

# THE APPRENTICE OF THE ENCHANTMENT

Feign peace, reinvent war and privatize the public realm

Balance of Iván Duque's first year of government

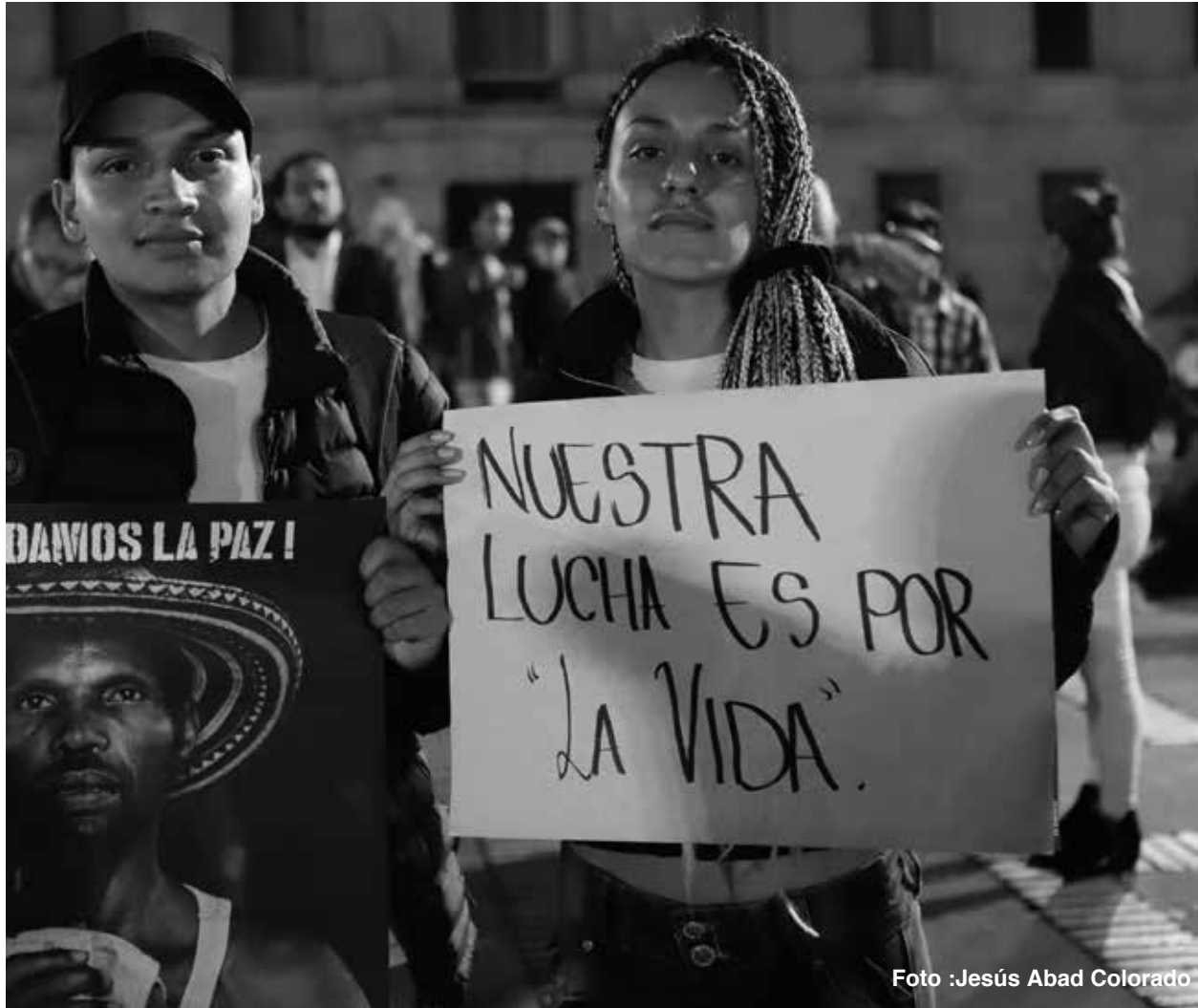


Foto :Jesús Abad Colorado

## Executive Summary

Bogotá, September 2019, 472 pages





## Executive Summary

**T**he apprentice of the enchantment. Feign peace, reinvent the war and privatize the public realm, compiles analysis, observations, testimonies, chronicles, photographs and cartoons of sixty authors -people and organizations-, who take stock of the first year of the “Government Administration of legality, entrepreneurship and equity”<sup>1</sup>, from diverse perspectives and with a human rights approach.

