



USAID/COLOMBIA

CHALLENGES OF RECONCILIATION AND REPARATION FOR VICTIMS IN COLOMBIA

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CONTENTS

ACRONYMS	I
ACKNOWLEDGEMENTS	II
ABSTRACT	III
EXECUTIVE SUMMARY	I
ASSESSMENT OBJECTIVES	I
GUIDING QUESTIONS	I
KEY FINDINGS	2
RECOMMENDATIONS	5
ROADMAP FOR THE ASSESSMENT	5
CONTEXT, OBJECTIVES, AND METHODOLOGY	6
CONTEXT	6
ASSESSMENT OBJECTIVES	9
GUIDING QUESTIONS	10
METHODOLOGY	10
FINDINGS AND CONCLUSIONS	13
ADVANCES AND CHALLENGES FOR VICTIMS' CARE AND REPARATIONS	13
USAID'S CONTRIBUTIONS TO PEACE SUSTAINABILITY	34
USAID WORK IN STRENGTHENING COORDINATION IN PUBLIC POLICIES	42
RECOMMENDATIONS	52
ANNEX A – SCOPE OF WORK	55
ANNEX B – ASSESSMENT METHODOLOGY	58
ANNEX C – ASSESSMENT METHODOLOGY	60
ANNEX D – CODEBOOK FOR QUALITATIVE ANALYSIS	62
ANNEX E – SECONDARY SOURCES	68
ANNEX F – RECOMMENDATIONS MATRIX	74
ANNEX G – ADDITIONAL QUOTES TO SUPPORT FINDINGS	75

ACRONYMS

ARN	Agencia De Reincorporación Y Normalización
CEV	Commission For the Clarification of Truth, Coexistence and Non-Recurrence
CODHES	Consultoría Para Los Derechos Humanos Y El Desplazamiento
COP	Colombian Pesos
DDR	Disarmament, Demobilization, And Reintegration
ETCR	Espacios Territoriales De Capacitación Y Reincorporación
FARC-EP	Fuerzas Armadas Revolucionarias – Ejército Del Pueblo
GNR	Guarantees Of Non-Repetition Also Referred to As Guarantees of Non-Recurrence
GOC	Government Of Colombia
IDPs	Internally Displaced Persons
JEP	Special Jurisdiction For Peace
JPL	Law 975/2005 Or Justice and Peace Law
PAR	Program Of Alliances for Reconciliation
PDET	Development Programs with A Local Approach
PIRC	Comprehensive Collective Reparations Plans
SNARIV	National System for The Support and Comprehensive Reparations of Victims
SIVJRNR	Comprehensive System of Truth, Justice, Reparation and Non-Repetition
TJ	Transitional Justice
LU	Special Administrative Unit for The Management of The Restitution of Dispossessed Lands
UBPD	The Unit for The Search of People Presumed Missing in The Context of The Armed Conflict
UN	United Nations
VISP	Victims Institutional Strengthening Program
VLR	Law 1448/2011, Victims and Land Restitution Law
VU	The Special Administrative Unit for The Attention and Reparation of Victims

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We also want to thank all those who offered up their insights for this report in the interviews, focus groups, and meetings organized by the team. The participation of those who have benefitted from and implemented the policies originating in the VLR, and the 2016 Peace Agreement, through state agencies and institutions, civil society, experts, and consultants, has undoubtedly strengthened this report.

ABSTRACT

This report presents the challenges and advances of implementing Law 1448/2011 or Victims and Land Restitution Law, and the 2016 Peace Agreement between the Government of Colombia (GoC) and the *Fuerzas Armadas Revolucionarias – Ejército del Pueblo* (FARC-EP, Revolutionary Armed Forces – People’s Army). It assesses the support given by three USAID/Colombia activities, namely Victims Institutional Strengthening Program (VISP), the Program of Alliances for Reconciliation (PAR), and Victims Participation and Collective Reparation Activity (VPCRP) to the materialization of these frameworks. Besides challenges and advances to guaranteeing reconciliation and victims’ rights, the report also identifies lessons learned to propose strategies for the engagement of new actors and peacebuilding methodologies in Colombia. The assessment team used a qualitative approach involving a review and analysis of data from secondary sources, and primary data collection. The secondary data, used mostly to triangulate with the findings emerging from the primary data, comprised a review of specialized academic literature, USAID/Colombia documentation of its programs and strategies, and reports by government agencies and academic and civil society organizations that monitor the implementation of VLR and the 2016 Peace agreement. Qualitative data were collected through 32 meetings, group interviews, and focus groups with implementing partners, state officials operating both transitional justice and non-transitional justice institutions, civil society, experts, and international actors. Findings show that, progress on the implementation of the VLR and 2016 Peace Agreement has been slow, but most victims and ex-combatants remain committed to social and political transformation. Regarding the contributions of USAID/Colombia, findings reveal that state and civil society stakeholders appreciate the support they have received in materializing the policies of the VLR and the 2016 Peace Agreement. The report contributes recommendations for the design of upcoming Activities for Victims and Reconciliation so that it sustainably responds to the 2020-2025 USAID/Colombia Country Development Cooperation Strategy.

EXECUTIVE SUMMARY

The piecemeal adoption of several legal frameworks for conflict resolution and peacebuilding since the 1980s sought to disrupt the persistence of the roughly six decade-long internal armed conflict in Colombia. These provisions for disarmament, demobilization, and reintegration (DDR) and the rights of victims result from both peace negotiations between the Government of Colombia (GoC) and several formerly non-state armed groups, and legal and social mobilization by victims locally and internationally. This report examines the implementation of Law 1448/2011, the Victims and Land Restitution Law (VLR), and the 2016 Final Agreement to End the Armed Conflict and Build a Stable and Lasting Peace (onward, 2016 Peace Agreement), signed between the GoC and the *Fuerzas Armadas Revolucionarias – Ejército del Pueblo* (FARC-EP, Revolutionary Armed Forces – People’s Army). While the VLR centered more strictly on the indirect and direct victims of the internal armed conflict, the 2016 Peace Agreement addresses a wider variety of measures to deal with past conflict-related harms and human rights abuses, and benefit Colombian society in the future. Thus, the balance that tipped in favor of *backward-looking* measures in the VLR, has shifted to more *forward-looking* measures with the 2016 Peace Agreement. Given the extraordinary nature of transitional justice (TJ), implementing both frameworks require extensive coordination between the TJ and peacebuilding agencies, and the institutions they establish, as well as ordinary state institutions.

Written from the perspective of the USAID Mission in Colombia (USAID/Colombia), this report is intended to emphasize analysis of three specific activities, namely Victims Institutional Strengthening Program (VISP), The Program of Alliances for Reconciliation (PAR), and Victims Participation and Collective Reparation Activity (VPCR). Specifically, this report is intended to identify lessons learned, challenges, and advances in guaranteeing victims’ rights, reconciliation, reparations, and rehabilitation processes. The findings and recommendations from this assessment will contribute to the design of the upcoming Activity for Victims and Reconciliation (AVR) to ensure it sustainably responds to the 2020–2025 USAID/Colombia Country Development Cooperation Strategy (CDCS).

ASSESSMENT OBJECTIVES

1. Support USAID/Colombia to better understand the advances and challenges facing the country, with regard to the care of victims of the armed conflict, reparations, strengthening reconciliation initiatives, and Social Dialogue processes.
2. Provide a clear overview of the lessons learned, and recommendations to assist, in the design and implementation of USAID/Colombia's new sustainable AVR, that supports the inclusion of (more diverse) actors in victims’ processes, and advances guarantees of non-repetition (GNR), local peacebuilding initiatives, and Social Dialogue processes.

GUIDING QUESTIONS

1. What are the current **advances and challenges** to implementing public policy for **victims’ care and reparations** in Colombia?
2. Considering the current roles of the diverse actors involved in the victims’ processes, including public institutions, the private sector and civil society, how can the **USAID Mission contribute to the sustainability** of these processes?

3. How can the USAID Mission **strengthen and promote coordination** between national and local public policies and the 2016 Peace Agreement to advance GNR, local initiatives for peacebuilding, and Social Dialogue in the regions?

KEY FINDINGS

ADVANCES AND CHALLENGES FOR VICTIMS' CARE AND REPARATIONS

1. **While VLR and the 2016 Peace Agreement created great expectations, particularly among victims and ex-combatants, their implementation has been slow.** The discourse of enmity against the 2016 Peace Agreement by the Duque Administration does not correlate with the growing budget assigned to the National System for the Support and Comprehensive Reparations of Victims (SNARIV) and the Comprehensive System of Truth, Justice, Reparation and Non-Repetition (SIVJRNR or The System for Peace). The problem seems to be due to the sizeable demand, given that nearly 19 percent of the population are registered as victims, and the oversupply of funds geared to specific institutions at the central level. Regardless of the cause, these delays risk compounding harm to victims and generating additional bureaucratic harm.
2. **The main challenges for implementation can be traced back to critical assumptions and tensions inherent in TJ and peacebuilding.** First, these challenges are related to expected problems developing states face, such as reduced bureaucratic capacity, continued tenuous territorial control by state security forces, and high levels of socioeconomic inequality and poverty. Second, TJ is seen by the Duque Administration as a contested government project, rather than a long-term state commitment. Third, implementing TJ agencies and ordinary state institutions have not had enough time to adjust, harmonize, and streamline processes, due to the repeated transition between different TJ frameworks.
3. **The main advances for implementation can be traced to areas where the state has received international support, and there is an important overlap between TJ and peacebuilding frameworks.** Policies such as collective reparations, and mechanisms such as the constitutionally protected differential approach, have established definitions that transition well from one framework to the next and show more promise. This has especially been the case when the Special Administrative Unit for the Attention and Reparation of Victims (VU) or *Agencia para la Reincorporación y la Normalización* (ARN) officials, working closely with vulnerable populations, received training or were supported in their access by USAID/Colombia and implementing partners. Problems continue to emerge in practice, due to high staff turnover, deficient institutional memories and knowledge management, and high numbers of registered beneficiaries.
4. **Forward-looking mechanisms intended to practically benefit entire communities engage more diverse actors, and have a greater chance of achieving success and sustainable benefits.** Dealing with the past, particularly from an acknowledgement and truth-telling perspective, continues to be regarded with suspicion in circles that are opposed to the 2016 Peace Agreement. This is the case especially with the private sector and ex-combatants, as they fear stigmatization or reputational damage as a result of their participation. Engaging these groups in collaborative work—especially in productive or infrastructure projects through the method of Social Dialogue under Pillar 8—is less controversial and more transformational.

5. **Although rights-based approaches to TJ describe participation as having inherent value, positive results are tied to sustained community engagement that is goal-oriented, taking local needs into account, and developing capacities and skills in the long term.**

The wealth of state driven participation spaces has created a dilemma for victims and ex-combatants. The victims and ex-combatants are caught up in deciding whether to attempt to secure long-term policy impact through sustained participation, although results are often remote and uncertain given shifts in local and national government, or focus on mid-term individual or community benefits, that are more tangible. Different international aid agencies, attempting to address gaps in service provision, care, assistance and reparation by state agencies, have added to this dilemma, by offering their own participation spaces to assess needs, develop capacities and skills, and promote compliance. The success of tools like Social Dialogue and Pillar 8 is limited, when individual and community participants are not thoroughly informed about the goals of meetings, inputs gathered are not used in an active and sustained manner, and participation spaces do not interlock, so as to avoid duplication and the imposition of additional burdens on participants,.

6. **One of the differential approaches that has received the least attention and holds the most promise is life course.**

While the full implementation of all differential approaches is relevant for achieving social transformation under the VLR, life course and disability is key because of its relationship to intergenerational harm and recovery. Considering the length of the armed conflict and the future-oriented aspects of TJ, and particularly GNR, work with youth is a priority for the System for Peace bodies, like the Commission for the Clarification of Truth, Coexistence and Non-Recurrence (CEV). Using education, the CEV expects to transform attitudes, behaviors and perceptions grounded in violent and exclusionary social imaginaries, and constructs that stigmatize certain individuals and groups, and contribute to the persistence of the armed conflict.

USAID'S CONTRIBUTIONS TO PEACE SUSTAINABILITY

1. **TJ and peacebuilding agencies greatly appreciate technical assistance for differential and psychosocial approaches.** Given their protected constitutional status, these approaches now permeate all peacebuilding and reparation work, including Social Dialogue and the operations of the System for Peace. Defining and materializing protocols since the VU was established has contributed some sustainability and effectively linked the VLR and the 2016 Peace Agreement.
2. **Stakeholders appreciate the assistance leading to the practical materialization of TJ and peacebuilding policies across the national territory.** The alliance of USAID/Colombia with local authorities, social leaders, and local organizations, particularly through its on-the-ground implementing partners, has allowed for sustained relationships to develop. These became the framework that supported the materialization of policy in remote regions, and the transference of skills and capacities.
3. **Processes initiated by USAID/Colombia have suffered because of the GoC's rapid shift in policies, revamping of work methodologies, and prioritization of geographical and group emphases.** The adjustment of TJ frameworks by the GoC, the changeover in elected officials (even at the local level), and poor practices regarding knowledge management affect sustainability. There is a risk that trying to do too much, especially when it is all new, can lead to doing nothing at all. USAID/Colombia must continue to support the development of streamlined information

management systems and transferable skills and capacities with respect to institutions and implementing partners, so that know-how and best practices are captured and sustained long-term.

4. **Inclusion of new actors is successful when it considers their needs strategically to develop new activities and take advantage of ongoing activities.** Lessons learned from community incorporation of ex-combatants, and engagement with the private sector, suggest these actors worry about their reputation and stigmatization. Implementing partners used previously developed frameworks and relationships to strategically include ex-combatants and the private sector in activities these actors themselves consider beneficial. Further, just as no conflict actor is monolithic, no post-conflict agent of change is uniform across time and space. Among the forward-looking TJ measures, productive projects suit both ex-combatants and the private sector.

USAID WORK IN PROMOTING AND STRENGTHENING HORIZONTAL AND VERTICAL COORDINATION OF TJ AND PEACEBUILDING PUBLIC POLICIES

1. **GNR measures are primarily forward-looking TJ and peacebuilding measures that are still underdeveloped and underused.** GNR measures hold a lot of promise and represent the bridge between the past and the future. They have been linked to attacking causes for the persistence of violence, particularly by means of legal reform, and individual and social changes in attitudes and behaviors. The absence of expected GNR measures from the 2016 Peace Agreement can be compensated for through the use of existing mechanisms and measures.
2. **The end of the CEV mandate is a strategic moment for the Colombian TJ and peacebuilding project.** The CEV is now able to develop its legacy and create an opportunity for civil society to step in and appropriate its lessons. Coordination with the System for Peace and ordinary state institutions, with respect to the monitoring of the CEV recommendations, education initiatives, and the preservation and access of the archives of the CEV, can be an important task for USAID/Colombia and its implementing partners.
3. **The segmentation of policies by group identification and geography presents risks for the development of inclusion initiatives and future social conflict.** Prioritization principles in the context of limited resources can force competition between institutions, and individuals hoping to access services and assistance, care and other remedies for conflict-related harms. The application of a corporatist logic by the Colombian state can have detrimental effects for sustainable peacebuilding, insofar as old conflicts are resolved to the disfavor of new conflicts. Support in coordinating spaces, methodologies, and processes that bridge beyond fragmented identities may contribute to limiting conflicts of interest, and dissuade feelings of state abandonment. It is particularly important to identify and promote opportunities for those who were opposed to the 2016 Peace Agreement, to meet those who benefitted from its approval.
4. **Social Dialogue requires adaptation to context and participant demand.** Social Dialogue is a powerful collection of tools for conflict resolution and an opportunity to develop initiatives that may benefit the community beyond immediate participants. Lessons learned from the experience of the municipality of Bogota show that Social Dialogue can also be used as a monitoring tool for emerging community conflicts. Nevertheless, the role of state institutions involved in Social Dialogue has been muddled at times, due to lack of trust and methodological confusion. This presents a double opportunity for USAID/Colombia and implementing partners.

5. **Promoting coordination requires capitalizing on ongoing processes and methodologies, and innovative and strategic thinking about new groups, mediums, and vocabulary for engagement.** The promise of TJ and peacebuilding is perceived as utopian and normatively removed from the everyday concerns of those engaged. Interviewees are particularly critical of processes delivered from the capital in overly legalistic or technocratic language. Coordination means streamlining ongoing processes, and thinking creatively about how to reduce polarization and increase interest by engaging new actors, spaces, and vocabulary. Interviewees highlight that work with youth, public spaces, and Pillar 8 of the Development Programs with a Local Approach (PDET)—especially productive projects and Social Dialogue—hold a great deal of forward-looking potential.

RECOMMENDATIONS

Recommendation 1: USAID/Colombia should consider establishing **modesty** as the guiding principle throughout the **different stages of developing and implementing this program**.

Recommendation 2: In the short term, USAID/Colombia should focus on **restarting stagnant processes and initiatives**, and **supporting the social appropriation of the mechanisms and results** of the 2016 Peace Agreement and VLR.

Recommendation 3: Throughout its programming, USAID/Colombia should **strengthen the capabilities and transferable skills of** implementing partners, institutions, and local authorities and civil society organizations to advance participation, coordination, and monitoring and evaluation to address observed gaps in these areas.

Recommendation 4: With respect to **the public sector**, the priority of USAID/Colombia should be to **foster better horizontal and vertical coordination and integration, between policies and institutions responsible for the implementation of TJ and peacebuilding**.

Recommendation 5: With respect to civil society, the priority of USAID/Colombia should be to support the strengthening of and encourage use of active citizenship.

Recommendation 6: With respect to the **private sector**, the priority of USAID/Colombia should be to **promote and strengthen participation in forward-looking activities that benefit the community as a whole**.

ROADMAP FOR THE ASSESSMENT

This Assessment has three sections:

Section 1 provides a background on the VLR, the 2016 Peace Agreement, as well as the two USAID/Colombia programs assessed. This is where the objectives, the guiding questions as well as the methodology used for the assessment are explained.

Section 2 presents the key findings and conclusions related to the three guiding questions.

Section 3 provides recommendations for USAID/Colombia to implement its new Victim Activity.

CONTEXT, OBJECTIVES, AND METHODOLOGY

CONTEXT

Victims of internal armed conflicts have internationally recognized rights to relief, assistance, reparations, justice, truth, and non-repetition as a result of the harms suffered.¹ DDR of combatants has historically received more attention than other processes in these contexts. Nevertheless, there is now an increased awareness in TJ and peacebuilding regarding an inextricable link between the situation of victims and that of ex-combatants.²

Several frameworks for conflict resolution and peacebuilding adopted in a piecemeal fashion since the 1980s have sought to disrupt the persistence of the roughly six decade-long internal armed conflict in Colombia. While there can be little doubt that some of these legal provisions and policies materialized as a result of the shift in international standards on DDR and victims' rights, the strength and persistence of mobilization by victims and human rights organizations have also played an important part in this process. Advocacy, mutual support, and socialization through organizations, street mobilizations, and the strategic use of litigation and action of *tutela*³, are all part of the repertoire of victims in Colombia.

Peace talks between the GoC and various non-state armed groups have also led to the adoption of several legal and administrative tools to address the needs and rights of victims and (ex-)combatants since 1991. With Law 975/2005, known as the Justice and Peace Law (JPL), Colombia saw the advent of TJ. The JPL focused primarily on DDR, but it also implied a wider recognition of the rights of victims than previous amnesty laws and pardons. Victims initially regarded the JPL as conferring “impunity” but filed several protection actions with the Constitutional Court to expand its provisions.

Internally displaced persons (IDPs) have received some attention in Colombia, starting with Law 387/1997. Constitutional Court Ruling T-025/2004 created a monitoring mechanism for the welfare of IDPs, inclusive of differential approaches for constitutionally protected classes.⁴ This ruling recognized that, although IDPs were excluded from administrative reparations under Decree 1290/2008, regulating the JPL, the magnitude of displacement is undeniable in the context of the armed conflict.

The focus of this report is the Law 1448/2011 and the 2016 Peace Agreement between the GoC and the FARC-EP. The former, known as the VLR, acknowledges the existence of internal armed conflict and shapes an internationally acclaimed administrative regime of relief, reparations, justice, truth, and GNR that does not distinguish between victims based on the identity of the perpetrator. The latter proposes

¹ Non-international armed conflicts or internal armed conflicts are terms that describe situations where government security forces are involved in (protracted) confrontations with one or more non-state armed groups on the territory of one state.

² See UN DDR Resource Centre and International Center for Transitional Justice, “The Integrated DDR Standards (IDDRS). DDR and Transitional Justice” (UN DDR Resource Centre, December 14, 2009), <https://www.unddr.org/uploads/documents/IDDRS%206.20%20DDR%20and%20TJ.pdf>.

³ The action of *tutela*, or petition for guardianship, emerges from article 86 of the 1991 Constitution as a mechanism to protect against the violation of fundamental human rights. It covers abuses by state agents or third parties, such as private health providers, through direct action or omission, and can be filed without legal assistance by any citizen or resident of Colombia.

⁴ Nelson Camilo Sánchez and Adriana Rudling, “Reparations in Colombia: Where to? Mapping the Colombian Landscape of Reparations for Victims of the Internal Armed Conflict” (Belfast: Queen’s University Belfast, February 2019), <https://reparations.qub.ac.uk/assets/uploads/ColombiaReparationsPolicyReportFORAPPROVAL-SP-HR-NoCrops.pdf>.

“a new vision of a Colombia at peace [to] achieve a sustainable society that is united in diversity and that is based not only on consideration for human rights but on mutual tolerance, [and] protection of the environment.”⁵

While the VLR focuses more strictly on the direct and indirect victims of the internal armed conflict, the 2016 Peace Agreement opens up a wider variety of measures to deal with the past and benefit Colombian society in the future. Thus, the balance that tipped in favor of *backward-looking* measures in the VLR, has shifted to more *forward-looking* measures in 2016 Peace Agreement. Given the extraordinary nature of TJ, the implementation of both these frameworks requires extensive coordination between the TJ and peacebuilding agencies and the institutions they establish, as well as ordinary state institutions.

These complex frameworks established by the GoC interact with several USAID/Colombia interventions, but this report emphasizes three specific activities. The VISP was established in June 2012 to “provide technical support at the national, departmental, and municipal levels for the effective implementation of public policies for Colombia’s over eight million victims.”⁶ The PAR was established in May 2016 to “boost economic and social opportunities through transformational alliances with the public and private sector.”⁷ Finally, VPCRP was established in July 2014 to advocate for the rights of the victims of the armed conflict.⁸ Specifically, this report identifies lessons learned and challenges and advances for guaranteeing victims’ rights, reconciliation, reparations, and rehabilitation processes to contribute to the design of upcoming Victims and Reconciliation Activity that sustainably responds to the 2020–2025 USAID/Colombia Country Development Cooperation Strategy (CDCS).⁹

LAW 1448/2011 OR VICTIMS AND LAND RESTITUTION LAW (VLR)

The primary merits of the VLR are the widening of the scope of reparations, the identification of categories of victims recognized as subjects of individual and collective reparations, and the creation of an institutional structure to accompany and advise victims. The Special Administrative Unit for the Attention and Reparation of Victims (VU) and the Special Administrative Unit for the Management of the Restitution of Dispossessed Lands (LU) are new government agencies that directly provide compensation and coordinate reparation and restitution with a number of ordinary state institutions. Together with the refashioned National Centre for Historical Memory (originating in the JPL), they make up the core of the SNARIV.¹⁰

Following a special registration procedure, the relatives of those who suffered forced disappearance and assassination and the direct victims of six other categories of human rights violations after January 1,

⁵ Government of Colombia, “Final Agreement to End of the Armed Conflict and Build a Stable and Lasting Peace,” November 24, 2016, 4, <http://especiales.presidencia.gov.co/Documents/20170620-dejacion-armas/acuerdos/acuerdo-final-ingles.pdf>.

⁶ For a full description, see <https://www.usaid.gov/news-information/fact-sheets/rio-victims-institutional-strengthening-program>.

⁷ For a full description, see <https://www.usaid.gov/news-information/fact-sheets/rio-program-alliances-reconciliation-par-fact-sheet>.

⁸ For a full description, see https://www.usaid.gov/sites/default/files/documents/Victims_Participation_factsheet_8.10.20.pdf.

⁹ See USAID, “Peace, Stability & Prosperity, Country Development Cooperation Strategy July 17, 2020–July 17, 2025” (USAID/Colombia, July 2020), available at: https://www.usaid.gov/sites/default/files/documents/Colombia_CDCS_Narrative_Public-Oc7-2020.pdf.

¹⁰ For the full list of organizations working within the SNARIV, see: <http://www.portalsnariv.gov.co/node/1000>.

1985, can receive compensation directly from the VU.¹¹ The VU also coordinates assistance, rehabilitation, satisfaction, and GNR. Restitution pertains to land dispossession starting January 1, 1995, and the LU registers and represents individual and collective victims before specialized judges. Victims are owed symbolic reparations and GNR regardless of the date of their harm.

THE 2016 PEACE AGREEMENT

The 2016 Peace Agreement goes further. The more than 300-page document proposes mechanisms for DDR, political participation of victims and ex-combatants, rural reform, dealing with illicit crops, and implementation.¹²

Its primary merit is the creation of three judicial and extra-judicial mechanisms that make up the *Sistema Integral de Verdad, Justicia, Reparación y No Repetición* (SIVJRNR or System for Peace, Comprehensive System of Truth, Justice, Reparation, and Non-Repetition). The *Comisión para el Esclarecimiento de la Verdad, la Convivencia y la No Repetición* (CEV, Commission for the Clarification of Truth, Coexistence and Non-Recurrence), *Jurisdicción Especial Para la Paz* (JEP, Special Jurisdiction for Peace) and the *Unidad de Búsqueda de Personas Dadas por Desaparecidas en el Contexto y con Razón del Conflicto Armado* (UBPD, the Unit for the Search of People Presumed Missing in the Context of the Armed Conflict). These bodies started operating at the end of 2018. While the CEV was established with a three-year mandate,¹³ the UBPD will be operating for 20 years and the JEP for 15 years (with the possibility of a five-year extension).

