

VICTIMS ISSUES

A MONTHLY REVIEW

NOVEMBER 2014

1. BACKGROUND

On June 10, 2011, President Santos signed into effect the Victims and Land Restitution Law (Law 1448). Over the next 10 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 November 2014, 7,028,776 victims are registered with the government of Colombia (GoC), primarily victims of internal displacement (86%).

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2. KEY DEVELOPMENTS

NATIONAL GOVERNMENT AND REGIONAL ENTITIES AGREE TO TERRITORIALIZE VICTIMS' POLICIES

During an encounter in Medellín with regional entities and the mayors of Colombia's capital cities from November 14 to 15, Minister of the Interior Juan Fernando Cristo stated that policies for victims cannot continue to be concentrated in Bogotá and called for regional leaders to directly assume policies to repair victims of the armed conflict. Entities agreed to begin a gradual but irreversible process to decentralize victims' policies that will begin in locations with greater institutional capacity while other municipalities construct routes for institutional strengthening. A statement released following the encounter stated the commitment to gradually territorialize the Victims Law, promote horizontal coordination strategies led by capital cities, adopt a system of shared responsibility, and increase the flexibility of policies to focus institutional offer, profiling of populations and participation of territorial entities.⁽¹⁾

"Victims are in the regions, and as such we believe that attention to these populations will be more effective when provided by each region" rather than simply from Bogotá, stated Minister Cristo, stressing the importance of territorializing victims' policies to local authorities.⁽²⁾

NUMBER OF REGISTERED VICTIMS REACHES 7 MILLION

This month, the number of victims registered in Colombia reached seven million, that is to say, approximately 14% of the country's population. The last exact count of victims, through November 1st, was 7,028,776. The total has risen nearly one million in less than a year. The sheer number of victims registered makes Colombia's reparation process the most ambitious in history; other reparation programs internationally have aimed to repair 1% to 2% of countries' populations. Antioquia is the top department in terms of victims, followed by Magdalena and Bolívar.⁽³⁾

The number of victims registered has risen exponentially over the last twenty years: in the mid-80s roughly 20,000 victims were registered, and roughly 150,000 in the mid-90s.⁽⁴⁾

1. "El Gobierno nacional y los alcaldes de ciudades capitales acuerdan descentralizar la política de víctimas." MinInterior. November 15, 2014. www.mininterior.gov.co/sala-de-prensa/noticias/el-gobierno-nacional-y-los-alcaldes-de-ciudades-capitales-acuerdan-descentralizar-la-politica-de-victimas.

2. "Mininterior anuncia descentralización de política de víctimas." Caracol Radio. November 27, 2014. www.caracol.com.co/noticias/actualidad/mininterior-anuncia-descentralizacion-de-politica-de-victimas/20141127/nota/2527602.aspx.

3. "Colombia llegó a 7 millones de víctimas," Reconciliación Colombia, November 14, 2014, <http://bit.ly/11Ak1K>.

4. Ibid.

3. PEACE PROCESS

BACK TO THE TABLE: AFTER RETURN OF KIDNAPPED GENERAL, NEGOTIATORS SEEK TO RESTART DIALOGUES

Following the release of General Ruben Dario Alzate and two other captives, whose kidnapping by the FARC-EP on November 16 prompted the suspension of peace negotiations between the government and the guerilla group, the possibility of restarting the negotiations (which left off on the victims topic) has taken center stage. Alzate, who was kidnapped while traveling to a remote town by river in Chocó, resigned following his release. Despite initial fears that it might jeopardize the talks, "the kidnapping did not destroy the political will that lies behind the peace process."⁽⁵⁾ The captives' release on November 30 to a mission of the International Committee of the Red Cross (ICRC) and delegates from Norway and Cuba, guarantors of the peace process, opened the door for the negotiations to resume. Changes to the negotiation's rules of procedure are being considered, notably the role of guarantor countries and steps to ensure that neither party can unilaterally decide to leave the table.

