



VICTIMS ISSUES

A MONTHLY REVIEW

JUNE 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 Historical Memory Center, to collect and develop historical memory of the conflict, and (3) the Land Restitution Unit, to implement the restitution component. As of June 30, 2013, 5.5 million victims are registered with the government of Colombia, primarily victims of internal displacement (81%).

CONTENT

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

2. KEY DEVELOPMENTS

FORCED DISPLACEMENT STILL CLIMBING IN COLOMBIA: CODHES

According to a new report by the Consultancy for Human Rights and Displacement (CODHES) 256,590 individuals were displaced in 2012. CODHES Director Marco Romero expressed concern regarding the at least 51,000 afro-Colombians and 18,000 indigenous persons forcefully displaced; urban displacement affecting Buenaventura, El Tarra (Norte de Santander) and Medellín; and an increase in massive displacements (166 incidents affecting 49,000 individuals).⁽¹⁾

256,590 individuals were displaced in 2012

HUMANITARIAN AID: DEFICIENT AND NEEDING IMPROVEMENT

The Constitutional Court declared that humanitarian aid received by displaced populations remains inadequate due to budget and institutional insufficiencies. The Court also found displaced women and representatives of civil society organizations face heightened security risks. The Court accordingly ordered the Ministry of Justice and the Victims Unit to design and implement a public policy to guarantee effective and timely humanitarian aid using a differential approach.⁽²⁾ The Victims Unit is reviewing inputs from civil society before formalizing the policy.⁽³⁾

Despite the Victims Law, humanitarian aid is inadequate and needs improvement through institutional coordination of GOC entities: Constitutional Court

VICTIMS UNIT ANNOUNCES REGISTRY DEADLINES

The Victims Unit announced two deadlines to register in the Victims Single Registry: (1) Victims of crimes perpetrated between January 1, 1985 and June 10, 2011 have until June 10, 2015, and (2) Victims of victimizing crimes after June 10, 2011 have two years from the date of the act.⁽⁴⁾

REGISTRY DEADLINES

Victims of crimes between Jan 1, 1985 and Jun 10, 2011: Jun 10, 2015

Victims of crimes after Jun 10, 2011: 2 year deadline to register from the date of the act

1. "256,000 displaced in 2012", El Espectador, May 31, 2013, <http://www.elespectador.com/noticias/judicial/articulo-425413-hubo-256-mil-desplazados-2012-codhes>

