A Review of How Colombia's Truth Commission is Advancing

The 2016 Peace Accords created the Truth, Coexistence and Non-Repetition Commission (*La Comisión para el Esclarecimiento de la Verdad, la Convivencia y la No Repetición*) via Article 5.1.1. This entity is the truth component for the Comprehensive System of Truth, Justice, Reparation and Non-Repetition (*Sistema Integral de Verdad, Justicia, Reparación y No Repetición, SIVJRNR*). The government established the Truth Commission through Legislative Act 01 of 2017 and structured its functioning through Decree 588 of 2017. According to the Decree, the Truth Commission will operate for a period of three years following an additional six-months of institutional preparation. The Truth Commission started operating on November 28, 2018.

According to the <u>Peace Accords</u>, the Truth Commission aims to fulfill three main objectives before the end of its mandate: (1) to investigate and explain the armed conflict, and to promote its understanding emphasizing its least known aspects, (2) to promote the recognition of individual and collective victims, and the voluntary acknowledgment of responsibility, in support of non-repetition, and (3) to promote tolerant, respectful, and democratic coexistence across the country's territories based on the dignity and rights of victims. Here, the Truth Commission's activities are explored based on how they broadly advance each of the three objectives.

Objective 1: To investigate and explain the armed conflict, and to promote its understanding emphasizing its least known aspects.¹

On November 28, 2021, the Truth Commission will publish a comprehensive report explaining Colombia's protracted armed conflict. For this, the Truth Commission is undertaking a multi-step investigative process. Throughout the first stage of its investigative process, the Truth Commission is hearing from victims and armed actors.²

In 2019, the Truth Commission received a total of 10,755 testimonies from 5,988 individual and collective interviews. 20% of these testimonies were from Ethnic Peoples: 2,086 persons testified during eight collective interviews, and 61 testified in individual interviews. These indigenous communities were significantly impacted by the armed conflict. For approximately every seven victims, one victim was an indigenous person. Notably, civilian actors (such as members of the business community who financed the conflict) only gave 2% of the testimonies. Also notable, the Truth Commission received 365 testimonies from exiles.

Some prominent individuals provided testimonies to the Truth Commission including Former President Ernesto Samper who testified on allegations that the Cali Cartel financed his 1994 presidential campaign, as well as, former Senator David Char who spoke about the paramilitary's activities in Atlántico and their involvement in his Senate campaign. Additionally, this year, José Miguel Narváez, former Deputy Director for the Administrative Department of Security (*Departamento Administrativo de Seguridad*, *DAS*), is set to testify about the paramilitaries' infiltration in the intelligence agency. Narváez is currently serving a 26-year sentence for the assassination of journalist Jaime Garzón.

¹ Text of the Agreement: "[T]he Commission shall help uncover the truth about what has happened, in accordance with the aspects of the mandate described below, and offer an extensive explanation of the complexity of the conflict, so as to promote a shared understanding among society, in particular as regards the least known aspects of the conflict, such as the impact of the conflict on children and adolescents and gender-based violence, *inter alia*."

² The Truth Commission collects testimonies through each of its 22 Truth Houses (*Casas de la Verdad*) or regional offices. These offices are located in Villavicencio (Meta), Cucutá (North Santander), Popayán (Cauca), Barrancabermeja (Middle Magdalena), Cali (Cauca Valey), Valledupar (Cesar), Ibagué (Tolima), San José del Guaviare (Guaviare), Sincelejo (Sucre), Apartadó (Antioquia), Medellin (Antioquia), Quibdó (Chocó), Florencia (Caquetá), Tumaco (Nariño), Barranquilla (Atlántico), Arauca (Arauca), Mocoa (Putumayo), Puerto Asís (Putumayo), Buenaventura (Cauca Valley), Neiva (Huila), Pereira (Risaralda), and Bucaramanga (Santander).

