



VICTIMS ISSUES

A MONTHLY REVIEW

NOVEMBER 2013

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 October 31, 2013, 5,926,774 victims are registered with the government of Colombia, primarily victims of internal displacement (82%).

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2. KEY DEVELOPMENTS

COLOMBIA CELEBRATED THE 6TH MEMORY WEEK

From November 18th to 29th, the CNMH hosted the 6th Memory Week to honor victims through various events and activities in Bogotá, Medellín, Cali, Cartagena and Villavicencio. Four new historical memory reports were presented and released, cultural events were held, and CNMH’s seminal report, “Enough: Years of War and Dignity”, was presented along with a photo exhibition and the documentary “There was no time for sadness”, which explains the “low impact, high frequency” conflict through the stories of victims - those who survived, and those who did not.

CNMH’s new reports revolve around the following topics: 1) FARC history and development (1949-2013); (2) an analysis of kidnap figures in Colombia (1970-2010), (3) an analysis of land reforms and (4) a research report about the main challenges faced by ex-combatants in their reintegration process.

Filmmaker Patricia Nieto summed up the documentary’s raison d’etre: “we want victims to not feel alone.”

WITH CURRENT DESIGN, LAND RESTITUTION WILL TAKE 91 YEARS: LAND OBSERVATORY

The first report of the Land, Property, and Restitution Observatory warns that under the current design of the Victims’ Law, the GOC will not be able to reconstitute the two million hectares taken from four million individuals during the 10 year duration of the Law. “The process will take more than 91 years”, explains the report.⁽¹⁾

By matching the number of claimants, finalized claims rates, and numbers of new potential displacement victims in Montes de María, the report advises that a huge “backlog” is affecting land restitution implementation. To solve these problems, the Observatory suggests: (1) rethinking the “property by property” restitution process design, (2) designing a national policy to prevent forced displacement, and (3) assessing the of tools to identify the number of displaced victims who lost their land and other property.⁽²⁾

“Victims Law’s implementation has proved more efficient when compared to similar laws”, stated Land Restitution Unit Director Ricardo Sabogal. According to the Unit’s figures, 800 cases (18,000 hectares, 700 properties) have been solved during the Law’s two year implementation; under the Asset Recovery Law (11 years), 731 properties were recovered, and through the Justice and Peace Law (8 years), 22 properties were recovered.

1. Francisco Gutiérrez (2013), “An extraordinary backlog: analysis on the restitution process delays”, *Land Observatory*, http://www.verdadabierta.com/images/Estudio_Observatorio_Un_tranc%C3%B3n_fenomenal.pdf, p. 12.

2. “In restitution, there will be an astonishing backlog”: Land Observatory, *Verdad Abierta*, November, 2013, <http://www.verdadabierta.com/tierras/despojo-de-tierras/5054-en-la-restitucion-habra-trancon-fenomenal-observatorio-de-tierras>

WOMEN CREATE THEIR OWN TRUTH COMMISSION

The women's collective "Ruta Pacífica de las Mujeres" presented the results of the report "Women victims' truths: Colombia's internal armed conflict".⁽³⁾ The report describes nine collective processes and is based on interviews with 932 women. 82% of interviewees were victims of torture, 76% were displaced, and 54% had a relative who was victim of extrajudicial killings. Although 62% denounced their victimization, only 18% of these claims have been investigated.⁽⁴⁾ The report, part of a 2010 project, is an example for other groups on how to create independent truth commissions.

Women's collective coordinator Marina Gallego explained that interviews were held by other women. "This shows how a truth commission does not need a big institutional framework. It is not necessary to wait for the state to start it, it can be done from the bottom", expressed Mrs. Gallego.

