

# DDR AND CHILD SOLDIER ISSUES

This monthly review, produced by IOM, provides a summary of news related to the implementation of the Peace Accord in Colombia, including disarmament, demobilization, and reintegration (DDR) processes. Presented on the first two pages are a summary of statistics on former child soldiers and adults in the process of reintegration, with information provided by the Colombian Family Welfare Institute (ICBF) and the Agency for Reincorporation and Normalization (ARN).



## DISENGAGED CHILDREN AND ADOLESCENTS

Reported cases of forced recruitment since 1999:

• Total: **7,616**

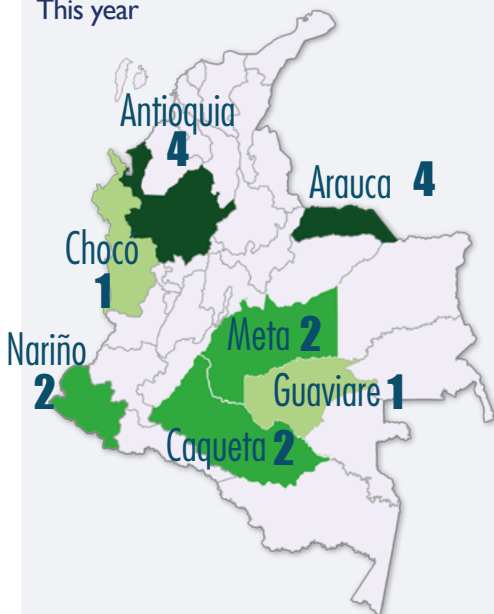
28 February

### Total disengaged

- Since 1999: **6,642**
- This year: **35**
- This month: **13**
- Currently enrolled in program: **229**

### Disengagement by department

This year



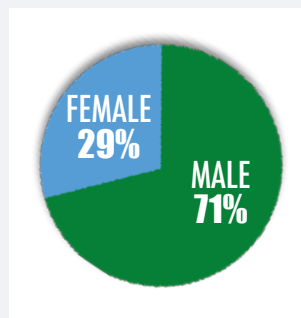
Unknown 19

### Armed group



\*Organized Armed Groups- splinter groups; includes FARC dissident groups

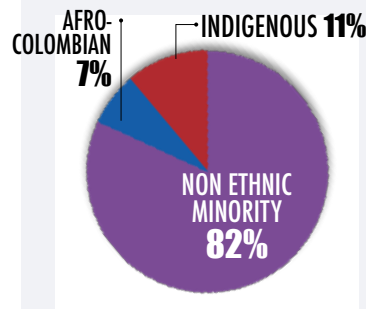
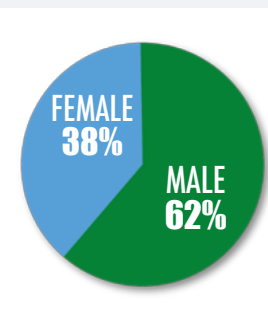
### Since 1999



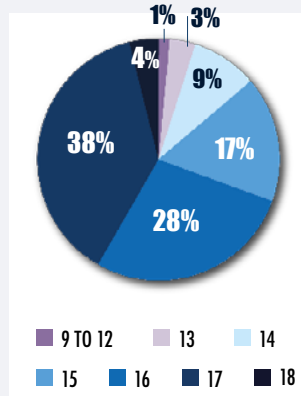
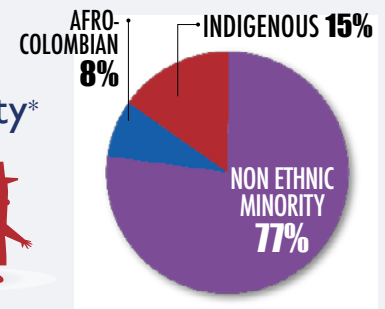
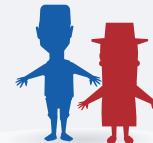
### Sex