Throughout its 472 pages, one single desire calls for so many observations and shared experiences: to offer frames of reference for a critical reflection regarding Colombia, where the government Administration of Iván Duque Márquez intends to reinvent the war and privatize the public realm while pretending to be making peace. The five chapters contained in the report are all articulated around this paratext: (1) an analysis of the situation of Colombia in the international context; (2) an assessment of the characteristics of the political regime and the alliances to undermine the Rule of Law; (3) A balance on the deconstruction of peace, including the lack of implementation of the Peace Agreement, the evolution of the conflict in the country’s regions and the rapture of the negotiations with the ELN<sup>2</sup>; (4) the inquiry regarding the significance of rights in the National Development Plan “Pact for Colombia, pact for equity”<sup>3 4</sup>; and (5) a rigorous study on the situation faced by people and organizations working for peace and human rights in Colombia.

<sup>1</sup> <https://id.presidencia.gov.co/gobierno/presidente-ivan-duque>

<sup>2</sup> TN. National Liberation Army (ELN for its acronym in spanish)

<sup>3</sup> In Spanish: Pacto por Colombia pacto por la equidad

<sup>4</sup> <https://www.dnp.gov.co/Plan-Nacional-de-Desarrollo/Paginas/Bases-del-Plan-Nacional-de-Desarrollo-2018-2022.aspx>



## I. Colombia in the world

The international political right-wing context has brought an imminent risk of regression in the field of human rights, a path in which Colombia also walks along, sometimes in a veiled way and sometimes more openly. Similarly, world economic events, where the main actors are large groups of power that influence the smallest, have had effects on our domestic economy.

The deepening of the economic-financial crisis unleashed in 2008 and the return of the United States to a new version of unidirectional authoritarian protectionism which has accelerated the concentration of capital, financial bubbles and the global increase in inequality, have impacted the already fragile Colombian economy, which has continued to favor a natural resource extractive based development model.

The design of public policies that favor certain production sectors, and that restrict the guarantee of rights, has led to an increase in the unemployment rate. This particularly affects those lines of the economy that generate the most jobs, which puts the country in the face of a possible and dangerous scenario of an economic slowdown.

Political and financial support for the peace process by the international community in general, and Europe in particular, has been and continues to be fundamental for the social and human rights movement in Colombia. On a financial level, the European Union (EU) and its member states have given support through the Trust Fund for Peace and the United Nations Multi-donor Fund. On regards to political support, several countries have appointed special delegates to follow up on peace negotiations and the implementation process.

In March of this year, while the Colombian Government questioned the work of the Special Jurisdiction for Peace (JEP), numerous embassies such as those from Germany, Sweden, Belgium, United Kingdom, Switzerland, the Netherlands and Norway, as well as the EU itself, showed their support for this jurisdiction<sup>5</sup>. Given the strong support, President Duque undertook an international tour to defend the objections that the Administration presented to the law that regulates the Special Jurisdiction for Peace<sup>6</sup>.

In light of the aforementioned criticisms, the Government has opted for a confrontational approach, probably in a temporary manner. Examples of this are the lack of hospitality to a very high-level visit of representatives of six UN agencies to Bogotá, the repeated refusal to accept visits by UN special rapporteurs, and the letter sent by the Colombian Ministry of Foreign Affairs<sup>7</sup> to the Embassies in Colombia restricting visits to the Territorial Training and Reincorporation Spaces (ETCR<sup>8</sup>).<sup>9</sup>

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<sup>5</sup> El Espectador: "La comunidad internacional, el gran apoyo de la JEP", 16 de marzo de 2019

<sup>6</sup> CaracolTV: "Gobierno inicia ofensiva diplomática para defender objeciones a la JEP", 12 de marzo de 2019

<sup>7</sup> In Spanish: Ministerio de Relaciones Exteriores (Cancillería)

<sup>8</sup> In Spanish: Espacios Territoriales de Capacitación y Reincorporación

<sup>9</sup> El Espectador: "Molestia en cuerpo diplomático por restricción del Gobierno colombiano para visitar los ETCR", 25 de junio de 2019

Meanwhile, and given the gravity of the Venezuelan crisis, the discourse of entrepreneurial success as an ideological reinforcement that complements the story of the failure of progressive projects has been fostered by the Latin American right-wing. Macri and Piñera portray themselves as successful executives who have forgone their private businesses to run their countries as companies. Duque promotes technological innovation as the basis of the "orange economy", and Bolsonaro shows himself as a successful military man. It does not matter that Macri's economic management is disastrous, that Piñera is famous for his mistakes, that the weight of the orange economy is almost nil in the Colombian GDP, or that Bolsonaro's military career has been as short as mediocre.

