

VICTIMS ISSUES A MONTHLY REVIEW

MARCH 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 March 2017, 8,347,566 victims had registered with the government of Colombia (GOC), primarily victims of internal displacement (80.0 percent).⁽¹⁾

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

2. KEY DEVELOPMENTS

VICTIMS' MARKED ECONOMIC AND SOCIAL DISADVANTAGES CAN LEAD TO HEIGHTENED VIOLENCE

Statistics have shown that victims' economic and social disadvantages heighten their risks of violence. Overall, conflict victims have less access to services, fewer opportunities and higher rates of poverty than the Colombian population as a whole. For example, according to GOC studies 80% of registered victims fall beneath the poverty line compared to 30% of all people nationally. Furthermore, while 93% of victims who are employed have "informal" jobs, less than half are employed. Moreover, many rural families of victims displaced by the conflict were forced to resettle in poor urban neighborhoods with high crime rates. According to UNHCR, 80% of IDPs in Colombia relocate in urban centers.⁽²⁾ Studies have shown that inequality, inadequate social services and infrastructure, limited economic and educational opportunities and dangerous neighborhoods are recognized risk factors for violence,⁽³⁾ underscoring the importance of providing opportunities for victims in marginalized communities to overcome vulnerability.

Studies have shown that rapid and unregulated urbanization, such as that caused by the accelerated arrival of IDPs from rural areas to cities in Colombia, "stokes crime and insecurity."⁽⁴⁾ Victims' reparation plays a key role in addressing relocation and vulnerability.

SPECIAL JURISDICTION FOR PEACE APPROVED

In March, Colombia's Congress gave the green light to the Special Jurisdiction for Peace (Jurisdicción Especial de Paz, in Spanish), the transitional justice system central to the country's peace accord with the FARC. This system will establish the parameters to determine the responsibility of actors involved in the armed conflict, including the FARC, state agents, and third parties who have financed or collaborated with armed groups. It will have justice chambers and a tribunal for peace, which will be made up of judges (mainly Colombian), and will judge and impose sanctions on those responsible for crimes committed in the context of the armed conflict.⁽⁵⁾

"The system doesn't just meet international standards but goes beyond them. It excludes amnesty and pardon for atrocious crimes, Vice President Oscar Naranjo, guaranteeing that there will be no impunity."⁽⁶⁾

1. Victims Unit National Information Network, Feb. 1, 2016. <http://rni.unidadvictimas.gov.co/>.
 2. UNHCR, "Colombia: Desplazados internos en zonas urbanas," Dec. 3, 2010, <http://bit.ly/2pRgv3b>.
 3. Muggah, Robert. "Fixing Fragile Cities," Foreign Affairs, November 2, 2015, <http://fam.ag/2rcofRe>.
 4. Ibid.
 5. "Luz verde a la Jurisdicción Especial de Paz", El Espectador, March 28, 2017, <http://bit.ly/2nsoL9f>.
 6. "La justicia para la paz en Colombia merece una oportunidad": Naranjo, El Espectador, April 20, 2017, <http://bit.ly/2oTzIHj>.

3. PEACEBUILDING

HOW HAS IMPLEMENTATION OF PEACE ACCORDS GONE TO DATE?

In late March, Colombia marked its 100-days of implementing the peace accords. On March 28, the GOC and the FARC came together in Cartagena to discuss progress and challenges to date, including delays in the construction of transitional hamlet zones for normalization to which combatants relocated earlier this year. FARC announced that it had nearly completed a census of all of its combatants and militia members. According to the United Nations Verification Mission, 6,900 members of the FARC arrived to transitional points. For its part, the GOC announced that it would provide support to accelerate the amnesty process for qualifying members of the guerrilla group, and committed to completing any still-pending infrastructure in transitional zones. The government also guaranteed that it would make sure these zones had access to ambulances and medical personnel.⁽⁷⁾

The disarmament process started on March 1. According to Colombia's Minister of Defense, the FARC is expected to have 14,000 weapons, of which the UN says 7,000 are in transitional zones. By the end of March the UN expected to receive the first 1,000.⁽⁸⁾

4. A VIEW FROM THE FIELD

FARC EXTORSION HAS ENDED, BUT THEY ARE ALREADY BEING REPLACED

Extortion has decreased in Colombia in many of the municipalities where the FARC was powerful. According to a study by the NGO Paz & Reconciliación and data from the Ministry of the Defense, La Silla Vacía reports that of 233 municipalities where FARC was present, extortion dropped in 38 percent, held the same in 31 percent, and increased in 30 percent. According to the mayor of Neiva, where extortion decreased notably, "it has everything to do with dialogues with the FARC."⁽⁷⁾ With the FARC in concentration zones, the bulk of extortion is now carried out by criminal groups, including by prisoners locked up in high security prisons around the country. The scourge increased in the three top cities - Arauca, Santander de Quilichao, and Quibdó, due to actions by the ELN in Arauca and criminal groups in the other two cities.⁽⁹⁾