The operative logic of these bodies combines past-oriented and future-oriented measures, as some of the nomenclatures suggest. They are highly interdependent as a system and necessarily relate to ordinary state institutions. To give an example, the JEP tries those responsible for crimes under international humanitarian law and international human rights law, with third parties like the private sector making voluntary contributions. In sentencing, it will rely on evidence provided by the Office of the State Attorney and the National Police and will take into account contributions to truth and reparations made by those appearing before it with the other institutions and agencies of the System for Peace, namely CEV, UBPD, and VU. This report includes a discussion of two additional elements:

1. **The Programa para la Reincorporación de la Vida Civil:** created within the Ministry of Interior and Justice in 2003, to prepare for the JPL. The current ARN, (then known as Agencia Colombiana para la Reintegración) emerged from that program, initially reshaped as the Alta Consejería

¹¹ The other categories of human rights violations are kidnapping; physical injury (that results in permanent disability); torture and other cruel, inhumane, and degrading treatment; crimes against sexual integrity and freedom; forced recruitment; and forced displacement. The inclusion of forced displacement proved controversial, as it ballooned the entries in the Single Registry for Victims by nearly 90 percent. See the latest numbers at: <https://www.unidadvictimas.gov.co/es/registro-unico-de-victimas-ruv/37394>.

¹² For the full text of the 2016 Peace Agreement, see: <https://www.cancilleria.gov.co/sites/default/files/cartillaabcdelacuerdofinal2.pdf>.

¹³ The mandate of the CEV was recently extended until 2022 by the Constitutional Court, due to questions about its capacity to effectively respond to its mandate in the midst of the COVID-19 restrictions. For more details, see Section 2.3 of this report.

Presidencial para la Reintegración, tasked with the reintegration of ex-combatants between 2006 and 2011.¹⁴

2. **The PDET:** created through Decree 893/2017 to prioritize the implementation of the 2016 Peace Agreement in the 170 municipalities considered most affected by the armed conflict. They are tools for socioeconomic transformation that will be in operation over the next 10 years. The commitments of the 2016 Peace Agreement have been reorganized under eight PDET “pillars” to materialize the promise of territorial peace.¹⁵ This report will primarily refer to Pillar 8, known as Reconciliation, Coexistence, and Peace. The Agencia de Renovación del Territorio was created through Decree 2366/2015 to coordinate the participatory construction and the implementation of the PDET.

VICTIM AND RECONCILIATION INTERVENTIONS: TRANSITION FRAMED BY THE 2020-2025 CDCS

Framed by the 2020–2025 CDCS, USAID/Colombia will reorient its strategies, association models, and programming towards sustainable results at a local level. USAID/Colombia aims to foster sustainable interactions between different interest groups. Its priority lies in enabling the mobilization of public and private resources, strengthening local capabilities, and boosting entrepreneurial development.

The three USAID/Colombia interventions that are the focus of this report are VISP, PAR, and VPCRP. Operated by the International Organization for Migration Mission in Colombia, VISP was rolled out at the national and regional level in 32 municipalities to assist public institutions and victims’ organizations in implementing public policies that adequately respond to victims’ needs. PAR was operated by ACDI/VOCA (Agricultural Cooperative Development International and Volunteers in Overseas Cooperative Assistance) in Bogota and 20 additional municipalities. It aimed to create transformational alliances with the public and private sectors, improve the quality of state presence, and help reconstruct the social fabric. *Consultoría para los Derechos Humanos y el Desplazamiento* (CODHES) operated the VPCRP in 17 municipalities, with the main purpose being to advocate for victims’ rights to truth, justice, reparations, and GNR.

ASSESSMENT OBJECTIVES

This assessment had two objectives:

1. Support USAID/Colombia to better understand the advances and challenges facing the country with regard to the care of victims of the armed conflict, reparations, the strengthening of reconciliation initiatives, and Social Dialogue processes.
2. Provide a clear overview of the lessons learned and recommendations to assist the design and implementation of USAID/Colombia’s new sustainable Victim Activity and Reconciliation Activity,

¹⁴ See ARN, “Agencia para la Reincorporación y la Normalización (ARN) - Reseña Histórica,” accessed August 9, 2021, <http://www.reincorporacion.gov.co/es/agencia/Paginas/resena.aspx>.

¹⁵ Ana Isabel Rodríguez Iglesias, “Imagining peace(s) in Colombia. Between negotiations, policies, and resisting narratives,” *Araucaria* 22, no 43 (2020): 99-117, <https://dialnet.unirioja.es/servlet/articulo?codigo=7418126>.

which supports the inclusion of (more diverse) actors in victims' processes and advances GNR, local peacebuilding initiatives, and Social Dialogue processes.

GUIDING QUESTIONS

USAID/Colombia identified three guiding questions in the Scope of Work (SoW) for this assessment:

1. What are the current **advances and challenges** to implementing public policy for **victims' care and reparations** in Colombia?

The considerations of this question use the Law 1448/2011 and the 2016 Peace Agreement as background resources, and take into account victim care and reparations, reconciliation, the 2016 Peace Agreement implementation, reintegration of ex-combatants, Pillar 8 of the PDET, and Social Dialogue methodology and processes.

2. Considering the current roles of the diverse actors involved in the victims' processes, including public institutions, the private sector, and civil society, how can the **USAID/Colombia Mission contribute to the sustainability** of these processes?

This question sought to identify the different actors and their roles in victim and reconciliation processes, as well as the role of USAID and its contribution to sustainability in reparations, reconciliation, GNR, reintegration of ex-combatants, victim participation in these processes, and 2016 Peace Agreement monitoring committees.

3. How can the USAID Mission **strengthen and promote coordination** between public policies at the national and local levels and the Peace Agreement to advance GNR, local initiatives for peacebuilding, and Social Dialogue in the regions?

This question sought guidelines on how USAID/Colombia can help GoC and state institutions to strengthen and promote coordination dialogue and reconciliation strategies, local peacebuilding initiatives at local and national levels, victim reparations public policy, the implementation of PDET, and other relevant points of the 2016 Peace Agreement.

METHODOLOGY

The assessment was conducted using qualitative methods, involving desk review and primary qualitative data collection. Further details on the assessment methodology may be found in Annex B – Assessment Methodology.

PRIMARY QUALITATIVE DATA COLLECTION: MEETINGS, INTERVIEWS, AND FOCUS GROUPS

USAID/Colombia staff from Peacebuilding and Governance Office overseeing collected primary qualitative data between March and July 2021 in two phases: the first between March and April, and the second between June and July. This was done through a total of 32 online meetings, individual and group interviews, and focus groups conducted by USAID. Focus groups and group interviews with implementing partners also included beneficiaries of TJ and peacebuilding policies, notably victims. The topics covered can be found in Annex C – Interviews, Meetings and Focus Groups, attached to this report.

The selection of informants was based on a logic of purposive sampling,¹⁶ to gather lessons learned about USAID/Colombia interventions and insights regarding the progress made and anticipated challenges ahead for Colombian state agencies (transitional and non-transitional) and USAID/Colombia. This meant that the sampling strategy sought to cast a wide net to maximize the opportunities of thoroughly responding to this report's guiding questions. Implementing partners and USAID/Colombia staff contributed their perspectives about the processes and the implementation of USAID/Colombia interventions. These processes and implementation supported Colombian agencies and institutions that work in reparations, reintegration, and reconciliation. UN officials, experts, local consultants, and civil society organizations provided insights about the implementation of the 2016 Peace Agreements; existing gaps in reparations, reintegration, reconciliation; and their different legal frameworks. Informants from transitional justice and non-TJ public institutions were interviewed to gain knowledge on the impact of the interventions of USAID/Colombia, the inner workings and state of implementation of state policies that respond to victims and ex-combatants, and the challenges ahead.

This part of the research was structured as explained in the table below by phase and role of the key informant, with respect to USAID/Colombia.

TABLE I: QUALITATIVE DATA COLLECTION			
PHASE	TYPE OF ACTOR	NUMBER OF INTERVIEWS	NUMBER OF INTERVIEWEES
Phase 1	Implementing partner	7	21
	UN	5	17
	Local Consultancy firms and Civil Society Organizations ¹⁷	2	11
	Transitional Justice Public Institutions and Agencies	3	8
	Non-TJ Public Institutions	1	4
	USAID	1	2
Phase 2	Expert	3	3
	Local Consultant and Civil Society Organizations	4	7
	Non-TJ Public Institutions	2	5
	Transitional Justice Public Institutions	2	7
	Implementing partner	2	14
Total		32	99

SOURCE: MEL ACTIVITY OWN DESIGN

¹⁶ See. "Purposive Sampling". In Michael S. Lewis-Beck, Alan Bryman and Tim Futing Liao. *The SAGE Encyclopedia of Social Science Research Methods* (SAGE 2004).

¹⁷ These are locally based organizations that do advocacy, research, and legal and social mobilization around the implementation of the 2016 Peace Agreement; existing gaps in reparations, reintegration, reconciliation; and their different legal frameworks.

INTERVIEW ANONYMITY

The sources for all of the interviews conducted for this assessment asked for anonymity if quoted. Some of them agreed to being referenced through the institution or consultancy office for which they worked, and others only agreed to being cited as "consultant" or "expert" on a given area. All interviews were conducted virtually or by telephone between March and July 2021.

SECONDARY DATA: DESK RESEARCH

The primary data collection exercise described above was complemented by a document review of secondary sources. These sources were academic literature from specialist TJ and peacebuilding journals, reports by government agencies, academic and civil society organizations monitoring the implementation of VLR and the 2016 Peace Agreement, and USAID/Colombia documentation of its programs and strategies. A list of secondary sources may be found in Annex E – Secondary Sources.

ANALYSIS AND CONTEXTUALIZING

Qualitative primary data were analyzed using thematic matrixes. The team elaborated reports based on categories and subcategories previously identified and defined in the codebook for the analysis (See Annex D – Codebook for the Qualitative Analysis). The team used Nvivo 13 software to identify additional transversal analysis categories related to the social and political context for implementing the policies, monitoring of progress, and challenges. The assessment used word clouds obtained from a Strengths, Weaknesses, Opportunities and Threats analysis of policies, focused on victim care and reparations, as well as highly suggestive quotes from the Nvivo reports, to illustrate findings. Additional quotes that support the analysis may be found in Annex G – Additional Quotes that Support the Findings. The quotes used both in the text of the assessment and in Annex G only refer the informant's category, to protect their identity.

To validate the data collected, qualitative data were situated within a context, and compared with the secondary sources. The relationship between Findings, Conclusions, and Recommendations can be found in Annex F.

FINDINGS AND CONCLUSIONS

ADVANCES AND CHALLENGES FOR VICTIMS' CARE AND REPARATIONS

TJ implementation is guided by a number of implicit and explicit critical assumptions.¹⁸

Results chains are premised on conditions such as relative political stability and acceptance of TJ as a long-term state project, bureaucratic capacity, absence of large-scale violence, or at least state control of it, territorial control by state security forces, reduced levels of socioeconomic inequalities and poverty, and well-functioning legal systems.¹⁹ Colombia has been a test case for TJ since the JPL.²⁰ The implementation of both the VLR and the 2016 Peace Agreement have suffered as a consequence of deficiencies relating to each of these critical conditions. Interviewees point to the lack of commitment by the Duque Administration regarding the TJ project, and the renewed conditions of violence around the country as serious setbacks to TJ. Lack of state capacity and poverty further threaten reconciliation and peacebuilding and exacerbate the vulnerability of victims and ex-combatants. A consultant sums this situation up nicely in saying:

Because resources are limited, communities who receive IDPs feel they are losing resources that could be theirs, so you have to explain the double vulnerability of victims and work on the PDETs so that ... the intervention can be comprehensive... [and] we present lasting solutions and local integration ... the PDETs are not just a tool for territorial development but a great instrument of economic reactivation and ... within the PDET there is the reparative approach.... We must ask the state not only to guarantee the rights of victims, but we have used these mechanisms to demonstrate that victims are relevant social actors for the development of the country.²¹

TJ OPERATES WITH A NUMBER OF IMPLICIT AND EXPLICIT INTERNAL CONFLICTS AND BIASES

TJ introduces a vision of extraordinary emergency and restorative justice, that is overlaid on the ordinary functioning of the state and its justice mechanisms. Maximalist versions of TJ exist,²² which originated in its application to the transitions after armed conflicts in Central America, in the 1990s.²³ While these new perspectives sought to resolve the problem of building resilience to future conflict and reduce harm by considering and bridging past harms and sociopolitical exclusion, it added tensions of its own to TJ. For instance, recognizing social causes of harm does not align well with the logic of mutually

¹⁸ Paul Gready and Simon Robins, "Transitional Justice and Theories of Change: Towards Evaluation as Understanding," *International Journal of Transitional Justice* 14, no. 2 (2020): 281, <https://doi.org/10.1093/ijtj/ijaa008>.

¹⁹ See the position of Eduardo Cifuentes, President of the JEP here: Andrés Bermudez Lievano, "Eduardo Cifuentes: 'This Dialogue between Victims and Perpetrators Is Unprecedented,'" *JusticeInfo.Net*, July 27, 2021, available at: <https://www.justiceinfo.net/en/80458-eduardo-cifuentes-dialogue-between-victims-perpetrators-unprecedented.html>.

²⁰ Rodrigo Uprimny Yepes et al., *¿Justicia Transicional Sin Transición? Verdad, Justicia y Reparación Para Colombia* (Bogota: DeJusticia, 2006), <https://www.dejusticia.org/en/publication/transitional-justice-without-transition-truth-justice-and-repair-for-colombia/>.

²¹ Key informant interview, Local Consultants and Civil Society Organizations, 2021.

²² These include a concern for addressing the "causes of the conflict" and dismantling the structural mechanisms that make certain individuals and groups more vulnerable to harms.

²³ See Lauren Marie Balasco, "The Transitions of Transitional Justice: Mapping the Waves From Promise to Practice," *Journal of Human Rights* 12, no. 2 (2013): 198–216, <https://doi.org/10.1080/14754835.2013.784858>; Miriam J. Aukerman, "Extraordinary Evil, Ordinary Crime: A Framework for Understanding Transitional Justice," *Harvard Human Rights Journal* 15 (2002): 39–97; Rosemary Nagy, "Transitional Justice as Global Project: Critical Reflections," *Third World Quarterly* 29, no. 2 (2008): 275–89, <https://doi.org/10.1080/01436590701806848>; Lisa Laplante, "The Law of Remedies and the Clean Hands Doctrine: Exclusionary Reparation Policies in Peru's Political Transition," *American University International Law Review* 23, no. 1 (2007): 51–90.

exclusive conflict-related identities. Thus, although the narratives of both ex-combatants and victims stress the lack of socioeconomic opportunities and access to basic rights, TJ benefits continue to be granted as if these identities were incompatible. Furthermore, TJ's internal conflicts are visible in Colombia, even when considering a single category, like ex-combatants, because of the piecemeal adoption of TJ since the JPL. Thus, not only have different frameworks given different benefits to armed actors, depending on when they underwent DDR, but frameworks that operate simultaneously. Such is the case with the JPL and the 2016 Peace Agreement, that grant different benefits depending on the particular armed group undergoing demobilization. This competition-inducing fragmentation can only be overcome by bridging categories and geographies of violence and identifying forward-looking measures to provide for rights and needs. As one TJ expert puts it:

A lot of the time when I go to meetings with victims ... they introduce themselves, 'I am a victim of forced displacement, I was a victim of sexual violence, I was a victim of this and that,' and they have this need to insist in that they were a victim to deserve state attention. I think that is perverse, because they should be citizens, victims or not, they should have the right to services and support because they are vulnerable people [protected by the Constitution] and not necessarily because they were traumatized.²⁴

The legal frameworks of the VLR and the 2016 Peace Agreement were lauded for their ambition from the moment of their approval The legal innovations and the comprehensiveness in scope, and depth of victim reparation and care, raised expectations worldwide.²⁵ The VLR differentiated between the DDR measures owed to combatants and the care and reparations owed to victims, including IDPs, to focus on exclusively on the situation of the latter, both individually and collectively. DDR is mentioned in the VLR as a GNR. The 2016 Peace Agreement produced similar effects by amplifying the role of victim participation in the TJ mechanisms and the inclusion in the text of Point 5 on victims. Individual victims and communities that suffered the consequences of the armed conflict mobilized in favor of these expansive frameworks, using a combination of strategic litigation, street protests, and advocacy.²⁶ Yet, as an ARN official puts it:

We cannot deny the obvious, the security conditions are complex ... and in some cases we cancelled activities after some preliminary investigation... We tried to exhaust the different mechanisms because we do not want to leave the community with unfulfilled expectations, but we also need to recognize that we should not compromise the security of the communities or the ex-combatants ... given our historic presence in the territory, we have taken the decision to withdraw from certain regions.²⁷

The budget assigned by the GoC to the SNARIV and System for Peace has been rising in the last two years. The most recent report by the Office of the Attorney General on the implementation of

²⁴ Key Informant interview, TJ Expert, 2021.

²⁵ See Kathryn Sikkink et al., "Evaluation of Integral Reparations Measures in Colombia. Executive Summary," 2015, available at: https://pdf.usaid.gov/pdf_docs/PA00KSXQ.pdf [Accessed 10 August 2021]

²⁶ See Jamie Rebecca Rowen, "'We Don't Believe in Transitional Justice': Peace and the Politics of Legal Ideas in Colombia," *Law & Social Inquiry* 42 (3) (2017): 622–47, <https://doi.org/10.1111/lisi.12262>; Nadia Tapia Navarro, "The Category of Victim 'From Below': The Case of the Movement of Victims of State Crimes (MOVICE) in Colombia," *Human Rights Review* 20 (3) (2019): 289–312, <https://doi.org/10.1007/s12142-019-00558-w>.

²⁷ Key Informant Interview, ARN Official, 2021.

VLR shows that the budget of the SNARIV reached its highest levels in 2019 and 2020, with COP 6.2 trillion (\$1.589 billion²⁸) and COP 6.3 trillion (\$1.615 billion) respectively.²⁹ On balance, while reparations had risen from COP 2.39 trillion (\$612,867,700) in 2019 to COP 3.13 trillion (\$845,908,800) in 2020, relief dropped from COP 2.25 trillion (\$576,746,100) to COP 1.16 trillion (\$297,344,656), and care dropped from COP 230 billion (\$58,962,087) to COP 204 billion (\$52,269,063) over the same period.³⁰ As is discussed in more detail below, GNR is down by more than a half, from its 2019 level, to barely COP 20 billion (\$5,122,514) in 2020. At the same time, income generation is up from COP 233 billion (\$59,636,548) in 2019, to COP 372 billion (\$95,268,642) in 2020.³¹ Institutional costs remained roughly similar over the two years. The System For Peace has also seen a 17 percent increase from 2019 in the funds awarded in 2020, from COP 436.8 billion (\$111,863,824) to 532.6 billion (\$136,398,061), as shown in Table 2 below.³² For reference, consider that the Ministry of Education was assigned COP 44.1 trillion (\$11,293,943,850) and the Ministry of Health was assigned COP 33.6 trillion (\$8,605,440,480) for the same year.³³

TABLE 2: SNARIV AND SYSTEM FOR PEACE BUDGET

	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021 ³⁴
<i>Relief</i> ³⁵	1,905	2,115	2,226	2,981	2,529	1,921	1,989	2,252	1,646	N/A
<i>Care</i> ³⁶	77	143	39	106	135	231	310	230	204	N/A
<i>Reparations</i>	2,456	2,253	2,168	2,128	1,833	2,487	2,329	2,394	3,134	N/A
(Guarantees of non-repetition)	6	39	45	56	56	54	25	47	20	N/A
(Compensation)	1,229	820	820	724	723	971	723	835	1,093	
(Collective Reparations)	-	60	28	39	25	67	68	62	78	
(Rehabilitation, incl. psychosocial support)	91	58	11	9	36	13	19	18	24	

²⁸ \$1 = COP 3,900. November 16, 2021 exchange rate.

²⁹ Procuraduría General de la Nación (PGN), “Séptimo Informe Sobre La Implementación de La Ley de Víctimas y Restitución de Tierras al Congreso de La República: 2019–2020,” (Bogota, Colombia: PGN, August 20, 2020), 52. These numbers are not inclusive of the Sistema General de Participaciones (SGP), which capture state expenditure on health and education for vulnerable populations, without distinction by their victim status.

³⁰ *Ibid.*, 53–54, not inclusive of SGP.

³¹ *Ibid.*, 53, not inclusive of SGP.

³² Procuraduría General de la Nación, “Segundo Informe al Congreso Sobre El Estado de Avance de La Implementación Del Acuerdo de Paz: 2019–2020,” (Bogota, Colombia: PGN, September 2020), 361.

³³ Both numbers are based on Decree 2411/2019.

³⁴ For projections for 2021 by the VU, see <https://www.unidadvictimas.gov.co/es/planeacion-y-seguimiento/informes-proyectos-y-planos/149>. It is worth keeping in mind that these projects suffer significant changes that are reflected in the management reports made available at the end of the year.

³⁵ Relief here refers primarily to the situation of IDPs and their immediate needs, inclusive of health and education access, aid to return or resettlements, and food.

³⁶ Care refers to orientation and accompaniment of victims.

TABLE 2: SNARIV AND SYSTEM FOR PEACE BUDGET

	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021 ³⁴
Total SNARIV	5,074	5,327	5,671	6,366	5,328	5,645	5,721	6,225	6,386	N/A
JEP							132.6 ³⁷	292.4 ³⁸	316.8 ³⁹	330.7 ⁴⁰
CEV							18.5 ⁴¹	81.4 ⁴²	95.8 ⁴³	116.9 ⁴⁴
UPBD							9.7 ⁴⁵	63 ⁴⁶	120 ⁴⁷	127.8 ⁴⁸
Total System for Peace							160.8	436.8	532.6	575.4

SOURCE: MEL ACTIVITY OWN DESIGN

This growing budget contradicts public discourse on multiple levels. It also raises concerns about the origin and the effects of bottlenecks. The Duque Administration has been hesitant about the 2016 Peace Agreement, sometimes openly. As a United Nations (UN) official puts it, after the symbolic acknowledgement of the armed conflict and its victims during the Santos Administration:

Today, the official discourse is centered on that all of this is very pricey, and that we do not have the resources for it, and that it is underfunded, that there are enemies of the peace and all that, and somehow public opinion is tense about it.⁴⁹

Yet the evidence above suggests that, rather than underfunding, the problem is the distribution of funds across the SNARIV and the System for Peace. On the one hand, some agencies are overwhelmed by resources, but poor internal processes and coordination problems prevent them from producing good

³⁷ Jurisdicción Especial para la Paz, “Informe de Gestión 2018” (Bogotá, Colombia: JEP, 2020), 10, <https://www.jep.gov.co/SiteAssets/Paginas/Transparencia/Balance2018-Proyeccion-2019-JEP/12.%20Secretari%CC%81a%20Ejecutiva%20-%20final.pdf>.

³⁸ Procuraduría General de la Nación, “Segundo Informe al Congreso (2019-2020)” (PGN 2020), 420.

³⁹ Idem.

⁴⁰ Based on Decree 1805/2020.

⁴¹ Comisión de la Verdad, “Informe de Gestión 2018” (Bogotá, Colombia: CEV, 2019), 17, <https://comisiondelaverdad.co/images/documentos/informe-gestion-2018.pdf>.

⁴² Procuraduría General de la Nación, “Primer Informe al Congreso Sobre El Estado de Avance de La Implementación Del Acuerdo de Paz (2016-2019)” (Bogotá, Colombia: PGN, August 2019), 245. While this is 40% less than what the CEV requested according to this source, the Procuraduría General de la Nación, “Segundo Informe al Congreso (2019-2020)” (PGN 2020), 363 report shows that it only executed 70% of the budget it was assigned.

⁴³ Procuraduría General de la Nación, “Segundo Informe al Congreso (2019-2020)” (PGN 2020), 361.

⁴⁴ Based on Decree 1805/2020.

⁴⁵ Unidad de Búsqueda de Personas Dadas por Desaparecidas, “Actualización Del Informe de Gestión y Rendición de Cuentas 2018” (Bogotá, Colombia: UBPD, 2019), 12, Available at: <https://www.ubpdbusquedadesaparecidos.co/wp-content/uploads/2019/05/Actualizacio%CC%81n-Informe-de-gestio%CC%81n-UBPD-Ier-trimestre-2019-SPI6-05-2019.pdf> [Accessed 5 August 2021].

⁴⁶ Procuraduría General de la Nación, “Primer Informe al Congreso (2016-2019)” (PGN 2019), 378. The COP 81.66 billion initially allocated to the UBPD were reduced to 63.05 billion through Decree 2412/2019.

⁴⁷ Idem. This assignation sought to address the previous year’s deficit, especially with respect to the implementation of humanitarian projects and institutional strengthening.

⁴⁸ Based on Decree 1805/2020.

⁴⁹ Key informant interview, UN Official, 2021.

results. On the other hand, other institutions are hampered by poor funding streams that generate gaps between promise and practice for their beneficiaries. As a USAID implementing partner says:

I support the CEV, but [I also have to acknowledge that] they are over-funded, they have a lot of supply in terms of resources and the reports are not good ... [because the commissioners] have some kind of agreement that we will not thrash each other over controversial topics,⁵⁰ so there are a bunch of things [they] just avoid talking about so that conflicts are not deepened.⁵¹

Another implementing partner operating in the territory explained that:

The PDETs are totally underfunded, so then there is no clear action, there are no actions by the government, there is no plan about a budget assigned for the PIRC [Comprehensive Collective Reparations Plans] for the collective reparations, and this is particularly important given that there is a paragraph in the Peace Agreement that says that you have to respect the community's right to development, life project⁵² and the state policies, the policies of the government, the public policies are impinging on that ... so collective reparation creates expectations for victims, but there is nothing concrete.⁵³

PROGRESS ON VICTIM REPARATIONS AND CARE WAS DIFFICULT TO ASCERTAIN DURING THIS ASSESSMENT

The fact that TJ is a “complex, politically contested, and not necessarily linear”⁵⁴ process makes any evidence-based evaluation,⁵⁵ based on outcomes difficult.⁵⁶ Two specific situations complicate efforts to give an accurate picture of qualitative and quantitative progress in the Colombian case. First, there are widespread informational deficiencies and inconsistencies in reports and indicators across the agencies operating, and monitoring, the SNARIV and the System for Peace.⁵⁷ Second, but not unrelated to this, the Single Register of Victims and the Register of Lands Presumed Dispossessed or Forcefully Abandoned are in a constant state of flux. On the one hand, the universe of victims is expanding as a result of the ongoing armed conflict in Colombia. On the other hand, the fact that the registers draw on reports and applications made by the parties, then checked with preexisting information maintained by the National Police and the Office of the State Attorney, means that they undergo regular purges and

⁵⁰ Given the focus of this report, it is noteworthy that the interviewee refers specifically to the private sector as one of these controversial topics.