Moreover, the current Administration has shown itself contradictory in regards to the different international mechanisms for the protection of human rights. On the one hand, it speaks of openness and commitment to multilateralism, but on the other, it shows contrary practices in light of international human rights scrutiny. Four examples demonstrate this: (1) attempts to weaken the Inter-American System for the Protection of Human Rights; (2) the refusal to receive the UN Special Procedures; (3) the absence of participatory and transparent mechanisms for the monitoring the fulfillment of international recommendations, and (4) compliance with international human rights decisions at convenience. In addition, it is worrisome that as of the beginning of September 2019 the Administration's proposal to renew the presence of the Office of the United Nations High Commissioner for Human Rights in Colombia is not known. It is feared that in the current context they intend to cut the mandate of observation or the monitoring of the Peace Agreement, or to interfere with the appointment of whoever is to direct the Office.







## II. The regime: alliances to undermine the rule of law and difficult construction of the future

During this first year, the Administration of President Iván Duque has been characterized by the consolidation of corporate power, expressed both in the composition of government teams and in the style of their administration. It has also shown enormous weaknesses in its relations with the other branches of public power, particularly with the Legislative branch, the Judiciary and with political parties. In addition, the Administration has given private corporations a blank check to interfere in the definition of public policy, as it occurred in the case of their blockade of a draft-bill that sought to establish public health measures through food labeling in order to control obesity and other non-communicable diseases, especially cardiovascular diseases, cancer, chronic respiratory diseases and diabetes.

Second, this Administration's first year has led to a profound crisis of citizen representation in many regions and territories. Political parties, including those of opposition, tend to reduce the political action to electoral marketing and to social manipulation through emotions, and cronyism behind the collective (re)construction of public organizations and programs. The previous has facilitated for far-right positions to continue to promote and broker violence as a means to contain social changes.

Third, during the first year of Iván Duque's Administration, the reports presented by the United Nations High Commissioner for Human Rights (OHCHR), the UN Special Rapporteur on the situation of human rights defenders, and the IACHR, during the second half of 2018 and the first quarter of 2019, incorporated into their observations and recommendations the issue of impunity in Colombia as a historical and nevertheless recent problem. It has a direct impact on the achievement of a stable and lasting peace, the protection of human rights and the rule of law. In addition, the attacks



by the Office of the Attorney General<sup>10</sup> to the Special Jurisdiction for Peace (JEP) and the President's interference in the process of appointment of a new Attorney General showed a lack of independence during this period.

Fourth, social movements in Colombia have made peaceful protest the main tool for their claims on the defense of life and territory. The civic strikes in Buenaventura and Chocó, the creation of (Indigenous, Afrocolombian and Peasant Guards), the new women's and young people's organizations, as well as the Campesino Reserve Areas<sup>11</sup>, the Agro-alimentary Campesino Territories, the design of sustainable development plans, among many others, constitute examples of actions towards dignified life that no longer depend on the State's response. These practices are simultaneously consolidating ways of life and waiting to be included in governance plans at local and national levels, with the participation of social leaders.

Colombia currently counts with a vast local and national social movement, which has managed to put together its own proposals and that is much more politicized. However, far from considering this a cumulative effort for the construction of democracy in Colombia, the response by those who feel that their patriarchal and business interests are being questioned is a threatening, exclusionary and stigmatizing discourse.



<sup>10</sup> In Spanish. Fiscalía General de la Nación.

<sup>11</sup> In Spanish. Plan Nacional de Desarrollo (PND).

### III. Deconstructing peace

The government has decided to feign peace and reinvent the war. After having received a country with a peace Agreement with the FARC-EP being implemented, with a negotiation table with the ELN guerrilla group, and with the broad support of the international community and a large portion of Colombian society, President Duque did not accept that peace building is a State commitment. On the contrary, its government has tried to sprain the Accord, arguing that it is an agreement of the previous government. Therefore the implementation process played no substantial role in the National Development Plan<sup>12</sup> draft bill presented to Congress.<sup>13</sup>

A group of the Administration's supporters say they will not comply with the Peace Agreement due to the triumph of the NO-campaign in the October 2016 referendum and the triumph of the Democratic Center's (political party) candidate with the support of the NO-campaign coalition in the presidential elections. Specifically, they vehemently reject some points such as the Special Jurisdiction for Peace, the formalization and distribution of land and the Special Transitory Circumscriptions of Peace.<sup>14</sup>

In a systematic effort, they have made of the legal development of the Agreement the occasion to try to tear it apart. It was not possible to implement a political reform, the comprehensive rural reform is still pending, and there is no budget to make progress on the programs set forth in the Final Peace Agreement. Additionally, and although the opposers did not succeed in weakening the Special Jurisdiction for Peace during its initial regulation, they do not cease their efforts to distort it. Those institutions in charge of constructing historic memory have been entrusted to people that have discourses contrary to the peace Agreement. The statute of the opposition<sup>15</sup> (a result of the Havana Agreement) has constantly been ignored or breached by congressmen that belong to the Administration's political party and by the Head of State himself.