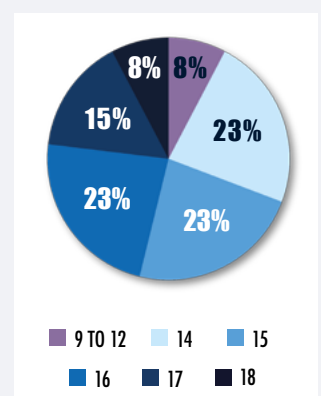
### March 2019 (This month)



### Ethnicity\*



### Age



\*Note: The category of Afro-colombian has only been recorded since July 2008; thus, the proportion is expected to be higher than presented in the "Since 1999" graph.

# ADULTS IN REINTEGRATION PROCESS

Note: FARC who demobilized as part of the Peace Accord are not included in this data.

Total currently active in reintegration process:

› **6,462**

Total entered into ARN reintegration route

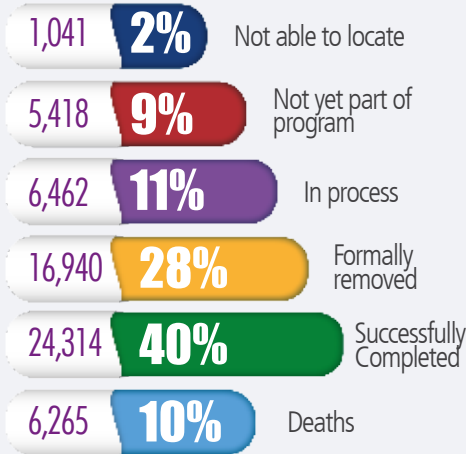
› This month: **41**

› This year: **116**

› Since 1999: **60,440**

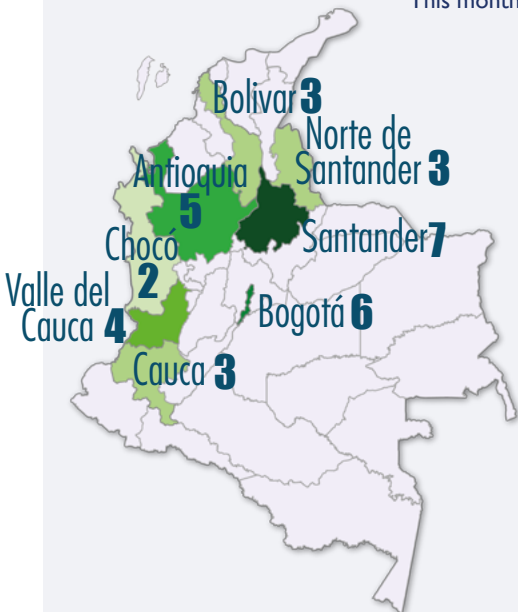
State of all participants

Since 1999

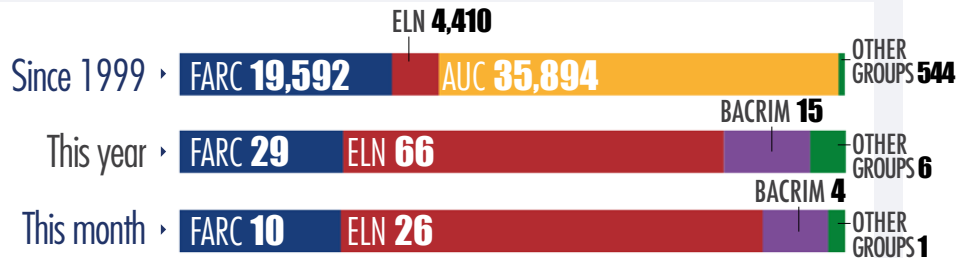


Demobilization by Department (top 7)