On March 9, 2020, the Truth Commission launched a new mechanism for collective interviews called Listening Spaces (*Espacios de Escucha*). With this initiative, the Truth Commission seeks to hear from a more diverse set of individuals involved in the conflict. Among the individuals scheduled to testify are former combatants from every irregular armed group, politicians from different parties, business leaders, journalists and members of the Armed Forces. This year, the Truth Commission expects to hold eight national and 56 territorial Listening Spaces —at least two in each of its 22 regional offices or Truth Houses (*Casas de la Verdad*). During the first Listening Spaces former Revolutionary Armed Forces of Colombia (*Fuerzas Armadas Revolucionarias de Colombia, FARC*) members spoke about the assassinations of fellow ex-guerillas and other security issues they currently face.

To solidify its explanation of the Armed Conflict, the Truth Commission will contrast the conclusions from the testimonies gathered with secondary sources. In 2019, the Truth Commission received 118 reports from various social and ethnic organizations describing the incidents they and individuals from their territories suffered. Recently, for example, a group of women from the Nukak Maku peoples submitted their report on the sexual violence they endured for over 20 years. The social organization Region Corporation (*Corporacion Región*) also submitted their report: an account of the conflict's impact on Antioquia based on more than 90 testimonies by individuals from the San Carlos, Granada, and San Rafael municipalities.

The Truth Commission aims to transversally apply the Ethnic Chapter of the Peace Accords. This Chapter requires an ethnic-based perspective in the implementation of the Accords. To guarantee that the ethnic perspective is properly integrated, the Truth Commission met with the Permanent Working Table for Indigenous Peoples, and the Permanent Working Table for the Black, Afro-Colombian, Raizal and Palenquero Peoples, and the Permanent Working Table for Women from the Afro-Colombian, Raizal and Palenquero Women. These Permanent Tables bring together representatives of indigenous and Afro-Colombian organizations to the Truth Commission in an advisory capacity. At these meetings, participants discussed the implementation of truth-seeking methodologies sensitive to the racism and ethnic intolerance that many communities suffer. They also stressed the importance of adopting a narrative that explains the differentiated experiences ethnic and racial communities suffered during the armed conflict in the final report. Groups that were present at these meeting were the Matamba Collective National Space for Previous Consultation (*Colectivo Matamba Espacio Nacional de Consulta Previa*), Paez's Captaincy (*Capitanía de Páez*), the Network of Women from Matamba and Guasa (*Red de Mujeres Matamba y Guasa*), Other Black Women (*Otras Negras*), and Feminists (*Feministas*).

Objective 2: To promote the recognition of individual and collective victims, and the voluntary acknowledgment of responsibility, in support of non-repetition.³

In order to guarantee continuous input from victims during its recognition process, the Truth Commission held 131 sessions with victims' working groups. 4,476 individuals participated in such sessions. They held sessions with the following groups:

- Sexual Violence: 37 tables with 1,034 participants.
- In Search of Disappeared Individuals: 35 tables with 834 participants.
- Children, Adolescents and Young People: 37 tables with 2,004 participants.

³ Text of the Agreement: "[T]he Commission shall promote and contribute to recognition. This means the recognition of victims as citizens whose rights were infringed and as political subjects who are vital for the transformation of the country; the voluntary acknowledgment of individual and collective responsibilities by all those who directly or indirectly took part in the conflict, as a contribution towards truth, justice, reparations and non-recurrence; and, in general, the recognition by society as a whole of this legacy of violations and infringements as something that must be rejected by all and that can never and must never be repeated."

- Rural Farmers: 22 tables with 637 participants.
- Solidarity and Dignity: 1 table with 11 participants.

These tables aimed to guarantee the participation of victims in the planning and development of four Encounters for Truth (*Encuentros por la Verdad*). The Truth Commission designed these events to recognize victims of the Armed Conflict and to promote the acknowledgement of responsibilities. Each Ecounter had a specific focus:

First Ecounter for Truth: My Body Tells the Truth, Cartagena, June 26, 2019:

At Cartagena's Adolfo Mejía Theater, more than 400 women and members of the LGBTQ+ community gathered to recount their experiences as victims of sexual violence. During the event, the attendees heard the stories of 17 victims who, at the hands of paramilitaries, guerillas, police officers, and U.S. officials, were raped, tortured, or slaved. The stories emphasized the particular vulnerability of indigenous and Afro-Colombians to this criminal modality. Later in the day, approximately 2,000 individuals participated in artistic and cultural events in recognition of the victims' courage and resilience. Cartagena (Bolívar) – as one of the Caribe region's main cities – was chosen for the first Encounter because approximately 30% of reported sexual violence cases took place in the city.

