



*Programa de
Fortalecimiento a la Justicia*

Transitional Justice Fund 2011 Standard Progress Report

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INTRODUCTION:

The “Strengthening Justice in Colombia” and the “Peaceful Coexistence Promotion” Programs were conceived as an initiative to harmonize international cooperation efforts to help the Colombian State and society in facing one of their greatest challenges: the construction of a durable and sustainable peace. These Programs reflect the precepts of coordination, complementarity and coherence of international cooperation (Paris Declaration, OECD 2005), with a proposal for comprehensive and joint intervention on matters of truth, justice, and reparations (remedy) to advance the initiatives included in the lines of work defined by the programmatic committees.

The objective of the Programs is to improve the national and territorial capacities for institutional strengthening, peace building, and promotion of peaceful coexistence and reconciliation, with emphasis on the justice system, respect for human rights, and victims’ rights. The Programs also seek to achieve the following results:

Peaceful Coexistence Promotion Program

1. The national and territorial capacity for democratic governance and peaceful coexistence strengthened, by supporting public institutions and civil society organizations and promoting dialogue between them.
2. Social-economic development strategies implemented in receiving communities.
3. The capacity of victims’ organizations to actively and effectively participate in truth, justice, and reparation processes strengthened.
4. Processes of transformation of individual and collective imaginaries of the demobilized population and receiving communities implemented.
5. A culture of peaceful coexistence and reconciliation promoted at the national level, through cultural, educational and communications initiatives.

Strengthening Justice in Colombia Program.

1. The Inter-institutional Justice and Peace Committee strengthened to enable effective coordination among the organizations responsible for transitional justice policy development: The strengthening of the Inter-institutional Justice and Peace Committee (CIJP) was prioritized.
2. The Colombian Justice System and the Public Ministry¹ response capabilities strengthened, with emphasis on the application of transitional justice mechanisms: For this result, the Committee decided to prioritize the promotion of the National Search for Missing Persons Plan.
3. Support to national institutions for victim and witness protection program accompaniment: In this result, the Committee established that the line of work would be the strengthening of initiatives for the comprehensive protection of victims for the development of a sole legal protection procedure.
4. Victims’ access to justice mechanisms promoted and strengthened: The Committee decided to prioritize the line of work that refers to strengthening of the public defense system and the participation of victims in the judicial process.

This report presents the principal advances made in each of the Program results in 2011.

¹ The Public Ministry in Colombia comprises the Inspector General’s Office (IGO), the National Ombudsman’s Office (NOO), and the municipal ombudsmen (*personeros*).

1. PRINCIPAL CHANGES IN CONTEXT DURING 2011

- During the first year of the current administration, the government of President Juan Manuel Santos (2010-2014) has demonstrated its commitment to guarantee the rights of victims of the internal armed conflict, through the enactment of the Victims' and Land Restitution Law (Law 1448 of 2011) and the corresponding regulatory process. In addition, the State is undergoing an in-depth restructuring process, by issuing more than 45 decrees creating new institutions or reforming existing ones. Among these is the decree that creates the Administrative Department for Social Prosperity (which replaces the Colombian Agency for Social Action and International Cooperation - Acción Social). This new department will coordinate the different agencies responsible for implementing the mentioned law.
- The Justice and Peace process has moved forward despite the existence of bottlenecks, especially those affecting the different procedural stages. Among the main achievements of this process is the documentation of 1,614 massacres, 173,618 homicides, 3,557 cases of forced recruitment of children, 34,740 cases of forced disappearance, 77,180 cases of forced displacement, and 3,611 kidnappings². However, to December 2010, of the 4,448 former combatants admitted into the Justice and Peace process (*postulados*), 54% have given their voluntary depositions (*versión libre*) and 0.007% has been tried in a first instance court. Moreover, of the 333,970 requests for administrative reparations, 15.3% have been approved and 8.22% have been effectively paid³.
- During the implementation of the Justice and Peace Law, and as a result of the voluntary depositions (70 of which were supported by the Transitional Justice Multi-Donor Fund (TJF), TJF), the victims were able to provide details about crimes that the Attorney General's Office (AGO) was not necessarily aware of, but also, in some cases demobilized former combatants confessed to actions for which they had been absolved prior to the voluntary depositions⁴.
- In addition, it was possible for new victims of crimes previously undiscovered by the justice system to register, increasing the body of evidence and, in consequence, the capacity of the State to prosecute international crimes. To August 2011, the AGO had initiated 2,777 voluntary depositions, 1,390 of which have been concluded and 1,387 are ongoing. Over 57,000 criminal acts have been mentioned in these voluntary depositions, of the 291,341 that have been documented (primarily homicides, displacement, forced disappearance, forced recruitment, extortion, kidnapping and massacres). One of the impacts of the Justice and Peace process at the national and regional levels has been the judicial investigations of the alliances between the illegal organized armed groups (IOAG) and political and economic sectors and the public security forces (parainstitutionality). The information provided by the *postulados* has revealed these links and, in some cases, the persons responsible have been punished. The "*parapolitica*" process is the best example of this progress⁵.
- An important milestone in the national context is the launch of UNDP's National Human Development Report "Colombia, Reasons for Hope", which contains key elements for understanding the phenomenon of land theft in the context of the armed conflict, and which should be taken into account in the formulation

² Gonzalez Vargas, Mario. Inspector General's Office. *La Justicia Transicional en Colombia: Un proceso en Construcción. Informe Observatorio Justicia Transicional 2005-2010* (Transitional Justice in Colombia: An ongoing process. Report of the Transitional Justice Observatory 2005-2010). July 2011

³ Ídem

⁴ *Diagnóstico de Justicia y Paz en el Marco de la Justicia Transicional en Colombia* (Diagnosis of the Justice and Peace process in the Framework of Transitional Justice). Coordinator Baltasar Garzón, MAPP/OEA, October 2011. P. 30.

⁵ According to data from the AGO, to July 2011 a total of 6,316 cases have been referred by the Justice and Peace jurisdiction to the ordinary justice system, as follows: Political 466, Members of the public security forces 495, Public Officials 178, Third Parties and Demobilized former combatants 5,177.

of the transforming rural reform necessary to modernize and democratize Colombia, as noted by the current government.

- Local elections took place in 2011 to elect mayors and governors. It was interesting to note the number of elected officials and representatives that belong to independent parties. This process was marred by a series of riots and disturbances in 55 municipalities caused by dissatisfaction with the election results.
- A noteworthy event during this period was the National Peace Prize, which was awarded to the inhabitants of San Carlos (Antioquia). The organizers of the Prize highlighted the initiative of the inhabitants of San Carlos (selected among 101 applicants). Some of the more than 2,500 families that had been displaced from this municipality by IOAG decided to return to their lands because the conditions, which were not limited to economic considerations, existed to do so. Some of these conditions had been supported through Transitional Justice Multi-Donor Fund (TJF) initiatives, and sought to achieve reconciliation, the reconstruction of social fabric, the building of trust between civil society and the State, and community integration. These strategies will be explained later in this document.

The following are the main impacts in each of the areas of intervention as well as the contribution of the Transitional Justice Multi-Donor Fund (TJF) in the achievement of these results. The document will begin with the Strengthening of Justice in Colombia Program, and continue with the Peaceful Coexistence Promotion Program. The final chapter will discuss the spaces for cross-cutting coordination that have been promoted by the Transitional Justice Multi-Donor Fund (TJF).

2. STRENGTHENING OF JUSTICE IN COLOMBIA PROGRAM

a. RESULT 1: The Inter-institutional Justice and Peace Committee strengthened to enable effective coordination among the organizations responsible for transitional justice policy development.

1. Strategy to strengthen the Inter-institutional Justice and Peace Committee:

The monitoring of agreements and the systematization of the information of the sub-committees for attention and protection (both of which lacked systematization and a diagnosis of the institutional commitments) and the sub-committee for measures of satisfaction (previously inactive) made it possible to track the agreements reached and to prepare policy guidelines, which were used as inputs for drafting the regulatory decree of the Victims' Law.

This strategy also facilitated the establishment of linkages between the previous Ministry of Interior and Justice and the victims' organizations that belong to the Network of Promotion Teams for the presentation of recommendations regarding Law 1448 of 2011 and its respective regulatory decree.

b. RESULT 2: The Colombian Justice System and the Public Ministry response capabilities strengthened, with emphasis on the application of transitional justice mechanisms.

1. Strategy to promote the National Search for Missing Persons Plan.

- The National Registry for Missing Persons strengthened

The SIRDEC⁶ Platform was strengthened with the support of the Transitional Justice Multi-Donor Fund (TJF), which enabled the relevant institutions to expedite their investigations, thanks to faster access to the system and better management and input of quantitative and qualitative information on missing person cases. The vulnerability of system's information was also reduced through the installation of a second backup platform in the city of Medellín (Antioquia). This made it possible to provide response, protection, guidance, attention, and legal representation to 5,671 victims. Of a total of 35,471 registered cases, 4,727 persons were found alive and 915 dead. A total of 364 exhumations were conducted, where 248 bodies were found⁷.