⁵¹ Key Informant interview, Implementing Partner, 2021.

⁵² “Life project” is a concept popularized by the jurisprudence of the Inter-American Court of Human Rights on reparations. When considering what reparations may be owed those whose human rights rights were violated, this body has established that individuals and communities may have a reasonable expectation about what their life will look like and reparations offered must respond to alterations derived from the abuse. See Olenka Woolcott Oyague and Diego Monje Mayorca, “El dano al proyecto de vida: noción, estructura y producción jurídica según los parámetros establecidos por la Corte Interamericana de Derechos Humanos,” *Utopía y Praxis Latinoamericana*, 23, no. 2: 128-138, <https://www.redalyc.org/journal/279/27957770009/html/>.

⁵³ Key informant interview, Implementing Partner, 2021.

⁵⁴ Mateo Porciuncula, “Measuring Results and Monitoring Progress of Transitional Justice Processes” (New York: ICTJ, January 2021), 1, accessed August 3, 2021, https://www.ictj.org/sites/default/files/ICTJ_Report_Measuring%20Results_EN.pdf.

⁵⁵ Phuong Pham and Patrick Vinck, “Empirical Research and the Development and Assessment of Transitional Justice Mechanisms,” *International Journal of Transitional Justice* 1, no. 2 (2007): 231–48, <https://doi.org/10.1093/ijtj/ijm017>.

⁵⁶ A. James McAdams, “Transitional Justice: The Issue That Won’t Go Away,” *International Journal of Transitional Justice* 5, no. 2 (2011): 304–12, <https://doi.org/10.1093/ijtj/ijr006>.

⁵⁷ Procuraduría General de la Nación, “Séptimo Informe Sobre La Implementación de La Ley de Víctimas y Restitución de Tierras al Congreso de La República: 2019–2020,” (PGN, 2020), 143.

adjustments.⁵⁸ The lack of a “target number” of victims owed assistance, restitution, and administrative reparations hinders projections about when exactly Colombia will reach the end of this process.⁵⁹

Vertical and horizontal coordination has been deficient in the course of the implementation of policies focused on victim care and reparation. The VU and the LU are both special administrative units with offices throughout the national territory. They act as gateways for victims into the SNARIV and aid them in navigating it. Being part of the Executive Branch and outranked by the ministries that make up the government, the VU and LU are separate from the System For Peace as well the non-TJ institutions of the Colombian state⁶⁰ such as courts and law enforcement agencies, and service providers at the national and regional level carry out the substantive work. With respect to outcomes that directly impact victims, the VU is responsible for providing relief and the corresponding compensation for the harm suffered,⁶¹ and the LU⁶² is responsible for providing the amounts ordered by judges for victims and third parties, determined to have acquired lands in good faith.⁶³ One civil society interviewee refers to coordination as a “*trump card*” and a VU official states that:

One of the big challenges that this [Victims’] Unit has, in being part of the hierarchy that we are part of, is the coordination with the SNARIV.⁶⁴

This assessment found similar insights in relation to the JEP, CEV, and UBPD. These institutions are reliant on coordination, not only among themselves and the VU, but also on protection, documentation, and commitment by ordinary institutions, such as ministries, the National Police, the armed forces, and the Office of the National Prosecutor, working at the national and local levels. A consultant interviewed by the team sums it up like this:

An obstacle that does not allow us to move forward to a comprehensive reparation is that ... it includes measures that require co-responsibility from the territorial bodies, national bodies, departmental bodies, or even local bodies that are not present in the formulation of the PIRC, so that when it gets to them, it just stays as a means of socialization, they are being let known about a plan that has been built by the [Victims’] Unit with the subjects of the reparation and as they have shown no interest to be there since its formulation, then they say that there are too many measures of reparations, that it goes beyond their competency, that they do not have the budget for it....⁶⁵

⁵⁸ *Unidad para las Víctimas*, “Informe de Gestión Unidad Para La Atención y Reparación Integral de Las Víctimas,” (Bogotá, Colombia: Unidad para la Atención y Reparación Integral a las Víctimas, December 2020), 52,

<https://www.unidadvictimas.gov.co/sites/default/files/documentosbiblioteca/informedegestion2020vfok.pdf>; UARIV, “Informe de Gestión Unidad Para La Atención y Reparación Integral de Las Víctimas” (Bogotá, Colombia: UARIV, December 2019), 30, <https://www.unidadvictimas.gov.co/sites/default/files/documentosbiblioteca/informedegestion2019.pdf>.

⁵⁹ Compare this to the cases of Peru or Guatemala, where the registers came into existence at the end of truth-seeking processes and armed conflicts.

⁶⁰ See <https://www.funcionpublica.gov.co/eva/gestornormativo/manual-estado/index.php>

⁶¹ Article 168 of VLR.

⁶² Generally, see, Julián Salazar, “Una defensa por la prórroga de la Ley de Víctimas y restitución,” available at: <https://www.revistacienciasinep.com/home/una-defensa-por-la-prorroga-a-la-ley-de-victimas-y-restitucion-de-tierras/>.

⁶³ Article 98 of VLR.

⁶⁴ Key informant interview, VU Official, 2021.

⁶⁵ Key Informant interview, Civil Society Consultant, 2021.

SERIOUS EFFORTS TO IMPROVE COORDINATION HAVE BEEN MADE AT THE MUNICIPAL LEVEL IN BOGOTA

The experience of the Office of the High Commissioner for Peace, Victims and Reconciliation, accountable to the Mayor of Bogota, can act as an example. There are three PDET localities in Bogota, namely Ciudad Bolivar, Sumapaz, and Bosa, and they connect with the municipality of Soacha.⁶⁶ Greater integration and coordination of peacebuilding and reconciliation initiatives comes from three elements. First, those who were opposed to the 2016 Peace Agreement have supported some concrete reincorporation activities. Second, the political and social dynamics present here allow for nuanced understanding of the national-level polarization. Third, there has been greater coordination of messaging between the private sector, international aid, media, and local authorities. As a high official working with victims in Bogota puts it:

“We, as a state, have the tools to break [the resistance to the Peace Agreement] down so that the allies from international aid [sector], the private sector look to the future for political benefits for cooperating partners, so that we may work in a coordinated way. In Bogota, we hope that working for reparations tied to territorial peace will be the tool ... we have gone to the two PDETs in those three localities and the other 17 localities to bring together the reparations initiatives under what we call “Agendas for Territorial Peace,” where all those elements, Local Committees for Transitional Justice, Local Victims’ Tables, local reincorporation processes, PDETs, participatory ventures, are all tied into a peace agenda, to an action plan for peace sanctioned by City Hall.”⁶⁷

GAPS IN IMPLEMENTATION ARE ALSO RELATED TO DEFICIENT INFORMATION FLOW, LACK OF TECHNICAL KNOW-HOW, AND FRAGMENTATION OF PUBLIC POLICY

The high staff turnover at all levels working with TJ, clientelism practices, poor technical knowledge, especially on the implementation of differential approaches, and the compartmentalization of policies dealing with different aspects of TJ, reconciliation, and peacebuilding are among the key reasons for delays in implementation. Nearly all the interviewees allude to problems related to harmonizing the different frameworks and administrative levels involved. The Office of the Commissioner for Stabilization and Consolidation released an *Hoja de Ruta Única* in 2019 as a set of guiding principles on how to best integrate existing policies. This roadmap considers a variety of levels and actors, including the private sector.⁶⁸ As a UN official puts it:

We went to many of those meetings in some of the PDETs, and what we saw was the usual supply of the state, nothing additional for the PDET, that was tallied together in an *Hoja de Ruta* that put all the supply pot together.” The solution, as a consultant puts it, is a “transition towards a model where there is greater iteration between the territorial and national levels ... so that the knowledge, role, and awareness of local authorities and organizations have [with

⁶⁶ Alta Consejería de Paz, Víctimas, y Reconciliación, “Bogotá pone en marcha los PDET Bogotá – Región para cumplirle al Acuerdo de la Paz,” August 2020, accessed August 20, 2020, <https://victimasbogota.gov.co/noticias/bogot%C3%A1-ponemarcha-los-pdet-bogot%C3%A1-regi%C3%B3n-cumplirle-al-acuerdo-paz>.

⁶⁷ Key Informant interview, Official TJ Institution, 2021.

⁶⁸ Consejería Presidencial para la Estabilización y la Consolidación, “Informe de Gestión. Agosto 7 2018–Abril 30 2019,” (Bogota, Colombia: Consejería Presidencial para la Estabilización y la Consolidación, 2019), 5ff, accessed August 3, 2020, <http://www.posconflicto.gov.co/Documents/CPEConsolidacion-Informe-Gestion-Agosto2018-Abril2019.pdf>.

respect to these policies] there is recognized in the identification, in dealing with conflicts. But that should be supported from the central level with technical resources. But these should not be a standard A B C, rather [they should] be tailored. They need support so that the specific conflict that their region is undergoing is resolved. And that specific support needs technical accompaniment and an exercise to look into, to give visibility to the actions that are already there ... and you can do that from the central level, but the engagement has to be reiterative.⁶⁹

Productive projects and psychosocial support are the two policies with the most transformative promise⁷⁰ and least advancement. Psychosocial support for victims and ex-combatants⁷¹ alike is linked to resilience, understood both as recovery and empowerment. The Protocol for the Comprehensive Care in Health with a Psychosocial Approach for the Program for Psychosocial Care and Comprehensive Health Measures for Victims (*Programa De Atención Psicosocial Y Salud Integral A Víctimas, PAPSIVI*) was fully approved in 2017.⁷² Initially, quick progress was made with respect to victims, with 28 percent receiving support until the beginning of 2020, but COVID-19 imposed serious implementation restrictions.⁷³ The transition to the measures of the 2016 Peace Agreement further complicates matters. As a local consultant interviewed for this assessment explains:

Law [VLR] tried to correct the absence of psychosocial support from the previous process [JPL], but ... there is a new transition now from the Victims' Law, the update of the Victims' Law with the implementation of the Agreement, the subject of psychosocial support and collective processes are lagging again, it is being toned down again, and we have to bring that dial up again because besides the individual effects, the effects on each victim, there is a very powerful process of coexistence and reconciliation.⁷⁴

For their part, productive projects accomplish two goals. First, they address the critical assumptions of TJ by generating income and acting on the double vulnerability of victims and ex-combatants.⁷⁵ Second, based on the idea that contact is essential to challenging prejudice and promoting tolerance,⁷⁶ they offer a space for victims, ex-combatants⁷⁷ and third parties to the conflict, notably the private sector, to meet, improve relationships, and build trust. As a UN official states:

⁶⁹ Key informant interview, UN Official, 2021

⁷⁰ See Sanne Weber, "Trapped between Promise and Reality in Colombia's Victims' Law: Reflections on Reparations, Development, and Social Justice," *Bulletin of Latin American Research* 39, no. 1 (2020): 5–21, <https://doi.org/10.1111/blar.12887>; Catalina Vallejo Pedraza, "Pricing Suffering: Compensation for Human Rights Violations in Colombia and Peru" (PhD Sociology, Charlottesville, USA, University of Virginia, 2019), https://libraetd.lib.virginia.edu/public_view/jq085k41q.

⁷¹ United Nations Development Programme (UNDP), "Practice Note. Disarmament, Demobilization and Reintegration of Ex-Combatants" (UNDP, 2005), available at: https://reliefweb.int/sites/reliefweb.int/files/resources/2795101D27F8E4EBC125742800328C0F-undp_dec2005.pdf.

⁷² See *Ministerio de Salud*. "Programa de Atención Psicosocial y Salud Integral a Víctimas y Conflicto Armado," (Bogotá, Colombia: Oficina de Promoción Social, 2017), accessed August 19, 2020, <https://www.minsalud.gov.co/sites/rid/Lists/BibliotecaDigital/RIDE/DE/PS/Documento-Marco-papsivi-2017.pdf>.

⁷³ Procuraduría General de la Nación, "Séptimo Informe Sobre La Implementación de La Ley de Víctimas y Restitución de Tierras al Congreso de La República: 2019–2020" (PGN, 2020), 174.

⁷⁴ Key informant interview, Civil Society Consultant, 2021.

⁷⁵ See also Procuraduría General de la Nación, "Séptimo Informe Sobre La Implementación de La Ley de Víctimas y Restitución de Tierras al Congreso de La República: 2019–2020" (PGN, 2020), 203.

⁷⁶ Buhle Zuma, "Contact theory and the concept of prejudice: Metaphysical and Moral Explorations and an Epistemological Question," *Theory & Psychology*, 24, no. 1 (2014): 40–57, <https://doi.org/10.1177/0959354313517023>

⁷⁷ See Juan Diego Prieto, "Together after War While the War Goes On: Victims, Ex-Combatants and Communities in Three Colombian Cities," *International Journal of Transitional Justice* 6, no. 3 (2012): 525–46, <https://doi.org/10.1093/ijtj/ij3022>.

The productive projects of ex-combatants are the entry point, they make up processes that allow us to coordinate and, in some ways, they are a good excuse to start incorporating other elements that lead to and contribute to reconciliation in the territory. The emphasis is on the technical accompaniment ... but from there, we start to link up with work with a gender approach and there you have a great opportunity to work on issues of reconciliation and social fabric.” In this, as a UN official puts it, state weakness represents an opportunity for business actors whose “role [is] to fulfill the functions of the state ... where Mister State has never functioned, the private sector is my friend, it helps me move things along, and ends up building a different relationship with the communities.⁷⁸

Nevertheless, despite the inherent and enabling importance of productive projects, implementation has suffered setbacks due to land-titling problems, deficient infrastructure to access markets, and security concerns.⁷⁹ By May 2021, the ARN registered 2,799 productive projects,⁸⁰ and the LU had financed 4,538 projects for victims of land dispossession.⁸¹

LAND RESTITUTION IS AN AREA OF CONCERN FOR THE IMPLEMENTATION OF THE VLR AND MORE BROADLY FOR PEACEBUILDING.

Just as land has been at the center of the armed conflict, it is at the core of the VLR and the 2016 Peace Agreement. Obstacles begin with the temporality of the VLR.⁸² The VLR fails to recognize that not all victims of land dispossession are IDPs. Perhaps more importantly, as dispossession may have happened several generations ago, safe return may not be a priority for them.⁸³ The LU initially received surprisingly few applications for restitution in the first years of operation.⁸⁴ Furthermore, the delivery has also been slow due to state incapacity to guarantee the safe return of victims, the mismatch between the progressive sentences of the specialized land restitution judges, issues with state capacity in the area of credits for productive projects and deficient land-titling.⁸⁵ Point 1 of the 2016 Peace Agreement, Comprehensive Rural Reform, extends and strengthens the VLR. Among other provisions, it contains language strengthening the collective aspects of restitution, joining these up with the PDET, and implementing collective return processes for IDPs. Only 65 percent of applications to the LU have

⁷⁸ Key informant interview, UN Official, 2021.

⁷⁹ Kroc Institute for International Peace Studies, “*El Acuerdo Final de Colombia En Tiempos Del COVID-19: Apropiación Institucional y Ciudadana Como Clave de La Implementación*,” (Bogota, Colombia: Kroc Institute for International Peace Studies, 2021), 103, Accessed August 25, 2020, <https://curate.nd.edu/downloads/und:9c67wm14c71>.

⁸⁰ *El Tiempo*, “Gobierno seguirá dando pagos a exFARC en reincorporación,” August 2, 2021, available at: <https://www.eltiempo.com/justicia/servicios/gobierno-seguira-dando-pagos-mensuales-a-ex-farc-en-reincorporacion-607554>.

⁸¹ Procuraduría General de la Nación, “Séptimo Informe Sobre La Implementación de La Ley de Víctimas y Restitución de Tierras al Congreso de La República: 2019–2020” (PGN, 2020), 159.

⁸² For an analysis of the obstacles land restitution faces under the VLR, see Comisión Colombiana de Juristas, “*Radiografía de la restitución de tierras en Colombia*,” (Bogota, Colombia: CCJ, 2019), available at: https://www.coljuristas.org/nuestro_quehacer/item.php?id=223; See also Forjando Futuros, “*Balance de la Restitución de Tierras a nivel nacional*,” (Bogota, Colombia: Forjando Futuros, 2019).

⁸³ See Centro Nacional de Memoria Histórica, “*Una nación desplazada. Informe nacional del desplazamiento forzado en Colombia*,” (Bogota, Colombia: CNMH, 2016), available at: <http://www.centrodememoriahistorica.gov.co/descargas/informes2015/nacion-desplazada/una-nacion-desplazada.pdf>.

⁸⁴ See Frances Thomson, “Land Restitution in Colombia: Why so few applications?” *Forced Migration Review*. 56 (2017):35-6. See Frances Thomson, “Land Restitution in Colombia: Why so few applications?” *Forced Migration Review*. 56 (2017):35-6. t: <https://www.elespectador.com/colombia-20/conflicto/el-desencanto-de-las-comunidades-del-rio-san-juan-tras-su-retorno-article/>.

received a response about inclusion in the Register of Lands,⁸⁶ and 5,609 sentences handed down by land restitution judges are yet to be complied with by the state.⁸⁷ A civil society organization representative involved in the accompaniment of a land restitution claim by indigenous communities explains the delays as follows:

Between opening the administrative act of focalization and the filing of the claim for restitution, about four years go by to complete the administrative phase, and then about three years go by for a sentence to come down from the land court in Quibdo in these trials that seek the restitution of about 10,000 hectares. Now imagine what happens in processes that deal with 100,000 hectares or even 600,000 hectares, as it is the case in the Southern Chocó. Obviously, those are very exhausting processes because of the clear turnover of the magistrates operating the courts and ... because, in the LU, there are administrators that are in charge of 15 to 20 land restitution processes that involve ethnic groups.⁸⁸

Even when compensation is considered, notable gaps persist between the aspirations of the SNARIV and its implementation. The direct responsibility of VU, compensation, has been slow to materialize due to fiscal concerns relating to the sizable number of victims.⁸⁹ The Single Register now stands at nearly 19 percent of the Colombian population,⁹⁰ and is likely to further expand as a result of the continued violence. Only 86,432 individual compensations and 22 collective compensations⁹¹ (5 of which were situated in PDET municipalities)⁹² were paid out in 2019, and 116,125 individual compensations,⁹³ and 51 collective compensations were paid in 2020.⁹⁴ The slow pace of implementation was recognized by the Constitutional Court as grounds for the deferral of the VLR,⁹⁵ as outright discontinuation risks creating imbalances in the realization of victim rights.⁹⁶ As this implementing partner explains:

⁸⁶ It is worth noting that although applications rose by nearly 5,000 (from 120,726 to 125,474) between 2019 and 2020, the number of decisions handed out only rose by a little over 3,000, from 78,116 to 81,778, in the same period. See *Procuraduría General de la Nación, “Séptimo Informe Sobre La Implementación de La Ley de Víctimas y Restitución de Tierras al Congreso de La República: 2019–2020”* (PGN, 2020), 194.

⁸⁷ *Procuraduría General de la Nación, “Séptimo Informe Sobre La Implementación de La Ley de Víctimas y Restitución de Tierras al Congreso de La República: 2019–2020”* (PGN, 2020), 193-206.

⁸⁸ Key informant interview, Civil Society Organization, 2021.

⁸⁹ Amnesty International, “Colombia: The Victims and Land Restitution Law. An Amnesty International Analysis” (London: AI, 2012), 17, <https://www.amnesty.org/en/documents/amr23/018/2012/en/>.

⁹⁰ This estimate is based on the most recent numbers in the Single Registry for Victims of the Victims’ Unit and the population project of the National Administrative Department for Statistics (DANE).

⁹¹ *Unidad para las Víctimas, “Informe de Gestión Unidad Para La Atención y Reparación Integral de Las Víctimas”* (Bogotá, Colombia: UARIV, December 2019), 49, accessed August 1, 2021, <https://www.unidadvictimas.gov.co/sites/default/files/documentosbiblioteca/informedegestion2019.pdf>.

⁹² *Ibid.*, 50.

⁹³ *Unidad para las Víctimas, “Informe de Gestión Unidad Para La Atención y Reparación Integral de Las Víctimas 2020,”* (Bogotá, Colombia: UARIV, December 2020), 52, accessed August 1, 2021, <https://www.unidadvictimas.gov.co/sites/default/files/documentosbiblioteca/informedegestion2020vfok.pdf>.

⁹⁴ *Ibid.*, 56. Collective subjects of reparation have to identify themselves as such through the PIRC. While we know that the total number of PIRC approved by December 2020 was 765, of which 482 were ethnic groups and 273 were communities and organizations that do not have an ethnic component, it is difficult to know how many of these are owed compensation, as not all PIRC include financial reparation. See *Procuraduría General de la Nación, “Séptimo Informe Sobre La Implementación de La Ley de Víctimas y Restitución de Tierras al Congreso de La República: 2019–2020,”* (PGN, 2020), 305.

⁹⁵ See Ruling C-588/2019, available at: <https://www.corteconstitucional.gov.co/relatoria/2019/C-588-19.htm#:~:text=Por%20la%20cual%20se%20dictan,y%20se%20dictan%20otras%20disposiciones>.

⁹⁶ VLR has now been extended until June 2031 through Law 2078/2021.

For some, we should have overcome this, but actually we have not, because we are facing extremely complicated problems and individual reparations has been very slow, giving reparations to all of these people that way will take I don't know how many years, 60, 70 years at the rate we are going today with individual reparations, the Victims' Law started to consider all those contextual elements as a whole, and now we are in a circumstance where this should have been resolved already, but it has been much slower.⁹⁷

THE RECENT ESCALATION OF ARMED CONFLICT IN VARIOUS REGIONS HAS INTERRUPTED PLANNED ACTIVITIES AND DIVERTED RESOURCES FROM REPARATION TO RELIEF

The Office of the Ombudsman issued Early Warning 018/2020 in April 2020 about the renewed presence of non-state armed groups in the territory.⁹⁸ As conflict-related violence had tapered in the years to immediately follow the signing of the 2016 Peace Agreement, the resources assigned to humanitarian relief dropped in both 2017 and 2018 at nearly the same rate as the resources committed to reparations rose. While reparations did not go back to their pre-2016 levels, relief rose in 2019 (and then dropped again in 2020) to tend to the new conflict registered. Care and GNR suffered most in this process. The former rose substantially in 2018 to drop again in 2019 and 2020. The latter was slashed to less than half of its 2017 level in the following years and never recovered over the next three years.⁹⁹ (See Table 2 above.) Drops in and withdrawal of land restitution applications are also related to renewed human rights violations suffered by social leaders promoting restitution and land claimants.¹⁰⁰ As this UN official states:

The deterioration of the conditions of security and violence, the resurgence of violence, is a topic that has a great deal of impact today, the communities are living in very difficult conditions and require all those components of relief that we thought were behind us when Law 387 was approved and then became the foundation for Law 1448 that was still thought in those terms of emergency relief. All processes of socioeconomic support to return and to resettle, all those elements accounted for a humanitarian crisis related to forced displacement. With the recognition of victims in the Peace Process ... all those statistics started to drop as the displacements started to fall, but now we are seeing a new rise in violence in the territories, so we are starting to see massive displacements again.¹⁰¹

Responding to the post-2016 Peace Agreement escalation of conflict-related harms and violence, Decree 660/2018 establishes mechanisms to expedite the receipt of security complaints from the territory and institutes local-level mechanisms to deal with conflict and coexistence.¹⁰²

⁹⁷ Key informant interview, Implementing Partner, 2021.

⁹⁸ Alerta Temprana de Inminencia 018 de 2020.

⁹⁹ Procuraduría General de la Nación, "Séptimo Informe Sobre La Implementación de La Ley de Víctimas y Restitución de Tierras al Congreso de La República: 2019–2020," (PGN, 2020), 53.

¹⁰⁰ Procuraduría General de la Nación, "Séptimo Informe Sobre La Implementación de La Ley de Víctimas y Restitución de Tierras al Congreso de La República: 2019–2020," (PGN, 2020), 204. See also Human Rights Watch, "Colombia. Eventos 2019," available at: <https://www.hrw.org/es/world-report/2020/country-chapters/336672#>.

¹⁰¹ Key informant interview, UN Official, 2021.

¹⁰² For full text, see:

<http://es.presidencia.gov.co/normativa/normativa/DECRETO%20660%20DEL%2017%20DE%20ABRIL%20DE%202018.pdf>.



Exhibit I: Word cloud: Strengths of Collective Reparations.

SOURCE: MEL ACTIVITY OWN DESIGN

Collective reparations can have a positive impact when delivered through sustained community engagement. There is an undeniable overlap between the collective reparations of VLR on the one hand,¹⁰³ and the 2016 Peace Agreement on the other.¹⁰⁴ They both treat the PIRC as the means of recognizing the collective identity of communities, groups, or organizations and their collective rights, as well as means to facilitate access to other measures. Participation in the development of the PIRC is not only a right; it is intended to have transformative effects with respect to the political organization or the community and its relationship with the state.¹⁰⁵ Furthermore, the PIRC integrates psychosocial support and social inclusion, particularly with respect to differential approaches, and even development.

