

**ADVANCES IN THE COMMITMENTS ACQUIRED IN THE
PEACE AGREEMENTS
1996 to February 2003**

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I. General Panorama: The commitments contained in the Peace Agreements

The Peace Agreements have originated an agenda of national scope oriented towards the improvement of the roots of social, political, economic, ethnic and cultural conflict, and to the reparation of the consequences of the armed conflict. The beginning of said agenda creates a complex and long-term project that requires the will to comply with the acquired commitments and the involvement of the different State departments, as well as of the different national social and political forces, in such a manner that the peace benefits will not only be tangible towards the population, but will contribute to the opening of a new chapter of development and democratic existence in Guatemalan history.

The initial phase of compliance with the peace agreements corresponded to the government under which they were signed (1996-2000). Thus, Peace as an institution was created, which included the Accompaniment Commission, the specific commissions and those formed by members of both sides, and the provincial meetings of agreement, from which several proposals have emerged to comply with the specific components of each Agreement. In the same manner, aspects directly derived from the ending of the armed conflict were resolved, such as the disarmament and demobilization. Also, compliance with the commitments derived from substantive subjects began. The present government (2000 to 2004) has had the responsibility to follow up on the compliance of the commitments that were pending at the end of the calendar originally agreed upon by the parties and to establish the bases for the construction of a culture of peace and reconciliation.

Even though most of the emergency programs were complied with, the ambitious programs related to the political, economic, social and cultural transformations to impulse socio-economic development and the strengthening of democracy are still in the process of being complied with. After more than six years since the signing of the Agreements, it is now evident that the challenges that the Peace Agenda sets forth go far beyond the concrete political possibilities of one single government.

In this document the most relevant achievements will be mentioned, both from the first period of compliance with the Agreements, and from the current government exercise.

II. Challenges of the Peace Process

1. The implementation of a strategy that gives priority within reality to the gradual compliance with the different aspects of the Peace Agreements, requires of a national commitment, in relation to the establishment of political, juridical, institutional, financial and technical bases that enable their realization.
2. In order to do that, besides addressing all government efforts to face the pending agenda, it is necessary to maintain the impulse in those aspects that have been incorporated to regular public policy, such as the goals of expenses in: education, health, citizens' security, justice and housing.
3. To sustain the advances reached to date is indispensable in order to face the challenges of peace consolidation in the future. Any backward motion of the goals established by the agreements would imply that in the future it would be necessary to double the efforts in order to comply with these commitments, without taking care of the rest.

4. The challenges for the construction of peace in general and compliance with the agreements in particular, have different levels of complexity and different interpretations according to the perspective of approach.

III. Changes implied in the Peace Agreements

5. Compliance with the Peace Agreements implies a series of changes in different dimensions of social order:
 - **Regulations:** issue of new laws, administrative rules and regulations or modify the existing ones.
 - **Public policies:** those derived from the Agreements on substantive matters.
 - **Institutional changes:** creation of new institutions or modification of existing ones.
 - **Social and cultural changes:** modification of the social values, attitudes and behavior.

The three first types of changes imply a primordial responsibility for the State, even though civil society may influence their content through its proposition capabilities. Various

initiatives have been contributed by

civil society within the institutional peace scope or through the lobbying and incidence of non-governmental organizations and the State has set them forth through laws, policies and institutional changes.

The social and cultural changes, however, require a transformation of society as a whole. Aspects such as discrimination against women and the

indigenous population, as well as the construction of a culture of peace and reconciliation, are very complex and are even projected for generations. Within this framework, the role of education and of the social communication means and the work within the community are important.

6. From a different point of view, there are aspects in the Agreements that are directly tied to the ending of the internal armed conflict (demobilization, resettling, incorporation, documents, etc.) and aspects related to the National Development Agenda, which any State must approach as a substantive part of its regular activity (subjects like education, health, housing, employment, fiscal aspects, justice administration, respect and promotion of human rights, etc.).

IV. Construction of political agreements

7. The search for consensus among the State organizations and with other sectors has been a strategic need, due to a lack of a dialog and tolerance culture that has prevailed in the country for a long time. Notwithstanding recent experiences of multiple sectors agreeing, there are still difficulties in building trust among the different sectors. This has been an obstacle to the advance of compliance with some of the commitments derived from the agreements.

