

**Notes on the changes, adjustments
and precisions of the**

new

FINAL

AGREEMENT

TO END THE ARMED
CONFLICT AND BUILD
A STABLE AND LASTING
PEACE

Havana, November 13, 2016

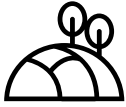
After the results of the plebiscite on October 2, 2016, the Colombian government held a series of intensive meetings with representatives of the sectors of society that voted NO, to listen to their observations and concerns on the Peace Agreement.

At the same time, the Government met with different social groups who voted YES, including victims of the conflict, indigenous communities, Afro Colombians, faith-based organizations, businessmen and many more. The FARC, on their side, also met with several delegations in Havana.

As a result of these meetings, the delegations of the Colombian government and FARC agreed on a series of important changes, adjustments and precisions in the text of the Peace Agreement and signed a new Agreement.

The following notes clarify these changes. They are not exhaustive, nor they seek to replace in any way the text of the new Peace Agreement, which should be examined.

The Colombian government is convinced that these changes, adjustments and precisions strengthen the Peace Agreement significantly and offer guarantees to all Colombians, while maintaining the reforms and transformations that are the centre of this process and the base to build a stable and lasting peace.



Chapter 1:

Comprehensive Rural Reform

SUSTAINABILITY: Given the magnitude of the commitments made, the time window to implement the Comprehensive Rural Reform –which seeks to reduce rural poverty by 50 percent- was extended from 10 to 15 years. This implementation should advance gradually, with maximum efforts made during the next 5 years and always in keeping with a principle of fiscal sustainability.

SOURCES FOR THE LAND FUND: The new Peace Agreement clarifies that the figures of administrative expropriation on the grounds of social interest and public utility and administrative ownership cessation procedure due to failure to fulfil the social and ecological functions of the property will be applied in accordance with the Constitution and current legislation. The Agreement does not modify these figures.

RIGHT TO PRIVATE PROPERTY: The Peace Agreement reaffirms that nothing in its content affects the constitutional right to private property. On the contrary, it seeks to protect all Colombians' property rights, specially those of small-scale rural producers, and this way avoid new conflicts over land.

VICTIMS AS BENEFICIARIES: Victims of the conflict were included as priority beneficiaries for the Land Fund and the Comprehensive Rural Reform in general. To guarantee the transparency of the beneficiary selection process, the relevant institution will create a single register of beneficiaries and select them following a procedure defined by law, with its corresponding criteria and requirements.

REGULARIZATION OF PROPERTY RIGHTS: A new mission comprised of three experts designated by the Government will be tasked with recommending ideas on how to regularize the property rights of owners, occupants and possessors in good faith, provided no unlawful dispossession took place. These proposed changes in current legislation must be discussed with all the relevant sectors, to guarantee the broadest consensus possible before presenting them to Congress.

RURAL DEVELOPMENT ECONOMIC MODEL: A new principle was added to this chapter of the Peace Agreement, clarifying that the comprehensive development of the Colombian countryside depends on an adequate balance between family-based agriculture and/or industrial agriculture, as well as competitiveness and the promotion of private investment in rural areas with an entrepreneurial vision and productive purposes. The idea is to promote value chains linking small-scale rural production with other models in conditions of equality, and to support and protect family and community based agriculture.

PEASANT ENTERPRISE ZONES: The Agreement clarifies that the creation processes for new Farmer Enterprise Zones shall be evaluated by the relevant institutions and follow the current legislation. Thus, the relevant authorities continue to be in charge of any decision regarding a new PEZ.

LAND REGISTRY (CADASTRE): The Agreement clarifies that cadastral appraisals will only be made by the relevant authorities according to current legislation. The Agreement does not modify the criteria or legal procedures to establish a property appraisal. In any case, forming a new multi-purpose land registry evidently implies new property appraisals

HIGH-LEVEL INSTANCE FOR CONFLICTS OVER LAND USE: The Agreement clarifies that the high-level instance created to solve conflicts over land use is a Government instance and that its guidelines for land use are a means of indicative planning that will not interfere with the responsibilities of local authorities.

