

VICTIMS ISSUES A MONTHLY REVIEW

OCTOBER 2016

1. BACKGROUND

On June 10, 2011, President Juan Manuel Santos signed into effect the Victims and Land Restitution Law (Law 1448). Over the next ten years, the Law will provide five reparation measures to victims of the internal conflict: (1) land restitution, (2) financial reparation, (3) rehabilitation, (4) satisfaction, and (5) guarantees of non-repetition. Three public institutions were created by the Law: (1) the Victims Unit, to provide services and reparations and coordinate the National Victims Assistance and Reparation System (SNARIV), (2) the National Center for Historical Memory (CNMH), to collect and develop historical memory of the conflict, and (3) the Land Restitution Unit, to implement the restitution component. As of August 2016, 8,190,451 victims were registered with the government of Colombia (GOC), primarily victims of internal displacement (79.9%).⁽¹⁾

2. KEY DEVELOPMENTS

MORE PUBLIC SUPPORT FOR PEACE THAN FOR TAX REFORM

Colombians are more willing to support peace than a proposed tax reform, according to a recent Gallup survey. The survey shows increased public support for negotiations between the government and FARC in Havana, contrasted with increasingly negative opinions on economic matters. In general, public opinion on the economy's performance has dropped. This month only 14 percent of respondents felt that the economy is improving, compared to 25 percent in November 2015. This creates a complicated scenario for the GOC to pass a would-be tax reform. In contrast, support for a negotiated end to the armed conflict increased to its highest point since 2001; 77 percent of respondents now favor a negotiated solution, compared to 57 percent last month. Moreover, while 85 percent of those surveyed had a negative image of the FARC in August, this dropped to 78 percent this month.

3. PEACE PROCESS

GOVERNMENT AND FARC REACH NEW, ADJUSTED ACCORD IN HAVANA

On November 13, 41 days after the plebiscite, GOC and FARC negotiators announced that they had reached a new accord incorporating changes requested by the original document's opponents. All in all, the changes take into account at least 90 opposition proposals. Key modifications include specifications on sentencing under the special justice jurisdiction – which will now have a ten year limit and not include foreign judges, requirements for FARC to use assets to repair victims, and adjustments to the controversial “gender focus.” Moreover, the accord will no longer become part of the Constitution.⁽⁴⁾ While the initial hope was that the “No” supporters would get on board for a national consensus, this door was closed following a meeting with the GOC. The opposition led by ex-president Uribe expressed continued disagreement with alternative sentencing and political participation and called for more modifications.⁽⁵⁾ The new text also opened the door to referendum through Congress. Whether or not fast-track legislation of the accord will be approved by the Constitutional Court is pending. Under the accord's timeline, “Day 1” to begin implementation begins immediately following the referendum. Legislation will be needed for amnesty, the special jurisdiction for peace, and to get the Unit to Search for Disappeared People off the ground.⁽⁷⁾

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The Gallup survey on tax reform and peace showed that the number of respondents opposed to increasing taxes to repair conflict victims increased from 48 to 58 percent, raising questions about how the GOC will fund peacebuilding programs envisioned by peace accords.⁽³⁾

“We are convinced that this [new] document shows viable and possible paths forward to end so many decades of conflict in Colombia”, said chief GOC negotiator Humberto de la Calle.⁽⁶⁾

1. Victims Unit National Information Network (RNI), through July 1, 2016. <http://rni.unidadvictimas.gov.co/>.

2. “Hay más ambiente para la paz que para la tributaria,” La Silla Vacía, Nov. 2, 2016, <http://bit.ly/2eDuPqc>.

3. Ibid.

4. “Los cambios en el Acuerdo Final, uno a uno,” La Silla Vacía, Nov. 15, 2016, <http://bit.ly/2fUgJ1n>.

5. “No es No”, La Silla Vacía, Nov. 22, 2016, <http://bit.ly/2focVLI>.

6. Ibid.

7. “Así quedó el punto de Implementación, verificación y refrendación en el nuevo acuerdo,” Semana, Nov. 25, 2016, <http://bit.ly/2gf0pfp>.

ON AGAIN, OFF AGAIN NEGOTIATIONS WITH THE ELN

Peace talks announced with the ELN last month still have yet to get off the ground. Most recently, the ELN has called for two of its guerrillas to be freed as a condition to free Odin Sánchez, an ex-congressman from Chocó it has held hostage since April.⁽⁸⁾ Both the Minister of the Interior and President Santos have said that until Sánchez is freed, government negotiators will not travel to Ecuador to begin negotiations.⁽⁹⁾ Further complications arose when ELN supposedly killed two farmers in Tame, Arauca.