- National Search Plan implemented

The Transitional Justice Multi-Donor Fund (TJF) supported efforts to produce a protocol to improve the technical expertise to recognize signs of violence on bodies. This was done through the training of 528 officials on topics such as: sexual violence, torture, protocol for the handing over of cadavers, among others. The institutional capacity of the National Institute of Legal Medicine (INML) to identify missing persons was also strengthened, as well as the capacity to recognize signs of sexual violence and bone trauma in bodies of persons who were victims of forced disappearance.

In addition, the operation of the Urgent Search Mechanism was strengthened, expediting the process for locating people reported as missing. This mechanism prevented the commission of the crime of forced

⁶ SIRDEC: Integrated System for the Registration of Missing Persons: platform for the registration of missing persons.

⁷Total cases included in the registry, and the results derived from the exhumation are for the 2010 period. These figures have been included to maintain consistency in the presentation of the results of the strategy.

disappearance, by strengthening the technical capacities of the judicial authorities and Judicial Police officials, in accordance with the parameters established in Law 971 of 2005. This activity focused on a pilot project in the department of Magdalena.

Of a total of 19,982 cases, 9,425 were positively identified as acts of forced disappearance, and 1,356 exhumations were carried out in relation to the mentioned cases.

In addition, 4,161 biological samples were taken from the families of victims during the “*jornadas*”⁸ for attention to victims organized by the AGO’s National Unit of Justice and Peace Offices⁹. Of these cases, 5,288 prosecutions were also initiated¹⁰. An additional 30 missing person cases were discovered in the files of the Justice and Peace Offices and of which the System had no information (they appeared as unidentified bodies). A total of 7,438 cases have been updated and/or input into the SIRDEC.

The Transitional Justice Multi-Donor Fund (TJF) supported the decision of the IGO to create a procedure to activate the Urgent Search Mechanism, which made it binding upon the relevant State institutions to use this procedure to provide the victims seeking judicial remedies with clear information about the competencies of the institutions and the terms of action (Resolution 033 of 23 February 2011). This demonstrates the Transitional Justice Multi-Donor Fund (TJF)’s capacity to influence the IGO and the National Commission for the Search of Missing Persons (CNBPD).

As a result of the work carried out by the Transitional Justice Multi-Donor Fund (TJF) and the mentioned entities, the victims are now providing information to their focal point, the Technical Secretariat of the Search Commission of Missing Persons (CNBPD), which demonstrates the previously non-existent relationship of trust that has been generated between the victims and the CPBD.

Another achievement in this area, thanks to work of the Transitional Justice Multi-Donor Fund (TJF) with the Colombian National Police (CNP), is the decision by the CNP to reduce the waiting period after reporting a disappearance. This period was reduced from 72 hours to immediate response, in line with international standards on this matter. This decision is contained in Directive 007 of 2011, which was agreed to during the training on the Urgent Search Mechanisms established by Law 971 of 2005.

- Increased awareness about the crime of Forced Disappearance

The institutions comprising the Commission¹¹ now have five documentaries on forced disappearance, which were financed by the Transitional Justice Multi-Donor Fund (TJF) and serve as tools to raise awareness about forced disappearance as a crime against humanity.

- Inter-institutional coordination

The Transitional Justice Multi-Donor Fund (TJF) generated spaces for dialogue and exchange of information between the CBPD and the AGO, which fostered greater inter-institutional coordination by combining efforts

⁸ The *Jornadas de Víctimas* are large-scale, usually week-long, regional events conducted by the National Unit for Justice and Peace of the AGO, along with Accion Social, CNRR, and other State agencies, with the purpose of collecting information on missing persons, including biological reference samples. The *Jornadas* were initiated in July 2008 as an effort to clear and consolidate official records on cases of enforced disappearance, but were subsequently extended to include registration of new cases and collection of biological reference samples.

⁹ The total biological samples reported correspond to 2010 (2,602 samples) and 2011 (1,569 samples).

¹⁰ The total reported cases correspond to 2010 (3,895 cases) and 2011 (1,393 cases).

¹¹ NGO IGO; AGO; Ministry of Defense; Operative Commission on Crimes against Personal Freedom; INML; Colombian Commission of Jurists; and Association of Families of Disappeared Detainees (*Asociación de Familiares Detenidos Desaparecidos*).

and actions to improve the attention to victims, the documentation of cases, and progress in the investigations of cases of forced disappearance. As a result of this coordination, 23 State institutions are now participating in this strategy, together with six international cooperation agencies and 41 civil society organizations (CSO).

In addition, the technical and operational capabilities of 600 public officials working in the IGO and the CNP were strengthened through 13 training workshops held in 12 regions around the country.

c. RESULT 3: Support to national institutions for victim and witness protection program accompaniment.

1. Strategy to support the initiatives for protecting victims from a comprehensive perspective.

- Impact on victims' organizations

The technical assistance provided by the Transitional Justice Transitional Justice Multi-Donor Fund (TJF) (TJF) has strengthened the capacity of victims' organizations to increase the enforcement of protection measures that effectively incorporate a differential focus: gender, generation, age group or life cycle, ethnic identity, disability, and sexual diversity. To this end, 12 workshops were conducted in six (6) regions, with the participation of 120 victims, beneficiaries of protection measures and/or leaders of the Network of Promotion Teams (*Red de Equipos Promotores*). The purpose of this strategy was to comply with the State obligations established in Constitutional Court Decisions T-496/08 (constitutional protection of women's right to personal security against all types of violence, and the implementation of effective protection measures), T-339/2010 (assessment of risk levels for the implementation of protection measures), and Court Order 200 of 2007 (protection of the right to life and personal security of leaders of the displaced population and displaced persons in situations of risk).

In this sense, advances were made in the consolidation of justice system responses – attention and guidance – to victims that request protection with a differential focus under the Justice and Peace Law.

- Impact on the community

The persons trained in the communities targeted by the Transitional Justice Multi-Donor Fund (TJF) are now multipliers of information and knowledge about the contents, meaning and scope of the rights involved – the rights to life, dignity, integrity, and freedom – as well as about the available protection mechanisms and measures.

It is important to highlight the ethnic differential focus in the work with indigenous leaders and communities in the department of Cauca. These efforts aim to strengthen the capacity of the communities to identify the violation of rights and the damages caused and, on this basis, influence the State's protection agenda in order to generate a differential understanding of the protection responses that should be implemented when dealing with indigenous peoples.

- Institutional arrangements for the application of a gender perspective to policies for protection of victims

The issue of protection of victims with a gender focus, which is included in the Justice and Peace Law, has now been included in the agenda of the relevant institutions, in particular those institutions mentioned in Decree 1737/2010 and that are currently in the process of adjusting their responses to bring them in line with the criteria established by the Constitutional Court in the above-mentioned decisions.

- Improvement of leadership capacity and State responsibility in complying with the obligation to protect

As a result of the assistance of the TJF, the Ministry of Interior's (MOI) Human Rights Office – in compliance with the competencies established in Decree 1737/2010 – has a protocol containing the international norms on matters of protection and the main decisions of the national jurisprudence regarding the application of a differential focus.

It is important to mention that the ongoing and permanent dialogue between the Transitional Justice Multi-Donor Fund (TJF) and the MOI Human Rights Office enabled the identification of the needs of the institution and those of the protection program beneficiaries and, on this basis, make adjustments to the proposal for strengthening capabilities to achieve the effective application of the differential focus in the victim protection processes.

- Ownership of the normative framework

The institutions responsible for the protection of victims establish measures which are in line with the framework of obligations with a rights focus. With the assistance of UNDP's Gender Officer -, training was provided to 150 officials of the AGO and the CNP responsible for evaluating the risk levels and providing protection measures to victims under the Justice and Peace process. Case analysis was used to contextualize the rights of victims, the applicable normative framework – especially Law 1257/2008 -, awareness-raising, prevention and punishment of all forms of violence and discrimination against women.

- Involvement and coordination with key actors

The direct dialogue between the TJF and strategic entities for the design and implementation of State protection policies – Inter-institutional Protection Group (GIP), Technical Risk Assessment Groups (GTER), and the MOI Human Rights Office –made it possible to incorporate a rights focus and differential perspective into the institutional adjustment processes and the formulation of new protection decrees.

The Transitional Justice Multi-Donor Fund (TJF) supported inter-institutional meetings in the regional spaces for GTER coordination through training workshops on the application of the differential gender focus. This process enabled the unification of criteria and agreement on more effective coordination mechanisms.

d. RESULT 4: Victims' access to justice mechanisms promoted and strengthened

1. Strategy for the participation of victims in the procedural stages or judicial proceedings under the Justice and Peace Law.

