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*Plenary sitting*

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**B9-0229/2021**

26.4.2021

## MOTION FOR A RESOLUTION

to wind up the debate on the statement by the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy

pursuant to Rule 132(2) of the Rules of Procedure

on the fifth anniversary of the Peace Agreement in Colombia  
(2021/2643(RSP))

**Jordi Solé, Diana Riba i Giner, Ernest Urtasun, Hannah Neumann,  
Ignazio Corrao, Bronis Ropé, Benoît Biteau, Francisco Guerreiro**  
on behalf of the Verts/ALE Group

**European Parliament resolution on the fifth anniversary of the Peace Agreement in Colombia  
(2021/2643(RSP))**

*The European Parliament,*

- having regard to its previous resolutions on Colombia, including on the situation of human rights, and its resolutions on previous peace processes,
- having regard to the Final Agreement to End the Armed Conflict and Build a Stable and Lasting Peace between the Revolutionary Armed Forces of Colombia – People’s Army (FARC-EP) and the National Government of Colombia, signed on 24 November 2016,
- having regard to the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part<sup>1</sup>, signed in Brussels on 26 July 2012, and the Agreement between the European Union and the Republic of Colombia on the short-stay visa waiver<sup>2</sup>, signed on 2 December 2015,
- having regard to the creation of the Special Jurisdiction for Peace in Colombia,
- having regard to the statement by the spokesperson of the European External Action Service (EEAS) of 26 February 2021 on Colombia: violence against human rights defenders,
- having regard to the report of the UN Secretary-General to the Security Council of 26 March 2021 on the UN Verification Mission in Colombia and the letter from the UN Secretary-General to the President of the Security Council of 24 February 2021,
- having regard to the press statement of the UN Security Council of 28 January 2021 on Colombia and the press release of the UN Security Council of 21 January 2021 entitled ‘Special Representative Outlines Priority Areas for Progress in Colombia, as Security Council Members Share Concern over Continuing Deadly Attacks’,
- having regard to the statement by the Special Representative of the UN Secretary-General for Colombia, Carlos Ruiz Massieu, of 21 April 2021,
- having regard to the press releases of the UN Verification Mission in Colombia of 6 April 2021 on the UN Secretary-General’s quarterly report to the Security Council on the UN Verification Mission in Colombia and of 26 March 2021 on the attack in Corinto, Cauca,
- having regard to the comment by the spokesperson of the UN Human Rights Office, Liz Throssell, of 19 February 2021 on Colombia’s investigation of ‘false positives’ during the armed conflict and the statement of the UN Human Rights Office of 15 December 2020 entitled ‘Bachelet urges Colombia to improve protection amid heightened violence

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<sup>1</sup> OJ L 354, 21.12.2012, p. 3.

<sup>2</sup> OJ L 333, 19.12.2015, p. 3.

in remote areas’,

- having regard to the conclusions of the two-day virtual visit to Colombia by the UN Deputy Secretary-General, Amina Mohammed, of 30 October 2020 on women as the driving force for peacebuilding in Colombia,
  - having regard to the note verbale from the Permanent Mission of Colombia to the UN Office at Geneva to the Office of the UN High Commissioner for Human Rights of 29 January 2021,
  - having regard to the report of the UN High Commissioner for Human Rights of 8 May 2020 on the situation of human rights in Colombia,
  - having regard to the concluding observations of the UN Committee on the Elimination of Discrimination against Women of 14 March 2019 on the ninth periodic report of Colombia,
  - having regard to the concluding observations of the UN Committee on the Elimination of Racial Discrimination of 22 January 2020 on the combined 17th to 19th periodic reports of Colombia,
  - having regard to the 2016 Nobel Peace Prize awarded to the President of Colombia Juan Manuel Santos ‘for his resolute efforts to bring the country’s more than 50-year-long civil war to an end, a war that has cost the lives of at least 220 000 Colombians and displaced close to six million people’,
  - having regard to the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean, signed in Escazú, Costa Rica, on 4 March 2018,
  - having regard to Rule 132(2) of its Rules of Procedure,
- A. whereas the Final Agreement to End the Armed Conflict and Build a Stable and Lasting Peace – the Peace Agreement – signed on 24 November 2016 between the Government of Colombia and the Revolutionary Armed Forces of Colombia – People’s Army (FARC-EP) represents a significant milestone for the construction of a stable, inclusive and lasting peace in Colombia; whereas the agreement recognises all victims of the conflict not only as victims but also and above all as citizens with rights, in particular the right to participate in the clarification of the truth and to be compensated for any harm suffered in the armed, social and political conflict;
- B. whereas five years into the implementation of the Peace Agreement, violence in Colombia remains staggering, including the killing of social leaders, confinement and forced displacement; whereas what represented a great and historic opportunity for Colombia has lapsed into a worrying stagnation in some key areas;
- C. whereas the transitional justice system created by the Peace Agreement continues to make progress to provide truth, justice and reparations to the victims of all parties to the decades-long armed conflict in Colombia with a view to ensuring non-repetition; whereas within a few years of its entry into force, Colombia’s Special Jurisdiction for