The release "shows that the FARC remains a cohesive organization with an effective chain of command. There had been fears that the FARC's leadership could not control all of the units spread out across a vast country with poor communications."⁽⁶⁾

4. A VIEW FROM THE FIELD

PRESENCE OF CRIMINAL GROUPS IN 84% OF DEPARTMENTS

The Ombudsperson's Office warned that illegal criminal groups ("Bacrim") are active in 27 of Colombia's 32 departments and 168 municipalities. Its Early Warning System recently issued a statement that in Barbacoas, Nariño, the "Clan Úsuga" group has essentially taken control and is spreading threatening pamphlets.⁽⁷⁾ Previous data show that 2% of all victims are of Bacrim.⁽⁸⁾

DEBATES FOLLOW PROSPECT OF FREE HOUSING FOR VICTIMS IN AFFLUENT NEIGHBORHOODS

An announcement that Bogota, D.C. would construct Priority Interest Housing (VIP) for victims of the armed conflict in strata 6 neighborhoods (on Colombia's strata 1 to 6 system, 6 represents the wealthiest areas), where the square meter costs at least \$2,500, has provoked debate among residents, who have voiced security and co-habitation concerns. Metrovivienda, responsible for the project, stated that "the idea is that people do not distinguish between the housing of the wealthy and VIP housing."⁽⁹⁾ To date, the execution of housing construction projects for victims of the armed conflict has been very low, sparking further debate. Bogotá has received the highest levels of migrants and victims as a result of the armed conflict⁽¹⁰⁾.

500,000 VICTIMS OF THE ARMED CONFLICT HAVE LEFT THE COUNTRY

Reports from the Victims Unit show that victims of the armed conflict living outside of Colombia often live in conditions of asylum, unemployment and are in many cases at risk of being deported. Moreover, "only a small percentage have refugee status."⁽¹¹⁾ The top countries include Venezuela, Ecuador, the United States, Costa Rica, Switzerland, Spain and Chile. Official statistics from the United Nations High Commission for Refugees (ACNUR) in Colombia put the total at 500,000, of which only 976 are in the Single Victims Registry (RUV) (0.19%). Moreover, ACNUR reports that only 5% of victims living abroad think of returning to Colombia.⁽¹²⁾

5. IN THE SPOTLIGHT

SAN BASILIO DE PALENQUE'S COLLECTIVE REPARATION DECLARATION TAKEN

From December 18 to 19, the Ombudsperson's Office and the Victims Unit will take the declaration of San Basilio de Palenque, an Afro-descendant community in Bolivar, as a collective reparation subject. This step follows initial approach phases in which the process was socialized and agreement upon with the community.

TRANSFORMING REALITIES: THE ROLE OF THE PRIVATE SECTOR IN THE CONSTRUCTION OF PEACE

On December 9, the company SAB Bavaria with USAID, IOM, the Colombian Agency for Reintegration, the Organization of Ibero-American States and other organizations will hold a forum on the role played by the private sector in the construction of peace and post conflict scenarios in Colombia. Diverse actors and experts are expected to participate, including international and national business leaders and High Commissioner for Peace Sergio Jaramillo.

5. "Back to the table," The Economist, December 1, 2014, <http://econ.st/1yPI2IY>.

6. Ibid.

7. "Defensoría advierte presencia de "bandas criminales" en 168 municipios de 27 departamentos," Defensoría del Pueblo, November 4, 2014, <http://bit.ly/1ukJcj5>.

8. Data from the Victims Unit, December 2011.

9. "Victimas dudan sobre beneficios de casas VIP en estrato 6," El Tiempo, November 7, 2014, <http://bit.ly/1xhKMr5>.

10. "¿Qué opina de propuesta de Petro de que desplazados vivan en barrios estrato seis?" Silla Vacía, November 7, 2014, <http://lasillavacia.com/lasillaenvido/que-opina-de-propuesta-de-petro-de-que-desplazados-vivan-en-barrios-estrato-seis-49065>.

11. "Salen del país 500.000 personas víctimas del conflicto armado," Caracol, November 6, 2014, <http://bit.ly/1z6m0dw>.