<u>Second Encounter for Truth: Recognition of the Persistence of Mothers and Families</u> <u>Searching for Disappeared Individuals, Pasto, August 26-28:</u>

For three days, the Truth Commission organized a series of events in the city of Pasto (Nariño) to commemorate the victims of forced disappearance. These included theater plays, academic forums, art displays, and concerts in which more than 17,000 individuals participated. At the Encounter's main event, the Truth Commission held an open dialogue ceremony with the mothers and families of the disappeared. There, the relatives of the victims (who are also considered secondary victims themselves) narrated their decades-long struggle to find their loved ones. Despite the lack of accurate data, estimates calculate around 80,000 to 100,000 individuals were disappeared during the armed conflict in Colombia. This criminal modality involved every actor in the conflict: guerilla groups, paramilitaries, and state agents.

Third Encounter for Truth: Never Again Children in the War, Medellin, November 22-23:

At two separate events in Medellin (Antioquia), the Truth Commission and more than 1,000 attendees heard the stories of twenty-six children and adults that –as children–were victims of the armed conflict. Their accounts highlighted that, during the conflict, minors were especially vulnerable to massacres, forced recruitment, murders and internal displacement. Notably, this was the first Encounter where perpetrators faced their victims and publicly acknowledged their responsibility. Rodrigo Londoño (former FARC leader), Fredy Rendón (former paramilitary commander), and Daladier Rivera (a military major) stood in front of the victims and recognized their direct or indirect responsibility for the crimes they committed. According to Colombia's Victims Unit (*Unidad de Victimas*), approximately 2,500,000 children were victims of the armed conflict.

Fourth Encounter for Truth: The Countryside Tells the Truth, Cabrera, December 12-13:

The Truth held the fourth Encounter for Truth in Cabrera (Cundinamarca), a town at the center of the Sumpaz Rural Farmers' Concentration Zone. This Encounter consisted of multiple

intergenerational and inter-territorial tables where rural farmers (victims of the armed conflict) shared their experiences. More than 700 individuals participated. For decades, these individuals suffered forced displacements, land dispossession, and political persecution. Out of the more than 8 million individuals internally displaced in Colombia during the conflict, approximately 6 million are rural farmers. Such massive displacement has contributed to a highly unequal land ownership regime in which 1% of the productive units own more than 80% of the land.

The Truth Commission also held six events titled "Dialogues for Non-Repetition: Truth Comes Alongside Social Leaders." These were public round table-type discussions were stakeholders considered how the phenomenon of social leaders' assassinations affects peacebuilding and non-repetition in Colombia. Many of attendees were representatives from social organizations. Others included social leaders, journalists, opinion leaders, and government officials. More information on the events:

First Dialogue for Non-Repetition, Bogotá (Cundinamarca), May 11:4

During this dialogue, speakers introduced the phenomenon of social leaders' assassinations. According to data mentioned at the discussion, 4,788 social leaders have been assassinated in the country since 1986. The departments most affected are Cauca, Antioquia, Nariño and North Santander. All four of them have a significant number of coca crops and are strategic locations for drug trafficking. The speakers also discussed the causes and dimensions of this phenomenon. They highlighted that, since 1997, the government has signed legislation aimed at protecting social leaders. However, as the speakers pointed out, the government has failed to comprehensively implement these measures partly because it lacks presence in the most vulnerable areas.

