

VICTIMS ISSUES

A MONTHLY REVIEW

FEBRUARY 2016

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 reparation, (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 August 2015, 7,902,807 victims were registered with the government of Colombia (GoC), primarily victims of internal displacement (80%).⁽¹⁾

2. KEY DEVELOPMENTS

ALL CHILDREN RECRUITED BY ILLEGAL ARMED GROUPS CONSIDERED VICTIMS, REGARDLESS OF RECRUITING GROUP

Until now, only children forcibly recruited by guerrilla or paramilitary groups were recognized as victims. Those recruited by criminal groups or unidentified groups were not eligible for reparations under the Victims Law. Thanks to a new ruling by the Constitutional Court modifying the Victims Law, all minors recruited by an illegal armed group will now be recognized as victims – including recruited by criminal groups (Bacrim).⁽²⁾ Criminal groups account for 65% of recruitment risks, according to early warning reports by the National Ombudsman's Office. 30.4% of victims registered with the Victims Unit are minors.

COLOMBIA'S 2016 BUDGET CUT BY 3%

On February 22, President Juan Manuel Santos announced a 3% cut in the 2016 budget, about COP 6 trillion (USD 1.89 billion) due to falling oil prices and decreased oil revenue (oil is Colombia's main export). For the Victims Unit this means a USD 50 million budget cut for 2016 (10% decrease), while the Ministry of Health and Social Protection budget was cut by USD 30 million (0.4% decrease), and the National Center for Historical Memory budget was cut by USD 900,000 (6% decrease).⁽⁴⁾

3. PEACE PROCESS

BALLOTS AND BULLETS: ARMED VISIT BY FARC TO LA GUAJIRA RAISES TENSIONS

The GoC authorized FARC members to disseminate peace agreements with their members in Colombia. However, according to protocols these sessions cannot be carried out in camps and cannot involve civilians. On February 18, photographs were released of armed FARC members interacting with civilians in Conejo (Fonseca, La Guajira). Different sectors criticized the situation, condemning the combination of arms and politics.⁽⁷⁾ President Santos ordered the immediate return of FARC commanders to Cuba, although this only happened five days later. Both parties agreed to adjust protocols allowing FARC to "teach peace" to their members.⁽⁸⁾ The "Conejo" incident created tensions surrounding the process and added to disagreements on pending points (termination of the conflict, disarmament and concentration). It has now been largely accepted that it will be impossible to reach final accord by March 23, as was announced last September.

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On February 22, in Arauca, FARC released the first of an estimated 2,000 child soldiers fighting with the rebel group. According to the Ombudsman's Office, the boy entered FARC files 11 months ago.⁽³⁾

The top sectors in terms of the newly announced 2016 budget cuts are treasury (47% of cuts), defense (8%), social inclusion and reconciliation (6.2%), and labor and employment (5.8%).⁽⁵⁾

"What the FARC did was serious because it breaks a fundamental principle: We do not want to mix politics and weapons," reads the official statement from Colombia's High Commissioner for Peace.⁽⁹⁾

1. National Information Network, Victims Unit, Feb. 2015, <http://rni.unidadvictimas.gov.co/>.

2. "Ley de Víctimas deberá acoger a...", El Espectador, February 23, 2016, <http://bit.ly/1oDMnYg>.

3. "FARC releases 1st of estimated...", Colombia Reports, February 22, 2016, <http://bit.ly/1UI4vBX>.

4. "Recorte presupuestal en 30 entidades...", Min. Hacienda, February 2016, <http://bit.ly/256zgzu>.

5. "Estos son los damnificados con el...", Dinero, February 23, 2016, <http://bit.ly/1Rkl6iP>.

6. "Colombia speeds up move...", The Guardian, February 23, 2016, <http://bit.ly/1RYc4xY>.

7. "Escándalo por presencia de jefes...", Semana, February 18, <http://bit.ly/1orliFP>.

8. "Definirán nuevo protocolo...", El Espectador, February 24, 2016, <http://bit.ly/1LGj5gp>.

9. "Did FARC just give...", The City Paper, February 24, 2016, <http://bit.ly/1UD76aj>.

