

VICTIMS ISSUES

A MONTHLY REVIEW

JULY 2015

1. BACKGROUND

On June 10, 2011, President Santos signed into effect the Victims and Land Restitution Law (Law 1448). Over the next 10 years, the Law will provide five reparation measures to victims of the internal conflict: (1) land restitution, (2) financial compensation, (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 July 2015, 7,490,375 victims were registered with the government of Colombia (GoC), primarily victims of internal displacement (79.5%).⁽¹⁾

2. KEY DEVELOPMENTS

DEMINEING COLOMBIA, AN IMPERATIVE CHALLENGE

Following the death of a soldier from the Army Demining Battalion in the opening days of the humanitarian demining pilot in Orejón and a subsequent recess to analyze alternative techniques, including robots and soil removal to facilitate minesweeping, the process has been in the spotlight.⁽²⁾ The pilot highlights the difficulty of replicating this process in other parts of the country, particularly areas with low levels of institutional confidence and where the state has been historically absent. Moreover, while today there are 500 people trained to carry out demining, the Direction for Comprehensive Action Against Landmines (DAICMA) expects that after a peace agreement has been signed, 10,000 will be needed. The soldier's death also sparked public debate about FARC's role, with many people angrily asking why FARC members were not removing the mines. However telling these outcries, FARC members are not trained to carry out demining directly and are working together with trained experts, including those from the armed forces.

SEARCH FOR VICTIMS OF FORCED DISAPPEARANCE POSES DIFFICULTIES

Colombia faces challenges complying with the expectations of victims of forced disappearance given the dimension of the act, the participation of multiple armed groups over decades, remains' location, and the lack of a definitive database.⁽⁴⁾ Obstacles have also been highlighted by the recently initiated excavation of the La Escombrera garbage dump in Comuna 13, Medellín. The location could hold anywhere between 90 to 300 bodies and will be incredibly difficult to excavate from an engineering perspective. The process is further complicated by the security situation in Comuna 13, where multiple armed and criminal groups have been active, and threats have already been made.

ACCELERATED PACE OF HUMANITARIAN AID PAYMENTS RISKS SURPASSING AVAILABLE BUDGET

Due to the accelerated speed of financial compensations and humanitarian aid payments during the first half of 2015, there is currently a deficit to pay humanitarian aid for the rest of the year. The Victims Unit has been accelerating payments in order to close the previous route for aid and transition to the new Minimum Subsistence Model, which will place a greater emphasis on financial compensations for reparation than humanitarian aid. To do this, the entity must first complete current aid, and the accelerated pace to do so has emptied currently available coffers. To respond to this, the Victims Unit has requested additional funding from the Ministry of Finance to carry out payments in 2015, and the entity's budget for 2016 will be 16% higher than this year's.

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On average in Colombia there is a landmine every 2,000 km²; in Orejón, there is one every 135 m², noted General Colón (r), Director of the Demining process with DAICMA.⁽³⁾

Colombia is the second country in the world in terms of number of landmines, after Afghanistan.

Roughly 70,000 people have been disappeared during Colombia's conflict, more than in any other Latin American country, including those historically noted for disappearances under dictatorships (Guatemala is the second highest with 45,000).⁽⁵⁾

1. Data from the National Information Network (RNI), Victims Unit, through July 1, 2015. This number refers to the historic total of victims. <http://mi.unidadvictimas.gov.co/?q=v-reportes>.

2. "Gobierno y Farc entregan balance del plan de desminado en El Orejón," *El Espectador*, July 28, 2015, <http://goo.gl/PZA0Cm>.

3. "El Orejón está infestado de minas antipersona, admite el general Colón," *Caracol*, July 16, 2015, <http://bit.ly/1gePtG.43>.

4. "Colombia lucha por encontrar desaparecidos, miles de restos esperan ser identificados," *SWI*, July 28, 2015, <http://goo.gl/IC9bZD>.

5. "Colombia's biggest ever exhumation begins at Medellín rubbish dump," *The Telegraph*, July 28, 2015, <http://bit.ly/1VR57zj>.

IMPLEMENTATION OF THE COMPREHENSIVE ROUTE PROVES DEMANDING

The implementation of the Victims Unit's Comprehensive Victims Attention and Reparation Route's adjustments has implied concentrating different victims' attention channels for financial compensations, humanitarian attention, and citizen services. This has created additional labors and challenges for the Victims Unit. There have been significant implications in terms of the need to integrate information systems and existing applications, resulting in the re-training of 1,402 public servants and operators at the regional level, programming to deliver financial compensations, and implementation of a strategy to clear more than 300,000 rights of petition and writs of protection for which there was backlog.