The Single Register currently refers 754 subjects of collective reparations (63 percent of whom belong to ethnic groups),¹⁰⁶ up from 669 in 2019.¹⁰⁷ This high number of registrations is regarded by the VU officials interviewed as a success, especially given the restrictions imposed by the COVID-19 pandemic. Nevertheless, implementation data shows that only 2 percent of the PIRC have been finalized (none of which belong to ethnic groups) and 21 percent are currently being implemented, with the remainder being at different stages of design and diagnosis.¹⁰⁸ In line with this data, civil society, including victims, is less positive about delivery. For instance, after explaining that they regard the PIRC as elements of hope, a victim representative who was part of a focus group organized by an implementing partner, states that:

The community I represent is a subject of collective reparation, and we developed an ambitious PIRC with the support of the Victims’ Unit that now has been reduced to nothing and I am sure

¹⁰³ See VLR, Chapter XI, Articles 151–152.

¹⁰⁴ See Government of Colombia, “Final Agreement”, 2016, 193, at point 5.1.3.3.3.

¹⁰⁵ See Julieta Lemaitre Ripoll, “Diálogo sin debate: la participación en los decretos de la Ley de Víctimas,” *Revista de Derecho Público*, no. 31 (2013): 1–37, <https://doi.org/10.15425/redpub.31.2013.03>.

¹⁰⁶ Unidad para las Víctimas, “Informe de Gestión 2020” (UARIV 2020), 55.

¹⁰⁷ Procuraduría General de la Nación, “Sexto Informe Sobre La Implementación de La Ley de Víctimas y Restitución de Tierras al Congreso de La República. 2018–2019” (Bogota, Colombia: PGN, August 16, 2019), 215. Nevertheless, it is worth mentioning that UARIV, “Informe de Gestión 2019,” 2019, speaks of 404 registered subjects of collective reparations at p. 52.

¹⁰⁸ Procuraduría General de la Nación, “Séptimo Informe Sobre La Implementación de La Ley de Víctimas y Restitución de Tierras al Congreso de La República: 2019-2020,” (PGN, 2020), 305.

that this has happened all over the territories with PIRC.¹⁰⁹ **(Victim Representative, Implementing Partner Focus Group)**

As Exhibit I shows, most interviewees cited beneficiary victims and communities as one of the biggest strengths of collective reparations. They are so committed to the process that they push the work along despite the gaps in state capacity. As this implementing partner key informant explained:

“The positive side of things has always been that the communities have always been open to making things happen despite the fact that many times that institutions have been lacking logistic capacity to rebuild homes. The community always says ‘Fine, if they have nothing, we will put the resources together, whoever has potatoes, bring that, whoever has fish, bring fish, and so we open a soup kitchen with that,’ and that is how all the building plans move forward. This has been very useful for the collective reparation processes.”¹¹⁰

DELAYED REPARATION PROCESSES RISK REVICTIMIZATION AND GENERATING BUREAUCRATIC HARMS¹¹¹

The UN Basic Principles and Guidelines on the Right to a Remedy and Reparation speak about the need for reparation to be “adequate, effective, prompt, and appropriate.”¹¹² Article 25 of VLR establishes victims’ right to be repaired in an “adequate, differentiated, transformative, and effective manner” under what article 17 calls a “progressive principle.” Interviewees recognize that the official symbolic recognition of victims since 2011 clashes with the way the process has materialized both in terms of timeliness and strategies for victim inclusion. Limited progress with respect to the implementation of differential approaches and sensitivity to harms, particularly a psychosocial approach, are among the key concerns. The delay causes fatigue and disillusionment in the actors involved and risks compounding victims’ existing harms.¹¹³ As one UN official explained:

We have noted that some units [within the VU] recognize some harms [but not others] and that generates a very strong impact because the victims feel that they are being denied, that the deeds are being denied, so that when they are being told ‘no, that did not happen,’ or ‘are you sure that that happened,’ immediately you generate harm ... and you, as an official, cannot deny harms so that reparation becomes cheaper [for the state].¹¹⁴

Differential approaches, an innovative proposal of the VLR, are insufficiently considered in practice by the agencies and officials responsible for the implementation of the VLR. Differential approaches, involving a numbers of specific measures taken to benefit individuals and communities considered

¹⁰⁹ Key Informant Interview, Victim Representative, Implementing Partner Focus Group, 2021.

¹¹⁰ Key Informant Interview, Implementing Partner, 2021.

¹¹¹ See Óscar Fernando Acevedo Arango, Luz Amparo Serrando Quintero, and María Isabel Cuartas Giraldo, *Valoración Del Daño y Desvictimización. Violencia Sociopolítica En Colombia* (Bogota, Colombia: Universidad Santo Tomás, 2019), <https://doi.org/10.2307/j.ctv15kxfr8>.

¹¹² See UN Basic Principles and Guidelines on the Right to a Remedy and Reparations, available at: <https://www.ohchr.org/en/professionalinterest/pages/remedyandrepairation.aspx>.

¹¹³ Andrés Bermudez Lievano, “Eduardo Cifuentes: ‘This Dialogue between Victims and Perpetrators Is Unprecedented,’” *JusticeInfo.Net*, July 27, 2021, available at: <https://www.justiceinfo.net/en/80458-eduardo-cifuentes-dialogue-between-victims-perpetrators-unprecedented.html>.

¹¹⁴ Key Informant Interview, UN Official, 2021.

particularly vulnerable to conflict-related harms,¹¹⁵ link the VLR with the Constitution in that they recognize that needs and capacities vary depending on group identity and the socioeconomic position of victims. The VU modernized the Constitution's segmented delivery by prioritizing vulnerable population groups and mainstreaming differential approaches through internal regulations.¹¹⁶ Nevertheless, specialized TJ literature has been critical of the failure to integrate intersectionality to overcome the further fragmentation of public policy. Scholars have concluded that the tension between achieving social transformation through prioritization or mainstreaming remains with respect to age and disability, or life course, as it is known in the implementing regulations for the VLR and System for Peace, gender, including the particular perspectives of the LGBTIQ+ (Lesbian, Gay, Bisexual, Transgender, Intersex, Questioning or Queer, and other) community, and ethnic groups.¹¹⁷ Interviewees point to effective participation and greater iteration between central and regional levels as especially potent tools to address this problem. Similarly, to reports by members of ethnic groups captured in findings dealing with collective reparation throughout this report, a member of the LGBTIQ+ community explained that:

We do not have guarantees for the fulfilment of our fundamental rights, we do not have good quality education ... this would be a great advancement because ... we lack employment opportunities we end up in sex work or [as] stylists. There is a lack of political will in the territory, in administration, so that we achieve greater protection, they invite us to the meetings and talks, to talk about our concerns, but we never move past the photo.¹¹⁸

The length and ongoing status of the armed conflict also draws attention to the youth, included in differential approach for life course, based on the particular vulnerability relating to their age. According to data from the Barometer for Reconciliation,¹¹⁹ young people are more open to dialogue and reconciliation initiatives, but TJ and peacebuilding institutions have been slow to take note of this as well as the risks of intergenerational trauma.¹²⁰ In the words of one implementing partner,

The Commissioner that went to Quibdó told me that one of the topics will be coordinating around dialogue. The state agencies should work with youth and will be coordinating around this perspective. They started to understand that some programs work better when you work with young people. A bit late, I think, but ... we should help them strengthen that with technical assistance so that there will be better coordination there." It is worth noting that PAR has

¹¹⁵ See article 13 of the VLR. The differential approach captures all those who, given their particular characteristics relating to age, gender, sexual orientation, disability, may be particularly vulnerable to harms.

¹¹⁶ See Elena Butti and Brianna McGonigle Leyh, "Intersectionality and Transformative Reparations: The Case of Colombian Marginal Youths," *International Criminal Law Review* 19, no. 5 (2019): 753–82, <https://doi.org/10.1163/15718123-01906002>.

¹¹⁷ Juliana González Villamizar and Pascha Bueno-Hansen, "The Promise and Perils of Mainstreaming Intersectionality in the Colombian Peace Process," *International Journal of Transitional Justice*, no. ijab026 (2021), <https://doi.org/10.1093/ijtj/ijab026>.

¹¹⁸ Key Informant Interview, LGBTIQ+ Community Member, 2021.

¹¹⁹ See Juan Raúl Escobar and Juan Federico Pino Uribe, "Juventud, capital social y reconciliación en Colombia. Análisis de la Encuesta del Barómetro para la reconciliación," (Universidad Javeriana 2019) (Unpublished document from ACIDI/VOCA on record with the author).

¹²⁰ Elena Butti and Brianna McGonigle Leyh, "Intersectionality and Transformative Reparations: The Case of Colombian Marginal Youths," *International Criminal Law Review* 19, no. 5 (2019): 753–82, <https://doi.org/10.1163/15718123-01906002>

already begun work with the Colombian Institute of Family Welfare to improve technical skills, including the application of ethnic approaches, and access to new methodologies.^{121,122}

Participation without tangible and explicit results at different stages of the process leads to fatigue.

TJ has adopted participation as part of a commitment to build trust and improve conditions for the exercise of citizenship.¹²³ On the one hand, participation aims to improve trust in state institutions. On the other hand, it refers to interpersonal trust between citizens, be they victims, ex-combatants, third parties, or members of the community. The transition from VLR to the 2016 Peace Agreement has created and promoted a wealth of spaces for participation, consultation, planning, and coordination with both the local and national levels. They function as a means of policy impact but exist alongside training workshops and other community activities with non-TJ purposes. Participants report they are overextended and the short-term, medium-term, and long-term objectives of the different spaces are not always clear to them. Given the rising levels of violence, there is a growing reluctance to participate, especially if authorities and officials do not show a commitment to outcomes. As a UN official puts it,

I think that the biggest challenge is not just about outreach, but also how do you create a safe space so that people can participate because the communities are scared and people do not go to the meetings because there is a lot of social control of various groups of all sorts that operate in the regions.” Another UN official explains, the lack of (clarity about) tangible results also has damaging effects because “participation is sometimes torpedoed by ... the official ... who does not have enough expertise to establish a dialogue with the community and manage to transmit the technical aspects ... so then the community does not always understand what we are talking about ... why they cannot give them the (...) bridge, why they cannot give them the health station.¹²⁴

The COVID-19 pandemic has generally worsened the conditions for reparations, care, peacebuilding, and reconciliation, but it has also presented an opportunity to reshape and develop activities. Generally, interviewees report the COVID-19 pandemic has made the vulnerable more vulnerable. The more than 5 percent loss of employment throughout 2020 negatively affected opportunities for income generation and economic stabilization for victims and ex-combatants.¹²⁵ Given the rolling lockdowns, all entities that make up the TJ and peacebuilding ecosystem had to adjust their outreach activities for safe social distancing. The territorial implementation of the 2016 Peace Agreement was further delayed in the process.¹²⁶ Biosecurity continues to be a concern, although some

¹²¹ Key Informant Interview, Implementing Partner, 2021.

¹²² See Program of Alliances for Reconciliation – PAR, “Quarterly Report. January–March 2021,” 8-9, available at: http://pdf.usaid.gov/pdf_docs/PA00XM9H.pdf.

¹²³ David Taylor, “Victim Participation in Transitional Justice Mechanisms: Real Power or Empty Ritual?,” Discussion Paper (Utrecht: Impunity Watch, 2014), https://www.impunitywatch.org/docs/IW_Discussion_Paper_Victim_Participation1.pdf; Mijke de Waardt and Sanne Weber, “Beyond Victims’ Mere Presence: An Empirical Analysis of Victim Participation in Transitional Justice in Colombia,” *Journal of Human Rights Practice* 11, no. 1 (2019): 209–28, <https://doi.org/10.1093/jhuman/huz002>.

¹²⁴ Key Informant Interview, UN Official, 2021.

¹²⁵ See DANE, “Principales indicadores del mercado laboral,” January 29, 2021, available at: https://www.dane.gov.co/files/investigaciones/boletines/ech/ech/bol_empleo_dic_20.pdf.

¹²⁶ See Procuraduría General de la Nación, “Segundo Informe al Congreso Sobre El Estado de Avance de La Implementación Del Acuerdo de Paz: 2019–2020,” (PGN 2020).

activities such as psychosocial support are now being carried out remotely.¹²⁷ Nevertheless, an ARN official explains that, in the midst of adversity:

Throughout last year, we carried out some actions in the territory that started as from some workshops and focused on some concrete thematic lines coupled with some community work actions. For instance, considering COVID, some communities around the old ETCRs (*Espacios Territoriales de Capacitación y Reincorporación*, Territorial Spaces of Training and Reincorporation) came together with the ex-combatants to design face masks to give away, to send to other ETCRs, but also as a show of solidarity, of joint work, and around this work, they raised awareness about stigmatization.¹²⁸

Peacebuilding is a malleable framework that brings together actors for conversations that would otherwise have otherwise been impossible. Spaces like Social Dialogue, now form part of the peacebuilding methodology, challenge distrust built over the decades of armed conflict by giving participants a safe space to interact and form new relationships or (re)build ties. Nevertheless, it is a methodology with a significant learning curve. It requires coordination, ongoing interest, and investment by state and civil society actors, as well as sensitivity to context, including local culture and the overlapping vulnerabilities of participants. Most interviewees noted that it is extremely important that the actors involved and their intentions in participating are vetted and supported so that renewed harm and revictimization is avoided through self-righteous or justificatory narratives. As a consultant puts it, *“Bringing people external to the security forces to dialogue with the public forces is very difficult ... because of their vertical structures that hinder dialogue... Something similar happens with business, less so and not all entrepreneurs, it is difficult to sit them down in these dialogues.”* How legitimacy and power relations are reflected and managed in these spaces is also key to their success. A UN official explains this further by saying that:

Challenges [also] arise from how you implement it, with whom you implement it, [we must] understand dialogue as a process, not as sporadic, specific moments when you carry out an intervention in the community and we call to a dialogue. Rather, we must conceive of dialogue as an invitation to processes that are longer in scope ... a dialogue that is consensus-building and is precisely associated to those other factors like [institutional] strengthening, participation ... the role of institutions not only at the central level because besides that you need other perspectives of how the governments respond to those territorial perspectives ... dialogue cannot be utilitarian with regard to making this work but requires a perspective-based perspective so that it can have a positive impact in the communities [involved].¹²⁹

Reconciliation is a multifaceted and multilevel process that requires careful consideration of individual, institutional, and contextual factors. Both VLR,¹³⁰ and the 2016 Peace Agreement, take a process view of reconciliation,¹³¹ while also regarding it as the ultimate goal of both TJ and DDR.

¹²⁷ See Procuraduría General de la Nación, “Séptimo Informe Sobre La Implementación de La Ley de Víctimas y Restitución de Tierras al Congreso de La República: 2019–2020” (PGN, 2020), 173.

¹²⁸ Key Informant Interview, ARN Official, 2021.

¹²⁹ Key Informant Interview, UN Official, 2021.

¹³⁰ See Prologue and Articles 8 and 9 of the VLR.

¹³¹ There are 52 mentions of reconciliation throughout the document starting with, “that it is an essential goal of national reconciliation to construct a new territorial-based welfare and development paradigm to the benefit of broad sectors of the population,” in the Prologue.

The PAR operative definition of reconciliation recognizes both top-down and bottom-up perspectives of TJ. Thus, it overlays psychological, political, and legal aspects that operate simultaneously at the individual, intergroup, and social levels.¹³² The TJ critical assumptions and internal conflicts referred to above underlie each of these factors. Reconciliation is used sporadically by the SNARIV,¹³³ and by the System for Peace,¹³⁴ coexistence and GNR being the preferred terms.¹³⁵

Taking note of the language used by the different TJ and peacebuilding institutions, there is a strong emphasis among the interviewees that reconciliation might be a too politicized or poorly understood term. Interviewees show a preference for focusing on everyday aspects and experiences of peace and trust-building.¹³⁶ They believe that taking reconciliation seriously should start with analyzing the language of the 2016 Peace Agreement that may generate tensions,¹³⁷ as well as perceptions that actors involved in the conflict are monolithic agents despite geography, time, and capacity. An implementing partner explains it like this:

If you do things right, victims and perpetrators are willing to forgive and move on because [they] need reconciliation to move on with their life projects. Then whatever happens in terms of TJ or in terms of reconciliation, like with sanctions imposed by the JEP ... or how the restorative component of those sanctions will be carried out, that has more to do with the procedural elements of the JEP and that is a political discussion of the JEP ... and it is difficult to intervene there to build consensus or get tangible results because it is difficult to generate trust between the parties. But when you deal with the territorial dimension of reconciliation, which is all about aligning different efforts, and engage people in collaborative concrete projects, that is a different logic of reconstructing the social fabric, it is a gradual building-up of trust, you show people they have a lot of things in common, you reduce suspicion to business, to anti-socials, to community organizations, you reduce prejudice and stigma.¹³⁸

¹³² See *Barómetro para la Reconciliación. Diccionario de variables*, (Unpublished document on record with the author).

¹³³ See article 23 of Decree 4802/2011, which establishes the structure of the VU, where reconciliation is discussed as one of the objectives of collective reparations.

¹³⁴ The stated objectives of the CEV, for instance, are to “lay the groundwork for non-repetition, reconciliation, and stable and lasting peace,” but reconciliation is not mentioned among its three objectives of clarifying truth, contributing to acknowledgement, and coexistence. See article 2 of Decree 588/2017. Decree 589/2017, which establishes the UBPD, does not mention reconciliation at all. Decree 1592/2017, which establishes the JEP, does not mention either reconciliation or coexistence, but its Statutory Law, 1957/2019, mentions guarantees of non-repetition.

¹³⁵ When reconciliation is used, it is particularly with respect to collective reparations and young people. See, for instance, the the June 2020 UBPD event “Tejiendo Historias de Transformación,” where both elements were referred to.

¹³⁶ See also Roger Mac Ginty, “Everyday Peace: How So-Called Ordinary People Can Disrupt Violent Conflict, Studies in Strategic Peacebuilding” (Oxford, New York: Oxford University Press 2021); Roger Mac Ginty and Pamina Firchow, “Top-down and Bottom-up Narratives of Peace and Conflict,” *Politics* 36, no. 3 (2016): 308–23, <https://doi.org/10.1177/0263395715622967>; Pamina Firchow, “Reclaiming Everyday Peace: Local Voices in Measurement and Evaluation After War” (Cambridge: Cambridge University Press, 2018), <https://doi.org/10.1017/9781108236140>.

¹³⁷ For instance, the CEV has purposely replaced “perpetrator” with the broader, less hard-hitting notion of “responsible.” See *El Espectador*: “No soy fariana y Uribe lo sabe porque me conoce: Lucía Gonzalez,” August 20, 2021, available at: <https://www.elespectador.com/colombia-20/paz-y-memoria/no-soy-fariana-y-uribe-lo-sabe-porque-me-conoce/>.

¹³⁸ Key Informant Interview, Implementing Partner, 2021.

While this actor speaks about ex-combatants, similar perceptions prevail about the private sector. The international seminar “Reconciliation: Who, when and how?” organized by PAR in the first quarter of 2021, can offer important insights in this sense.¹³⁹

Pillar 8 of the PDET provides the opportunity to include new actors, particularly the private sector.¹⁴⁰ TJ has been fragmented, segmented especially based on conflict actors, with victims, ex-combatants, and third parties acting in different compartments. The PDET gives these actors the opportunity to act together and redefine themselves as agents of change for forward-looking initiatives under Pillar 8. This is particularly important for the private sector, as it has been reluctant to engage in public dialogues about its role throughout the armed conflict.¹⁴¹ PAR has engaged the private sector through a number of its allies to develop strategies to include business actors in the GoC rural development plans and PDET.¹⁴² As a consultant put it:

Starting with the experience of the laboratories and other experiences relating to reconciliation,¹⁴³ more in a formative sense, it is not just about training for training’s sake, but really these spaces became spaces for dialogue, where we sat a businessperson with a person from the community, and even people from the LGBTI+ community, and in these formative spaces we all became the same, we managed to form horizontal processes that were really the excuse for work on reconciliation.¹⁴⁴

Pillar 8 can create and take advantage of synergies with Social Dialogue as a methodology and workspace focused on identifying and solving everyday community problems. As this UN official explains, “*looking into shared needs has always been the entry point to generate these spaces of dialogue, meeting, concentration, and joint work ... working together so we can overcome a need or specific situation. Then we have the issue of the road, the issue of recovering or improving the community school or the community center ... those common assets, that at the end of the day everybody uses, regardless of whether or not they are a victim, ex-combatant or a peasant.*” Productive projects under the PDET act in much the same fashion and focus attention on a joint activity that can be solved through shared decision-making to the benefit of those involved and the community.¹⁴⁵ As one ARN official noted:

Broadly speaking, all the coexistence and reconciliation actions are an excuse for our work in the community so that we generate points of contact. We believe that if you generate meeting spaces from the everyday around projects that benefit the development of the community, like community public works, initiatives that contribute to the strengthening of environments where former FARC members can contribute to the community and even the institutions in their

¹³⁹ See Program of Alliances for Reconciliation (PAR), “Quarterly Report. January–March 2021,” 37, available at: http://pdf.usaid.gov/pdf_docs/PA00XM9H.pdf.

¹⁴⁰ Nick Killick, V S Sriantha, and Canan Gündüz, “The Role of Local Business in Peacebuilding” (Berlin, Germany: Berghof Foundation, 2005), available at: <https://berghof-foundation.org/library/the-role-of-local-business-in-peacebuilding>.

¹⁴¹ USAID, “Truth, Coexistence, and Non-Recurrence Commission Performance Evaluation” (USAID: Bogota, Colombia 2021), 36, available at: https://pdf.usaid.gov/pdf_docs/PA00XM1T.pdf.

¹⁴² See PAR “Quarterly Report. January–March 2021,” 3–4, available at: http://pdf.usaid.gov/pdf_docs/PA00XM9H.pdf.

¹⁴³ This is an initiative funded by USAID/Colombia and executed by *Fundación Ideas para la Paz* titled *Laboratorios de Empresas y Reconciliation*. For more information, see <https://empresaspaiddhh.ideaspaz.org/nota/la-confianza-motor-de-desarrollo-regional-sostenible>.

¹⁴⁴ Key Informant Interview, Civil Society Consultant, 2021.

¹⁴⁵ See ART, “Buenas prácticas – Pilar 8: Sur de Córdoba,” (2020), accessed August 30, 2021, <https://www.youtube.com/watch?v=wo7EgfcEFgs>.

territory, because that really sustains coexistence and reconciliation in the logic of the CONPES [El Consejo Nacional de Política Económica y Social], which is the rebuilding of trust, the contribution to democracy and participation in decision-making with a public interest.¹⁴⁶

The territorial approach is not being used to its full capacity. The territorial rollout of the SNARIV and the System for Peace aimed to facilitate access across the country. It also aimed to address informational asymmetries by providing updated contextual knowledge about events and the course of implementation in the regions.¹⁴⁷ Thus, while the CEV has been less successful in incentivizing the national-level participation of the private sector, its local branch offices, known as Houses of Truth, have shown greater capacity to chip away at the notion of business as a monolithic actor by including them in regional dialogues.¹⁴⁸ Besides the much-needed tackling of problems of coordination in line with the *Hoja de Ruta*, involving local authorities in a tripartite model alongside USAID/Colombia and civil society speeds up delivery and implementation of any peacebuilding initiative. Furthermore, this contributes to local ownership of the processes and leaves transferable skills in place for the operators.¹⁴⁹ As one VU official puts it:

[The challenge] is to improve local governance by building up capacities in territorial entities, this [is] something we have always observed is a need in the execution of public policy with respect to victims, given the changeover in elected officials it is important to improve the capacity in the territory.... We have intervened through the PDET, which we feel is a great opportunity. We must continue to work on the political and public organization of victims through strengthening the territorial entities and local leadership.” An implementing partner adds, “The institutions do not understand that the territory is not just the physical aspect, but it is an element of identity that [is] part of those rural-urban dynamics that come into being when you consider territory from this new perspective.... We have tried to coin that element of discontinuity of the territory that should support collective reparations in a way that is inclusive of this urban-rural divide, but also incorporates an ethnic element together with their world-view as a people. This has allowed some progress with respect to Puente Nayero and the Consejo Comunitario del Naya and we hope that this becomes a central element in the reparations of these peoples and communities that are straddled by this urban-rural problem.”¹⁵⁰

STATE INSTITUTIONS, WHETHER TJ OR NON-TJ, HAVE DIFFICULTIES IN DEFINING THEIR ROLES AND PERSPECTIVES WHEN CARRYING OUT SOCIAL DIALOGUE

The transition from the JPL to VLR has meant a greater recognition of the role of the Colombian state as an actor in the armed conflict. Reparations (as well as GNR) are now being defined as state obligations that arise from the violation of victims’ rights, rather than solidarity with victims. While state agents may not have been directly responsible for these violations, harms resulted from the lack of due state protection. This relates to confusion about Social Dialogue in three ways. First, the way that state

¹⁴⁶ Key Informant Interview, ARN Official, 2021.

¹⁴⁷ The same logic applied to the territorialization of the ARN. See: <http://www.reincorporacion.gov.co/es/atencion/Paginas/sedes.aspx>.

¹⁴⁸ USAID, “Truth, Coexistence, and Non-Recurrence Commission Performance Evaluation” (USAID: Bogota, Colombia, 2021), 46.

¹⁴⁹ See USAID “USAID/OTI Colombia Transforma I. Final Report July 2015–September 2019” (Bogota, Colombia: 21 September 2019), 18 ff., available at: https://pdf.usaid.gov/pdf_docs/PA00WP6Q.pdf.

