

VICTIMS ISSUES

A MONTHLY REVIEW

JULY 2016

1. BACKGROUND

On June 10, 2011, President Juan Manuel Santos signed into effect the Victims and Land Restitution Law (Law 1448). Over the next ten 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, 8.131.269 victims were registered with the government of Colombia (GOC), primarily victims of internal displacement (80.1%).⁽¹⁾

2. KEY DEVELOPMENTS

CONFLICT VIOLENCE WANES, BUT INSECURITY REFUSES TO DISAPPEAR

Over the past year, the level of the armed conflict in Colombia dropped to levels unseen in 52 years. Compared to periods with no ceasefire, in 2016, offensive actions by FARC dropped 98% (from 1.5 per day to 0.3), combat between FARC and the Armed Forces dropped 91%, and civilian deaths dropped 98%.⁽¹⁾ There is an eager calm in the midst of these advances, as spectators await the signing of the final peace accord. However, insecurity resulting from criminal activities continues due to drug-trafficking, extortion (recently suspended by FARC leader Timochenko in Havana), and illegal mining. United Nations also found that the ceasefire has had a positive impact on humanitarian indicators. However, threats (via pamphlets, text messages, and emails) are increasingly being used to intimidate human rights defenders, teachers, public officials, and others.⁽²⁾

PREVIEW OF THE POST-CONFLICT

A strike by truckers demanding concessions from the government, dissidence by the First Front of the FARC, threats to human rights defenders and other actores promoting peace, private sector ties to paramilitaries; these are just some of the issues present over the last month that have hinted at complications to come in the post-conflict.⁽⁴⁾ Without a doubt, the signing of an accord with FARC does not in itself mean peace, but rather opens the door for a new stage peacebuilding and navigating the path to form diverse alliances between civil society, armed actors, the private sector, and the government.

MUNICIPALITIES THAT WILL CONCENTRATE FARC OVERLAP WITH COLLECTIVE REPARATION PROCESSES

The areas that will host zones and camps to demobilize FARC concentrate indigenous, Afro-Colombian, and farming communities that were victims of the conflict and are undergoing collective reparation. The collective reparation process in Colombia (which is marked by notable challenges, including funding) is the only one like it in the world. 43 collective reparation subjects are located in the municipalities where the FARC will be concentrated.⁽⁶⁾ It will be important to consult with these groups and ensure their safety and heritage are protected in a scenario of demobilization and reintegration.

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As of July 19, 1,234 days have passed since the last time FARC took over a town, 580 days have passed since the last illegal retention, and 228 days have passed since there was a landmine incident attributed to FARC, according to a report by CERAC.⁽³⁾

In the context of the 45-day strike by truckers, inflation and the prices of basic goods like potatoes and onions rose considerably. The heated strike finally came to an end on July 22.⁽⁵⁾

After a visit to Cesar, Inspector General Alejandro Ordoñez, a critic of the peace process, said that indigenous communities “will not accept cantonments’ location.”⁽⁷⁾

1. Victims Unit National Information Network (RNI), through July 1, 2016. <http://rni.unidadvictimas.gov.co/>.

2. “Un año de desescalamiento: conflicto casi detenido, pero que se resiste a desaparecer,” CERAC, July 20, 2016, <http://bit.ly/2aoMlqQ>.

3. “Monthly Humanitarian Bulletin,” OCHA, Issue 50, <http://bit.ly/2bbLjZb>.

4. “El ‘preestreno’ del posconflicto,” Silla Vacía, July 12, 2016, <http://bit.ly/2bH5KKg>.

5. “Gobierno dice que paro camionero provocó aumento de la inflación,” El Herald, July 30, 2016, <http://bit.ly/2br4Jbn>.

6. “Los 18 municipios que tienen el reto de concentrar a las Farc y reparar a las comunidades,” El Espectador, July 25, 2016, <http://bit.ly/2a8eL0c>.

