



VICTIMS ISSUES

A MONTHLY REVIEW

OCTOBER 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 July 31, 2013, 5,669,236 victims are registered with the government of Colombia, primarily victims of internal displacement (82%).

CONTENT

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

2. KEY DEVELOPMENTS

NATIONAL VICTIMS ROUNDTABLE ELECTED

From October 1 to 3, the assembly and election of the National Victims Roundtable was held in Girardot (Cundinamarca). 270 regional representatives elected 46 delegates that represent victimizing acts and minorities, including LGBTI victims for the first time. Elected members will represent victims in Victims Unit, CNMH and Land Restitution Unit executive committees and the Public Ministry monitoring commission.⁽¹⁾ The GOC is analyzing security concerns as many of the elected members have since received death threats.

12,000 UNION MEMBERS AFFECTED BY THE CONFLICT SINCE 1986: VICTIMS UNIT

The Victims Unit recognized 12,000 union members were affected by the internal armed conflict through murders and death threats since 1986. The statement was released during the regional meeting on unions' collective reparation process in Cartagena with President Santos. Union proposals included promoting conditions to increase membership, implementing anti-stigma campaigns and fighting impunity. The collective reparation process does not preclude individual reparations. Next steps include regional meetings through March 2014.⁽²⁾

“Repairing union members is a legal responsibility established by the Victims Law, but it is also an ethical and political responsibility”, stated President Santos.

FINANCIAL COMPENSATIONS FOR DISPLACED POPULATIONS DEFINED

On September 20, following Constitutional Court rulings, the Victims Unit issued a resolution defining criteria for displaced populations to receive financial compensations under the Victims Law. Families included in Sentence SU-254, in the program “Families in their Land” (FES), and families in return or relocation processes will be prioritized. With this resolution, the GOC aims to compensate 28,000 displaced families before August 7, 2014.

The Victims Unit assured that displaced families receiving financial compensations are still able to receive humanitarian aid if they demonstrate “extreme vulnerability”, even if they have been receiving these benefits for more than 10 years.

1. “Victims demand participation in peace negotiations”, *Vanguardia*, October 5, 2013, <http://www.vanguardia.com/actualidad/colombia/228133-victimas-del-conflicto-exigen-participar-en-dialogos-de-paz>

2. “Government recognizes 12,000 union members as victims of the conflict”, *El Colombiano*, October 10, 2013,

http://www.elcolombiano.com/BancoConocimiento/G/gobierno_reconoce_12000_sindicalistas_victimas_del_conflicto/gobierno_reconoce_12000_sindicalistas_victimas_del_conflicto.asp

3. “State recognizes and will repair victim of Pablo Escobar”, *El Colombiano*, October 16, 2013,

http://www.elcolombiano.com/BancoConocimiento/El/estado_reconoce_y_reparara_a_victima_de_pablo_escobar/estado_reconoce_y_reparara_a_victima_de_pablo_escobar.asp

4. “Government explains recognition to victims of narco-paramilitaries”, *Victims Unit*, October 16, 2013, <http://www.unidadvictimas.gov.co/index.php/en/79-noticias/1268-gobierno-aclara-reconocimiento-a-victima-de-narcoparamilitares>

5. “State will repair two victims of Escobar”, *Vanguardia*, October 17, 2013, <http://www.vanguardia.com/actualidad/colombia/229837-estado-reparara-a-dos-victimas-de-escobar>

FIRST VICTIM OF PABLO ESCOBAR INCLUDED IN VICTIMS REGISTRY

The Victims Unit included Federico Arellano in the Single Victims Registry (RUV). Mr. Arellano's father, Gerardo Arellano, died along with 106 passengers in the Avianca bombing in November 1989. Medellín drug cartel leader Pablo Escobar planned the attack. The National Prosecutor's Office recognized the political nature of the joint Medellín Cartel and paramilitary Avianca bombing that intended to kill 1990 presidential candidate Cesar Gaviria; both son and father were recognized as victims and will receive Victims Law's benefits.⁽³⁾ Victims Unit director Paula Gaviria stated that not all victims of Pablo Escobar will necessarily receive reparations; they must make declarations and within 60 days the Victims Unit will assess their request.⁽⁴⁾

Mr. Arellano, president of the Colombian Memory Foundation, estimates that 50,000 individuals were victims of Pablo Escobar and the Medellín Cartel.⁽⁵⁾ Drug cartel and BACRIM victims will now be included in the Victims Registry.