¹⁵⁰ Key Informant Interview, VU Official, 2021.

institutions have conducted Social Dialogue historically means that citizens link it to prior consultation, where the goal is informed consent. Second, it is confusing for participants in Social Dialogue that state (agents) lead and organize the process, when arguably its ultimate goal is to build trust in the state and legitimacy for state institutions. As a UN official puts it:

The Government [is] in a tough position to delimitate their role between being party to, third parties to, or facilitators of the dialogue. They have a great deal of roles and that is confusing when they have to carry out the Dialogue while you are in a position of authority. That creates a sort of contradiction. So, we have started to help institutions to clarify their roles, to modulate it and help them use it from a negotiation perspective, while other organizational levels may use it to build consensus.¹⁵¹

Finally, the restorative logic of TJ and Social Dialogue clashes with the implementation delays and retributive logic at the core of the ordinary justice system. As one VU official puts it:

The Government wrote that they will implement a policy of Social Dialogue and devote attention to social issues, but they have a punitive and hierarchical perspective of society, so then when you get to the PDET, you do Social Dialogue with the best of intentions, but it is hard for people there to get involved in this systemic shift of perceptions when you, at the same time, promote this punitive view of society.¹⁵²

CONCLUSIONS

- While VLR and the 2016 Peace Agreement created great expectations, particularly among victims and ex-combatants, their implementation has been slow. The discourse of enmity against the 2016 Peace Agreement by the Duque Administration is contrary to the growing budget assigned to the SNARIV and the System for Peace. The problem seems to be one of sizeable demand, given the nearly 19 percent of the population registered as victims, and oversupply of funds geared to specific institutions at the central level. Regardless of the cause, these delays risk compounding victims' harms and generating additional bureaucratic harms.
- The main challenges regarding implementation can be traced back to critical assumptions and tensions inherent in TJ and peacebuilding. First, these are related to expected problems facing developing states such as reduced bureaucratic capacity, continued tenuous territorial control by state security forces, and high levels of socioeconomic inequality and poverty. Second, TJ is seen as a contested government project, rather than a long-term state commitment. Third, the repeated transition between different TJ frameworks has not given implementing TJ agencies and ordinary state institutions enough time to adjust, harmonize, and streamline processes. While the majority of victims and ex-combatants remain committed reparations, reintegration and reconciliation processes, they struggle with the gap between promise and reality.
- The main advances regarding implementation can be traced to areas where the state has received international support and have overlaps between TJ and peacebuilding frameworks. The VLR establishes policies and mechanisms that are compatible with the 2016 Peace Agreement. Amongst

¹⁵¹ Key Informant Interview, UN Official, 2021.

¹⁵² Key Informant Interview, VU Official, 2021.

these, collective reparations and the constitutionally protected differential approach have a strong potential of being implemented, because they now have clear definitions and have been applied in practice since the VLR was approved. This has especially been the case when VU or ARN officials working closely with vulnerable populations have received training or have been supported in their access by USAID/Colombia and implementing partners. Problems continue to emerge in practice due to high staff turnover, deficient institutional memories and knowledge management, and high numbers of registered beneficiaries.

- Forward-looking mechanisms intended benefit entire communities engage more diverse actors and have a greater chance of achieving success and sustainable benefits. Dealing with the past, particularly from an acknowledgement and truth-telling perspective, continues to be regarded with suspicion in circles opposed to the 2016 Peace Agreement. This is the case especially with the private sector and ex-combatants, as they fear stigmatization or reputational damage as a result of participation. Engaging these groups in collaborative work, especially productive or infrastructure projects through the methodology of Social Dialogue under Pillar 8, is regarded as less controversial and more transformational.
- Although rights-based approaches to TJ describe participation as having inherent value, positive results are tied to sustained community engagement that is goal-oriented, taking local needs into account, and developing capacities and skills in the long term. The wealth of state driven participation spaces has created a dilemma for victims and ex-combatants: whether to attempt to secure long-term policy impact through sustained participation although results are often remote and uncertain given shifts in local and national government or focus on mid-term individual or community benefits that are more tangible. Different international aid agencies, attempting to address gaps in service provision, care, assistance and reparation by state agencies, have added to this dilemma by offering their own participation spaces to assess needs, develop capacities and skills and promote compliance. When individual and community participants are not thoroughly informed about the goals of meetings, inputs gathered are not used in an active and sustained manner, and participation spaces do not interlock so as to avoid duplication and the imposition of additional burdens on participants, the success of tools like Social Dialogue and Pillar 8 is limited.
- One of the differential approaches that has received late attention and holds the most promise is life course. While the full implementation of all differential approaches is relevant for achieving social transformation under the VLR, life course (and disability)¹⁵³ is key because of its relationship to intergenerational harm and recovery. Considering the length of the (ongoing) conflict and the future-oriented aspects of TJ, and particularly GNR further discussed below, work with youth is now a priority for the System For Peace. Using education, the CEV expects to transform attitudes, behaviors and perceptions grounded in violent and exclusionary social imaginaries and constructs that stigmatize certain individuals and groups and contribute to the persistence of the armed conflict.

¹⁵³ This is how the CEV uses it in Documento Guía del Enfoque de Curso de Vida y Discapacidad, see: <https://comisiondelaverdad.co/actualidad/noticias/episodio-4-enfoque-de-curso-de-vida-y-discapacidad>.

USAID'S CONTRIBUTIONS TO PEACE SUSTAINABILITY

The main contribution of USAID/Colombia and its implementing partners has been the support and accompaniment of the materialization of the TJ and peacebuilding project. Interviewees involved in implementing public policy directed to victims and ex-combatants and dealing with the past more generally report a great number of contributions by USAID/Colombia with respect to operations. Notable initiatives mentioned include the development of accompaniment protocols, the mainstreaming of differential approaches across policies, logistical and territorial access assistance, support in developing the skills of officials and victims, and forming strategic alliances to improve prospects for the success of productive projects. Exhibit 2 shows that interviewees believed the biggest strengths of institutional capacity building concern victim care, particularly support given to reparations programs and processes. For instance, the evaluation of Phase 7 of the VISP-supported Institutional Strengthening Model of Territorial Entities shows that management and administrative capacities, initially rated lowest in the baseline for the four capacities targeted for assistance, improved the most as a result of USAID/Colombia assistance in the 10 municipalities focused on in the phase.¹⁵⁴ As one VU official puts it:



Exhibit 2: Word cloud: Strengths of Institutional Strengthening.

SOURCE: MEL ACTIVITY OWN DESIGN

The return and resettlement plans, the family schemes with specific support given to women have been very good ... almost 50 percent of them have been given to women where they identified their needs and strengthened income generation through return. The special community schemes that we developed with the municipalities, with strategic alliances with the private sector to give stimuli to entrepreneurs, that is where we got help from USAID and its partners so that we can carry out these enterprises, but in alliance with the private sector.¹⁵⁵

¹⁵⁴ See VISP, “Thirty Fifth Quarterly Status Report. January–March 2021” (USAID: Bogota, Colombia 2021), 11, available at: https://pdf.usaid.gov/pdf_docs/PA00XQMP.pdf. This initiative is now in Phase 9, which has shown 70 percent progress with respect to its objectives.

¹⁵⁵ Key Informant Interview, VU Official, 2021.

POSITIVE VIEWS ON EFFORTS MADE BY USAID/COLOMBIA TO SUPPORT (AND INCENTIVIZE) PARTICIPATION, ESPECIALLY OF VICTIMS.

The social and legal mobilization of victims has led to the expansion of provisions for their rights to truth, justice, reparations, and GNR. Since the implementation of the VLR, this has also meant guarantees of participation in decision-making regarding the implementation of policies that affect victims. When interest or capacity to promote participation has been lacking at various levels, USAID/Colombia has stepped in. An implementing partner expresses appreciation as follows:

In the Department of Tolima, we are lagging behind in reparations, we are behind, we are out of luck. There is no will from the departmental government, nor the national government, or the municipal one, so we have no support to respond to victims' basic rights... Your support in the technical aspects has been paramount for the Victims' Tables to function in the South of Tolima.¹⁵⁶

Nevertheless, it is worth highlighting that some interviewees also expressed concern about how support has been delivered, and its consequences. As one implementing partner explains:

I feel that a lot of the time it is not advisable for international aid agencies, not just USAID,... to be implementing these policies because I am not sure how in touch they are with the realities of this country, or reality in general, there are extraordinary implementing partners amongst those you support like Tetra Tech, Chemonics, but sometimes even in ACIDI I feel like there is a disconnect because they are these giants, and I am saying this based on my experience in participating in the calls, I know how calls are put together, it is always a few foreigners in the head office putting together the big call and how they connect that with reality is always difficult, so we, when we got involved, they have always been grateful that we have taken the time to give them a class about context 'hey, this works like this here, and these are the needs of the community.'¹⁵⁷

Technical support in the implementation of VLR, especially in psychosocial and do-no-harm approaches, has been good. The adoption of VLR left the VU in a position to coordinate the rollout of reparations through fast-tracked internal regulations and with staff drawn primarily from poverty and IDP relief efforts. For those now operating the VU, this meant finding a new language, set of skills, and networks to engage with victims and the TJ and ordinary state institutions involved in service and reparations delivery. As one implementing partner representative said:

From the beginning, the role of the program was to organize the VU so that it truly worked. The first two years were really intense because the VU came from Acción Social, it started from nothing ... and the first task was how do you deliver reparations?... A lot of what it is being done today as reparations, the protocols, the methodologies, a lot of the tools, we build all that with them ... because reparations were new, and we had to define how it should be done in practice.¹⁵⁸

¹⁵⁶ Key Informant Interview, Implementing Partner, 2021.

¹⁵⁷ Key Informant Interview, Implementing Partner, 2021.

¹⁵⁸ Ibid.

The implementing partner went on to refer to a great deal of technical skills transfer to VU staff and directly to victims, particularly to psychosocial approaches that they initially brought to the VU and then to:

The work with the Center, the Ministry of Health, and today we are working with it with the UBPD and the CEV, so that strategy is fully operational to support the dignity and the welfare of victims from the moment they enter the System [for Peace].¹⁵⁹

This stresses the importance of support by USAID/Colombia going back to the VLR and its connection to the current implementation of the 2016 Peace Agreement.

Work with organizational strengthening is a process that supports the sustainability of reparations and peacebuilding, especially in the territory. Implementing partners such as CODHES and Smurfit Kappa work with local actors who develop planning, monitoring, and investment skills to improve the individual and organizational ownership of truth-seeking, reparation and reconciliation processes.¹⁶⁰ As one implementing partner puts it:

There are organizations we worked with for six–seven years and we have now ended our close accompaniment ... but that does not mean that they are not part of our key allies in the territory, we connect with them and check in and see how they are from time to time and run into them in different spaces ... and that is how we measure impact, because we believe in generating and leaving behind installed capacities so that if we are not there, things still function ... because those organizations play a key part in all processes.¹⁶¹

These skills developed during the formulation of collective reparations with the VU can bridge over to the 2016 Peace Agreement implementation tools and transfer to the formulation of productive projects under Pillar 8 of the PDET. As one interviewee puts it:

In Cesar and La Guajira they have advanced quite a lot in the planning and execution of productive projects, especially handicrafts and agricultural projects, that have been built and carried out with the communities, because they bring operators from outside, but when the community is trained and meets legal requirements they can be contracted and that is how projects can be made sustainable ... let's play with the logic of the state, let's train our community in the technical part, in the administrative part, in the legal part and let's get that documentation in order ... we came together and one person's experience is useful to another, it strengthens them.¹⁶²

While there is scope for learning from each other, interviewees stress the importance of the territorial aspects insofar as transformative approaches have to respond to contextual conditions (especially relating to poverty and local conflict dynamics).

¹⁵⁹ Ibid.

¹⁶⁰ For concrete contributions made by USAID/ Colombia, See VISP, “Thirty Fifth Quarterly Status Report. January–March 2021” (USAID: Bogota, Colombia 2021), 12–3, available at: https://pdf.usaid.gov/pdf_docs/PA00XQMP.pdf.

¹⁶¹ Key Informant, Implementing Partner, 2021

¹⁶² Key Informant, Civil society expert, 2021.

Buenaventura is that we are looking for a reparation that addresses the rights' violations and the crimes against humanity that goes beyond the ongoing armed conflict and considers the violence as a continuum that dates back to colonization and 500 years back.¹⁶⁵

OUTREACH AND KNOWLEDGE MANAGEMENT REQUIRE FURTHER SUPPORT FROM USAID/COLOMBIA

While technical support has developed innovative methodologies and determined how to apply the differential approaches included in the VLR, implementation problems still arise from insufficient or flawed information flows within and outside of the VU. On the one hand, interviewees report that overly technical language hinders processes, particularly in relation to communication with the beneficiaries. As one civil society interviewee puts it:

“We found that there is an excessive ritualism in relation to the complex legal narratives of the public entities to grant access to justice to ethnic groups and peasants. What we have found in Chocó, and we have written publications about it, there is an excessive gap between what the norms say and their application and this shows in the implementation of public policies in collective reparations and land restitution.... This is where a difference in the quality of state presence originates, there is a deficit in the supply of justice that comes from the poor capacity to respond to these demands.”

On the other hand, the high turnover in staff means that ongoing processes are discontinued, technical abilities and skills developed, and lessons learned are not adequately captured so as to contribute to improvements in delivery and process sustainability. As a civil society interviewee says:

The collective reparation processes we are accompanying are stranded, they have not had an optimal progress in the formulation of the PIRC. One of the reasons is the constant rotation of public officials within these entities, this hinders progress with respect to the processes because the memory of advancements is lost ... those who demand that the state offer them a real and timely response are tired of waiting ... and this has generated a great deal of demotivation with social leaders at the territorial level.¹⁶⁶

Positive experiences of support and strengthening of TJ processes and bodies are poorly tied to the strengthening of ordinary state institutions. Despite the lengthy mandates of the System For Peace entities and the extension of VLR, all TJ processes are supposed to be extraordinary. First, they rely on ordinary state institutions to carry out their obligations. Second, once their mandates end, their findings and work folds back into the normal functioning of the state. To take one example, implementing the National Search Plans of the UBPD requires coordination by TJ and ordinary institutions not only in locating, identifying and returning remains,¹⁶⁷ but may also have implications in the ordinary legal system as well as reduced sentences for those participating in the JEP. VISP support has been instrumental in the development of the National and Regional Search Plans with respect to technical capacities, including the mapping of actors involved and definitional aspects relating to the

¹⁶⁵ Key Informant, Implementing Partner, 2021.

¹⁶⁶ Key Informant, Civil Society, 2021.

¹⁶⁷ See, *Unidad de Búsqueda de Personas Dadas por Desaparecidas*, “Plan Nacional de Búsqueda” (UBPD: Bogota, Colombia 2020), 21, available at: <https://ubpdbusquedadesaparecidos.co/actualidad/conozca-el-plan-nacional-de-busqueda-de-la-ubpd/>.

humanitarian emphasis and differential approaches, and communication and psychosocial support strategies.¹⁶⁸ As a UN official puts it:

The challenge does not only have to do with the System For Peace, but it has to do with ordinary jurisdiction or ordinary authorities, the work that we do is as of yet aligned with the information we receive from the Office of the National Prosecutor, which we have received with great delays from them, there are great challenges that pertain to both the ordinary and the transitional [processes] because the Office of the National Prosecutor has to continue those investigations.¹⁶⁹

This will be of particular importance with respect to coexistence and GNR, discussed further below.

The constant renewal of TJ frameworks by the GoC has, on occasion, shifted attention in USAID/Colombia from functional relationships, established agencies, and working conceptualizations. The CDCS 2020–2025 DO I and IRI/2.1. require USAID/Colombia to assist in improving governance by aligning its interventions with the priorities of GoC.¹⁷⁰ The advent of the 2016 Peace Agreement has reshaped some state agencies and added new processes, sometimes rolled out by entirely new institutions. Some of these processes have certainly benefitted from the support and technical accompaniment of USAID/Colombia at earlier stages of TJ, as discussed above. Nevertheless, interviewees express concern about how critical assumptions with respect to state capacity and TJ as a state project are causing disruptions and rifts in implementation. As a UN official puts it:

From the perspective of public institutions, there is an issue that is perverse, the Adam Syndrome, starting from zero in processes that are not really at zero and not building from existing foundations ... this wears down the communities, it tires out local institutions.¹⁷¹

For USAID/Colombia to achieve sustainability given the current political tensions surrounding the TJ and peacebuilding processes and the unstable institutional environment, it should avoid becoming involved in competition between institutions and processes. As one implementing partner stated:

[The USAID/Colombia] Mission became less relevant for some organizations that were already working with peace and reconciliation [under the VLR] like the Centre for Historic Memory [with the 2016 Peace Agreement], everybody went to the CEV ... which is an important institution, very disorderly ... the most important thing is not to be carried away by trends, just because now the fashionable thing is the Peace Agreement ... we must stop thinking that the Peace Agreement is the end all and be all.” Another adds, “I think we have to connect the conversations that we have been having around systemic, historic human rights violations. Now that we got to the Peace Agreement, we have to talk about reparations as a wager to resolve the issue of historic harms because these are consecutive harms ... so when we got to the PDET, we already had the VLR, so other reparative actions had to coordinate with the PDET ...

¹⁶⁸ See VISP, “Thirty-Fifth Quarterly Status Report. January–March 2021,” (USAID: Bogota, Colombia 2021), 34–5, available at: https://pdf.usaid.gov/pdf_docs/PA00XQMP.pdf. See also <https://ubpdbusquedadesaparecidos.co/actualidad/diez-claves-para-entender-el-plan-nacional-de-busqueda/>

¹⁶⁹ Key Informant, UN Official, 2021

¹⁷⁰ See USAID/ Colombia “CDCS 2020-2025” (USAID/Colombia, 2020), 12.

¹⁷¹ Ibid.

so in that preparation phase we did a great effort,... together with the USAID program and CODHES, for collective reparations so that the PDET have a reparative approach so that we go beyond some actions that have effects in welfare and development ... but we have found that that fell out of the implementation.... We see that everything overlaps, but it is not the most relevant issue for those implementing the projects ... the [differential] approaches are not the most relevant issue for implementation, but rather it is about projects fulfilling the [new] logical framework ... and this can revictimize communities, rather than repair them.... The undue focus on the technical aspects leads to undervaluing the importance of reparations.... With the financial support of the CODHES and USAID program we sought to align the request with what the communities want, but we see [VU] does not want to consult with the community, they do not want their opinions, but that the project fulfills the technical aspects and is approved quickly, because if not then the money is gone and that affects the reparative approaches.¹⁷²

Integrating knowledge from past processes, as well as developing streamlined information management systems so that know-how remains in the agencies despite the high turnover of staff, is key in this sense.

THE PRIVATE SECTOR HAS SHOWN A PREFERENCE FOR FORWARD-LOOKING ACTIVITIES WITH RESPECT TO RECONCILIATION AND PEACEBUILDING

The private sector has shown interest in the CEV-led Dialogues for Non-Repetition, limiting their interaction with backward-looking Social Dialogue activities of victim and responsibility recognition to private conversations (usually at the territorial level through the Houses of Truth).¹⁷³ Furthermore, the private sector has contributed to the support of productive projects with both ex-combatants and victims, as well as to Pillar 8 activities with local authorities. As this consultant explains:

“Methodologically [we are still working out] how to approach reconciliation in a context where the implementation of the Peace Agreement is yet another reason for polarization and antagonism ... so for the business sector that is not a tolerable level and [that polarization] breeds its own opposition ... so then we must find something workable that is not called reconciliation or polarization but it still targets the same factors ... we have to find agendas that bring together the sections of society that do not resonate with the Peace Agreement.¹⁷⁴

The interest in peacebuilding by the private sector comes from a practical concern, as this expert explains:

“95 percent of entrepreneurs think about profit and now they realized that political instability affects them directly, including in terms of the country credit rating,... now they are considering how the DDR program presents a particular tax incentive to work with ex-combatants, Coca-Cola did it, a lot of companies did it, and then they pay less tax, but that is for work with ex-combatants, not victims.”

¹⁷² Key Informant, Implementing Partner, 2021

¹⁷³ USAID, “Truth, Coexistence, and Non-Recurrence Commission Performance Evaluation” (USAID: Bogota, Colombia, 2021), 45-6.

¹⁷⁴ Key Informant, Consultant, 2021

Nevertheless, these incentives were only the first step. As one UN official puts it:

“It is still about working on the imaginaries [because] the private sector has an active and passive role in the conflict ... and that needs transforming by becoming more involved in these processes. The business sector is one of the frontlines of the processes where there are ex-combatants in reincorporation processes ... but much less so than other actors in the regions.”

Positive experiences of work with the private sector, as one consultant puts it, start with:

Recognizing that ... it is a very different and diverse [set of actors] where you have all sorts, from big business and the small merchant ... when you put out the call for the private sector [in the PDET] ... nobody will come because none of those people who move the economy there [everyday] feels they are an entrepreneur, now even amongst those who believe they are entrepreneurs you find a diversity of positions, agendas, and relationships with the conflict that are complex.¹⁷⁵

Community incorporation of ex-combatants delivers important outcomes for a variety of actors involved. The ETCRs (formerly *Zonas Veredales Transitorias de Normalización*) were intended to be transitory, and primarily for the verification of disarmament. Given prevailing concerns about the security of ex-combatants and the collective productive projects developed in the ETCRs, 24 of them are likely to become permanent components of the territorial organization of Colombia. Initiatives that flow from ex-combatants to the surrounding communities, regardless of whether they continue to live in the ETCRs, such as contributions to truth-seeking and locating victims of forced disappearance, demining, or infrastructure projects, promote increased tolerance because, as an implementing partner puts it:

They break the myth that we are doing the ex-combatants a favor and there is no benefit for us as a community.” UN officials refer to the Encuesta de Percepción Ciudadana sobre el Plan Nacional de Desarrollo where, “You can see that, in those places where there is more concentration of population involved in reincorporation processes or that have ETCRs close by, the level of acceptance was higher than in other places because closeness, contact, it humanizes them ... then how do you generate that empathy became one of our wagers in many projects, strengthening that empathy that can be built amongst people, not only between those related, but those with no link to these people that are involved in these processes, regardless of whether they are victims, ex-combatants, or people living in PDET.” Furthermore, as a ARN official puts it, “Community reincorporation has to do with strengthening support networks and organizational processes; that is the main pathway to reconstituting and reconstructing the social fabric ... both for the ex-members of FARC as well as for the community; making them stakeholders, I mean the communities, make them beneficiaries of the reincorporation, because it is that way that we can generate trust, we rebuild those social relationships by putting the community and ex-FARC to work together.¹⁷⁶

¹⁷⁵ Key Informant, Consultant, 2021

¹⁷⁶ Key Informant, Implementing Partner, 2021.

CONCLUSIONS

- TJ and peacebuilding agencies greatly appreciate technical assistance for differential and psychosocial approaches. Given their protected constitutional status, these approaches now permeate all peacebuilding and reparation work, including Social Dialogue and the operations of the System for Peace. Defining and materializing protocols since the VU was established has contributed an element of sustainability and effectively linked the VLR and the 2016 Peace Agreement.
- Stakeholders appreciate the assistance leading to the practical materialization of TJ and peacebuilding policies across the national territory. The alliance of USAID/Colombia with local authorities, social leaders, and local organizations, particularly through its on-the-ground implementing partners, has allowed for sustained relationships to develop. These became the framework that supported the materialization of policy in remote regions and the transference of skills and capacities.
- Processes initiated by USAID/Colombia have suffered as a consequence of the GoC's rapid shift in policies, revamping of work methodologies, and prioritization of geographical and group emphases. The adjustment of TJ frameworks by the GoC, the changeover in elected officials, even at the local level, and poor practices with respect to knowledge management affect sustainability. There is a risk that trying to do too much, especially when it is all new, can lead to doing nothing at all. USAID/Colombia must continue to support the development of streamlined information management systems and transferable skills and capacities with respect to institutions and implementing partners so that know-how and best practices are captured and sustained long-term.
- Inclusion of new actors is successful when it considers their needs strategically to develop new activities and take advantage of ongoing activities. Lessons learned from community incorporation of ex-combatants and engagement with the private sector suggest these actors worry about reputation and stigmatization. Implementing partners used previously developed frameworks and relationships to strategically include ex-combatants and the private sector in activities these actors themselves consider beneficial. Further, just as no conflict actor is monolithic, no post-conflict agent of change is uniform across time and space. Among the forward-looking TJ measures, productive projects suit both ex-combatants and the private sector.

USAID WORK IN STRENGTHENING COORDINATION IN PUBLIC POLICIES

GNR have a double role in TJ. They respond to violations suffered by direct and indirect victims in the past and benefit the entire community in the future. GNR act as a bridge between the past, present, and future. Existing conceptualizations place responsibility on *all* the actors involved in the conflict to attack the conditions of persistence of violence consistent with the critical assumptions of TJ.¹⁷⁷ Actors involved in peace negotiations still have some leeway with regard to decision-making under international humanitarian law and international human rights law, but the space for creativity and non-binding action with regard to GNR is diminishing fast as golden standards are

¹⁷⁷ For a full review, see Alexander Mayer-Rieckh, "Guarantees of Non-Recurrence: An Approximation," *Human Rights Quarterly* 39, no. 2 (2017): 416–48, <https://doi.org/10.1353/hrq.2017.0024>; Brianne McGonigle Leyh, "A New Frame? Transforming Policing through Guarantees of Non-Repetition," *Policing: A Journal of Policy and Practice* 15, no. 1 (2021): 362–72, <https://doi.org/10.1093/police/paaa035>; Maja Davidovic, "The Law of 'Never Again': Transitional Justice and the Transformation of the Norm of Non-Recurrence," *International Journal of Transitional Justice*, no. 2 (2021), <https://doi.org/10.1093/ijtj/ijab011>.

increasingly being defined with more normative force.¹⁷⁸ An area of concern for interviewees is that, despite the expansive GNR provisions of the 2016 Peace Agreement, security sector reform is only superficially touched upon.¹⁷⁹ As a consultant explains:

We are living through deadly violence again... We feel that the support of the security forces in the territory is not that of working with the communities, to generate trust in the community, but on the contrary, they are repeating the false positives, and we saw it last week in [name of community] where they did not use proportionality for their objective, but in going after the [name of non-state armed group] they shot at a structure that was the house of a peasant family ... resulting in the death of an elderly man and a minor in that cross fire.¹⁸⁰

EXISTING TJ AND PEACEBUILDING MEASURES ARE NOT USED TO THEIR FULL CAPACITY

From the design stage, Pillar 8 of the PDET sought to offer a comprehensive framework for the various institutional (ordinary and TJ) and civil society actors to work in synergy with a territorial approach. Besides the problems relating to the critical assumptions and internal tensions of TJ, issues remain with respect to conceptual and strategic clarity and prioritization of activities within the framework of the 2016 Peace Agreement. Although, as a Territory Renewal Agency (*Agencia de Renovación del Territorio*, ART) official puts it, “Pillar 8 is the backbone of the PDET,” that can group a wealth of activities that speak to GNR, coexistence, and reparations, poor coordination with the other pillars and outstanding issues relating to land-titling, property rights and environmental problems, hinder maximizing its potential. Moreover, an implementing partner explains that:

Pillar 8 and Reconciliation is ... as they say in my country, rice mixed with mango, a mix of many things without strategic clarity about outcomes. So, Pillar 8 includes recreational activities, important human rights, reconciliation in some cases, cultural activities... We are working on identifying elements and human rights projects that can support the implementation of the Peace Agreement, but we are running up against the problem that Pillar 8 is not a pillar that has a strategic direction.¹⁸¹

There is scope here for allowing local actors to determine what their actionable needs are under Pillar 8 through Social Dialogue and supporting them in helping these come to fruition by strengthening coordination with authorities at the national level.

