

DDR AND CHILD SOLDIER ISSUES

A MONTHLY REVIEW

MAY 2017

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.

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KEY DEVELOPMENTS

President Santos signs wave of decrees to facilitate implementation

Over the weekend of May 27-28, President Juan Manuel Santos signed various decrees in order to advance the implementation of the peace accords, on topics ranging from land, education in conflict zones, rural electrification, demining, and the creation of the National Council for Peace. He did so under the extraordinary powers granted to him by Congress for decrees related to the peace accords. Among these decrees was the mandate for restructuring of the ACR, an institution that for many years led the process of reintegration into civilian life of ex-combatants in the context of the Colombian armed conflict. According to the outgoing Interior Minister, Juan Fernando Cristo - now adviser on the implementation of the Agreement - the idea is to collect the experiences already applied and to make the process of reincorporation of the guerrilla demobilized have a more collective and rural approach. Additionally, a separate decree (891) secured the rights of all minors exiting the FARC-EP ranks within the Colombia Family Welfare Institute Program "Different Life Paths," even after they reach the age of adulthood.¹

Constitutional Court overturns two key elements of congressional fast track mechanism

On Wednesday, May 17th, the Colombian Constitutional court rejected two items (Rules H&J) within the July 7th, 2016 Legislative Act for Peace - the act which put into motion the congressional fast track mechanism. The spirit of the Act was to ensure that draft laws and legislative acts were in line with what was agreed upon in the final peace accord, and to reduce the length of the approval process to ensure continued momentum behind the implementation process. In a vote of 5:3, the Constitutional Court overturned the two rules: Rule H, which notes that bills and acts may only be amended if they conform to the original accord and if they have the prior approval of the national government. Rule J was also rejected, which provided for projects to receive approval (with prior national government backing) in a single vote. The Court found that the clause in each of the two Rules that allowed for "prior approval" of the national Government represented a substitution of powers that contradicts the principle of separation of powers guaranteed by the constitution. The ruling is expected to have long-term impact with regards to implementing the peace accords. Currently 33 laws, 10 decrees, and one Compes document await processing (Compes documents are public policy documents produced by various ministries in collaboration with one another) – representing roughly 80% of the mechanisms for implementing the accords. In the processing time of the 33 laws alone, the court ruling creates a minimum delay of one year.²

Process of laying down arms continues amidst delays

In terms of the process of laying down arms, 1,000 of the total personal arms of the FARC-EP registered with the United Nations were housed in controlled U.N. containers as of May 20th. While the official total number of arms is not available, early inventories estimated roughly 14,000. Only 12 guerrillas have received their certificates for laying down their arms. The remaining arms are managed in by the FARC-EP. The former guerrillas have additionally handed in the coordinates for 949 weapons caches and/or arms repositories in the country; four of these have been officially destroyed.³

¹ <http://www.elespectador.com/noticias/politica/la-decreton-del-gobierno-para-agilizar-la-implementacion-de-la-paz-articulo-695912>

² <http://pacificista.co/hicimos-las-cuentas-el-fallo-de-la-corte-va-a-retrasar-al-menos-un-ano-la-implementacion-de-la-paz/>

