COLOMBIA

# **DDR AND CHILD SOLDIER ISSUES**

USAID supports the International Organization for Migration (IOM) in Colombia through the **Recruitment Prevention and Reintegration (RPR) Program**. The RPR Program provides institutional strengthening for the Government of Colombia (GOC) to support legal, social and economic reintegration services to demobilized adults and disengaged children, as well as to prevent new recruitment.

The GOC supports demobilized adults through its **Colombian Reintegration Agency (ACR)**. The DDR initiatives of the ACR aim to fulfill the following objectives: 1) Create conditions for demobilized ex-combatants to become independent citizens, 2) Strengthen socio-economic conditions in receptor communities, and 3) Promote reconciliation.

Children and adolescents who disengage from illegal armed groups, recognized as victims, receive special attention through programs and policies led by the **Colombian Family Welfare Institute (ICBF)** through its Specialized Assistance Program, which aims to reestablish and guarantee rights with special emphasis on protection, education and health.

This monthly review, produced by IOM, provides a summary of news related to disarmament, demobilization and reintegration (DDR) in Colombia, along with statistics on ex-combatant adults and disengaged children.

A MONTHLY REVIEW

**MAY 2016** 



# **KEY DEVELOPMENTS**

# RELEASE OF CHILD SOLDIERS

On May 15, the parties in Havana announced a framework for the release of child soldiers and the development of a comprehensive assistance program. The FARC agreed to provide information to identify and locate children and facilitate their release.<sup>1</sup> A Technical Committee, which began its work on May 19, is developing protocols for release and a proposal for a Special Comprehensive Program for assistance to all released children. The Technical Committee is led by the National Ombudsman's Office and the Advisory Office on Human Rights of the Presidency of the Republic, along with the International Committee of the Red Cross (ICRC), UNICEF, and the International Organization for Migration (IOM).<sup>2</sup> According to the GOC, 170 child soldiers under 15 remain in the ranks of the FARC, and will be progressively disengaged from the armed conflict.<sup>3</sup>

# JUDICIAL SHIELD FOR FINAL PEACE ACCORD WITH THE FARC

On May 12, the delegations of the FARC and GOC in Havana announced a mechanism to secure compliance with the Final Agreement and provide a judicial shield against future changes by national or international actors. At an international level, the Final Accord will be presented to the United Nations Security Council and deposited as a 'Special Agreement' under the Geneva Conventions of 1949.<sup>4</sup> At the national level, the Final Agreement will be debated and voted on by Congress through a legislative 'fast-track' process, after which the Constitutional Court will check the constitutionality of the text.<sup>5</sup> The 'Legislative Act for Peace' to establish this process is currently being debated by Congress.

### FARC

# PEACE PROCESSES

## GOC AND FARC PEACE DELEGATIONS, IN 'PERMANENT SESSION' ON FINAL POINTS OF THE AGENDA

According to a joint statement issued on May 25, the FARC and GOC delegations in Havana will discuss in a 'permanent session', without any interruptions, the final points of the negotiation agenda: the operation and characteristics of the UN political verification mission, the end of hostilities, the laying down of arms, safety guarantees for the FARC and the final, bilateral ceasefire.<sup>6</sup>

"Never before has the Government and the guerrilla been so close to signing a bilateral, definite ceasefire as we are now," stated the FARC.<sup>7</sup>

\* "Joint Communiqué #70." Mesa de Conversaciones, May 15 2016, https://www.mesadeconversaciones.com.co/comunicados/comunicado-conjunto-70-la-habana-cuba-15-de-mayo-de-2016; "Gobierno y Farc acuerdan salida de menores de 15 años de la guerrilla." El Espectador, May 15 2016, http://www.elespectador.com/noticias/paz/gobierno-y-farc-acuerdan-salida-de-menores-de-15-anos-d-articulo-632447