PARTICIPATIVE PLANNING: The Agreement reaffirms the importance of participative planning and the involvement of citizens in the decision-taking process. It clarifies that citizen participation in no way seeks to limit the responsibilities of local authorities. On the contrary, the idea is that communities become involved in the selection, execution and follow-up of projects, and that citizens' trust in institutions is strengthened.



Chapter 2:

Political Participation

STATUTE OF GUARANTEES FOR THE EXERCISE OF POLITICAL OPPOSITION: The Agreement clarifies that the creation of a commission that will define the outline of the statute of guarantees for political movements and parties that declare themselves in opposition seeks to comply with an obligation arising from the Constitution of 1991 (article 112) that has never been met.

SPECIAL TRANSITORY PEACE ELECTORAL DISTRICTS: The strengthening of victims' organizations will be promoted, in order to help them compete for the 16 Special Electoral Districts. The political party or movement that emerges from the transition of the FARC into legal political life will be barred from competing for these Special Electoral Districts, given that it will have representation in Congress. Finally, mechanisms for oversight and control of elections in these Special Electoral Districts will be promoted, involving specialized organizations like the Mission for Electoral Observation (MOE) and all the political parties.

GUARANTEES FOR SOCIAL PROTESTS AND DEMONSTRATIONS: The Agreement clarifies that these guarantees for social movements and organizations refer to peaceful forms of protest. It also adds that peaceful demonstrations shall be dealt with will full respect of human rights, notwithstanding the

exercise of the State's legitimate authority; and that the rights of all citizens must be guaranteed. In the end, this is about guarantees for everyone.

MEASURES TO PROMOTE ACCESS TO THE POLITICAL SYSTEM: In order to avoid the indiscriminate proliferation of political parties, a certain number of members will be required for recognition of that party's legal status. The Agreement adds that within the system for the gradual acquisition of rights for political parties, only those surpassing the threshold for Senate elections will access the existing rights to State funding, access to media and inscription of candidates. This will help promote pluralism, but also avoid 'wasp operations'.

REFORM OF THE ELECTORAL REGIME AND ORGANIZATION: The Agreement states that the mission of experts, to be selected following the mechanism stated in it, will hold an ample and effective participative process with all political parties, movements and groups, in order to form the amplest consensus possible in drafting the report with recommendations on reform of the electoral regime. Based on these recommendations, the Colombian government will make the necessary institutional and legal adjustments.



Chapter 3:

End of the Conflict

POLITICAL REINCORPORATION: Funding for the future political movement or party that emerges from the transition of the FARC-EP to legal political life was reduced. The terms of the new Peace Agreement state that it will no longer receive 10 percent of the annual budget allocation for the operation of political movements and parties, but the average amount that parties with legal status receive. This will make funding conditions fairer.

Funding for the disclosure and dissemination of its ideological and programmatic platform shall also be reduced from 10 to 7 percent of the annual budget allocation for the operation of political movements and parties for a 4-year period.

ON GOVERNMENT INSTITUTIONS LEADING THE REINCORPORATION: The Agreement now states explicitly that the measures seeking to reincorporate FARC members into civilian life will be implemented by the existing Government institutions designed for this purpose. The economic cooperative ECOMÚN shall also work with these institutions. These measures will not affect the comprehensive reparation programmes for victims of the conflict.

EXCEPTIONAL CASES REQUIRING HEALTHCARE: As a humanitarian measure, the Colombian government will create a special system with national and international support to exceptionally treat cases of serious illnesses and injuries of FARC members entering the reincorporation process. This will not affect the existing framework for healthcare during the ceasefire and laying down of arms.

CONDITIONS REQUIRED TO MAINTAIN REINCORPORATION BENEFITS: The Agreement now states that access to reincorporation benefits implies compliance with the commitments made by FARC members.

FARC MILITIAS: The Agreement now states explicitly that the list submitted by the FARC of all its members must also include members of their militias, notwithstanding the corresponding verifications made by the Colombian government. In any case, FARC must submit a list with the entirety of its members.

OBLIGATIONS OF FORMER FARC COMMANDERS: Former FARC commanders are required to contribute actively to guarantee the success of the reincorporation of FARC members into civilian life.