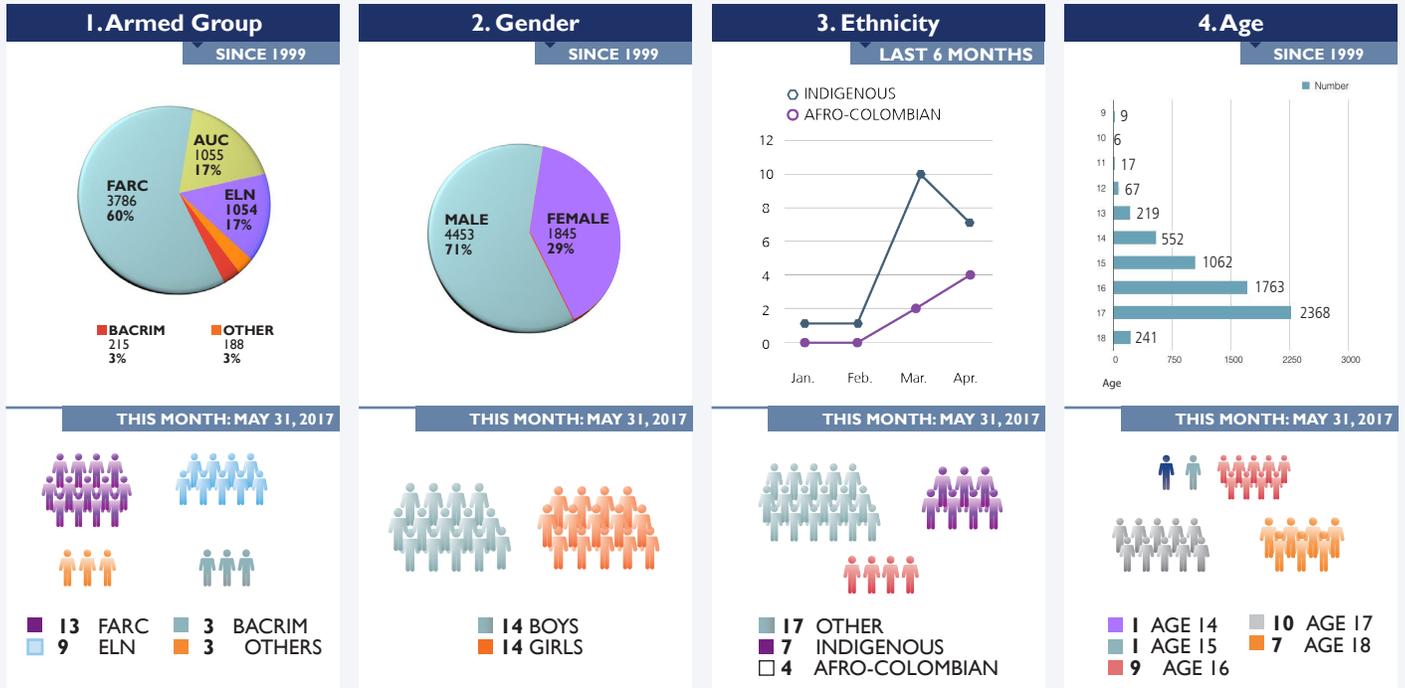
³ <http://colombia2020.elespectador.com/pais/se-retrasa-la-dejacion-de-armas-de-las-farc>

FIGURES & TRENDS

* These data are estimates based on the information available

Disengaged Children & Adolescents

TOTAL 6,298



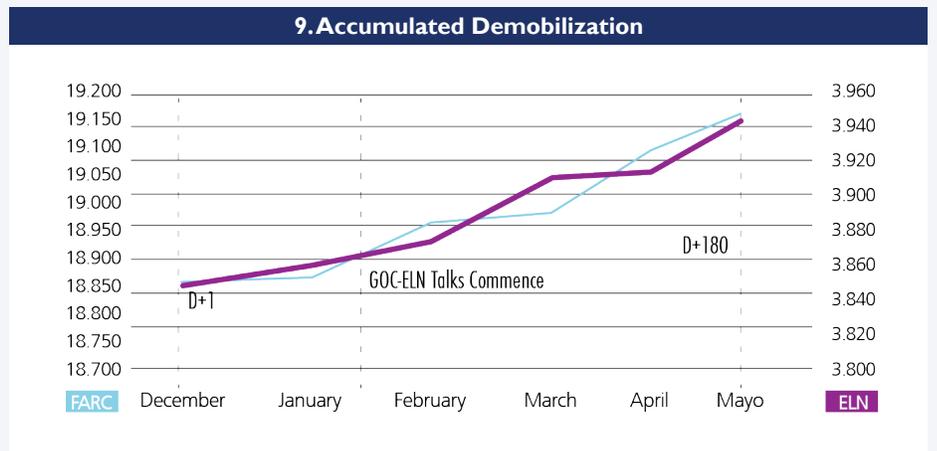
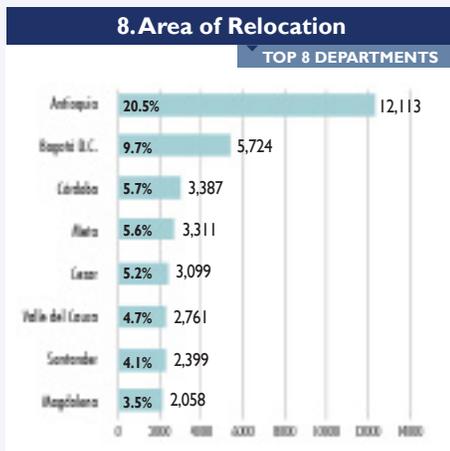
5: Victims of Forced Recruitment

Total 8,179** / Month to month 81**

** Number of cases of child recruitment reported to the Victims Unit.

Demobilized Adults

TOTAL 59,299



Data up to May 31, 2017

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 disengaged children were recruited by the FARC.