7. “Procurador advierte que indígenas en el Cesar rechazan las zonas veredales,” W Radio, August 12, 2016, <http://bit.ly/2bOTfzs>.

3. PEACE PROCESS

HISTORIC COMMITMENT TO GENDER IN HAVANA

On July 23, finalizing a two year process, GOC and FARC negotiators pledged that accords will include specific measures incorporating women and LGBTI. The peace talks' gender sub-commission presented results and actions for gender inclusion, including the creation of a special unit to "investigate and collect evidence involving cases of sexual violence," as well as a land fund to ensure women's access to and ability to formalize farmland, and guarantees for economic, social, and cultural rights, participation, truth and justice, protection and prevention, public recognition, organizational strengthening, and disaggregated information systems. UN Women representatives Phumzile Mlambo-Ngcuka and Zainab Hawa Bangura said that, "The gender provisions of the agreement ensure that women's participation and empowerment are central..." in the post-conflict.⁽⁸⁾ The UN said that the Colombian model for gender inclusion will be extremely useful to remedy other global conflicts in the future.⁽⁹⁾

"Contrary to most peace negotiations...women have had significant presence and influence," said Phumzile Mlambo-Ngcuka.⁽¹⁰⁾ While evidence shows that women's participation in peace processes increases likelihood of success, in 31 major peace processes from 1992 to 2011, women only represented 4% of signatories, 2.4% of chief mediators, and 9% of negotiators.⁽¹¹⁾

GREEN LIGHT TO PLEBISCITE AND CAMPAIGN FOR PEACE BEGINS IN FULL

The Constitutional Court approved the plebiscite method for the public to vote on peace accords. 13% of eligible voters must vote or the plebiscite will be thrown out (that is to say, 4.5 million people). Following this decision, the campaign for the plebiscite began, with all political parties minus ex-president Uribe's Centro Democrático pushing for "yes." The wheels to organize the logistics of the plebiscite as such were also put into motion.⁽¹²⁾ Some expect that the plebiscite could be held on the last Sunday in September.⁽¹³⁾ The GOC must make the contents of the agreements public before the vote. And what if the "no" wins? As the campaign moves forward, polls on public support for peace rise and fall. A poll released by Semana shortly after the June 23 announcement of a bilateral ceasefire showed 56% would vote "yes" and optimism for peace had reached a high at 47%. However, another poll released by Semana and RCN on August 6 shows that optimism has dropped to 35% and only 39% would vote "yes," and 50% "no."⁽¹⁴⁾ While these polls' continued peaks and drops create a challenge for tracking public opinion, proponents of "yes" are working hard to broadcast the importance of peace.

In the context of the plebiscite's campaign, critics of the peace process have become more vocal. Ex-president Uribe rejected a proposal by Santos to meet, and ex-president Pastrana, who led failed peace talks with the FARC from 1998 to 2002, equated the plebiscite to a coup d'état. Inspector General Alejandro Ordóñez, another critic, sued the political agreement that would legally protect the final accord.⁽¹⁵⁾

FARC FACTION ANNOUNCES IT WILL NOT DEMOBILIZE, FARC LEADERSHIP ASSURES IT WILL BE DISOWNED

The First Front of the FARC, AKA "Armando Ríos" in Guaviare (southeast Colombia) announced that it does not agree with the peace process and will not demobilize but "continue the struggle for power." Santos responded strongly that if they don't take this final change to disarm, they will end up "in a grave or in prison."⁽¹⁶⁾ Timochenko, FARC's top leader, said he will strip the front of its membership, "it won't be able to use [FARC's] name, weapons, or goods."⁽¹⁷⁾ The First Front are estimated to have about 400 combatants and is extremely committed to drug-trafficking, controlling cultivations, cocaine laboratories, and strategic corridors to Venezuela and Brazil.⁽¹⁸⁾ Following the announcement, 120 jungle commandos from the GOC's anti-narcotic police carried out a land operation in Guaviare, burning 104 laboratories and stripping drug traffickers of USD \$10 million in potential earnings.⁽¹⁹⁾