NATIONAL COMMISSION ON SECURITY GUARANTEES: The political party or movement that emerges from the transition of the FARC into legal political life will not be a member of this commission, as had been previously agreed. The reasoning behind this change is that its mission is not their security, but the design of public policy to fight against criminal organizations. In any case, the commission may invite representatives of any political party or the United Nations Commission on Human Rights (UNCHR) whenever it deems it necessary.

SPECIAL INVESTIGATION UNIT FOR THE DISMANTLING OF CRIMINAL ORGANIZATIONS: This special unit will work hand in hand with other units within the country's Public Prosecutor's Office (where it will be located). The Agreement also clarifies that its director will be designated for a 4-year period (not 6) and chosen by the Public Prosecutor from a shortlist of three candidates submitted by the Selection Committee for the Special Jurisdiction for Peace. Its investigations will follow the existing criminal classification.

SECURITY AND PROTECTION CORPS: The Agreement clarifies that FARC members in the process of reincorporation who will take part in this corps -in charge of protecting leaders of the new political party emerging from the transition of FARC into legal political life- will be screened to guarantee their psychological suitability and require proper training. This corps will respond to a specialised sub-directorate within the Government's National Protection Unit.

COMPREHENSIVE SECURITY AND PROTECTION MEASURES: The Agreement clarifies that these are measures aiming at protection through prevention, non-discrimination and de-stigmatization.



Chapter 4:

Solution to the Illicit Drugs Problem

GENERAL APPROACH ON DRUG POLICY: The Peace Agreement clarifies that the different and differentiated treatment to the issue of drug use, the problem of crops used for illicit purposes and organised crime associated with drug trafficking, will be designed within a comprehensive and balanced approach in the worldwide fight against the problem of illicit drugs.

ILLICIT CROP SUBSTITUTION: The Agreement states explicitly that, wherever voluntary substitution is not possible, the Government will not renounce forced eradication measures, including aerial spraying.

BENEFICIARIES OF ILLICIT CROP SUBSTITUTION PROGRAMMES: The Agreement clarifies that substitution programmes must benefit the entire community living in territories affected by illicit crops and not only persons growing them.

SPECIAL JUDICIAL TREATMENT FOR ILLICIT CROP GROWERS: The Agreement now reduces the possibility of small-scale farmers committed to substituting illicit crops benefiting from a 2-year waiver of the exercise of penal action or the termination of the penal sanction to one year. It also conditions this special judicial treatment to refraining from replanting these crops.

LEGALIZATION OF LAND PROPERTY RIGHTS: A new condition was added to the programmes seeking to help small-scale illicit crop growers legalize their property rights. These measures will be conditioned to the plot of land being free of crops of illicit use and refraining from replanting.



Chapter 5. Victims

– Special Jurisdiction for Peace

FARC’S ASSETS AND REPARATION OF ITS VICTIMS:

The FARC will complete an exhaustive inventory of all its assets and submit it to the Colombian government. These will be used to repair its victims, as part of the comprehensive reparation programme for victims of the conflict.

ON THE SPECIAL SEARCH PROCESS OF PERSONS DEEMED MISSING:

During the period of time before the Special Unit for the Search for Persons deemed as missing is functioning, a special procedure to gather information will be put in place. This special procedure will involve the Colombian government, the FARC and victims’ organizations such as the Mesa de Desaparición Forzada de la Coordinación Colombia Europa Estados Unidos, FEVCOL, País Libre, ASFADDES, ECIAF, Fundación Víctimas Visibles, MOVICE and Fundación Nydia Erika Bautista, with the permanent coordination of the International Committee of the Red Cross (ICRC). The idea is to continue gathering information on persons deemed as missing in the context of and due to the armed conflict. The Government and the FARC reaffirm their commitment to continue providing ICRC with the information in their possession and to facilitate the implementation of these humanitarian measures.

SPECIAL JURISDICTION FOR PEACE:

Time limits

TIME LIMIT FOR THE SPECIAL JURISDICTION FOR PEACE:

The new Agreement establishes a time limit for this new jurisdiction that will exercise judicial functions and will fulfill the state obligations to investigate, prosecute and sanction crimes committed in the context of and due to the armed conflict. It will have 2 years to present reports to the First Instance Chamber in Cases of Acknowledgement of Responsibility (that can be extended

by 1 year to a maximum of 3 years), 10 years to present resolutions before the Investigation and Prosecution Unit (that is, to prosecute); and 5 more years to finish the Jurisdiction's responsibilities, with the possibility of an extension if needed.