Figure 3: Total number of disengaged minors by ethnicity. Indigenous groups are disproportionately 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. Sources for figures 1-4: ICBF Database, Unified Beneficiary Registry (RUI)

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

Figure 8: Total number of demobilized adults by ethnicity. Sources for figures 5-7: ICBF Database and ACR Reintegration Information System (SIR)

Figure 9: Accumulated Demobilization

FARC-EP weapons caches continue to emerge

President Santos also announced on May 29th that the transitional zones would continue through August 1st, providing an additional 20 days for the FARC-EP to lay down their arms and an additional 60 days for beginning their reincorporation process while still in the zones.⁴ Two weeks prior, Carlos Córdoba, Manager of the Transitional Zones, announced that these transitional zones are going to be sites for reintegrating the guerrilla to civilian life, and that infrastructure projects in these locations would continue to completion. The sites will be extended according to local needs – for example, a group of ex-FARC-EP might stay for six additional months if they are simultaneously receiving vocational training from SENA that covers that timespan. Córdoba noted that while the change in plans does depart from the original explicit definition of the transitional zones developed in Havana, it allows the FARC-EP members to transition to legality under conditions of dignity and with the support of the GoC.⁵

IMPLEMENTATION OF THE PEACE ACCORDS

FARC-EP

124 FARC-EP have escaped transitional zones to join dissidents

Luis Carlos Villegas, the Minister of Defense, announced that as of May 23rd, 124 members of the FARC-EP have been captured who escaped transitional zones in order to join dissident movements. An estimated 300-350 individuals comprise dissident blocs of the FARC-EP, or less than 5% of the total number of guerrillas, according to Villegas.⁶

CSIVI releases its assessment of the implementation process to date

The Commission for Tracking, Impulse, and Verification of the Implementation of the Final Accord (CSIVI) released its 19th Joint Communiqué on May 29th. The Communiqué covered four domains. First, it announced that between June-August 1st, the transitional zones would become spaces for training and beginning reincorporation processes for the FARC-EP. After that date, they will convert to pure reincorporation sites, and are to be managed with a community-based perspective. Second, the FARC-EP are to hand over all arms and transition to legality before July 20th. Third, the GoC will need to complete the process of releasing those FARC-EP prisoners who qualify for amnesty and suspend arrest warrants for those ex-guerrillas who qualify but who are not in jail. The GoC also needs to provide physical security for reincorporating FARC-EP members, and facilitate their socioeconomic reincorporation as well. Fourth, All international accompaniment needs to be activated by June 30th.⁷

First FARC-EP members receive certification for laying down arms

On Friday, May 12th, the first group of 12 members of the FARC-EP received certifications for completion of the process of laying down their arms, which allows them to formally begin their reintegration process into civilian life. Currently, the Mission confirmed that 51 arms containers and 52 metallic boxes are now in place in the transitional zones, with the combined capacity to accommodate tens of thousands of arms.⁸

Ten minors released from transitional zones

On Friday, May 12th, the FARC-EP released 10 adolescents from the transitional zones in the southern region of Colombia, who were then received by the ICRC, along with support from UNICEF and IOM. The new total for minors released by the FARC-EP since September 2016 is now 86.⁹

⁹ https://colombia.unmissions.org/sites/default/files/april_statement_to_the_security_council_of_jean_arault.pdf

¹⁰ <http://www.eltiempo.com/politica/proceso-de-paz/diferencias-entre-nueva-mision-de-la-onu-y-la-actual-para-el-proceso-de-paz-80922>

¹¹ <http://colombia2020.elspectador.com/pedagogia/lascaletasdelasfarcuniesgoanunciado>

¹² <http://www.eltiempo.com/politica/proceso-de-paz/las-farc-denuncian-asesinato-de-guerrillero-indultado-en-tumaco-79814>

¹³ <http://www.elspectador.com/noticias/politica/defensoria-del-pueblo-pide-mas-esfuerzo-en-proteccion-de-desmovilizados-de-las-farc-articulo-690101>

