

# VICTIMS ISSUES

A MONTHLY REVIEW

APRIL 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 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 April 2015, 7,337,667 victims were registered with the government of Colombia (GoC), primarily victims of internal displacement (84%)<sup>1</sup>.

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## 2. KEY DEVELOPMENTS

### “FOR THE VICTIMS, FOR PEACE” COLOMBIA COMMEMORATES VICTIMS DAY

Created by the Victims Law, National Day for Memory and Solidarity with Victims was commemorated for the fourth time on April 9, 2015. Over 100 events were carried out throughout Colombia and in 10 consulates in the Western Hemisphere to remember what the violence has done and how victims are overcoming violence to continue with their life projects. Thousands participated, including President Juan Manuel Santos, who led activities and a march for victims in Bogotá. The day provided an important tribute to victims, highlighting central and regional advances in the implementation of the Victims Law and guarantee of victims’ rights. For others, it was bittersweet: some victims and human rights advocates held parallel marches denouncing continued threats and violations of human rights, calling for greater protection by the GoC and the acceleration of reparation.<sup>2</sup> The GoC’s goal is to repair 580,000 victims in 2015, and to have repaired around 5.2 million victims by 2021, when the Victims Law’s execution period expires.

**“Peace is the highest value that society can seek in its history, we commemorate the victims of this absurd war,” President Santos stated, placing the first stone on the designated lot for the National Memory Museum and stressing that “memory is the greatest antidote for reparation.”<sup>3</sup>**

### VICTIMS’ ACTIVE PARTICIPATION ENSURED BY PARTICIPATION ROUNDTABLES

In April, 33 new effective municipal victims participation roundtables were elected and installed. The process incorporated the new Victims Participation Protocol, from the Victims Unit, four years after the first participation processes under the Victims Law began. The elections of these new municipal roundtables, which foster the active representation of victims of the armed conflict, were supported by USAID and IOM. Prior to the elections, public sessions were held around the country to socialize the participation spaces and instruments allotted by the Victims Law, as well as to share the methodology that was used to elect the roundtables, clearing up victims’ doubts and ensuring an efficient, transparent process. The number of victims’ organizations participating in this process increased compared to previous years, and technological innovations—including the information system VIVANTO—were used to facilitate the process. Next steps include the elections of departmental and national level victims participation roundtables, the members of which will all (per the new participation protocol) also participate at the municipal level, ensuring local representation.

**“New roundtable, new responsibilities, new challenges and new compromises,” stated the regional ombuds-person’s office’s spokesperson during the events to elect and install the new victims participation roundtables.**

## 3. PEACE PROCESS

### FARC’S ATTACK IN CAUCA: A STEP BACK FOR PEACE NEGOTIATIONS

On April 14, an attack by FARC in Cauca resulted in 11 soldiers killed and 21 injured, being the deadliest assault since FARC declared a unilateral ceasefire in December 2014. The attack produced national outrage and increased criticisms of current peace negotiations with FARC.

The attack left President Santos with no option but to lift the suspension of air bombings on FARC camps, a step back in de-escalating

<sup>1</sup> Victims Unit National Information Network: most recent data through April 1, 2015, <http://mi.unidadvictimas.gov.co/>

<sup>2</sup> “Victimas, más allá de los homenajes,” El Espectador, April 9, 2015, <http://bit.ly/1byilEm>.

<sup>3</sup> “Así transcurrió el 9 de abril, Día Nacional de la Memoria y Solidaridad con las Víctimas,” Unidad para las Víctimas, May 15, 2015, <http://bit.ly/1JMYlxF>.

the conflict. Air raids had been temporarily suspended as a gesture of goodwill by the GoC. Political opponents criticized the government for being too soft with FARC and called for a “pause” in the negotiations to “reorganize the process.”<sup>4</sup> While Santos pledged to continue with the negotiations, he called for a timeline setting clear deadlines for the process: “We must put deadlines on this process and if [the FARC] want peace, they must demonstrate with deeds and not with words.”<sup>5</sup>

Public opinion on President Santos dropped from 43% to 29% according to a poll released by Gallup. The same study reveals that while in February 72% of respondents agreed with the peace talks, after the attack only 57% agree with the negotiations. 42% of respondents think that the best option is to pursue defeating FARC by military means.<sup>6</sup> Internal criticisms of the peace process contrast with international support, as expressed during the Seventh Summit of the Americas in Panama by presidents from the region.<sup>7</sup>

