

EDITORIAL

(English)

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Commemorating two years of the signing of the peace agreement between the Colombian State and the guerrilla FARC-EP

On November 24th, 2018 was the second anniversary of the signature of the Peace Agreement between the Colombian government and the FARC-EP guerrilla. Many things have happened during these two years. The Congress of the Republic and the National Government were enabled for six months –which extended another six months– to implement the agreement through legal rules that had a special and abbreviated constitutionality procedure and control called fast track (Legislative Act 01 of 2016 and Legal sentence C 699 of 2016).

Essential Institutions to materialize the agreement were established, such as the Special Jurisdiction for Peace (JEP) and the Commission for Truth, Coexistence and Non-Repetition (Legislative Act 01 of 2017 and Legal sentence C 674 of 2017). The agreement was given constitutional status, related to fundamental rights and international humanitarian law, and was given effect until August 7th, 2030, which sought to shield the agreement from political conjunctures that could intend to ignore it during the next three presidential periods (Legislative Act 02 of 2017 and Legal sentence C 630 of 2017).

During the year in which they had competence to issue standards using an abbreviated procedure, the Congress of the Republic and the National Government issued forty-six rules, including legislative acts, laws and decrees with force of law, and the Constitutional Court issued forty legal sentences of constitutionality. However, most of what was agreed upon must be implemented through ordinary procedures, which will require not only more time, but also the political will of the new forces that make part of the Congress that took office on July 20th, 2018 and the new government whose possession was on August 7th of the same year.

The political parties that have criticized the agreement have gained space in the Congress of the Republic and other forces have joined them, including some that supported the agreement during Santos' government and who also were elected for the Presidency of the Republic, because they realized that it was more profitable –electorally talking– to attack the agreement rather than to defend it.

Since the 2016 plebiscite, Colombians remain polarized and meanwhile, see how the Peace Agreement remains on paper –not effectively implemented–, there are zones where the FARC-EP gave up their power over the territory and have been replaced by other illegal actors. Some of the problems the agreement deals with in the present are the increase in violence in some parts of the country, the assassination of social leaders, the failed ex-combatants' reincorporation programs and the rise of illicit crops.

Whilst the world watches Colombia as a peace laboratory, an important sector of Colombian society, not only rejects the FARC-EP –now as a political party– and its presence in Congress, but also refuses the reintegration of ex-guerrilla combatants to social life. Perhaps, this is the agreement's main enemy because many Colombians are not willing to forgive.

In Colombia, a country where frustrated demobilizations shape history, we run the risk of repeating, that is why it's crucial to analyze issues related to the Peace Agreement that sought an end to an armed conflict that has lasted more than fifty years. This is the reason why two years after the agreement was signed, the Journal *Opinión Jurídica*, offers this special issue 2018 to the academic and scientific community. It is made up of thirteen articles by Colombian authors, also Brazilian and Chilean, who want to contribute in a committed way for the understanding of our reality.

Colombia came to think that the FARC-EP was the cause of many of its problems, but it is not like that, the hardships have been a consequence of these difficulties, and while poverty, lack of opportunities and inequality continue to be so present and alarming in Colombia, fuel for war will continue to be present.

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Editor