

VICTIMS ISSUES A MONTHLY REVIEW

MAY 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. In late 2016, the Government of Colombia (GOC) and the FARC signed the “Final Peace Accord to End the Conflict and Build a Stable and Lasting Peace.” The Truth, Justice, Reparation, and Non-Repetition System established by Point 5 of the accord explicitly contemplates conflict victims’ comprehensive reparation. Overall, victims at the center of the peace accord, including prioritization for political participation and rural development, and are guaranteed protection and security measures when needed.

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2. KEY DEVELOPMENTS

COMPREHENSIVE REPARATION CAN HELP RETURNEES STEER CLEAR OF VIOLENCE

Between 7 and 19 percent of Colombia’s internally displaced population has declared an interest in returning, representing a possible return case-load of over a million people. Given When they displaced, many of these people were uprooted from unstable municipalities with high crime rates. By helping victims resolve social, economic and psychosocial issues, comprehensive reparations have the potential to reduce their susceptibility to crime on return to these municipalities. Studies show crop substitution is also crucial, as regions with the most coca planted also have high levels of displacement (illegal economies, presence of illegal crops and armed groups). These areas bring together different factors that contribute to high levels of vulnerability, which could result in re-victimization or re-ignite illegal activities in the future.⁽¹⁾

15 percent of all IDPs were displaced from the 30 municipalities with the highest levels of coca production.⁽²⁾

THE HUMANITARIAN IMPACT OF POST-DEMOBILIZATION ARMED GROUPS

According to an OCHA study, 67,056 people were displaced in mass events between January 2013 and May 2016, and of these, “30 per cent were displaced due to unilateral actions by post-demobilization armed groups and as a consequence of confrontations between these actors and other armed groups.”⁽³⁾ The top departments affected by mass displacement in the period studied were Chocó, Valle del Cauca, Antioquia, and Córdoba. UNHCR recently reported that through mid-2017, 42 mass displacements had taken place in Colombia, compared to 47 in all of 2016.⁽⁴⁾ Moreover, according to OCHA, total displacement “has remained constant,” often due to illegal armed groups seeking territorial expansion in strategic areas.⁽⁵⁾

An Elite Force for Peace made up of 1,088 police from around the country was established by the GOC to combat criminal organizations in the post-conflict.⁽⁶⁾

1. Encuesta Nacional de Víctimas, 2013, CGR.

2. Based on data from the CEDE Panel Municipal and SIMCI.

3. Monthly Humanitarian Bulletin, Colombia. OCHA. May 2016.

4. “Este año van tantos desplazamientos como en 2016”: Alto Comisionado para los Refugiados en Colombia,” El Espectador, June 19, 2017, <http://bit.ly/2slhAnL>.

5. Monthly Humanitarian Bulletin, Colombia. OCHA. May 2016.

6. “Policía pone en marcha Cuerpo Élite para la Paz,” El Espectador, June 16, 2017, <http://bit.ly/2tb8oAK>.

3. PEACEBUILDING

CONSTITUTIONAL COURT STRIKES DOWN FAST TRACK, DECREES MOVE TO ADVANCE IMPLEMENTATION

In a surprising decision and a five-to-three vote, Colombia's Constitutional Court declared parts of the "fast track" unconstitutional. Given this, from now on the laws that implement the peace accord will have to be debated and voted on article by article in Congress, rather than an up or down approval of blocks as had been provisioned. Constitutional Court President Luis Guillermo Guerrero said the ruling was intended to "open up spaces for democratic deliberation."⁽⁷⁾ The decision is not retroactive, and as such already approved laws - such as amnesty, guarantees to protect the accord, and the creation of the FARC political party - will not have to pass through Congress.

