

VICTIMS ISSUES A MONTHLY REVIEW

NOVEMBER/DECEMBER 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 December 2016, 8,299,334 victims were registered with the government of Colombia (GOC), primarily victims of internal displacement (79.9%).⁽¹⁾

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2. KEY DEVELOPMENTS

OREJÓN, WHERE FIRST DEMINING PILOT WAS HELD, ANNOUNCED CLEAR OF LANDMINES

Orejón, a mountainous district of Briceño municipality in Antioquia, had an estimated 3,000 landmines and 100 inhabitants when it was selected as the first area where the humanitarian demining pilot would be carried out. Now, Norwegian People's Aid, GOC High Counselor for Post-Conflict Rafael Pardo, and FARC Secretariat member Pastor Alape have declared that the district is free of landmines. The process took more than a year and cost one soldier his life. Next steps in Orejón include a comprehensive strategy to promote social, territorial, and economic development and foster social harmony and psychosocial care in the area.⁽²⁾ IOM has been providing preliminary psychosocial support to the community. For the first time in decades, Orejón's inhabitants can move freely on their land. A video on the results of the process can be seen by clicking on this link: <http://bit.ly/2jDJyrb>.

According to the Ministry of Health, the number of soldiers affected by landmines reduced from 266 in 2012 to 20 in 2010.⁽³⁾ According to OCHA, the number of civilian landmine victims decreased 51% between 2015 & 2016.

3. PEACE PROCESS

CONGRESS RATIFIES ADJUSTED PEACE ACCORDS AND PASSES AMNESTY LAW

After the GOC, opposition groups, and the FARC re-negotiated certain points of the peace accords in November (in response to the initial agreement's narrow rejection by voters in October) the GOC formally ratified the revised accord in Congress in early December.⁽⁴⁾ Although the new accord includes many of the proposals demanded by opposition groups, a few (including scrapping the transitional justice system) were not. Opponents to the accord, led by former president Álvaro Uribe, boycotted the Congressional vote. Ultimately the new accord was passed unanimously in both houses. Ratification set the accords' implementation in motion, with the FARC combatants beginning to gather in pre-concentration zones to prepare for their move to transitional hamlet zones next month to begin the disarmament process.⁽⁵⁾ Ratification also set in motion another process: the legislative race to pass the numerous laws needed for the accords to be effectively put in place. The GOC took an important step on December 28, passing an Amnesty Law expected to benefit about 6,800 ex-combatants.⁽⁶⁾

The amnesty law guarantees that "Members of the FARC who move to hamlet zones will have their arrest warrants lifted," said High Commissioner for Peace Sergio Jaramillo. Those who do not complete the process will be tracked down by authorities.⁽⁷⁾

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

2. "El Orejón, libre de minas," El Espectador, Dec. 21, 2017, <https://goo.gl/EGDtBF>.

3. Tweet by Minister of Health Alejandro Gaviria, Twitter, Dec. 20, 2016, <https://goo.gl/pFkv81>.

4. "Colombia's government formally ratifies revised Farc peace deal," The Guardian, Dec. 1, 2016, <https://goo.gl/l15xwH>.

5. Ibid.

6. "Queda lista la ley para amnistiar a la mayoría de las Farc," El Tiempo, Dec. 28, 2016, <https://goo.gl/xBTGmD>.

7. Ibid.

FARC BEGIN CONCENTRATING AROUND COUNTRY; CONTROVERSY ERUPTS WITH UN MONITORS

Amidst delays in December, the FARC began concentrating around the country. Speaking in Meta department, President Santos recognized delays, including the fact that 80 percent of zones did not yet have running water, 50 percent did not have light, and many did not have access roads. The GOC stepped up its efforts to prepare transitional zones in the face of pressure. More controversy erupted in late December when videos and photos were released of UN monitors celebrating New Years Eve with FARC members at a camp in Conejo, La Guajira and La Elvira, Cauca.⁽⁸⁾ Conservative groups immediately decried a lack of neutrality by monitors, who are required to be impartial. For its part, the UN tried to cool the controversy and removed the monitors in question from the country.⁽⁹⁾