- Access to truth, justice and reparations with a differential focus

The satellite transmissions of the voluntary depositions under Justice and Peace jurisdiction, financed by the Transitional Justice Multi-Donor Fund (TJF) enabled the decentralization of justice in places where the presence of the justice system has historically been limited or non-existent, thus facilitating the investigation of serious human rights violations and breaches of International Humanitarian Law (IHL). As a result of the satellite transmissions, victims' access to truth, justice and comprehensive reparations has impacted positively on their lives, to the extent that they find out what happened (the circumstances of time, means, and place). It

grants victims access to transitional justice mechanisms and increases their chances of obtaining full remedy. A total of 8,077 victims participated in the satellite transmissions of voluntary depositions financed by the Transitional Justice Multi-Donor Fund (TJF)¹², victims who had previously not been able to participate or receive any type of reparation.

The Transitional Justice Multi-Donor Fund (TJF) facilitated the access of traditionally excluded ethnic communities, who face barriers to participating in this type of legal actions as a result of their geographic isolation, the cost of travel, lack of knowledge, among others, thus guaranteeing differential access, which benefits indigenous peoples¹³, Afro-descendants¹⁴, victims of forced recruitment¹⁵, and victims of gender violence¹⁶, among other groups.

- Active and effective participation of victims in the procedural stages of the Justice and Peace process

The satellite transmissions contribute to the achievement of one of the primary objectives of the application of transitional justice in Colombia: the direct participation of victims in the judicial proceedings of the Justice and Peace process, as spectators and as interlocutors with the *postulados*¹⁷. During these judicial proceedings, 8,077 (15%) of the victims have participated in voluntary depositions in the context of the Justice and Peace Law, with support from the Transitional Justice Multi-Donor Fund (TJF). The satellite transmissions have decentralized access to justice in rural and remote areas, which has benefited historically excluded communities.

Facilitating the access of victims to the voluntary depositions gives them the opportunity to contest and/or supplement the version given by the *postulados*, as well as to request explanations, ask questions, or submit new evidence. Moreover, with their participation and testimonies, the victims have the chance to vindicate the good name of their family members. In this way, they not only gain access to the judicial truth, but they also have the opportunity to contribute, from their perspective, in the construction of truth.

- Self-recognition as victims, building political actors that actively vindicate their rights

Through this TJF strategy, 8,077 victims of the armed conflict that participated in the proposal conceive themselves as rights holders who can legitimately claim the right to truth, justice, reparations and guarantees of non-repetition, as a result of the change in imaginaries that allow them to understand that the condition of victim is not restricted to those who are internally displaced persons (IDPs) or whose family members have been disappeared or murdered. They have embarked on a process of empowerment as political actors who claim their rights before the relevant public institutions. This strategy addresses one of the main components of transitional justice: access to institutions and legal procedures, refraining from taking the law into their own hands or repudiating justice at the hands of non-state actors. This is a crucial and very valuable step on the path to reestablishing social trust in the justice institutions.

¹² Of the 76 satellite transmissions of the voluntary depositions under the Justice and Peace process broadcast by the Multi-Donor Fund in 2011

¹³ Such as some members of the Barí ethnic group in La Gabarra, Tibú (Norte de Santander) or of the Nasa ethnic group in Buenaventura (Valle del Cauca).

¹⁴ Such as the black communities that were able to view the broadcast of the voluntary depositions in Buenaventura y Cali about the Naya massacre.

¹⁵ Such as the case of the 150 victims who were minors when recruited by the Elmer Cardenas Block of the AUC. Thanks to this strategy, they were able to participate in the reparation proceedings (*incidente de reparacion integral*) with alias “Aleman” in November 2011, thus upholding their rights.

¹⁶ For example, during the transmission of the voluntary deposition in Tibú (Norte de Santander), three (3) cases of gender-based violence were mentioned.

¹⁷ Demobilized combatants under the peace and justice jurisdiction who are giving their voluntary depositions acknowledging their direct or indirect responsibility in crimes.

The support to victims provided with Transitional Justice Multi-Donor Fund (TJF) resources by psycho-legal teams of the National Ombudsman's Office (NOO), judicial representatives and/or field coordinators has developed trust, security and the empowerment of the victims to the extent that they are willing to participate in the judicial proceedings, handle the statements made by the *postulados*, and provide key elements for the reconstruction of the victimizing events. This support was provided before, during and after the voluntary depositions.

The assistance provided by the Transitional Justice Multi-Donor Fund (TJF), mentioned above, contributed to improving the perception of credibility and trust of the victims and of the communities towards the State institutions responsible for the administrative of justice.

- Intra-institutional coordination

The Transitional Justice Multi-Donor Fund (TJF) supported the development of a protocol for internal coordination within the NOO, between the Public Defense Direction and the Unit for Comprehensive Attention to Victims (UCAV). This protocol unified the criteria for attention, standardized procedures, reduced response times, and optimized processes for attention to and representation of victims.

2. Strategy to Strengthen the Public Defense system.

- Improvement of the legal representation of victims

In order to ensure adequate legal representation, 242 victims received legal assistance, with support from the Transitional Justice Multi-Donor Fund (TJF), to submit the expert opinions of psychologists and forensic accountants in four (4) reparation proceedings (*incidentes de reparación*¹⁸), as follows: (i) victims of Mr. Andrés Mauricio Torres León, alias "Jesucristo"; (ii) victims of the "Bloque Vencedores de Arauca"; (iii) victims of Mr. Ignacio Fierro Flores, alias "Don Antonio"; and (iv) victims of Mr. Fredy Rendón, alias "El Alemán". The technical support provided by the Transitional Justice Multi-Donor Fund (TJF) consisted in assistance to victims for the presentation of elements to assess the material and immaterial damages and determine the measures and amount of the reparations. This was done by hiring psychosocial and accounting experts, who interviewed the victims, using standardized methodologies for the identification of damages, substantially improving the legal representation of the victims and the identification of effective and comprehensive reparation mechanisms. It is worth noting that this support by the Transitional Justice Multi-Donor Fund (TJF) was a milestone in the reparation process for victims in the country, since the previous reparation proceedings had lacked standardized criteria and parameters to assess the material and immaterial damages.

The lessons learned as a result of the expert opinions supported by the TJF will substantially strengthen the legal representation strategy of the NOO, which is the State entity that promotes human rights, as well reduce the learning curve of the justice system on matters of comprehensive reparations to victims, which is an essential component of the transitional justice policy.

In terms of access to justice, the expert opinions about the damages caused and the calculation of the amount of reparations both complement and increase the judicial body of evidence, allowing the determination of the rights violated and the material and psychosocial damages caused. This is a crucial contribution to the

¹⁸ Judicial phase of the Justice and Peace process which establishes the material and immaterial damages caused by the demobilized combatant to the victims and the corresponding individual and collective judicial remedies are awarded.

realization of the right to truth and the fight against impunity.

- Legal representation with a differential focus

Public defenders have improved the attention to victims as a result of the implementation of a training strategy on gender-based violence and child and adolescent rights. As mentioned above, the expert opinions containing an assessment of psychosocial damages represent a differential assessment of the damages caused, which is technically more in line with the specificities of the subject population.

- Internal coordination of the public defense system and improvement of the attention to victims

The intra-institutional agreements (NOO) made it possible to reach a consensus on the content and enabled the publication of the protocol for internal coordination between the Public Defense Directorate and the Unit for Comprehensive Attention to Victims. This institutional effort seeks to overcome the gaps caused by under-registration and the lack of psychosocial and legal support material. The protocol also aims to harmonize, in procedural terms, the voluntary depositions and the reparations proceedings. As a result of these institutional arrangements, the legal representatives are able to participate in the voluntary depositions (this phase of support began with the voluntary deposition on the Naya massacre in October 2011). In other words, the legal representation is integrated into the different phases of the Justice and Peace process, in order to reduce the institutional response times and consolidate a process of coordinated information management that will contribute important elements for the comprehensive reparation proceedings.

1. Strategy to provide guidance for effective access of victims to attention and comprehensive reparation processes.
- Strengthening the capabilities of the victims of the Justice and Peace process to participate in judicial processes in conditions of dignity, with a psychosocial focus

The psychosocial assistance offered to victims contributes to strengthening the victims themselves, transforming them into rights holders entitled to the rights to truth, justice, reparations and the guarantee of non-repetition.

In the framework of this Transitional Justice Multi-Donor Fund (TJF) strategy, to 1 December 2011 219 workshops were conducted in 27 departments in Colombia, where 13,560 victims have received psychosocial assistance, 5,713 of these in the context of the transmissions of the voluntary depositions and hearings¹⁹. These workshops have provided legal and psychological assistance to victims through an educational methodology that teaches about their rights and about the legal framework that protects these rights, as well as how to use the self-care tools. The Transitional Justice Multi-Donor Fund (TJF) provided logistical support for conducting the workshops, which guarantees that victims can access the assistance they need in a dignified manner and prepare to participate in the judicial process.