“ELN is not strengthening its negotiating position by committing crimes,” said Juan Camilo Restrepo, who will be GOC chief negotiator once negotiations begin.⁽¹⁰⁾

4. A VIEW FROM THE FIELD

EX-COMBATANTS AND VICTIMS COME TOGETHER TO BUILD HUMANITARIAN DEMINING SKILLS

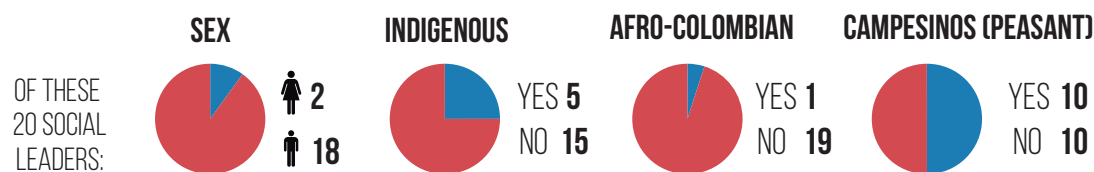
For two months, 40 people (20 conflict victims and 20 demobilized ex-combatants from the FARC and the ELN) will be trained on demining methods in San Juan de Arama, Meta, a municipality historically affected by landmines. This process is being led by the HALO Trust, expert in landmine removal, with support from the Colombian Agency for Reintegration, USAID and IOM. The initiative is part of an early reintegration through productive training model that seeks to give eligible ex-combatants a fast track to reintegration through skills-based training like demining.⁽¹¹⁾

The project “includes 50% ex-combatants who recently demobilized and 50% community members – it is a small experiment in direct reconciliation,” said Chris Ince, Director of HALO Trust in Colombia.⁽¹²⁾

UNITED NATIONS HUMAN RIGHTS COMMISSION TO INVESTIGATE MURDERS OF SOCIAL LEADERS

In recent days, social leaders and campesino (peasant) associations around Colombia have reported violence against and murders of their leaders. According to the Ministry of the Interior, 31 leaders have been killed since the bilateral ceasefire between the government and the FARC began on August 26. *La Silla Vacía* found that 20 of these people are recognized social leaders, members of social organizations (including communal action boards – JAC, in Spanish), leaders of IDP groups and human rights groups, or leftist associations. Five belonged to organizations close to the FARC and three belonged to organizations close to the ELN.⁽¹³⁾

The United Nations Human Rights Commission is investigating murders of social leaders one by one to understand their motivations and whether or not these crimes have increased over time.⁽¹⁴⁾



5. INCLUSIVE APPROACHES

STUDY REVEALS PSYCHOSOCIAL IMPACT OF WAR ON CHILDREN

A research project by the Universidad de la Sabana with 1,666 children and adolescents between 8 and 18 years old, including 978 conflict victims, found that in the context of the armed conflict children are susceptible to alterations in thinking, paranoia, anxiety, depression, and social problems. Those between 13 and 18 were most likely to be affected. “90% of children recover by themselves over time, that is when the conflict is resolved to passed to diplomatic scenarios. Only 10% continue to have symptoms that require psychological intervention,” said Nira Kaplansky, expert on the Israel-Palestinean conflict.⁽¹⁵⁾

According to the Victims Unit, more than 30 percent of all registered victims are children and youth; these victims exhibit differentiated needs in the comprehensive reparation process.⁽¹⁶⁾

8. “ELN pide indulto para...,” *El Espectador*, Nov. 7, 2016, <http://bit.ly/2fLd1i9>.

9. “Crímenes del Eln no los...,” *El Tiempo*, Nov. 6, 2016, <http://bit.ly/2f88Qen>.

10. *Ibid.*

11. “Excombatientes aprenden...,” *IOM Colombia*, Oct. 28, 2016, <http://bit.ly/2gh7DT6>.

12. *Ibid.*

13. “Así son los líderes...,” *La Silla Vacía*, Nov. 22, 2016, <http://bit.ly/2gCyOol>.

14. *Ibid.*

15. “Estudio revela el impacto...,” *El Espectador*, Oct. 25, 2016, <http://bit.ly/2dW1dqa>.

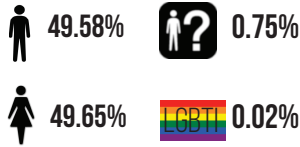
16. Victims Unit National Information Network, <http://rni.unidadvictimas.gov.co/>

