

VICTIMS ISSUES

A MONTHLY REVIEW

APRIL 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.

2. KEY DEVELOPMENTS

YOUNG CONFLICT VICTIMS MORE AT RISK TO BE AFFECTED BY VIOLENCE, AS VICTIMS AND PERPETRATORS

In general, youth are more at risk of committing acts of crime and being victims of violence. 51% of people arrested in Colombia in 2015 were between 18 and 30 years old.⁽²⁾ Young IDPs face significant risks integrating in new environments; prior exposure to violence, rupture of families ties, unplanned migration, loss of social networks, and marginalization upon arrival are all well-established risk factors for joining gangs or criminal groups. Studies show that youth who are highly unsatisfied with their economic situation, lack opportunities and non-violent ways to change their situation,⁽³⁾ have low educational attainment and live in areas where illegal armed groups are present⁽⁴⁾ face high incentives to recruitment and participation in criminal activity. For example, in Cali, a city with serious youth violence problems, local authorities and stakeholders claim that the large majority of young perpetrators come from internally displaced families. In Chocó, criminal bands specifically recruit among displaced youth, using displaced “adolescent boys them as [drug] mules and using girls for prostitution...these children have an uncertain future.”⁽⁵⁾

GOVERNMENT PRESENTS PLAN TO PROTECT SOCIAL LEADERS

The recently announced plan by the GOC would give “teeth to the judicial branch to go after and punish those who put social leaders, human rights leaders, and victims’ representatives at risk,” said President Juan Manuel Santos. The plan includes the creation of new criminal charges, such as advising criminal organizations and attaining wealth from illegal mining, and a comprehensive security plan for communities and leaders at risk. Pilots will be carried out in Tumaco and Buenaventura, two municipalities severely affected by the conflict and the continued presence of criminal groups. The Attorney General’s office also announced its intention to crack down on violence against social leaders, including plans to dismantle criminal groups, break up illegal organizations’ funding, and protect human rights defenders.

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28% of registered conflict victims in Colombia are under 18 years old. The numbers are even more pronounced for IDPs: 33% of all IDPs are under 18 years old and 56% are under 30 years old.⁽⁶⁾

“We are not going to let them [criminal groups] put the advances and benefits of peace at risk...We will protect the exercise of politics, of social leadership, and of victims’ spokespersons,” said President Santos.⁽⁸⁾

1. Victims Unit National Information Network, Feb. 1, 2016. <http://rni.unidadvictimas.gov.co/>.

2. FORENSIS Medicina Legal 2004.

3. Walter, Barbara. “Does conflict beget conflict? Explaining recurring civil war,” Journal of Peace Research, 2004.

4. Kaplan, Oliver and Nussio, Enzo, “Explaining Recidivism of Ex-combatants in Colombia,” Journal of Conflict Resolution: 2016, 19.

5. “Las bandas criminales reclutan a menores y jóvenes desplazados en el Chocó,” Caracol Radio, April 1, 2011, <http://bit.ly/2rKaaLF>.

6. Victims Unit National Information Network, Feb. 1, 2016. <http://rni.unidadvictimas.gov.co/>.

7. “Gobierno presentará proyecto para fortalecer protección de líderes sociales,” El Espectador, 3 mayo 2017, <http://bit.ly/2oZ4EE1>.

8. Ibid.

3. PEACEBUILDING

ANNOUNCEMENT OF 900 HIDDEN CACHES EXTENDS DISARMAMENT TIMELINE

Despite setbacks, FARC demobilization continues in transitional zones, with the guerrilla group surrendering the names of some 1,500 militia members who were not formally part of its ranks. Moreover, the group has now surrendered almost 8,000 weapons (85% of those expected to be in their possession). However, this month a process began: searching for, accessing, and gathering the group's alleged 900 hidden weapons caches scattered about remote and sometimes hostile parts of the country. According to the UN, the organization is working on a detailed timetable to advance the search process with the FARC and the GOC.⁽⁹⁾

The original 180 day period to hand-over personal weapons and until September for caches; this is the timeline proposed by Colombia's Ambassador to the UN. The UN Security Council said the entity is continuing to follow the original timeline.⁽¹⁰⁾