PEACE WITHOUT ELN: TALKS SLIP AND STALL

After 25 months of exploratory dialogues with ELN there is no clear perspective on possible advances. Over 30 rounds of negotiations have been held, and for some actors involved patience, willingness, and time are running out. Reportedly the principal obstacle involves where the process will be based. The ELN insists on Venezuela, while the GoC argues that it does not currently have the conditions to guarantee the stable development of dialogues and has proposed Ecuador. This accompanied by continued violent actions by ELN at the local level (including 66 actions on the anniversary of ELN icon Camilo Torres' death) have raised doubts about successfully advancing the current process.⁽¹⁰⁾

PARTIES AGREE TO “PACT FOR PEACE”

Political parties from the left, center, and right supporting the peace process in Havana came together under the “Union for Peace” to address topics related to the peace process. Only ex-president Alvaro Uribe's Democratic Center Party didn't join the coalition. The coalition has three objectives: 1. support dialogues in Havana and educate on peace; 2. support legislative reforms to implement peace accords; and 3. promote the plebiscite for peace.⁽¹³⁾ Santos applauded the initiative, “beyond our differences, the majority of parties and movements in Congress have declared their support for peace...Peace doesn't belong to [me], peace belongs to each and every one of the 48 million Colombians.”⁽¹⁴⁾

4. A VIEW FROM THE FIELD

VIOLENCE CAUSES MASSIVE DISPLACEMENT IN CHOCÓ AND TUMACO

Combats between ELN and post-demobilization criminal groups in Alto Baudó, Chocó resulted in the displacement of 122 people (including 66 children) and mobility restrictions for at least 300 more.⁽¹⁶⁾ In Tumaco, Nariño, 83 families (at least 220 people, mostly Afro-Colombian) were displaced by combats between FARC and an unidentified criminal group. Those affected received food and basic hygiene kits while other actions are identified to overcome public order problems and safely guarantee that they can return to their communities.⁽¹⁷⁾

THESE ARE THE 20 MUNICIPALITIES WHERE DEMINING WILL BEGIN

This month Rafael Pardo, Minister of Post-Conflict, and General Rafael Colón, from the Direction for Comprehensive Action Against Landmines (DAICMA), agreed upon the 20 targeted municipalities where the first phase of demining will begin in 2016. They are: **Antioquia:** Ituango, San Luis, and Argelia; **Caquetá:** Florencia, San Vicente del Caguán, Montañita, and Puerto Rico; **Meta:** Mesetas, Lejanías, Uribe, Vista Hermosa, and Macarena; **Tolima:** Chaparraal, Planadas, and Rioblanco; **Bolívar:** Simití; **Putumayo:** Puerto Asis and Puerto Guzmán; **Huila:** Algeciras; **Bogotá:** Sumapaz.⁽¹⁸⁾

According to military intelligence, there are currently 1,556 armed members of ELN.⁽¹¹⁾ Twitter suspended two ELN accounts in February amidst pressure from governments to bar “extremists” from the social network. The decision was made in the framework of an ELN tweet telling its supporters and citizens to stay away from police stations prior to attacks carried out by the group.⁽¹²⁾

On February 17, the United Nations Multidonor Trust Fund for post-conflict in Colombia was launched to finance a coordinated response in stabilization, preparedness, and early implementation of the peace agreements.⁽¹⁵⁾

Analysts note that in the context of an eventual FARC demobilization, other illegal armed groups like ELN or Bacrim may try to consolidate control of spaces that are yielded, potentially causing new waves of displacement and violence.

Criteria used to select the prioritized municipalities include the exclusive presence of FARC (e.g. not territories dominated by ELN, Bacrim, or other groups), areas that foster inclusive approaches (i.e. national parks, Afro-Colombian community councils, and indigenous reservations), armed forces' abilities, and the characteristics of civilian demining organizations.⁽¹⁹⁾

10. “La paz sin el ELN,” *Semana*, February 27, 2016, <http://bit.ly/1TeK1fh>.

11. Johnson, K. “ELN: tan cerca y tan...,” *Razon Publica*, February 29, 2016, <http://bit.ly/1R0IHtZ>.

12. “Twitter closes account of Colombia's ELN,” *TeleSur*, February 14, 2016, <http://bit.ly/256AieS>.

13. “Todos los partidos, menos uno...,” *Semana*, February 23, 2016, <http://bit.ly/1PZqvPD>.

14. “Todos los partidos menos el...,” *Caracol Radio*, February 23, 2016, <http://bit.ly/1RoUqyh>.

15. “Colombia: The Government, the UN...,” UNDP, February 17, 2016, <http://bit.ly/1UGStD0>.

16. “Flash Update No. 1...,” *Humanitarian Response*, February 24, 2016, <http://bit.ly/22prLbp>.

17. “Defensoría denuncia desplaz...,” *Noticias RCN*, March 3, 2016, <http://bit.ly/1TRjdBU>.