3. PEACE PROCESS

VICTIMS ARE THE KEY FOR PEACE NEGOTIATIONS: COLOMBIAN GOVERNMENT

After the agreement between FARC and the GOC on political participation, Peace Commissioner Sergio Jaramillo insisted that victims are key actors in the Havana peace negotiations. During an event with nearly 200 victims, Mr. Jaramillo announced GOC support to allow FARC victims to give testimony in the negotiations. The political participation agreement includes the creation of special temporary congressional districts for areas most affected by the conflict, allowing victims and social movements to "choose people who represent and defend their rights and interests in Congress", stated Mr. Jaramillo.

4. A VIEW FROM THE FIELD

25th ANNIVERSARY OF THE SEGOVIA MASSACRE

On November 11, 1988, a paramilitary group entered the gold producing municipality of Segovia (Antioquia) and committed the first massacre in the internal armed conflict's recent history. 46 people were killed and 60 were wounded in the massacre. 25 years later, the Constitutional Court sentenced former Congressman Oscar Pérez as perpetrator of the massacre in alliance with paramilitary leaders Henry de Jesús Pérez and Fidel Castaño. The purpose was to recover Pérez' political influence in the region, which had been lost to left wing parties like the Patriotic Union (UP).⁽⁵⁾

The CNMH produced a report and a website on the Segovia massacre to honor victims and collect the truth on what happened.⁽⁶⁾ On November 22, a public event was held in Medellín's Memory Museum to honor victims of the Segovia massacre.

FIRST MEETING WITH COMMUNITY MEDIA AND VICTIMS: MEDIA TRANSFORMING LIVES

On November 27 to 28, the Victims Unit held the first national meeting with community media and journalists to discuss the role of journalism in repairing victims, and victims' role in peace building. More than 150 community journalists attended the meeting and discussed their role in victims' integral reparation with public officials, experienced journalists and populations affected by the conflict.

"This important meeting allows us to understand what community media are doing in the regions and design strategies to give a voice to communities", expressed community journalist from Antioquia Oscar Castaño.⁽⁷⁾

5. DIVERSITY MAINSTREAMING

WOMEN, CHILDREN AND ETHNIC MINORITIES MOST AFFECTED BY THE CONFLICT

A new report by the CNMH about the main challenges faced by ex-combatants in their reintegration process concludes that populations most affected in war times –women, children and ethnic communities- are also most negatively affected after their reintegration. The report, produced by the CNMH's Office for Truth Agreements, is based on interviews with demobilized ex-combatants. Given the possible demobilization of the FARC, the report recommends designing special measures to guarantee the effective reintegration of children, women and members of ethnic communities.⁽⁸⁾

3. PDF version of the report can be downloaded here: http://static.iris.net.co/semana/upload/documents/Documento_366083_20131125.pdf

4. "Women give their truth on the conflict", *Semana*, November 26, 2013, <http://www.semana.com/nacion/articulo/comision-de-la-verdad-mujeres-ruta-pacifica-de-las-mujeres/366098-3>

5. "25 years: Remedios and Segovia massacres", *CNMH*, November 10, 2013,

<http://www.centrodehistoria.gov.co/index.php/noticias/noticias-cmh/2486-25-anos-de-la-tragedia-de-segovia>; "Segovia: 25 years fighting against impunity", *Semana*, November 11, 2013, <http://www.semana.com/nacion/articulo/masacre-de-segovia-25-anos/364258-3>

6. Report available here: <http://www.centrodehistoria.gov.co/micrositios/segoviaRemedios/index.php/descargas.html>; Website available here:

