

COLOMBIA'S NEW REINCORPORATION POLICY, PART II: STRENGTHS AND CHALLENGES

As illustrated in Part I of this Spotlight, which covered the international and national history of Demobilization, Disarmament, and Reintegration (DDR), the Government of Colombia (GOC) has ample experience to draw on to create and implement an effective new policy that builds on the lessons learned, good practices, and institutional soundness in attending to former combatants. Part II examines the GOC's new policy for social and economic reincorporation (PNRSE) laid out in CONPES 3931 in July 2018, presenting its strengths and highlighting challenges for its effective implementation.

PNRSE KEY FACTS:¹

Valid for **8 years** until 2026

US\$ 94.7 million² budget

Responsible entities:

- National Reincorporation Council (CNR)
- Reincorporation and Normalization Agency (ARN)
- Territorial Reincorporation Councils (CTR)

Monitoring by the Action and Follow Up Plan (PAS)

PNRSE STRENGTHS ACCORDING TO STRATEGIC OBJECTIVE:



Strategic Objective 1: Strengthen articulation and planning

Its basis in an integrated Peace Accord and coherence with the Framework Plan for its Implementation (PMI). The PMI includes 21 indicators concerning reincorporation, and identifies responsible parties to ensure commitments are met. Both also include cross-cutting territorial, gender, rights, and ethnic approaches, setting them and the resulting reincorporation policy apart from previous processes.

It outlines specific tasks, responsible parties, and timelines, and includes a monitoring mechanism. The PNRSE's point of departure is the strengthening of articulation institutions' resource management, technical capacities, and definition of support routes and responsibilities. It foresees the creation of a tailored National Reincorporation System (SNR), assigns specific tasks to begin over 2018-19, will be monitored by the PAS until 2026, and requires relevant entities to deliver 6-monthly reports to the National Planning Department (DNP). These articulation and follow up mechanisms promote PNRSE's timely implementation, and thus former combatants' trust, full participation, and access to institutional services, as well as PNRSE programs' pertinence and sustainability.

It involves former combatants in their own reincorporation. Former combatants and their leaders have been actively involved in the design of the Peace Accord, their own cooperative organization (ECOMUN), and collective reincorporation process. The PNRSE is based on a census of former combatants' needs and capacities, and foresees technical and legal assistance for ECOMUN and articulation between Peace Accord entities, thus responding to former combatants' real situation, and providing them with space to contribute to conflict transformation and social reconstruction.

Its human development approach. The PNRSE is oriented towards strengthening collective capacities, freedom, citizenship, and identity to promote former combatants' participation and inclusion in communities and interaction with institutions. Mechanisms promoting positive decision making and alternative solutions to the challenges of citizenship, as well as collaborative work towards common wellbeing, are also considered.

It plans for the institutionalization of its differential approaches. Building on the Peace Accord, the PNRSE includes differential territorial, gender, rights, life cycle, disability, and ethnic approaches which promote socio-environmental sustainability; foster respect for equality, non-discrimination, the protection of former combatants' rights, and the re-establishment of the rights of ethnic groups and families; and recognize inequality as a public issue which institutions can reproduce. It outlines specific measures to promote the institutionalization of these approaches, including replicable training in gender and new masculinities for public officials; the compilation of technical guidelines for differential and flexible service delivery; and monitoring instruments that include differential variables. This is complemented by the PNRSE's approach to training for citizenship, which builds coexistence, reconciliation, and peace skills.

Strategic Objective 2: Promote community reincorporation in the territory, rebuilding the social fabric, coexistence, and reconciliation.



It focuses on active community participation. The PNRSE recognizes reincorporation's contributions to peacebuilding, reconciliation, and community development, as well as the need to involve communities in reincorporation services to rebuild trust (including in institutions), dismantle stigmas, and promote co-responsibility, transparency, and legitimacy in the DDR process. It therefore proposes joint peacebuilding, reconciliation, participation, citizenship, pedagogy, and dialogue measures, and the articulation of productive initiatives with host community needs and markets. It also seeks to strengthen (community and former combatant) women's active citizenship through training and the articulation of women's initiatives with existing reconciliation and coexistence spaces.

Strategic Objective 3. Promote former combatants' and their families' access to mechanisms and resources for their economic stabilization and progress, according to their interests, needs, and potential.