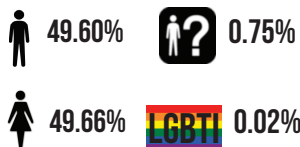
18. “Estos son los 20 municipios...,” *La Silla Vacía*, February 23, 2016, <http://bit.ly/22ps92H>.

19. “Los 20 municipios priorizados...,” *La FM*, February 24, 2016, <http://bit.ly/22oKssh>.

5. PROGRESS REPORT*

7,902,807
REGISTERED VICTIMS
 16.6%
 OF TOTAL POPULATION

BY GENDER OR SEXUAL ORIENTATION



BY AGE GROUP

0-17	30.4%
18-28	20.6%
29-60	32.8%
61-100	7.7%
NO INFO	8.5%

TOP 5 VICTIMS LOCATIONS

ANTIOQUIA	19.5%
BOLÍVAR	7.4%
MAGDALENA	5.9%
NARIÑO	5.2%
CESAR	5.1%

TOP VICTIMIZING ACTS: 9.081.060

DISPLACEMENT	80.0%
HOMICIDE	11.5%
THREATS	3.4%
DISAPPEARANCE	1.9%
REAL ESTATE LOSS	1.2%

CULTURE, CONFLICT, AND RESISTANCE

Bogotá is currently hosting the 15th Iberoamerican Theater Festival (<http://bit.ly/1MbGonF>). Victims Issues presents a selection of highlighted artistic and cultural expressions of Colombia's internal armed conflict, its consequences and impacts, and resistance by individuals, communities and groups.



THEATER

Antígona

Adaptation of the Greek classic by Sophocles with female singers from Chocó (cantaoras, in Spanish), which asks if forgiveness is still possible after acts of terror. Currently showing at the Theater Festival.

Guadalupe años sin cuenta

Inspired by studies on the guerrillas from el Llano initially supported by the Liberal Party, this play by the Teatro La Candelaria revolves around Guadalupe Salcedo, a mythical guerrilla member who was murdered in 1957 after his demobilization.

Inxilio: The Path of Tears

Produced by the Colegio del Cuerpo dance school and with the participation of victims of the armed conflict, Inxilio invites viewers to reflect on the effects of war and forced displacement, focusing on the victimization of women.

El deber de Fenster

Documentary play that narrates the Trujillo massacre (Valle del Cauca) that occurred from 1986 to 1994, in which at least 245 people were killed.

Every Time the Dogs Bark

The starting point of this play by Fabio Rubiano is based on real events: a town is attacked by paramilitaries, victims are tied to their beds, houses are lit on fire and only dogs survive. It is precisely the dogs who talk about their fears, loyalty and transformation.



FILM

Cóndores no entierran todos los días

Based on the novel by Gustavo Álvarez Gardeazábal and directed by Francisco Norden, this film portrays 1950s political violence between the Liberal and Conservative parties through the story of a man running a cheese business who turns into a professional killer.

Los colores de la montaña

Told through the eyes of two boys who lose their football on a minefield, this film contrasts the innocent views of children with the complexities of the internal armed conflict.

Pizarro

In this documentary María José Pizarro, daughter of former M-19 guerrilla member Carlos Pizarro, follows her father's steps and tries to decipher the truth behind his murder. Website: <http://www.pizarrolapelicula.com/>.

Retratos en un mar de mentiras

A photographer and his cousin travel from Bogotá to recover the land seized from their family by paramilitary groups.

There was no time for sadness

This documentary tells why Colombia has been in an armed conflict for over 50 years, and how its citizens have survived this long, violent period. Available here: <http://bit.ly/1fJAbRI>.

MUSIC

We had to sing

Musical compilation with 45 lyrics and songs composed and performed by victims of the armed conflict. Available here <http://bit.ly/1Zlr77s>

El Barcino

Composed by Jorge Villamil, this song narrates the story of a young bull in relation with 1950s violence, the figure of FARC founder Tirofijo and the creation of the National Front.



PHOTOGRAPHY

Jesús Abad Colorado

Award-winning photographer and journalist with many recognized works on the conflict: <http://bit.ly/1H3EfVQ>.

Henry Agudelo

Graphic reporter and photo journalist: <http://bit.ly/21xZK8e>.

Rommel Rojas Rubio

Photographs emphasizing ethnic groups and LGBTI populations. <http://bit.ly/1SWy8cX>



LITERATURE

Abraham entre bandidos

Novel by Tomás González, in which a kidnapping is the axis of a reflection on the absurdity of political violence in Colombia.

La guerra y la paz

In this essay, Santiago Gamboa presents the meanings of war and peace in different cultures and countries, and compares them with the Colombian case and the current peace talks between the GoC and FARC.