Second Dialogue for Non-Repetition, Arauca (Arauca), September 12:5

At this second dialogue, speakers expanded on the causes of social leaders' assassinations discussed in the first dialogue. The speakers agreed that the indiscriminate stigmatization of social leaders as guerilla sympathizers is among factors that cause this deadly phenomenon. They also explained the role of social leaders as the voice of the country's communities: they regularly report corruption in their territories and fight against private or public projects that go against their community's wellbeing. The speakers also emphasized the wide discrepancy between the central government's concept of security and that of the rural, indigenous, and Afro-Colombian communities. They argued that the general security measures crafted at the central level do not match different local-level needs.

Third Dialogue for Non-Repetition, Monteria (Cordoba), September 19:6

⁴ 121 participants. Speakers: Claudia Jiménez (Businesswoman), Marylen Serna (Social Leader, Agrarian Summit), Fernando Carillo (Procurator-General), Alcibiades Escué (Toribío's Mayor), Ricardo Arias (Ministry of the Interior), Jorge Eduardo Camargo (Deputy Ombudsman), Andrés Chica (Human Rights Defender, Córdoba), Alberto Brunori (Representative, UNHCHR), Camilo Romero (Nariño's Governor).

⁵ 139 participants. Speakers: Carlos Caycedo (Presidential Advisor for Stabilization and Consolidation), Hassan Nasar (Journalist). Ricardo Alvarado (Arauca's governor), Edgar Alfonso Fandiño Prieto (Arauca's Procurator-General), Deisson Ramiro Mariño (Arauca's regional Ombudsman), Nelson Quintero Estévez (Former FARC member), Liliana Herrera (social leader, MPMSPCOC) Francisca Aidee Castillo (Gender-Especial Instance), Isabel Saray (rancher and member of the Ample Front for Peace), Juan Carlos Quintero, (Vice-President, ASCAMCAT), and Wilfredo Cañizales (Director, *Progresar* Foundation).

⁶ 77 participants. Speakers: Rogeres Higuita (leader and rural farmer from Upper Sinú), Iván Cepeda (Senator, Polo Democrático Alternativo party), Juanita Goebertus (Congresswoman, Alianza Verde party), Laura Ardila (Editor, La Silla Vacía Caribe), William Salleg (Director, Córdoba's El Meridiano newspaper), Jairo Baquero (Police Commander from Córdoba), Andrés Chica (Human rights defender, southern Córdoba), Yeferson David Domicó (Member, Upper Sinú Río Verde River High Council), Aida Avella (Senator, Partido Coalition Lista de la Decencia party), Victoria Sandino (Senator, Fuerza Alternativa party), David Barguil (Conservative party leader), andLuis Eduardo Trejos (Investigator and professor, Universidad del Norte)

At this third dialogue, speakers explored the relation between the assassination of social leaders and Colombia's peace-building efforts. In their interventions, many of them emphasized the particular history of Cordoba as the stage of multiple peace processes. Cordoba saw the demobilization of the Popular Liberation Army (*Ejercito Popular de Liberación, EPL*), the United Self-Defense Forces (*Autodefensas Unidas de Colombia, AUC*), and now of the FARC. Nevertheless, social leader's assassinations are on the rise in this department. Among others, the speakers presented two factors as causes for this increase: (1) a general effort to exclude ethnic and racial communities, and (2) the efforts by irregular groups to maintain political and economic control of strategic regions as other groups demobilize. Different from the last two dialogues, legislators from three different political parties participated in this discussion.

Fourth Dialogue for Non-Repetition, Barrancabermeja (Santander), November 19: 7

The focus of discussion during the fourth dialogue was the Middle Magdalena region, a historic epicenter of the Armed Conflict and a region that extends into 8 departments. At this dialogue, speakers tried to answer the question: how has the aggression against social leaders evolved recently? In their answers, the speakers introduced a new level of analysis for the phenomenon: the extraction-based economy. Barrancabermeja is a national center for the extraction of oil, and as armed groups fight to capture some of the oil rents, to the risk to social leaders increases. The speakers also discussed other topics mentioned before such as the lack of state presence in vulnerable areas of the territory as well as the endemic corruption present in many of the country's departments.