3. PEACE PROCESS

FARC AND GOC TAKE STEPS TO DE-ESCALATE CONFLICT

Given the process' crisis and accompanying countries' call to de-escalate the conflict, FARC announced a new unilateral ceasefire starting on July 20. After the two sides decided to speed up negotiations and de-escalate the conflict, the Colombian government suspended air raids on FARC camps starting on July 26 after the two sides decided to accelerate negotiations for a lasting peace agreement.⁽⁶⁾ This has been considered a step forward towards the declaration of a bilateral ceasefire. Responding to some critics, GoC negotiator Humberto de la Calle explained that a bilateral cease-fire is conceived as the end of the conflict and could only be declared if conditions are reached before the final peace agreement with monitoring and assessment mechanisms in place.⁽⁷⁾ Both sides announced a four-month period until November to assess the de-escalation and the advances of the peace agenda's three pending points. FARC stressed the importance of establishing the Truth Commission before the end of November.⁽⁸⁾

FARC and the GoC announced the creation of the Transitional Justice Sub-Commission, formed by renowned jurists, who will provide advice on judicial measures for FARC members. To date, no final agreement has been reached in the victims and justice point of the peace process' agenda.⁽⁹⁾

4. DIVERSITY MAINSTREAMING

AFRO-COLOMBIAN COLLECTIVE REPARATION SUBJECTS COME TOGETHER

In Magdalena, an encounter was held to bring together collective reparation subjects of Palenquero (afro-Colombian) origin, allowing communities to exchange knowledge and reflect on their political, cultural and territorial practices. The encounter also included the participation of Afro collective reparation subjects from Bolívar, Sucre, and Córdoba. Moreover, the Jacobo Pérez Escobar Palenquero community received the notification that it would be included in the Victims Single Registry (RUV) as an ethnic collective reparation subject.⁽¹⁰⁾

5. A VIEW FROM THE FIELD

PARTICIPATORY MEMORY DIALOGUES IN THE REGIONS

In order to foster dialogue and collect written, oral, and video narratives of the conflict for its ongoing research, the CNMH held eight memory dialogues at the regional level. Approximately 200 people participated in these dialogues on landmines, risks, and challenges of the post-conflict, sexual violence, and forced recruitment.

RECOGNITION OF THE BEST REGIONAL RECONCILIATION INITIATIVES IN COLOMBIA

Given that local elections will be held in October 2015 for new administrations taking office in January 2016 (1,102 mayors and 32 governors), Colombia Líder will assess and award the best local authorities during the 2012-2015 term. For the first time, the award will recognize efforts for reconciliation, victims' reparations and peace-building in the regions. This initiative includes trainings with candidates and elected officials to include initiatives on victims and reconciliation in their new local development plans and implement the possible peace agreement between FARC and the GoC, as well as dialogues to share best practices and learned lessons on reconciliation by current authorities. This initiative is supported by USAID and IOM.

The project will also highlight the best experiences regarding the Victims Law's implementation in municipalities prioritized by USAID's and IOM's Victims Institutional Strengthening Program (VISP).

6. "Colombia halts raids on FARC rebels to accelerate peace process," Press TV, July 26, 2015, <http://bit.ly/1HquxZU>.

7. "5 dudas sobre el cese bilateral resueltas por Humberto De la Calle," Pacifista, August 3, 2015, <http://bit.ly/1P4ORpS>.

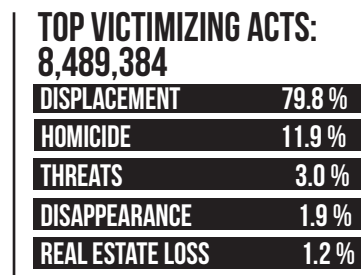
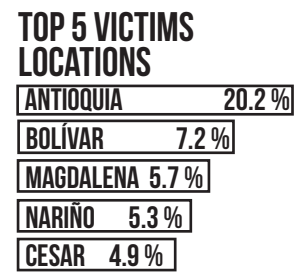
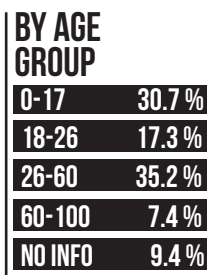
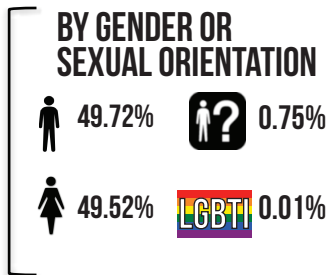
8. "La urgencia de la verdad," Razón Pública, July 27, 2015, <http://bit.ly/1gZ2USz>

9. "En busca de la justicia para la paz," El Espectador, July 27, 2015, <http://bit.ly/1KQBllM>; "Por un sistema integral de verdad, justicia, reparación y no repetición," FARC, August 2, 2015, <http://bit.ly/1hj9C9>.