UN SECURITY COUNCIL "UNANIMOUSLY AND SOLIDLY" BEHIND PEACE PROCESS

In its first ever full official visit to Latin America, the United Nations Security Council voiced continued support for the peace process and the implementation of the peace accord. The delegation met with high level representatives in Bogotá and visited a transitional zone for normalization in Vistahermosa, Meta to understand advances and challenges in the process moving forward. The visit came in the shadow of the kidnapping of a UNODC employee in Barranquillita, in the department of Guaviare, by a breakaway faction of the FARC on May 3. Earlier in the month, the GOC and the FARC formally requested that a new entirely civilian UN mission remain in the country after disarmament is completed to continue supporting and monitoring the implementation of the peace accord.⁽¹¹⁾

"A missed opportunity to support transitional justice is a missed opportunity to achieve development goals." Swedish International Development Agency report underscores the value of diplomacy to implement the peace accord.⁽¹⁴⁾

4. A VIEW FROM THE FIELD

WHAT AND WHERE ARE THE "SPECIAL CIRCUMSCRIPTIONS FOR PEACE"?

Under the peace accord, the special circumscriptions for peace are 16 zones where inhabitants will be able to vote twice in 2018 and 2022, once for their congressional representative in normal elections, and second for a candidate from social organizations, indigenous reservations, or Afro-Colombian community councils, who would provide greater representation in congress. According to La Silla Vacía, these zones include 167 municipalities severely affected by the conflict in 19 departments.⁽¹³⁾

The combination of the first year of implementation [of the accord] and elections is almost explosive and makes things very difficult. The coincidence is a curse...it takes away the sense of responsibility, much of what is said responds to political interests," Sergio Jaramillo, Commissioner for Peace.⁽¹²⁾

HOW TO IMPLEMENT THE RURAL DEVELOPMENT ACCORD ON THE GROUND?

Experts on land rights came together to draft the bill that would spell out the implementation of the peace accord's point on rural development. The proposal aims to tackle violence against land claimants, clarify the Land Fund, provide faster processes to resolve agrarian conflicts, and facilitate land formalization. Challenges that lie ahead include guaranteeing judicial branch approval of the bill's scope, assuring that the now more powerful National Land Agency coordinates with other entities, and detailing community participation. In areas like southern Tolima, 60 to 70 percent of land ownership is informal. Informality is even higher in peripheral areas with more limited access to government institutions.⁽¹⁵⁾

A recent presidential decree on rural development and the peace accord prioritizes conflict victims' access to land and rural social housing subsidies.⁽¹⁶⁾

9. "El lío de las caletas de las Farc," *Semana*, April 22, 2017, <http://bit.ly/2ohkzx0>.

10. "Farc esperan entregar armas el 29 de mayo, pero no caletas," *El Tiempo*, May 6, 2017, <http://bit.ly/2rgxizL>.

11. "El Consejo de Seguridad de la ONU respaldó la paz en Colombia," *El Espectador*, May 4, 2017, <http://bit.ly/2qxy7EP>.

12. Swedish International Development Cooperation Agency, *Development Trends*, 2014, <http://bit.ly/2svUFEh>.

13. "Estas son las circunscripciones especiales," *La Silla Vacía*, April 26, 2017, <http://bit.ly/2oJENL5>.

14. "Coincidencia de la implementación con la campaña electoral es una "maldición" *El Espectador*, May 31, 2017, <http://bit.ly/2rWnYSZ>.

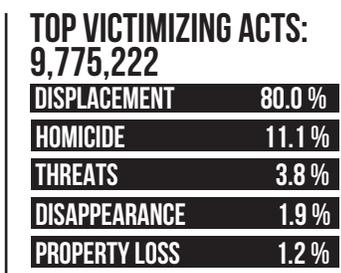
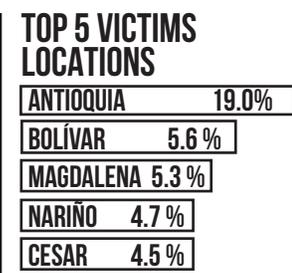
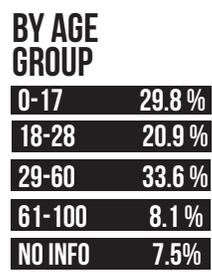
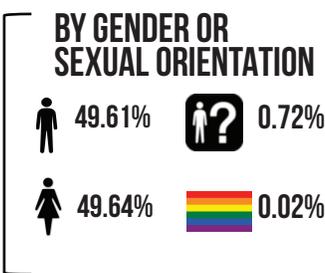
15. "Los avances, los retos y los micos del decreto para aterrizar el punto agrario," *La Silla Vacía*, April 24, 2017, <http://bit.ly/2oYkBB0>.

