



Incidencia a favor de los derechos humanos en las Américas



Joint statement on the implementation of the Peace Agreement in the territories with coca, poppy and marijuana crops in Colombia.

Exactly one year ago, in the 59th session of the CND, the Colombian government urged the international community to openly debate the results obtained during the 50 years of the war on drugs (in the context of the UNGASS discussions). Colombia highlighted the need to better the understanding and attention to the socioeconomic factors underlying the cultivation of coca, poppy and/or cannabis, such that goals to reduce crops would not be taken without considering these structural conditions.

Since then, Colombia has taken on a number of commitments derived from the 2016 UNGASS and from the Peace Agreement signed with the FARC-EP. We strongly support the Final Agreement to End Conflict and to Build a Sustainable and Lasting Peace. After years of war, this is a historic moment and one that offers the opportunity for transforming the country. Towards that end, a traditional drug policy approach should not become an obstacle to consolidating peace in distant and forgotten territories, where the rights of communities must be respected.

We celebrate that the Agreement recognizes that the *“persistence of crops is linked partly to the existence of conditions of poverty, marginalization, weak institutional presence”*, and that it insists that *“policy must have a territorial approach based on citizen participation and in the presence and strengthening, in terms of effectiveness, efficiency and transparency (...) of the institutions responsible for social attention, and those responsible for security and protection of communities.”* Moreover, we welcome the attention given to the need for a differentiated criminal approach to *“peasants, men and women, and rural dwellers linked to the exploitation of crops of illicit use.”*

The Peace Agreement could be interpreted within a framework of logical and appropriate sequencing, whereby small farmers are first no longer criminalized, followed by consultation, voluntary substitution, community participation in decision making, and access to integral rural development. Only in the event that these conditions are not met (including due to security problems that make substitution impossible), should eradication be used, and in all cases must be carried out manually and without chemicals.

This Peace Agreement represents hope for rural communities, with which the State has a historic debt, as it not only includes plans to substitute and reduce the hectares of crops

cultivated, but also to understand the relationship between growing prohibited plants and the agreed Integral Rural Reform, which includes access to land titling, loans, marketing, and greater consideration for human rights.

However, we manifest today our deep concern for the contradictions evident in the early phase of implementation of the agreement and in the discussion of the National Substitution Plan. In recent weeks, a number of rural communities in the country have been the targets of forced eradication, with no previous consultation, and without the opportunity for the peasants to enter into negotiations with the government. These actions are not guided by a spirit of consultation, rather, to the contrary, seem to be guided by a blind obsession that considers plants, and not rural poverty, as the greatest threat to peace. These militarized campaigns in the territories with coca completely disregard the Guiding Principles of Alternative Development, the Peace Agreement, and the UNGASS 2016 outcome document, all of which call for taking into account the socioeconomic conditions of producer communities.

We are aware of communities in which the Colombian State is implementing forced eradication and signing substitution plans at the same time. This is not only incoherent, but also undermines trust by rural communities in State institutions that they have only come to know via security efforts. The State must have consistent policies, guarantee an adequate inter-institutional coordination, and respect the agreements reached through direct dialogue with communities. For this reason, it is counterproductive that in the same territories (including municipalities, remote villages, indigenous territories, or afrocolombian territories), crop substitution activities derived from the Agreement are being carried out at the same time as forced eradication. Signing voluntary substitution agreements and maintaining, at the same time, forced eradication campaigns only serve to promote unrest and deeper social conflicts within these excluded communities.

In these territories, the State has the obligation to build trust in order to begin the path towards integral development, with community participation and respect for the rights of these communities. In this regard, the use of forced eradication must be considered as a last resort, only after carrying out efforts to achieve consultation, voluntary participation and rural reform.

The signatory organizations call upon the Colombian Government and FARC-EP to respect producer communities, to address their concerns, and to build with them a spirit of trust and consultation, in order to guarantee that this implementation phase advances the well being of all communities.

Center for Studies of Justice, Law and Society – Dejusticia. (Colombia)

Transnational Institute - TNI (Netherlands)

Washington Office on Latin America – WOLA (United States)

Observatory of growers declared illicit – Institute for Peace and Development - OCDI-INDEPAZ (Colombia)