Some 400 UN staff members are in Colombia to monitor the ceasefire and facilitate the disarming process once FARC members reach transitional zones.⁽¹⁰⁾

PRESIDENT SANTOS RECEIVES NOBEL PEACE PRIZE

At a ceremony in Oslo President Juan Manuel Santos accepted the 2016 Nobel Peace Prize. "It is much more difficult to achieve peace than to wage war," Santos said in a speech, "The real prize is the peace in Colombia." Santos suggested that the model used to negotiate peace in Colombia could serve as a template for other countries, including Syria and South Sudan.⁽¹¹⁾ Visiting Bojayá, Chocó, a municipality severely affected by the conflict, in October after he was announced winner of this year's prize, Santos announced that he would donate the prize money, approximately US 950,000 to conflict victims' reparation.⁽¹²⁾

"The Colombian peace agreement is a ray of hope in a world troubled by so many conflicts and so much intolerance," said President Santos when he accepted the Nobel Peace Prize.⁽¹³⁾

4. A VIEW FROM THE FIELD

MUNICIPAL OMBUDSPERSONS IN AREAS HOSTING TRANSITIONAL ZONES VOICE CONCERNS

Municipal ombudspersons in some municipalities that will receive members of the FARC have alerted regarding the lack of infrastructure, coca cultivations, and other difficulties for inhabitants. For their part, farmers worry about getting rid of coca if the government doesn't provide an immediate viable alternative.⁽¹⁴⁾ As reported by The Guardian, "combating security threats will test the state's ability to make its presence felt in traditionally neglected rural areas at a time of financial stress triggered by low oil prices."⁽¹⁵⁾

Municipal ombudsperson's will play an important role at the local level as different actors, including former members of the FARC, live side-by-side.⁽¹⁶⁾

FARC MEET WITH VICTIMS TO RECOGNIZE RESPONSIBILITY IN CALI

On December 3 the FARC participated in an act recognizing responsibility and asking for forgiveness from the families of eleven representatives kidnapped and killed on April 11, 2002, as well as the families of the one survivor and a policeman killed the same day. The families who participated in the act of pardon and reconciliation in the framework of the peace process with the guerrilla group said that the five hour long encounter was "very difficult." The son of one representative killed said that when he spoke to the guerrillas present, "I let go of so much hate, things that aren't like me, that became part of me when I was very young."⁽¹⁷⁾

"Forgiveness, more than being an act benefiting the perpetrators, is an act that benefits oneself," said Ángela María Giraldo, whose brother was kidnapped and killed by the FARC.⁽¹⁸⁾

8. "Esto fue lo que se perdió en vacaciones," La Silla Vacía, Jan. 9, 2017, <https://goo.gl/UkFRiv>. 9

9. More UN observers 'dismissed' over FARC rebels party," Al Jazeera, Jan. 8, 2017, <https://goo.gl/vVuqto>.

10. Ibid.

11. "Colombia's Juan Santos receives Nobel Peace Prize," Al Jazeera, Dec. 10, 2016, <https://goo.gl/5PXVVe>.

12. "Presidente de Colombia anuncia que donará...", BBC, Oct. 9, 2016, <https://goo.gl/WkYqab>.

13. "Colombia's Juan Santos receives Nobel Peace Prize," Al Jazeera, Dec. 10, 2016, <https://goo.gl/5PXVVe>.

14. "Dudas en zonas veredales," El Espectador, Dec. 28, 2016, <https://goo.gl/e2H2kK>.

15. "Colombia's government formally ratifies revised Farc peace deal," The Guardian, Dec. 1, 2016, <https://goo.gl/15xwH>.

16. "Dudas en zonas veredales," El Espectador, Dec. 28, 2016, <https://goo.gl/e2H2kK>.