16. Decreto Ley 890 de 2017, <http://bit.ly/2qChh3E>.

5. PROGRESS REPORT*

8,421,627
REGISTERED
VICTIMS

6,374,269
VICTIMS SUBJECT
TO REPARATION



SECURITY ADVANCES IN COLOMBIA POST-PEACE ACCORD PART I

Around the country, positive humanitarian and security advances have been made since the Colombian government began negotiating with the FARC in 2012, and particularly since the two sides signed a peace accord to end the armed conflict in 2016. Levels of violence are down in the following areas:

ACTIONS BY FARC DOWN 98% AS OF MAY 31, 2017, IT HAS BEEN...

1,559 DAYS since FARC last captured a town	905 DAYS without illegal FARC check points	695 DAYS since the last FARC ambush	689 DAYS without intentional explosions by FARC	686 DAYS since FARC attacked oil infrastructure	561 DAYS since FARC last kidnapped anyone	553 DAYS without landmine incidents by FARC
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OVERALL SINCE 2000...

FEWER LANDMINE INCIDENTS

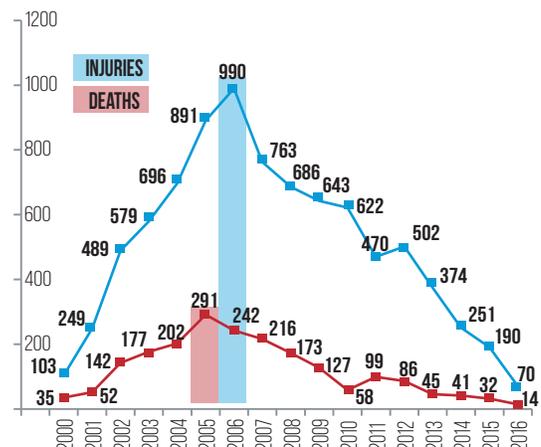


INCIDENTS 2000-2016: 10,600

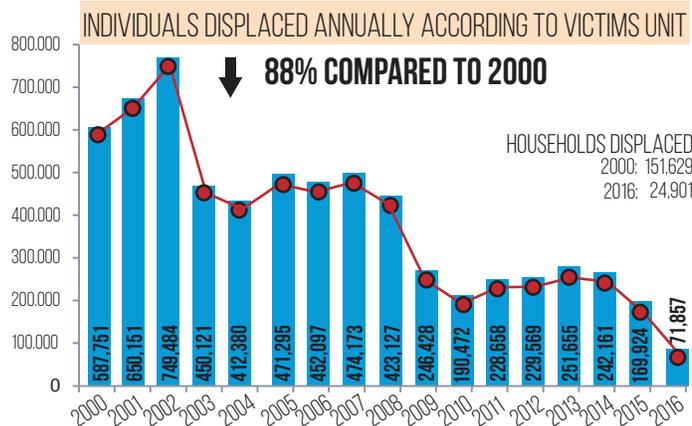
Landmine injuries down 93% since peaking in 2006

Landmine deaths down 95% since peaking in 2005

LANDMINE VICTIM (INJURIES AND DEATHS) 2000-2016



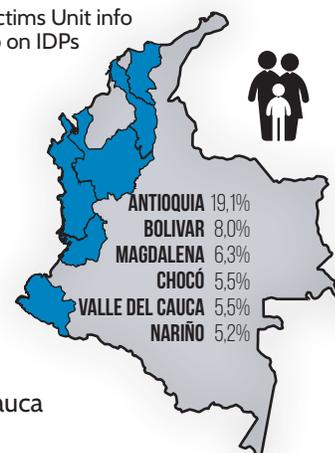
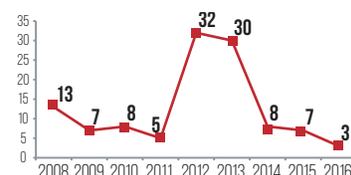
LESS DISPLACEMENT