**“There is no peace process alien from these crises. The process is not linear, but when these attacks happen we have to support those affected, and at the same time double the efforts so they do not repeat. To think that you can suddenly stop a 200 mph conflict train is very difficult,”** expressed UN Resident in Colombia Fabrizio Hochschild on the effects of the attack.<sup>8</sup>

## 4. DIVERSITY MAINSTREAMING

### STUDY FINDS THAT WOMEN ARE KEY TO PEACE IN RECONCILIATION PROCESSES

A Harvard study on 174 countries found that “the single best predictor of a state’s peacefulness is not its level of wealth or democracy, nor its ethno-religious identity: it’s how well its women are treated.” Analyzing this, *Foreign Policy* stresses the importance of reintegrating female former combatants, who are 30 to 40 percent of FARC members, in an eventual post conflict. Several lessons are offered, including ensuring an accurate picture of women in the FARC, disseminating information that explicitly targets women, creating specialized reintegration packages for women, and encouraging the role of women at the community level.<sup>9</sup>

**“In Colombia, as elsewhere, women in the community can help dictate whether returning fighters are welcomed or ostracized...getting this right is critical for both sides,”** reveals *Foreign Policy*.<sup>10</sup>

### THREE CHILDREN ARE KILLED EACH DAY IN COLOMBIA BECAUSE OF VIOLENCE

A document from the United Nations to the GoC remarks that while Colombia has advanced in the ratification of conventions and legislative material, including laws on domestic violence, victims and land restitution, prevention of sexual violence and the Childhood and Adolescence Code, the country needs to implement strategies to guarantee the rights of children. Wanderlino Nogueira, commission member of the Committee on the Rights of the Child spoke strongly, “Colombia has not complied with previous recommendations. It needs to comply or provide a reason why it is not. There needs to be a compromise to comply in some way.” One pending action is the creation of a monitoring system to update information on children.<sup>11</sup>

**Expressing her frustration, Gabriela Bucher, President of Fundación Plan, stated “we are excellent designing the best laws – but our biggest challenge is making them reality.”<sup>12</sup>**

## 5. A VIEW FROM THE FIELD

### SUPPORT TO BOJAYÁ FOR ACT OF PARDON BY FARC

Following an encounter by victims of the massacre in Bojayá and FARC in Havana, the possibility arose that the guerrilla group would carry out an act of pardon to the community. The Committee May 2, named for the date of the massacre in 2002, decided that the entire community should be involved in the decisions regarding what this act would entail, and for this, the Committee requested accompaniment from the Victims Unit, the Church, the Office of the United Nation’s High Commission for Human Rights, and IOM. These organizations formed five commissions that have visited different remote zones of Bojayá to collect communities’ comments and opinions on what they consider an act of pardon should include and not include.

### USAID DEPUTY ADMINISTRATOR MEETS VICTIMS

In April, USAID’s Deputy Administrator (Acting Administrator) Alfonso Lenhardt visited Colombia and was introduced to the initiatives implemented by the Victims Unit and the CNMH that help bring reparations to victims and promote truth. Ambassador Lenhardt met with directors of these institutions and held an informal conversation with four victims of the conflict about their personal experience, their expectations on the peace process and their demands to know the truth about the political violence in the country not only limited to the conflict. Victims thanked Ambassador Lenhardt for USAID’s support for victims’ reparations and peace-building in Colombia.

<sup>4</sup> “Uribismo pide al Gobierno hacer una pausa en proceso de paz con las Farc”, El País, April 16, 2015, <http://bit.ly/1JqYJqQ>.

<sup>5</sup> “Colombia’s Santos calls for deadline on FARC peace talks”, Reuters, April 17, 2015, <http://reut.rs/1zBfn71>.

<sup>6</sup> “Cae apoyo al presidente Santos y al diálogo de paz: Encuesta”, El País, April 30, 2015, <http://bit.ly/1H16hDa>.

<sup>7</sup> “Presidentes de la región reiteran apoyo a proceso de paz en Cumbre de las Américas”, W Radio, April 11, 2015, <http://bit.ly/1zMHQXN>.

<sup>8</sup> “El reto de los acuerdos bilaterales”, El Espectador, April 20, 2015, <http://bit.ly/1yN3vyh>.

<sup>9</sup> “Are Women the Key to Peace in Colombia?” *Foreign Policy*, April 20, 2015, <http://afp.co/1bpaALh>.