22 percent fewer extortions took place in Colombia last year compared to 2015. The homicide rate was also the lowest in four decades (24.4 per 100,000 inhabitants) and kidnappings decreased 21 percent. Officials aim to continue improving indices in 2017.⁽¹⁰⁾

AT LEAST 310 ORGANIZATIONS AT RISK AROUND THE COUNTRY

An unpublished document from the Early Alert System warns that members of at least 310 social, community, and human rights organizations are at risk due to threats, intimidation and murders around the country. According to the document, those at risk are people who defend land, natural resources, victims' rights – especially land restitution, as well as those who look to strengthen community agency and implement the peace accords on the ground. The document also says that 111 community leaders were killed last year, compared to the 59 murders reported by UNHCR.⁽¹¹⁾

From March 20 to 21, 134 people from the indigenous reservation Chagpien Tordó, located in El Litoral de San Juan, Chocó, were displaced to Buenaventura following violence by unidentified armed actors.⁽¹²⁾

7. "Gobierno y Farc se comprometen a agilizar implementación de la paz," El Tiempo, March 27, 2017, <http://bit.ly/2nX5r6K>.

8. "ONU espera almacenar el fin de semana las primeras 1.000 armas de las Farc," RCN Radio, March 29, 2017, <http://bit.ly/2ok0hPP>.

9. "Las Farc dejaron de extorsionar, pero ya los comenzaron a reemplazar," La Silla Vacía, Jan. 24, 2017, <http://bit.ly/2iZ0usl>.

10. "En el 2016 se registró la tasa de homicidios más baja en 40 años," El Tiempo, Jan. 2, 2017, <http://bit.ly/2q3E17l>.

11. "Por lo menos 310 organizaciones están en situación de riesgo en todo el país," Verdad Abierta, March 21, 2017, <http://bit.ly/2n3PHw7>.

12. "Flash Update No. 1: Desplazamiento masivo comunidades indígenas del resguardo Chagpien Tordó, Litoral de San Juan (Chocó)," Humanitarian Response OCHA, March 23, 2017, <http://bit.ly/2name2y>.

5. PROGRESS REPORT*

8,347,566 REGISTERED VICTIMS 6,358,229 VICTIMS SUBJECT TO REPARATION	BY GENDER OR SEXUAL ORIENTATION Male: 49.61% Female: 49.64% Transgender: 0.72% LGBTI: 0.02%	BY AGE GROUP 0-17: 29.8% 18-28: 20.9% 29-60: 33.6% 61-100: 8.1% NO INFO: 7.5%	TOP 5 VICTIMS LOCATIONS ANTIOQUIA: 19.0% BOLÍVAR: 5.6% MAGDALENA: 5.3% NARIÑO: 4.7% CESAR: 4.5%	TOP VICTIMIZING ACTS: 9,679,339 DISPLACEMENT: 80.0% HOMICIDE: 11.1% THREATS: 3.8% DISAPPEARANCE: 1.9% PROPERTY LOSS: 1.2%
---	--	---	---	--

MARCH 8: INTERNATIONAL WOMEN'S DAY

HOW HAS THE IMPLEMENTATION OF THE VICTIMS LAW CONSIDERED WOMEN'S SPECIFIC NEEDS?

4,021,278 total women victims

Afro-Colombian	9.8%
Indigenous	2.4%
Other	87.8%

SEXUAL VIOLENCE **18,379** Victims of crimes against sexual liberty and integrity

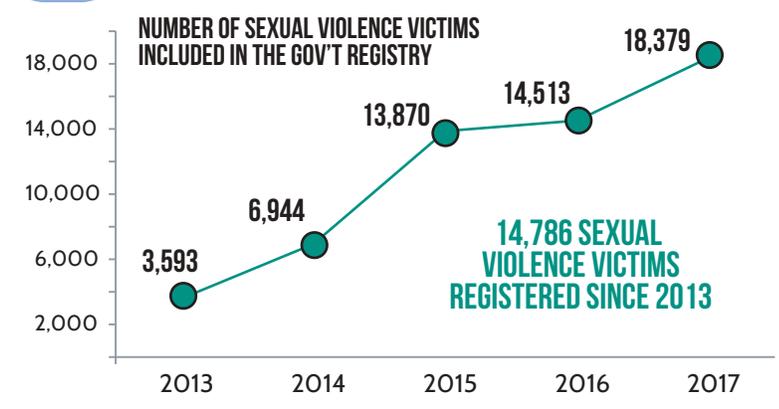
Female	16,504
Male	1,392
LGBTI	108
Unknown	305

REPARATION STRATEGY FOR WOMEN SEXUAL VIOLENCE (SV) VICTIMS

30% OF ALL VICTIMS PARTICIPATE IN THIS STRATEGY

APPROXIMATELY **32%** OF ALL CONFLICT VICTIMS REPORT PSYCHOSOCIAL NEEDS

CAMPAIGNS TO PROMOTE REGISTRY OF SEXUAL VIOLENCE (HISTORICALLY UNDERREPORTED)