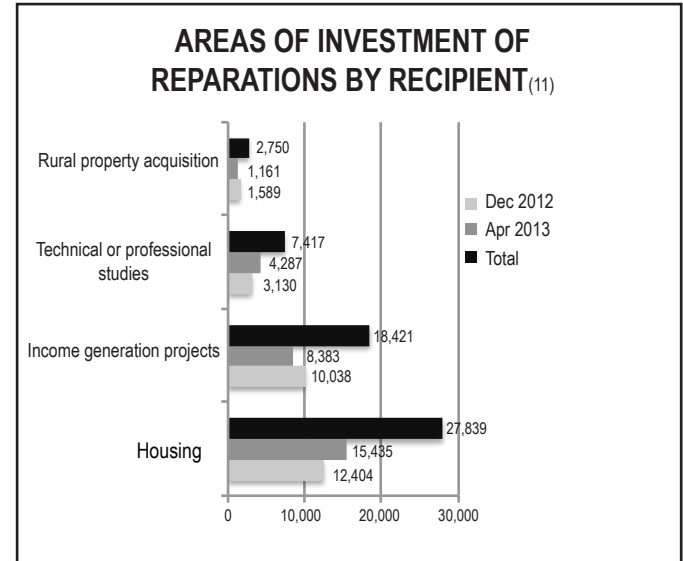
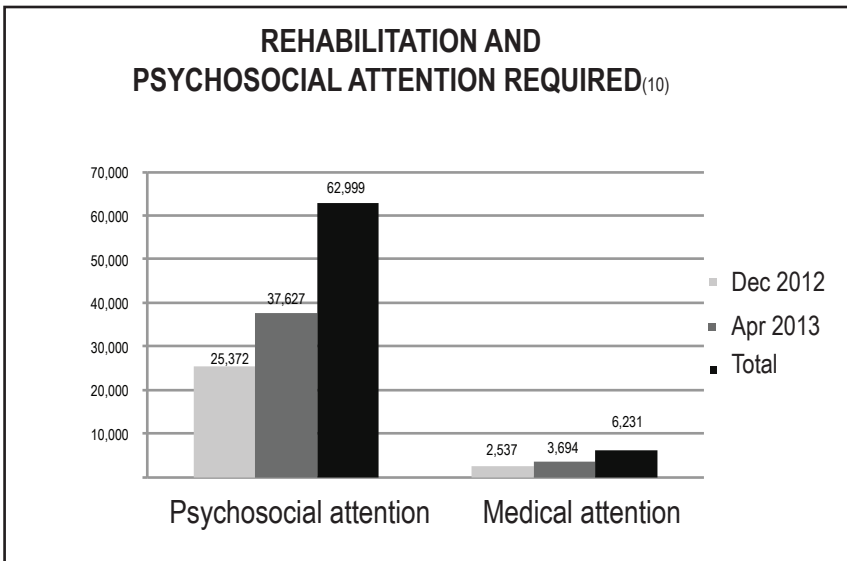
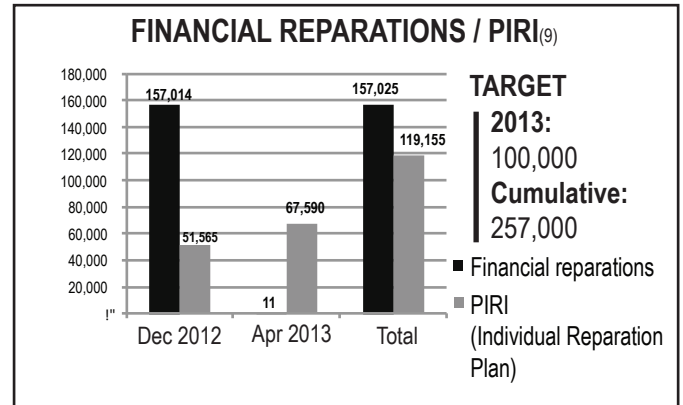
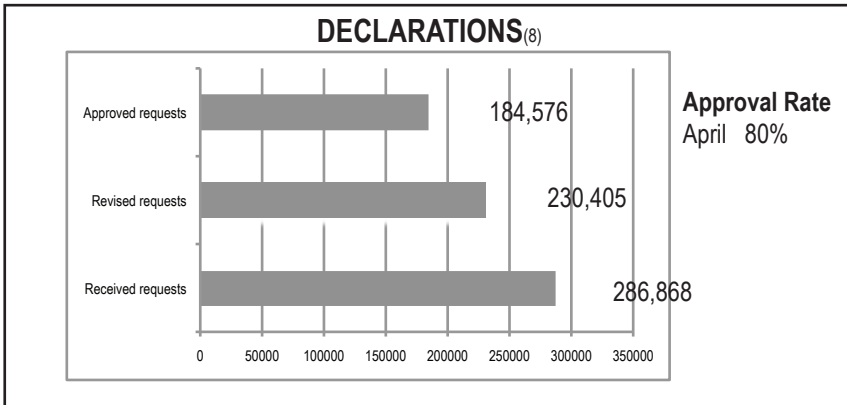
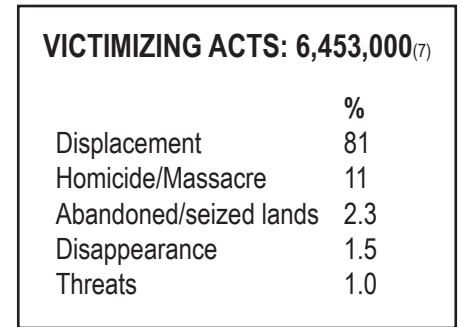
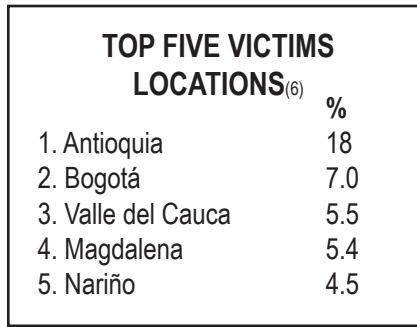
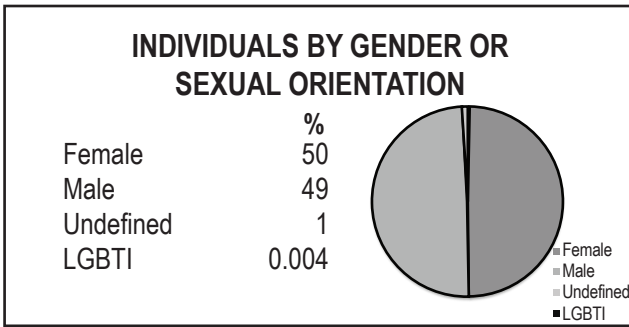
2. "Concern around humanitarian aid received by displaced populations", El Colombiano, May 31, 2013, http://www.elcolombiano.com/BancoConocimiento/P/preocupacion_por_ayuda_humanitaria_a_desplazados_por_la_violencia/preocupacion_por_ayuda_humanitaria_a_desplazados_por_la_violencia.asp