17. "El alivio que trajo el perdón de las Farc," La Silla Vacía, Dec. 4, 2016, <http://bit.ly/2h689n5>.

18. Ibid.

5. PROGRESS REPORT*

8,299,334
REGISTERED
VICTIMS
6,321,060
VICTIMS SUBJECT
TO REPARATION

BY GENDER OR SEXUAL ORIENTATION

49.59% 0.71%

49.67% 0.02%

BY AGE GROUP

0-17 29.9%
18-28 20.9%
29-60 33.5%
61-100 8.1%
NO INFO 7.7%

TOP 5 VICTIMS LOCATIONS

ANTIOQUIA 19.4%
BOLÍVAR 7.4%
MAGDALENA 5.9%
NARIÑO 5.1%
CESAR 5.1%

TOP VICTIMIZING ACTS:

8,803,327

DISPLACEMENT 79.9%
HOMICIDE 11.2%
THREATS 3.7%
DISAPPEARANCE 1.9%
REAL ESTATE LOSS 1.2%

HUMANITARIAN SITUATION IN REVIEW 2016

ACCORDING TO OCHA

In 2016 there were positive humanitarian advances under peace process; however, some types of violence continued and/or increased with the participation of ELN, EPL, and post-demobilization groups:

Each of these six situations is explored in detail below

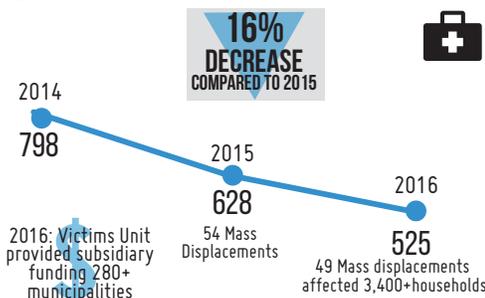
PRINCIPAL ISSUES

- HUMANITARIAN EMERGENCIES
- LIMITATIONS ON MOVEMENT
- MASS DISPLACEMENT
- ARMED CONFRONTATIONS
- LANDMINE VICTIMS
- THREATS

CHANGE BETWEEN 2015 & 2016

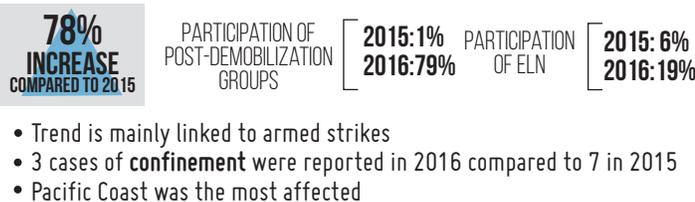
- DECREASED 16%
INCREASED 78%
DECREASED 19%
DECREASED 34%
DECREASED 63%
INCREASED 31%

HUMANITARIAN EMERGENCIES DECREASED

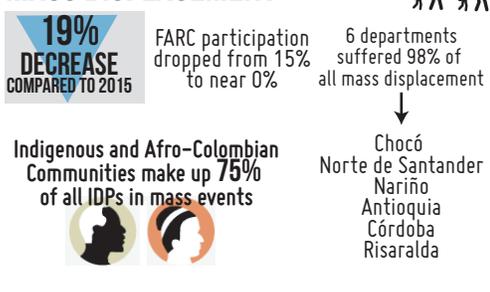


LIMITATIONS ON MOVEMENT INCREASED

More than 2.8 MILLION PEOPLE suffered movement limitations & restrictions on access to goods & services due to the armed conflict.