SPECIAL JURISDICTION FOR PEACE:

Applicable legislation

APPLICABLE LEGISLATION AND PRINCIPLE OF FAVOURABILITY: The new Peace Agreement states that the Special Jurisdiction for Peace will follow the Criminal Code of Colombia, which will be complemented by International Human Rights Law, International Humanitarian Law and International criminal law. A principle stating that the most favorable legislation will be applied was included.

APPLICABLE LEGAL PROCEEDING: A series of principles guiding the functioning of the Special Jurisdiction for Peace were added, including due process, impartiality, due notice, the right to a second hearing, the duty to disclose evidence during the assessment of evidence and defense, and noting that this is an adversarial system. The designated magistrates shall establish the legal proceedings for Jurisdiction, and these must then be examined in Congress in order to be incorporated into the legal system.

SPECIAL JURISDICTION FOR PEACE:

Reports from non-governmental organizations

REPORTS FROM NON-GOVERNMENTAL ORGANIZATIONS: The Peace Agreement clarifies that reports sent to the Special Jurisdiction for Peace by victims' and human rights organizations do not constitute accusations. They will be considered information for the SJP's Judicial Panel for Acknowledgement of Truth, Responsibility and Determination of Facts and Conduct, and will undergo the process of assessment and contrast contemplated in numeral 48, paragraph h of the section of the Agreement on the SJP.

SPECIAL JURISDICTION FOR PEACE:

Coordination with the Judicial Branch

CONFLICTS OF JURISDICTION: In order to specify the coordination between the Special Jurisdiction for Peace and other jurisdictions, the Agreement states that any conflict of jurisdiction will be resolved by a special judicial panel comprised by 3 magistrates from the Superior Council of the Judiciary and 3 magistrates from the SJP. Their decisions will be adopted by simple majority and, in the event of a deadlock, will be resolved by the president of the SJP.

JUDICIAL REVIEW OF PREVIOUS DECISIONS FROM OTHER JURISDICTIONS: The new Agreement states the grounds on which the Special Jurisdiction for Peace may review decisions from the ordinary jurisdiction in cases related to actions taking place in the context on the conflict, provided the convict requests so. These cases include a change in the review of the indictment, the appearance of new facts that had not been assessed before, or the appearance of new evidence not assessed at the time of conviction. Any revision by the SJP of verdicts from other jurisdictions shall never imply the responsibility of those judges presiding over the conviction. The Supreme Court of Justice shall revise its own verdicts, except in those cases of persons convicted taking into account the definition of combatant in International Humanitarian Law.

WRIT OF PROTECTION OF FUNDAMENTAL RIGHTS ('ACCIÓN DE TUTELA'): Writs of protection of fundamental rights against any action or omission of the Special Jurisdiction for Peace will proceed when a fundamental right is affected as a direct consequence of its decisions and verdicts. This writ must be presented to the Peace Tribunal. The first instance will be decided by the Appeals Chamber of the Tribunal, and the second instance by the Review Chamber of the Tribunal. The final decision may be reviewed by the Constitutional Court under the following rules: the decision will be adopted by a special judicial panel comprising two Constitutional Court magistrates designated by raffle and two SJP magistrates, the decision may be reviewed when all four

magistrate vote in favor of its selection, the review sentence will be emitted by the plenary council of the Constitutional Court, and will be sent to the Peace Tribunal for it to adopt the corresponding decision in respect of the right protected..

COORDINATION WITH THE OFFICE OF THE PUBLIC PROSECUTOR: The SJP’s Investigation and Prosecution Unit will be able to request the cooperation it deems necessary to the country’s Office of the Public Prosecutor, as well as sign cooperation agreements with it.

RELATION BETWEEN THE SPECIAL JURISDICTION FOR PEACE AND THE COUNCIL OF STATE: The Council of State maintains its competency on issues of reparation.

NATIONALITY OF MAGISTRATES: All the magistrates of the SJP must be Colombian, and comply with the existing requirements for magistrates of the Constitutional Court, the Supreme Court of Justice or the Council of State. There will be no foreign magistrates. The participation of foreign persons in the judicial proceedings will be limited to providing amicus curiae – that is, opinions by third parties on a question of law- and only whenever the person appearing before the SJP requests so.