- <sup>2</sup> "Joint Communiqué #71." Mesa de Conversaciones, May 19 2016, https://www.mesadeconversaciones.com.co/comunicados/comunicado-conjunto-71-la-habana-cuba-19-de-mayo-de-2016
- \*Alistan protocolo para que menores de 15 años de Farc dejen la guerra." El Tiempo, May 19 2016, <u>http://www.eltiempo.com/politica/proceso-de-paz/alistan-protocolo-para-que-menores-de-15-anos-de-farc-dejen-la-guerra/16597369</u>
   \* Joint Communiqué #69." Mesa de Conversaciones, May 12 2016, <u>https://www.mesadeconversaciones.com.co/comunicados/comunicado-conjunto-69-la-habana-cuba-12-de-mayo-de-2016</u>
- <sup>5</sup> "Así será el paso a paso para el acuerdo que blinda el proceso de paz." El Tiempo, May 13 2016, http://www.eltiempo.com/politica/proceso-de-paz/proceso-de-paz-ruta-para-el-acuerdo-que-blinda-el-proceso-de-paz/16590894
- <sup>6</sup> "Joint Communiqué #72." Mesa de Conversaciones, May 25 2016, https://www.mesadeconversaciones.com.co/comunicados/comunicado-conjunto-72-la-habana-cuba-25-de-mayo-de-2016
- " "Nigún poder humano' puede impedir la firma de la paz: Farc." El Colombiano, May 27 2016, http://www.elcolombiano.com/colombia/paz-y-derechos-humanos/farc-hablan-sobre-la-firma-del-acuerdo-final-para-la-paz-BF4227021



# **PEACE PROCESSES**

## ARMED HOSTILITIES CONTINUE

Hostilities recently took place between the FARC and the Colombian Armed Forces in the eastern department of Meta. The FARC's Eastern Bloc, responsible for the actions, announced that they will no longer 'study' the peace accords, implying a lack of control by the FARC leadership and potential opposition to the peace process among some FARC units. The GOC stated that the FARC have violated the unilateral ceasefire three times since its official declaration in July 2015.<sup>8</sup> The Colombian Army released posters of guerrilla members accused of killing two soldiers and wounding two others in the region of Caquetá.<sup>9</sup> A top FARC leader contested the accusation, stating that the group has respected its unilateral ceasefire and that recent military operations may delay a final, bilateral ceasefire.<sup>10</sup>

#### ELN

# STALLED NEGOTIATIONS WITH THE ELN

Several more weeks may pass before peace talks formally begin between the ELN and the GOC, according to Ecuador's Minister of Foreign Affairs. Ecuador was announced in April as the initial epicenter for the dialogues,<sup>11</sup> following the March announcement of formal talks along with a six-point agenda. However, the ELN refuses to halt kidnappings, a main source of financing for the group, despite the GOC demand that the group release all hostages before formal talks can begin. The ELN responded that these "impositions" from President Santos are preventing the start of the peace dialogues,<sup>12</sup> stating that the issue will be discussed once negotiations reach the fifth point of the agenda, "Ending the Conflict."<sup>13</sup>

# KIDNAPPINGS CONTINUE

While the ELN and GOC seek a solution to this impasse, armed actions and kidnapping continued. The guerrilla attacked a military base in the department of Norte de Santander and the army killed an ELN commander in the region of Chocó.<sup>14</sup> At the beginning of May, the lawyer Melissa Trillos Gómez disappeared in Norte de Santander;<sup>15</sup> while the ELN denied participation, she was freed two weeks later from the ELN in a rescue operation by the Army.<sup>16</sup> On May 21, a Spanish journalist was kidnapped by the ELN in the Catatumbo region of Norte de Santander, along with two other journalists who also disappeared two days later; all three were released on May 26 with the mediation of the Catholic Church and National Ombudsman's Office.<sup>17</sup> After the Minister of Defense confirmed that the journalists were by the ELN, the kidnappings were condemned by the chief negotiators of the peace process between the FARC and GOC.<sup>18</sup>

# ELN REGRETS KIDNAPPINGS, CALLS FOR BILATERAL CEASEFIRE

The ELN, the second largest guerrilla in Colombia, proposed a bilateral ceasefire with the GOC, and insisted on the development of 'mutual humanitarian actions' regarding the negotiation process.<sup>19</sup> In the same statement, the insurgent group "regretted" the five-day kidnapping of three journalists in the department of Norte de Santander.<sup>20</sup>

<sup>8&</sup>quot;Key FARC Faction Challenges Colombia Peace Process." InSight Crime, May 11 2016, http://www.insightcrime.org/news-briefs/key-farc-faction-challenges-colombia-peace-process