Several FARC members in Meta followed incorrect coordinates beyond permitted security areas and were attacked by the GOC. This mistake, which in the past would likely have escalated conflict, was peacefully resolved through effective communication between the two groups.⁽²⁰⁾

8. Historic Commitment at Havana...." In Depth News, July 26, 2016, <http://bit.ly/2aPqCOB>.

9. Ibid.

10. Ibid.

11. "No amnesty for war rapists...." Thomson Reuters, July 25, 2016, <http://tmsnrtr.rs/2aiQkhA>.

12. "Plebiscito por la paz: claves para entender la decisión de la Corte," Semana, July 18, 2016, <http://bit.ly/29LrPFw>.

13. "Así será el plebiscito por la paz...." Las 2 Orillas, July 19, 2016, <http://bit.ly/2buyyF0>.

14. "Gran encuesta: Colombia opina....," Semana, August 6, 2016, <http://bit.ly/2aSmsXZ>.

15. "Procurador demandó el acuerdo...." Caracol, July 29, 2016, <http://bit.ly/2beMMdS>.

16. "Este es el frente de las Farc....," El Tiempo, July 6, 2016, <http://bit.ly/29vPBc8>.

17. "Colombia: la dura respuesta....," BBC Mundo, July 8, 2016, <http://bbc.in/29zIWR0>.

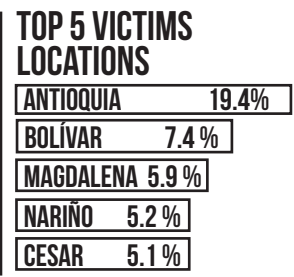
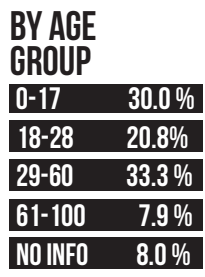
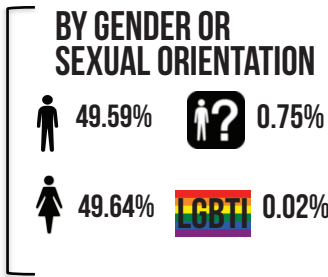
18. "Este es el frente de las Farc....," El Tiempo, July 6, 2016, <http://bit.ly/29vPBc8>.

19. "Destruyen 104 laboratorios....," El Tiempo, August 2, 2016, <http://bit.ly/2aveeXT>.

20. "Error de las FARC en...": De la Calle," Semana, July 11, 2016, <http://bit.ly/2b8YVVL>.

4. PROGRESS REPORT*

8,131,269
REGISTERED
VICTIMS
16.9%
OF TOTAL
POPULATION

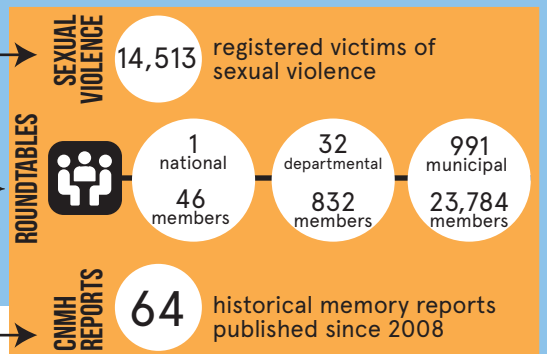


IN LATE 2015, FARC AND THE GOC REACHED AN AGREEMENT ON POINT 5: **VICTIMS** | WHAT ARE THE CHALLENGES TO ITS IMPLEMENTATION?

TRUTH COMMISSION

BY THE NUMBERS

- APPROACH:** Bring the Commission together with groups of victims to prepare for hearings & contribute to spaces that reflect on emblematic cases (sexual violence, special protection, etc.).
- PEDAGOGY:** Promote educational and regional communication strategies with victims' roundtables, organizations, and communities.
- TOOLS:** Guarantee the National Center for Historical Memory (CNMH) can contribute information and knowledge of researching violations, ensuring ethnic and gender inclusion.