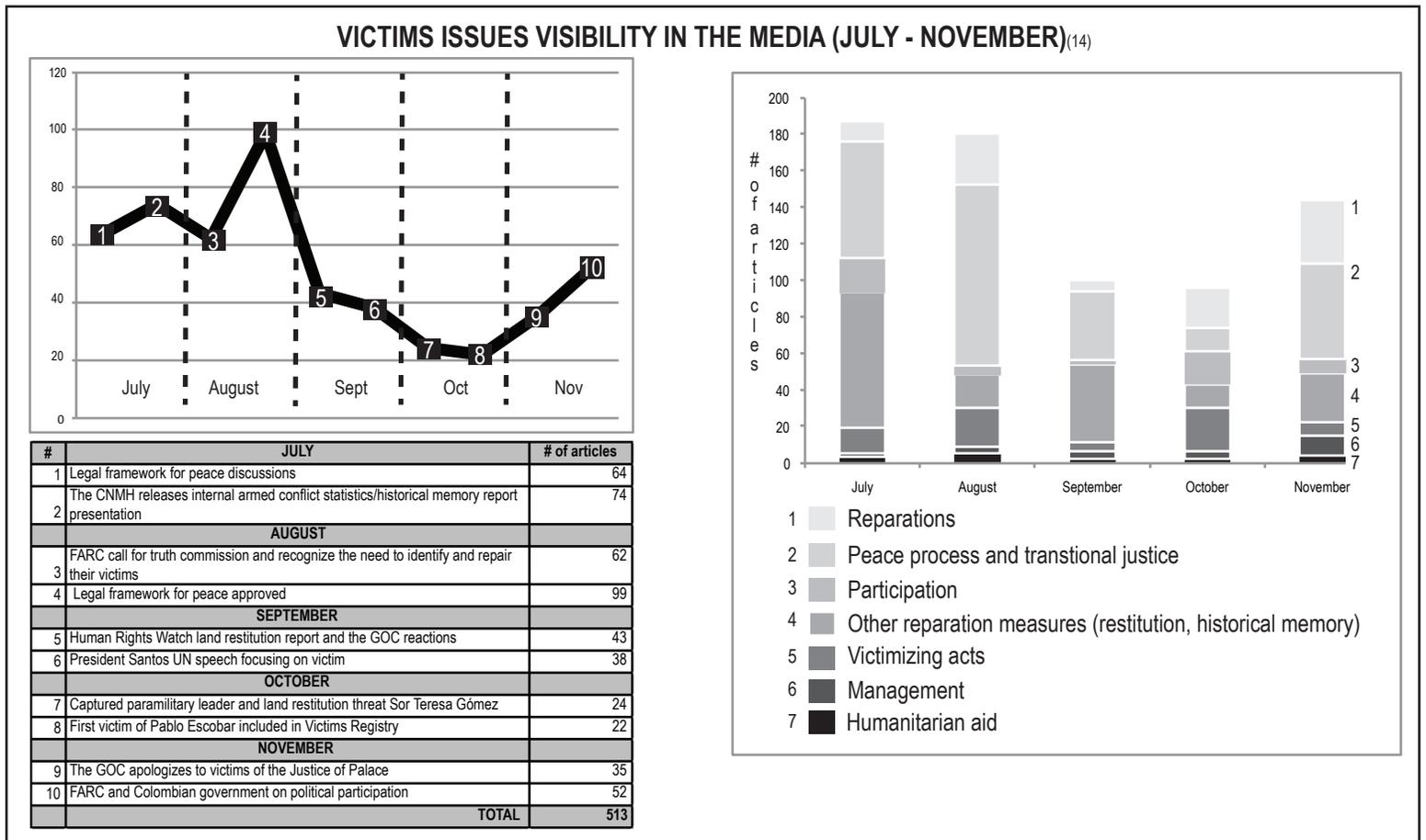
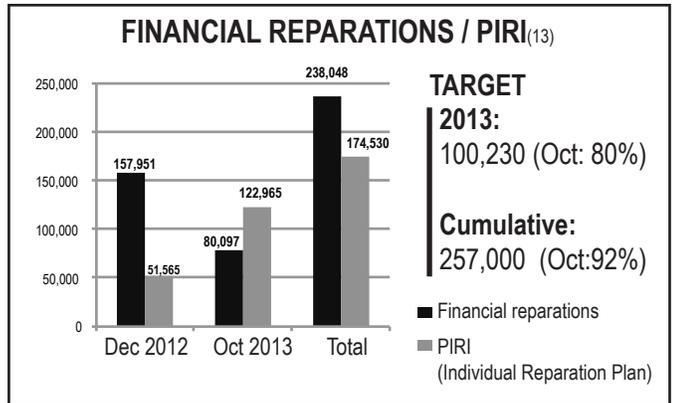
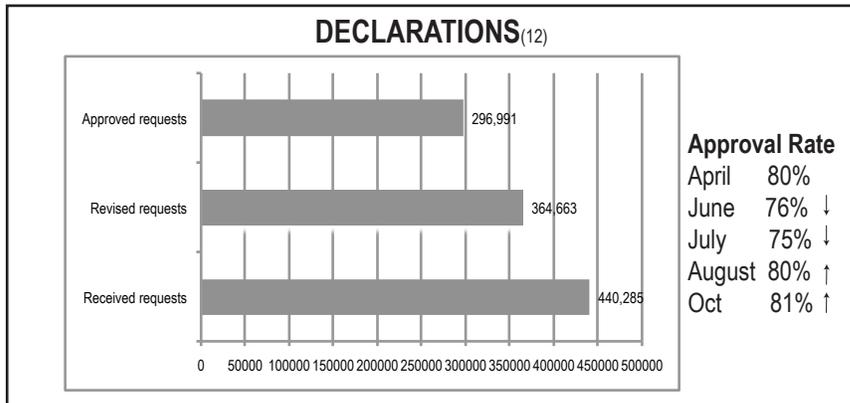
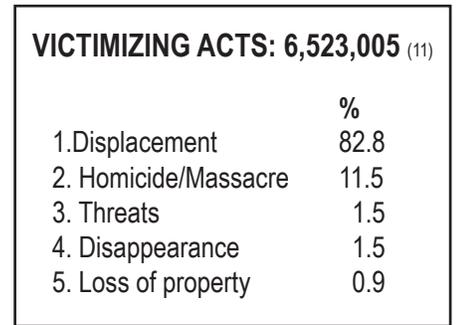
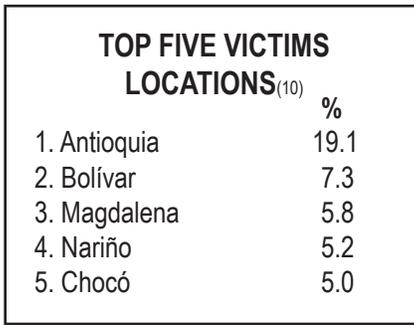
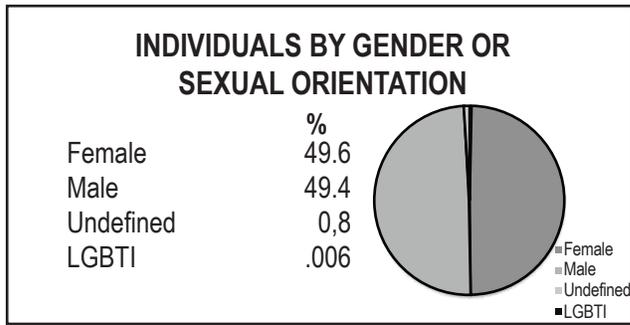
<http://www.centrodehistoria.gov.co/micrositios/segoviaRemedios/>

