

# VICTIMS ISSUES A MONTHLY REVIEW

FEBRUARY 2017

## 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 February 2017, 8,347,566 victims had registered with the government of Colombia (GOC), primarily victims of internal displacement (80.0 percent).<sup>(1)</sup>

## 2. KEY DEVELOPMENTS

### NEW GALLUP POLL SHOWS PESSIMISM WITH PRESENT SITUATION

Since the last Gallup survey, Colombia passed the referendum of the revised peace accords in Congress and concentrated over 7,000 FARC guerrillas. "In practical and concrete terms," the Silla Vacía reports, the conflict has ended.<sup>(2)</sup> However, according to Gallup's most recent survey, 73 percent of respondents feel that conditions in Colombia are worsening, 15 percent more than in December, including in specific areas like the economy, unemployment, drug trafficking, international relations, and the environment. Moreover, President Santos' approval ratings dropped from 35 percent to 24 percent. The approval ratings of many Colombian institutions key to implementing peace accords also dropped, including Congress (79 percent unfavorability, up from 73 percent) and the judicial branch (82 percent unfavorability, up from 78 percent in October 2016). The FARC's approval ratings increased by two points, to 19 percent, a historic high in the survey.<sup>(3)</sup> Moreover, seven of ten respondents don't believe that the accord will lead to better income distribution, end ideologically-driven violence, disclose truth, or repair victims.

### VIOLENCE DISPLACES HUNDREDS IN CHOCÓ

Near the end of the month, 641 people from 130 families were forcibly displaced in Chocó due to violence by the Autodefensas Gaitanistas de Colombia armed criminal group (Bacrim). According to a report released by the Ombudperson's Office, the families displaced were from Afro-Colombian and indigenous communities in remote jungle areas. For years, the area has been contested by the National Liberation Army (ELN), criminal groups, and paramilitary groups.<sup>(5)</sup>

### CONTENT

1. Background	1
2. Key developments	1
3. Peacebuilding	2
4. A view from the field	2
5. Progress report	3
6. Inclusive approaches	4
7. In the spotlight	4
8. Institutional advances	4
9. Additional resources	4

**Santos' low approval ratings could challenge his ability to push forward consensus on important legislative issues for the post-conflict, including on the Peace Tribunal, the Truth Commission, guerrilla reintegration, and redirecting more resources rurally.**<sup>(4)</sup>

**Jhoany Palacios, governor of Chocó, confirmed the presence of ELN and criminal groups in the area for the last 20 years and convoked a security council to address risks.**<sup>(6)</sup>

1. Victims Unit National Information Network, Feb. 1, 2016. <http://rni.unidadvictimas.gov.co/>.  
 2. "Las diez conclusiones demoledoras de la Gallup," La Silla Vacía, March 2, 2017, <http://bit.ly/2IXnubj>.  
 3. Download Gallup February survey results by clicking on this link: <http://bit.ly/2mSUxOD>.  
 4. "Las diez conclusiones demoledoras de la Gallup," La Silla Vacía, March 2, 2017, <http://bit.ly/2IXnubj>.  
 5. "Desplazamiento masivo por violencia en Chocó" Semana, March 1, 2017, <http://bit.ly/217pcRQ>.  
 6. "Denuncian desplazamiento masivo en el Chocó por parte de grupos paramilitares," CNN Español, March 8, 2017, <http://cnn.it/2mCIVx6>.