ENFORCEMENT OF JUDICIAL DISCIPLINE AND CRIMINAL CONDUCT FOR SJP MAGISTRATES: Magistrates must act in accordance to the disciplinary code in Colombian law for magistrates and judges. Any disciplinary measure will be adopted, executed and verified by a commission comprising one magistrate of each of the SJP’s judicial panels and each of the Tribunal’s chambers. Magistrates must also act in accordance to the criminal code in Colombian law for magistrates of the Supreme Court of Justice.

SPECIAL JURISDICTION FOR PEACE:

Politically motivated crimes

POLITICALLY MOTIVATED CRIMES, REGARDING PRODUCTION AND COMMERCIALIZATION OF ILLICIT DRUGS: Any decision on whether political crime and conducts related to

production and commercialization of illegal drugs are related, shall follow the criteria established in the High Courts’ jurisprudence. A conduct aiming to finance rebellion shall be understood as one from which no personal enrichment stems, nor one which is considered a crime against humanity, a war crime or genocide. The Judicial Panel for Amnesty and Pardon shall determine whether conducts are related to political crime on a case by case basis.

COMMITMENT TO PROVIDE INFORMATION ON ILLICIT CROPS AND DRUG TRAFFICKING: The Peace Agreement now states, in its chapter on Drugs, that all persons having had any relation with conducts associated to any links whatsoever in the illicit drug supply chain in the context of the conflict, who appear before the Special Jurisdiction for Peace, must provide the Judicial Panel for Acknowledgement of Truth with exhaustive and detailed information on these conducts and the circumstances surrounding them in order to attribute responsibilities.

SPECIAL JURISDICTION FOR PEACE:

Participation of victims

PARTICIPATION OF VICTIMS IN SJP’S HEARINGS: The Peace Agreement adds, to the other participative space for victims of the conflict, the possibility for the First Chamber of the Peace Tribunal to decide that the contradictory trial be held as a public hearing in presence of victims’ organizations.

SPECIAL JURISDICTION FOR PEACE:

State agents and Third parties

STATE AGENTS AND THE PRESUMPTION OF LEGALITY: The Peace Agreement now clarifies that a State Agent is a person who, at the moment of committing the alleged criminal conduct, was carrying out official legislative, executive, judiciary or administrative functions, either on a national, departmental or municipal level. The Agreement does not limit the concept of State Agent to the members of the Military Forces and National Police, who in any case –as the Agreement states- act within a presumption that the state legitimately exercises a monopoly of arms.

THIRD PARTIES: The Peace Agreement now states that the Special Jurisdiction for Peace has jurisdiction over cases related to third parties financing or collaborating with any actor of the conflict, whenever these conducts are not the result of coercion. In particular, in cases where third parties had an active or decisive participation in crimes that may not be lawfully subject to an amnesty.

On the other hand, with the objectives of determining the legal situation of third parties who did not have an active or decisive participation in these crimes and of contributing to the satisfaction of the rights of the victims, the Agreement now opens the possibility for the SJP's Judicial Panel for Determination of Legal Situations to determine the legal situation of those third parties who voluntarily appear before the jurisdiction during its first 3 years of operation and who have sentences or cases for crimes within the SJP's competence. Once their legal situation is verified, the Judicial Panel shall adopt the necessary decisions, including the decision not to prosecute or any other form of cessation of proceedings, given that they contribute effectively to the measures of the Comprehensive System for Truth, Justice, Reparations and Non-Repetition, in particular the clarification of the truth. This decision determining their legal situation shall acquire the authority of a final decision (*stare decisis*).

SPECIAL JURISDICTION FOR PEACE:

Sanctions and verification

SPECIAL SANCTIONS OF THE SPECIAL JURISDICTION FOR PEACE: The new Agreement now states the criteria that will guide SJP magistrates in deciding on its special sanctions (without altering the alternative and ordinary sanctions, which involve imprisonment). These criteria include, among others: the ability to specifically establish the territorial spaces where the sanctioned persons will carry out their sentence, which shall be no larger than a Transitional Local Zone for Normalisation; the ability to establish the schedules to carry out these restorative sanctions; and the ability to establish the place of residence of the person carrying out the sanction.