Existing TJ and peacebuilding mechanisms are not used to their full capacity. The System for Peace sought to offer a coordinated framework that engages institutions, TJ and ordinary, and civil society actors in dialogue and takes advantage of local initiatives for peacebuilding by rolling out a territorial structure from the capital. Some state actors adopted their own measures to deal with the past.¹⁸²

¹⁷⁸ See, for instance, Pablo de Greiff, “Report of the Special Rapporteur on the Promotion of Truth, Justice, Reparation and Guarantees of Non-Recurrence. Promotion of Truth, Justice, Reparation and Guarantees of Non-Recurrence,” December 10, 2017, available at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N17/322/51/PDF/N1732251.pdf?OpenElement>.

¹⁷⁹ See also, Rafael Grasa, “Construir paz en Colombia: reforma del sector de seguridad y violencia directa no política,” *Revista CIDOB d’Afers Internacionals*, 121 (2018): 157-178, doi.org/10.24241/rcai.2019.121.1.157.

¹⁸⁰ Key Informant, Consultant, 2021

¹⁸¹ Key Informant, Implementing Partner, 2021

¹⁸² This perspective has been implemented most notably the Armed Forces of Colombia. See: <https://www.cgfm.mil.co/es/memoria-historica-y-contexto>.

Concerns remain about the capacity of the System for Peace and the SNARIV to deliver a comprehensive approach to reconciliation. For instance, a victim involved in a focus group explains:

We, as communities and leaders,... we can see how the security forces are hiding the truth, we have not seen an engagement of the security forces in the reconstruction of the social fabric, they take part in all sorts of social activities, but we are yet to see a general acknowledgment and the [people living in the] territory demand that they apologize, and when that reparation and trust in them exists, then we can talk about reconstruction and justice, but until that happens, justice will only be done [to] the communities but not to the security forces and other actors that engage in revictimization through different policies that revictimize, we cannot do much ... when you talk to the communities you can see a progression of our young people towards conflict again, and then you can say that we are not doing things right.¹⁸³

The problem of specific actors' meager contributions to TJ and peacebuilding is overlaid on that of territorial disparities. As one expert explains:

We have to replace this top-down vision with a bottom-up one, where people have the opportunity to tell about their trauma and experience, and also contribute to the solution. We still have a very centralist vision of how this works, including in TJ, a very normative vision that says we need more laws, rather than actions ... acknowledgement is related to socioeconomic policies ... but also with the mechanisms that allow us to listen [to] voices from below, so that they feel acknowledged, we are not doing that well enough yet.¹⁸⁴

The end of the mandate of the CEV is a strategic moment for USAID/ Colombia in the short term. As the first body of the System for Peace to come to the end of its mandate in 2022,¹⁸⁵ the CEV is in a strategic position to prompt renewed attention to the implementation of the 2016 Peace Agreement. The legacy of the CEV comprises its Final Report (also presented through several types of communications media), a narrative that explains the causes of the conflict, and its recommendations for GNR. A Follow-up Committee is expected to monitor the implementation of the latter and assist in the social appropriation of the Final Report and narrative of causes through the use of Social Dialogue methodologies. As a CEV commissioner puts it:

The Report and the recommendations have to address society in general ... because it is not just the state or the GoC that will have to assume responsibility for the recommendations ... so what we have been doing with Social Dialogue is to put all of that in the public agenda [because] social mobilization is, at its core, about building a community with a shared sense about the road forward so that we decide on making the cultural, economic, political, institutional changes necessary.¹⁸⁶

¹⁸³ Key Informant, Victim Representative, Implementing Partner Focus Group, 2021.

¹⁸⁴ Key Informant, Expert, 2021

¹⁸⁵ The CEV mandate was recently extended by the Constitutional Court. Comunicado 37/1 October 2021 specifies that the CEV has until to June 27, 2022 to deliver its report, followed by a two-month period for its "social appropriation ending its activities on August 27, 2022."

¹⁸⁶ Key Informant, CEV Commissioner, 2021

The sustainability of the legacy of the CEV is also reliant on a Network of Allies.¹⁸⁷ Territorial aspects relating to the legacy of the CEV will be particularly important for USAID/Colombia to support because, as an implementing partner noted:

The idea is to give the Final Report that legitimacy from the local communities, because these truth clarification reports usually have detractors or there are communities that do not see themselves represented.... the international community has to accompany the Colombian state ... regardless of the government so that those recommendations are tailored to the specificities of the regions.¹⁸⁸

Decisions need to be made in the short term about the archive of the CEV and the relationship between its products,¹⁸⁹ the other institutions of the System for Peace, the Museum of Memory, and educational curricula. Another partner added that:

Besides the narrative of the CEV, we are looking forward to those recommendations about GNR, that they be structural recommendations that bring about strong transformations, but they are just recommendations ... so it is important that the Follow-Up Committee is supported in that task, as well as [to] include the monitoring of the implementation of those recommendations amongst your strategies of accompaniment, or support civil society organizations that promote the implementation of these recommendations.¹⁹⁰

The diffusion and social appropriation of the Final Report of the CEV provides an opportunity to promote coordination between transitional and ordinary institutions and within the System for Peace.¹⁹¹ Sustaining the legacy of the CEV goes beyond the Follow-Up Committee and the Network of Allies. First, given the importance of education for peacebuilding,¹⁹² contemplating strategies to support the integration of the Final Report in educational curricula should be key for USAID/Colombia. This is particularly important given notable disparities in human and technical resources throughout the territory. One CEV official explained that:

You know that the digital aspects are not a reality in many territories around the country ... so I always thought that the transmedia [displaying a story through different media platforms] will have to have analogue versions, versions that can be circulated on pen drives, or other mediums; I think that dissemination effort, so that it can be more efficient, they told us in some regions 'why don't we turn those CDs into music or pen drives,' you know that everybody in villages and communities has their pen drive with their music with them, so instead of that music

¹⁸⁷ See USAID, Truth, Coexistence, and Non-Recurrence Commission Performance Evaluation (USAID: Bogota, Colombia 2021), available at: https://pdf.usaid.gov/pdf_docs/PA00XM1T.pdf.

¹⁸⁸ Key Informant, Implementing Partner, 2021

¹⁸⁹ See, generally, Louis Bickford, "Human Rights Archives and Research on Historical Memory: Argentina, Chile, and Uruguay," *Latin American Research Review* 35 (2) (2000): 160–82; Anita Ferrara, "Archives and Transitional Justice in Chile: A Crucial Relationship," *Human Rights Review* 22 (3) (2021): 253–78, <https://doi.org/10.1007/s12142-021-00626-0>.

¹⁹⁰ Key Informant, Implementing Partner, 2021

¹⁹¹ See USAID, Truth, Coexistence, and Non-Recurrence Commission Performance Evaluation, 27 (USAID: Bogota, Colombia 2021), available at: https://pdf.usaid.gov/pdf_docs/PA00XM1T.pdf

¹⁹² See Ana María Rodino, "Teaching about the Recent Past and Citizenship Education during Democratic Transitions," in *Transitional Justice and Education: Learning Peace*, ed. Clara Ramírez-Barat and Roger Duthie, Advancing Transitional Justice (New York: International Center for Transitional Justice and the Social Science Research Council, 2017), 27–74, <https://www.ssrc.org/publications/view/A92FAE86-F19A-E611-80C2-005056AB0BD9/>.

it could be a recording of the Report and its findings, the CEV will hedge its bets with all these different options, but this is the starting point for appropriation and dissemination.¹⁹³

Second, taking stock of the importance of the archives of the CEV for the Search Plans of the UBP, the potential of the Final Report as context analysis for the cases before the JEP, and the potential of the CEV recommendations to impact policies that impact reparations and reintegration,¹⁹⁴ supporting strategies for coordination is paramount. For instance, recommendations dealing with educational reform aimed at improving access for victims,¹⁹⁵ boosting education for rural areas,¹⁹⁶ as well as strengthening the National Plan for Human Rights Education,¹⁹⁷ would bridge the divide between backward-looking and forward-looking TJ policies.¹⁹⁸

Notions of the public, particularly public spaces, are insufficiently explored as a means of sustainability of reconciliation actions and coordination between actors. The concept of public goods, including public spaces, implies unrestricted access and an equal entitlement to use and enjoyment by all social actors, be they individuals or groups,¹⁹⁹ regardless of their role during the armed conflict. Concerns about public safety and security, including petty crime, have had negative effects on inter-personal trust and have bred isolation and withdrawal from public spaces. Building a shared notion of the public and recovering public spaces for unrestricted participation and everyday exchanges between different social actors is an important driver for TJ and particularly GNR. Actors who find terms such as reconciliation polarizing or vague tend to be more accepting of everyday peacebuilding initiatives with clear, tangible outcomes that improve community life and welfare. As a consultant puts it:

When you take over the public space for an activity, like we did in San Antonio, you realize that the public space is a permanent feature of reconciliation, because otherwise you are stuck in a process of social fragmentation, in society and in the public institutions, because for each person there is an institution ... if you are a victim you have the Victims Unit, if you have a problem with public safety you go to the Secretary and ... this problem goes beyond coordination ... under this logic of individualism, the everyday and the connection with institutions, it is difficult to generate reconciliation because there is no collective conscience ... recovering the public space is an achievement of the society that we have lost in the conflict, now to go to any community you have to ask for 70 permits and even so they might kill you and you cannot collect your data.²⁰⁰

¹⁹³ Key Informant, CEV Official, 2021

¹⁹⁴ Skaar, Elin, “The Implementation Record of Truth Commissions’ Recommendations in Latin America,” In “The Global Impact and Legacy of Truth Commissions,” edited by Jeremy Sarkin (Antwerp: Intersentia 2019):119–42, <https://doi.org/10.1017/9781780687957.005>.

¹⁹⁵ Access to education is viewed as a form of reparation under article 51 of the VLR.

¹⁹⁶ Specified by 1.3.2.2. of the 2016 Peace Agreement.

¹⁹⁷ Specified by 5.2.1 of the 2016 Peace Agreement.

¹⁹⁸ Human rights education directed at the security sector and education for political participation and civic citizenship for schools can all be regarded as GNR, as well as reparations. See Cristán Correa, “Education for Overcoming Massive Human Rights Violations,” in “*Transitional Justice and Education. Learning Peace*,” ed. Clara Ramírez-Barat and Roger Duthie, *Advancing Transitional Justice* (New York: International Center for Transitional Justice and the Social Science Research Council, 2017), 131–76, <https://www.ssrc.org/publications/view/A92FAE86-F19A-E611-80C2-005056AB0BD9/>.

¹⁹⁹ Richard Sendi and Barbara Goličnik Marušić, “Neighborhood Design. Public Spaces”. In. Susan Smith (ed.) *International Encyclopedia of Housing and Home*. (Elsevier Science 2012), <https://10.1016/B978-0-08-047163-1.00541-5>

²⁰⁰ Key Informant, Civil Society Consultant, 2021

Social Dialogues can, in this sense, be considered a methodological development that allows for the recognition of victims as well as reworking social imaginaries²⁰¹ to overcome the marginalization of groups commonly excluded from peacebuilding initiatives. The recovery of public spaces can also be coupled with art and pedagogical projects because, as an expert puts it:

Survivors of gross human rights violations [have] told their stories in different ways. Sometimes you can't find the words for the horror that somebody has experienced. And it's sometimes easier to put that in color or picture or mold it in clay or express that in some other way as a starting point to open up the layers of trauma.²⁰²

Art, like Social Dialogue, she adds:

is a sort of way of seeing other time what happens to people ... the problems of victims don't go away in time, they actually get more compounded, especially if there's physical torture and scarring ... society needs to understand, it needs to be sensitized to these stories.... And fact sheets don't do it. It's listening to people that does it. Seeing how the layers of trauma in the conflict that they've experienced, how it manifests in their lives and in the next generation. And then society can say, 'well, actually we have to pay attention, otherwise this is just going to go on and on and on.' So, I think that helps with the sensitization, if you bring the human element into the public eye and you have public discourse and engagements between survivors... rather than victim survivors and the community, you are building those bridges.²⁰³

The use of creative and innovative tools and activities expands the space for GNR and peacebuilding. There is a concern among interviewees, particularly from civil society and implementing partners, about expanding and deepening opportunities for reconciliation and peacebuilding. Several implementing partners, such as Smurfit Kappa and CODHES, and civil society organizations such as the *Centro de Investigación y Educación Popular* (CINEP, Popular Education and Investigation Center), are involved in developing strategies to support the (re)construction of an active and informed citizenship, especially with a view toward the younger generations and providing capabilities for true participation in coexistence and GNR initiatives. These build on coordination outside of the System for Peace and SNARIV with ordinary institutions and elected (local) authorities and aim to promote resilience with lasting effects for those involved. As one implementing partner puts it:

All the processes are community processes ... I think that, in rural communities, there is a strong will that nobody else goes through the same thing and there is a greater openness in many cases ... of guarantees of non-repetition, and I insist in the issue of territorial planning and including all the members of a community in the process [because] that gives way to many conversations [where] you leave behind your individual interest and think about the collective ... it is about having a deeper network that sustains these projects and shields them a bit from the armed [groups] so, especially in relation to the educational aspects, involving the family is key, it becomes key that we teach the young people to invest their time in recreational, cultural, and sporting activities because then you close the space for crime to draw you in ... we look for

²⁰¹ Social imaginary is a term adopted from philosophy to refer to the social norms, values, symbols, institutions that are shared in a group and are part of the way societies understand themselves.

²⁰² Key Informant, Expert, 2021

²⁰³ Ibid.

additional networks of support that may shield these young people from violence and generate other spaces for reconciliation.²⁰⁴

The focus on young people is necessary because, as an expert explains:

There are cycles in how victims think about what happened to them; we know that from other countries where the first post-war generation does not want to talk about this, they deny things, they find the topic offensive and it is actually their sons and their grandsons who start to recover this. That may happen to us, that the children of this very polarized generation that said, 'Let's not talk about this anymore and let's look forward' will start to scratch the surface again ... time matters.²⁰⁵

The emphasis of different state agencies and USAID/Colombia programs on identities understood as mutually exclusive in the context of limited resources contributes to deepening competition between groups that otherwise share needs and harms. When dealing with the causes and effects of armed conflict, specialized TJ literature and peacebuilding explains that impoverished and marginalized individuals and groups are particularly vulnerable to harms.²⁰⁶ Joining an armed group as a combatant or becoming a victim of an armed state or non-state actor is more often than not the result of an accident, rather than an outcome that can be tied to essentializing identity characteristics like ethnic or religious group.²⁰⁷ Despite the fact that ex-combatants, victims and other socio-economically marginalized individuals and group share needs and harms, resource scarcity has pushed them into a competition to access public services and TJ and social policy benefits that breed new social conflicts. Where the VLR addressed this resource shortage by prioritizing reparations for constitutionally protected groups and individuals, the 2016 Peace Agreement added the geographical criteria of the PDET. Since the implementation of Law 387/1997, victims,²⁰⁸ ex-combatants,²⁰⁹ and the private sector have been in a constant process of transition to redefine their identities and roles to access benefits and participate in programs promoted by international aid organizations and the GoC.²¹⁰ PAR is lauded by an implementing partner because:

It was not framed in that radical logic of prioritization ... and focalized action, because there are issues that are crosscutting, that are fluid and do not subscribe to a geographic division of the country ... where we need new agreements." A consultant puts it like this: "There are other municipalities and other regions that are not PDET and that are crying out for these types of

²⁰⁴ Key Informant, Implementing Partner, 2021

²⁰⁵ Key Informant, Expert, 2021

²⁰⁶ See Hoddy, Eric T., and Paul Gready. "From Agency to Root Causes: Addressing Structural Barriers to Transformative Justice in Transitional and Post-Conflict Settings." *Contemporary Social Science* 15, no. 5 (2020): 561–76. <https://doi.org/10.1080/21582041.2020.1812706>; Marks, Susan. "Human Rights and Root Causes." *The Modern Law Review* 74, no. 1 (2011): 57–78. <https://doi.org/10.1111/j.1468-2230.2010.00836.x>; Prieto, Juan Diego. "Together after War While the War Goes On: Victims, Ex-Combatants and Communities in Three Colombian Cities." *International Journal of Transitional Justice* 6, no. 3 (2012): 525–46. <https://doi.org/10.1093/ijtj/ijts022>

²⁰⁷ Juan Diego Prieto. *Guerras, paces y vidas entrelazadas: coexistencia y relaciones locales entre víctimas, excombatientes y comunidades en Colombia*, 95 (Bogotá: Universidad de los Andes, 2012).

²⁰⁸ See Roosbelinda Cárdenas, "'Thanks to My Forced Displacement': Blackness and the Politics of Colombia's War Victims," *Latin American and Caribbean Ethnic Studies* 13, no. 1 (2018): 72–93, <https://doi.org/10.1080/17442222.2018.1416893>.

²⁰⁹ Erin McFee, "The Double Bind of 'Playing Double': Passing and Identity among Ex-Combatants in Colombia," *Peace and Conflict: Journal of Peace Psychology* 22, no. 1 (2016): 52–59, <https://doi.org/10.1037/pac000146>.

²¹⁰ Angelika Rettberg, "Administrando la adversidad: respuestas empresariales al conflicto Colombiano," *Colombia Internacional* 55 (2002): 37–57, <https://doi.org/10.7440/colombiaint55.2002.02>.

reconciliation processes because they have been abandoned since they are not PDET. That is what is happening with the communities of the Cauca region. When you go there, they say that everything goes to the indigenous communities, the peasants say that we are peasants and nothing reaches us, so that causes a shattering of relations that is really a time bomb, and we are part of causing them harm ... it is important to look for a balance because if we do not do that now we will have to engage in processes between PDET municipalities and non-PDET municipalities later.²¹¹

The focus on PDET municipalities has further segmented public policy with respect to victims and reconciliation. The GoC's focus on PDET municipalities aimed to fast-track access to those most in need because of the high concentration of victims in these areas. Nevertheless, there is a risk that this will add barriers to reconciliation and potentially breed new conflicts because, as one ARN official advises "The geography of reconciliation is far more extensive than the 170 PDET municipalities." An implementing partner staff interviewed noted that USAID/Colombia has been a "good ambassador for reconciliation" so far and advocates against following the logic of the 2016 Peace Agreement to limit work to specific groups and geographies. As he puts it:

Prioritizing regions has never worked for USAID in the 20 years I have been working with you, and they always change the geographical focus and there is no empiric evidence that that works.... Actually, that phenomenon can mean the deterioration of social organizations because you come to a place where there is an oversupply and these organizations end up focusing all their operations on USAID ... and they do not outlast the exit completion of USAID." A consultant adds that it is important to "generate ties between those municipalities and other territories, departmental capitals, intermediate cities ... [otherwise] it will be very difficult for those dynamics that you generate in the PDET to be sustainable [especially] if you do not include other actors, other levels, other platforms, and different complementary territories."²¹²

The high number of standardized Social Dialogue initiatives and agendas has led to exhaustion among participants and attrition among institutions and authorities. Social Dialogue refers both to a number of tools or methodologies to resolve everyday conflicts and to a specific space of community dialogue facilitated by state institutions and international aid agencies with their respective implementing partners. When these practices are not part of a wider process of sustained interaction with clear goals sensitive to local culture, they can be regarded with skepticism by beneficiaries and participants. The capacity for and interest in dialogue varies across the national territory, where certain groups have lengthy experiences of their own use of dialogue for conflict resolution outside standardized institutional practices. As one UN official puts it:

Dialogue is not the exception but the rule for the Wayuu. The communities have lived through restorative processes all this time because there is no Penal Code, so that every time when something happens that disharmonizes us, we do not think about how to punish ... the first

²¹¹ Key Informant, Implementing Partner, 2021

²¹² Key Informant, Implementing Partner, 2021

thing that the palabrero tells us is that we must talk so that does not happen again, you can talk about everything.²¹³

Coordination initiatives stand to gain from avoiding standardized tools, and focusing on strengthening existing abilities and ongoing processes, such as those referred to by this UN official. Centering on a small number of processes and aligning them with the goals of specific agencies and operations, is the best use of participants' resources and capacities. As one consultant puts it:

I would avoid framing this policy as: there is an entity that does this thing and now we all have to do it. Rather, we should consider how to support those who are interested in that, have the time, so that they may take the lead and facilitate those spaces ... the idea is to boost those initiatives so that others take charge, and we ease the load off City Hall and Governors.²¹⁴

When monitoring and evaluation actions surrounding Social Dialogue are strengthened, it can be a powerful tool to collect information relevant for reconciliation and peacebuilding. Social Dialogue offers space for “bottom-up” proposals on reconciliation to emerge, as well as an avenue to discuss the possibilities for implementation of “top-down” peacebuilding measures. The District Observatory on Conflicts, Social Dialogue, and Governability (Observatorio Distrital de Conflictividades, Diálogo Social y Gobernabilidad), based in Bogota,²¹⁵ showcases how Social Dialogue may be turned into a monitoring opportunity where information can be gathered and analyzed on how conflicts arise, and decisions can be taken to manage them. As one UN official explains:

Nationally, we hear about all sorts of dialogues, about the mining sector, the hydrocarbon sector, agriculture, with the Office of the Secretary of Government in Bogota ... a plus has been that perspective that ‘hey, we need to have nodes, or points, look for those conversations, for the real spaces of participation so that we can have a wide opportunity to build up from what is happening with the territory or locally’ ... that allows us to collect information, systematize it, analyze it, it helps to have a fast, contingent, and assertive decision-making process that is in agreement with what is happening in that space.²¹⁶

CONCLUSIONS

- GNR measures are primarily forward-looking TJ and peacebuilding measures that are still underdeveloped and underused. GNR measures hold a lot of promise and represent the bridge between the past and the future. They have been linked to attacking causes for the persistence of violence, particularly by means of legal reform and individual and social changes in attitudes and behaviors. The absence of expected GNR measures from the 2016 Peace Agreement can be compensated for through the use of existing mechanisms and measures.

²¹³ Key Informant, UN Official, 2021

²¹⁴ Key Informant, Civil Society Consultant, 2021

²¹⁵ This is a mechanism that monitors and follows up on Social Dialogue, conflict, and mobilization phenomena. For more information, see: http://www.gobiernobogota.gov.co/sites/gobiernobogota.gov.co/files/documentos/tabla_archivos/20-09-15_informe_entrevista_actores_iniciativas_ciudadanas.pdf.

²¹⁶ Key Informant, UN Official, 2021

- The end of the CEV mandate is a strategic moment for the Colombian TJ and peacebuilding project. The CEV is now in a position to develop its legacy and create an opportunity for civil society to step in and appropriate its lessons. Coordination with the System for Peace and ordinary state institutions with respect to monitoring the CEV recommendations, education initiatives, and the preservation and access of the archives of the CEV can be an important task for USAID/Colombia and its implementing partners.
- The segmentation of policies by group identification and geography holds risks for the development of inclusion initiatives and future social conflict. Prioritization principles in the context of limited resources can force competition between institutions and individuals hoping to access services and assistance, care and other remedies for conflict-related harms. The application of a corporatist logic by the Colombian state can have detrimental effects for sustainable peacebuilding insofar as old conflicts are resolved to the disfavor of new conflicts. Support in coordinating spaces, methodologies, and processes that bridge beyond fragmented identities may contribute to limiting conflicts of interest and dissuading feelings of state abandonment. It is particularly important to identify and promote opportunities for those who were opposed to the 2016 Peace Agreement to meet those who benefitted from its approval.
- Social Dialogue requires adaptation to context and participant demand. Social Dialogue is a powerful collection of tools for conflict resolution and an opportunity to develop initiatives that may benefit the community beyond immediate participants. Lessons learned indicate that Social Dialogue can also be used as a monitoring tool for emerging community conflicts. Nevertheless, the role of state institutions involved in Social Dialogue has been muddled at times due to lack of trust and methodological confusion. This presents a double opportunity for USAID/Colombia and implementing partners.
- Promoting coordination requires capitalizing on ongoing processes and methodologies and innovative and strategic thinking about new groups, mediums and vocabulary for engagement. The promise of TJ and peacebuilding is perceived as utopian and normatively removed from the everyday concerns of those engaged. Interviewees are particularly critical of processes delivered from the capital in overly legalistic or technocratic language. Coordination means streamlining ongoing processes and thinking creatively about how to reduce polarization and increase interest by engaging new actors, spaces, and vocabulary. Interviewees highlight that work with youth, public spaces, and Pillar 8 of the PDET, especially productive projects and Social Dialogue, hold a great deal of forward-looking potential.

RECOMMENDATIONS

RECOMMENDATION 1: USAID/COLOMBIA SHOULD CONSIDER MODESTY THE GUIDING PRINCIPLE THROUGHOUT THE DIFFERENT STAGES OF DEVELOPING AND IMPLEMENTING THIS PROGRAM.

