



# VICTIMS ISSUES

## A MONTHLY REVIEW

DECEMBER 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 30, 2013, 5,926,775 victims are registered with the government of Colombia, primarily victims of internal displacement (86%).

#### CONTENT

1. Background	1
2. Key developments	1
3. Peace process	2
4. A view from the field	2
5. Progress report	3
6. In the spotlight	4
7. Diversity Mainstreaming	4
8. Institutional advances	4
9. Further reading	4

### 2. KEY DEVELOPMENTS

#### ALMOST SIX MILLION REGISTERED VICTIMS: VICTIMS UNIT

According to Victims Unit’s figures from December 2013, nearly six million victims have registered to receive Victims Law’s benefits. 86% are victims of internal displacement and 39% identify FARC as perpetrator of their affectations.<sup>(1)</sup> Antioquia, particularly the Urabá region, concentrates the highest number of victims (19%). The Victims’ registry recognizes affectations that have occurred since 1985.

“There is no municipality where we don’t have at least one registered victim. The conflict affected every single municipality and department in the country,” expressed Victims Unit’s director Paula Gaviria.<sup>(2)</sup>

#### THREATS AGAINST LAND CLAIMANTS AND VICTIMS ARE A CONCERN: UNITED NATIONS

Continuous threats and the lack of effective judicial actions obliged land restitution promoter and Forjando Futuros director Gerardo Vega to flee the country. Mr. Vega denounced death threats against himself and other leaders in October. According to the Ombudsperson’s office, five members of Antioquia’s Victims Roundtable also received threats.<sup>(3)</sup> UN High Commissioner for Human Rights office Juan Carlos Monge expressed concerns about these threats and the murder of land claimant Oscar Padilla on November 17.<sup>(4)</sup>

“It is important that efforts made to effectively repair victims, particularly land restitution, are not tainted by threats and murders against land claimants,” stated UN Commissioner Juan Carlos Monge.

#### HISTORICAL MEMORY DOCUMENTARY TRAILER BANNED FROM MOVIE THEATERS

Cine Colombia, the country’s largest movie exhibitor, banned the paid exhibition of the trailer for the historical memory documentary “There Was no Time for Sadness.” Produced by the CNMH with USAID/IOM support, the documentary explains the conflict through the stories of victims. According to Cine Colombia’s arguments, due to the documentary’s graphic and explicit imagery it was not possible to exhibit the trailer.<sup>(5)</sup> Outrage and criticism of the company’s decision burst into social media and online activism, sparking a campaign that collected over 8,000 signatures to make the company revise its position.<sup>(6)</sup>

Once Cine Colombia’s decision was made public, the documentary obtained wider visibility and now registers over 66,000 views on YouTube.<sup>(7)</sup>

1. “Colombia registers almost six million victims”, *El Espectador*, December 22, 2013, <http://www.elespectador.com/noticias/judicial/colombia-registra-casi-6-millones-de-victimas-de-confli-articulo-465577>

2. “Five million displaced”, *RCN Radio*, December 22, 2013, <http://www.rcnradio.com/noticias/casi-6-millones-de-victimas-por-la-violencia-se-registran-en-colombia-107935>

3. “Death threats against five victims of the conflict”, *El Mundo*, December 18, 2013, [http://www.elmundo.com/portal/noticias/seguridad/amenazan\\_de\\_muerte\\_a\\_cinco\\_defensores\\_de\\_victimas\\_del\\_conflicto.php](http://www.elmundo.com/portal/noticias/seguridad/amenazan_de_muerte_a_cinco_defensores_de_victimas_del_conflicto.php)

4. “UN expresses concern for threats and murders against land restitution leaders and human rights defenders”, *OHCH*, December 13, 2013, <http://www.hchr.org.co/publico/comunicados/2013/comunicados2013.php3?cod=54&cat=91>

5. “This is the documentary that Cine Colombia censored”, *Las 2 Orillas*, December 15, 2013, <http://www.las2orillas.co/este-es-el-documental-censuro-cine-colombia/>; “Cine Colombia censors cinema in Colombia”, *La Silla Vacía*, December 18, 2013, <http://lasillavacia.com/elblogueo/blog/cine-colombia-censura-el-cine-en-colombia-46359>