12. "Menos del 1 % de víctimas en el exterior han acudido a la reparación," Caracol, November 24, 2014, www.caracol.com.co/noticias/actualidad/menos-del-1--de-victimas-en-el-exterior-han-acudido-a-la-reparacion/20141124/nota/2522551.aspx

6. PROGRESS REPORT*

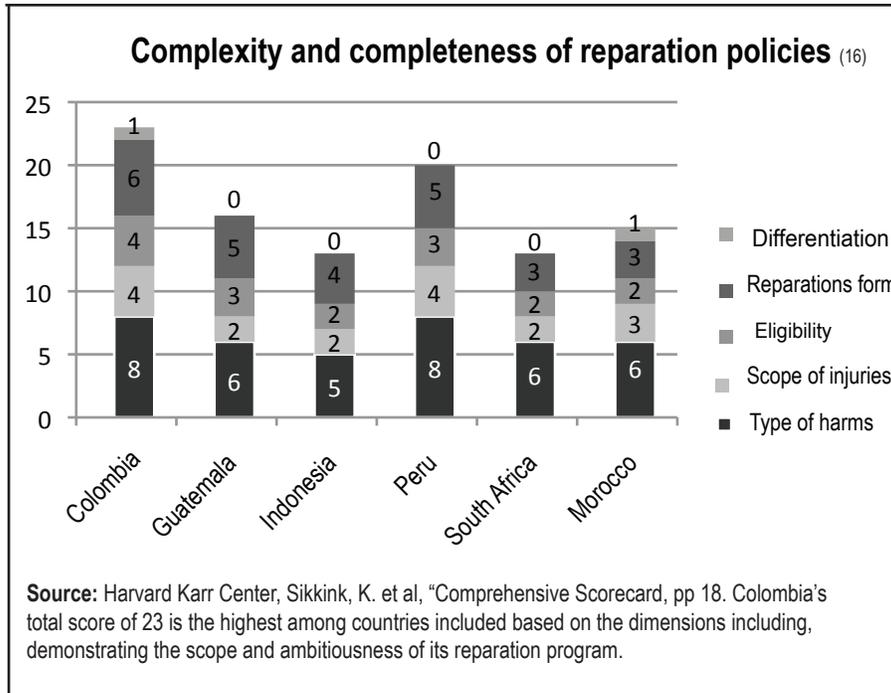
REGISTERED INDIVIDUALS: 7,028,776 (14.7% of total population)⁽¹³⁾

VICTIMS BY GENDER OR SEXUAL ORIENTATION	
	%
Male	49.6
Female	49.5
Undefined	0.9
LGBTI	.01

VICTIMS BY AGE GROUP	
	%
0-17	31.1
18-26	17.1
27-60	34.6
61-100	7.0
Without info	10.3

TOP FIVE VICTIM LOCATIONS ⁽¹⁴⁾	
	%
1. Antioquia	20.4
2. Bolívar	7.1
3. Magdalena	5.8
4. Nariño	5.3
5. Valle del Cauca	5.3