- Improvement of the conditions and mechanisms for access to justice by victims that live in remote rural areas

Since the acts of violence in the context of the internal armed conflict occurred in remote areas of the

¹⁹ Among the most important are: 18 workshops in Bogotá, 15 in Cundinamarca, 12 in Cauca, 11 in Putumayo, 10 in Arauca, 10 in Meta, among others.

Colombian territory where the victims reside, bringing psycho-legal teams²⁰ to these areas of the country has a positive impact in terms of guidance and assistance and creates among the victims the perception of greater proximity to and trust in the institutions. The decentralization of the services provided by the National Ombudsman's UCAV provides a great opportunity for the affected communities, since it offers timely and effective assistance and facilitates the collection of documents needed for the judicial process as well as access to legal representation. This reduces the risk of re-victimization that sometimes occurs in these processes.

- Assignment of legal representation

One of the early impacts of the psycho-legal workshops conducted prior to the voluntary depositions is the initiation of the procedure to assign defense attorneys to the victims that do not have one. An example of this is the 47 victims in Tumaco (Nariño), who were able to begin the process of being assigned a lawyer during a workshop on psychosocial assistance.

- Improving the judicial body of evidence

With the support of the Transitional Justice Multi-Donor Fund (TJF) it was possible to continue the psychosocial assistance and accompaniment, providing the victims with criteria and practical knowledge to contribute elements for the investigation of their cases and enabling them to submit more evidence to the relevant justice operators.

- Strengthening the institutional capacities of the Unit for Comprehensive Attention to Victims of the National Ombudsman's Office

Through this strategy the Transitional Justice Multi-Donor Fund (TJF) was able to support the decentralization process of the UCAV, enabling its units to monitor the work in the field. Each month the advisors of the national team monitored the work of the psycho-legal teams in the regions. This enabled them to understand how the communities had taken ownership of the concepts and, in turn, made it possible to directly respond to questions and analyze special or emblematic cases. It also enabled the implementation of the protocols and guides prepared by the Unit as part of the psycho-legal strategy.

In addition, the monitoring efforts collected: (i) information on the perception of victims about the assistance process; (ii) the opinion of the regional Defender (National Ombudsman's Office) on the work of the psycho-legal duos; (iii) the self-evaluation of the duos of their own work; and (iv) the direct observations of the advisors that did the monitoring. The internal evaluation processes of the NOO provided a general overview of the performance of the strategy and will serve as input for improving implementation, the quality of the assistance, and the support to the entity.

- Improved institutional support to victims and strengthened access to comprehensive reparations, in conditions of dignity

The Transitional Justice Multi-Donor Fund (TJF) provided technical and financial support to 37 training workshops for the members of the psychosocial team during 2011, with professors with expertise in thematic areas such as the Victims' and Land Restitution Law, Law 906 of 2004, military criminal jurisdiction, IHL, attention in cases of anti-personnel mines and unexploded ordnance, and historical memory, among others.

²⁰ These "duos", organized by the Office of the National Ombudsman, consist of a psychologist and a lawyer, who work together as a team to provide assistance to victims in the Justice and Peace process in remote areas of the country.

This training also provided the ideal opportunity to distribute materials, such as the new “Protocol for Assistance to Indigenous Peoples” and the “Protocol for coordination between the Unit for Comprehensive Attention to Victims and the Public Defender system”. These conceptual and procedural documents standardize and facilitate the work of the psychosocial teams.

The training sessions also opened important spaces for debate that allowed the regional teams to talk about their experiences with specific activities or methodological tools that could be useful to the teams from the other regional offices and have been considered to be effective in the field. This feedback fostered the learning of new techniques and productive exercises which should be replicated, given their effectiveness in working with the receiving communities.

3. PEACEFUL COEXISTENCE PROMOTION PROGRAM

a. **RESULT 1: National and territorial capacity for democratic governance and peaceful coexistence strengthened, by supporting public institutions and civil society organizations, and promoting dialogue between them.**

1. Strengthening the institutions' response capacity

The main objective of the initiatives under this result is, on the one hand, to facilitate victims' access to assistance, by strengthening the response capacity of those institutions that are part of the procedure to provide assistance to victims, and, on the other, the creation of spaces for dialogue and inter-institutional consensus-building. These initiatives also offer the victims tools for learning about their rights and the processes to realize these rights, empowering them and making them more visible by strengthening the victims' organizations.

In this line of action, between 2009 and 2010 the Program supported the design, creation and implementation of the Model for Comprehensive Attention to Victims (MIAV) strategy, supporting as well the inauguration and operation of the MIAVs in Medellín and Valledupar.

The Transitional Justice Multi-Donor Fund (TJF)'s evaluation of the MIAV showed that they contributed to strengthening the public institutions and CSOs by increasing their capacities and promoting inter-institutional coordination. This is manifested by the assimilation by the entities of the victims-centered approach, no longer focused on the institutions, as noted in the impact evaluation²¹. According to this evaluation, the strategy achieves better results in terms of preparation and information in criminal and administrative processes, and improved response times in terms of guaranteeing victims' rights, compared to regions where the MIAV was not implemented. Moreover, the evaluation makes a series of recommendations, such as the binding application of the protocols developed, improvements in the access to information by the victims, and establishment of regional baselines for differentiated assistance, among others. All of this in the context of the immediate implementation of Law 1448 of 2011, in particular with regard to the design of future regional centers for attention to victims.

In addition, the experience of the "Mobile Unit for Attention to Victims in Eastern Antioquia" was shared during a meeting of the Sub-Committee for Attention to Victims of the CIJP. This model has been included in the Victims' Law for replication in the regions.

b. **RESULT 2: Social-economic development strategies implemented in receiving communities.**

1. Strategy for community reintegration in the municipality of El Copey (Cesar)

This strategy has enabled the community in this municipality to improve its capacity for peaceful coexistence in terms of the coordination between the different sectors, including participants of the High Council for Reintegration, now Colombian Agency for Reinsertion (ACR) in the processes. This population is no longer conceived as "demobilized former combatants" but as social actors. This is reflected in the creation and operation of the Promotion Committee (*Comité de Impulso*) in the past two years, which convenes 11 community-based organizations and local institutions (Mayor's office and Secretariats).

²¹ AAIC, MIAV Evaluation, 2011

The Promotion Committee has become a point of reference in the municipality, in which the participation of the population is strengthened, and a space for dialogue and negotiation between community representatives. The technical, financial and political support of the Transitional Justice Multi-Donor Fund (TJF) has achieved the following main results:

1. Improved capacity for accountability of the community entities, by promoting an oversight board which monitors the execution of the works in the Ecological Park in the San Toro neighborhood. This social process is technically and financially supported by the Transitional Justice Multi-Donor Fund (TJF) together with related strategies for the use and enjoyment of the park.
 2. Promotion of victims' rights to reparations, through activities carried out by participants in the ACR, of which the symbolic act of reparations that took place during the "Peaceful coexistence, love and peace" youth competition is particularly relevant. This competition is recognized as a peace-building activity involving children and adolescents in sporting activities with a backdrop of conflict resolution, a culture of peace and protection of the environment.
 3. Involvement of the mayor's office, reflected in a symbolic counterpart contribution of US\$ 2,000 for the equipping of the San Toro ecological park, the construction of a children's center, and the paving of adjacent roads.
 4. Preliminary execution of the sustainability phase of the proposal, with the support of the municipal council, to present an ordinance that institutionalizes the "peaceful coexistence day".
2. Strategy for community reintegration in the municipality of Pueblo Bello (Cesar)

The implementation of the community reintegration strategy in the municipality of Pueblo Belo, Cesar, (58% of its population is indigenous²²), has become a space for the inclusion of the traditionally excluded population that is affected by the conflict, which becomes involved in community-based organizations and local institutions. The participatory methodologies developed have led to the understanding by the community that the victims have suffered psychological harm and have empirical coping skills, and to the recognition within the community that the persons in the process of reintegration are political actors in the municipality.

The Promotion Committee that was established in the municipality has been consolidated as a space for dialogue between diverse social sectors, which in turn facilitates a rapprochement with the traditional authorities. This has enabled the gradual recuperation of trust in the institutions and in the community relationships, with a view towards rebuilding the social fabric. This Committee, with the participation of 14 community-based organizations has, since 2010, been supporting theater productions in the "House of Cultures²³" (*Casa de las Culturas*), establishing and entering into agreements and offering suggestions on how to include symbolic acts in the use and enjoyment of the House, with interethnic and cultural criteria.

This strategy has promoted protective environments for victims, through an agreement to locate the House of Cultures in the lot previously used as an Army base, positively changing the social representations of the use of public spaces that had previously been closed to the civilian population. The local institutions have participated decisively in this strategy. Some of the specific commitments with the proposal are: (i) a much broader conception of the concept of victim; (ii) dignified treatment of victims; (iii) investments in micro-proposals in the rural sector; and (iv) actions to ensure the sustainability of the House of Cultures, by contributing US\$ 150,000 represented in the social process which has enabled the definition of the equipping and legalization of the lot as well as the soil studies necessary for implementing the works.