### 3. PEACEBUILDING

#### BEGINNING OF WEAPONS COLLECTION DELAYED

In late February it was announced that the United Nations (UN) would not begin collecting weapons until March 1, following several GOC delays constructing and setting up transitional hamlet zones.<sup>(7)</sup> In response to delays, which have affected the disarmament timeline, FARC leader “Timochenko” took to Twitter, “Food has not arrived in various zones for four days.”<sup>(8)</sup> According to Major General Javier Perez Aquino, who coordinates the process for the UN, disarmament cannot begin until every weapon is identified and registered. Until all transitional zones are ready, 52 temporary storage containers with a capacity of 5,200 weapons are being used. When all zones are ready, each will have two large containers set up measuring 15 by 30 meters to collect weapons.<sup>(9)</sup>

The UN had initially planned to collect 30% of the rebel group’s weaponry by March 1. The final deadline for the collection of weapons is May 29. For its part, the UN intends to maintain the deadline in spite of delays.<sup>(10)</sup>

#### DECREE WOULD REGULATE FORCED CROP REMOVAL

Recently different actors have debated the best way forward in the removal of illicit crops, including coca plants. This debate came to the forefront this month in one area of Putumayo, Minister for the Post-Conflict Rafael Pardo and FARC leader Pastor Alape were speaking to communities about voluntary substitution programs (which include monetary support to guarantee farmers’ subsistence), while in another part of the same department the military was entering to forcibly remove coca cultivations.<sup>(11)</sup>

Minister for the Post-Conflict Rafael Pardo said, “A voluntary alternative is being offered, but coca is illegal and the GOC never said it would stop eradicating it. It isn’t a contradiction. These are two sides of the same coin.”<sup>(12)</sup>

### 4. A VIEW FROM THE FIELD

#### NEW REPORT RELEASED BY SOMOS DEFENSORES

In February the NGO Somos Defensores released its annual report on violence against human rights defenders. According to the report 80 human rights defenders were murdered in 2016 and 49 were victims of attempts against their life (up 22 and 29 percent respectively compared to statistics from 2015). Cauca reported the most murders (22), followed by Antioquia (10). 20 of the leaders killed were communal leaders, 15 were indigenous leaders, and 13 were peasant leaders. Somos Defensores highlighted that suspected paramilitary participation in crimes was up from 9.5% of all crimes in 2015 to 56.3% in 2016.<sup>(13)</sup> The full report can be downloaded in Spanish by clicking here: <http://bit.ly/2mqzxyi>. The report’s release highlights contrasts between different organizations’ statistics on violence against human rights defenders. The Resource Center for Conflict Analysis (CERAC) reported 105 human rights defenders killed in 2016, compared to 78 in 2015 (a 35 percent increase). The GOC High Presidential Counsel for Human Rights reported 57 deaths, analyzing different data from UN Human Rights Commission, Somos Defensores, Marcha Patriótica, and the CAJAR lawyers’ collective.<sup>(14)</sup>

According to the Somos Defensores report, none of the 80 human rights defenders killed last year had protection measures in place. However, 13% (10 cases) had reported threats before they were killed.<sup>(15)</sup>

7. “FARC weapon collection will not begin until next week: UN,” Colombia Reports, March 3, 2017, <http://bit.ly/2mkkktQd>.

8. “Colombia’s demobilizing FARC guerrillas left without food: Timochenko,” Colombia Reports, Feb. 27, 2017, <http://bit.ly/2ngODb6>.

9. “FARC weapon collection will not begin until next week: UN,” Colombia Reports, March 3, 2017, <http://bit.ly/2mkkktQd>.

10. Ibid.

11. “El decreto de la desconfianza,” El Espectador, Feb. 19, 2017, <http://bit.ly/2lyTva4>.

12. “Gobierno fija condiciones para erradicación forzosa de cultivos,” El Espectador, Feb. 26, 2017, <http://bit.ly/2lJZiaO>.