¹⁴ <http://www.semana.com/nacion/articulo/asesinan-a-jose-huber-yatacue-otro-miliciano-desmovilizado-de-las-farc/523287>

¹⁵ <http://www.fuerzasmilitares.org/notas/colombia/ejercito-nacional/7504-quaviare-minado.html>

¹⁶ <http://es.presidencia.gov.co/noticia/170406-Comunicado-conjunto-002-Mesa-de-Conversaciones>

PEACE PROCESSES

ELN

ELN-GoC begin second round of talks

The ELN peace delegation released their 13th Communiqué on Wednesday, May 17th, marking the beginning of the second round of dialogues in Quito, Ecuador. The delegation wrote that they looked forward to arriving at a set of humanitarian accords and to ensure guarantees for public participation in the process; it reaffirmed the guerrilla's commitment and political will to establish a stable and durable peace.¹⁰ Over the week that followed, both sides discussed (1) the shared development of pedagogy for peace, (2) humanitarian demining, (3) and the creation of a second group of supporting countries for peacebuilding in Colombia.¹¹ For his part, ex-minister Juan Camilo Restrepo of the GoC delegation noted that he was looking forward to a near-term de-escalation of conflict, and to assurances that those negotiating on the part of the ELN were indeed speaking for the entire group and able to implement agreed-upon initiatives throughout their rank-and-file.¹² The new Ecuadorian President, Lenín Moreno, who assumed power on May 24th, has publicly reiterated support for these peace talks.¹³

INTERNATIONAL SUPPORT

E.U. investment will reach Colombia's rural farmers through Pazadentro program

A European Union initiative is slated to contribute \$12.4 billion COP (roughly \$42 million USD) to more than 3,000 Afro-Colombian and indigenous rural families in Eastern Cauca over the next two-and-a-half years. The project comprises educational initiatives, agricultural production, and social strengthening content. The goal of the large-scale contribution is to support sustainable local economic development, preserve cultural heritage, and back the Caucan vision for planning and organizing their own territories and better managing their natural resources. The project inaugurated this May 9th, on "Europe Day."¹⁴

United States commits \$450 million USD to Peace Colombia, replacement for Plan Colombia

The majority of the promised funds will come from the State Department and the Department of Defense, and is dedicated to implementing the peace accords. This total represents a \$74 million increase over the 2016 amount. An estimated \$150 million will be dedicated to counter-narcotics strategies, while roughly \$180 million will go to supporting the reincorporation of former FARC-EP members into civilian life. The commitment dispelled concerns that the new administration would reduce its support for transitioning Colombia.¹⁵

INSTITUTIONAL PROGRESS

Legislative Act for FARC-EP political party formation under review by the Constitutional Court

The constitutional reform project creates transitional rules regarding the participation of the political party in the 2018 and 2022 elections. Among the key points of the project are the following: 1) party formation will only be possible once the process of laying down arms is completed; 2) the party will be allowed to elect one delegate to the National Electoral Council whose term will last through 2026, and who will have participatory, but not voting capabilities; 3) the party may present candidates for public office, including the presidency; 4) the party will be guaranteed five seats each in the House of Representatives and the Senate for the next two election cycles; 5) the party will receive the average amount of financial support from the national budget allocated to political parties through 2026; 6) the party will receive 7% of the annual national budget for supporting political parties to support the formation of its think tank and policy development initiatives. The debate over the constitutional validity of this initiative is ongoing.¹⁶

¹⁰ <http://www.eln-vozes.com/index.php/dialogos-de-paz/comunicados/1091-comunicado-n-13-hacia-donde-avanza-la-mesa-de-quito>

¹¹ <https://www.eln-vozes.com/index.php/dialogos-de-paz/voz-del-eln/1090-primera-semana-de-este-ciclo-de-conversaciones>

¹² <http://www.eltiempo.com/politica/proceso-de-paz/gobierno-y-eln-reanudan-dialogos-en-quito-88714>

¹³ <https://www.elheraldo.co/colombia/gobierno-y-eln-inician-tercera-semana-de-dialogo-de-paz-en-quito-367059>

¹⁴ <http://colombia2020.elespectador.com/territorio/la-apuesta-agricola-para-un-cauca-en-paz>

¹⁵ <http://thebogatopost.com/2017/05/12/usd450-million-approved-for-peace-colombia/>

¹⁶ <http://www.elcolombiano.com/opinion/columnistas/el-partido-politico-de-las-farc-IF6564138>