V. Mobilization of resources

8. The mobilization of resources has become a transversal crux considered indispensable for the compliance of the peace commitment. The government and the Guatemalan people have financed a great part of this national effort. However, the limited development of the fiscal system that translates into a low tax burden and strong fluctuations thereof,

has limited the scope of the investment goals.

9. There are several causes for the fluctuation in the tax burden. First, the country's tax capacity and the taxable income are low. The potential taxable basis is small (the modern sector of the economy and the informal sector). Besides, the population does not have a tax culture and, therefore, there is high resistance to paying taxes.
10. The institutional modernization taking place aims to have an adequate articulation between the State functions and society, as well as between higher and lower State units, so that the civil society's initiative may be driven forward in order to achieve a greater economic growth and social development of the country, transparency in the State's work, efficiency in the State functions and a stable and lasting balance.
11. Compliance with the goals rested on two premises: sustainable economic growth of 6% and a tax load of 12% of the GNP. However, these conditions have not yet been met, because economic growth depends on both internal and external factors. Even though the growth goal has not been reached, the Government has made efforts to progressively increase the tax load, having achieved significant advances.

VI. Spreading information on the peace benefits

12. It is necessary to continue the efforts to spread information regarding the peace benefits, and the incorporation of new actors in the process of dialogue among sectors, in order to give more support and social reach to comply with the

Agreements. The churches, the press, the human rights groups, the unions, the universities and the regional and local network of popular organizations, must strengthen their active participation in the process of following the compliance with the agreements.

13. The most important thing is that the population in general identifies the benefit of the Peace Agreements in the change of their daily life. Only if the people perceive that compliance with the commitments of the Agreements translates into improvement of the quality of life, will they value peace as something positive and will commit to its promotion and defense.
14. The Peace Agreements offer a framework within which international cooperation strengthens the Government's efforts. Thus, the periodic meetings of the Consulting Group have contributed to renew the commitment of the different sectors of Guatemalan society with the Peace process and periodically evaluate compliance with the Agreements
15. Also, they have contributed with external resources to complement the national investment efforts to take actions related to the country's commitments. However, it must be acknowledged that the circumstances of the present international environment present new priorities for cooperation and, on the other hand, the internal contribution must increase progressively, as an expression of the responsibility of all the sectors with the peace process.

VII. The role of the Department of Peace

16. The Department of Peace of the Presidency of the Republic, as the government institution that is responsible

to coordinate and monitor compliance with the Peace Agreements, evaluates its vision to play a strategic role at the institutional level, auditing and performing the most efficient follow-up to the compliance with the commitments assigned to the State organizations.

17. As coordinator of peace as an institution, the Department of Peace channels the initiatives that come from it towards the regular State institutions, and is the institutional communication channel for the subjects related to the process.

VIII. Relevant achievements from December 1996 to February 2003

Compliance with aspects directly derived from the end of the armed conflict

18. After signing the peace in 1996, one of the priority actions was demobilization, reinsertion, promotion of productive development programs and land for the URNG ex-combatants, as well as for the population that had been uprooted and demobilized. Summarizing, to create the necessary and urgent conditions so that the URNG ex-combatants could be totally reinserted into the national development process.
19. In this regard, in the first phase of demobilization, the previous administration assisted 4619 ex-combatants. This government completed the demobilization process certified by MINUGUA, for a total of 7401 demobilized persons. From 1996 to 2000, 1244 ex-combatants were reinserted to working activities, while during the present period it has been a total of 2027. To this effect, there were workshops in different areas. The productive development programs that started in the previous period benefited 4619 persons. To this date 11,451
- persons among the uprooted, demobilized, ex-combatant population, have received training in self-management for a total of Q.5,600 millions. Regarding the land for ex-CPR and reestablished population, the Government of the Republic delivered 34 farms during the last period, and the present government 7 farms.
20. It was not enough to reestablish and train the uprooted and demobilized population. Therefore, programs were designed that allowed this population to live with decorum. Among these programs, one of the most outstanding is housing for demobilized and reestablished population. With the support of international cooperation and the work of the Department of Peace, the previous government delivered 4,756 living units, while the present government has delivered 11,592 housing solutions, for a total of 16,348 cases. The construction of 1,600 housing solutions has been approved for this year.
21. It is estimated that education is a priority for this population. From 1996 to 2000 4,145 demobilized persons had their studies leveled and 22 schools were built. During the present period, 175 thousand peace scholarships have been granted to sons and daughters of uprooted and demobilized citizens, and 39 schools were built.
22. With the object of allowing the uprooted and demobilized population to have access to credit from banks, to continue studying and to be inserted into productive work, 49,919 persons were documented during the first period. During the second period, the process continued until 90,279 persons were reached in five regions, thus ending this process contained in the compliance timetable.

