groups operating in the region need to be addressed. The optimal solution would be for them to be addressed via a politically negotiated solution and/or disarmament. Since such solutions have not advanced in the past decade, Chocoan civil society is proposing that all armed groups support the humanitarian minimums found in the Humanitarian Accord Now Chocó!. This Accord seeks to place limits on the internal armed conflict and violence linked to illegal armed groups. It guarantees better protection for civilians stuck in the middle of all these groups and respect for international humanitarian law. It is an effort by coalitions of local civil society organizations and religious entities to step in where the government has failed to ensure guarantees for the lives and physical integrity of civilians living in the area. Its intent is to minimize the impact of the conflict on civilians and to help pave the way for future and continuing dialogues. However, for such an accord to be realized it requires support from the international community, in particular the United States.

## List of Abbreviations

AGC - Gaitanista Self-Defense Forces of Colombia (*Autodefensas Gaitanistas de Colombia*)

AUC - United Self-Defense Forces of Colombia (*Autodefensas Unidas de Colombia*)

ART - Territorial Renewal Agency (*Agencia de Renovación del Territorio*)

ELN - National Liberation Army (*Ejército de Liberación Nacional*)

EPS - Public Healthcare System (*Entidad Promotora de Salud*)

ETCR - Territorial Training and Reincorporation Spaces (*Espacios Territorial de Capacitación y Reincorporación*)

FARC - Revolutionary Armed Forces of Colombia (*Fuerzas Armadas Revolucionarias de Colombia*)

FISCH - Inter-Ethnic Solidarity Forum Chocó (*Foro Interétnico Solidaridad Chocó*)

JEP - Special Jurisdiction for Peace (*Jurisdicción Especial para la Paz*)

PARE - Colombia's Peace and Reconciliation Platform (*Plataforma de paz y reconciliación Colombia*)

PATR - Action Plan for Regional Transformation (*Plan de Acción para la Transformación Regional*)

PDET - Territorially Focused Development Plans (*Programas de Desarrollo con Enfoque Territorial*)

PTN - Transitory Normalization Points (*Puntos Transitorios de Normalización*)

UBPD - Unit for the Search of Disappeared Persons (*Unidad de Búsqueda de Personas dadas por Desaparecidas*)

UNP - National Protection Unit (*Unidad Nacional de Protección*)

ZVTN - Transitional Normalization Concentration Zones (*Zonas Veredales Transitorias de Normalización*)

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### ABOUT WOLA

WOLA is a leading research and advocacy organization advancing human rights in the Americas. We envision a future where public policies in the Americas protect human rights, recognize human dignity, and where justice overcomes violence.

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