As the month ended, Santos raced to sign 34 decrees that carried the weight of laws for the implementation of accords. The period allowed by the accord to sign such decrees ended on May 30.⁽⁸⁾

NEW ROADMAP EXTENDS DISARMAMENT AND TRANSITION ZONES

President Santos announced an additional 20 days to complete FARC disarmament, simultaneously extending the duration of transition zones concentrating the FARC. According to the Commission to Implement the Peace Accord, as of August 1, the transition zones will be converted into training and reincorporation spaces, to transition ex-combatants back into civilian life, develop productive projects, and provide technical training for community reincorporation. By June 20, all arms not hidden in caches should be handed over, for the UN to proceed to extract weapons containers and destroy them. According to the new time-line, all hidden weapons caches should be destroyed by September 1.⁽⁹⁾

The Ministry of Finance announced that this year an additional US 6 billion was budgeted to attend to 170 post-conflict municipalities' urgent needs; overall it says peace implementation will cost about US 43 billion.⁽¹⁰⁾

4. A VIEW FROM THE FIELD

HUMAN RIGHTS WATCH WARNS OF VIOLENCE IN CHOCÓ

In a 12-page document, the organization warned of murder, child recruitment, forced displacement, and restrictions to mobility caused by criminal groups and the ELN. "As they dispute control of the San Juan River, the ELN and the Autodefensas Gaitanistas de Colombia have confined communities, restricting their ability to access basic means of subsistence." Human Rights Watch's report is available here <http://bit.ly/2rLG3jO>. Meanwhile, Verdad Abierta reports that despite being the department with the most IDPs in 2017, national and local institutions have struggled to meet victims' needs in Chocó.⁽¹¹⁾

"In Chocó, about 8,000 Indigenous and Afro-Colombian people suffered mobility restrictions due to confrontations between post demobilization groups and other non-state armed groups since February 2016."⁽¹²⁾

5. INCLUSIVE APPROACHES

INTERNATIONAL DAY AGAINST HOMOPHOBIA HIGHLIGHTS LGBTI VICTIMS

To mark May 17, International Day against Homophobia and Transphobia, the Victims Institutional Strengthening Program supported forums at local universities in the Uraba region of Antioquia to raise awareness of violence against LGBTI persons in and outside of the armed conflict.

While there are only about 2,400 registered LGBTI conflict victims, under-reporting is high, in some cases due to lack of trust in institutions and fear of community retaliation.

7. "Las dos caras del golpe al fast track," La Silla Vacía, May 18, 2017, <http://bit.ly/2vi7ti0>.

8. "Los decretos más polémicos para implementar el acuerdo con las Farc," El Espectador, May 30, 2017, <http://bit.ly/2scHeZC>.

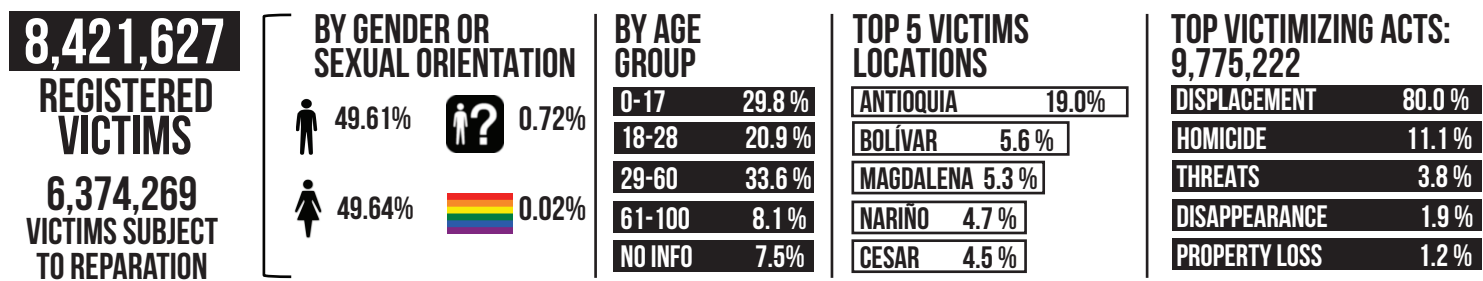
9. "La nueva hoja de ruta para el desarme y desmovilización de las Farc," El Espectador, May 30, 2017, <http://bit.ly/2saeS2i>.

10. "La paz le costará a Colombia \$130 billones," El Espectador, June 15, 2017, <http://bit.ly/2t8moLk>.