23. Considering the vulnerability of many Guatemalans victims of the armed conflict, the previous administration created the program of Assistance to disabled persons. During the present period, 1841 certified cases were registered, with coverage in Quiché, Alta Verapaz, Sololá, Baja Verapaz, Retalhuleu, Guatemala, Huehuetenango, Chiquimula, Suchitepéquez and Petén, of which 675 persons are being attended at this time.

24. Regarding compensation for the victims of the armed conflict, the Executive Unit of the National Compensation Program was created during the period 1996-2000 and pilot projects were started. In the present administration, programs have been executed for an amount of Q.15 millions, with coverage in 4 departments, 17 municipalities and 96

communities that have benefited 164,000 persons.

IX. Compliance with aspects directly derived from the end of the armed conflict

Compliance with aspects of the Substantive Agenda for Development

25. Regarding social investment as a whole, the previous government administration invested a total of Q.17,893.8 million quetzals, while during this government investment is up to Q.24,666.8 million quetzals.

26. During the previous administration, a total of 2,173,640 boys and girls received education at the pre-school and grade-school levels, while this government is providing education for 2,400,000 boys and girls in the same levels and has granted 250,000 scholarships, including

peace scholarships and scholarships for indigenous girls.

27. To extend basic health services has been one of the indispensable subjects to attain society's integral development, in compliance with the Peace Agreements. Within this framework, during the previous government the following have been outstanding: the creation of the Inter-institutional Commission to follow-up the Peace Agreements in Health and the design of the following sub-programs: Attention to unable persons, actions for the financing and implementation of the integral health program in 17 municipalities of re-insertion and incorporation, formation, training and recognition of the studies of the uprooted population; Vigilance of compliance with the eradication of preventable illnesses; financing for compliance of the Peace and Health Agreements.

28. The present government administration has taken into account compliance with the Agreements as the pillar of its work, giving relevance to the gratuitousness of the services described in the Political Constitution of the Republic, the Health Code, and the Social Matrix and in the National Health Plan 2000-2004. The creation of the Integral System of Health Assistance – SIAS – is considered as a transcendental achievement for Guatemalans. Also, with the object of improving health among the uprooted populations, basic services for this population were strengthened in 13 municipalities of the country, benefiting 308,806 inhabitants. State health coverage has been enlarged mainly through the SIAS, by means of the strategic alliance that continues with health services providers and administrators. The National Health Week has taken place for four consecutive years. Through this program