By renaming the Construction of peace as Stabilization, the Government aims to subordinate territorial peace policies to the definition of zones and programs of "comprehensive State intervention" with a security approach focused on the presence of the military forces. The Administration has restructured and given new functions to the main peacebuilding institutions such as the Office of the High Commissioner of Peace, the High Council for Post-Conflict<sup>16</sup> (now for Stabilization) and the Territory Renewal Agency<sup>17</sup>, among others. In doing so, the Administration has returned to denying the existence of the armed conflict in the country. They intend to thereby rhetorically reduce the Peace Agreement to the disarmament and reincorporation of the FARC, leaving aside the vast majority of the remaining commitments.

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<sup>12</sup> In Spanish. Plan Nacional de Desarrollo (PND).

<sup>13</sup> The PND is a law that consolidates the priorities of every new Colombian government and that allows the allocation of financial resources for its development during the next four years.

<sup>14</sup> In Spanish. Circunscripciones Transitorias Especiales de Paz. A number of seats in the Congress given by the Agreement to those regions of the country most affected by the armed conflict.

<sup>15</sup> In Spanish. Estatuto de la oposición

<sup>16</sup> In Spanish. Alto Comisionado para el Posconflicto

<sup>17</sup> In Spanish. Agencia de Renovación del Territorio

The Colombian president has handled a double speech: on the one hand, he assures that he is complying the Peace Agreement and, on the other, he is promoting an agenda that contradicts the Comprehensive Rural Reform, the Crop substitution program and the support to the victims of the conflict. The Administration has resigned the obligations of the State regarding the Peace Agreement based upon the assertion that it has a wide margin of action. It is choosing to stand aside from the agreed mechanisms provided by the Agreement, such as the National Commission for Security Guarantees<sup>18</sup>, and creating new mechanisms, such as the Timely Action Plan<sup>19</sup> in terms of guarantees and protection for human rights defenders and social leaders.

The Administration has stopped the legislative implementation of the Peace Agreement not only by stopping the pursuit of passing already in progress draft bills, but also by not presenting any bill during this year to Congress aimed toward its implementation. However, the Administration has announced a legislative implementation agenda (eight bills and five regulatory decrees), unrelated and even contrary to the Peace Agreement.

At the beginning of the new legislature, the Administration's party has already presented several initiatives aimed at substantially reforming the Special Jurisdiction for Peace (JEP): they proposed the creation of a special chamber for law enforcement agents and also a system for releasing those of them prosecuted and detained that is not linked to any truth and reparation commitments. They have also presented draft bills aimed at closing the possibilities of future peace negotiations, and others to maintain the landholding of large-scale landowners. In the meantime, land restitution is being limited and advantages are being given to formalize large-scale rural properties.



<sup>18</sup> In Spanish. Comisión Nacional de Garantías de Seguridad.

<sup>19</sup> In Spanish. Plan de Acción Oportuna



Although there is a broad international support for the Peace Agreement and important cooperation funds have been allocated for the implementation process, the President has sought, with partial results, to change the international cooperation priorities for Colombia. Among others, the shift of priorities has been done introducing new concerning issues to the discussion, that have not been part of the peacebuilding agenda, such as climate change.

Additionally, the current Administration has not allocated the necessary resources for the implementation of the Peace Agreement. Of the 37 billion Colombian pesos intended for this four-year period, more than one third are uncertain. And a part of the resources that are to be destined for this purpose have been allocated to general social State programs. Likewise, resources have been reduced to the main institutions created by the Agreement, such as the Integrated System of Truth, Justice, Reparation and Non-Repetition<sup>20</sup> and the Territory Renewal Agency. Furthermore, the resources for the Territorial Development Plans<sup>21</sup> (PDET,) the National Comprehensive Program for the Substitution of Illicit Crops<sup>22</sup> (PNIS) have not been specified.

The Duque Administration has left aside the mechanisms provided for the monitoring and verification, as well as those for participation, created by the Peace Agreement. It is intended to reform the Post-conflict Integrated Information System,<sup>23</sup> to overlook the Implementation Framework Plan<sup>24</sup> and not even listen to the international verifiers.

With all these behaviors, the current Administration has not only generated an environment of uncertainty and its own political attrition, but it has also missed a great opportunity to give the country a modern boost in several crucial aspects such as rural development, politics, the fight against drug trafficking and the reparation of millions of victims of the armed conflict.

Added to all the preceding, the determining role that the Military Forces have been retaking during this time is revealing. Once all the high command committed to peace was replaced by the new Administration, the efficiency guided operation logic that led to the extrajudicial executions known as 'false positives' has returned; the 2002 areas for consolidation by military action -now called Comprehensive Intervention Strategic Zones (ZEII);<sup>25</sup> aerial glyphosate sprayings and forced manual eradication of illegal crops have also returned, with its aftermath of hunger, sickness and social conflicts.