6. PROGRESS REPORT*

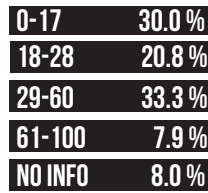


8,190,451
REGISTERED
VICTIMS
16.9%
OF TOTAL
POPULATION

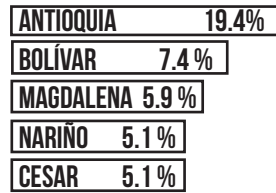
BY GENDER OR SEXUAL ORIENTATION



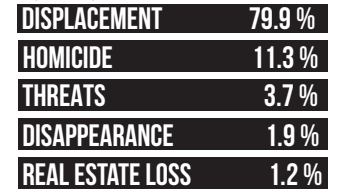
BY AGE GROUP



TOP 5 VICTIMS LOCATIONS



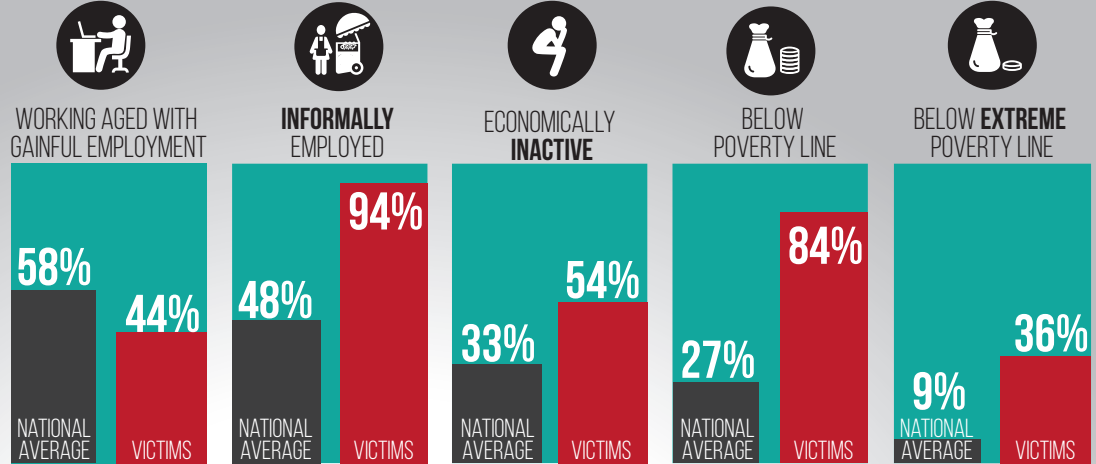
TOP VICTIMIZING ACTS:



INCLUDING CONFLICT VICTIMS IN THE JOB MARKET

* Conflict victims in Colombia are underemployed & face significant challenges to inclusion in the job market

STATISTICS



"STATE OF UNCONSTITUTIONAL THINGS"

2004 Constitutional Court declared IDPs' needs were not being met - including labor needs.

2016 Reassessing its decision, the court found that advances had been made in areas like participation & registration. However, it declared that the government was still not guaranteeing IDPs' right to employment.

HOW CAN THIS BE OVERCOME?

- IDP household income must be above the extreme poverty line
- While it may not be possible to find a job for every IDP, the government must ensure that victims do not face particular obstacles to access the job market
- There must be an equal playing field with non-victims

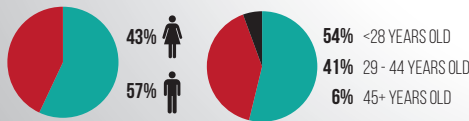
MINISTRY OF LABOR

PUBLIC EMPLOYMENT SERVICE

PROVIDES SPECIAL EMPLOYMENT SUPPORT TO CONFLICT VICTIMS

SO FAR THIS YEAR, **10,122 VICTIMS** HAVE FOUND EMPLOYMENT THROUGH THE PUBLIC EMPLOYMENT SERVICE

THESE 10,122 VICTIMS HAVE THE FOLLOWING CHARACTERISTICS:



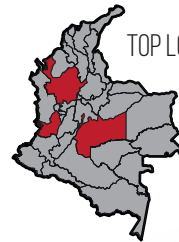
TOP 5 LOCATIONS WHERE VICTIMS FOUND EMPLOYMENT

1. META	22.7%
2. ANTIOQUIA	16.0%
3. VALLE DEL CAUCA	9.9%
4. BOGOTÁ	7.7%
5. NORTE DE SANTANDER	6.8%

TOP 5 EMPLOYMENT PROFILES OF CONFLICT VICTIMS

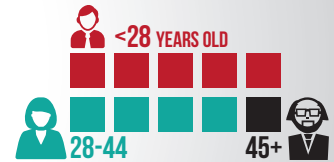
1. PETROLEUM INDUSTRY	23.0%
2. CONSTRUCTION AIDS	7.1%
3. OFFICE BUILDING CLEANING	5.3%
4. FARMING	5.0%
5. DISTRIBUTION/SHIPPING	4.9%

CHARACTERISTICS OF VICTIMS ATTENDED TO:



TOP LOCATIONS

ANTIOQUIA	21%
VALLE DEL CAUCA	17%
BOGOTÁ	10%
META	9%



TOP PRIOR JOB EXPERIENCE

15%	ADMINISTRATIVE/OFFICE
13%	SALES & RELATED JOBS
8%	CONSTRUCTION, CLEANING & MAINTENANCE

OBSTACLES TO FINDING EMPLOYMENT

- EXCLUSION AND DISCRIMINATION BECAUSE THEY ARE CONFLICT VICTIMS
- INCOMPATIBILITY BETWEEN PAST PROFESSIONAL EXPERIENCE IN RURAL AREAS AND INCREASINGLY URBAN JOB OFFER
- LACK OF NECESSARY CERTIFICATIONS
- LACK OF ECONOMIC RESOURCES TO PAY FOR TRANSPORTATION TO WORK SITE, UNIFORMS, ENTRY MEDICAL EXAMS, ETC.