Peace began to take action to prevent impunity for the serious human rights violations and abuses committed during the armed conflict and ensuring that the victims receive reparations and damages for these violations; whereas progress towards the establishment of a permanent and fluid dialogue with the indigenous authorities is ongoing;

- D. whereas the situation remains particularly dire for environmental and human rights defenders, especially those working to defend the land from agro-industrial and mining projects; whereas Colombia is currently the most dangerous country in the world in which to protect the environment, land and human rights, with 53 % of all killings of human rights and environmental defenders worldwide in 2020 occurring in Colombia, where 177 deaths were recorded;
- E. whereas impunity remains the norm and killings are often preceded by aggressive online and offline smear campaigns aimed at discrediting the work of environmental and human rights defenders; whereas there is a fundamental disconnect between the responsibilities and actions of businesses, investors, local authorities and the rights of communities, including the right to be informed of and reject proposed projects; whereas in a context where climate change and dramatic losses in biodiversity are posing a serious risk to global food security, and where indigenous communities play a vital role in the sustainable management of nature, the defenders of indigenous peoples' rights remain a particular target;
- F. whereas women social leaders and environmental and human rights defenders are particularly vulnerable to violence in the country, with progress in the Comprehensive Programme for Safeguards for Women Leaders and Human Rights Defenders extremely limited; whereas in December 2020 the Special Forum on Gender reported that 10 of its 16 members lacked the security and protection to fulfil their leadership duties;
- G. whereas in line with the UN Secretary-General's quarterly report to the Security Council on the UN Verification Mission in Colombia, the five priorities for the comprehensive implementation of the Peace Agreement in 2021, taking into account their mutually reinforcing nature, are: ensuring protection and security for former combatants, conflict-affected communities and social leaders; ensuring the sustainability of the reintegration process; consolidating the integrated presence of the state in conflict-affected areas; reinforcing constructive dialogue between the parties; and strengthening conditions for reconciliation;
- H. whereas former combatants continue having to relocate to preserve their safety, while their relatives are also facing threats, above all partners and children, for whom no specific support mechanisms exist; whereas 262 former combatants, including seven women, have been killed since the conclusion of the Peace Agreement, in addition to 59 attempted homicides and 21 disappearances; whereas young former combatants and young members of conflict-affected communities continue to be particularly plagued by violence and whereas since the conclusion of the Peace Agreement, 18 % of the former combatants killed have been under the age of 29;
- I. whereas in January 2021 the Special Jurisdiction for Peace reiterated its orders to the Presidential Counsellor for Stabilisation and Consolidation, as chair of the Technical

Committee on Security and Protection, to present the Strategic Plan for Security and Protection for Former Combatants and expressed its concern that the measures taken by government and state entities to protect former combatants were insufficient and showed limited coordination; whereas the Presidential Counsellor for Stabilisation and Consolidation presented this strategic plan in March 2021 to the Subdirectorate of the National Protection Unit for comments by the political party *Comunes*;