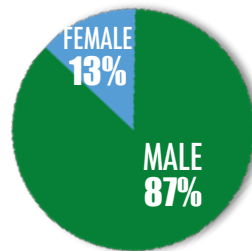
This month



## Armed group



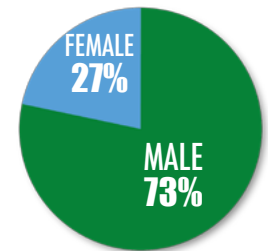
Since 1999



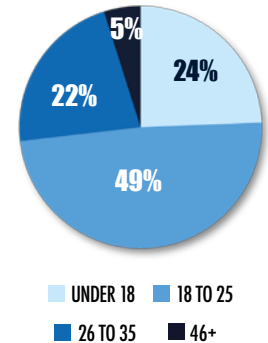
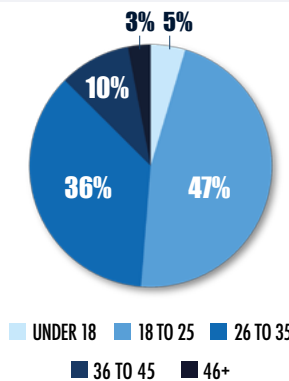
Sex



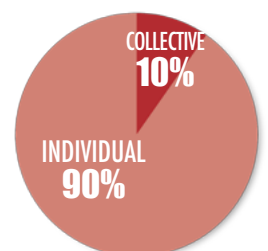
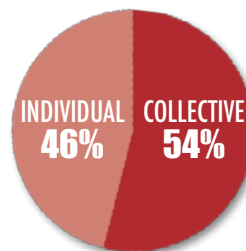
March 2019 (This month)



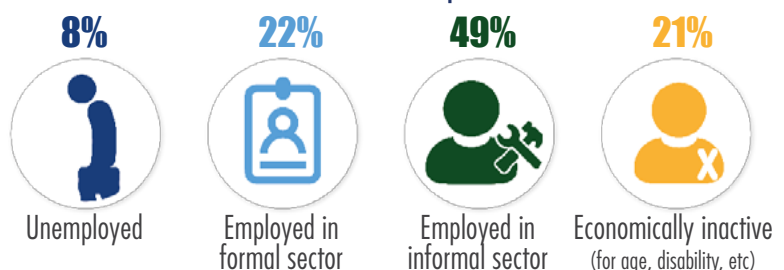
Age at recruitment



Type of demobilization



Current occupation\*



\*Note: Those who have died or who are without occupational registry are not included.

## KEY DEVELOPMENTS

### Forced displacement peaks in Córdoba, Cauca, Catatumbo and Chocó

During March, the UN Office for the Coordination of Humanitarian Affairs issued seven alerts for massive displacements and humanitarian crises in at least nine municipalities in five departments of the country. According to the International Committee of the Red Cross, forced displacement between 2017 and 2018 increased by 90%, rising from 14,594 to 27,780 people.<sup>1</sup> In the case of Catatumbo, the war between the ELN and the EPL, which began a year ago, has subsided in recent months; however, the fighting between these groups and the Armed Forces has intensified, following the deployment of 5,000 troops to the area at the end of November 2018, which has caused three massive displacements since December.<sup>2</sup> In the Chocó, at least 2,400 people from ten indigenous communities experienced restrictions on mobility, threats to leaders, and other violations of human rights during the past month due to the presence of the ELN and the AGC. Around 1,700 people (500 families) were displaced from various villages in Córdoba at the end of the month following confrontation between the AGC and armed structures made up of FARC dissidents.<sup>3</sup>

### President Duque vetoes six articles of the Statutory Law of the Special Jurisdiction for Peace (JEP)

The 10 March veto covers perpetrators' reparation of victims; the High Commissioner for Peace's role in verifying those covered by the Peace Accord; ordinary justice powers to investigate those covered by the JEP; the investigation and punishment of crimes against humanity; the Peace Tribunal's power to request proofs, particularly in extradition cases; and third parties receiving JEP benefits. Duque also plans to change Legislative Act 001, which created the Integrated Truth, Justice, Reparation, and Non-Repetition System in 2017.<sup>4</sup> Thousands marched in support of the JEP on 18 March in Bogotá and cities nationwide in response to the objections. Organized by the same youth who mobilized in support of the Peace Accord during the plebiscite in 2016, the march called on Congress to commit to the implementation and construction of peace "as a State policy."