<sup>9 \*</sup>Ofrecen recompensa por francotiradores de las Farc." El Tiempo, May 9 2016, http://www.eltiempo.com/politica/justicia/recompensa-por-francotiradores-de-las-farc/16586585

 <sup>&</sup>quot;Operativos militares podrían frenar cese el fuego bilateral, dice 'Timochenko'." El Universal, May 9 2016, <u>http://www.eluniversal.com.co/colombia/operativos-militares-podrian-frenar-cese-el-fuego-bilateral-dice-timochenko-225641</u>
 "Diálogo gobierno-Eln demoraría algunas semanas, dice canciller de Ecuador." El Espectador, May 18 2016, <u>http://www.elespectador.com/noticias/paz/dialogo-gobierno-eln-demoraria-algunas-semanas-dice-can-articulo-633069</u>

<sup>12 &</sup>quot;El ELN no está dispuesto a ceder y dejar el secuestro." Semana, May 8 2016, http://www.semana.com/nacion/articulo/el-eln-no-esta-dispuesto-a-ceder-y-dejar-el-secuestro/472920

<sup>&</sup>lt;sup>13</sup> "El ELN ha dicho que quiere paz, pero deben dejar de secuestrar y delinquir. Santos." El País, May 9 2016, <u>http://www.elpais.com.co/elpais/colombia/proceso-paz/noticias/eln-ha-dicho-quiere-paz-pero-deben-dejar-secuestrar-y-delinquir-santos</u>
<sup>14</sup> "Crece la confrontación con Eln antes de negociar." El Colombiano, May 9 2016, <u>http://www.elcolombiano.com/colombia/paz-y-derechos-humanos/crece-la-confrontacion-con-eln-antes-de-negociar. EB4113996</u>

<sup>15 &</sup>quot;Eln niega tener en su poder a la abogada Melissa Trillos y al líder comunal Henry Pérez." El Colombiano, May 1 2016, http://www.elcolombiano.com/colombia/eln-niega-los-secuestros-de-melissa-trillos-y-henry-perez-YD4072010

 <sup>&</sup>lt;sup>16</sup> "Rescatada Melissa Trillos, la abogada secuestrada por el Eln." El Colombiano, May 15 2016, <u>http://www.elcolombiano.com/colombia/melisa-trillos-abogada-secuestrada-por el-eln-fue-rescatada-en-norte-de-santanter-EK4149273
</u>

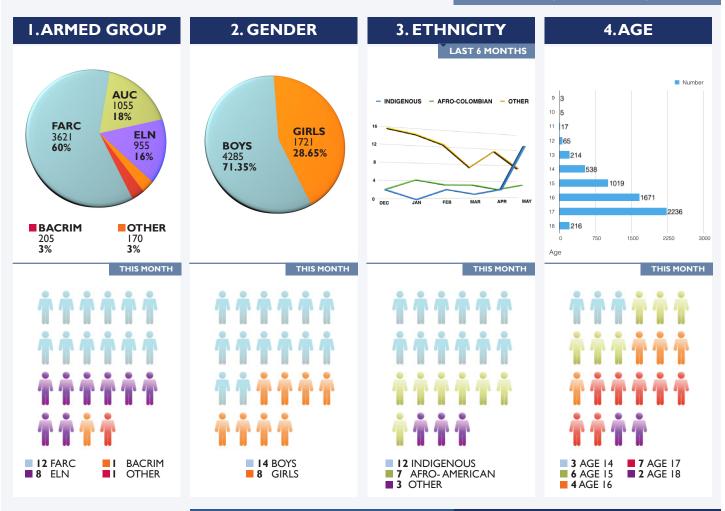
<sup>&</sup>lt;sup>17</sup> "Se acabó la pesadilla para Salud Hernández y los reporteros de RON." El Espectador, May 27 2016, <u>http://www.elespectador.com/noticias/judicial/se-acabo-pesadilla-salud-hernandez-y-los-reporteros-de-articulo-634787-0</u>

<sup>18 &</sup>quot;Timochenko' condenó secuestro de Salud Hemández." El Colombiano, May 27 2016, http://www.elcolombiano.com/colombia/paz-y-derechos-humanos/timochenko-condeno-secuestro-de-salud-hernandez-JE4226874