²² DANE 2005 Census

²³ The House of Cultures includes the participation of the indigenous and Afro-Colombian populations, traditional inhabitants, , and people from the interior of the country, all of them now living in the same village together with demobilized former combatants in the process of reintegration.

The final report on the characterization of the victims in the municipality of Pueblo Bello and the Village of “Minas de Iracal” was divulged to the local authorities, providing information to the Mayor’s Office about the existence of victims in the municipality, particularly in the rural areas. As a result, actions were taken for the population of victims. The recognition of the existence of victims made it possible to extend the infrastructure, health and education services towards rural areas that are more marginalized and intensely affected by the violence.

The experience in Pueblo Bello includes a historical memory strategy, which was implemented through an event called “An encounter with our history”. This experience will be systematized and incorporated into the Center for Historical Memory of Cesar. This will contribute to achieving the objective of providing public access to information about the events that occurred and identifying local best practices in conflict situations.

3. Strengthening of Municipal Social Policy Councils

The technical support of the Transitional Justice Multi-Donor Fund (TJF) has improved the management capacity of the five municipalities where the integrated interventions are being implemented. With the support of the Program, municipal ordinances were passed which constituted or reformulated the Municipal Social Policy Councils (COMPOS) and a letter of commitment was signed to ensure sustainability in each municipality. This process has provided the nine local institutions and 12 community-based organizations involved in the COMPOS with better tools for planning resources and strategies. This has broadened the object of these organizations, which is now conceived as going beyond the Child and Adolescent Law and includes topics such as victimization, victims’ rights, incorporating a gender focus in all of these perspectives. Worth noting is the promotion of the COMPOS as spaces for building consensus between the different actors with diverse interests, which enables the creation of common agendas for municipal public policies.

This process contributed to the creation of the thematic roundtables on conflict and rebuilding of social fabric, return, peaceful coexistence, protection, guarantees and reestablishment of rights, and, particularly in Copey, Pueblo Bello, and Bosconia, the creation of roundtables on women and family.

4. Comprehensive Interventions – ANIMARTE

The Transitional Justice Multi-Donor Fund (TJF) has supported the construction of scenarios for peace-building and peaceful coexistence in each of its prioritized municipalities, by providing training to 1,450 children and adolescents (46% female) on values and skills for peaceful coexistence, which have transformed their intersubjective behavior, including their imaginary concepts of peaceful coexistence, peace-building, conflict resolution, among others.

This intervention uses methodological tools for coping with individual and collective mourning, contributing to the consolidation of the reconstruction of meaningful bonds between individuals and groups as a way to influence the transformation of the imaginaries on armed conflict, violence and the DDR process.

These activities have created a growing knowledge of and respect for ethnic, cultural, social, and political diversity as well as an awareness of the differential focus among the participants and their communities, contributing as well to symbolic acts of reintegration and historical memory involving the participants of the ACR.

Different municipal administration offices, 37 educational institutions and five community-based organizations have become involved in this strategy, all of which promote the creation of spaces for community encounters

and form a support network to ensure the sustainability of the strategy in the medium term. In addition, the joint venture company ISAGEN²⁴ and the municipal mayor's office have contributed US\$ 50,000 to support the activities in the *veredas*²⁵ or rural settlements and other populated centers.

This methodological proposal has focused its efforts on the rural population, especially on children and adolescents. The work has been coordinated with the United Nations Volunteer program (UNV), turning the promoters of ANIMARTE into the first United Nations community volunteers in Colombia.

The work methodologies applied by ANIMARTE served as the basis for developing new languages, contents and formats for other groups of promoters that work with urban communities and in remote rural areas, financed by Empresas Públicas de Medellín (EPM).

5. Psychosocial Assistance in San Carlos

The ANIMARTE strategy is complemented by an initiative to strengthen the capacities of 40 public officials, 28 teachers, and leaders of social organizations to identify the need for psychosocial assistance and provide emotional first aid. This initiative transformed the imaginaries of the entities and the target population about psychosocial assistance, as a component of the restitution of rights, and fostered the understanding that psychosocial support and assistance go beyond individual attention to trauma and require that the "social trauma" be addressed from a holistic perspective.

The methodologies used allowed individual and collective mourning to be addressed, which contributed to the construction of meaningful bonds between individuals and groups. For example, the teachers who were polarized, fragmented and withdrawn as a consequence of the conflict, or the people who remained in the municipality and resisted the conflict, but who never sought help and needed support.

The result in terms of public policy was the promotion of the formulation of psychosocial assistance plans in processes of comprehensive reparations to victims. The work within the community also made it possible to identify and refer 40 cases to institutions.

6. Psychosocial Assistance (Bosconia)

The Training Strategy and Formulation of the Local Psychosocial Assistance Plan for Victims of Violence in Bosconia was initially prioritized by victims in the municipality of Bosconia in view of the need to satisfy the right to dignified assistance and recognition of the effects of the conflict, including its psychological impact and emotional distress.

Based on this identification of needs, the strategy was conceived as a training process prior to the formulation of the local plan for assistance to victims. This has enabled the establishment of training groups with leaders and with teachers, who have assumed the position of rights holders and promoters of rights within the sectors that they represent.

As a result of the efforts of the Transitional Justice Multi-Donor Fund (TJF) with mayoral candidates, the elected mayor has expressed his interest and willingness to support the ongoing process and to participate in the training group comprising public officials.

²⁴ A Colombian company dedicated to power generation, the implementation of projects, and marketing of energy solutions.

²⁵ Rural area of municipalities

- Newly designed proposals

A proposal called “Sowing culture, Harvesting peace” is currently being developed with the aim of changing the imaginaries of children and adolescents in the Francisco Molina Sánchez School, in Commune 1 of the city of Valledupar, Cesar. To date, an action plan for 2012 has been developed and an inter-sector group has been created that will be in charge of promoting the proposal. The members of this group are representatives of the municipal mayor’s office, schools in Commune 1, ACR, the National Commission for Reparations and Reconciliation (CNRR), the Colombian Family Welfare Institute (ICBF) and social organizations in the municipality.

c. RESULT 3: The capacity of victims’ organizations to actively and effectively participate in truth, justice, and reparation processes strengthened.

- 1Strengthening and coordination of regional networks of victims’ organizations

The following products have been achieved in the implementation of these proposals:

- To date the Program has facilitated four national meetings of the promotion teams²⁶ of victims’ organizations. These encounters promoted the exchange of experiences, knowledge, and interests as well as the creation of a national network of victims’ organizations. The meetings were held in the following municipalities:

- 1st Encounter -Bogotá D.C. June 2009.
- 2nd Encounter -Paipa (Boyacá) March 2010.
- 3rd Encounter -Girardot (Cundinamarca) October 2010.
- 4th Encounter -Santa Marta (Magdalena) August 2011.

- The organizations that comprise the promotion teams have work strategies for creating spaces for high-level tripartite political dialogue with institutions and international cooperation agencies. This dialogue has facilitated the development of a strategy for collecting information, which has identified the perceptions and voices of the organizations in the 18 targeted territories. To date, this report has collected information from 881 organizations.

The programmatic agenda of the organizations (the “Seven Points Agenda”) is an important thematic point of reference for the development of the tripartite dialogues. These meetings allow the victims’ organizations to present their proposals to institutions, in some cases with the accompaniment of the international community. In 2011, 19 such encounters were carried out in the following regions:

1. Encounter in Nariño, 9 February 2011 in Pasto. (Topic: Victims’ Bill).
2. Encounter in Magdalena Medio, 15 April 2011 in Bogotá. (Topic: Collective Reparations).
3. Encounter in Magdalena, 5 May 2011 in Santa Marta. (Topic: Sexual Violence).
4. Victims’ Hearing in Norte de Santander, 13 May 2011 in Tibú. (Topic: Victims’ Bill).
5. Encounter in Cauca, 19 May 2011 in Popayán. (Topic: Policy for attention to the displaced population in Cauca)
6. Encounter in La Guajira, 16 August 2011 in Riohacha. (Topic: Protection of Victims)
7. Encounter in Nariño, 23 August 2011 in Pasto. (Topic: Victims’ Bill)
8. Encounter in Santander, 26 August 2011 in Bucaramanga. (Topic: Victims’ Bill)

²⁶ This is a group of organizations that promote the coordination and strengthening of territorial victims’ networks.