VERIFICATION AND MONITORING OF SANCTIONS: The new Agreement creates a mechanism for the international verification of the compliance of sanctions handed down by the Special Jurisdiction for Peace. This mechanism will be a component of the United Nations' Political Mission of verification, in coordination with the Office of the United Nations High Commissioner for Human Rights (OHCHR) in Colombia. Any movement necessary to participate in activities related to carrying out the sanction shall be monitored by the mechanism, which will also grant permissions for movements not related to the sanction.

TIME SPENT IN THE TRANSITIONAL LOCAL ZONES FOR NORMALISATION: The period of time spent in the Transitional Local Zones and Points for Normalisation shall be considered time of carrying out sanctions, inasmuch as the person in question participates in restorative activities or work. Any restorative work or activities done afterwards by persons who appear before the SJP will also be considered as time carrying out a sanction, given that they are done in a specifically defined and verifiable location.



Chapter 6:

Implementation and Verification

Principles guiding Implementation:

TERRITORIAL INTEGRATION AND SOCIAL INCLUSION: The measures adopted as a result of the Peace Agreement must promote the integration of territories and within regions, as well as between different regions. They should also promote the inclusion of different population groups and communities, in particular those most affected by the conflict and those living in conditions of poverty and marginalization.

INSTITUTIONAL STRENGTHENING AND INTERACTION: Building a stable and lasting peace and guaranteeing the rights

of all citizens in general requires strengthening the institutional presence of the State in all territories. Public policies adopted should promote strengthening of institutions and ensure that the State's response in territories is ample and effective, as well as promote the active participation of regional and local authorities in decision-making and follow-up of the Agreement's implementation in their territories.

HUMAN RIGHTS-BASED APPROACH: The implementation of the Peace Agreement must contribute to the protection of the population's rights. Human rights are rights inherent to all human beings. As a consequence, the State has the obligation to promote and protect the fundamental rights and civil liberties of everyone, without allowing any form of discrimination.

GENDER-BASED APPROACH: In the Peace Agreement, the definition of a gender-based approach is the acknowledgment of the equality of rights of men and women, and the special circumstances of each one, specially women -notwithstanding their marital status, life project, and family or community relations- as holders of rights and special constitutional protection. It particularly implies the need to guarantee affirmative action to promote this equality, the active participation of women and their organizations in peacebuilding, and the acknowledgment that women have been particularly affected as victims during the conflict. The entire text of the Agreement has been revised to ensure that it corresponds to this definition.

FREEDOM OF BELIEF: This principle implies the acknowledgment and respect of any and all religions and beliefs without any discrimination. The Agreement's implementation shall promote the active participation of churches, religious organizations and faith-based organizations in peacebuilding. It also will establish the necessary measures to reestablish the rights of persons and groups discriminated on account of their religious beliefs in the context of the conflict. The entire text of the Agreement has been revised to ensure that it corresponds to this definition.

EQUALITY AND NON-DISCRIMINATION: Equality and equal opportunity for everyone shall be respected in access to

the different plans and programmes contemplated in the Peace Agreement, guaranteeing non-discrimination. No content of the Agreement shall be interpreted or understood as the denial, restriction or lessening of the rights of personas, notwithstanding their gender, age, religious beliefs, ethnic identity, sexual orientation or any other reason.

DEEPENING DEMOCRACY AND "BUILDING ON WHAT HAS BEEN BUILT": The implementation of the Agreement must take into account the different initiatives and development programmes, and acknowledge the existing peacebuilding efforts in territories seeking to deepen democracy and eradicate corruption, lack of accountability and any other action degrading the other principles. Implementation will take advantage, as much as possible, of the existing institutions and skills in Government.

EFFECTIVENESS, EFFICACY AND SUITABILITY: The process of implementation will be aided by an effort to design measures seeking to guarantee an optimization of time and resources, and an effective public administration, including simplification of procedures and tools. It will also guarantee that public servants involved in the implementation are suitable and comply with the relevant technical qualities.

PRIORITIZATION: Implementation of the Agreement is a continuous and urgent process that begins with the definition of which plans and programmes are most pressing, as defined by an implementation timetable that should keep into account the social priorities contemplated in the text, the institutional capabilities and the available resources.