SPECIAL EMPLOYMENT STRATEGY FOR VICTIMS

EMPLOYABILITY ROUTE WITH DIFFERENTIAL ATTENTION FOR VICTIMS
The Public Employment Service, with the Victims Unit and support from USAID and IOM, has launched a special strategy to foster conflict victims' inclusion in the job market, awareness of the Victims Law, the psychosocial approach, barriers to employment, and entrepreneurial management.



7. IN THE SPOTLIGHT

CONSENSUS AMONG GOC INSTITUTIONS TO STREAMLINE VICTIMS' REPARATION

On November 10, participants from the GOC, NGOs, international cooperation, academia and civil society organizations came together to discuss how to streamline victims' reparation at the central and territorial levels. The forum "Reparation Transforms Lives and Builds Peace" held by the Victims Unit and Foros Semana with support from USAID and IOM was based on the results of an evaluation of victims' policy by Harvard University. GOC institutions have reached a consensus that the implementation of the Victims Law should be led by the Victims Unit as the coordinator of the National Victims System, collective reparation program should be reformulated, and financial compensations must be made more meaningful for victims. This consensus provides a roadmap so that the GOC can decide on and implement specific measures to continue strengthening reparation, attention and assistance.

8. INSTITUTIONAL ADVANCES

The Largest Conversation in the World

CONVERSATION MANUAL LAUNCHED FOR PEACEFUL DIALOGUE

The Largest Conversation in the World is an initiative that seeks to promote peaceful dialogue between citizens. In October, the initiative launched its conversation manual to promote respectful and productive conversation and dialogue between people with different opinions. Conflict has divided Colombian citizens and broken bonds of community trust; through conversation, we can recover these bonds. The manual can be accessed by clicking here: <http://bit.ly/2f1G7ld>.

Victims Unit

REGIONAL VICTIMS ATTENTION CENTER OPENED IN SINCELEJO

With support from USAID and IOM, the Victims Unit will open a Regional Center for Victims' Attention and Reparation in Sincelejo, Sucre. The center will provide integral, dignifying services from multiple GOC institutions, including the Victims Unit, the Colombian Family Welfare Institute, the National Learning Service, and others, to victims in a private, comfortable space. Over 210,000 victims are registered in the department Sucre and will be able to access services at the center.

National Center for Historical Memory

GRANADA, MEMORIES OF WAR, RESISTANCE AND RECONSTRUCTION

The CNMH launched a new report on Granada, Antioquia, an emblematic municipality in the armed conflict that since the 1980s has been the center of territorial disputes between different armed groups. The report highlights resistance processes by the community and its position in a post-conflict Colombia. The report can be accessed by clicking here: <http://bit.ly/2fF2ep0>.

9. ADDITIONAL RESOURCES



JESÚS ABAD COLORADO VIDEO: BETTING ON HOPE

This video published by the CNMH and photographer Jesús Abad Colorado is a call for Colombians and people around the world to open their eyes to the suffering caused by the armed conflict.⁽¹⁷⁾



SUMANDO AUSENCIAS ARTISTIC PROJECT IN BOGOTÁ

Seven kilometers of white fabric were sewn together covering the ground in Plaza Bolívar in central Bogotá with the names of over 2,000 conflict victims in ash, as part of an exposition by Colombian artist Doris Salcedo. The project paid homage to the country's more than eight million conflict victims.⁽¹⁸⁾



TEN YEARS OF JUSTICE AND PEACE

Multimedia special by Verdad Abierta reviewing the balance of the Justice and Peace Law (Law 975) enacted to demobilize paramilitary groups in 2005. Errors and accomplishments abound in the process, which undoubtedly leaves numerous lessons learned for the peace process with the FARC.⁽¹⁹⁾

17. Apuesta por la Esperanza," CNMH, Oct. 10, 2016, <http://bit.ly/2efTAGv>.

18. A mil manos se construyó el homenaje a víctimas del conflicto," Caracol Radio, Oct. 12, 2016, <http://bit.ly/2d6ZNdJ>.

19. ¿Qué nos dejan 10 años de justicia y paz?," Verdad Abierta, <http://bit.ly/1P7RZ6P>.