MASS DISPLACEMENT DECREASED



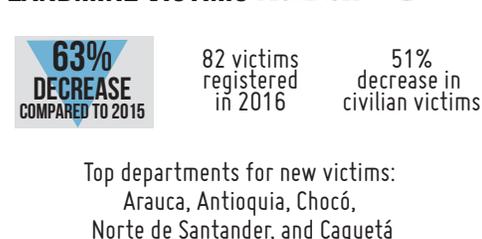
ARMED CONFRONTATIONS DECREASED



THREATS INCREASED



LANDMINE VICTIMS DECREASED



CHALLENGES IN 2017

- Armed violence continuing to impact civilians
- Challenges in field presence and humanitarian response
- Intimidation and social control are hard to monitor
- Raise awareness around these phenomena
- Innovate existing frameworks to guarantee protection of civilians

*National Information Network, Victims Unit, through December 2016. <http://rni.unidadvictimas.gov.co/>; Humanitarian situation info from OCHA Monthly Humanitarian Bulletin.

6. INCLUSIVE APPROACHES

COLOMBIA MARKS “16 DAYS OF ACTIVISM ”AGAINST GENDER BASED VIOLENCE

From November 25 to December 10, numerous civil society and governmental organizations in Colombia participated in the international campaign “16 Days of Activism.” Beginning with International Day to End Violence Against Women on November 25, the campaign included a series of social mobilizations, marches, workshops. IOM and USAID supported a social mobilization with sexual and gender based violence survivors in Turbo.

There are 16,504 female victims of sexual violence in the government’s conflict victim registry. While a considerable sub-registry remains, it has been addressed in recent years.

7. IN THE SPOTLIGHT

WORLD SUMMIT OF NOBEL PEACE PRIZE LAUREATES TO BE HELD IN BOGOTÁ

Since 1999, different countries have hosted the summit bringing together leaders in peacebuilding, non-violence, conflict analysis, and social and ecological problems. 25 Nobel Peace Prize laureates have confirmed their participation in the summit, which will be the first of its kind held in Latin America. The event will be held from February 2 to 5 in Bogotá at different locations around the city, including Corferias and the Salitre Chamber of Commerce. More information can be accessed by clicking on this link: <http://bit.ly/2h9SC61>.

8. INSTITUTIONAL ADVANCES

Victims Unit

SEMANA FORUM ON REPARATION

The Victims Unit, with support from USAID, IOM and in collaboration with Semana Forums, presented the results of the evaluation carried out by Harvard University in early November in Bogotá. The event fostered dialogue on advances in the implementation of the Victims Law, as well as critical reflections on challenges and recommendations moving forward.

National Center for Historical Memory

MOSAICS OF MEMORY

The CNMH launched videos systematizing different memory projects supported in La Guajira, Nariño, and the Urabá region of Antioquia. Videos of systematized historical memory processes can be accessed on the CNMH website by clicking on this link: <http://bit.ly/2hzB5jP>.

9. ADDITIONAL RESOURCES



BBC INTERVIEW WITH PRESIDENT SANTOS

“Stephen Sackur is in Oslo to talk to this year’s Nobel Peace Prize winner - President Juan Manuel Santos of Colombia. Will his historic peace deal with the FARC rebels bring lasting peace to his divided nation?”⁽²⁰⁾



MORE PRACTICAL SOLUTIONS NEEDED

Interview with the UN Representative of the Office of the High Commissioner for Human Rights in Colombia. Mr. Howland highlights the importance of the public’s participation in the implementation of peace accords, and the need to explain to these communities exactly what implementation will entail.⁽²¹⁾



VIOLENCE FACED BY LGBTI PERSONS

Publication based on the Inter-American Commission’s report “Violence against LGBTI persons,” explaining types of violence (including institutional violence) committed against LGBTI persons.⁽²²⁾

20. “Juan Manuel Santos - President of Colombia,” BBC, December 18, 2017, <http://www.bbc.co.uk/programmes/b0854p72>.

21. “Mucha política y pocas soluciones prácticas”: Todd Howland,” Semana, Dec. 23, 2016, <http://www.semana.com/nacion/articulo/todd-howland-y-las-fal-las-en-la-implementacion-de-los-acuerdos/510359>.

22. “Violencias, omisiones y estructuras que enfrentan las personas LGBTI,” La Silla Vacía, <https://revistas.urosario.edu.co/index.php/sociojuridicos/article/view/497z>.