### Budgets of the JEP, Truth Commission, and the UBPD slashed in the PND

As the congressional debate over the PND under the present Government of Colombia (GOC) currently stands, the JEP, Truth Commission and the Unit for the Search of Disappeared Persons (UBPD) will operate on budgets that are, respectively, 28%, 40% and 68% lower than requested. The gravest consequences of the budget cuts will be experienced in the territories and in the hiring of personnel: the Unit of Investigation and Accusation of the JEP will only operate in ten of the planned 18 locations; the 455 persons needed for the 26 territorial Truth Houses of the Commission, will be cut to 212; and 203 of the required 261 persons for the UBPD, of which half were supposed to work in 17 territories, are without funding.<sup>5</sup>

## IMPLEMENTATION OF THE PEACE ACCORDS

FARC-EP

### Cases 006 and 007 of the JEP open

The JEP will investigate the participation of State agents, public forces, paramilitary groups, and civilian third parties in the systematic victimization of the Unión Patriótica political party in Case 006. Reports identify more than 6,000 victims of over 9,000 violations, including selective assassinations, forced displacement, deaths in massacres, and kidnappings in 27 departments between 1984 and 2002. Perpetrators have enjoyed almost total impunity, with only 246 sentences and 30 convictions being issued through the ordinary justice system.<sup>6</sup> Case 007 focuses on the recruitment and use of minors, including cases of sexual abuse and forced abortion, during the armed conflict. Reports show that 6,230 children were recruited by regular and irregular armed groups from 1971 to 2016. The Attorney General's Office (FGN) has opened 4,219 investigations, but only 10 convictions have been made.<sup>7</sup>

### "Jesús Santrich" case continues

Following the United States authorities' confirmation that they will not share evidence in the Santrich case, the JEP closed its period of seeking evidence. The JEP will review the defense and the Inspector General's arguments to determine whether to offer Santrich the non-extradition guarantees for former FARC combatants laid out in the Peace Accord. His seat in Congress remains reserved until the extradition case is concluded,<sup>8</sup> a decision that came amidst the scandal caused by the capture of the JEP's Support Attorney, suspected of receiving US\$500,000 to influence the case.<sup>9</sup>

### FARC denounces lack of funding and state reticence toward reincorporation initiatives

The denouncement made by FARC house representative on 3 March followed the Reincorporation and Normalization Agency's failure to complete payments for former combatants as scheduled on 16 February. Many former combatants have abandoned their Territorial Training and Reincorporation Spaces (ETCR) amid growing uncertainty surrounding their legal, physical, and socioeconomic security. In addition, the state has not delivered land for former combatants to implement their productive projects and build a sense of territorial belonging, and the National Development Plan (PND) has reduced funding for peace initiatives.<sup>10</sup> On the other hand, on 8 March, the GOC, UN, and FARC presented a joint integrated reincorporation initiative, which will be implemented to the benefit of 2,500 people in 15 ETCRs. A

selection of the 120 existing productive initiatives will receive additional funding for value chain inclusion and commercialization, and five ETCRs will receive support for services for 509 pregnant and lactating women, children, and adolescents.<sup>11</sup>

## **“El Paisa” once again fails to comply with the JEP**

Former FARC commander Hernán Velásquez Saldarriaga, alias “El Paisa,” failed to appear before the JEP on 18 March. He is the only leader not to have submitted a report in Case 001, in which 31 former FARC leaders were called to give evidence on illegal retentions. Earlier this year, the JEP ordered an investigation into the whereabouts of El Paisa, who left the Miravalle ETCR in July 2018. If the JEP determines non-compliance, his case will be submitted to the FGN for processing through the ordinary justice system.<sup>12</sup>