<sup>19 &</sup>quot;ELN pide un cese al fuego bilateral." Semana, May 30 2016, http://www.semana.com/nacion/articulo/eln-lamenta-secuestro-de-salud-hernandez-en-catataumbo/475745

<sup>20 &</sup>quot;Esto fue un secuestro, dice Salud Hernández." El Heraldo, May 28 2016, http://www.elheraldo.co/nacional/esto-fue-un-secuestro-dice-salud-hernandez-263287

# TOTAL (SINCE 1999) 6,006



DEMOBILIZED ADULTS TOTAL (SINCE 2003) 57,942

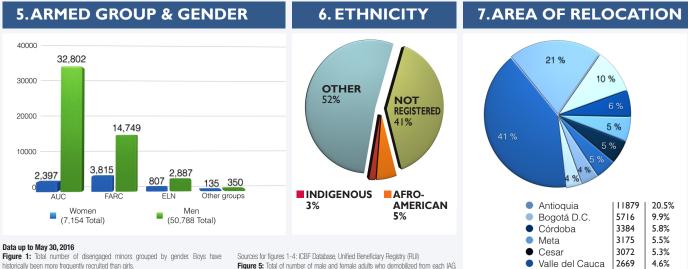


Figure 1: Total number of disengaged minors grouped by gender. Boys have historically been more frequently recruited than girls. Figure 2: Numbers of minors who disengaged from each IAG. Most disen-gaged

children were recruited by the FARC. Figure 3: Total number of disengaged minors by ethnicity. Indigenous groups are sproportionately affected by recruitment.

Figure 4: Numbers of disengaged minors in each age group. The average age of recruitment is between 15 and 18 years old.

Figure 5: Total of number of male and female adults who demobilized from each IAG.

e AUC had the lowest proportion of women. Figure 6: The eight departments to which the highest numbers of ex-combatants

relocate for their reintegration process.

Figure 7: Total number of demobilized adults by ethnicity. Sources for figures 5-7: ICBF Database and ACR Reintegration Information System (SIR)

Other

Santander

Magdalena

2254

2060

23733

3.9%

3.6%

41%

## A MONTHLY REVIEW MAY 2016

# INTERNATIONAL SUPPORT FOR PEACE

# EU SUPPORT FOR THE POST-CONFLICT

The European Union (EU) announced 575 million euros to support implementation of peace accords with the FARC.<sup>21</sup> Once a final agreement is signed, rural areas will receive investments for sustainable agricultural development, care of natural resources, humanitarian demining and peace pedagogy, with initial projects aligned closely with the Rapid Response Plan developed by Colombia's Ministry of Post-Conflict. The total funding amount includes planned support under the EU Colombia Fund (90 million euros), the Instrument contributing to Stability and Peace (18 million euros), along with new loans offered by the European Investment Bank (400 million euros) in addition to ongoing funding support (67 million euros for 2014-2017). The EU also expressed a commitment to support Colombia in the post-conflict period through increased trade.<sup>22</sup>

# **INSTITUTIONAL PROGRESS**

## PUBLIC HEARING ON REFERENDUM MECHANISM

The Supreme Court held a public hearing on the referendum mechanism for a final peace agreement, intended to provide the Court with multiple perspectives and a fuller picture of the issue. The Supreme Court will decide upon the constitutionality of the referendum mechanism proposed by the Government to legitimize the final agreement with the FARC. President Santos, the Ministry of the Interior, and the High Commissioner for Peace voiced support for the measure, noting that the final agreement is comprehensive and its components therefore cannot be questioned separately, and that the proposed measure would be binding, in accordance with the Legislative Act for Peace.<sup>23</sup>

# DOUBTS ABOUT THE SPECIAL JURISDICTION FOR PEACE

Colombia's Supreme Court identified certain concerns about the scope of the Special Jurisdiction for Peace, part of the transitional justice agreement reached in December. The Court worries that the Special Jurisdiction for Peace may facilitate ideological retaliations, enable any demobilized combatant to participate in politics regardless of responsibility for crimes committed, and annul responsibilities and punishment related to the armed conflict imposed by other jurisdictions. The Court calls on government delegates in Havana to provide more explanation.<sup>24</sup>