PRIORITIZED ACCESS TO FINANCIAL REPARATIONS

6,609 FINANCIAL REPARATION TRANSFERS WORTH **US \$41 MILLION** SENT TO SEXUAL VIOLENCE VICTIMS

PSYCHOSOCIAL ATTENTION TO SEXUAL VIOLENCE (SV) VICTIMS

Victims Unit
EMOTIONAL RECOVERY STRATEGY
65% sexual violence victims (1,187) have received group psychosocial attention to since 2012

Ministry of Health
VICTIMS PSYCHOSOCIAL & COMPREHENSIVE HEALTH PROGRAM (PAPSIVI)
658 sexual violence victims have received attention since 2013

2013-14	127
2015	222
2016	309

SINCE 2012 IN TARGETED MUNICIPALITIES

Victims' knowledge on sexual violence & their rights ↑ from 11% to 52%

Registry of sexual violence victims ↑ by 18%

* Victims Unit National Information Network, March 1, 2016. <http://ni.unidadvictimas.gov.co/>. Other information directly from National Victims System and Victims Unit.

6. INCLUSIVE APPROACHES

TAX BENEFITS FOR COMPANIES THAT HIRE WOMEN CONFLICT VICTIMS

To mark International Women's Day, President Juan Manuel Santos announced a proposal so that businesses that hire female conflict victims can receive tax benefits. "We work to advance the implementation of Decree 2733 of 2012, which foresees job market inclusion for female victims of violence. Businesses will be able to write off 200% of the salaries and social benefits they pay to female conflict victims."⁽¹²⁾

On March 8, International Women's Day, the GOC held 50 employment fairs in all 32 of Colombia's departments with 6,000 vacancies for women job seekers.⁽¹³⁾

7. IN THE SPOTLIGHT

BROAD PARTICIPATION PROCESS GUARANTEES 2,500 VICTIMS' PARTICIPATION

Under Colombia's peace accord, the government must carry out an effective process at the local and national levels to guarantee victims' participation in peacebuilding. To achieve this, VISP supported the government's "Broad Participation Process" with the Ministry of the Interior and the Victims Unit. 22 preliminary encounters were held around the country (as well as an international event in Ecuador with support from the Embassy of Sweden) with over 2,000 victims and 151 public servants. Participants contributed experiences and inputs for a final event, held in Bogota on April 26th with over 500 victims. Proposals will now be discussed in Congress to modify the Victims Law (including to extend its duration by 15 years) and adjust institutions and routes, including collective reparation, returns, and victims abroad policies.

8. INSTITUTIONAL ADVANCES

Victims Unit

RAPID RESPONSE STRATEGY GUARANTEES MORE EFFICIENT REPARATION

The Victims Unit has reduced the amount of time taken to respond to victims' writs of protections (tutelas), petitions, and complaints by 84%. This, in turn, has improved the process to prioritize financial reparations and humanitarian aid based on victims' vulnerability rather than isolated court sentences. The rapid response strategy has already saved the Victims Unit, the justice system, and victims US 103 million dollars.

United Nations Population Fund (UNFPA)

RAPID RESPONSE STRATEGY FOR REPARATION

UNFPA recently approved an 18-month project with VISP, the Victims Unit, and the High Council for the Post-Conflict that will benefit 35,000 conflict victims in vulnerable municipalities. The project will provide individual comprehensive reparation, including financial compensations for 30,000 victims (600 per municipality) in 50 municipalities (27 with transitional normalization zones and 23 prioritized based on socioeconomic variables and population).

National Center for Historical Memory

PSYCHOSOCIAL SKILLS TOOLBOX

VISP supported the Center to develop an institutional care policy including the toolbox "Caring for Memory," with hands-on strategies and methodologies for individual and institutional psychosocial, self-care, and team-care skills. 256 staff members have already been trained on care and psychosocial first aid, and the Center will train at least 300 people in coming months.

9. ADDITIONAL RESOURCES



WOMEN WHO MAKE MEMORY

"Half of all stories of memory and resistance during the armed conflict have been created by women." On International Women's Day the CNMH launched a special remembering historical memory initiatives by women.⁽¹⁴⁾



SPIKE IN ATTACKS AGAINST PEACE COMMUNITY IN APARTADÓ

Amnesty International reported "an unabated wave of threats, killings and forced displacement of hundreds of peaceful villagers" in the Urabá region of Colombia, specifically the San José de Apartadó Peace Community. This happened just as the community marked its 20th anniversary.⁽¹⁵⁾

12. "Gobierno dará beneficios tributarios a quienes contraten mujeres víctimas del conflicto," El Espectador, March 8, 2017, <http://bit.ly/2nf1bv>.

13. Ibid.

14. "Mujeres que hacen memoria," CNMH, March 8, 2017, <http://bit.ly/2IEUV3M>.

15. "Colombia: Spike in attacks against peace community shows conflict still alive," Amnesty International, March 21, 2017, <http://bit.ly/2mWqQcz>.