- J. whereas women former FARC-EP combatants and members of the *Comunes* party continue to face security challenges; whereas committees have been established tasked with providing gender-related recommendations under the security guarantee mechanisms of the Peace Agreement; whereas these committees are crucial for addressing the risks that women face and strengthening institutional capacity on gender;
  - K. whereas the concentration of violence in some regions is the result of a limited state presence, namely public social services, as well as reduced trust between communities and institutions, high levels of poverty, and the proliferation of illegal armed groups and criminal organisations fighting over illicit economies;
  - L. whereas the Colombian Government is responding to the security challenges faced by ex-combatants mainly through the militarisation of the territories affected and the preventive security deployment of army and police units around former territorial areas for training and reintegration; whereas security outside the former territorial areas remains a challenge;
  - M. whereas the EU and Colombia have maintained political relations through dialogue founded on mutual respect in the framework of the Memorandum of Understanding of 28 November 2009 and through a specific political dialogue focused on human rights since 2009; whereas since 2013 the EU and Colombia have maintained a framework of close economic and trade cooperation established in the Trade Agreement between Colombia, Peru, the EU and its Member States, which includes a provision on human rights (Article 1) and, in particular, a chapter on trade and sustainable development;
  - N. whereas civil society plays a key role in the peace process, bringing together human rights defence organisations, women's organisations, rural communities, Afro-Colombian communities and indigenous groups, which have developed a number of initiatives and proposals at local, regional and national levels;
1. Expresses its strong support for the implementation of the Peace Agreement and the construction of a stable and lasting peace in Colombia; stresses that the successful implementation of the Peace Agreement is a key priority not only for Colombia, but also for the European Union and the international community at large;
  2. Condemns in the strongest possible terms all the suffering caused by the conflict and highlights the significant contribution that implementing the Peace Agreement in full would make to ensuring the right of the victims of the conflict to full, true and fair reparations for the physical, moral and material damages suffered, and to ensuring that such events will never be repeated;
  3. Recognises the great political effort, realism and perseverance demonstrated by both the Government of Colombia and the FARC-EP in bringing their conflicting views into line

and gradually creating an area of commitment that enabled the Peace Agreement to be concluded;

4. Expresses alarm at the enormous challenges for the protection of human rights in Colombia and is appalled by the extremely high level of violence in the country, with 53 % of killings of environmental and human rights defenders worldwide in 2020 having occurred in Colombia;
5. Reiterates its call for human rights to be fully and permanently upheld by the Colombian political system and its institutions and calls for the protection of all those who defend human rights in Colombia and for the right to freedom of association and peaceful demonstration to be upheld;
6. Recalls that Colombia is the second most biodiverse country in the world; is appalled by the fact that environmental defenders face ongoing discrimination, forced displacement and violent attacks, including numerous killings, solely for their peaceful defence of the environment; is particularly concerned by the serious level of insecurity faced by environmental defenders and their families, not least during the COVID-19 pandemic, where state measures have failed to generate a positive impact in guaranteeing their existence and well-being; calls on the Government of Colombia, as a matter of urgency, to provide protection for environmental defenders and to ratify the Escazú Agreement to this end; calls on the Commission, in particular, to initiate a programme to support the Escazú Agreement with the aim, inter alia, of assisting Colombia in ratifying and implementing the agreement, assisting civil society in engaging with the agreement and contributing to its implementation, and providing support for the voluntary fund established under the agreement;
7. Regrets the fact that the Colombian Government is responding to the security challenges faced by social leaders, environmental and human rights defenders, ex-combatants and, more generally, by the local population, primarily through the militarisation of the territories affected and the preventive security deployment of army and police units around former territorial areas for training and reintegration; calls on the Colombian Government, in this regard, to prioritise enhanced dialogue with local communities and to take urgent measures to ensure that there are no new victims, including by implementing the development programmes of the Peace Agreement, such as the Territorially Focused Development Plans (PDETs) and the National Programme for the Substitution of Illicitly Used Crops (PNIS), which should give priority to the presence of state civil institutions instead of increasing militarisation in the regions;
8. Stresses that the limited state presence in some regions of the country, which has been perpetuated and enabled by the decades-long conflict, coupled with reduced trust between communities and institutions, has contributed to the persisting violence; highlights that through its various programmes, the Peace Agreement has started to bring communities and institutions together to advance peace, development and the rule of law, especially in areas historically affected by the conflict;
9. Calls on the National Liberation Army (ELN) to put an end to the conflicts and abuses and to commit to peace in Colombia firmly, decisively and without further delay; urges the ELN to enter into concomitant negotiations with the Colombian Government and to

be organised along the same lines as the FARC-EP;