6. INCLUSIVE APPROACHES

INDIGENOUS PEOPLE, THE POOREST OF THE POOR IN SOUTH AMERICA

The probability that an indigenous person lives in extreme poverty is 2.7 times higher than the general population, and these communities are more likely to live in insecure, unhealthy, and disaster prone areas, according to the World Bank. The report argues that structural conditions anchor populations to poverty and impede development.⁽²⁰⁾ In Colombia, about 2.2% of the nearly eight million registered victims belong to indigenous groups, representing even more heightened vulnerability.⁽²¹⁾

NINE THOUSAND MINORS HAVE BEEN VICTIMS OF FORCED RECRUITMENT

On February 12, the anniversary of the signing of the Convention on the Rights of the Child, “Red Hands Day” was commemorated against the utilization of minors in conflict. According to the Victims Unit, there are 9,000 registered victims of forced recruitment. 20% of all forced recruitment registered has taken place in Antioquia, 9% in Meta, and 7% in Caquetá.⁽²²⁾

7. IN THE SPOTLIGHT

KNOWLEDGE EXCHANGE BETWEEN THE SMITHSONIAN AND THE NATIONAL CENTER FOR HISTORICAL MEMORY

From March 14 through 18, a visit from the Smithsonian Institute will provide technical assistance to the CNMH and its Memory Museum Directorate on infrastructure and content planning for the construction of the National Museum of Memory (NMM). A second visit in April will provide guidance on exhibitions and content design. The physical construction of the Museum will begin in 2017 (the social and regional construction of materials and content has already started) and it is scheduled to open in 2018.⁽²³⁾

8. INSTITUTIONAL ADVANCES

Victims Unit

DISSEMINATING THE PARTICIPATION PROTOCOL FOR CHILD AND ADOLESCENT VICTIMS THROUGH TECHNOLOGY

The participation protocol for child and adolescent victims issued by the Victims Unit establishes mechanisms for these victims to participate in the Victims Law’s implementation. To circulate the protocol, a three-day long ‘hackathon’ was held to develop a tech tool. “Participathon High Voices” brought together ten teams of programmers, designers, and social scientists to create innovative proposals. The winning team developed “Paz a la Voz,” a multimedia tool that gathers initiatives from child and adolescent victims and creates a virtual platform to learn about the protocol and their rights. The team received about USD 3,000 to develop the final version of the tool, which will be submitted by the end of April.⁽²⁴⁾

National Center for Historical Memory (CNMH)

VOICES FROM THE EXILE

The CNMH released a website collecting and showing the experiences of Colombians who were forced to leave the country because of the internal armed conflict, as well as the voices of those who returned. The website is part of the project to begin a social dialogue on the National Museum of Memory and the representation of exiled individuals and returnee organizations, which includes events and knowledge exchange. Voices from the Exile is available here: <http://bit.ly/1iAEPlu>.

9. ADDITIONAL RESOURCES

AMNESTY INTERNATIONAL ANNUAL REPORT 2014/2015

Amnesty’s 2014/15 report concludes that it was “a devastating year for those seeking to stand up for human rights and for those caught up in the suffering of war zones.” Available here: <http://bit.ly/1eHK8y9>.

FIRST TRANSITIONAL STEPS: NOTES FOR THE STABILIZATION OF FARC MEMBERS

Fundación Ideas para la Paz (FIP) presents a proposal on how to manage FARC members’ transition when disarmament begins after eventual peace accords are signed by FARC and the GoC. Available here: <http://bit.ly/2532z63>.

TRUTH COMMISSION IN COLOMBIA

Video produced by Medellín’s Memory House Museum explaining the Truth Commission agreed upon by FARC and the GoC in Havana. Available here: <http://bit.ly/1QVYgDd>.

PEACE MOBILIZATION IN COLOMBIA

Report by CINEP describing social mobilization initiatives in Colombia during the three years of the ongoing peace process between FARC and the GoC. Available here: <http://bit.ly/1XtAT4s>.

20. “Indígenas, los más pobres...” El Espectador, February 15, 2016, <http://bit.ly/1U3OSPI>.

21. Victims Unit National Information Network, March 1, 2016, <http://bit.ly/1pObjN9>.

22. “Nueve mil menores de edad han...” El Tiempo, February 12, 2016, <http://bit.ly/1SotMww>.

23. “Avanza intercambio entre...” CNMH, March 15, 2016, <http://bit.ly/252W2bj>.

24. ““Paz a la Voz” de Medea Interactiva ganó...” IOM, March 8, 2016, <http://bit.ly/1nwcYFe>.