6. The online campaign is available here: <https://www.change.org/es-LA/peticiones/sres-junta-directiva-valorem-sa-difundan-y-exhiban-el-documental-no-hubo-tiempo-para-la-tristeza-en-las-salas-de-cine-colombia#share>

7. The documentary is available online here: <http://www.youtube.com/watch?v=das2Pipwp2w>

## COLOMBIA ASKS VICTIMS FOR FORGIVENESS

During 2013 and following judicial rulings, the government of Colombia (GOC) asked for forgiveness from victims of the Palace of Justice siege, the Apartadó Peace Community and Las Pavas community (Bolívar). In November, the Agency for the Legal Defense of the State asked for forgiveness for the “painful facts” of the Palace of Justice siege that killed at least 100 people.<sup>(8)</sup> The bodies of 12 victims, presumed killed, were never found. On December 10 and following a Constitutional Court ruling, President Santos apologized to the San José de Apartadó Peace Community, recognizing that the community was unjustly stigmatized by the state.<sup>(9)</sup> Former President Alvaro Uribe accused members of the community of obstruction of justice and linked them with FARC. Finally, the Colombian Government recognized its mistake in accusing members of Las Pavas Community of posing as false victims and formally recognized them as victims of forced displacement.<sup>(10)</sup>

**The Association of Peasants of Buenos Aires (ASOCAB) from Las Pavas, was awarded this year’s National Peace Prize for their peaceful struggle for land that was claimed by a palm oil company.**

## 3. PEACE PROCESS

### AFTER ATTACK IN CAUCA, FARC ANNOUNCED CEASE-FIRE

A day after their attack in Inza (Cauca), where eight were killed and 20 injured, the FARC declared a 30-day unilateral cease-fire starting on December 15. FARC’s cease-fire announcement brought mixed reactions. Attorney General Eduardo Montealegre expressed that the move is a gesture of FARC’s commitment to peace; former President Uribe labeled the announcement as an “infamous game” played by FARC; and Bogotá Mayor Gustavo Petro and the UN insisted on a bilateral cease fire.<sup>(11)</sup>

**FARC made the announcement expecting the GOC to also suspend military actions. However, President Santos has rejected this idea and peace negotiations will continue with no cease-fire.**

## 4. A VIEW FROM THE FIELD

### VICTIMS EMPLOYMENT FORUM IN MEDELLIN

On December 4, a forum was held in Medellín to advance in the design of employment and self-employment routes for victims. Mayors, academia, Antioquia governor’s office and representatives from the Ministry of Labor attended the forum. Participants agreed on the importance of providing victims with information on available jobs and training offers and establishing differential routes to identify victims’ main difficulties to access job options.<sup>(12)</sup> The forum was followed by a one-day business roundtable where victims showcased their products and promoted their businesses.

**Employment generation is a reparation measure established by the Victims Law. The Victims Unit, the Ministry of Labor and the National Learning Service (SENA) develop strategies to reconstitute employment capacities through trainings, first job incentives and entrepreneurial support.**

### VICTIMS EXPRESS EMOTIONS AND HEAL THROUGH DANCE

On December 16, more than 100 female victims of the internal armed conflict participated in the show *Inxilio: El sendero de las lágrimas* in Cartagena.<sup>(13)</sup> Produced by dance school el Colegio del Cuerpo with the Victims Unit, *Inxilio* invites participants and viewers to reflect on the effects of war and forced displacement, focusing on the victimization of women. Various representatives of victims’ collectives participated in the show, including members of the collective Narrar para Vivir (Telling to Live). The process uses art as a healing mechanism, and involves a one week preparation through reflection, and nonverbal and bodily expression workshops. The show included a procession through Cartagena’s historical center and concluded with the main show in Getsemani Convention Center, with Victims Unit director Paula Gaviria and Colombia’s first lady María Clemencia Rodríguez in attendance.