ACCOUNTABILITY, CITIZEN OVERSIGHT AND THE FIGHT AGAINST CORRUPTION: Implementation must guarantee information on decision-making that is accessible, relevant and easy to understand, from the initial definition to the final execution of resources (traceability). It must also promote citizen oversight, easy to use accountability tools, proper dissemination of information and willingness to fight against corruption

DEMOCRATIC PRINCIPLES: The interpretation and implementation of the Peace Agreement and the corresponding legislation shall respect the rule of law, political pluralism, civil liberties, the separation of powers, the roles of the different branches of government, the right to private property of all citizens, and the inalienable rights of all citizens, including peasant, indigenous and Afro-Colombian populations.

Public finance sustainability:

FISCAL SUSTAINABILITY AND PRIORITIZATION: The implementation of the Peace Agreement shall respect current legislation on budgetary matters, in keeping with the constitutional obligation to maintain public finance sustainability. Additionally, a principle of prioritization and realism shall guide implementation. A timetable will be drawn, identifying priorities, their resources and responsible institutions, in order to implement the social priorities defined by the Agreement in a gradual but sustainable way.

ROYALTIES: These public resources shall be considered another source of joint financing, on the condition that existing legal procedures to select projects are respected.

COMMISSION FOR THE FOLLOW-UP AND VERIFICATION OF THE IMPLEMENTATION OF THE FINAL AGREEMENT: The new Agreement clarifies that the goal of this Commission (CSIVI, by its initials in Spanish) is not the joint implementation of the Agreement with the FARC, but the follow-up and verification of implementation. Its name and functions were adjusted in order to clarify that it does not, in any way, limit the responsibilities of the Colombian government and other State institutions.

INTERNATIONAL VERIFICATION MECHANISM: This commission no longer includes the group of guarantor and accompanying countries (Cuba, Norway, Venezuela and Chile). This function shall be the sole responsibility of the two notable persons, with the support of a newly created Technical Secretariat with access to the information of all the international organizations accompanying implementation.

Education and outreach:

RADIO STATIONS FOR COHABITATION AND RECONCILIATION: The new Agreement states that, instead of the 31 radio stations granted to ECOMUN, 20 public interest radio stations will be established in regions strongly affected by the conflict and will be assigned to the Government's National Radio and Television of Colombia (RTVC) with the objective of educating citizens on the content of the Peace Agreement and informing them on the progress of its implementation. The Joint Communications and Pedagogy System, comprising the Government and FARC, will define its contents.

Later, RTVC will administer these radio stations for an additional four years, during which contents will be assigned according to the guidelines for public interest radio. A third of its programming will be assigned to victims' organisations in these regions, another third to ECOMUN and final third to community and social organisations in these regions, aiming to promote cohabitation, reconciliation and peacebuilding. The Ministry of Information Technology and Communications can extend these public interest licences for up to four more years.

PUBLIC BROADCASTING: The new Agreement states that the Joint Communications and Pedagogy System, in coordination with National Radio and Television of Colombia (RTVC) and the National Television Authority (ANTV), will receive a 1-and-a-half hour weekly space on public television (Canal Institucional) to educate citizens on the Peace Agreement and inform them on its implementation, will the objective of promoting cohabitation, reconciliation and peacebuilding.

Bloc of constitutionality

TRANSITORY ARTICLE: The new Agreement does not contemplate the inclusion of the text into the constitutional bloc,

nor of the Agreement into the Constitution. It now specifies that a transitory article will be drafted to ensure that the contents of the Peace Agreement corresponding to International Humanitarian Law norms or fundamental rights will serve as an interpretation parameter only for the norms and laws regarding the implementation of the Agreement. This transitory provision shall last during three presidential periods. Likewise, the Agreement specifies the obligation for all public authorities to comply in good faith with what was established in the Agreement, ensuring that its work is consistent with its content.

SPECIAL AGREEMENT: The Peace Agreement shall be signed and deposited as a Special Agreement, in consistency with the International Committee of the Red Cross's opinion on peace agreements, only in regards to the international obligations of the Colombian state on International Humanitarian Law, but not to introduce the Agreement in the Colombian legal system.



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