3. PEACE PROCESS

"VICTIMS HAVE THE RIGHT TO BE IN GOC/FARC NEGOTIATIONS": OMBDUSPERSON'S OFFICE

During the election of the National Victims Roundtable, National Ombudsperson Jorge Armando Otálora expressed his commitment to speak with president Santos to guarantee the participation of victims representatives in the GOC/FARC negotiations in Havana, Cuba. "It would be a great opportunity for victims elected democratically to participate and bring their concerns to the negotiation table in Havana", expressed Mr. Otálora.

4. A VIEW FROM THE FIELD

1,858 INDIVIDUALS RECEIVE FINANCIAL COMPENSATION IN SAN CARLOS (ANTIOQUIA)

On October 8, the GOC gave over 500 financial compensation notifications to victims of forced displacement in San Carlos (Antioquia).⁽⁶⁾ As of August 2013, 13,547 victims were registered in San Carlos. 1,858 victims (14% of the total estimated victim population) will receive financial compensations. These financial compensations respond to the Constitutional Court ruling noted on page 1.

"We are making progress; 318,000 victims received financial compensations in a year and half of the Victims Law implementation", stated President Santos during the public event.

5. DIVERSITY MAINSTREAMING

MINORS STILL AFFECTED BY DISPLACEMENT AND RECRUITMENT BY ILLEGAL ARMED GROUPS

A Free War Child Holland, Free Press Unlimited and Pandi Agency report reveals 21,373 minors were displaced in 2013 (89 per day).⁽⁷⁾ A second report, to be published by Fundación Restrepo Barco, warns how recruitment of minors by illegal armed groups is increasing.⁽⁸⁾ The report also estimated there are currently 14,000 children in the ranks of guerrilla groups, BACRIM, and other armed criminal organizations.

Nariño (18%), Valle del Cauca (16%), Antioquia (12%), Cauca (10%) and Chocó (9%) register the highest figures of displaced minors.

6. IN THE SPOTLIGHT

VI MEMORY WEEK

On November 18 through 29, the National Historical Memory Center will host the VI Memory Week. Through different activities in Bogotá, Medellín, Cali, Cartagena, Villavicencio and Neiva, the CNMH will present the Historical Memory General Report "Enough!: Years of War and Dignity" to various audiences. Art exhibits, theater shows and concerts will also be held to remember victims' stories.⁽⁹⁾

6. "President Santos repaired victims of forced displacement in Antioquia", *Victims Unit*, October 8, 2013, <http://www.unidadvictimas.gov.co/index.php/en/79-noticias/1246-en-el-oriente-antioqueno-el-presidente-santos-reparo-victimas-por-desplazamiento-forzado>