- the vaccination services oriented towards the elimination of polio and measles have reached more children. Also, 22 agreements were signed with health administrators (ASS) and providers (PSS).
29. The previous government through the creation of the Land Fund, by means of which 22 farms were delivered, benefiting 1,726 families, provided access to land. This administration has delivered 83 farms, benefiting 7,407 families. To assist in the coffee crisis, the government has offered an investment of 100 million quetzals.
30. It is important to mention that in the matter of land conflicts, the previous government integrated four movable teams, attending and resolving 176 cases. It is important to mention the creation of the Presidential Unit of Conflict Resolution –UPRECO– during this administration, which has resolved serious conflicts of high social impact, such as the one of Military Base No. 20, Quiché, and the one at Cimientos, Quiché. Also, the resolution of the 226 cases presented up to this date.
31. For the modernization of public administration, during the previous period the SIAF was started and the following laws were modified: of the Executive Branch, of Purchases and Contracts, and of the Budget. During the present government the SIAF has been enlarged, the Fiscal Pact was subscribed and its Follow-Up Commission was restructured.
32. One of the Peace Agreements, which is considered of great importance for the democratic future, is the strengthening of civil power and the function of the army. In this sense, the previous government created the NCP (National Civil Police) and the police career; reduced the army by 33%; demobilized the PAC (Civil Self-defense Patrols) and the Ambulatory Military Police. The present government is training the middle cadres of the PNC to become professionals; has made operative the Military Plan by Regions; deactivated 18 military posts; has proceeded to the installation of Inter-sector Dialog Tables for Defense Policy, and besides, the demobilization of 319 members of the Presidential Chiefs of Staff is foreseen. In an agreement with the organizations of civil society, the creation and installation of the Commission for the Investigation of Illegal Corps and Clandestine Security Organizations -CICIACS- has been established.
33. Considering the pluri-cultural, multi-ethnic and multi-lingual character of the country, and because of the Identity and Indigenous Peoples Agreement, the identity and political, economic, social and cultural rights of the Mayan, Garifuna and Xinca populations, are recognized. The Educational Reform design and the proposal for the Language Law and the Office for the Defense of the Indigenous Woman were finished during the previous government. Also, work was started on the Equal Terms Commissions for Reform and Participation, Sacred Places and Rights related to the Land. During the present government, the Consulting Commission for the implementation of Education Reform was created. The Professional Teachers' Program was started and Curricular Transformation has begun at the pre-school educational level. All of this considering the linguistic and social and cultural criteria. Bilingual education has also been strengthened and school texts with cultural stereotypes have been eliminated. The Social-Linguistic Atlas was prepared and delivered to the Department of Peace and support was given to the issue of the Government Agreement that recognizes

and respects spiritual guides and guarantees their access to Sacred Places.

34. Full participation of women in all aspects of national life is one of the strategic subjects to reach integral development. In this context, there are transcendental achievements of the previous government administration such as: the approval of the law to prevent, sanction and eradicate family violence (Decree 97/96); the creation of the Woman's Forum, preparation and presentation of the document "Promotion and Development of Guatemalan Women, 1999-2001. In this government the following are relevant: the approval through Decree 42/2001 of the Law of Social Development, in which the population subject is treated for the first time; the creation of the Presidential Department for Women; the strengthening of the National System of Urban and Rural Development Councils, with the participation of women; the preparation of the Plan to divulge the CEDAW together with the SEPREM, the Office of the Indigenous Woman's Defense (DEMI) and the Permanent National Commission of Indigenous Women's Rights of COPMAGUA; the presentation of the Equal Opportunities Plan 2001-2010 with its respective Action Plan; the design of training programs (citizens' rights) for women, and the presentation of the Report on the situation and rights of indigenous women, prepared by the Defense Office.

X. Dialogues

35. The idea of citizen participation is highlighted in the content of the Peace Agreements and serves as connection of the ultimate objective of perfecting a functional and participatory democracy. This idea began to come together when

the equal term and specific commissions were created and with the recommendations to favor citizen participation from the Development Council System and other public organizations.

36. On this basis, the previous administration installed 9 departmental coordination groups, giving them the corresponding follow-up. On the other hand, in order to obtain consensus for some of the institutional changes that it was promoting, it summoned the Up-dating Encounters, within which agreements were reached for the modernization of the State, including a new Law of the Executive Branch. During the current period the National Coordinator of Departmental Groups was created and the groups increased to 14. Twenty-five training workshops were organized and 10 thousand people were informed about the Peace Agreements. To comply with the commitments accepted during the previous meeting of the Consulting Group and with the government's support, the United Nations System and the Organization of American States summoned all sectors to participate in the following: Dialogue Meetings between Sectors; Peace Culture and Reconciliation; Indigenous Peoples; Rural Development; Defense Policy; Economic Development; Human Rights and Justice.

XI. Access to Justice

37. It is important to mention the efforts that have been made to improve the intelligence systems. During the previous government, the following are noteworthy: Disintegration of the Criminal Intelligence Service (DIC); separation of the functions of the National Defense and National Civil Police Chiefs of Staff joint operation centers. Disappearance of the military tribunals, having the crimes

committed by members of the army, active or not, pass to the civil judicial order. Disappearance of the G-2 as the army's intelligence service that worked parallel to civil investigation. Creation of the office for the automatic intervention of the Public Ministry in cooperation with the National Police, for criminal investigations. Strengthening of the fiscal and defense juridical capacity through the creation of the judicial training academy. In the justice modernization field itself, the judicial career was instituted through the creation of the Judicial Studies School. Five community courts were created, the peace courts' coverage was enlarged to cover all the municipalities of the country; the Justice Sector Modernization was created, incorporated with the Judicial Branch, the Public Ministry and the Office of Public Defense, as well as the creation of the Judicial Career Council.