3. "Victims Unit studies displaced reparation route's comments", Victims Unit, <http://www.unidadvictimas.gov.co/index.php/en/79-noticias/720-unidad-estudia-comentarios-a-ruta-de-reparacion-para-victimas-de-desplazamiento-forzado>

4. "Victims Unit announces registration and declaration deadlines upon the Public Ministry", Victims Unit, June 12, 2013, <http://www.unidadvictimas.gov.co/index.php/en/sala-de-prensa/noticias/79-noticias/690-unidad-para-las-victimas-informa-sobre-los-plazos-para-presentar-la-declaracion-ante-el-ministerio-publico>

3. PROGRESS REPORT*

REGISTERED INDIVIDUALS: 5,565,609 (12% of Colombia's population)⁽⁵⁾



NATIONAL HISTORICAL MEMORY CENTER'S PROJECTS⁽¹²⁾

Research	61
Museum	26
Education	17
Human Rights Archives	16
General report	11
Truth agreements	11
Regional presence	8

Total projects: 150
of municipalities: 87

REGIONAL ACTION PLANS (PAT)⁽¹³⁾

	# with PAT	# without PAT	% with
Municipalities	920	203	82
Departments	25	7	78

*Source: Victims Unit. April 30, 2013.

5. Official estimate of victims in the country.

6. Based on registry location.

7. Based on the registry of victimizing acts.

8. Based on the Single Declaration Format (FUD).

9. Number of individuals who received financial compensation (total: COP 912,621,000); PIRI: Individual Reparation Plan.

10. Victims who express needs for psychosocial attention and/or medical attention.

11. Victims Unit's service provision coverage.

12. Source: National Historical Memory Center, 2013. Municipal presence by project.

13. PAT: Regional Action Plan, guiding tool that includes prevention, assistance, attention and reparation measures created by municipalities and departments with victims' participation.

4. PEACE PROCESS

PARTICIPANTS IN REGIONAL ROUNDTABLES INSIST ON TRUTH COMMISSION

The second series of regional roundtables collecting victims' opinions on their rights and access to truth continued during June. The roundtables, an initiative of the Congressional Peace Commission with UN support, began in October 2012 focusing on agrarian reform.

Nine of the ten regional meetings on victims' issues planned have been held, as well as a roundtable with exiled and refugee Colombians in New York (June 1). Attendees included victims' organizations, Congress members, GOC institutions and international agencies. The presence of the private sector and trade unions is still lacking. They will be invited to a separate forum to collect their perspectives. Political parties and NGOs have been actively involved. Salient points include⁽¹⁴⁾:

- Instate a truth commission to recover historical memory and identify causes, consequences and responsibilities, with national and regional chapters, a differential approach and international observers
- Provide a voice at the negotiating table for victims and civil society
- There is no consensus on whether penalties different from prison should be accepted for ex-combatants in a transitional justice framework
- Legal reforms are needed to expedite implementation of the Victims Law at the local level
- Identify the role of national and foreign companies in the conflict
- Recognition of violence and harms by all actors in the conflict
- Nonconformity with how mass media reports the peace process

5. A VIEW FROM THE FIELD

“VICTIMS WALK FOR PEACE” IN MONTES DE MARÍA

During a march on June 25 in Carmen de Bolívar (Northern Colombia), President Santos proclaimed that FARC must “recognize victims as a key element of this negotiation.” Nearly 15,000 victims marched in the conflict-torn region of Montes de María in support of victims and the GOC/FARC peace process.⁽¹⁵⁾

DEATH THREATS AGAINST LAND CLAIMANTS IN URABÁ

Members of the social organizations Forjando Futuros and Tierra y Vida received death threats for collecting documents for land restitution processes in Urabá. Although the sources of the threats are unknown, members of the organizations claim businessmen, land owners and illegal groups who oppose the land restitution process in the region are behind the threats.⁽¹⁶⁾

6. IN THE SPOTLIGHT

VICTIMS UNIT EXTENDS VICTIMS ROUNDTABLES ELECTION DEADLINE

The Victims Unit extended the deadlines to establish municipal, regional and national victims' roundtables. Following the new timeline the National Victims Roundtable should be created and its membership elected by August 2.