8. “Colombia Asks Forgiveness from Victims of 1985 Palace of Justice Siege”, *NTN 24*, November 12, 2013, <http://www.ntn24.com/noticias/colombia-asks-forgiveness-victims-1985-palace-justice-siege-112419>

9. “Santos Asks Forgiveness From the Peace Community of San Jose”, *For Peace Presence*, December 11, 2013, <http://peacepresence.org/2013/12/10/santos-asks-forgiveness-from-the-peace-community-of-san-jose/>

10. “State recognizes its mistake: Las Pavas Community were victims”, *Las 2 Orillas*, December 1, 2013, <http://www.las2orillas.co/estado-reconoce-su-error-comunidad-de-las-pavas-si-es-victima/>

11. “FARC announce 30 day cease-fire”, *El Tiempo*, December 8, 2013, <http://www.eltiempo.com/politica/farc-anuncian-un-cese-del-fuego-13268364-4>

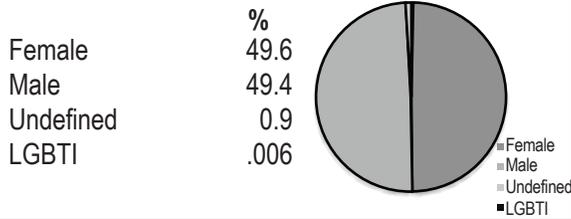
12. “Employment generation and self-employment regional forum”, *Victims Unit*, December 3, 2013, <http://www.unidadvictimas.gov.co/index.php/en/sala-de-prensa/noticias/79-noticias/1518-avanza-foro-regional-de-generacion-de-empleo-y-autoempleo-para-victimas>; “Ministry of Labor advances in restituting victims job capacities”, *Ministry of Labor*, December 3, 2013, <http://www.mintrabajo.gov.co/diciembre-2013/2659.html>

13. “Victims share their stories through dance”, *El Espectador*, December 17, 2013, <http://www.elespectador.com/noticias/cultura/victimas-de->

# 5. PROGRESS REPORT\*

**REGISTERED INDIVIDUALS: 5,926,775 (12.5% of total population)<sup>(14)</sup>**

## INDIVIDUALS BY GENDER OR SEXUAL ORIENTATION



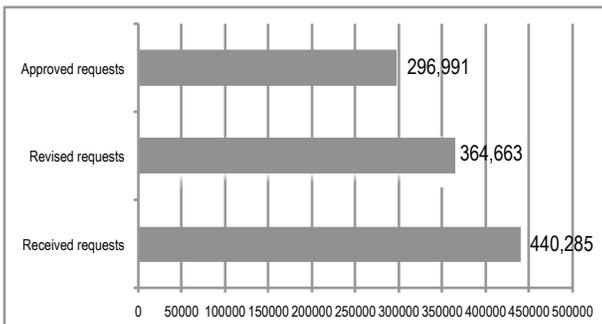
## TOP FIVE VICTIMS LOCATIONS<sup>(15)</sup>

	%
1. Antioquia	14.0
2. Bogotá	7.3
3. Valle del Cauca	5.9
4. Magdalena	5.6
5. Bolívar	4.9

## VICTIMIZING ACTS: 6,626,193 <sup>(16)</sup>

	%
1. Displacement	82.8
2. Homicide/Massacre	10.8
3. Disappearance	1.5
4. Threats	1.5
5. Loss of property	0.9