38. During the present government administration, the goals reached on the subject of justice are: the advance in the process of the justice sector with the creation of the high social impact courts, for cases of drug traffic, money laundering and kidnapping. Creation of the National Civil Police, National Tourism Police and Penitentiary Studies academies. Preparation of the project of Penitentiary System Reforms; increase in the budgets of the Judicial Branch and the Public Ministry; design of the project that creates the Civil Intelligence Office; creation of the Office of Administrative and Security Matters – SAS. Design of the project to make citizens' security an institution; increase of the peace courts' functions to handle minor crime that are not contemplated among those of social impact; hiring of bilingual judges and justice system employees; reactivation of the Criminal Policy Commission to

consolidate the coordination among entities of the justice system. Creation of the Special Prosecutor's Office for crimes against reporters and union affiliates, creation of the Prosecutor's Office for Human Rights.

XII. Human Rights

39. The previous government prioritized the propagation of the Peace Agreements in different indigenous languages, through the realization of workshops and different publications.
40. During the present government some relevant things happened such as the election by Congress of the new Ombudsman; the expansion of the budget to publicize the Report of the Commission for Historic Elucidation and the workshops that took place in several communities. Also, the creation of the national commission for transparency and against corruption.
41. The Peace Agenda has progressively turned into the referral point that generates the most ample social consensus on subjects of the Guatemalan reality. These agreements, once they are included into public policy and social change, become the road to achieve the transformation that the new National Project demands. Therefore, it can be stated that the Peace Agenda is Guatemala's Political Agenda for the next few years.

Annexes

1. Compliance with aspects directly related to the end of the armed conflict

Subject	1996-2000	2000-2002
URGN demobilization	4619 ex-combatants assisted	Demobilization ended (certified by MINUGUA) 7401 demobilized persons
Labor re-incorporation	1244 ex-combatants re-incorporated	2027 ex-combatants re-incorporated
Program of productive incorporation	4,619 persons benefited by the program	Q.5,600 millions destined to uprooted population for training in self management
Land for Demobilized and Re-established population	34 farms for demobilized and re-established population	7 farms for ex-CPR and re-established population.

2. Compliance with Development Agenda

Subject	1996-2000	2000-2002
Social investment	Q.17,893.8 millions invested	24,666,8 millions invested
Education	2,173,640 pre and grade school children assisted	250,000 scholarships 2,400,000 pre and grade school children assisted
Health	Creation of the Inter-Institutional Commission for the creation of the Integral System of Health Assistance. Follow-up if the Peace Agreements on Health and the design of the sub-programs: Assistance to handicapped; Financing and implementation of the integral health program in 17 municipalities of re-settlement and incorporation. Formation, training and recognition of the studies of the uprooted population. Vigilance on compliance of the eradication of illnesses preventable by vaccination. Financing for the Health Peace Agreements.	Creation of the National Health Plan 2000 - 2004. Strengthening of the basic health services for uprooted population in 13 of the country's municipalities, covering 308,806 inhabitants. Enlargement by the SIAS through the Strategic Alliance for the continuation of the program with Health Administrators and providers, with whom 22 agreements were signed. National Health Week increasing vaccination oriented towards the eradication of polio and measles, especially among children and mothers.
Land	Creation of the Land Fund, 22 farms delivered to 1726 families	83 farms delivered to 7407 families. Attention to coffee crisis.
Registration Cadastre	Attention to coffee crisis	Technical rules made official. Presentation of law initiative.
Rural Development	Presentation of law initiative. Integral strategy for the rural area. Delivery of 22 farms. Credits for Q.715 millions.	Delivery of 3 farms. Reduction of interest rates and increase of terms for granted loans.
Modernization of public administration and fiscal policy	Foundation of SIAF. Modification of the laws of the Executive Branch, Purchases and Contracts, and of the Budget.	Enlargement of the SIAF. Signature of the Fiscal Pact Forming and Restructuring of the Follow-up Commission