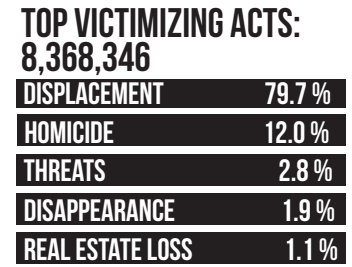
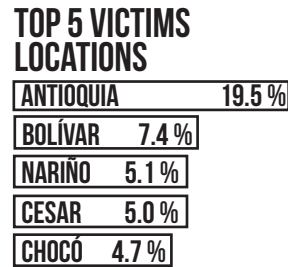
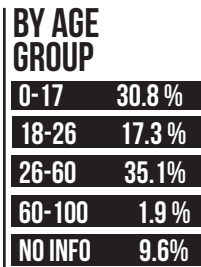
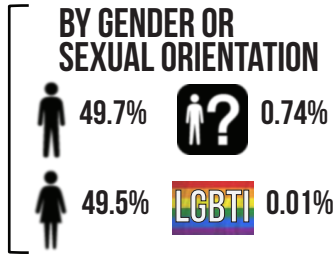
<sup>10</sup> *Ibid.*

<sup>11</sup> “Continúa deuda de Colombia con protección a niñez,” *El Tiempo*, April 28, 2015, <http://bit.ly/1EQHb6r>.

<sup>12</sup> *Ibid.*

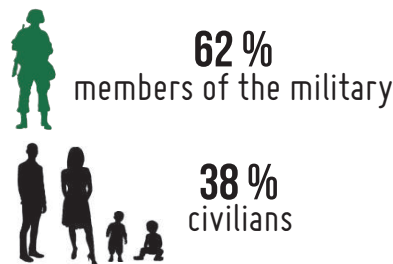
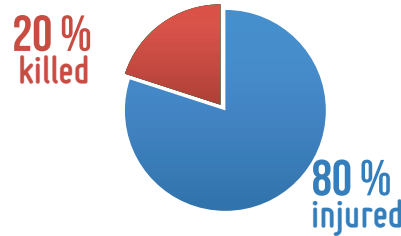
## 6. PROGRESS REPORT\*

**7,337,667**  
REGISTERED  
VICTIMS  
15.4%  
OF TOTAL  
POPULATION



### LANDMINES AND DEMINING EFFORTS IN COLOMBIA

According to DAICMA,  
**11,104**  
individuals have been  
killed or injured by  
landmines



According to the Victims Unit,  
**12,763**  
individuals are registered  
as victims of landmines  
and other explosive  
remnants of war  
**1985-2015**



After Afghanistan,  
Colombia is **2ND**  
in the world in number of  
landmine victims

## WHAT IS BEING DONE?



### SUCCESS: ZAMBRANO, BOLIVAR

Once one of the most contaminated by landmines, **73,772** squared meters have been completely cleared since **2010**

### FUNDING



It is estimated that demining Colombia will cost over **200 MILLION USD**

The current annual budget is **5 MILLION USD**

The **United States** recently pledged **5 MILLION USD** for demining efforts

### PEACE PROCESS



During ongoing peace negotiations in Havana, the GoC and FARC have pledged to carry out **INITIAL DEMINING PILOTS** in two points in **Antioquia and Meta**

Demining will be fundamental for **LAND RESTITUTION PROCESSES**, which currently cannot be carried out in mine-ridden zones

**70% OF LAND RESTITUTION CASES** are in zones with presence or suspected presence of landmines



Antioquia, Meta, Caquetá,  
Nariño and Norte de Santander  
are the  
**TOP 5 DEPARTAMENTOS**  
by number of  
victims of landmines

\*Sources

National Information Network (RNI) data from the Victims Unit through April 1, 2015, <http://mi.unidadvictimas.gov.co>

Direction of Integral Action against Antipersonnel Mines (DAICMA), <http://bit.ly/1ATCDNi>

Ricardo Sabogal qtd. in "Las minas antipersonal amenazan con dejar coja la restitución de tierras," La Silla Vacía, January 12, 2013, <http://bit.ly/1dpBNG9>

## 7. INSTITUTIONAL ADVANCES

### Victims Unit

#### **NATIONAL INFORMATION NETWORK COMPLETES CHARACTERIZATION**

A tool was provided to regional entities to generate characterization reports. With this tool, regional offices can measure compliance with principle indicators for the Effective Enjoyment of Rights and the needs of victims in their regions. The tool crosses information between the databases of 50 different SNARIV entities, and the results of the characterization can be downloaded at: <http://rni.unidadvictimas.gov.co/?q=node/274>. Of all characterization reports constructed with information from this tool, which uses administrative registries from the National Information Network (RNI), 37% are from regions targeted by IOM/VISP.