10. Unidad para las Víctimas, July 23, 2015, <http://bit.ly/1OryfYs>.

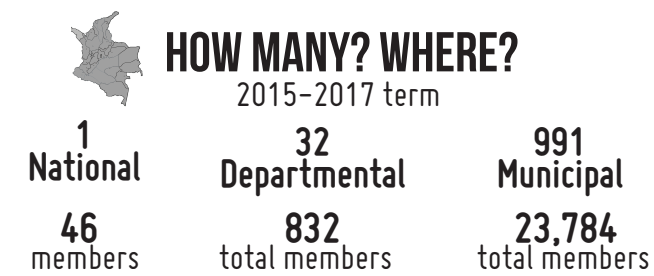
6. PROGRESS REPORT*

7,490,375
REGISTERED
VICTIMS
15.7%
OF TOTAL
POPULATION

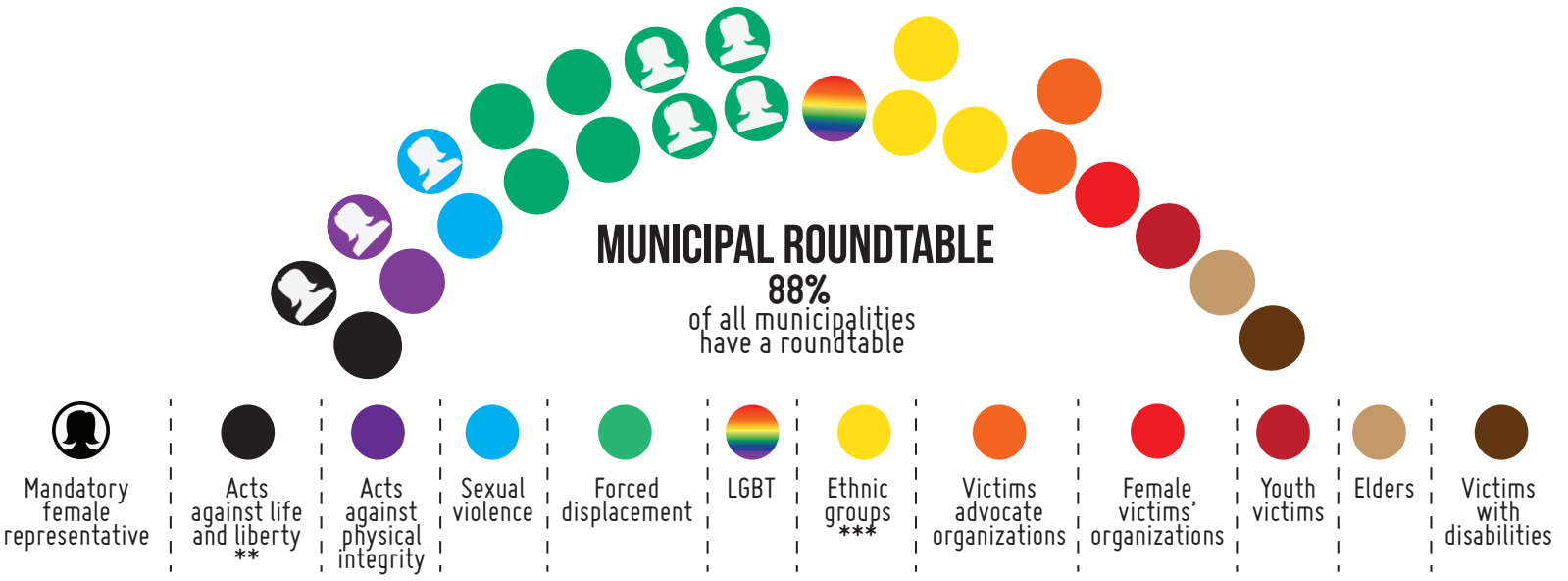


HOW CAN VICTIMS PARTICIPATE IN VICTIMS PARTICIPATION ROUNDTABLES?

WHAT ARE THEY?
Representation and participation spaces for victims of the armed conflict, who represent different regions, victimizing acts, and differential approaches.



WHAT DO THEY DO?
Represent victims of the armed conflict.
Create work plans and meet to design, implement, carry out, and evaluate policies.



HOW DO THEY GET ELECTED?

Elected municipally, departmentally, and nationally for **two year terms**

Bottom-up participation: members of departmental and national roundtables must first be elected at the municipal level

Participation Protocol provides guidelines for Victims Roundtables

HOW DO THEY OPERATE?