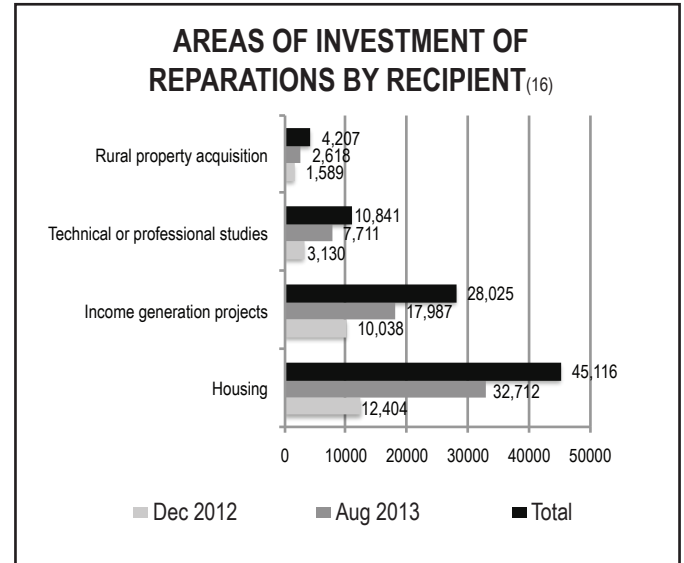
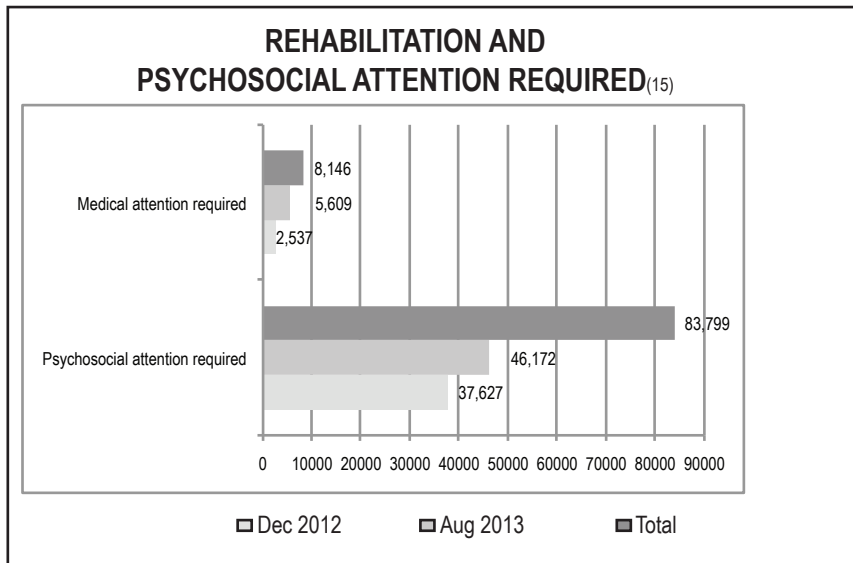
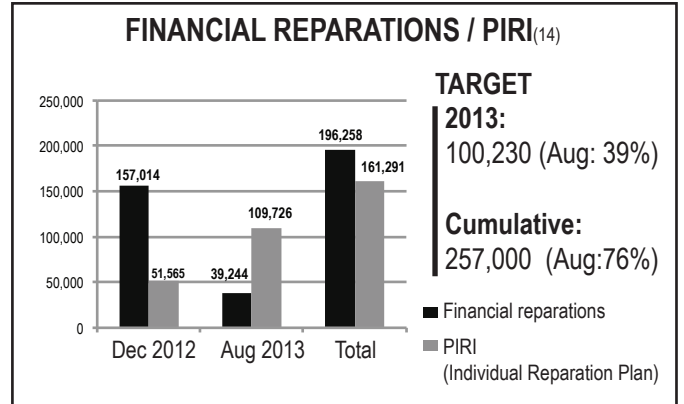
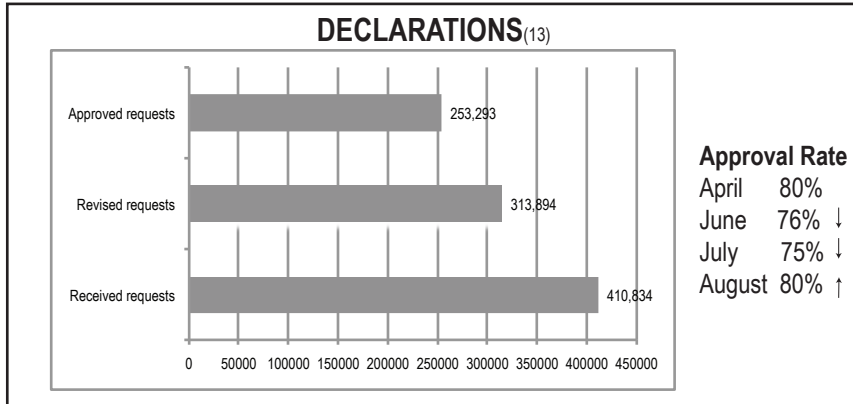
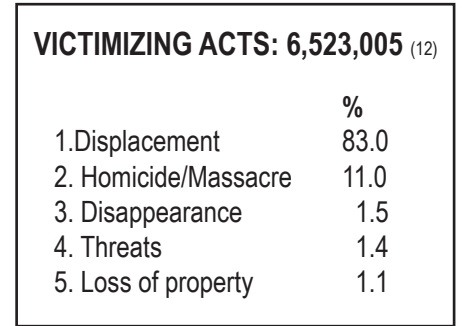
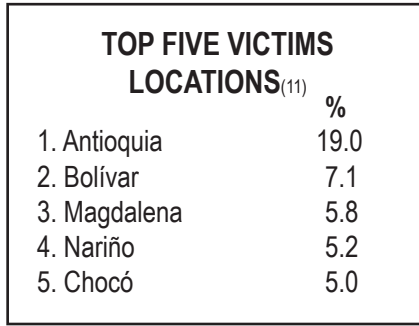
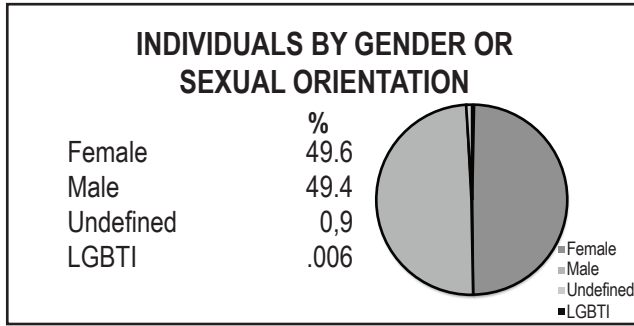
7. "Children with a displaced life", *Agencia Pandi*, October 1, 2013, <http://www.agenciapandi.org/ninos-y-ninas-con-la-vida-desplazada/>