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<sup>20</sup> In Spanish. Sistema Integral de Verdad, Justicia, Reparación y no Repetición

<sup>21</sup> In Spanish. Programas de Desarrollo con Enfoque Territorial

<sup>22</sup> In Spanish. Plan Nacional Integral de Sustitución de Cultivos de Uso Ilícito

<sup>23</sup> In Spanish. Sistema Integrado de Información para el Post-conflicto

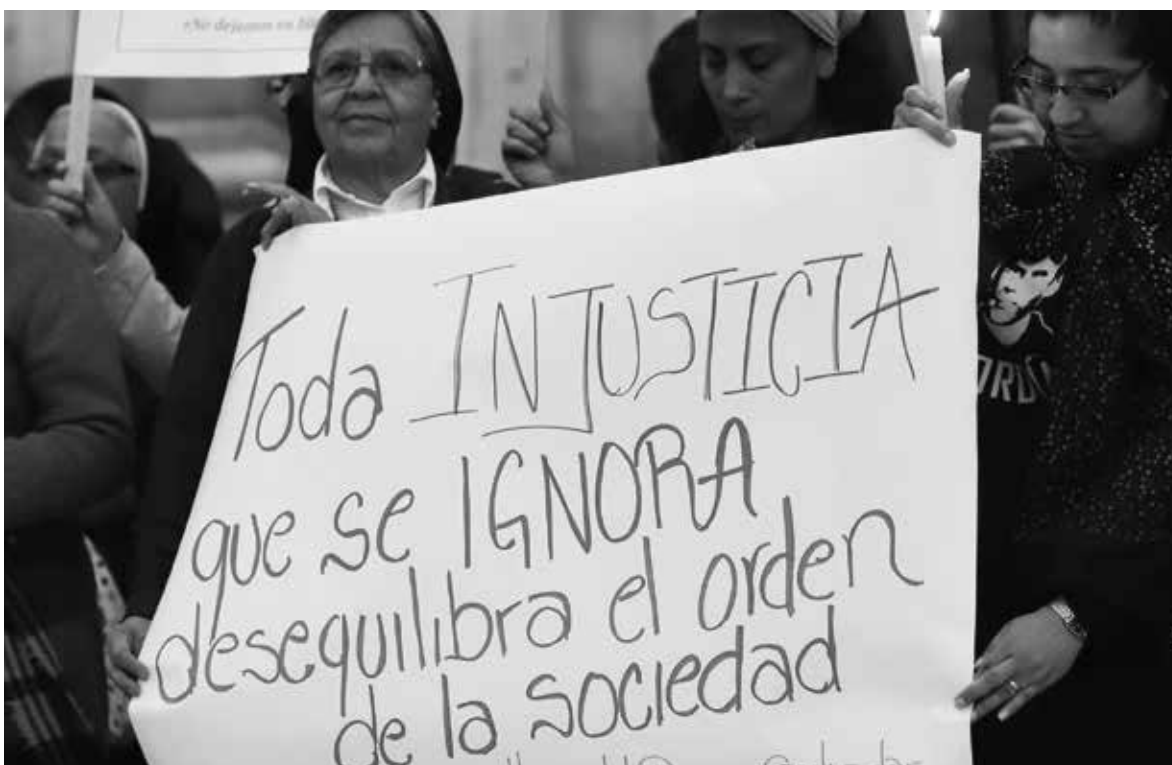
<sup>24</sup> In Spanish. Plan Macro de Implementación

<sup>25</sup> In Spanish. Zonas Estratégicas de Intervención Integral

#### IV. “Pact for Colombia”, a covenant without rights?

This section presents the risks of regression in human rights under the current Administration. The deterioration of the guarantee of fundamental and collective rights such as health, nutrition, work, and the right to a healthy living environment, under the recently approved national Development Plan, comes along with dispositions that deepen the discrimination against sectors of the population such as women, LGBT people, diverse families, children, ethnic peoples, and waste collectors in big cities, among others. The lack of a human rights approach in policy design and a risk of regression in democratic participation regarding local development are also identified.

The National Development Plan 2018 - 2022, “Pact for Colombia Pact for Equity”, issued by President Iván Duque Márquez through the enactment of Law 1955 of 2019, conceives human rights from a perspective of guarantees of the right to life and general conditions of legality and security that allow the development of productive activities. It encloses regressive intents such as: (i) an agenda to limit individual freedoms such as the right to a drug addict personal minimal dose, the right to voluntarily terminate a pregnancy<sup>26</sup> or the protection of the rights of same-sex couples and their families; (ii) an exclusive and reduced approach to the concept of family from a traditional and fundamentalist perspective; (iii) an explanation of gender gaps as a result of individual barriers for women to access education and the labor market, ignoring the actual power structures underlying these gaps.