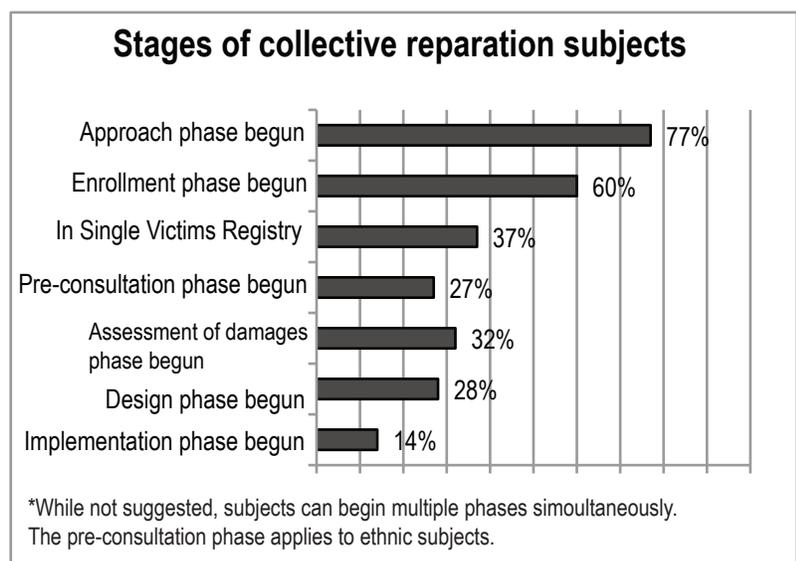
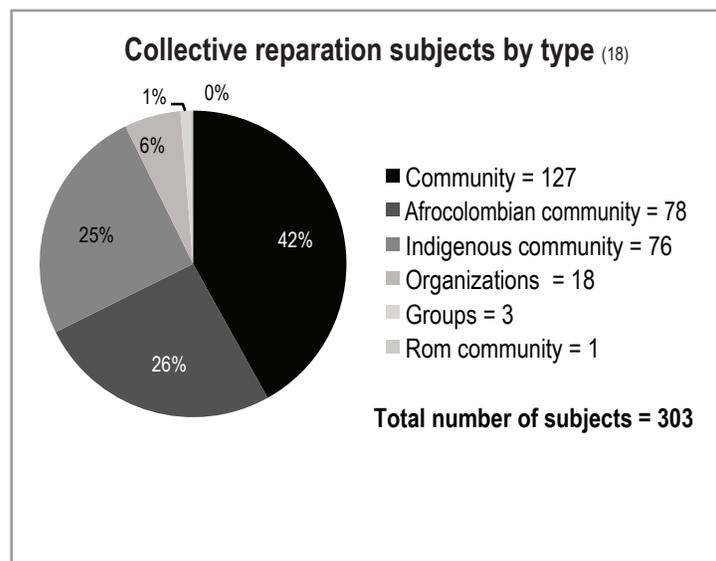
TOP VICTIMIZING ACTS: 8,175,353 ⁽¹⁵⁾	
	%
1. Displacement	79.8
2. Homicide/Massacre	12.2
3. Threats	2.7
4. Disappearance	1.2
5. Loss of property	1.2



Comparative look at international experiences

	Victims registered	Groups registered	Individuals repaired	Groups Repaired
Colombia	6,900,000	303	426,031	280 in process
Peru	182,350	7,678	20,000 - 37,138	1,946
Guatemala	54,000	No public info	24,000 - 29,000	No public info
Indonesia	No registry	No registry	300,000	1,724 comm.; 233,000 direct; 250,000 indirect
South Africa	22,000	18 comm.	14,000 - 17,000	No public info
Morocco	No registry	No registry	9,779	33 comm. processes

Source: Harvard Karr Center, Sikink, K. et al, reprinted in Semana Magazine. "Comm." is short for community/communities.



*Source: Victims Unit, November 2014: Victims Registry information obtained from the Victims Unit's National Information Network, November 1, 2014, <http://mi.unidadvictimas.gov.co>.

13. Official estimate of victims in the country. Population: 47,661,787.

14. Based on registry location.

15. Based on registry of victimizing acts (homicide and disappearance include indirect victims).

16. Along with graph to right, from Harvard Kennedy School Carr Center for Human Rights Policy (Sikink, K., et al). 10/14/2014, Evaluation of the Victims Unit (part 1).

17. Data from the National Historical Memory Center. Investment includes the National Memory Museum, technology strategies, and the national human rights and historical memory program, among others.

18. Collective reparation data from the Victims Unit through November 2014.

7. DIVERSITY MAINSTREAMING

COLOMBIA, SECOND COUNTRY IN THE WORLD IN TERMS OF CHILD VICTIMS OF LANDMINES

According to a study by the NGO Colombian Anti-Landmine Campaign, 57 children were victims of landmines in Colombia in 2013, surpassed only by Afghanistan with 487 child victims during the same period. Behind Colombia are Syria (50 child victims), Pakistan (45) and Yemen (40). Worldwide, 1,112 children were affected by landmines, a 39% increase from 2012 – and the greatest increase since registries of these events have been taken.⁽¹⁹⁾

CHALLENGES TO PREVENTING FORCED RECRUITMENT

In an El Espectador forum in Bogotá with former U.S. Secretary of State Colin Powell, political scientist Natalia Springer presented a work on forced recruitment of children by illegal armed groups. 66% of children forcibly recruited are in situations of misery and 29% are members of indigenous communities. Springer commented, “An indigenous child has 674 times more possibilities to be recruited.”⁽²⁰⁾ 81% of forcibly recruited minors who demobilized said that they joined illegal armed groups voluntarily. However, Springer stated that socioeconomic conditions push children towards these groups, and to avoid this, educational systems and families’ protective role must be strengthened.