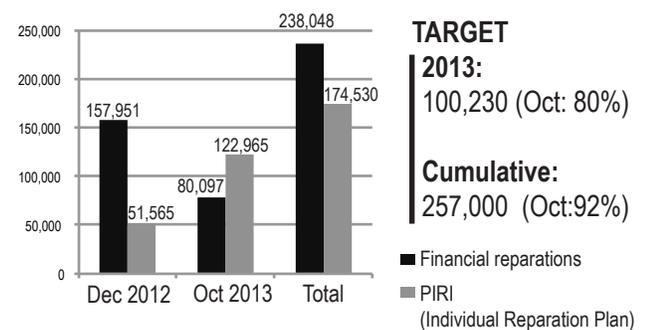
## DECLARATIONS<sup>(17)</sup>



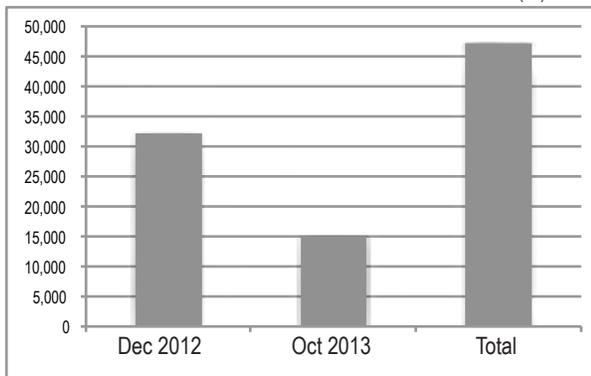
### Approval Rate

April	80%
June	76% ↓
July	75% ↓
August	80% ↑
October	81% ↑

## FINANCIAL REPARATIONS / PIRI<sup>(18)</sup>

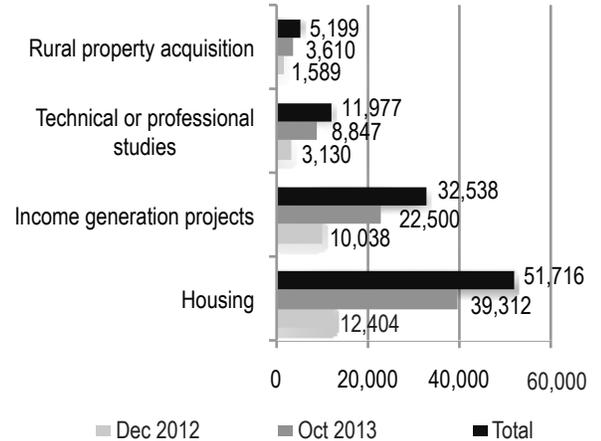


## HUMANITARIAN AID: HOUSEHOLDS<sup>(19)</sup>



	Households	COP
Dec 2012	32,104	15,357,000,000
Oct 2013	15,000	11,977,000,000
Total	47,104	27,334,000,000

## AREAS OF INVESTMENT OF REPARATIONS BY RECIPIENT<sup>(20)</sup>



## FINANCIAL REPARATIONS BY AGE GROUP

	Dec 2012	Oct 2013	Total
Children, adolescents and youth	7,052	4,584	11,636
Adults	149,963	72,960	222,923
<b>Total</b>	<b>157,014</b>	<b>77,544</b>	<b>234,558</b>

## REGIONAL PRESENCE<sup>(21)</sup>

Regional offices	Assistance points	Total
Under construction	8	96
Contract phase	15	
Design phase	8	
Planned	12	
<b>Total</b>	<b>43</b>	

\*Source: Victims Unit, October 31, 2013;  
 14. Official estimate of victims in the country.  
 15. Based on registry location.  
 16. Based on the registry of victimizing acts.  
 17. Based on the Single Declaration Format (FUD).

18. Number of individuals who received financial compensation (total: COP 1,423,506,000); PIRI: Individual Reparation Plan.  
 19. Humanitarian missions and aid include kits, food assistance and health, education and shelter services.  
 20. Main investment areas per person.  
 21. Victims Unit's service provision coverage.

## 6. IN THE SPOTLIGHT

### COLOMBIA TO HOST GLOBAL CONFERENCE ON LANDMINE SURVIVORS AND DISABILITY RIGHTS

Colombia will host a two-day global conference on how to effectively meet the needs of landmine survivors in broader contexts. The conference will be entitled “Bridges between Worlds” and will take place from April 3 to 4, 2014 in Medellín. The event is supported by the European Union and the GOC.<sup>(22)</sup>

## 7. DIVERSITY MAINSTREAMING

### EMBERÁ KATIOS RESIDING IN BOGOTA RETURNED TO THEIR LAND

305 members of the Emberá Katío indigenous community returned to their lands in Chocó, after living in Bogotá for over a year.<sup>(23)</sup> The 75 returned families (40% minors) received food, tools and housing supplies and will receive support from the Victims Unit to develop income generation projects and guarantee their permanence in the region. During 2013, the Victims Unit supported the return of 150 Emberá Katío families to Puria (Chocó) and 14 Embera Chamí families to Pueblo Rico (Risaralda).