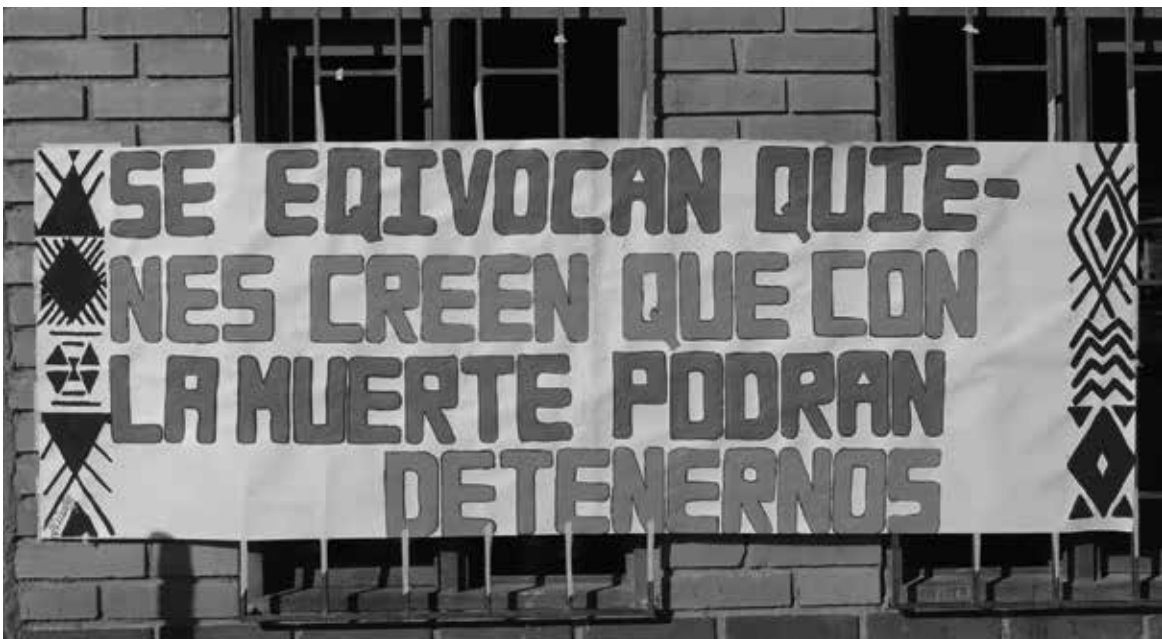


<sup>26</sup> The right of a woman to terminate a pregnancy was regulated by the Colombian Constitutional Court and can be exercised under three concrete circumstances.

## V. Political and democratic participation

**D**uring his presidential campaign, Iván Duque always showed himself as a future conciliatory president, willing to develop a dialogue to unite Colombian society amid the deep polarization that the country experienced during that juncture. However, after a year of government, what is warned is that the presidential rhetoric around dialogue and the structuring of agreements has not been materialized. No concrete actions or convincing deeds demonstrate a real interest in the fostering of participation. The balance left by this first year of Iván Duque's Administration is a very low level of commitment to strengthening participatory democracy as the basis for relations between the State and the different sectors of Colombian society.

The National Development Plan does not make reference to policies that guarantee the right to peaceful protest, and proposes the objective of "guaranteeing the legitimacy of social dialogue and the peaceful management and processing of social conflicts through the generation of protocols and tools that consider citizen participation as a fundamental element to avoid violence and that allow monitoring of the subscribed commitments". The mentioned objective was included within the "Citizen participation: Promoting dialogue, democratic inclusion and freedom of worship for equity" axis of the Plan. To achieve the mentioned objective, it proposed strategies for the formulation of a Policy for Social Dialogue and Peaceful Resolution of Social Conflicts<sup>27</sup>, the implementation of a National System of Social Conflict Resolution<sup>28</sup> (SNRC) and the implementation of a monitoring methodology by the Social Dialogue and Coexistence Center (CEDISCO).<sup>29</sup> Nevertheless, the approved law only allocates 0,6% of the Plan



<sup>27</sup> In Spanish. Política para el Diálogo Social y la Resolución Pacífica de Conflictos Sociales

<sup>28</sup> In Spanish. Sistema Nacional de Resolución de Conflictividades Sociales

<sup>29</sup> In Spanish. Centro de Diálogo Social y Convivencia

total resources to this axis, and the only concrete action referred is the strengthening of guarantees for the exercise of freedom of religion and belief (during the campaign the Duque had a strong support from conservative religious groups).