13. Somos Defensores, “Contra las Cuerdas,” February 22, 2017, <http://bit.ly/2mqzxyi>.

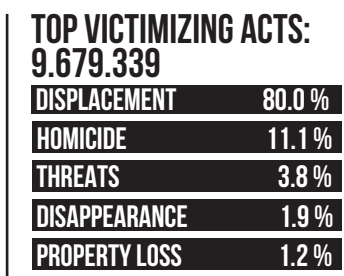
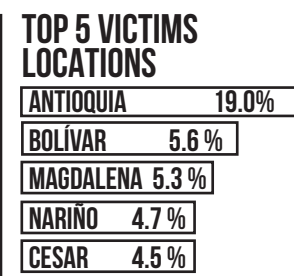
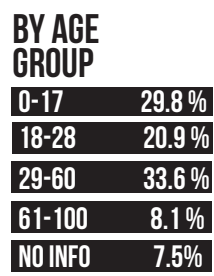
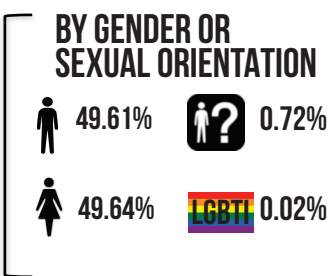
14. Ibid.

15. “Las cifras inciertas del número de líderes asesinados en 2016,” El Espectador, Jan. 4, 2017, <http://bit.ly/2iLXhvy>.

# 5. PROGRESS REPORT\*

**8,347,566**  
REGISTERED  
VICTIMS

**6,358,229**  
VICTIMS SUBJECT  
TO REPARATION



## UPDATE: ADVANCES UNDER THE VICTIMS LAW

**RESPONSE TIME IMPROVED BY 84%**  
OVER THE LAST YEAR

VICTIMS NOW RECEIVE RESPONSES\* IN **5 DAYS** COMPARED TO **33 DAYS** IN FEBRUARY OF LAST YEAR

\* Responses to writs of protection of constitutional rights

Specific attention points were opened in Medellín and Villavicencio to respond to victims' writs of protection, attending to 70-100 requests each day.

**FINANCIAL COMPENSATIONS**

**50.3% OF ALL VICTIMS OF CRIMES OTHER THAN FORCED DISPLACEMENT HAVE BEEN FINANCIALLY COMPENSATED**

916,356 NOT DISPLACEMENT (TO BE COMPENSATED)  
460,937 (ALREADY COMPENSATED)

**FINANCIAL COMPENSATIONS SENT TO ALL VICTIMS CUMULATIVE: 2009 - 2017**

671,351 TRANSFERS SENT SINCE 2009

59% (Male), 41% (Female), <0.01% (LGBTI)

US 1.3 BILLION HAS BEEN SPENT ON FINANCIAL COMPENSATIONS

Victims of: kidnapping, torture, sexual violence (including to children born as a result of rape), and victims who were disabled by landmines

**PSYCHOSOCIAL ATTENTION**

**32% OF REGISTERED VICTIMS NEED PSYCHOSOCIAL ATTENTION**

UNIDAD PARA LAS VÍCTIMAS | TODOS POR UN NUEVO PAÍS  
PAZ EQUIDAD EDUCACIÓN

**EMOTIONAL RECOVERY STRATEGY**

**113,534 VICTIMS HAVE BEEN ATTENDED TO**  
*About 22,707 annually*

**THE VICTIMS UNIT HAS PRIORITIZED CERTAIN VICTIMS TO RECEIVE COMPENSATIONS:**

- Victims in 51 post-conflict municipalities
- Victims with serious illnesses or diseases
- Victims >70 years old
- Child & adolescent forced recruitment victims

**KEY AREAS THAT HAVE BEEN IDENTIFIED TO STRENGTHEN POLICIES FOR VICTIMS**

- Extending the Victims Law's duration
- Coordination in National System for Victims
- Policies for return, relocation & victims abroad
- Psychosocial attention
- Collective reparation
- Restructuring the reparation fund

\* Victims Unit National Information Network, Feb. 1, 2016. <http://rni.unidadadvictimas.gov.co/>. Other information directly from National Victims System and Victims Unit.