## 8. INSTITUTIONAL ADVANCES

### Victims Unit

#### NATIONAL MEETING WITH JOURNALISTS ON COLLECTIVE REPARATION

A national meeting with journalists was held in Medellín to design a work plan to advance in their collective reparation process. Over 150 journalists, as well as international and national panelists, shared their experiences and proposals for the collective reparation plan. Main conclusions include guarantees for journalists, mechanisms to combat impunity and a national network of journalists to foster victims’ participation in the process.<sup>(24)</sup>

### National Center for Historical Memory (CNMH)

#### HISTORICAL MEMORY AREAS IN A POST-CONFLICT SCENARIO

After internal discussions, the CNMH has identified three intervention areas in a post-conflict scenario: (1) intervene in a context where historical memory will gain mainstream political visibility; (2) provide support to collective reparation processes for workers’ unions (USO) and the Colombian Peasant Union (ANUC); and, (3) establish work areas with the peace negotiations roundtable through reports on rural reform and seized lands in the Pacific coast, political participation and the implementation of truth agreements as a non-judiciary mechanism to certify ex-combatants’ commitment to peace and their demobilization process.

## 9. FURTHER READING

### NEGOTIATING WITHIN THE CONFLICT

The latest report by the Fundación Paz y Reconciliación explores the actions of the FARC, illegal armed groups (BACRIM) and ELN during 2013. The report demonstrates how FARC are not a broken force despite suffering serious setbacks in recent years and have stepped up political operations by influencing social movements and protests.<sup>(25)</sup>

### MAY GOD FORGIVE THEM [DOCUMENTARY]

The documentary “May God Forgive Them” represents a symbolic reparation measure against former paramilitary leader Jorge Iván Laverde, a.k.a. “El Iguano.” The documentary explores Iguano’s crimes and paramilitary actions in Norte de Santander through victims’, perpetrators’ and public officials’ testimonies.<sup>(26)</sup>

### HOW RESTITUTION ADVANCES [INTERACTIVE MAP]

This interactive map produced by the website on Colombian conflict Verdad Abierta, provides geo-referenced land restitution information.<sup>(27)</sup>

22. “Colombia to host global conference on landmine survivors and disability rights”, *AP Mine Convention*, September 23, 2013, <http://www.apminebanconvention.org/press-room/press-releases-2013/detail/article/1379936534-colombia-to-host-global-conference-on-landmine-survivors-and-disability-rights/>

23. “Embera Katío return to their land after several years in Bogotá”, *Victims Unit*, December 9, 2013, <http://www.unidadvictimas.gov.co/index.php/en/sala-de-prensa/noticias/79-noticias/1558-embera-katio-regresan-a-sus-tierras-tras-varios-anos-en-bogota>

24. “With success ends the First national meeting with journalists on collective reparation”, *Victims Unit*, December 3, 2013, <http://www.unidadvictimas.gov.co/index.php/en/sala-de-prensa/noticias/79-noticias/1517-finalizo-con-exito-el-encuentro-nacional-de-reparacion-colectiva-a-periodistas>

25. “Report Traces How FARC Wages War While it Talks Peace”, In sight *Crime.com*, December 18, 2013, <http://www.insightcrime.org/news-briefs/report-traces-how-farc-wages-war-while-it-talks-peace/>; The PDF version of the report can be downloaded here: <http://www.pares.com.co/wp-content/uploads/2013/12/Informe-2013-Farc.pdf>

26. The documentary is available online here: <http://www.youtube.com/watch?v=G0FRMly0Z2g&list=PLA099BA9D04FB12AD&index=22>

27. “How restitution advances”, *Verdad Abierta*, <http://www.verdadabierta.com/como-va-la-restitucion>