### National Historical Memory Center

#### **HISTORICAL MEMORY MATERIALS IN BRAILLE**

In order to guarantee access for visually impaired populations, the National Historical Memory Center launched the historical memory report “Enough! Colombia: Memories of War and Dignity” and the radio series “Life counts” (La Vida Cuenta) in braille. “This new line of products is key to guarantee the access of all populations regardless their physical or mental conditions,” expressed the CNMH’s Differential, Disability and Elderly Populations Approaches Coordinator Nayibe Sánchez. The new materials were launched during the Book Fair of Bogotá and will be available in public libraries around the country.

## 8. IN THE SPOTLIGHT

### **EXPERTS ON VICTIMS’ REPARATIONS MEET IN COLOMBIA**

From May 4 to 8, Colombia will host the “International School of Reparations: Exchange of South-South Comprehensive Reparation Experiences” with guests from 10 countries who have experienced armed conflict to exchange experiences on comprehensive reparation to victims. It is led by the Victims Unit and the Colombian Agency for International Cooperation with USAID and IOM support.

### **MAY 25: DIGNITY DAY FOR FEMALE VICTIMS OF SEXUAL VIOLENCE**

In August 2014, President Santos presented Decree 1480 that officially established May 25 as the National Dignity Day for Female Victims of Sexual Violence. The decision was part of the satisfaction measures called for by Jineth Bedoya, an editor from the newspaper *El Tiempo* who has been advocating against gender based violence since going public with her kidnap, torture and sexual abuse in 2000. As part of this commemoration, several activities will be held around the country.

### **DIALOGUES TO STRENGTHEN VICTIMS’ PARTICIPATION**

On May 26, the National Ombudsperson’s Federation (FENALPER) will host an event to foster a dialogue space around the experiences and results of the Victims Participation Roundtables, identifying actions and strategies to strengthen victims’ involvement in the implementation of the victims’ attention and reparation policy and peace building in the regions. The event is supported by USAID and IOM.

## 9. FURTHER READING

### **LAND RESTITUTION IN COLOMBIA: FROM A DREAM TO REALITY**

A report from the GoC on the land restitution process to date, which includes information on normative and institutional frameworks, social aspects to be considered in land restitution, monitoring, funding this process and challenges and advances to date.<sup>13</sup>

### **NEW ISSUE OF HISTORICAL MEMORY MAGAZINE “CONMEMORA”**

Articles, pictures, testimonies, photographs, comics and different expressions form the new edition of the CNMH’s magazine “Conmemora.” The magazine, produced with USAID and IOM support is available here: <http://bit.ly/1xpCk6p>.

### **THREE PROBLEMS THAT KEEP VICTIMS UP AT NIGHT**

An article by Verdad Abierta discussing victims’ concerns regarding time, specifically the soon to expire period to register as a victim of the conflict, presence of BACRIM, compensation amounts, and local policies for reparation.<sup>14</sup>

### **MEMORIES PORTRAITS: COMMUNITY AND INSTITUTIONAL MEMORY INITIATIVES**

A new documentary produced by the CNMH with USAID and IOM support presents memory initiatives ranging from graffiti, music, and art to memory places and museums, narrating survivors’ struggles and resistance stories. The documentary is available here: <http://bit.ly/1zt7yQM>.

### **PIZARRO: DOCUMENTARY AND LETTERS**

María José Pizarro, daughter of former guerrilla member Carlos Pizarro, follows her father’s footsteps and tries to decipher the truth behind his murder. Besides the documentary presented on national television, Mrs. Pizarro also launched a book with the letters sent by her father to his loved ones. This year marks the 25<sup>th</sup> anniversary of Pizarro’s murder.<sup>15</sup>

<sup>13</sup> “La Restitucion de tierras en Colombia: del sueño a la realidad,” Unidad de Tierras, April 7, 2015, <http://bit.ly/1JrD2qM>.

<sup>14</sup> “Tres problemas que desvelan a las víctimas,” Verdad Abierta, April 19, 2015, <http://bit.ly/1yHXEdF>.

<sup>15</sup> “Pizarro”, CNMH, April 30, 2015, <http://bit.ly/1IOo9Ax>; “Las cartas de amor de Carlos Pizarro”, El Espectador, April 22, 2015, <http://bit.ly/1Ki9z2t>.