## **Victims of sexual violence of the FARC request the JEP to take on their cases**

The victims assert that the transitional justice mechanism, as opposed to the ordinary justice system, will allow for the truth to be known and victims repaired. Impunity in the ordinary justice system is 97% of all cases of sexual violence reported in the context of the armed conflict.<sup>13</sup> In similar news, in a win in the fight against impunity of sexual violence, five former leaders of the AUC were convicted of 471 cases of gender-based violence perpetrated by men under their command.<sup>14</sup>

## **INTERNATIONAL SUPPORT**

### **International support backs the JEP**

Following President Duque's objections the Statutory Law of the JEP, an outpour of support for the JEP from the international community ensued: representatives from various Embassies of European nations, as well as the UN, met with the President of the JEP to reiterate their support for the Statutory Law;<sup>15</sup> the UN Secretary General, Antonio Guterres, noted the progress of the JEP in several cases of violations of human rights in the context of the conflict, but warned against political polarization around the transitional justice mechanism in a recent report and called for the Statutory Law to be promulgated as soon as possible;<sup>16</sup> and the Inter-American Commission on Human Rights, in its 2018 annual report, asked the GOC to adopt the necessary measures to advance in the definition and entry into force of the regulatory framework of the JEP.<sup>17</sup> If the Congress approves changes to the Law, they will have to be reviewed by the Constitutional Court; meanwhile, delays continue to generate uncertainty for the reincorporation of the FARC<sup>18</sup> and the legal security for the 11,675 people (including 9,687 former FARC combatants and 1,938 members of the Armed Forces) who have submitted to the transitional justice mechanism.<sup>19</sup>

## **DIVERSITY ISSUES**

### **Indigenous communities protest, blockading Pan-American Highway**

The protests, which had not yet ceased by the end of the month, blockaded a crucial highway in Southwestern Colombia and sparked confrontations with security forces. Over 25 protestors have been wounded and one death has been reported. The GOC has demanded that blockades be lifted and the de facto routes ceased.<sup>20</sup> Indigenous communities are demanding answers and measures for the assassinations of leaders, as well as 4.6 billion pesos in addition to the 10 billion pesos contemplated in the PND. They are asking Duque to sign an agreement for the allocation of resources for their communities, revision of his proposed reform regarding the use of land for ethnic communities, and protection from fracking in territories that affect their communities. It is estimated that at least 22,000 people are marching for ethnic causes.<sup>21</sup>

### **JEP receives reports on the violence experienced by the LBGTI population for Cases 002 and 004**

The two reports detail persecution and systematic violence against the LBGTI population in Tumaco, Nariño and Antioquia as a result of prejudice. For seven months, an investigative team from two organizations gathered testimonies and information from victims in seven departments who suffered sexual violence, homicides, femicide, forced labor, forced displacement and threats. At least five additional reports are expected to be delivered to the Truth Commission and the UBPD. This marks the first time that a transitional justice tribunal has received information on the violence suffered by LBGTI people during an armed conflict.<sup>22</sup>

## **FURTHER READING**

### **Challenges and opportunities of the SIVJRNR**

In this report, the Colombian Commission of Jurists sets out the challenges and opportunities represented by the three main components of the Integral System of Truth, Justice, Reparation and Non-Repetition, namely the JEP, UBPD and the Truth Commission. The document includes eight guides that address specific issues from international and national standards such as: the duty to investigate Human Rights violations and breaches of International Humanitarian Law by the JEP; the conception and implementation of integral reparation as peace building; the humanitarian work of searching for the disappeared as a shared task; the duties of the State regarding guarantees of non-repetition; among others.<sup>23</sup>