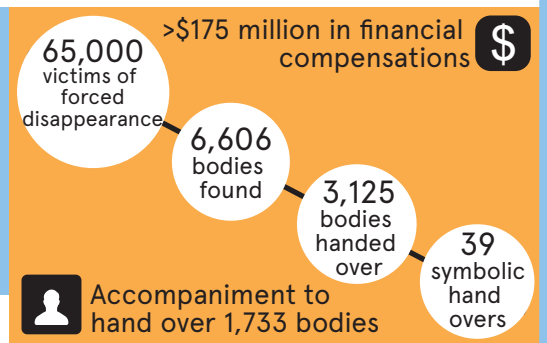
SPECIAL JURISDICTION FOR PEACE

- INCLUDE VICTIMS:** Create conditions that facilitate access to justice by and dignified treatment for victims who participate in special jurisdiction spaces.



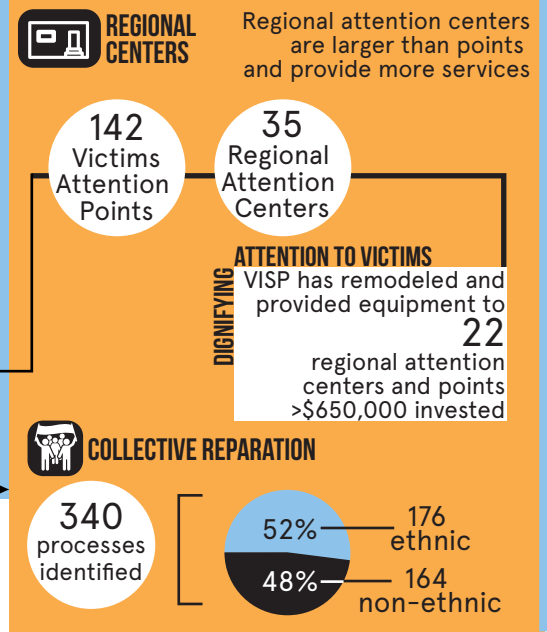
UNIT TO SEARCH FOR DISAPPEARED PEOPLE (USDP)

- INSTITUTIONAL STRENGTHENING:** of the USDP to ensure strategic & financial planning, human resources, contracting, etc.
- PARTICIPATION:** design procedures to ensure the active participation of victims and society in general.
- UNIFY DATA:** establish the universe of people who have been disappeared, based on data from the National Information Network (RNI), the CNMH, and civil society.



REPARATION MEASURES FOR PEACEBUILDING

- GUARANTEE PARTICIPATION:** adapt the victims participation protocol & mechanisms to participation in reparation
- MAP:** violations that are not in the Victims Single Registry
- COORDINATE:** collective reparation plans, regional development plans, royalties & joint financing projects, and rural development plans
- RURAL DEVELOPMENT:** strengthen methodologies to design rural development plans that promote reparation
- CENTERS FOR VICTIMS' ATTENTION:** adapt regional attention centers & points to be local providers of psychosocial & differentiated attention
- COLLECTIVE REPARATION:** support the Victims Unit to standardize collective reparation measures & promote coordination



5. A VIEW FROM THE FIELD

FAO AND IOM WILL VERIFY CROP SUBSTITUTION IN BRICEÑO, ANTIOQUIA

The IOM and the United Nations Food and Agriculture Organization (FAO) will be guarantors for the process to verify and support illegal crop substitution under accords reached in Havana. This was announced on July 10, following the creation of a regional support group made up of the GOC, FARC, UNODC, and community spokespeople. At the community level, there is scepticism, a lack of information about the process, and uncertainty. 450 families in 10 hamlets were selected for the pilot, and the UN estimates that there are nearly 150 hectares of coca planted. A pound of coca paste can be sold for about USD \$400, meaning a steady income for farmers who struggle in the underdeveloped area and worry if they will be able to continue meeting their needs. Different proposals will be explored, including cacao, which has the potential to produce favorable incomes, albeit long-term.⁽²¹⁾