9. Encounter in Norte Santander, 2 September 2011 in Cúcuta. (Topic: Presentation of proposals for the creation of the Office for Attention to Victims in Norte de Santander)
10. Encounter in Nariño, 28 September 2011 in Pasto. (Topic: Victims' Bill)
11. Dialogue with candidates, 30 September 2010 in Medellín. (Topic: Victims' Agenda)
12. Encounter in Cesar, 12 October 2011 in Valledupar. (Topic: Principles for the legitimacy of the Victim's Law)
13. Encounter in Valle, 13 October 2011 in Cali. (Topic: Policy for attention to Victims in the Department)
14. Pact for victims in Putumayo, 20 October in Mocoa. (Topic: Policy for attention to Victims in the Department).
15. Encounter in Choco, 25 November in Quibdó. (Topic: Monitoring the implementation of the Victims' Law).
16. Encounter in Cauca, 7 December in Popayán. (Topic: Implementation of the Victims' Law in public policies).
17. Encounter in Magdalena, 7 December in Santa Marta. (Topic: Gender violence).
18. Encounter in Atlántico, 12 December in Barranquilla. (Topic: Victims in the formulation of public policies).
19. Encounter in Meta, 20 December in Villavicencio. (Topic: Land).

Some of the specific results of these meetings are reflected in the interest of the institutions to develop joint activities with the organizations. This is the case of the dialogues in the department of Cesar where the SENA (National Learning Service) proposed the development of training plans for the victims. Another clear example is the rapprochement between Accion Social, AGO, and IGO with victims in the department of Magdalena, which allowed the exchange of ideas on how to influence the implementation of the Victims' Law. Other noteworthy spaces for dialogue are the ones held in Putumayo, Magdalena, and Norte de Santander, where important agreements were reached for the creation of an office or secretariat for attention to victims. In the specific case of Putumayo, the candidates for governor and municipal mayors in the recent elections participated in the process. In the municipalities of Manaure, El Molino, and Dibulla, department of La Guajira, the elected mayors agreed to incorporate the proposals in favor of victims presented by the promotion team into their government plans, and have also received guidance on this issue from the organizations comprising the promotion teams.

Finally, the Transitional Justice Multi-Donor Fund (TJF) has provided support for 23 events for the recuperation of historical memory at the territorial level in 17 prioritized departments. One example of this is the event held in the municipality of San Pablo in Sur de Bolívar, which raised awareness about the damages caused to the community and to the victims. Through these effects, this community went from stigmatizing and accusing the victims to integrating them and understanding them as individuals whose rights had been violated.

7. Studies on the experiences of civil resistance in the midst of conflict

Historical memory studies have been conducted on the cases of the *Asociación de Trabajadores Campesinos del Carare* (ATCC) in La India (Santander), and the communities of San Carlos (Antioquia). This research has been carried out in coordination with the CNRR Area of Historical Memory.

The results have been presented in different venues and constitute a very important means for increasing awareness about the impact of the armed conflict among these populations. The report on San Carlos, for example, was presented during a meeting with young students held in Commune 13 in the city of Medellín. Activities have also been promoted to disseminate this experience in this municipality, supporting the cultural and artistic processes of the people of San Carlos and thus fostering the reconstruction of memory.

The final version of the research document was called “San Carlos: Memories of the exodus of war”. A dissemination and public impact strategy is currently underway, with the participation of local, regional, and national media outlets.

It is important to note the relevance of these activities for the recuperation of historical memory, in particular the one about San Carlos, Antioquia, which was recently awarded the 2011 National Peace Prize.

d. RESULT 4: Processes of transformation of individual and collective imaginaries of the demobilized population and receiving communities implemented.

1. Systematization of educational experiences on community-based reconciliation and reintegration.

The Transitional Justice Multi-Donor Fund (TJF) provided resources for the collection and systematization of knowledge, good practices and experiences in education on reconciliation developed by the CNRR, as well as on the process of community-based reintegration implemented by the ACR in eight regions of Colombia. The objective is to consolidate and transfer knowledge and experience to the new institutions created by the Victims’ Law.

e. RESULT 5: A culture of peaceful coexistence and reconciliation is promoted at the national level, through cultural, educational and communications initiatives.

1. Strategy for sensitizing media directors and training journalists – Media campaign

A network of journalists has been created and maintained in the prioritized regions of Colombia to carry out actions to raise awareness about the situation of the victims. Of the 280 journalists sensitized, 75 decided to participate in the implementation of the initiative, including issues related to victims, with social, political, and legal rigor and based on the principle of respect. There is an average of four journalists in each region of intervention of the Transitional Justice Multi-Donor Fund (TJF).

As a result of the training and awareness-raising workshops for journalists, 16 territorial booklets have been developed on handling information and analysis of the conflict and of the situation of the victims. As a result, the Good Journalistic Practices Booklet was published in 2011, which is a point of reference at the national level on how to deal with victims and is currently being distributed.

Three regional forums were carried out on forced displacement with emphasis on the role of the three mayor actors (State, civil society organizations, and the communications media).

The work of journalists in the regions on the topic of conflict and victims has been promoted, identified and recognized, with emphasis on investigative journalism. This was achieved as a result of the joint work between the Transitional Justice Multi-Donor Fund (TJF) and Revista Semana, through its annual journalism awards “The Country Told from the Regions”. 27 works were submitted in the category for “best news coverage on forced disappearance”, primarily from the regions where the Transitional Justice Multi-Donor Fund (TJF) has been working to sensitize journalists.

In order to give continuity to the communications campaign to raise awareness about the situation of victims, three radio spots have been disseminated on the rights to truth, justice, and reparations. To date, a total of 32,400 spots have been broadcast on community, local, and regional radio stations around the country.

As a result of the Transitional Justice Multi-Donor Fund (TJF) activities, the dissemination campaign has been assumed by institutions such as Acción Social, CNRR, ACR, IGO, AGO, NOO, the Vice Presidency, and the MOI.

The total of approximately 7,663 spots will be broadcast each month on radio, television, and the written media.

4. Spaces for Cross-cutting Coordination.

a. Baselines.

Baseline studies were conducted in 2011 for the Promotion of Peaceful Coexistence and Strengthening of Justice in Colombia programs, to establish the level of capacity of social and victims' organizations, communities and institutions to engage in transitional justice processes, in terms of coordination, leadership, knowledge management, accountability, and functional capabilities. The baselines describe general trends in knowledge, aptitudes, and practices on the topics analyzed. This instrument has been presented (to donors, international community and state institutions) in order to facilitate the identification of cooperation or institutional actions and as a point of reference for future impact evaluations. It may also be used as a mechanism for comparing the achievements, challenges, and problems of the Justice and Peace Law with the possible scenario for the implementation of the Victims' Law.

b. Reflection about the Victims' Law and its regulatory decree.

- Public policy recommendations incorporated into legal instruments (Law 1448 of 2011 and initial regulatory process)

The Transitional Justice Multi-Donor Fund (TJF) provided support for the systematization of the results of different spaces for reflection and to the formulation of recommendations for the inclusion of proposals in favor of victims in the Victims' Law and subsequent regulatory process. Of the 183 recommendations made, 71 were included, to a greater or lesser extent, in the Victims' Law by Congress. These recommendations were formulated during six meetings promoted by the TJF. Some of the more significant concepts that were incorporated were the Participation Roundtable initiative, and the inclusion of spokespersons and delegates of victims' organizations and organizations that advocate for victims' rights.

c. Coordination between international cooperation agencies and institutions.

In 2011, six programmatic committees were held during which actions have been prioritized, highlighting the importance of increasing technical and financial support to the spaces for dialogue of or between victims' organizations, institutions and international cooperation agencies to discuss the regulation process and institutional transfers resulting from the enactment of Law 1448 and its regulatory decrees, in conjunction with the process for coordinating the victims' networks and as a contribution to the consultative process carried out by the MOI. The access to justice strategy for victims of sexual violence was approved, as was the proposal to provide assistance to victims during the procedural stages. A new phase of the search for missing person strategy was also begun. Finally, the systematization of the CNRR and ACR experiences in reconciliation and reintegration was approved.

5. IMPACT ON GENDER ISSUES AND THE WORK WITH WOMEN

a. Regional networks of victims' organizations

With the direct and indirect participation, the Fund with more than 917 social organizations in 18 Colombian territories in which the Fund has direct activities, prepared proposals and recommendations in order to influence the debate on the Bill of Victims, which ended on June 10th with the presidential sanction of the Law 1448, called "Victim's Law"

With the accumulated work and experience from the National Encounters of representatives of these organizations, the Fund decided to advance the development of a gender roundtable, which had the presence of 40 women delegated from 17 territories in order to analyze the gender perspective into the process of implementation and regulation of the mentioned law. Five specific topics were analyzed: Victim's care, participation, protection measures, satisfaction and land restitution. As part of this process, female leaders drafted more than 36 legal proposals which were sent to the Ministry of Interior for its analysis and inclusion in the regulatory decree.

b. Forced disappearance strategy

The strategy of Forced Disappearance was designed with a gender perspective. On its conception it was stated that men and women are affected by this crime, of continuous execution, in different ways. Therefore the proposal emphasizes that remedy to the affectations must be accompanied by a differentiated care/attention strategy. Also, the proposal has an integral Human Rights approach since its main purpose is that relatives of victims of forced disappearance get to fully know and understand their rights and therefore have access to justice to claim their restitution. These two approaches lead the Transitional Justice Multi-Donor Fund to finance the training of expert forensic doctors and officials of the National Institute of Legal Medicine, to identify and apply scientific procedures to determine whether a victim who was disappeared suffered sexual violence.