Strengthening of the civil power and function of the army	Creation of the NCP and the police career. Reduction of the Army by 33%. Demobilization of 15000 Demobilization of the PAC Demobilization of the PMA	Making the Regional Military Plan operational. Deactivation of 18 military bases. Installation of the dialogue among sectors, for the defense policy. Demobilization of 50% of the Presidential Chiefs of Staff.
Indigenous population	Delivery of the design for educational reform. Installation of the Consulting Commission on Educational Reform. Creation of the Office for the defense of indigenous women.	Approval of the educational reform. Impulse to bilingual education. Impulse to the elimination of cultural stereotypes in school texts. Delivery of the Socio-linguistic atlas. Issue of the government agreement that recognizes and respects spiritual guides.
Woman	Creation of the Forum for Women. Preparation and presentation of the document "Promotion and development of Guatemalan women" 1999-2001	Creation of the Presidential Office for Women. Presentation of the Plan for Equal Opportunities 2001-2010. Design of training programs (citizens' rights)
Human Rights	Publication of the peace agreements in several indigenous languages. Realization of workshops and different publications.	Election of the Ombudsman for human rights. Increase in the Office of Human Right's budget. Circulation of the Report of the Commission for Historic Explanation and workshops in different communities.
Conflict Resolution	Integration of four teams of mobile assistance. 176 cases resolved.	High social incidence conflicts resolved: Military base No. 20, Quiché. Resolution of 226 cases
Access to justice	Disintegration of the Office of Criminal Intelligence – DIC-Separation of the functions of the joint operations center of the chiefs of staff of National Defense and the National Civil Police (criminal investigation). Elimination of military tribunals en cases of common crime. Elimination of the G-2. Creation of the judicial training career. Creation of five community tribunals. Greater opening for the 321 municipalities in the country. Creation of the office for the modernization	Creation of the high social impact tribunals. Creation of the academies for the National Civil Police and the Tourism Police, and for Penitentiary studies. Preparation of the project for reforms to the penal system (being studied by Congress). Increase of the budget of the Public Ministry and Judicial Branch. Design of the project that creates the office of civil intelligence. Creation of the office for administrative and security matters (SAAS). Design of the project for citizens' security. Increase of the functions of the peace courts so that they may deal with minor crimes that are not

	<p>of the judicial sector. Creation of the Council for the Judicial Career.</p>	<p>contemplated as of great social impact. Hiring of bilingual judges and justice workers. Reactivation of the Commission for Criminal Policy to consolidate the coordination among the different members of the judicial system. Creation of special prosecutors against reporters and union members. Creation of a prosecutor's office for human rights.</p>
<p>Access to justice</p>	<p>Disintegration of the Office of Criminal Intelligence (DIC). Separation of the functions of the centers of joint operations of the Chiefs of staff for National Defense and the National Police (criminal investigation). Abolition of military jurisdiction in cases of common crimes. Abolition of the G-2. Creation of the judicial career. Creation of 5 community courts, Greater opening for the country's 321 municipalities. Creation of the organization to modernize the justice sector. Creation of the Judicial Career Council.</p>	<p>Creation of the High Social Impact Tribunal. Creation of the National Civil Police, Tourism Police and Penitentiary Studies academies. Preparation of the penitentiary system reforms project (being studied by Congress). Increase in the Public Ministry and Judicial Branch budgets. Design of the project to create the office of civil intelligence. Increase of the functions of the peace courts so they can handle minor crimes that are not contemplated as of high social impact. Hiring of bilingual judges and court employees. Reactivation of the Commission of Criminal Policy to consolidate the coordination among the different participants in the justice sector. Creation of the position of special prosecutor against reporters and union members. Creation of the prosecutor's office for human rights.</p>

Dialog spaces	Installation of 9 departmental meetings for agreements	Realization of 25 workshops to train 10 thousand persons on the peace agreements. Installation of 14 departmental, municipal and community meetings. Creation of the National Coordinator of Departmental Meetings of Agreement. Installation of dialogue among sectors. Support to the efforts developed by the national investigation centers to prepare the renewed strategy of compliance with the peace agreements in coordination with the international community.
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