However, the Administration's actions go against its discourse. The statements of some of its ministers are evidence of this in matters of social protest, for example, as well as the proposals and behavior of the congressional representatives that belong to the Administration's political party. The cardinal proposal launched by Duque is to create the Civic participation networks, networks of civilians involved in military intelligence activities copied from Uribe's former Cooperative networks, to allegedly engage citizens in the prevention of crime and corruption, and into the control of public affairs. On the other hand, the Government is not fulfilling commitments derived from previous protests negotiations', the recent regulation on the right to peaceful protest is not being recognized or implemented by the Administration, and the protesters are still being violently repressed, even with abuses in the use of force by the Police and the Military forces.

Furthermore, the President's campaign proposal of a great pact for reconciliation has an exclusionary character, to say the least, because it superimposes the interests of business and political elites to those of broad sectors of citizens who demand to be taken into account in the design of public policies and their implementation. The absence that stands out in the proposed pact is the intention to strengthen the social fabric, the inclusion of the excluded, the creation of conditions for dialogue between different parties, or the promotion of deliberation scenarios to discuss the great issues of the nation and the territories, such as the fight against corruption, the effective implementation of the Peace Agreement or the discussion of a model of sustainable and equitable development. In a country in which the poorest groups of the population have had to pay with their assets and their lives the consequences of the armed conflict, the pact proposed by Duque is an alliance with the private sector to grant them more and more benefits, under the assumption that any development policy necessarily needs to pass through the entrepreneurial initiative for the generation of employment and wealth.







## VI. Lack of guarantees and new forms of resistance and self-protection

**D**uring the first year of Iván Duque's government, between August 2018 and May 2019, at least 212 human rights defenders and 44 former FARC combatants in the reincorporation process have been killed.

Among the factors that feed the ambiance of lack of guarantees for the defense of human rights in the country are: i) the continued stigmatization of human rights defense and social leadership; ii) the lack of recognition of the systematic nature of the crimes against social leaders; and iii) the historical impunity that surrounds these cases, added to, iv) the absence of public policies that provide safeguards and address the previously mentioned factors as well as undertake the postulates provided by the Peace Agreement and the weaknesses of the existing programs.

One year after the change of government, the murders and attacks on human rights defenders continue to occur without the State showing effectiveness in its response, and without having positive changes for the life and personal integrity of those who perform leaderships and rights advocacy as a result of the measures taken by the current Administration.

Faced with this situation created by a State incapable of and / or disregarding the protection of human rights defenders -including social leaders-, the communities have had to undertake ways of self-protection that are reviewed in this report, such as the Campesino areas, the humanitarian and biodiversity protection areas, the indigenous and afro-colombian (cimarron) Guards, or the Campesino Community Action Boards<sup>30</sup>, among others.

During the first six months of the current Administration, it ignored the cumulate of the previous concertation processes and the existing scenarios in terms of guarantees, and refused to resume the dialogue with the National Guarantees Board<sup>31</sup>, the Territorial Guarantees Discussion Tables<sup>32</sup>, the Human Rights Subcommittee of the Agrarian, Campesino, Ethnic and Popular Summit<sup>33</sup>, and even of the National Security Guarantees Commission<sup>34</sup> (CNGS) created by the Peace Agreement.

As an explanation, the government pointed out the existence of multiple institutions and instances as an element that affected the effectiveness and speed of the institutional response. However, and contradicting its diagnosis, it reacted by creating new spaces for institutional articulation.

In November 2018, the government launched the Timely Prevention and Protection Action Plan for human rights defenders, social leaders, communal leaders and journalists (PAO)<sup>35</sup> as its main initiative to give an articulated response to violence

<sup>30</sup> In Spanish. Juntas de Acción Comunal Campesinas

<sup>34</sup> In Spanish. Mesa Nacional de Garantías

<sup>32</sup> In Spanish. Mesas Territoriales de Garantías

<sup>33</sup> In Spanish. Subcomisión de Derechos Humanos de la Cumbre Agraria, Campesina, Étnica, y Popular

<sup>34</sup> In Spanish. Comisión Nacional de Garantías de Seguridad

<sup>35</sup> In Spanish. Plan de Acción Oportuna

against defenders on part of State institutions, whose axes are: 1. Institutional articulation and reengineering; 2. Strategic action in the territory; 3. Communication and training strategy; and 4. Formulation of a public policy of prevention and comprehensive protection devised from the three previous axes. This Plan overlooks the Peace agreement, it has a 'State integral intervention' approach with an emphasis in the strengthening of the military presence in the territories (in line with the new security policy), it does not include any new course of action to address the violence against defenders or tackle its root causes, such as the impunity, the aggressions committed or tolerated by State agents or the actions of paramilitary groups.