8. "14,000 children in the ranks of illegal armed groups", *Caracol Radio*, October 22, 2013, <http://www.caracol.com.co/noticias/judiciales/mas-de-14000-menores-siguen-vinculados-a-grupos-ilegales/20131022/nota/1999419.aspx>

9. For more information visit: www.centrodememoriahistorica.gov.co

7. PROGRESS REPORT*

REGISTERED INDIVIDUALS: 5,845,002 (12% of total population)⁽¹⁰⁾



FINANCIAL REPARATIONS BY AGE GROUP

	Dec 2012	August 2013	Total
Children and youth	7,052	4,396	11,448
Adults	149,962	34,848	184,810
TOTAL			196,258

VICTIMS BY AGE GROUP

Age	%
0-5	7.9
6-12	14.4
13-17	12.5
18-26	16.5
27-60	31.8
61-100	6.1
Without info	10.7

34.8% of victims are under 18 years old

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

14. Number of individuals who received financial compensation (total: COP 1,132,657,000); PIRI: Individual Reparation Plan.
 15. Victims who express needs for psychosocial attention and/or medical attention.
 16. Victims Unit's service provision coverage.

8. INSTITUTIONAL ADVANCES

VICTIMS UNIT PRESENTS VICTIMS LAW BENEFITS FOR VICTIMS ABROAD

The Victims Unit will hold regional meetings along the Colombian border for victims living abroad. On October 30 and 31, a meeting was held in Cúcuta (bordering Venezuela with other meetings planned for Ipiales (bordering Ecuador) and Juradó (bordering Panamá). On October 26 and 27, the Victims Unit also provided information on the Victims Law to victims living in Canada in a meeting in Montreal.⁽¹⁷⁾

More than 2,000 victims received information in the Montreal information session.