10. Expresses its full support for the transitional justice system and for the mandate and work of the three components of the Comprehensive System of Truth, Justice, Reparation and Non-Repetition, which are facing not only challenges inherent to their complex mandates, but also the actions of illegal armed actors that are obstructing their essential work; welcomes all action taken by the three components of the Comprehensive System aimed at creating a future with peacebuilding at its heart; calls on the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy (VP/HR), the EEAS and the Member States to continue expressing support for the work of the Special Jurisdiction for Peace, the Search Unit for Persons Deemed as Missing, and the Truth Commission and to offer encouragement for their concerted efforts, in spite of the numerous challenges they face; remains concerned, however, by the delays to the legislative implementation and to the adoption of changes in the field of the judiciary that have already been agreed, including the Peace Agreement and the Special Jurisdiction for Peace;
11. Highlights the key role of the Special Investigations Unit of the Office of the Attorney-General in prosecuting the perpetrators and intellectual authors of crimes against former combatants and social leaders, in fighting impunity and in ensuring that non-repetition is critical; calls on the Colombian Government and the Office of the Attorney-General to ensure the necessary support and resources for the unit to deliver on its mandate, including additional capacities at a local level;
12. Regrets the fact that the implementation of the Peace Agreement has generally been unsatisfactory, which has accentuated the existing political and social divisions in the country; calls on the Colombian Government to accelerate and prioritise the implementation of all chapters of the agreement; notes with concern that only around 30 % of the provisions of the Peace Agreement have been implemented so far, while no attempts have been made to implement 20 % of them;
13. Calls on the VP/HR, the Special Envoy for Peace in Colombia, the EEAS and the Member States to continue to exert pressure on the Colombian Government and to keep calling for the comprehensive implementation of the Peace Agreement, for progress in investigating the criminal structures responsible for the attacks on social leaders and human rights defenders, and the implementation of guarantees and preventive security measures, including the fulfilment of the mandate of the National Security Commission and the Special Investigation Unit related to the dismantling of paramilitary successor groups;
14. Recalls its strong support for all human rights and environmental defenders in Colombia and their work; calls on the EU Delegation and Member States' representations in the country to strengthen their support for civil society in their engagement with the Colombian authorities, and to use all the instruments available to step up their support for the work of human rights and environmental defenders and, where appropriate, to facilitate the issuance of emergency visas and provide temporary shelter in the EU Member States;
15. Expresses concern at the slow pace of implementation of the Peace Agreement, in

particular its socioeconomic aspects, including the important chapter on comprehensive rural reform, whose provisions have shown the lowest level of implementation of all chapters – a mere 4 % in five years; expresses concern, furthermore, at the general lack of progress in the adoption of public policies and enactment of legislation aimed at dismantling illegal armed groups, criminal organisations and their support networks;