Fifth Dialogue for Non-Repetition, Quibdó (Chocó), November 28:8

The Armed Conflict disproportionately affected departments like Chocó: with precarious standards of living, widespread poverty, and acute state abandonment. At its capital Quibdó, the speakers discussed these and other dire socio-economic conditions and how they impact the efforts at non-repetition. They emphasized the disparities between urban and rural territories, and why the latter experience higher levels of social leaders' assassinations. Notably, this was the first time that a former FARC leader took part in the dialogues. Pastor Lisandro Alape, now a political leader, centered his remarks on how the lack of implementation of multiple elements of the Peace Accords hinder efforts at closing the country's socio-economic gap. These elements include the comprehensive rural reform (Chapter 1) and the 16 congressional seats for victims of the conflict (Chapter 2).

Sixth Dialogue for Non-Repetition, Bogota (Cundinamarca), December 6:9

⁷ 141 participants. Speakers: Alberto Consuegra (Executive Vice-President, Ecopetrol), Jaime Camacho (Deputy Attorney General), Paola Muñoz (social leader in Barrancabermeja), Raúl Rosende (Director, UN's Verification Mission in Colombia), Juan Roberto Vargas (Director, Noticias Caracol), Melkin Castrillón (Treasurer, ACVC), Milena Quiroz Juménez (Spokesperso, South Bolivar's Community Council of Cimarrona Resistance), Eduardo Torres Duarte (Professor, University of Peace), Narciso Beleño (Leader, Fedeagromisbol), and Martin Porras (Barrancabermeja's Committee of Unions).

⁸ 79 participants. Speakers: Dora Sepulveda (Leader, Chocó's Indigenous Women's Table), Helfer Andrade (Leader, Chocó's Indigenous Table), Danelly Estupiñán (Leader, Palenque del Congal's Process for the Black Communities), Orlando Castillo (Representative, Corhapep), Daniel Pachedo (Director, Zona Franca), Richard Moreno (Deputy Procurator-General for Ethnic Issues), Pastor Lisandro Alape (Leader, FARC Party), Euloquio Biojó Guevara (Leader from Tumaco), Froilán Zapata (Member, Carmen de Atrato Historic Memory Peoples), Abid Manuel Romaña (Member, Chocó's Interethnic Solidarity Forum), and Andres Ramirez (Manager, Buenaventura's Port Society Foundation).

⁹ Speakers: Aura Benilda Tegria (Mayor, Cubará- Boyaca), Rogeres Higuita (Representative, Trierralta's Victims Table), Juan Carlos Quintero (ASCAMCAT), Marino Cordoba (President AFRODES), Francisco de Roux (President, Truth Commission), Carlos Berinstain (Commissioner, Truth Commission), Lucia Gonzales (Commissioner, Truth Commission), Saul Franco (Commissioner, Truth Commission), Alejandro Valencia (Commissioner, Truth Commission), Alejandro Valencia (Commissioner, Truth Commission), Saul Franco (Commissioner, Truth Commission), Alejandro Valencia (Commissioner, Truth Commission), Saul Franco (Commissioner, Truth Commission), Alejandro Valencia (Commissioner, Truth Commission), Alejandro Valencia (Commissioner, Truth Commission), Alejandro Valencia (Commissioner, Truth Commission), Saul Franco (Commissioner, Truth Commission), Alejandro Valencia (Commissioner, Truth Commission), Alejandro Valencia (Commissioner, Truth Commission), Alejandro Valencia (Commissioner, Truth Commission), Saul Franco (Commissioner, Truth Commission), Alejandro Valencia (Commission), Alej

During the last dialogue, four social leaders provided concluding remarks on the impact of social leaders' assassinations on their communities. They reiterated the crucial political and cultural role that social leaders play in pace-building. After their remarks, Francisco de Roux—the Truth Commission's president—and eight Commissioners spoke. They summarized the general points on the causes of social leaders' assassinations as well as the particular impact of this phenomenon on Afro-Colombian and indigenous communities. This concluding dialogue centered on themes such as the lack of appropriate region-specific protection measures, and the forced displacements caused by social leaders' assassinations cause. De Roux also mentioned the proposals discussed at the dialogues. Among others, he explained the need to strengthen self-defense mechanisms like the Afro-Colombian Cimarrona guard and the indigenous guard. He closed by calling for the full implement the Peace Accords.