By August 2 victims roundtables will be created and elected

HISTORICAL MEMORY GENERAL REPORT

On July 25, 2013, the National Historical Memory Center will present the Historical Memory General Report. The report explores the origins and causes of Colombia's internal armed conflict. The report will be released in multiple formats (documentary, radio, booklets) to be disseminated among various audiences during the Historical Memory Week in October.

Historical Memory General Report “Enough: years of war and dignity” to be released in July

14. Source: UNDP; “Victims claim for truth in regional peace roundtables”, El Espectador, June 7, 2013, <http://www.elespectador.com/noticias/paz/articulo-426570-verdad-clamor-de-victimas-mesa-de-dialogos>

15. “Santos demands FARC to recognize victims and “play fair””, El Espectador, June 23, 2013, <http://www.elespectador.com/noticias/paz/articulo-429550-santos-exige-farc-reconozcan-sus-victimas-y-jueguen-limpio>

16. “Intimidations and discredit against land claimers in Urabá”, Verdad Abierta, June 12, 2013, <http://www.verdadabierta.com/component/content/article/252-lideres-de-tierras/4626-intimidacion-y-deslegitimacion-a-reclamantes-de-tierras/>

7. INSTITUTIONAL ADVANCES

VICTIMS UNIT

Victims Unit co-finances projects

The Victims Unit established a USD 9,365,364 fund to co-finance projects with regional and municipal authorities. Governors and Mayors compete for funding by submitting projects that aim to strengthen victims' assistance and reparations services. The deadline for submission was June 14. Selected proposals will be announced in July.

NATIONAL HISTORICAL MEMORY CENTER

National Historical Memory Center International Cooperation Strategy

In June, the National Historical Memory Center hosted several meetings with international cooperation agencies to present achievements and secure additional funds. National Historical Memory Center Director Gonzalo Sánchez highlighted the institution's 2014 priorities:

- Design education strategies to reinforce guarantees of non-repetition measures
- Promote institutional reforms to enable the Center to maintain a regional presence in priority areas
- Respond to possible demands from the peace process (such as a truth commission)

MINISTRY OF HEALTH

Psychosocial and Integral Health Program (PAPSIVI) gender chapter

The Ministry of Health will host a workshop in July to create the Psychosocial and Integral Health Program (PAPSIVI) gender chapter. During the workshop the tool to assess psychosocial effects of Colombia's armed conflict on victims will be piloted and will include "do no harm" and gender approaches.

8. FURTHER READING

SEMANA ONLINE VICTIMS SPECIAL

Online victims' special produced by Semana Magazine includes a photo gallery, testimonies, videos and statistics.⁽¹⁷⁾

2012 CODHES INTERNAL DISPLACEMENT REPORT

The latest report by the Consultancy for Human Rights and Displacement (CODHES) revolves around internal displacement figures, humanitarian crisis and land seizure with special emphasis on the critical situation of the Colombian Pacific coast.⁽¹⁸⁾

SEXUAL VIOLENCE VICTIMS' ATTENTION ASSESSMENT REPORT

The Prosecutor General's Office released a report assessing assistance available to victims of sexual violence in Colombia and found "the Colombian state does not have the capacity to provide services to victims of sexual violence nor provide support for their judicial processes".⁽¹⁹⁾

KIDNAPPED TRUTH: 40 YEARS OF STATISTICS (1970-2010)

On June 19, the National Historical Memory Center and Cifras y Conceptos published research regarding kidnapping trends in Colombia. The report analyzes information from seven different sources and concludes that – contrary to popular belief – during Alvaro Uribe's government kidnappings actually increased.⁽²⁰⁾

17. "Victims Special", Semana, <http://www.semana.com/Especiales/proyectovictimas/index.html>.

18. "Humanitarian crisis persists in Colombia: Pacific Coast in dispute", CODHES, May 31, 2013, <http://es.scribd.com/doc/147649820/Informe-desplazamiento-2012-Codhes>

19. "Prosecutor's Office presents sexual violence public policy assessment", Transitional Justice Fund, May 23, 2013, <http://www.fondojusticiatransicional.org/index.php/noticias/137-procuraduria-presenta-informe-de-evaluacion-de-politicas-publicas-en-materia-de-violencia-sexual>

20. "A kidnapped truth: 40 years of kidnapping statistics 1970-2010", National Historical Memory Center, Cifras y Conceptos, <http://www.centrodememoriahistorica.gov.co/descargas/informes2013/verdadSecuestrada/una-verdad-secuestrada.pdf>