# FURTHER READING

# REMOTE COMMUNITIES: COCA ERRADICATION AND A LACK OF PEACE PEGAGOGY

A recent column<sup>27</sup> by Kyle Johnson, analyst for the International Crisis Group in Colombia, explains the need to give attention to eradication of coca crops and peace pedagogy in remote rural areas, with a need to increase understanding of the Havana peace process and the agreements that have been reached. These conditions are related to a feeling among remote communities that the State sees them as criminals rather than citizens, national and international political interests related to drug trafficking, and increasing negative perceptions and lack of confidence in the State. These dynamics create various problems that will need to be addressed in the post-conflict in these areas.

# POLL INDICATES WILLINGNESS TO PARTICIPATE IN PEACE ACTITIVITES

A majority of Colombians express a willingness to participate in peace related activities once a final agreement is signed – 30% "very willing" and 28% "somewhat willing" (28%) – according to the results of poll released by Corpovisionarios, a statistical analysis firm focused on civic culture. The field work was carried out in November and December in ten cities across Colombia, including major cities (Bogotá, Cali, Medellín, Barranquilla, and Bucaramanga) as well as other cities less often included in polls (Villavicencio, Florencia, Pasto, Montería and San José del Guaviare). An article by the newspaper El Tiempo describes the results in an article<sup>25</sup> as well as an infographic.<sup>26</sup>

# RELEASE OF CHILDREN BY THE FARC: QUESTIONS AND ANSWERS

The government's delegation to the peace accords with the FARC released a short questions and answers related to the announcement of the agreement with the FARC on the release of children from its camps.<sup>28</sup>

- 21 "La Unión Europea anunció más ayuda para posconflicto." El Tiempo, May 26 2016, http://www.eltiempo.com/politica/proceso-de-paz/apoyo-economico-de-europa-para-el-posconflicto-en-colombia/166042427
- 22 "Desarrollo rural, primera inversión del posconflicto." El Espectador, May 30 2016, http://colombia2020.elespectador.com/economia/desarrollo-rural-primera-inversion-del-posconflicto.
- <sup>23</sup> "La academia se dividió ante posible plebiscito." El Colombiano, May 27 2016, <u>http://www.elcolombiano.com/colombia/paz-y-derechos-humanos/la-academia-se-dividio-ante-posible-plebiscito-ME4226178</u>
  <sup>24</sup> "Eritadal Dudae ante la initia de paga" El Colombiano, May 27 2016, <u>http://www.elcolombiano.com/colombia/paz-y-derechos-humanos/la-academia-se-dividio-ante-posible-plebiscito-ME4226178</u>
- <sup>24</sup> "Editorial: Dudas ante la justicia de paz." El Colombiano, May 28 2016, <u>http://www.elcolombiano.com/opinion/editoriales/dudas-ante-la-justicia-de-paz-JH4229496</u>
- <sup>25</sup> "Colombianos, más dispuestos a participar en la paz tras acuerdo final." El Tiempo, May 24 2016, <u>http://www.eltiempo.com/politica/proceso-de-paz/acuerdo-final-del-proceso-de-paz-con-fac-abriria-participacion-de-los-colombianos/16602264;
   <sup>26</sup> Infographic of survey results: "Disposición de los colombianos para participar en el acuerdo de paz." El Tiempo, accessed on June 14, 2016. <u>http://www.eltiempo.com/multimedia/infografias/disposicion-de-los-colombianos-para-participar-en-el-acuerdo-de-paz/16602351</u>
  </u>
- <sup>27</sup> "Erradicación, pedagogía y legitimidad." Semana, May 23 2016, <u>http://www.semana.com/opinion/articulo/kyle-johnson-erradicacion-de-cutivos-ilicitos-y-pedagogia-de-acuerdos-para-campesinos/474921</u>

<sup>28 &</sup>quot;Preguntas y respuestas sobre el acuerdo de salida de menores edad de las Farc." Equipo Paz Gobierno, May 15 2016, http://equipopazgobierno.presidencia.gov.co/prensa/declaraciones/Paginas/preguntas-respuestas-acuerdo-menores-edad-farc.aspx