Objective 3: To promote tolerant, respectful, and democratic coexistence across the country's territories based on the dignity and rights of victims.¹⁰

To promote coexistence, the Truth Commission held a number of capacity-building workshops with social and community leaders. The first series, conducted in partnership with the Foundation for Reconciliation (*Fundación para la Reconciliación*), trained 110 social leaders in: reconciliation, restorative practices, generative dialogues, and appreciative communication. The second series consisted of 5 "truth laboratories;" an idea proposed by the Center for Faith and Culture (*Centro de Fe y Culturas*). At these events, the Truth Commission sought to raise awareness about the role of the environment and the territories in the promotion of coexistence. Held in Urabá, North Santander, Cauca, Caquetá and the Pacific region, 84 social leaders participated in these.

The Truth Commission also created 58 spaces for capacity-building in coexistence practices. At these events, the Truth Commission worked with victims of the conflict on coping mechanisms, constructive communication strategies, and other tools to promote peaceful coexistence. With 1,508 participants, these spaces are territorially distributed as follows:

Macro Region	Number of processes carried out
Caribe	2
Center Andina	24
Middle Magdalena	2
Northeast	9
Orinoquia	8
Pacific	5
Antioquia and <i>Eje</i>	6
Cafetero	

Truth Commission), Marta Ruiz (Commissioner, Truth Commission), Patricia Tobon (Commissioner, Truth Commission), and Angela Salazar (Commissioner, Truth Commission), Alejandra Miller (Commissioner, Truth Commission).

¹⁰ Text of the Agreement: "[T]he Commission shall promote coexistence across the country's territories, on the understanding that coexistence does not mean simply sharing the same social and political space but the creation of an opportunity for change to facilitate peaceful resolution of conflicts and the establishment of the deepest culture of respect and tolerance in democracy. To this end, it will foster an environment of dialogue and will establish forums for restoring the dignity of the victims, for individual and collective acknowledgment of responsibility, and, in general, for strengthening people's respect for and trust in each other, cooperation and solidarity, social justice, equality of opportunity between men and women, and a culture of democracy that fosters tolerance, promotes well-being, and rids us of indifference to the problems of others. The Commission must lay the foundations for peace based on truth and the revelation and recognition of a blood-stained past that must be acknowledged before it can be put behind us."

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Source: Informe de Gestion 2019 - Comisión de la Verdad.

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tercer-dialogo-no-repeticion

Encounters for Truth:

First Ecounter for Truth: My Body Tells the Truth, Cartagena, June 26, 2019: https://www.youtube.com/watch?v=NlC9txTldFE

Second Encounter for Truth: Recognition of the Persistence of Mothers and Families Searching for Disappeared Individuals, Pasto, August 26-28:

Panel Discussion: <u>https://www.youtube.com/watch?v=OABYGsebR6A</u> Closing Event: <u>https://www.youtube.com/watch?v=Kg0If8oyzVs_https://www.youtube.com/watch?v=NMeWUN0O2tU</u>

 Third Encounter for Truth: Never Again Children in the War, Medellin, November 22-23:

 First Event: https://www.youtube.com/watch?time_continue=7&v=qb3UqKJTGAA&feature=emb_title, Second Event: https://www.youtube.com/watch?time_continue=7&v=qb3UqKJTGAA&feature=emb_title, Second Event: https://www.youtube.com/watch?time_continue=7&v=qb3UqKJTGAA&feature=emb_title, Second Event: https://www.youtube.com/watch?v=liwAoD9sqV4

Fourth Encounter for Truth: The Countryside Tells the Truth, Cabrera, December 12-13: https://www.youtube.com/watch?v=VZvt8CCy7Ls