DIVERSITY ISSUES

Implementation of the ethnic component of the accord underway

The Ethnic Chapter of the Peace Accord outlines the rights of the indigenous and Afro-Colombian populations to differential reparations and recognition of their status as conflict victims. An example of such a program backed by the principles of the accord is led by the indigenous priest Jamie Zapata, who is working with a group of indigenous communities to reclaim their ancestral territories that were previously inaccessible due to conflict violence. Leaders of these populations have claimed that stagnant development in their region, especially in that of Chocó, has contributed to some of the challenges that they have faced in realizing these promised benefits of the accord. Others view the ethnic component as intersectionally related to that of gender; for example a female leader of the Programa de Desarrollo y Paz Nororientado Colombiano has noted that women in the rural territories – generally, where many indigenous and Afro-Colombian communities may be found - often suffer greater levels of violence than those in the urban sectors; she thus calls on women throughout Colombia to maintain vigilance over the implementation process of the peace accords.¹⁷

Women's issues face distinct challenges in peace accord implementation

As has been noted in prior Issues, the final peace accord contains a provision for the Gender Sub-commission, which ensures women's participation in the creation of public policies related to the accords, and oversight in their implementation. The idea, as it is articulated in the accords, is to provide equality, active political participation, and recognition of the differential way in which women were victimized in the armed conflict. In May, María Eugenia Mosquera, of the Technical Secretary of Communities Building Peace in the Territories, reported that many challenges remain for both female victims and women living with the FARC-EP transitional zones. Some of the related dynamics, Mosquera argues, have augmented cynicism towards the implementation of the accords. Often the exclusion of women in the political life of a territory (e.g., community councils that lack even a single female member) is linked to other pernicious dynamics such as gender-based violence and disproportionate threats against female social leaders.¹⁸

FURTHER READING

Colombia's "new" displaced in the postconflict period

Long-form news source Pacifista.com names the "new" displaced persons of the post-conflict period those individuals who must flee their homes due to violence in disputed territories vacated of FARC-EP control since February of this year. For example, in Chocó, the Gaitanist Self-Defense Forces of Colombia (AGC) and the still active guerrilla group the National Liberation Army (ELN) have been battling over valuable illegal mining and narco-trafficking territories since the beginning of the FARC-EP process of laying down arms in February. Some of these armed clashes are occurring on indigenous ancestral lands, or collective territories held by Afro-Colombian populations; all occur in the rural areas, which result in displaced persons losing their only means of survival – their land and their crops. The migratory flows resulting from the violence are putting tremendous resource strains on receiving communities, which are generally other rural hamlets with already scarce resources. Since the FARC-EP concentration in transitional zones began this year, nearly 14,000 people in Chocó alone have been displaced by such organized armed group violence. The U.N. reports that the first trimester of the year saw a 14% increase year over year of these kinds of displacements and an overwhelming proportion of them are in the Pacific Coast region. These movements also connect to increased challenges with antipersonnel mines and the recruitment of young people by these armed groups, as well as threats against social leaders and human rights defenders.¹⁹

Declassified documents reveal Chiquita Brands payments to OAGs

Recently declassified documents have revealed details about ongoing payments that Chiquita Brands representatives made to both guerrilla and paramilitary groups between the 1980s and 2004, around the time when the principle paramilitary actor the United Self-Defense Forces of Colombia (AUC) demobilized in a state-sponsored DDR program. The archives comprised nearly 9,000 pages of transcripts from an SEC investigation in the early 2000s. The authors of the article in Verdad Abierta detailing the release of these documents, who are also collaborating in their analysis with the DC-based NGO, National Security Archive, view these inputs as critical for contributing to the victims' right to truth guaranteed by the still-developing Special Jurisdiction for Peace about at least one multinational organization's role in financing the illegal armed groups.²⁰

¹⁷ <http://www.elcolombiano.com/opinion/columnistas/el-partido-politico-de-las-farc-1f6564138>

¹⁸ <https://www.arcoiris.com.co/2017/05/enfoque-diferencial-en-la-implementacion-de-los-acuerdos-de-paz-un-testimonio-desde-choco/>

¹⁹ <http://www.arcoiris.com.co/2017/05/mujeres-victimas-en-los-acuerdos-de-paz/>

²⁰ <http://www.verdadabierta.com/especiales-v/2017/chiquita/nuevos-papeles-chiquita.html>