The USAID CDCS 2020–2025 strategy requires that programming achieve long-term and sustainable results. Interviewees stress the need to avoid overcommitment of resources; ignoring context, specifically community and beneficiary voices; acting in lieu of the state; and contributing to the oversupply of participation spaces as well as generating undue labor for organizations, institutions, and local authorities. The role of USAID/ Colombia should be understood strictly as one of facilitator of the different interest groups and actors operating in the space of TJ and peacebuilding. On the one hand, this means that USAID/ Colombia should support and strengthen civil society actors at the grass roots to develop their skills and capabilities for effective participation and citizenship. On the other hand, USAID/ Colombia should help strengthen state capacity and the mobilization of public resources to accelerate the materialization of TJ and peacebuilding through both TJ and ordinary institutions.

RECOMMENDATION 2: IN THE SHORT TERM, USAID/COLOMBIA SHOULD FOCUS ON RESTARTING STAGNANT PROCESSES AND INITIATIVES AND SUPPORTING THE SOCIAL APPROPRIATION OF THE MECHANISMS AND RESULTS THE 2016 PEACE AGREEMENT AND VLR.

The different TJ and peacebuilding frameworks operating in Colombia since 2005 have generated a number of processes that operate in different spheres with different expectations of results and schedules. On the one hand, some initiatives have been slow to deliver the expected outcomes and entrenched exclusion. On the other hand, some institutions provide results that risk being insufficiently absorbed by society, leading to further questioning of the legitimacy of the TJ and peacebuilding frameworks. First, USAID/Colombia should boost processes that have become stagnant, particularly those relating to PDET Pillar 8 and PIRC. Second, USAID/Colombia should consider furthering support for outreach activities; civil society participation, including that of newer actors such as the private sector; and the coordination between TJ and ordinary institutions. The end of the mandate of the CEV will be one window of opportunity in all these respects, but not the only one. USAID/Colombia could participate in the development of context-sensitive pedagogic tools and the implementation of existing methodologies such as Social Dialogue to contribute to the social appropriation of the legacy of the CEV.

RECOMMENDATION 3: THROUGHOUT ITS PROGRAMMING, USAID/COLOMBIA SHOULD STRENGTHEN THE CAPABILITIES AND TRANSFERABLE SKILLS OF IMPLEMENTING PARTNERS, INSTITUTIONS AND LOCAL AUTHORITIES AND CIVIL SOCIETY ORGANIZATIONS TO ADVANCE PARTICIPATION, COORDINATION AND MONITORING AND EVALUATION.

The USAID CDCS 2020–2025 strategy focus on sustainability requires those designing programming to consider the ways in which know-how may be built up over time by the actors involved in the delivery of TJ and peacebuilding. First, USAID/Colombia should focus on supporting spaces for implementing partners, institutions, and local authorities and civil society organizations to jointly reflect, share

experiences, and coordinate their practices and objectives. Second, USAID/Colombia should work on supporting the improvement of organizational and institutional technical capabilities with respect to participation, monitoring and evaluation, and traceability of processes so that actors can learn organically from past experiences and practice. Actors USAID/Colombia supports, including local- and national-level authorities, should be able to demonstrate either a good level of coordination and technical skills, or plans and strategies for how to improve them to achieve positive results for beneficiaries.

RECOMMENDATION 4: WITH RESPECT TO THE PUBLIC SECTOR, THE PRIORITY OF USAID/COLOMBIA SHOULD BE TO FOSTER BETTER HORIZONTAL AND VERTICAL COORDINATION AND INTEGRATION.

The work of ordinary and TJ institutions and agencies intersects at multiple levels. Some share themes, given their focus on victim reparation and recognition, as is the case of the CEV and VU, others share methodologies, as is the case of Social Dialogue. Some share perspectives, such as forward-looking productive projects that can involve different actors, and others share an interest in a specific geography of conflict and transformation. This requires them to coordinate actions at the local and national levels. The priority of USAID/Colombia should be to provide technical assistance to these actors to improve their coordination and bridge methodologies, themes, perspectives, and geographies. For instance, the GoC framed the *Hoja Única de Ruta* as a unique opportunity with respect to the implementation of TJ and peacebuilding initiatives, but local institutions and authorities will require support. The fact that the participation of local institutions and authorities is limited and episodic means that objectives developed at the national level are often insufficiently understood locally and that local contexts and capabilities are insufficiently reflected in the delivery strategies.

RECOMMENDATION 5: WITH RESPECT TO CIVIL SOCIETY, THE PRIORITY OF USAID/COLOMBIA SHOULD BE TO ENCOURAGE AND SUPPORT (THE USE OF) ACTIVE CITIZENSHIP.

Participation of victims, ex-combatants and third parties to the armed conflict in the TJ and peacebuilding mechanisms has inherent value because it is a right. Sustained and effective participation is also expected to contribute towards the reconstruction of the social fabric and trust, social inclusion, and institutional legitimacy. The *Hoja Única de Ruta* aims to address the issue of participation from the perspective of institutional coordination, but work remains to be done with civil society. On the one hand, fostering sustained participation by conventional actors, especially constitutionally protected vulnerable groups, requires thinking strategically about how to maximize their involvement so as to make the best use of their time and contributions in existing spaces. On the other hand, expanding participation to new actors, particularly the private sector and youth, requires paying special consideration to their needs and outlook. Overcoming limitations with respect to capacity for impact, insufficiently specified expectations or tangible outcomes, and deficient communication with TJ and ordinary institutions requires developing novel methodologies and pedagogical outreach tools and breaking down language that causes opposition. For instance, transformational work with youth could focus on recovering public spaces through educational and recreational activities involving the arts and sports. Bogota offers another example: the uses of Social Dialogue as a methodology and workspace have been compounded here to add coordination and opportunities for diagnosing emerging conflicts.

RECOMMENDATION 6: WITH RESPECT TO THE PRIVATE SECTOR, THE PRIORITY OF USAID/COLOMBIA SHOULD BE TO PROMOTE AND STRENGTHEN PARTICIPATION IN FORWARD-LOOKING ACTIVITIES THAT BENEFIT THE COMMUNITY AS A WHOLE.

The private sector has been reluctant to participate in activities that are backward-looking, especially when their effects may go beyond simple reputational damage, as is the case with the JEP. The CEV Final Report is likely to add nuance to and transform some of the social narratives regarding the role of the private sector during the armed conflict. Furthermore, the private sector's interest in forward-looking TJ and peacebuilding has been established through their active participation in various Dialogues for Non-Repetition led by the Social Dialogue Office of the CEV. Private sector participation in productive projects also aligns well with their interest in political and economic stability and constitutes a long-term process. While productive projects allow for different social groups to work toward a tangible common goal, benefits that align with GNR, such as the reconstruction of the social fabric and building trust, may also arise over time. Working together in productive projects also allows for the breaking down of the language of TJ and monolithic identities that may initially cause resistance in the actors involved.

ANNEX A – SCOPE OF WORK

Challenges Of Reconciliation And Reparations For Victims In Colombia

I. PURPOSE

Support USAID to better understand the challenges facing the country with regard to the care of victims of the armed conflict, reparations, and the strengthening of reconciliation and social dialogue processes. The analysis framework considers the implementation of the Law 1448/ 2011, and the the Peace Accords between the Colombian Government and the FARC-EP signed in 2016.

II. ASSESSMENT QUESTIONS

The findings will identify the most significant advances and challenges and provide a clear overview of the lessons learned and recommendations, to design and implement USAID Colombia’s anticipated victim Activity, with the end goal of advancing Guarantees of non-repetition (GNR), local peacebuilding initiatives and social dialogue processes.

Following are the proposed study questions:

1. What are the current advances and challenges to implementing public policy for victims’ care and reparations in Colombia?

This question will use the Law 1448 of 2011 “Victims and land restitution law” and the signing of the peace agreement in 2016 as a background, and give a balance of the following processes:

- Victim care and reparations
 - Reconciliation
 - Peace agreement implementation
 - Reintegration
 - Pillar 8 of the Development Programs with a Local Approach (PDET)
 - Social dialogue methodology and processes
2. Considering the current roles of the diverse actors involved in the victims’ processes, including public institutions, the private sector and civil society, how can the **USAID Mission contribute to the sustainability** of these processes?

This question seeks to identify the different actors and their roles in victim and reconciliation processes, as well as the role of USAID and its contribution to sustainability in the components of:

- Reparations
- Reconciliation
- Guarantees of non-repetition
- Reintegration
- Involvement of victims in these processes
- Peace accords monitoring committee

3. How can the USAID Mission **strengthen and promote coordination** between public policies at the national and local levels, and the peace agreement, in order to advance Guarantees of non-repetition (GNR), local initiatives for peacebuilding and social dialogue in the regions?

Finally, the USAID Mission seeks guidelines on how to help GOC institutions strengthen and promote coordination on issues such as:

- Dialogue and reconciliation strategies
- PDET implementation and other relevant points of the peace agreement
- Local peacebuilding initiatives at local and national levels
- Victim reparations public policy

These three questions will be developed from the interviews conducted by USAID and validated using quantitative data.

III. DESIGN AND METHODOLOGY

1. **Methodological design and Work plan** This includes the review of the Mission’s data collection instrument, the creation and validation of the code book and the identification of secondary sources.
2. **Present methodological design and work plan to USAID (Kick-off meeting)** At this meeting, the assessment design will be presented, including the objectives, proposed methodology and work schedule.
3. **Design early report** This includes preparing a presentation on the findings and conclusions identified in the processing of 19 interviews as input for the design workshop and the definition of intermediate results of the new victim and reconciliation programming.
4. **Data collection** The technical team will carry out the quantitative data collection according to the qualitative instruments.
5. **Data processing and analysis** This includes data processing using Nvivo, specialized qualitative analysis software, and taking into account the codebook; identification of findings, conclusions and recommendations; processing quantitative information that allows the qualitative findings to be triangulated; and qualitative and quantitative visualizations.
6. **Final report** This will include a complete description of the findings, including progress and challenges, a proposed role for the Mission, and recommendations to strengthen the coordination of policies, supported by tables, figures, maps, annexes.
7. **Present study findings to USAID staff** This will include an infographic and other communication materials according to the intended audience.

IV. DELIVERABLES AND TIMELINE

PRODUCT 1

- Presentation of the preliminary findings and conclusions identified in the processing and analysis of 19 interviews for the new activity's design workshop.

PRODUCT 2

- Brief document with the methodology and work plan.

PRODUCT 3

- Presentation of the study results to USAID.
- Executive summary and final report with findings, conclusions, and recommendations.

V. TIMEFRAME

The study will be developed in a time frame of three months, according to the progress made in the interviews carried out by USAID.

ANNEX B – ASSESSMENT METHODOLOGY

Introducing a quantitative element based on data collected by the Reconciliation Barometer supported by PAR was considered at an earlier stage of the assessment. Nevertheless, the qualitative approach that dominates the assessment was preferred for two reasons. First, the qualitative evidence was sufficiently strong to build robust findings and conclusions. Second, the changes in phrasing across the three waves of the Barometer hinders true longitudinal analysis. Thus, initial tests for a quantitative analysis were based on comparisons between individuals residing in PDET and non-PDET municipalities based on the 2019 Reconciliation Barometer data. These tests focused on the expected and delivered contributions by different actors, including the private sector, to reconciliation and historic memory, and perspectives on the TJ and peacebuilding, tolerance and inclusion, especially of victims and ex-combatants. Although this analysis could provide interesting background for some of the findings, it would not contribute to identifying the specific contributions of any of the three USAID programs analyzed here. Thus, given the space restrictions of the report, the assessment team decided to center the powerful qualitative evidence and analysis.

The use of qualitative methodology aims to identify issues, trends, patterns, and relevant details to understand processes, modes, causes, and contexts of the phenomenon under study from the perspective of those most affected by it. The qualitative approach used allowed the team to become familiar with the perceptions of implementing partners, ordinary and TJ institution officials, UN officials, experts, consultants and USAID administrators and managers. This gives us a birds-eye view of the VLR and the 2016 Peace Agreement and VISP, PAR and VPCRP throughout the years they have been in operations. The data collection also offers a range of versions and realities of the experiences of the beneficiaries of these programs and legislation and the current processes they and their communities have undergone in the course of their implementation. The primary data collected was interpreted and contrasted with secondary documentary information.

The findings, conclusions, and recommendations evidenced in this report build on a set of qualitative procedures and techniques. The four types of secondary sources consulted are: a) academic sources; b) documentation from public and government sources; c) USAID/Colombia documentation, d) documentation from civil society; e) newspaper and media sources. The primary sources, we conducted 32 meetings, individual and group interviews and focus groups with the key actors. The interviews were transcribed, coded and analyzed in light of the guiding questions of the study. Primary qualitative data was collected between March and July 2021 in two phases: the first between March and April, and the second between June and July. The analysis of the primary and secondary data was carried out in two phases between March and August 2021.

A few limitations that arose in the development of the study are worth noting. The study considered the development of three USAID/Colombia programs and two extensive GoC legislative frameworks. These have been in operation for nearly a decade. Restrictions on access to the field in person due to the COVID-19 conditions are also noteworthy. While the break-up in the data collection and analysis in two phases could be considered a limitation, the second phase was used to validate the findings and level of saturation in the initial data and analysis. In this sense, it is interesting to note that while government officials and experts were less critical of implementation efforts, civil society and implementing partners expected more from the 2016 Peace Agreement and VLR. The study overcame the time constraints and primary information constraints relating to the COVID-19 restrictions, by adding and triangulating data

against secondary sources to reduce biases inherent in informational restrictions. Thus, we give an overview of the challenges, advances to offer best practices and lessons learned.

ANNEX C – ASSESSMENT METHODOLOGY

VICTIMS

1. ¿Cuáles son los principales avances y logros en el proceso de reparación/atención a víctimas?
2. ¿Cuáles son los principales retos que quedan en el corto, mediano y largo plazo?
3. ¿Qué rol debería jugar la cooperación internacional para superar esos retos?
4. Hablando de los procesos de reparación colectiva: ¿cuáles han sido los principales cuellos de botella en su formulación e implementación?
5. En cuanto a la implementación del Acuerdo de Paz y en lo relativo a víctimas: ¿cuáles son esos temas críticos donde hay retrasos en implementación? ¿A qué atribuye usted(es) esos retrasos?
6. ¿Cómo generar mayor empatía y cambios comportamentales de la población en general hacia las víctimas? – que les ha funcionado a ustedes para...
7. ¿Cómo se ha venido alineando la Reparación de Víctimas con el acuerdo de Paz y que visión a futuro hay sobre este tema?

RECONCILIATION AND SOCIAL COHESION

8. ¿Cuáles son los principales retos y avances en términos de reconciliación? ¿Hay algunos ejemplos concretos para resaltar?
9. ¿Cuáles son los principales retos que quedan en el corto, mediano y largo plazo?
10. ¿Qué rol debería jugar la cooperación internacional para superar esos retos?
11. ¿Cómo involucrar más actores para impulsar procesos de reconciliación? Por ejemplo: ¿la academia, el sector privado y los medios?
12. Teniendo en cuenta el impacto que pueda tener el informe final de la CEV en la Sociedad colombiana, ¿cómo generar cohesión social alrededor del mismo y avanzar en la reconciliación?
13. ¿Qué cambios han identificado en la receptividad de las Sociedad colombiana frente a las personas en proceso de reincorporación y reintegración? ¿La polarización que vive el país ha tenido un impacto en estas tendencias? Hay diferencias regionales/sexo/estrato) en estas percepciones?
14. ¿Cuáles retos persisten en acercar a los ex-combatientes a las comunidades? ¿A sus familias?
15. ¿Qué elementos se necesitan para avanzar en el modelo socio-ecológico y pasar de las habilidades individuales de reconciliación a habilidades comunitarias y societales? ¿Qué actores deben tener un rol este proceso?

GUARANTEES FOR NON-REPETITION

16. Hablando de las garantías de no repetición: ¿cuáles (en su opinión u) son los pilares o las acciones más estratégicas necesarias para avanzar hacia esas garantías?
17. ¿Qué rol debería jugar la Sociedad civil en estas acciones?
18. ¿Qué rol debería tener la cooperación internacional?
19. ¿Cómo involucrar a nuevos actores en este esfuerzo? Por ejemplo, el sector privado.

TRUTH AND MEMORY

20. ¿Cuál debería ser el apoyo que brinde la cooperación internacional al Comité de Seguimiento de las Recomendaciones de la CEV?
21. ¿Algunas líneas generales sobre las recomendaciones que quedarán incluidas en el informe final?
22. ¿Cómo ampliar la base de actores en la implementación de esas recomendaciones? Específicamente, ¿qué rol podría tener el sector privado por ejemplo?
23. ¿Con el fin del mandato de la CEV, como articular iniciativas de memoria y verdad en lo territorial con procesos nacionales y darles visibilidad y alcance?
24. Posicionamiento de Memoria y Verdad en el país – ie Museo de Memoria x terminar, Network etc.

PDET

25. ¿Qué lecciones aprendidas hay de la implementación de las iniciativas bajo el pilar 8 (Reconciliación)?
26. ¿Cuáles han sido los principales retos en la implementación de iniciativas bajo este pilar?
27. ¿Cómo se han vinculado los PDETs a otros temas y estrategias asociadas al Acuerdo? ¿Por ejemplo, reparación de víctimas? ¿Algunos ejemplos concretos de casos exitosos en ese sentido?

SOCIAL DIALOGUE

28. ¿Qué avances hay en Colombia alrededor del Diálogo Social como estrategia de transformación de conflictos? ¿Qué sectores han desarrollado más estos mecanismos? ¿En qué sectores hay retos o vacíos significativos?
29. ¿Es posible vincular estrategias de Diálogo Social con esfuerzos más amplios de reconciliación? ¿Existen ejemplos concretos en Colombia?

ANNEX D – CODEBOOK FOR QUALITATIVE ANALYSIS

TABLE 3: CODIFICACIÓN GLOBAL

TEMÁTICA	CATEGORÍA	SUBCATEGORÍA	CÓDIGO: OPERACIONALIZACIÓN	EJEMPLO
Transversales	Balance	Debilidades	Elementos propios de las diferentes temáticas que afectaron negativamente su desarrollo y resultados.	(reconciliación) adentro de las mismas organizaciones que estamos trabajando en temas de reconciliación habían ciertos estereotipos y prejuicios adentro, lo que no nos permitía trabajar de manera articulada y desde la cooperación y el diálogo (Tatiana Mosquera, FIP).
		Oportunidades	Factores externos a las diferentes temáticas que afectaron positivamente su desarrollo y resultados.	(reparación a víctimas) El de la Gabarra por ejemplo tiene grandes retos porque es transitar de una promesa que venía de la Comisión Nacional de Reconciliación a un lineamiento donde se pone un poco, se recorta el alcance de la reparación colectiva las comunidades hicieron ese tránsito ahí creo que hubo una negociación, buena, mala o regular, pero hubo una negociación (Bibiana Moreno, UNHCHR)
		Fortalezas	Elementos propios de las diferentes temáticas que afectaron de manera positiva su desarrollo y resultados.	(reconciliación) hay muchas iniciativas fuertes en el territorio con el tema de reconciliación, como FIP hemos venido participando en un espacio que se llama la mesa de iniciativa para la reconciliación, ahí empezamos a identificar que hay muchos avances desde las mismas regiones frente al tema de reconciliación (Tatiana Mosquera, FIP).
		Amenazas	Factores externos a las diferentes temáticas que afectaron negativamente su desarrollo y resultados.	(acuerdos de paz) La falta de voluntad política para el avance en el SIVJRNR, evidenciado en el plan de desarrollo.
		Retos	Desafíos en el corto, mediano y largo plazo para el cumplimiento de los objetivos de las diferentes temáticas.	(acuerdos de paz) Unidad de Búsqueda_ Reforzar planes regionales de búsqueda, Consolidación de una base de datos unificada de personas desaparecidas.
	Roles y actores	Rol de cooperación internacional	Opiniones y/o propuestas alrededor del aporte de la cooperación internacional en el cumplimiento de los objetivos de las diferentes temáticas. Aquí se encuentran incluidas las agendas de Naciones Unidas.	(reparación colectiva) como entenderás nosotros no seguimos los casos de éxito siempre sino los complicados, pues claro nuestra premisa también es: por qué vamos a acompañar o por qué vamos a fortalecer lo que ya está fortalecido, hay que acompañar lo que todavía está débil o que todavía está frágil pues para poder acompañar y ser útil porque pues los casos exitosos digamos que muy bien nos encanta la idea, pero no necesita que la oficina esté ahí (Bibiana Medina, OHCHR)

TABLE 3: CODIFICACIÓN GLOBAL

TEMÁTICA	CATEGORÍA	SUBCATEGORÍA	CÓDIGO: OPERACIONALIZACIÓN	EJEMPLO
		Rol de las instituciones públicas transcional	Opiniones y/o propuestas alrededor del aporte de las instituciones públicas del Estado en el cumplimiento de los objetivos de las diferentes temáticas.	(Diálogo social) las distintas entidades empiezan a impulsar sus procesos de diálogo, sus ejercicios de diálogo, entonces, el Ministerio del Medio Ambiente tiene unos espacios de diálogo, pero el del Interior tiene otros y la Procuraduría, entonces, empieza con otros, en los mismos territorios, frente a los mismos conflictos y termina dándose como una duplicidad de esfuerzos que hacen que se desgaste también el escenario, que no se logre concertar acciones, ni transformaciones frente a estas problemáticas (Paulo Tovar, FIP).
		Rol de las instituciones públicas ordinarias		
		Rol de la empresa privada	Opiniones y/o propuestas alrededor del aporte de la empresa privada en el cumplimiento de los objetivos de las diferentes temáticas.	El sector privado en el proceso de reintegración, favoreciendo la reconciliación. Eso incide en el cliente.
		Rol de sociedad civil	Opiniones y/o propuestas alrededor del aporte de la sociedad civil organizada (por ejemplo: organizaciones sociales, populares, academia, iglesias, etc) en el cumplimiento de los objetivos de las diferentes temáticas.	(Reparación a víctimas) Pero la estructura de participación comunitaria que eran vía comités veredales y... ¿cómo le llamaban a eso? Comités de impulso, todo eso, esa gran estructura se perdió y las comunidades echan de menos que puedan ser tenidas en cuenta en el proceso de implementación, incluso a modo de veeduría sienten que para ellos sería importante estar ahí, hacer parte de ese proceso porque los fortalece como colectivos, porque organiza la vida comunitaria etcétera, echan de menos el asunto (Bibiana Moreno, OHCHR)
		Actores existentes	Opiniones alrededor de los actores que hacen parte de las diferentes temáticas	(instituciones públicas) Es importante también mencionarlo, que en el CONPES se habla... es algo que también, entiendo, el gobierno está trabajando también en ese tema, el sistema nacional de reincorporación, entendido que no es un tema exclusivo de una sola entidad, sino que, por las competencias, convoca a muchas entidades del Estado colombiano (María Ruíz, ARN).
		Actores nuevos	Propuestas alrededor de los actores que deberían hacer parte de las diferentes temáticas o que haciendo parte, deben tener un rol mucho más protagónico y/o visible	esta mesa no es amenazante en el sentido de que está acompañada por organización digamos que han trabajado a lo largo de la historia con procesos de desarrollo rural, hoy día el CINEP o Asociación de Trabajo Interdisciplinario -ATI- acompañan esas mesas PDET en lo que pueden y por lo menos tratan de mantenerlos juntos yo creo que ahí requieren un poco más de secretaría técnica...también

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TEMÁTICA	CATEGORÍA	SUBCATEGORÍA	CÓDIGO: OPERACIONALIZACIÓN	EJEMPLO
				Minga acompaña en el algunos casos a las mesas regionales (Bibiana Medina, OHCHR).
	Articulación		Opiniones y/o propuestas alrededor de la articulación entre políticas públicas, acuerdo de paz y estrategias territoriales.	(nivel nacional y territorial) Y pienso que sería como que es necesario transitar hacia un modelo diferente donde se permita mayor iteración entre los territorial y lo nacional, hablando como en los términos de niveles de gobierno. El gobierno nacional y los niveles territoriales. De forma que se pueda como reconocer, primero, de entrada, el papel y el saber y el conocimiento que tienen las autoridades locales distintas organizaciones en la identificación, en el trámite de los conflictos, pero que eso sí se pueda apoyar desde el nivel central, por supuesto, con insumos técnicos. Pero que no sean estándar, sino que sean a la medida, ¿sí? (Paulo Tovar, FIP).
Victims	Procesos de atención y reparación a víctimas	Atención a víctimas	Opiniones y/o propuestas alrededor de los procesos de atención a víctimas	El tema de atención hoy día por el incremento de la conflictividad en el país por las condiciones y el deterioro de condiciones de seguridad y de conflictividad de violencia, el resurgimiento de la violencia en las regiones, es un tema que hoy en día se ve pero fuertemente impactado, las comunidades están en unas condiciones muy difíciles y requieren todos esos componentes de atención que creíamos se habían superado cuando se creó la ley 387 que luego fue la base para la 1448 se pensó en esos componente de la atención de urgencia, la atención de emergencia, todo el proceso de restableciendo socio económico, el reasentamiento el retorno (Bibiana Moreno, OHCHR).
		Reparación individual	Opiniones y/o propuestas alrededor de los procesos de reparación individual	las reparaciones individuales son un escenario administrativo individual nosotros ahí no entramos mucho no tenemos gran conocimiento porque son cerca de 8.000.000 de víctimas que requieren atención del estado y que reclaman una atención individual, así que es imposible que la oficina pueda entrar a ese escenario (Bibiana Moreno, OHCHR).
		Reparación colectiva	Opiniones y/o propuestas alrededor de los procesos de reparación colectiva	Estamos hablando que son alrededor de 600, 700 SRC. El Estado tiene como meta hacer el cierre de esos procesos de RC antiguos muy antiguos que venían de la Comisión Nacional de Reparación, hay muchos temas pendientes, hubo una transición entre un modelo de reparación colectiva y otro, este último tiene un techo, se requiere hacer un encadenamiento entre la reparación y el desarrollo, este encadenamiento es la apuesta del PDET, si esto no se logra, no habrá un elemento transformador” (Bibiana Moreno, UNHCHR)