## 6. INCLUSIVE APPROACHES

### FARC RELEASE CHILD SOLDIERS IN ANTIOQUIA

As part of agreements reached under peace accords, FARC released a group minors from its ranks to the International Committee of the Red Cross. Eight of the minors have been turned over the UNICEF, which is receiving support from IOM, and the remaining five are expected to be handed over in the coming days.<sup>(16)</sup> The children will now be reintegrated into society through the program Differential Life Path (Camino Diferencial de Vida), which was recently approved by the National Reincorporation Council. According to Presidential Counselor for Human Rights Paula Gaviria, this opens the door for more minors to leave FARC's ranks. Ten more groups are expected to exit in coming weeks. "We are continuing the gather a count of how many will exit...There is complete confidentiality on exactly how many children exited and exactly where in Antioquia."<sup>(17)</sup>

Over the last 15 years the Colombian Family Welfare Institute has attended to nearly 6,000 disengaged minors who exited armed groups. It estimated that 65% of these belonged to the FARC.<sup>(18)</sup>

## 7. IN THE SPOTLIGHT

### VISIT BY U.S. SENATORS HIGHLIGHTS POST-CONFLICT EFFORTS IN COLOMBIA, WORK THAT LIES AHEAD

In mid-February, a delegation of United States Senators visited Colombia to learn about ongoing efforts and programs as part of peacebuilding in the country, including strengthening the implementation of the Victims Law under the Victims Institutional Strengthening Program. Senators met with Victims Unit director Alan Jara and victims leaders. Mr. Jara underscored the important role of the U.S. as Colombia's ally in peacebuilding, discussed how the unit has worked to repair victims in the midst of ongoing conflict, and noted the importance of continued social and economic development and individual and collective reparation to keep victims at the heart of the peace accords as negotiators in Havana intended.

## 8. INSTITUTIONAL ADVANCES

### National Center for Historical Memory

#### #NOMOREVIOLENCE INITIATIVE WINS NATIONAL PRIZE

The video awareness-raising campaign, called #NoMásViolencia in Spanish, which was supported by USAID through VISP, recently won the Bogotá Journalist Circle's "Best Work on Peace" prize. The campaign is composed of over 50 testimonies of victims from CNMH reports interpreted in videos by well-known actors and public figures.<sup>(19)</sup> All of the campaign's videos have been watched on YouTube (available by clicking on this link: <http://bit.ly/2mtl3tE>) over 935,000 times.

#### Victims Unit

#### VICTIMS UNIT ADAPTS PARTICIPATION PROTOCOL FOR VICTIMS

To guarantee victims' full participation, the Victims Unit strengthened the Victims' Participation Protocol originally developed with VISP support. Key changes including extending current terms through later this year, ensuring a smooth transition under the peace accords, and the inclusion of specific slots for victims of landmines, forced disappearance, and victims living abroad.

## 9. ADDITIONAL RESOURCES



### TRANSITIONAL HAMLET ZONES: #PEACEADVANCES

Multimedia special by the Presidency with regular news and updates on how the peace process, including FARC demobilization, is advancing in the transitional hamlet zones and post-conflict municipalities around the country.<sup>(20)</sup>



### MUNICIPAL OMBUDSPERSONS ALERT TO RISKS POST-CONFLICT

"If local institutions are not strengthened, this could be a failure and result in new violence," said Camilo Fonseca, director of the National Federation of Municipal Ombudspersons. In this *El Espectador* article, Fonseca summed up concerns by ombudspersons around the country, particularly those in municipalities with transitional zones.<sup>(21)</sup>

16. "En Antioquia inició la entrega de menores de las Farc," *El Herald*, March 5, 2017, <http://bit.ly/2IZ10UT>.

17. "Terminó con éxito primera salida de menores de las Farc en Antioquia," *El Tiempo*, March 4, 2017, <http://bit.ly/2IZ10UT>.

18. *Ibid.*

19. "Memoria de las víctimas, premiada en los CPB," CNMH, Feb. 20, 2017, <http://bit.ly/2m4o1WU>.

20. "Zonas veredales: #Lapazavanza," *Presidencia*, Feb. 2016, <http://bit.ly/2ml0TpK>.

21. El SOS de las personerías para apoyar implementación del Acuerdo de Paz," *El Espectador*, Feb. 23, 2017, <http://bit.ly/2ICK7Qy>.