Its territorial approach to economic reincorporation. The PNRSE foresees the identification of regional labor and productive dynamics, and the linking of former combatants' skills and interests with territorial employment opportunities and productive profiles. It also articulates its training, employment, associative, and productive project objectives with regional- and national-level policy, and will define progress indicators, ensuring coherence and continuing support for former combatants.

Its integrated community approach to economic reincorporation. The policy seeks to strengthen civil society organizations' and territorial entities' administrative, legal, financial, and organizational capacities to ensure participation in local Peace Accord initiatives. It links former combatants' productive and associative forms with community initiatives to promote coexistence, reconciliation, and non-stigmatization, and promotes integrated rural development and economic reactivation

as a long-term approach which mitigates against the crime and recidivism associated with poverty in the DDR process. The PNRSE also favors women's economic autonomy by reducing obstacles (such as caregiving work) and improving their access, control, and administration of resources. It also seeks to promote people with disabilities' participation in training for work, productive projects, and income-generation initiatives.

It addresses the issue of land for former combatants. Given that 90% of former combatants' associations and cooperatives are agriculture- or livestock-based, and that many lack the technical capacity to access land through existing mechanisms, the PNRSE calls for the National Lands Agency (ANT) to predict and respond to risks in this area to facilitate access, reduce processing times, and remove existing obstacles.



Strategic Objective 4. Promote former combatants' and their families' access to basic and integrated rights.

It acknowledges transitional justice mechanisms. Former combatants will be accredited by the GOC and receive legal orientation to access transitional justice. The PNRSE also includes the restoration of victims' rights as a guiding principle, suggesting its implementation will run parallel to transitional justice mechanisms in favor of historical clarification, justice, reparations, reconciliation, and non-repetition.

Its tailored approach to formal education. The PNRSE seeks to identify former combatants' educational needs, including the certification of previous knowledge, to tailor flexible routes and models to them. It also promotes the inclusion of women (particularly head of household) through enhanced access to places, scholarships, and financial alternatives, and people with disabilities through attention to their physical, cognitive and sensorial characteristics. This will reduce dropout rates, and strengthen former combatants' income-generation and position in the job market.

Its holistic understanding of wellbeing. The PNRSE combines psychosocial support, family, life cycle, and differential approaches to respond to the needs of former combatants and their families. It promotes their

participation in all aspects of reincorporation, access to integrated healthcare and housing, and ability to establish interpersonal connections and contribute to quality of life, coexistence, and reconciliation in host communities. It recognizes "family" as a broad concept, opening space for alternative masculinities, the dismantling of gendered symbolic and physical violence and socio-economic inequalities, and the promotion of women's autonomous participation in DDR.

Its focus on women's rights and citizenship. The policy identifies the entities responsible for strategies promoting women's sexual and reproductive rights, preventing and attending to cases of gender-based violence, promoting women's security, and protecting the rights of LGBTQI people. It foresees inter-institutional articulation and collaboration with ethnic authorities, and includes pedagogic activities, communications, and training for women.

Its differential approach to children and youth. The PNRSE considers the differential needs of young former combatants, including them as active agents in their own reincorporation by supporting their informed and strengthened decision-making to build life projects, access education, and first employment.



CHALLENGES FOR PNRSE:

- 1. Ensuring dates for the completion of tasks are set and fulfilled** so that progress can be measured and all parties held accountable. This can help to build trust in the GOC and mitigate against uncertainty, encouraging former combatants to use democratic processes to resolve their concerns, and remain in the peace process.
- 2. Providing legal and security guarantees.** More than 200 former combatants are still in prison² and there is uncertainty surrounding transitional justice (with the capture of Jesús Santrich, and planned changes to the Special Jurisdiction for Peace,⁴ Truth Commission, and Missing Persons Search Unit⁵). Seventy-one former combatants⁶ and 12 family members have also been killed,⁷ homicides in Development with Territorial Focus Program (PDET) areas has increased 28% in the past year,⁸ and 343 social and human rights leaders have been assassinated.⁹ This has led FARC party leaders to abandon Territorial Training and Reincorporation Spaces (ETCR),¹⁰ increasing former combatants' vulnerability. The information offered former combatants needs to be constantly updated to reassure them as to their legal status, and further defense lawyers need to be provided to assume their cases.¹¹ A further 46 bodyguards are needed to fulfil the 1,200 stipulated in the Peace Accord. Security measures need to be integrated and territorial, within and around ETCR, and should respond to local (and ethnic) authorities and community concerns to implement differential preventive measures with regards illegal armed groups. Awareness of investigations and legal measures taken with regards assassinations and discrimination cases should be raised. Such measures will reduce former combatant and community vulnerability, and build trust. Reincorporation also needs to include prevention of recruitment strategies, and reach out to former combatants who have left their ETCR.¹²
- 3. Timely financing of productive projects, and long-term budgeting.** Former combatants are concerned about delays in payments and access to land,¹³ only 17 collective productive projects have been approved to date, and only 2 have financing.¹⁴ The PNSRE identifies US\$ 94.7 to complement resources outlined in Point 3 of the Peace Accord, but recent announcements claim there are insufficient funds for the latter's long-term implementation,¹⁵ indicating the need for joint follow up and budgeting to ensure that commitments are fulfilled. Strengthening the private sector's active participation in reincorporation may improve sustainability.
- 4. Developing a differential approach for mid-ranked former combatants.** Commanders of this level often find less motivation in collective reincorporation, and potentially face greater security risks, making them more vulnerable to physical attack, dissatisfaction, and recidivism. Their differential skills, opportunities, and risk factors need to be considered to protect and involve them in their own reincorporation.
- 5. Including men in gender training for former combatants and civilians.** Promoting women's rights and inclusion is essential, but boys and men should also be included in these initiatives to foment broader cultural transformation. Childcare infrastructure is also needed, as caregiving is a key obstacle to women's full participation in reincorporation.
- 6. Ensuring former combatants' effective political reincorporation.** Guided preparation for political reincorporation should take advantage of and promote former combatants' political engagement, providing training in democratic leadership, and space for them to lead conflict transformation and social reconstruction, as well as monitor the implementation of the structural adjustments outlined in the Peace Accord.

¹ Verdad Abierta, 2018, "Documento CONPES." Available at: <https://verdadabierta.com/wp-content/uploads/2018/07/CONPES-3931.pdf>

² With an exchange rate of COP 2,800 to US\$ 1.

³ UN Security Council, 2018, "Misión de Verificación de las Naciones Unidas en Colombia: Informe del Secretario General." Available at: <https://colombia.unmissions.org/sites/default/files/n1829784.pdf>

⁴ El Espectador, 2018, "FARC pedirá intervención de la CPI por reporma a la JEP aprobada en el Congreso." Available at: <https://www.elespectador.com/noticias/politica/farc-pedira-intervencion-de-la-cpi-por-reforma-la-jep-aprobada-en-el-congreso-articulo-821412>

⁵ El Espectador, 2018, "Proyecto contra la verdad inició su trámite." Available at: <https://colombia2020.elespectador.com/politica/proyecto-contra-la-verdad-inicio-su-tramite>

⁶ UN Security Council. Op cit.

⁷ El Espectador "Grupos posFarc y la posible reactivación de la guerra." Available at: <https://www.elespectador.com/noticias/politica/grupos-posfarc-y-la-posible-reactivacion-de-la-guerra-articulo-807019>

⁸ Ideas para la Paz, 2018, "Las Garantías de Seguridad: una mirada desde lo local." Available at: http://ideaspaz.org/especiales/garantias-seguridad/documentos/FP_GarantiasSeguridad_Total_Final.pdf

⁹ Defensoría del Pueblo "Líderes sociales y defensores de derechos humanos asesinados." Available at: <http://defensoria.gov.co/es/>

¹⁰ UN Verification Mission, 2018, "Reincorporación en los Espacios Territoriales del Suroriente de Colombia." Available at: <https://colombia.unmissions.org/comunicado-de-prensa-reincorporacion-c3%B3n-en-los-espacios-territoriales-del-sur-oriente-de-colombia>

¹¹ UN Security Council. Op cit.

¹² Ideas para la Paz. Op cit.

¹³ El Tiempo, 2018, "Comisión de Paz escuchó reclamos de exmiembros de las Farc." Available at: <https://www.eltiempo.com/politica/proceso-de-paz/comision-de-paz-visito-el-espacio-territorial-de-capacitacion-y-reincorporacion-en-mutata-281508>

¹⁴ UN Security Council. Op cit.

¹⁵ EL Tiempo, 2018, "Recursos para el acuerdo de paz no son suficientes: Contraloría." Available at: <https://www.eltiempo.com/justicia/conflicto-y-narcotrafico/las-advertencias-de-la-contraloria-frente-al-uso-de-recursos-para-la-paz-270910>