The Fund also wrote the "Legal and technical Protocol for Autopsies on Victims of Forced Disappearance: Documentation of torture and sexual violence." This document is used by forensic doctors and experts from the National Institute of Legal Medicine and Forensic Sciences in the documentation of sexual violence traces in corpses.

c. Communication strategy

The Fund's communications strategy developed during 2011 focused on the establishment for advocacy spaces, training and awareness for journalists was carried out under a gender perspective with the participation and inclusion of women, indigenous and afro-Colombians journalist from commercial, regional and community Medias.

d. Sexual violence proposal: prevention, protection, care and compensation to victims of sexual violence with emphasis on women

During the second half of 2011 a proposal was drafted regarding of justice access to victims of sexual violence (VSV). This proposal is being implemented in 2012.

The proposal was drafted collectively in workshops with representatives of the Ombudsman, the General's Attorney Office (GAO). Also, technical round tables were conducted with wider participation including the

Presidential Agency for Social Action and International Cooperation, the GAO, the National Commission for Reparation and Reconciliation, the Presidential Program for Human Rights , UN Women, UNDP, AECID and the Embassies of the Netherlands, Canada and Sweden.

The proposal's overall goal is to promote conditions for the adequate prevention, protection and care/attention of victims of sexual violence in a context of armed conflict, and also to guarantee their access to justice to fulfill their rights to truth, remedy and guarantee to non-repetition. To achieve this objective, three different components are being implemented:

1. To support the monitoring of the institutional response to facilitate public policy impact. This is achieved supporting the “preventive monitoring” carried out by the General Attorney (according to the Directive 006/2011);
2. To raise awareness and to train staff from the Public Ministry and other agencies on topics related to victimhood of domestic violence and sexual violence (Priority was given to the Departments of Antioquia, Magdalena, Magdalena Medio, Meta, Nariño, Norte de Santander and Valle);
3. To empower female victims and victims' organizations who work in guidance and assistance to other victims of sexual violence.

In the first component, a consulting firm will be contracted to support the GAO in the development and implementation of methodology to monitor institutional responses on prevention, care, protection and reparation for victims of sexual violence in the context of armed conflict.

The second component is a support to the implementation of the "Training Program of the Office of the Ombudsman to incorporate Gender and Human Rights of Women, Children and Adolescents in the attention of cases of Sexual, Gender and other forms of violence". Furthermore, the Fund will hold awareness workshops with regional officials of the Public Ministry and other institutions, effective May 2012, on gender-based violence and sexual violence in a context of armed conflict in the departments of Magdalena, Magdalena Medio , Meta and Norte de Santander.

Regarding the third component, the Ombudsman Office, will implement psychosocial workshops to support women victims of sexual violence in the context of armed conflict, and also seminars with female victims and human rights defenders, in Pasto, Cali and Medellin on psychosocial training tools needed to fully exercise the right to legally and socially participate. With this initiative it will be conducted roundtables / workshops with victims of sexual violence in the cities of Barrancabermeja, Cucuta, Santa Marta and Villavicencio.

The objective of empowering women victims of sexual violence is to provide them with tools, to identify good practices and to advocate strategies to promote access to judicial and administrative proceedings, seeking to guarantee the implementation of their legal rights.

e. Strategy for strengthening the initiatives to protect victims from an integral perspective

Thanks to the work of the Transitional Justice Multi-Donor Fund, victims have now a greater capacity, knowledge and awareness to demand their right to personal protection and security under a differential approach.

During the year 2011 around 120 victims, who were beneficiaries of protective measures and / or leaders of the Regional networks of victims' organizations, participated in 12 seminars (One on training and compilation of recommendations and a second one on a verification) in 6 territories (Norte de Santander, Caribbean Coast, Antioquia, Urabá, Valle, and Bogota).

The participants now have a better understanding of the protection program for the Justice and Peace Jurisdiction, and know the legal framework established by the Constitutional Court on its Sentence T-496/08 and 092 of 2008, relating to enforcement of rights with differential approach.

Also, the issue of protection with a gender perspective under the jurisdiction of Justice and Peace, now makes part of the agenda of the responsible institutions.

The institutional bodies responsible for the protection of victims have adapted their response to the requirements of the Constitutional Court Sentence T-496/08 and 092 of 2008.

Accordingly, 150 officials from the GAO and the National Police who are the responsible to assess the risk levels in the regions of Antioquia, Caribbean Coast, Valle, and Bogota were trained on the incorporation of gender approaches in the assignment and implementation of protective measures.

Finally, the Multi Donor Fund wrote a protocol for individual protection to be used by the Program of Victims and Witnesses under the jurisdiction of Justice and Peace, which incorporates a gender perspective.

6. Lessons learned.

- The presence of victims in a territory does not mean that they are organized, that they participate adequately or that they receive adequate responses from the municipal, departmental or national entities.
- The mere existence of victims' organizations does not guarantee their effective participation or their advocacy capacity vis-à-vis these institutions.
- The criminal investigations in the framework of Law 975 of 2005 are a necessary but insufficient element of the consolidation of the transitional justice system. The implementation of Victims' Law (Law 1448/2011) represents the principal scenario for the consolidation of a State transitional justice system that will offer the victims truth, justice, comprehensive reparations, and guarantees of non-repetition.
- In the communities where the community-based reintegration initiatives are being replicated, and where integration is achieved through the construction of civil works as scenarios for peace that foster peaceful coexistence and serve as meeting places, the community must insist that the works be considered as a means to contribute to the reintegration process and not as an end in themselves.
- The lack of participation of the communities is associated with the scarce credibility in the institutions and in the incomplete processes or those that do not transfer knowledge. It is therefore necessary that the implementation of the process not be interrupted. It is also important to insist on the monitoring of and compliance with agreements by the different sectors involved in the processes.
- Although there were indigenous participants in the promotion committee in Pueblo Bello, some of the indigenous members called attention to the need to consult with the traditional authorities legally designated for this purpose. This focus should be maintained in future interventions in order to avoid disagreement within these communities, which have a history of deep social discord.
- In the context of the institutional transformation resulting from the enactment and regulation of the Victims' Law, it is preferable to wait and not begin initiatives until such time as responsibilities, mechanisms for sustainability, and institutional roles are clearly defined.
- The flexible work schemes that have been adapted to the changing dynamics of the victims' and community-based organizations, should be accompanied by planning, monitoring and evaluation methodologies that are consistent with their capabilities, without compromising methodological rigor, in order to avoid difficulties in achieving the proposed results.
- The empowerment of the victims' organizations, by identifying common interests and agendas that collectivize their interests, enables them to participate in the process in a cohesive manner.
- Finally, the active participation of victims and the support of local actors is not solely the responsibility of the international cooperation agencies. In all cases it requires inter-institutional coordination, including the resources necessary to ensure the active and effective participation of the victims. In this sense, it is crucial that the Network is prevented from becoming politicized in favor of sectors contrary to the interests of the victims and to the reestablishment of their rights.

7. FINANCIAL MONITORING REPORT OF THE COEXISTENCE PROGRAM

a. Performance

Summary	USD \$
Total Contributions	\$ 13.705.594,59
Performance 2008-2009-2010-2011	\$ 9.228.129,62
Projected 2012 performance	\$ 3.229.852,19
Balance available	\$ 1.247.612,78

b. Contributions by donor

Donor contributions (USD \$)	
ACCD	\$ 34.867,50
Belgium	\$ 323.415,27
CANADA	\$ 770.356,68
Norway	\$ 697.725,04
Spain– AECID	\$ 9.520.851,32
Sweden	\$ 2.142.857,14
Switzerland	\$ 16.000,00
UNDP	\$ 49.359,65
UNDP Revenues	\$ 150.161,99
TOTAL	\$ 13.705.594,59

c. Budget monitoring report (in USD) coexistence

PRODOC Result	PERFORMANCE BY RESULT						
	2008	2009	2010	2011	2012	REMAINING NEW PROJECT	TOTAL
	Performance	Performance	Performance	Performance	AWP		
1. National and territorial capacity for democratic governance and peaceful coexistence strengthened, by supporting public institutions and civil society organizations and promoting dialogue between them	13.154,16	615.818,27	630.264,91	22.819,19	214.000,00	160.232,67	1.656.289,20
2. Social-economic development strategies implemented in receiving communities	0,00	40.552,71	92.732,65	940.119,99	170.130,00	160.232,67	1.403.768,02
3. The capacity of victims' organizations to actively and effectively participate in truth, justice, and reparation processes strengthened	107.783,79	247.482,33	996.205,20	1.658.664,58	1.361.039,99	160.232,67	4.531.408,56
4. Processes of transformation of individual and collective imaginaries of the demobilized population and receiving communities implemented.	0,00	137.268,57	201.573,20	499.852,29	542.975,20	160.232,67	1.541.901,93
5. A culture of peaceful coexistence and reconciliation promoted at the national level, through cultural, educational and communications initiatives	920,99	294.496,00	371.351,10	370.059,66	264.932,00	160.232,72	1.461.992,47
6. Conformation and operation of the Program	131.051,71	385.766,41	501.868,90	517.470,57	604.550,00	286.216,68	2.426.924,27
7. Development of project proposals	0,00	32.465,64	48.385,32	371.827,55	72.225,00	160.232,70	685.136,21
Profits and losses	(1,15)	11.596,53	(2.357,75)	(11.063,70)	-		(1.826,07)
TOTAL	252.909,50	1.765.446,46	2.840.023,53	4.369.750,13	3.229.852,19	1.247.612,78	13.705.594,59

d. Performance by proposal (USD) COEXISTANCE:

DONOR	PERFORMANCE BY DONNOR						TOTAL	Percentage of total implementation
	2008	2009	2010	2011	2012	REMAINING BUDGET		
ACCD	-	-	34.867,50	-	-		34.867,50	100%
Belgium	-	54.656,20	103.803,64	77.647,97	87.307,46		323.415,27	73%
Canada	-	768.748,40	(1,15)	-		1.609,43	770.356,68	100%
Norway	107.308,64	166.909,51	31.174,87	72.957,62	319.374,40		697.725,04	75%
Spain– AECID	96.241,22	761.119,52	2.670.178,67	3.654.761,57	1.785.295,00	553.255,35	9.520.851,33	54%
Sweden	-	-	-	563.247,26	1.037.023,87	542.586,01	2.142.857,14	100%
Switzerland	-	14.012,83	-	1.135,71	851,46		16.000,00	0%
UNDP	49.359,65	-	-	-	-		49.359,65	26%
UNDP Revenues	-	-	-	-		150.161,99	150.161,99	95%
TOTAL	252.909,50	1.765.446,46	2.840.023,53	4.369.750,13	3.229.852,19	1.247.612,78	13.705.594,59	67%

e. 2011: Performance by proposal

Result (PRODOC)	Result	2011 Budget (USD)	Performance 2011 (USD)	Percentage of total implementation
1	1. National and territorial capacity for democratic governance and peaceful coexistence strengthened, by supporting public institutions and civil society organizations and promoting dialogue between them	23.540	22.819	97%
2	2.Social-economic development strategies implemented in receiving communities	973.272	940.395	97%
3	3.The capacity of victims' organizations to actively and effectively participate in truth, justice, and reparation processes strengthened	1.417.126	1.660.007	117%
4	4. Processes of transformation of individual and collective imaginaries of the demobilized population and receiving communities implemented.	486.850	500.042	103%
5	5. A culture of peaceful coexistence and reconciliation promoted at the national level, through cultural, educational and communications initiatives	335.702	370.063	110%
6	6. Conformation and operation of the Program	654.840	517.422	79%
7	7. Development of project proposals	464.380	371.828	80%
	Profits and losses ⁽¹⁾		-12.825 ⁽¹⁾	NA
	TOTAL	4.355.709	4.369.750	100,3%

Comments:

“Result 3” has over-execution due to the need of the Regional Network of Victims' Organizations to address the discussion on the Bill of Victims Act and its corresponding regulations. Thus, the Fund generated different discussion tables for analysis of the Act and its consequent construction of proposals that were not initially planned. Similarly, some territories generated more dialogue spaces than the ones planned. Moreover, the coordinated implementation of the Fund and the integration of the technical team of the Justice and Coexistence areas generated positive impacts and synergies that have allowed a more compact team with a more effective, efficient, and improved time response and reduced staff costs originally anticipated.

(1) Gains and losses correspond to variations in exchange rates, changes in interest rates and execution settings.

8. FINANCIAL MONITORING REPORT OF THE JUSTICE PROGRAM

a. Performance summary

Summary	USD \$
Total Contributions	\$ 10.727.058,48
Performance 2008-2009-2010-2011	\$ 6.825.088,01
Projected 2012 performance	\$ 3.044.312,20
Balance available	\$ 857.658,27

b. Contributions by donor

Donor contributions (USD \$)	
ACCD	\$ 34.867,50
Belgium	\$ 129.366,11
Canada	1.792.881,33
Holland	1.351.311,35
Norway	248.786,20
Spain– AECID	\$ 4.278.578,95
Sweden	\$ 2.842.809,36
UNDP	48.457,68
TOTAL	\$ 10.727.058,48

c. Budget monitoring report (in USD). JUSTICE:

PRODOC Result	PERFORMANCE BY RESULT						
	2008	2009	2010	2011	2012	REMAINING NEW PROJECT	TOTAL
	Performance	Performance	Performance	Performance	AWP		
1 The Inter-institutional Justice and Peace Committee strengthened to enable effective coordination among the organizations responsible for transitional justice policy development	0,00	(2.906,67)	0,00	71.027,12	49.926,20	253.756,01	371.802,66
2. The Colombian Justice System and the Public Ministry response capabilities strengthened, with emphasis on the application of transitional justice mechanisms.	0,00	275.671,00	1.090.628,74	653.149,11	1.296.455,00	278.756,54	3.594.660,39
3. Support to national institutions for victim and witness protection program accompaniment.	0,00	-	0,00	62.257,26	46.010,00	10.682,97	118.950,23
4. Victims' access to justice mechanisms promoted and strengthened	0,00	255.218,00	1.822.057,35	1.010.984,12	1.054.721,00	279.467,71	4.422.448,18
5. Conformation and operation of the Program	19.180,25	363.189,00	422.061,14	476.003,57	533.000,00	-	1.813.433,96
6. Development of project proposals	0,00	58.915,00	17.625,18	230.027,84	64.200,00	34.995,04	405.763,06
TOTAL	19.180,25	950.086,33	3.352.372,41	2.503.449,02	3.044.312,20	857.658,27	10.727.058,48

d. Monitoring Report Implementation budget (in USD). JUSTICE

Donor	PERFORMANCE BY DONOR						TOTAL	Percentage of total implementation 2008-2011
	2008	2009	2010	2011	2012	REMAINING		
ACCD	-	-	34.782,18	78,92	6,40	(0,00)	34.867,50	100%
Belgium	-	751,26	93.886,72	1.561,17	33.166,96	-	129.366,11	74%
Canada	-	81.894,41	672.400,72	424.965,80	613.620,40	-	1.792.881,33	66%
Holland	-	295.933,46	418.504,36	96.089,36	540.784,17	-	1.351.311,35	77%
Norway	-	4.303,86	89.206,19	1.303,33	153.972,82	-	248.786,20	60%
Spain– AECID	3.240,51	73.378,31	1.243.901,31	1.979.450,44	978.608,38	-	4.278.578,95	38%
Sweden	15.939,74	445.367,35	799.690,93	-	724.153,07	857.658,27	\$ 2.842.809,36	100%
UNDP	-	48.457,68	-	-	-	-	48.457,68	44%
TOTAL	19.180,25	950.086,33	3.352.372,41	2.503.449,02	3.044.312,20	\$ 857.658,27	\$ 10.727.058,48	64%

e. 2011: Implementation of proposal

Activity	Proposal	2011 Budget	2011 financial performance	%budget implementation
1	Strategy to strengthen the Inter-Agency Committee for Justice and Peace.	\$ 109.042	\$ 71.027,12	65%
2	Strategy to Promote the "National Plan to Search for Missing Persons"	\$ 625.231	\$ 653.149,11	104%
3	Strategy to strengthen protection efforts for victims in a comprehensive perspective.	\$ 91.489	\$ 62.257,26	68%
4	Guidance Strategy for Legal accompaniment.	\$ 149.594	\$ 112.876,72	75%
	Participation strategy for victims in the procedural steps of the justice and peace law.	\$ 551.836	\$ 553.789,09	100%
	The strategy for strengthening public defense.	\$ 310.749	\$ 314.946,31	101%
	Psychosocial assistance.	\$ 29.372	\$ 29.372,00	100%
5	Conformation and operation of the Program's team	\$ 528.996	\$ 476.003,57	90%
6	Development of project proposals	\$ 226.700	\$ 230.027,84	101%
TOTAL		\$ 2.623.009,00	\$ 2.503.449,02	95%

Comments:

The strategy to strengthen the Inter-Agency Committee on Justice and Peace has a lower financial performance, because the work of its subcommittees were redirected almost exclusively to the formulation and regulation of the Victims Law. There is also the reorganization of state institutions that caused the operation of the Committee be suspended. This also affected the project to protect victims and witnesses, whose activities were negatively affected by the separation of the Ministries of Interior and Ministry of Justice.