11. "Colombia: Grupos armados oprimen a comunidades ribereñas," Human Rights Watch, June 2017, <http://bit.ly/2rLG3jO>

12. Monthly Humanitarian Bulletin, Colombia. OCHA. May 2016.

6. PROGRESS REPORT*



ADVANCES IN VICTIMS' REPARATION



RUV

Universe: 8.4 million victims

Victims subject to attention & reparation: 6.6 million

Not subject: 1.8 m



ATTENTION

Victims who have received humanitarian aid: 5.1 million

Victims who receive attention at points & centers each year: 3.9 million

Victims with humanitarian needs measured: 3.4 million

No info: 2.9 m

Overcame basic needs and don't need humanitarian aid: 1.4 million

Need aid: 2 million



REPARATION

280,000 victims

- Returned
- Relocated
- Settled

240,000 victims

Have overcome the condition of vulnerability

350,000 victims

- Catastrophic illnesses
- Disability
- MAP/MUSE
- Single mothers

501,144 victims have received rehabilitation

683,282 victims have received financial reparation

70,756 victims have had land restituted

99,308 victims have received free housing

100,000 acts documented for right to truth

50% of historical memory initiatives identified supported

50,000 victims have access to career guidance and placement services

7. IN THE SPOTLIGHT

SERVICE FAIRS WILL BENEFIT 4,000 CONFLICT VICTIMS AROUND THE COUNTRY

Between June 13 and July 14, the National Learning Service and USAID's Victims Institutional Strengthening Program are holding service fairs for conflict victims in ten municipalities around the country (Riosucio, Dabeiba, Montería, Apartadó, Tierralta, Popayán, Tumaco, Cartagena del Chairá, Florencia, and Ituango). These fairs will connect over 4,000 conflict victims to training and income generation opportunities, so that they can overcome socioeconomic vulnerability as a part of their comprehensive reparation.

8. INSTITUTIONAL ADVANCES

Victims Unit

INTERNATIONAL COOPERATION AND VICTIMS UNIT REVIEW ADVANCES IN LAST YEAR

The Victims Unit brought together its top international cooperation partners, including USAID, to present results achieved between June 2016 and June 2017, the first year of current director Alan Jara's administration. Key results include substantial reductions in the time taken to respond to victims' requests (including a 100% reduction in the time taken to submit declarations through the online system), 28 new attention points opened around the country that have attended to 108,213 requests by victims, in person attention provided to over three million victims, and a 91% reduction in writs of protection, freeing up legal resources to speed up the reparation process.

National Center for Historical Memory (CNMH)

NEW HISTORICAL MEMORY REPORT RELEASED: POST-DEMOBILIZATION GROUPS

The CNMH released a new report on "post-demobilization" criminal groups. 47% of lethal violence in the armed conflict and 24% of non-lethal violence was caused by paramilitary or post-demobilization groups. More information is available at this link: <http://bit.ly/2ti80PY>.

9. ADDITIONAL RESOURCES



WRITING A NEW STORY

Through the 200 Years in Peace scholarship funded by the Embassy of Sweden, 30 journalists around the country were trained to narrate news stories in the post-conflict. This multimedia special with El Espectador Colombia 2020 is the product of this process. It can be accessed by clicking on this link: <http://bit.ly/2r03PLC>.



VICTIMS OF WAR: AN EMPIRICAL STUDY ON WAR-VICTIMIZATION AND VICTIM ATTITUDES

Research project by Ernesto Kiza, Corene Rathgeber, and Holger-C. Rohnfor the Max Planck Institut, available to download by clicking on this link: <http://bit.ly/2soHAQe>.



LA ESPERANZA, EL DESGASTE, EL ENOJO Y LA ZOZOBRA DE BOJAYA

Multimedia special by the newspaper La Silla Vacía on the 15th commemoration of the massacre in Bojayá. It can be accessed by clicking on this link: <http://bit.ly/2tf6Ggs>

17. "Farc entregan otros tres niños," El Colombiano, April 28, 2017, <http://bit.ly/2sixvkw>.

18. "Colombia, el cuarto país con más niños asesinados," El Tiempo, June 1, 2017, <https://goo.gl/8kf0dV>.