ROLE OF WOMEN IN CONFLICT RESOLUTION HIGHLIGHTED

“Women, peace and security: from words to actions”, held in Madrid with the Spanish International Development Agency, the United Nations, Oxfam and others, underscored the role of women and girls as actors in conflict resolution and peace processes, recognizing the empowerment of women in peace processes in Colombia during the past decade.⁽²¹⁾

8. INSTITUTIONAL ADVANCES

Victims Unit

RESOLUTION 758 SIGNED TO IMPLEMENT DIVERSITY MAINSTREAMING MODEL

In a November 18 National Victims Assistance and Reparation System (SNARIV) meeting, Victims Unit Director Paula Gaviria signed Resolution 758, which will guide the implementation of the Diversity Mainstreaming Model with a gender approach and complement the attention route to respond to diverse populations’ needs.

VIDEO: DIVERSITY MAINSTREAMING IN VICTIMS ATTENTION, ASSISTANCE AND REPARATION

Available here: <http://bit.do/Uyce>, the Victims Unit will use this video in regional training processes on diversity mainstreaming.

National Historical Memory Center

INTERNATIONAL SEMINAR ON HISTORICAL MEMORY EXPERIENCES

A nearly three year undertaking of exercises to reconstruct historical memory at the local level and build connections between victims and academia was completed by the International Seminar of Regional Memory Groups. The process evaluated regional memory initiatives and enabled the construction of networks of historical memory managers, which were highlighted during this seminar. Groups shared their experiences, conclusions, lessons learned and steps to take to continue strengthening local initiatives.

9. FURTHER READING

“A LAND TITLE IS NOT ENOUGH FOR SUSTAINABLE LAND RESTITUTION IN COLOMBIA”

The result of research from 2013 to 2014 in various departments, this report by Amnesty International critically analyzes the land restitution process and decries continued violence and threats against victims of displacement who return to their homes.⁽²²⁾

“BUILDING PEACE IN THE MIDST OF CONFLICT”

This report by the Brookings Center’s Project on Internal Displacement analyzes the victimizing act, the impact of Security Sector Reform, and opportunities to find solutions to displacement.⁽²³⁾

HUMAN RIGHTS ARCHIVES: ELEMENTS FOR PUBLIC POLICY

“Archives of grave human rights violations, international humanitarian law infractions, historical memory and the armed conflict,” by the National Historical Memory Center.⁽²⁴⁾

19. “Colombia, segundo país del mundo con más niños víctimas de minas antipersona,” El Espectador, November 27, 2014, <http://bit.ly/166badX>.

20. “La paz tiene que ser un compromiso común,” El Espectador, December 1, 2014, <http://www.elespectador.com/noticias/politica/paz-tiene-ser-un-compromiso-comun-articulo-530910>.

21. “Destacan papel de mujeres en resolución de conflictos, no solo como víctimas,” La información, November 28, 2014, <http://bit.ly/1siOjJN>.

22. “Un título de propiedad no basta por una restitución sostenible de tierras en Colombia,” Amnesty International, November 2014, <http://bit.ly/1yPXrT8>.

23. “Building Peace in the Midst of Conflict: Improving Security and Finding Durable Solutions to Displacement in Colombia,” Brookings, September 2014, <http://brook.gs/1qvsKAZ>.

24. “Archivos de graves violaciones a los DD.HH., infracciones al DIH, memoria histórica y conflicto armado,” Centro Nacional de Memoria Histórica, November 2014, <http://www.centrodememoriahistorica.gov.co/descargas/informes2014/archivosDDHH/archivos-de-graves-violaciones-DDHH.pdf>