16. Expresses particular concern at the resumption of aerial spraying of illicit crops with the herbicide glyphosate and warns against the particularly high risks of glyphosate fumigation for health and the environment; stresses, moreover, that glyphosate fumigation is a violation of the Peace Agreement; recalls that in 2014 the Colombian Constitutional Court ordered the suspension of aerial spraying after the World Health Organization designated glyphosate as a herbicide that can cause cancer in humans; stresses that the use of glyphosate has major effects on all agriculture, not only coca fields, as the pesticide seeps into the soil and water supply; emphasises that its numerous adverse effects on human health, coupled with the devastating loss of food crops and livelihoods, can trigger a humanitarian crisis affecting many farmers, not just those involved in coca, and causing further displacement, with families finding it impossible to grow food crops in the contaminated soil;
17. Is particularly appalled by the fact that gender and ethnic-based initiatives have undergone a very low rate of implementation, with just 10 % of gender-based policies having been achieved and minimal progress shown on 80 % of the provisions concerning ethnic-based initiatives;
18. Highlights that gender-based violence is a persistent scourge hindering the important work of women human rights and environmental defenders, the work of women social leaders, the reintegration of women former combatants, and the dignity of Colombian women in general; regrets the fact that notwithstanding institutional efforts, conciliation between the victims and their perpetrators continues to be a common practice among local authorities, hampering victims' access to comprehensive assistance, including access to justice, and normalising violence in their communities; stresses that the proper implementation of the Comprehensive Programme for Safeguards for Women Leaders and Human Rights Defenders is paramount for ensuring that women leaders and human rights defenders can continue to play a vital role in peacebuilding efforts; is concerned by the fact that LGBTI persons continue to face challenges in accessing services related to sexual and gender-based violence owing to stigmatisation and discrimination;
19. Is concerned by the fact that ethnic communities continue to face acute security issues in several regions, including violence against indigenous and Afro-Colombian social leaders, human rights and environmental defenders, and former combatants; points out that in the department of Chocó alone, threats from illegal armed actors have resulted in the confinement of 9 352 people and the forced displacement of 486 additional civilians according to the UN Office for the Coordination of Humanitarian Affairs; is appalled by the continuous use of anti-personnel mines, which is having a particular impact on the Emberá indigenous people in their territories;
20. Expresses particular concern at the situation of the Awá indigenous community and the violent acts to which its people have been subjected in the department of Nariño, a situation which has got even worse during the COVID-19 pandemic; recalls that the



ethnic chapter of the Peace Agreement expressly provides for the Awá people as a collective subject of prioritised rights; calls, therefore, for the security systems of the Awá people to be strengthened and for the Colombian Government to disburse the social investment that is urgently needed for the Pacific Coast of Nariño, in particular the indigenous communities, and to comply with Constitutional Court Orders 620/2017, 174/2011 and 004/2009, in the light of its repeated acknowledgement that the Awá indigenous people are one of the peoples whose survival and physical existence are at risk;

21. Calls on the EEAS and the Member States to prioritise support for action, including financial support, to advance the implementation of the Peace Agreement, with a particular focus on the gender dimension and the inclusion of indigenous peoples, rural communities and Afro-Colombian communities; calls on the Colombian Government, as a matter of urgency, to strengthen its institutional capacity on gender and the inclusion of indigenous peoples, rural communities and Afro-Colombian communities, including by approving and implementing a specific protection strategy, under the national reintegration policy, for women who are former combatants, as an essential element to address their specific security risks;
22. Urges the Colombian Government to cooperate fully and earnestly with the various UN mechanisms in order to improve the serious and persistent human rights crisis, and to advance the implementation of the recommendations made by the UN Special Rapporteur after his visit to the country in 2019, as well as by the EU and its Member States, for the last Universal Periodic Review;
23. Reasserts its willingness to provide all possible assistance to support the implementation of the final Peace Agreement; reiterates its call on the EEAS and the Member States to ensure appropriate and transparent funding to this end, including through the Neighbourhood, Development and International Cooperation Instrument (NDICI), to provide support for the post-conflict phase, by ensuring ex ante human rights impact assessments, parliamentary scrutiny, accountability and the involvement of civil society organisations; stresses that local communities and civil society organisations should have direct access to this funding in order to act upon the priorities expressed by the victims with regard to truth, justice and reparations and the guarantees of non-repetition, with a view to forging stable and lasting peace; reiterates its call on the Commission to ensure the full involvement of the European Parliament in the scrutiny of the funds intended for Colombia and the peace process;
24. Urges the EU and its Member States to take the lead at the upcoming session of the UN Human Rights Council, the UN Security Council and other multilateral political spaces to establish a long overdue monitoring and reporting mechanism on grave human rights violations and on the Peace Agreement; calls for the EU and its Member States to provide international observation of the implementation of the Peace Agreement and calls for the mandate of the Special Envoy for Peace in Colombia to be renewed;
25. Stresses that as the Peace Agreement moves into its fifth year of implementation, dialogue between the parties at a political and technical level is essential to overcome the challenges faced; calls on the parties to the agreement to continue to show great commitment and work together to ensure progress with implementation; commends the

resilience of Colombians in conflict-affected areas, who are still awaiting fulfilment of the promise of peace;

26. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the governments and parliaments of the Member States, the Euro-Latin American Parliamentary Assembly and the Government and Congress of the Republic of Colombia.