Periodic meetings, where the Public Ministry acts as technical secretariat

Design projects to receive funding from the Victims Unit's Bank Project

Receive **trainings** on the Victims Law, project design, and leadership

*National Information Network (RNI) data from the Victims Unit through July 1, 2015, <http://mi.unidadvictimas.gov.co>.
**Includes victims of homicide, massacres, kidnapping, and forced disappearance.
***Could be from afro-descendant, indigenous, and/or rom communities

7. IN THE SPOTLIGHT

CAMPAIGNS FOR LOCAL ELECTION BEGINS

On July 25 the deadline for candidates to register to participate in local elections expired. With this, the campaign for governors, mayors, departmental and municipal councilmembers began. According to the Fundación Paz y Reconciliación, in eight departments, 140 candidates have links to illegal armed groups and structures involved in corruption cases. Elections will be held on October 25.⁽¹¹⁾

8. INSTITUTIONAL ADVANCES

Victims Unit

REPARATION STRATEGY FOR VICTIMS OF SEXUAL VIOLENCE

As part of efforts to implement the Victims Unit's new strategy for female victims of sexual violence, activities were carried out to socialize the importance of investing resources, explain the comprehensive reparation route, jointly fill out the Attention, Assistance, and Comprehensive Reparation Plan (PAARI), and hand over the financial compensation letter. 1,405 female victims of sexual violence have been compensated throughout the country so far this year, of a goal of 19,441 to be compensated in 2015.

COMMEMORATION OF 45 YEARS OF THE NATIONAL ASSOCIATION OF PEASANT LAND USERS (ANUC)

An event in Bogotá commemorated ANUC's 45-year anniversary and analyzed conclusions from regional encounters to design the national organization's collective reparation plan. This was an important demonstration of the GoC's support for peace and reparation, and was particularly notable given its relation to two key topics in Havana, land and the participation of vulnerable sectors. The event also carried out a satisfaction measure for the national organization as part of its collective reparation process.

National Center for Historical Memory (CNMH)

"PATHS TO MEMORY" TOOLBOX

The CNMH released the "Paths to Memory" toolbox to foster victims' participation by disseminating information on the meaning of memory and local memory initiatives. 3,000 copies were printed and distributed with 57 Victims Participation Roundtables at the municipal and departmental levels, as well as during the new National Roundtable's inauguration.

Ministry of Health and Social Protection

FUNCTIONAL REHABILITATION SERVICES AT THE COMMUNITY LEVEL PROGRESSES

A visit by USAID's Bureau for Democracy, Conflict and Humanitarian Assistance (DCHA) highlighted a project between USAID and the Ministry of Health to strengthen the functional rehabilitation route for victims and persons with disabilities by renovating and equipping hospitals in Cartagena, Quibdó, and Apartadó, and developing community rehabilitation centers in the three aforementioned municipalities and Popayán. DCHA visitors met with Ministry of Health partners in Bogotá and traveled to Cartagena to learn about advances first-hand at the Hospital Universitario del Caribe and an under-construction community center in the El Pozón neighborhood.

VICTIMS PSYCHOSOCIAL AND COMPREHENSIVE HEALTH PROGRAM (PAPSIVI) PHASE III IN THE REGIONS

The Ministry of Health implemented PAPSIVI Phase III at the regional level with USAID and IOM support. Through June, trainings had been carried out with 296 members of PAPSIVI teams in Bogotá, Bolívar, Caquetá, Sucre, Nariño, Magdalena, and La Guajira. Phase III initially proved complicated as 60-70% of members from previous phases continued, creating challenges to hire and train personnel to complete regional teams. Despite challenges, complete teams have been hired and Phase III has ensured more specific profiles (psychologists and social workers) and made use of training guides and methodologies developed.

9. FURTHER READING

UNHCR: DISPLACEMENT CAUSED BY CONFLICT AND PERSECUTION HAS NEVER BEEN HIGHER

Report showing that in 2014, each day on average 42,000 people world-wide became refugees, asylum seekers or IDPs.⁽¹²⁾

BALANCE OF THE PEACE PROCESS

Video interview with Humberto de la Calle on the peace process, the post-conflict and an eventual truth commission.⁽¹³⁾

MYTHS AND REALITIES OF THE PEACE PROCESS

Website discussing the myths and realities of ongoing negotiations between the GoC and FARC in Havana.⁽¹⁴⁾

100 ACHIEVEMENTS OF THE GOVERNMENT

Interactive website from the Santos Administration with videos and information on the administration's accomplishments.⁽¹⁵⁾

11. Los candidatos a gobernación y alcaldías herederos de la ilegalidad" Fundación Paz y Reconciliación, Jul 31, 2015, <http://tinyurl.com/q4ppaw7>.

12. "El desplazamiento de población por guerras y persecución alcanza el nivel más alto jamás registrado," ONU, June 18, 2015, <http://bit.ly/1Ur1ePX>.

13. "Entrevista Dr. Humberto De la Calle con Juan Gossain," YouTube, July 5, 2015, <https://www.youtube.com/watch?v=2WaZR0BQP84>.

14. Mitos y realidades sobre el proceso de paz, July 2015, www.mitosyrealidades.co.

15. 100 Logros de la Prosperidad para Todos, July 2015, <http://bit.ly/1MyQAST>.