Since the signing of the Victims Law and support to Victims Unit info systems, Colombia has had much more up to date info on IDPs

6 DEPARTMENTS ACCOUNT FOR 50% OF ALL IDP EXPULSION

CONFINEMENT IS ALSO DOWN



3 CASES IN 2016 Chocó, Valle del Cauca, and Cauca

* Victims Unit National Information Network, March 1, 2016. <http://rni.unidadvictimas.gov.co/>. DAICMA, <http://bit.ly/2rk2mwN>.

6. INCLUSIVE APPROACHES

76 CHILD SOLDIERS HANDED OVER SINCE LAST SEPTEMBER

Through the end of April, FARC had officially handed over 60 child soldiers to the International Committee of the Red Cross. According to an official press release, towards the end of the month 16 more minors in transitional zones were handed over, first to the Red Cross and then to UNICEF and the IOM. Since 1990, the Colombian Family Welfare Institute has recovered and attended to over 5,600 child victims of forced recruitment.⁽¹⁷⁾



USAID
FROM THE AMERICAN PEOPLE



According to a report by Save the Children, Colombia is fifth in the world in terms of children suffering conflict. The top four are Syria, South Sudan, Somalia, and CAR.⁽¹⁸⁾ Report available at this link: <http://bit.ly/2rrUoCc>

7. IN THE SPOTLIGHT

LABOR INCLUSION STRATEGIES TARGET WOMEN VICTIMS OF THE CONFLICT

Working at the regional level in Medellín, Montería, and Pasto, VISP, the Presidential Advisor for Women's Equality and the Ministry of Labor are socializing a presidential decree that will provide tax deductions for businesses that hire female conflict victims, inviting them to participate moving forward. If businesspeople are interested in participating, GOC institutions will connect them with women conflict victims who are searching for gainful employment, as a fundamental part of their transformational reparation.

8. INSTITUTIONAL ADVANCES

Victims Unit

NATIONAL ENCOUNTER OF THE BROAD PARTICIPATORY PROCESS HELD IN BOGOTÁ

On April 26, over 500 victims' leaders and representatives from around the country came together in Bogotá at the national event for the Broad Participatory Process. Victims from diverse regions brought their proposals on specific topics (including collective reparation, institutional strengthening, and peaceful coexistence and psychosocial support) to the encounter in Bogotá. Over 2,000 proposals were gathered and 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.

INTER-INSTITUTIONAL COORDINATION TO INCREASE ATTENTION TARGETS

The Victims Unit has adjusted psychosocial strategies and financing in order to increase its attention targets by 62% (from 40,000 to 64,000 victims). As part of this readjustment, it will work more closely with the Ministry of Health to guarantee physical and psychosocial rehabilitation to victims.

The Special Unit to Search for Disappeared Persons

DECREE FORMALLY CREATES UNIT

Following the issuing of the decree, the structuring and establishment of the Special Unit to Search for Disappeared Persons is getting off the ground. Now, the court will review the decree for the process to formally move ahead.

La Conversación Más Grande del Mundo

INITIATIVE TARGETS EDUCATION FOR PEACE

The Conversation recently released a second edition of its Manual for Conversation and held participatory dialogues in schools and other public institutions to promote conversation and critical reflection on reconciliation and peace. A high level encounter will be held on May 26 with the newspaper El Espectador's Colombia 2020 initiative.

9. ADDITIONAL RESOURCES



“LA MUJER DEL MAÍZ,” NARRATIVE PIECE ON SOCIAL LEADER MAYERLIS ANGARITA

Article by La Silla on women's and victims' rights leader Mayerlis Angarita, “the most threatened woman in Montes de María”. Access the article by clicking on this link: <http://lasillavacia.com/historia/la-mujer-del-maiz-60565>

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>.