7. "With great success advances the first meeting with community media", *Victims Unit*, November 27, 2013, <http://www.unidadvictimas.gov.co/index.php/79-noticias/1492-con-gran-acogida-avanza-el-i-encuentro-de-periodistas-comunitarios-y-reparacion-integral-a-las-victimas>

8. The PDF version of the report can be downloaded here: <http://www.centrodehistoria.gov.co/index.php/informes-gmh/informes-2013/desafios-para-la-reintegracion>

7. PROGRESS REPORT*

REGISTERED INDIVIDUALS: 5,926,774 (12.5% of total population)⁽⁹⁾



*Source: Source: Victims Unit, August 31, 2013; Victims Registry information obtained from the Victims Unit's National Information Network, <http://rmi.unidadvictimas.gov.co>;
 9. Official estimate of victims in the country.
 10. Based on registry location.
 11. Based on the registry of victimizing acts.
 12. Based on the Single Declaration Format (FUD).

13. Number of individuals who received financial compensation (total: COP 1,132,657,000); PIRI: Individual Reparation Plan.
 14. Based on the monthly media monitoring report produced by GNI Latinoamérica.

8. IN THE SPOTLIGHT

2014: ELECTION YEAR WITH VICTIMS' PARTICIPATION

2014 will be the congressional and presidential elections year in Colombia. Victims' representatives and leaders have already announced their participation as candidates. Carmen Palencia, a land restitution leader from Antioquia and 2012 Peace Award winner, will run for the Chamber of Representatives representing the Liberal party. A group of victims also created the National Victims Unit Movement (MUNALVIC), which will present candidates to the congressional elections and candidate Carlos Mario Orozco Arango to the presidential elections.⁽¹⁵⁾

9. INSTITUTIONAL ADVANCES

Victims Unit

"I PLAY FOR VICTIMS": MASSIVE CAMPAIGN FOR VICTIMS WITH SOCCER STARS

The Victims Unit launched a campaign to raise awareness on victims' issues and provide information to victims with former soccer stars like Carlos "El Pibe" Valderrama and Mauricio "Chicho" Serna, among others. The campaign was initiated during November and December, and will be presented in Norte de Santander, Bolívar Antioquia, Nariño, Putumayo and Meta.⁽¹⁶⁾

VICTIMS WILL RECEIVE HIGHER EDUCATION FUNDING

Through an agreement between the Ministry of Education and the Victims Unit, victims can access higher education loans, which will be up to 100% reimbursable.⁽¹⁷⁾ Requirements include having been part of the Single Victims Registry (RUV) or recognized as part of Peace and Justice Law rulings, and being admitted to a higher education institution. Applications will be received from November 6 through December 31.

The agreement is part of educational reparation measures established by the Victims Law.

Ministry of Health

HEALTH SECRETARIES DISCUSS MENTAL HEALTH AND PSYCHOSOCIAL ATTENTION FOR VICTIMS

On November 18 through 22, the Ministry of Health had a meeting with 18 regional health secretaries to discuss strategies to guarantee victims access to mental health and psychosocial attention services. This was the first national meeting to strengthen institutional capacities to include mental health services and psychosocial attention and map available institutional programs.

9. FURTHER READING

WHAT DO COLOMBIANS THINK OF THE PEACE PROCESS?

Americas Barometer survey reveals Colombians' opinions on the peace negotiations in Havana. The survey compares national results with regions affected by the conflict and shows how citizens support negotiations (58.1%), but do not approve FARC political participation (76.4%).⁽¹⁸⁾ The survey was conducted with USAID support and produced by la Universidad de los Andes.

5th OPINION PANEL

The Cifras y Conceptos Survey identifies the perceptions of media and political leaders on political, economic, social and environmental issues. Forty percent of respondents consider the GOC-FARC negotiations as the biggest political challenge in 2014, and only 20% accept FARC political participation in a post-conflict scenario (compared to 61% of the general public who accept it).

15. "Victims towards the presidency", *La Silla Vacía*, October 4, 2013, <http://lasillavacia.com/queridodiario/los-movimientos-politicos-de-las-victimas-45792>

16. "Soccer glories committed with victims", Victims Unit, October 30, 2013, <http://www.unidadvictimas.gov.co/index.php/79-noticias/1352-glorias-del-futbol-se-la-juegan-por-las-victimas>

17. "Government will finance higher education for victims", *Tu Semanario*, November 5, 2013, http://www.tusemanario.com/noticia/gobierno-nacional-financiara-educacion-superior-a-victimas_10232#.Up5UvsRLO2Z

18. "The contradictions of Colombians towards the peace process", *Semana*, November, 2013, <http://www.semana.com/especiales/contradicciones-colombianos-proceso-paz/index.html>