US CONGRESSMEN HIGHLIGHT HISTORICAL MEMORY REPORT

US congressmen James P. McGovern and George Miller highlighted the Historical Memory Report “Enough: Years of War and Dignity” in a letter to President Santos on October 21.⁽¹⁸⁾ “[The report] is a gift to the Colombian government and to the world. It has set a high standard for future reports, whether those are independent reports or an action called for as part of a final negotiated accord”, expressed the congressmen in their letter.⁽¹⁹⁾

The report analyzed five subjects: (1) Land disputes and conflicts; (2) Lack of political participation guarantees; (3) Drug trade; (4) Global order and international pressures; and (5) Fragmented state presence.

MINISTRY OF HEALTH LAUNCHES COMPREHENSIVE HEALTH PROGRAM FOR VICTIMS (PAPSIVI)

On October 21, the Ministry of Health launched the Comprehensive Health Program for Victims (PAPSIVI), which includes psychosocial attention and physical and mental health services for victims.⁽²⁰⁾ During 2012 and 2013, PAPSIVI was designed with victims. According to Victims Unit estimates, roughly 71,550 victims require psychosocial attention and 8,150 require medical attention; around 3,300 registered victims have suffered from sexual or gender based violence.

“Nearly 550 trained professionals will provide psychosocial assistance to victims in 17 departments and Bogotá”, expressed Victims Unit director Paula Gaviria. Training for these professionals was supported by the USAID funded VISP program.

9. FURTHER READING

INTERACTIVE MAP: NATIONAL VICTIMS ROUNDTABLE

This interactive map produced by independent news website La Silla Vacía presents the stories behind the elected representatives of the National Victims Roundtable.⁽²¹⁾

TRANSITIONAL JUSTICE MECHANISMS IN COLOMBIA SINCE 2005

The International Center for Transitional Justice (ICTJ) published a timeline on GOC adopted transitional justice measures.⁽²²⁾

ACCESS TO JUSTICE FOR WOMEN VICTIMS OF SEXUAL VIOLENCE

The fifth monitoring report highlights the impunity with which sexual violence and related crimes are treated and highlights that there is no efficient or trustworthy registry of cases or of institutional responses to this type of crime.⁽²³⁾

DISPLACEMENT OF MINORS, A MAJOR PROBLEM

Semana Magazine’s online special on displacement of minors during 2013.⁽²⁴⁾

17. “Victims Unit holds meeting with victims organizations in Cúcuta”, *Victims Unit*, October 29, 2013, <http://www.unidadvictimas.gov.co/index.php/en/79-noticias/1349-unidad-para-las-victimas-realiza-jornadas-de-trabajo-con-organizaciones-de-frontera-en-cucuta>

18. “US Congressmen highlight the Historical Memory Center Basta Ya! report”, *Historical National Memory Center*, October 9, 2013, <http://www.centrodehistoriamemoria.gov.co/index.php/noticias/noticias-cmh/2353-congresistas-de-estados-unidos-resaltan-el-informe-basta-ya>

19. The complete version of the letter is available at: http://www.centrodehistoriamemoria.gov.co/correo/externos/boletin_carta/carta-congresistas-estados-unidos.pdf

20. “Ministry of Health implements Comprehensive Health Program for Victims”, *Ministry of Health*, October 21, <http://www.minsalud.gov.co/Paginas/tencion-psicosocial-victimas.aspx>

21. “National Victims Roundtable map”, *La Silla Vacía*, October 13, 2013, <http://lasillavacia.com/historial/el-mapa-de-la-mesa-nacional-de-victimas-45821>

22. “Transitional Justice Mechanisms in Colombia since 2005”, *International Center for Transitional Justice (ICTJ)*, October 24, 2013, <http://ictj.org/news/transitional-justice-mechanisms-colombia-2005>,

23. “Access to Justice for Women victim of sexual violence”, *Fifth follow up report from the providence Auto 092 of the Constitutional Court*, October, 2013, http://www.dejusticia.org/index.php?modo=interna&tema=justicia_transicional&publicacion=1605

24. “Displacement of minors, a major displacement”, *Semana*, October 2013, <http://www.semana.com/Especiales/menores-desplazados-colombia/index.html>