The Peace Agreement signed between the Colombian State and the FARC-EP guerrillas defined clear guidelines in terms of protection and security guarantees, in light of a foreseen scenario in which, while there was termination of the conflict, it also recognized the endurance of a network of paramilitary and other armed groups and that would make it difficult to achieve a complete, stable and lasting peace. However, the landscape clearly demonstrates the lack of capability of providing guarantees by a Government that is determined to fragment and corner violence in criminal illegality, that understands it as the single cause for the eternal return to war; without facing the systemic and structural component of the phenomenon, which includes political, economic and socio-cultural support networks, as well as the State itself.

Every life counts and, beyond the figures, what is clear in the current context is the existence of patterns that show selective and planned violence against defenders, preceded by activities of intelligence and surveillance of the victims, and executed by hitmen belonging to a structured criminal organization that provide repertoires of violence.



Given this situation, the articulated response of civil society is remarkable, through a unique space for dialogue and consultation with the Government, called La Confluencia, which assembles the historical spaces in this matter, such as the National Guarantees Process<sup>36</sup> and the Subcommittee on Human Rights of the Agrarian, Campesino, Ethnic and Popular Summit, in addition to the women's and human rights platforms, together with civil society delegates to the National Security Guarantees Commission.<sup>37</sup> During this year this initiative has built a meeting space to address five common issues: 1) The public policy of guarantees for human rights defenders; 2) The reengineering of the National Protection Unit<sup>38</sup> (UNP); 3) The implementation of the Social Protest Protocol<sup>39</sup> (Resolution 1190 of 2018); 4) The public policy of dismantling the successor organizations of paramilitary groups; and 5) The implementation of the decree that creates the Comprehensive Security and Protection Program for Communities and Organizations within the Territories<sup>40</sup> (Decree 660 of 2018).

This joint advocacy from civil society, with the support of the international community, has facilitated that, despite the distances with the Executive branch of government, dialogue is reactivated.

In addition to the above-mentioned space as a joint advocacy effort from civil society, it is also relevant to mention the National Security Guarantees Commission<sup>41</sup> (CNGS), which was created by the peace Agreement and has only been convened twice (January and August 2019) during the current term, despite the fact that by law it should have already met twelve times, once per month. Within the framework of the CNGS, it is expected for a mandate regulated by Decree-Law 154 of 2017 to be launched soon to design and monitor public policy for the dismantling of paramilitary successor organizations. Due to the lack of activity of the CNGS and looking for its reactivation, the civil society delegates to this instance have submitted a proposal of Policy elements to the plenary.

And after nine months, on May 30, 2019, the National Guarantees Board constituted by the Government, civil society and the international community was finally reactivated by the Administration. This historical interlocution scenario for the definition of measures regarding prevention, protection, investigations and gender issues related to the violence against human rights defenders agreed on a schedule for the reactivation and the installation of the Territorial Roundtables for Guarantees<sup>42</sup>, in order to assess the security situation in the regions and arrange specific measures in the matter.

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<sup>36</sup> In Spanish. Proceso Nacional de Garantías

<sup>37</sup> In Spanish. Comisión Nacional de Garantías de Seguridad

<sup>38</sup> In Spanish. Unidad Nacional de Protección

<sup>39</sup> In Spanish. Protocolo de Protesta Social

<sup>40</sup> In Spanish. Programa Integral de Seguridad y Protección para Comunidades y Organizaciones en los Territorios

<sup>41</sup> In Spanish. Comisión Nacional de Garantías de Seguridad

<sup>42</sup> In Spanish. Mesas Territoriales de Garantías

## Conclusion

After the first year of the presidency of Iván Duque, Colombia fears the return to the war caused by the Government's despise of the Peace Agreement and its transformative potential, by the deliberate attempt to revive policies and practices that have proven to nurture the armed conflict and the commission of human rights violations in the past, by the predominance in the Administration priorities and policies of private economic interests before the general guarantee of the citizens' rights and the rule of law, by the absence of a will to respect and enlarge democratic participation in the country, and by the lack of a structural and committed response to the continued violence against human rights defenders.

Nevertheless, the dedicated work of those taking part of institutions and processes derived from the Agreement, such as the over 11000 former FARC combatants in reincorporation or the three mechanisms of the Integral System for Truth, Justice, Reparation and Non Repetition; the victims' expectations; the decided support of the international community, or the sincere will of a huge portion of the Colombian society to live in peace, ratify our believe that every effort is worth to continue preventing The Apprentice from succeeding in its Enchantment of feigning peace, reinventing war and privatizing the public realm.

PLATAFORMA COLOMBIANA DE DERECHOS HUMANOS, DEMOCRACIA Y DESARROLLO  
 COORDINACIÓN COLOMBIA EUROPA ESTADOS UNIDOS  
 ALIANZA DE ORGANIZACIONES SOCIALES Y AFINES

Bogota, September 2019