According to the UN, 81% of the areas most affected by coca and poppy plantations are also affected by illegal mining, severely affecting ecosystems. UNODC says a 46% in potential cocaine production from 2014-15 could be due to price increases, new growing techniques, and a lack of alternatives to aerial spraying.⁽²²⁾

6. INCLUSIVE APPROACHES

ENCOUNTER ON ADVANCING ETHNIC COLLECTIVE REPARATION

From June 30 to July 2 in Bogotá an encounter was held by CODHES with USAID support on collective reparation with indigenous communities, with over 80 leaders from 15 indigenous communities. 67 of 102 indigenous peoples in Colombia are in vulnerable conditions, and 6.4% of all displaced people self-recognize as indigenous.

7. IN THE SPOTLIGHT

IN HIGH LEVEL DIALOGUE WITH U.S., COLOMBIA WILL HIGHLIGHT COLLECTIVE REPARATION PROCESSES

Victims Unit director Alan Jara participated in high level talks between the United States and Colombia to present advances and challenges to victims' social inclusion, highlighting collective reparation as a mechanism to rebuilt communities and the social fabric. "Collective reparation is synonymous to peacebuilding," assured Jara at the encounter.

VISP EVENT WILL PRESENT PROGRAM'S RESULTS

On August 26 at the Hotel Tequendama from 8:00 -12:30, VISP will hold an event in Bogotá to present the results of four years of institutional strengthening for the implementation of the Victims Law. The encounter will showcase lessons with GOC partners.

8. INSTITUTIONAL ADVANCES

BEST LOCAL GOVERNMENTS IN VICTIMS' REPARATION RECOGNIZED

Ciénaga (Magdalena), Florencia (Caquetá), and Caquetá were chosen as the most outstanding municipality, capital city, and department in the implementation of Colombia's Victims Law, under the auspices of VISP and in alliance with Colombia Líder.

STRATEGY LAUNCHED TO INCORPORATE VICTIMS IN THE JOB MARKET

The Public Employment Service designed a strategy to improve job market inclusion for vulnerable populations, including conflict victims, with support from VISP. The strategy was presented through trainings in employment centers in Cundinamarca, Meta, Atlántico, Valle del Cauca, Antioquia, Santander, and Tolima. About 200 people participated and 46 "promoters" were incorporated in the initiative, all of whom are themselves victims and will work in employment centers to implement the strategy.

Victims Unit

ONLINE COURSE ON INCLUSION IN VICTIMS' POLICIES WILL SOON BE AVAILABLE ON VICTIMS UNIT'S WEBSITE

The virtual course "Differential approaches in victims' policies" developed with support from USAID and IOM, was launched in July. The course will strengthen GOC skills and ability to provide attention to women, ethnic groups, children, and people with disabilities. It will soon be available to the public on the Victims Unit's website.

9. ADDITIONAL RESOURCES

PHOTOS THAT DEMONSTRATE THE FACE OF DEMOCRACY, HUMAN RIGHTS AND GOVERNANCE

"Darla Cristina, a trans woman sits at the tomb of a fellow trans woman who was murdered by armed groups for her gender identity in Pasto, Nariño, Colombia," reads the caption of a moving photo taken by VISP Differential Approach Specialist Rommel Rojas that recently won a USAID photography competition. See the photo and more that show the human face of democracy, human rights and governance here: <http://bit.ly/2bdmF6l>.

21. La desconfianza frente a la sustitución de cultivos ilícitos," El Espectador, July 17, 2016, <http://bit.ly/29SptZy>.

22. Why cocaine production in Colombia increased so dramatically," Colombia Reports, July 15, 2016, <http://bit.ly/2bobWKh>.