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TEMÁTICA	CATEGORÍA	SUBCATEGORÍA	CÓDIGO: OPERACIONALIZACIÓN	EJEMPLO
	Fortalecimiento institucional		Identificación de acciones encaminadas a la cualificación del quehacer de las instituciones y organizaciones sociales que aportan a la garantía de los derechos de las víctimas a la verdad, la justicia, la reparación y la no repetición.	El tema de fortalecimiento de capacidades...no es simplemente hacer formaciones por formar sino realmente esos espacios se convierten en espacios de diálogo en espacios donde ya sí sentamos al empresario con una persona de las comunidades y hasta con personas diversas, en esos espacios formativos todos somos lo mismo y logramos procesos horizontales, esos espacios se pueden volver una excusa para trabajar el tema de reconciliación (Tatiana Mosquera, FIP).
Reconciliation and Social Cohesion	Sociedad civil	Receptividad hacia personas en procesos de reincorporación y reintegración	Opiniones y/o propuestas alrededor del aporte de sociedad civil organizada (por ejemplo: organizaciones sociales, populares, academia, iglesias, etc) al acogimiento de personas en procesos de reincorporación y reintegración	hay un tema que no es menor y también es muy importante, que es el tema de prevención de la estigmatización hacia los exintegrantes FARC y sus familias y que una de las líneas, no es la única, porque se habla de estigmatización desde los mismos funcionarios, pero también en el trabajo comunitario. También es una de las líneas de trabajo, tiene que ver también con temas de comunicación y difundir mensajes que contribuyan a reducir estos niveles de estigmatización (María Ruíz, ARN).
	Informe final CEV	Cohesión social y confianza	Opiniones y/o propuestas para favorecer condiciones de cohesión, confianza, receptividad y legitimidad del informe final de la CEV, en la sociedad civil	“La opinión pública se vuelve en algún momento un cómplice silencioso por no tener empatía...Entonces me parece que ahí la empatía nos debería llevar a impulsar esas re priorizaciones y esas acciones de compromiso con las víctimas, insisto aun creyendo que hemos avanzado de manera importante y decidida sobre las víctimas ahora por lo menos es más visto y/o censurado que alguien cuestione la legitimidad de una víctima, eso no pasaba hace 20 años” (Bibiana Moreno, OHCHR).
		Impacto informe final CEV	Opiniones alrededor del impacto que debería tener el informe final de la CEV en la sociedad civil (legado).	La Comisión de la Verdad este año entrega su informe y ese es un asunto que es altamente complejo, altamente sensible justamente porque aun lo muchos protagonistas de la guerra están vivos, tienen muchas cosas que perder y no quieren asumir responsabilidades de todos los lados, de todos los ángulos quienes participaron en la guerra desde el diseño, la financiación, las acciones bélicas, las equivocaciones, las omisiones, todos los niveles de participación incluso esa gran indiferencia que muchos sectores han tenido también (Bibiana Moreno, OHCHR).
	Habilidades para la reconciliación	Habilidades individuales	Opiniones alrededor de las habilidades de las personas para favorecer procesos de reconciliación	

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TEMÁTICA	CATEGORÍA	SUBCATEGORÍA	CÓDIGO: OPERACIONALIZACIÓN	EJEMPLO
		Habilidades comunitarias y societales	Opiniones alrededor de las habilidades de las comunidades, organizaciones y de la sociedad civil para favorecer procesos de reconciliación	“Ha habido un cambio en la conceptualización del tema de reconciliación, nosotros habíamos pensado el proceso como algo desde afuera, como más político y los que nos hemos dado cuenta es que para empezar con la reconciliación un reto importante y clave es la reestructuración de relaciones, donde el aporte de la FIP ha sido ver que la confianza ha sido un tema fundamental y que normalmente se habla desde la estratosfera y vemos que si la reconciliación se habla desde la confianza ya no politiza tanto y lo ves como algo cercano...” (Tatiana Mosquera, FIP1).
No repetition	Pilares GNR	Identificación de pilares	Pilares identificados para el avance en las GNR	Las GNR no tienen que ver solo con SIVJNR, si se cumple todo el Acuerdo, hay GNR: presencia estatal, seguridad, participación política, grandes transformaciones. Es como la democracia, siempre imperfecta (David Medina, OHCHR)
		Acciones más estratégicas para el avance en GNR	Opiniones y/o propuestas alrededor de las acciones más estratégicas para el avance en las GNR	En ese momento, también se empieza a identificar la necesidad de trabajar el fortalecimiento de entornos protectores, porque fue una de las cosas que más llamó la atención, que las comunidades pedían poder romper estos círculos de violencia, empezar a trabajar en clave de garantía de no repetición con niños, niñas, adolescentes y jóvenes; y bueno, ahí también sale... de ahí también empieza como la raíz o... sí, la génesis de la estrategia, en su momento, de prevención de reclutamiento, Mambrú, este es otro cuento (María Ruíz, ARN).
Truth and memory	Iniciativas locales de construcción de Paz		Iniciativas locales de construcción de paz identificadas	Hemos visto experiencias de organizaciones que trabajan en el territorio específicamente para hacer procesos de reconciliación que son muy valiosos, hemos visto temas interesantes en Buenaventura que lo vimos con laboratorios, obviamente en Antioquia con temas de cómo reconciliar y cómo reconstruir las relaciones (Tatiana Mosquera, FIP).
Social Dialogue	Diálogo social	Diálogo social desde la palabra	Experiencias de diálogo social identificadas, donde la palabra es la protagonista (conversatorios, charlas)	“El diálogo como una posibilidad de no politizar la reconciliación, sino realmente abrir esos espacios de diálogos genuinos, creo que el diálogo puede ser una herramienta muy potente para la reconciliación” (Tatiana Mosquera, FIP1).
		Diálogo social desde expresiones corporales, artísticas y/o escénicas	Experiencias de diálogo social identificadas, donde el centro del diálogo son las expresiones corporales, artísticas y/o escénicas (obras de teatro, exposiciones de arte, conciertos, entre otros)	

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TEMÁTICA	CATEGORÍA	SUBCATEGORÍA	CÓDIGO: OPERACIONALIZACIÓN	EJEMPLO
		Herramientas para el trámite de la conflictividad	Opiniones y/o propuestas alrededor de herramientas tanto individuales como colectivas para el trámite de los conflictos en el día a día (cotidianidad)	el reconocimiento de una serie de conflictividades y yo creo, particularmente, que en eso el acuerdo de paz aportó bastante, como... “Miren, reconozcamos que hay otra serie de conflictividades que requieren tratamiento”, etc (Paulo Tovar, FIP).
		Comprensiones y componentes del diálogo social	Opiniones y/o propuestas alrededor del diálogo social: ¿qué es?, ¿cómo se define?, ¿cómo se comprende?, ¿cuáles son los componentes del diálogo social?, ¿cuáles sus condiciones?	Lo que aprendimos, por ejemplo, digamos, en Buenaventura, en laboratorios y hemos visto en otras partes, es que hay gente que ya no se quiere sentar en el diálogo, es porque necesitan, antes de poder hacer esta cosa como más de construir juntos y todo, que haya un momento de confrontación por los dolores pasados (Tatiana Mosquera, FIP)
		Conceptos asociados a diálogo social	Opiniones y propuestas alrededor de conceptos asociados, relacionados y diferenciados u opuestos al diálogo social	

ANNEX E – SECONDARY SOURCES

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ANNEX F – RECOMMENDATIONS MATRIX

TABLE 4: RELACIONAMIENTO RECOMENDACIONES – CONCLUSIONES - HALLAZGOS

NUMBER	RECOMMENDATION CONTENTS	RELATIONSHIP CONCLUSIONS	RELATIONSHIP FINDINGS
1	<i>USAID/Colombia should consider modesty the guiding principle throughout the different stages of developing and implementing this program.</i>	P1-C1; P1-C2; P1-C3; P2-C1; P2-C2; P2-C3; P2-C4; P3-C1; P3-C3	P1-H1; P1-H2; P1-H3; P1-H4; P1-H5; P1-H6; P1-H7; P1-H9; P1-H10; P1-H11
2	<i>In the short term, USAID/Colombia should focus on restarting stagnant processes and initiatives and supporting the social appropriation of the mechanisms and results the 2016 Peace Agreement and VLR.</i>	P1-C1; P1-C2; P1-C3; P1-C4; P1-C5; P1-C6; P2-C1; P2-C2; P2-C3; P2-C4; P3-C1; P3-C2; P3-C3; P3-C4; P3-C5	P1-H1; P1-H2; P1-H3; P1-H4; P1-H5; ; P1-H7; P1-H9; ; P1-H10; P1-H11; P1-H12; P1-H13; P1-H14; P1-H15; P1-H16; P1-H17; P1-H18; P1-H19; P1-H20; P1-H21; P1-H22; P2-H1; P2-H1; P2-H4; P2-H5; P2-H6; P2-H8; P2-H10; P3-H1; P3-H2; ; P3-H3; P3-H4; ; P3-H5; P3-H6; P3-H7; P3-H8; P3-H9; P3-H10; P3-H11
3	<i>Throughout its programming, USAID/Colombia should strengthen the capabilities and transferable skills of implementing partners, institutions and local authorities and civil society organizations to advance participation, coordination and monitoring and evaluation.</i>	P1-C1; P1-C2; P1-C3; P1-C4; P1-C5; P1-C6; P2-C1; P2-C2; P2-C3; P2-C4; P3-C2; P3-C4; P3-C5	P1-H1; P1-H2; P1-H3; P1-H4; P1-H5; P1-H7; P1-H9; P1-H10; P1-H14; P1-H16; P1-H17; P2-H23; P2-H1; P2-H3; P2-H4; P2-H10; P3-H1; P3-H8; P3-H11
4	<i>With respect to the public sector, the priority of USAID/Colombia should be to foster better horizontal and vertical coordination and integration.</i>	P1-C1; P1-C2; P1-C3; P1-C5; P2-C1; P2-C2; P2-C3; P2-C4; P3-C1; P3-C2; P3-C3; P3-C4; P3-C5	P1-H1; P1-H2; P1-H3; P1-H4; P1-H5; P1-H6; P1-H7; P1-H9; P1-H12; P1-H16; P1-H22; P1-H23; P2-H1; P2-H3; P2-H5; P2-H7; P2-H8; P2-H10; P3-H1; P3-H4; P3-H5; P3-H8; P3-H10; P3-H11
5	<i>With respect to civil society, the priority of USAID/Colombia should be to encourage and support (the use of) active citizenship.</i>	P1-C1; P1-C2; P1-C3; P1-C4; P1-C5; P1-C6; P2-C4; P3-C1; P3-C2; P3-C3; P3-C4; P3-C5	P1-H1; P1-H2; P1-H3; P1-H10; P1-H14; P1-H15; P1-H16; P1-H17; P1-H19; P1-H20; P1-H22; P1-H23; P2-H1; P2-H2; P2-H4; P2-H5; P2-H6; P3-H1; P3-H3; P3-H4; P3-H5; P3-H6; P3-H7; P3-H9; P3-H10; P3-H11
6	<i>With respect to the private sector, the priority of USAID/Colombia should be to promote and strengthen participation in forward-looking activities that benefit the community as a whole.</i>	P1-C1; P1-C2; P1-C3; P1-C4; P1-C5; P1-C6; P2-C4; P3-C1; P3-C3; P3-C4; P3-C5	P1-H1; P1-H2; P1-H10; P1-H11; P1-H19; P1-H20; P1-H21; P1-H22; P1-H23; P2-H2; P2-H9; P2-H10; P3-H2; P3-H6; P3-H7; P3-H9; P3-H10; P3-H11

ANNEX G – ADDITIONAL QUOTES TO SUPPORT FINDINGS

TABLE 5: ADDITIONAL QUOTES TO SUPPORT FINDINGS

FINDING	QUOTE	INTERVIEWEE CHARACTERIZATION
TJ operates with a number of implicit and explicit critical assumptions	<p>siento que todo se está recrudesciendo un poco, llevo 16 años trabajando en temas de reintegración, construcción de paz, y siento como si estuviera empezando otra vez, que llegan noticias de masacres, asesinatos, de amenazas y uno dice en qué momento volvimos a echar así para atrás. Teniendo en cuenta eso creo que los retos más difíciles, y sin tener en cuenta el momento actual de paro y demás, creo que acá tenemos un tema de fortaleza institucional muy fuerte y no sé si debemos seguir atacando el fortalecimiento institucional de la manera tradicional, acá vuelvo y digo si no sé si seguimos en la misma manera de: "venga tratamos de fortalecer las instituciones" no sé cómo sacudirlas y hacer que las mismas instituciones también tomen otros caminos y otras opciones, pero sí creo que el tema de confianza institucional, fortaleza institucional, capacidad institucional son una de las cosas muy fuertes y de altos retos que tenemos en este momento, esto unido a la crisis, a la pandemia y al mismo hecho que venimos, entonces nos vamos al 2016 supuestamente a un acuerdo de Paz que debía ser implementado, un plebiscito que ganó el "no" pero al final de todo sí pasó el sí, somos un país lleno de una cantidad de matices y lleno de una cantidad de problemáticas que cada cosa hace que sea más difícil.</p>	Consultants
TJ operates with a number of implicit and explicit critical assumptions	<p>que se cumpla lo pactado. Que el Gobierno Nacional y las instituciones cumpla su mandato. Lo que ellos construyeron en hechos. Dentro de cada institucionalidad, tiene algún mandato para cumplir los territorios, para poder transformar esos territorios. Nosotros no podemos vivir en los territorios con muchas necesidades de dificultades. De muchas formas de digamos que en la guerra se destruyó o se acabó. Un ejemplo: nuestros cultivos, nuestra forma de comunicarnos, nuestra forma es que cumplan con lo pactado y que no se vayan los recursos o el presupuesto, que se ve que son muchos y apoyo internacional también. Y que no se vea esa transformación en nuestros territorios. Desafortunadamente, no hay forma de empleabilidad o no hay forma de que nuestros cultivos puedan minimizar el hambre que en algunas comunidades se está observando. Con hambre y con necesidades, en los territorios no va a haber paz. También si no hay esa forma de poder transformar esos territorios, la institucionalidad, lo que exigimos son esas herramientas. No le estamos pidiendo dinero, si no esa transformación y que cumplan con cada mejoramiento de, por ejemplo, de infraestructura, mejoramiento para poder cosechar y cultivar</p>	Implementing Partner
TJ operates with a number of implicit and explicit critical assumptions	<p>Y ahí hemos encontrado una cosa muy interesante y es que un factor importante que incide en cuán reconciliada o cuán dispuestas se consideran las personas a la reconciliación, puede tener que ver con qué tan seguras se sientan en su entorno actual. Es decir, no importa que las FARC... Mejor dicho, que lo que sea que les pasó, en contextos de conflicto, esté muy atrás, si hoy sienten que les robaron su celular o se sintieron intimidados de alguna manera, van a tener una percepción negativa de las FARC y de la posibilidad de reconciliación con ellos. ¿Sí me entiendes? Entonces, hay como una especie de proyección de la percepción actual de seguridad o inseguridad sobre la disposición de las personas de abordar temas de reconciliación en la sociedad en el sentido más amplio. Entonces, eso es otro factor que me lleva a decirte, la reconciliación tiene como diferentes nichos y no necesariamente se relaciona sólo con el grupo que hizo el daño, sino que depende mucho del entorno en el cual está la persona hoy, en el momento en que le preguntas.</p>	Expert
TJ operates with a number of implicit and explicit critical assumptions	<p>hemos ratificado que una cultura colonial nos habita, y esa cultura colonial es clasista, es racista, es patriarcal, tiene un modelo económico de la hacienda que es un modelo más bien feudal donde por ejemplo permitió la descampesinación, es decir, el desprecio por el mundo campesino, y eso tiene que ver con cada uno de nosotros porque esas son herencias que están ahí inscritas en la cultura. O hay cosas a las que nos habituamos, por</p>	Transitional Justice Institution: Peace Agreement

TABLE 5: ADDITIONAL QUOTES TO SUPPORT FINDINGS

FINDING	QUOTE	INTERVIEWEE CHARACTERIZATION
explicit internal conflicts and biases.	<p>ejemplo, la pervivencia en el conflicto armado hizo que vanalizáramos la eliminación del otro, el señalamiento del otro, la estigmatización del otro, que no es un asunto solamente del Gobierno y de la Fuerza Pública y de los actores armados, sino que eso pasa por la cultura, eso pasa por casi todos nosotros, está inscrito ahí y ahí es donde nos da trabajo y donde surge la polarización que es una a la que también le queremos sacar el quite, es decir, no nos podemos enganchar en la polarización y tenemos que construir un discurso que convoque a todos precisamente para la no repetición, porque no se trata pues de ahondar en esa brecha que hay entre unos y otros en este país. Y yo creo que el ejercicio de comprender, no de señalar sino de comprender qué ha pasado, puede ayudar a no polarizar y a la no repetición.</p>	
	<p>es clave, digamos, si hay un proceso de reincorporación llevándose a cabo, pues que la población no sienta que el excombatiente, por haber estado en un grupo armado ilegal, tiene mayor atención del Estado, porque probablemente muchas de esas personas nunca el Estado les ha llegado con una oferta suficiente. Entonces, cómo no generas que haya un desbalance y que uno diga “Bueno, este que no la hizo bien tiene toda la atención y yo, que estoy acá, digamos que no siento el mismo acompañamiento”. Entonces, en ese sentido, todos los procesos comunitarios y que la gente sienta que la llegada de un excombatiente, por ejemplo, a una situación particular pues es común para todos y que se involucren, digamos, como parte activa de ese proceso.</p>	Consultants
	<p>Esto tiene más que ver con reconocer historias, como con una visión menos de arriba hacia abajo, y más de abajo hacia arriba, donde las personas tengan la posibilidad de relatar su trauma, relatar sus experiencias y también aportar a la solución. Yo creo que todavía tenemos una visión muy centralista de cómo funciona, e incluso, la justicia transicional, muy normativa en el sentido de que necesitamos leyes más que acciones; y lo que creo que va a producir nos el milagro de ese reconocimiento, ese encuentro con el otro, va a tener que ver con políticas sociales y económicas, como lo dije, ingresos y educación inciden positivamente en disposición a reconciliación; pero también con mecanismos donde haya más posibilidad de escuchar voces que vienen desde abajo, para que se sientan reconocidas; y yo creo que eso es muy importante y eso no lo estamos haciendo suficientemente bien</p>	Expert
The legal frameworks of the VLR and the 2016 Peace Agreement were lauded for their ambition from the moment of their approval.	<p>Yo creo que hay dos cosas que hay que ponerles el reflector encima porque creo que han funcionado bastante bien muy a pesar de los obstáculos, la primera es la JEP, creo que la JEP a pesar de que le hayan puesto la pata encima 78 veces y demás, creo que es fundamental, porque creo que el elemento verdad es fundamental. Y el programa de desmovilización es alucinante, yo no lo he mirado mucho en este gobierno en particular, pero hasta Santos era alucinante o sea, de quitarse el sombrero, y no lo digo yo lo dice Naciones Unidas y te lo digo porque tuve reuniones con 40 directores de reconciliación del planeta entero y todos decían, nada como el proyecto colombiano de reintegración. Creo que esas dos cosas funcionaron bastante bien, con muchos problemas obviamente pero creo que el éxito está ahí, creo que el éxito está en ahí en esos dos.</p>	Expert
	<p>en el Caribe nosotros teníamos una esperanza con el acuerdo de paz, nosotros decíamos: por lo menos con el acuerdo de paz y el capítulo étnico que señala que se debe reconocer y garantizar la propiedad, la formalización del acceso a la tierra y que las comunidades étnicas, así lo señala el acuerdo de paz en el capítulo étnico y también en el punto número 1, dice que debe ser transversal a todas las políticas públicas frente a este tema. Y en el Caribe colombiano la titulación colectiva del año 2006 para acá con el acuerdo de paz ha sido cero hectáreas.</p>	Implementing partner
This growing budget clashes with public discourse on multiple	<p>"yo hablo" entonces yo fui la speaker siempre en todas, y una vez fui muy sincera y dije: "yo no sé si es que el gobierno no quiere admitir las cifras de implementación o no las quiere compartir, como cuando uno tiene ese novio que quiere esconder, lo quiere mucho pero lo quiere esconder" y se los dije así, les dije: "oigan, acá se</p>	Consultants

TABLE 5: ADDITIONAL QUOTES TO SUPPORT FINDINGS

FINDING	QUOTE	INTERVIEWEE CHARACTERIZATION
<p>levels and raises concerns about the origin and the effects of bottlenecks.</p>	<p>siente un poquito porque uno viene y ve las cifras y uno oye hablar al señor Archila y tristemente y lo más irónico es que en noviembre de 2019 los indicadores más fuertes de implementación que tenía el gobierno si tú te ponías a analizar exegéticamente era la implementación del acuerdo" Pero el discurso era: "no, acá no se implementa, estamos en contra, acá por los laditos, entonces que le quitamos presupuesto por un lado". Entonces es un poco de bipolaridad que es muy difícil de manejar, entonces acá dentro que es otro punto que a mí me parece que es uno de los retos más grandes que vamos a estar enfrentando y que llevamos enfrentando mucho pero que con esta situación actual en este instante es para mí lo que no me ha dejado dormir en la última semana es lo polarizados que estamos.</p>	
	<p>Un tercer elemento que es la dispersión tan profunda que hay, porque es impresionante, de los recursos para reparación integral de las víctimas, genera, primero, que la reparación no reconstruya el tejido social a la medida a la que debería apuntar y que el proceso, en sí mismo, tal vez, en muchas ocasiones, no se vuelva reparador. Segundo, que la disputa por esos recursos dispersos también lleve a rupturas en el tejido social, ya un poco reconstruido en algunos territorios donde son muy débiles las capacidades organizativas; es decir, se aparece un cooperante para hacer un taller y ese taller lo hace a través de Pepe, pero no lo hace a través de Juan. Ya Juan genera una existencia con Pepe y se empieza a resquebrajar ese débil tejido que existe en regiones donde, además, por ser víctimas del conflicto armado, por ser territorios victimizados en reiteradas ocasiones, regularmente, hay una brecha de pobreza y de inequidad muy alta, y donde cualquier recurso que llegue, pues entra en una disputa bastante importante para su manejo o su adjudicación.</p>	<p>Transitional Justice Institutions: Local Peace Agreement</p>
	<p>el otro problema Laura y es que en este gobierno en particular tú tienes unos problemas de implementación y de ejecución del gasto brutales, entonces tú puedes tener políticas públicas, puedes tener PDET'S, puedes tener un montón de cosas que en el papel te funcionan, pero cuando las vas a implementar no te sirven, porque no tienes o el músculo para hacerlo o porque no tienes o porque no les da la gana de ejecutar.</p>	<p>Expert</p>
<p>Progress with respect to victim reparations and care is difficult to ascertain.</p>	<p>El tema de atención hoy día por el incremento de la conflictividad en el país por las condiciones y el deterioro de condiciones de seguridad y de conflictividad de violencia, el resurgimiento de la violencia en las regiones, es un tema que hoy en día se ve pero fuertemente impactado, las comunidades están en unas condiciones muy difíciles y requieren todos esos componentes de atención que creíamos se habían superado cuando se creó la ley 387 que luego fue la base para la 1448 se pensó en esos componente de la atención de urgencia, la atención de emergencia, todo el proceso de restableciendo socio económico, el reasentamiento el retorno, todos esos elementos que daban cuenta a una crisis humanitaria más ligada al desplazamiento forzado. Con el reconocimiento de las víctimas con el Proceso de Paz se pensó, o sea todas esas estadísticas empezaron a bajar al país los desplazamientos disminuyeron de manera importante, las cifras de violencia disminuyeron de manera importante y ahora estamos en un nuevo de crecimiento de violencia hacia agresiones en los territorios, que empiezan a dejar nuevos desplazamientos forzados masivos.</p> <p>ustedes saben 9.106.000 víctimas incluidas en el registro, esto es casi el 20% de la población colombiana, esto es más o menos que 1 de cada 5 colombianos es víctima; tenemos registradas un poco más de 5 mil víctimas en 43 países del mundo y en el periodo de nuestro Gobierno entre 7 agosto de 2018 y el 31 enero pues se han incluido 561.107 víctimas. Ustedes saben que la unidad para las víctimas, es el actor humanitario principal del Gobierno Nacional, así que hemos estado ahí atendiendo las emergencias de forma coordinada con los alcaldes y cuando es necesario con los apoyos de las gobernaciones para poder atender estas emergencias... Hemos tenido reporte de unas 3191 emergencias, donde se ha coordinado atención en 177 desplazamientos masivos con un aproximado</p>	<p>United Nations</p> <p>Instituciones Justicia Transicional: VLR</p>

TABLE 5: ADDITIONAL QUOTES TO SUPPORT FINDINGS

FINDING	QUOTE	INTERVIEWEE CHARACTERIZATION
	<p>de 16.843 hogares, ahí la unidad para las víctimas apoya con atención humanitaria inmediata en dinero y en especie, de igual manera nosotros apoyamos esa entrega de atención humanitaria inmediata, nosotros entramos en subsidiaridad, esto es una competencia que la ley trae a los entes territoriales, sin embargo, lastimosamente donde se presentan estos desplazamientos siempre son zonas, municipios categoría 5, 6, donde pues el presupuesto que manejan es muy limitado, así que nosotros hemos venido apoyando a estos municipios con una versión de 100 mil millones de pesos aproximadamente. De agosto del 2018 a enero del 2021 hemos entregado a 47 mil hogares esta atención humanitaria inmediata, con una inversión de 45 millones de pesos.</p>	
<p>Vertical and horizontal coordination has been deficient in the course of the implementation of policies focused on victim care and reparation.</p>	<p>lo cierto del caso es que los pasos que se dan son pasos muy lentos y con una clarísima desarticulación interinstitucional, intra institucional que realmente limita el acceso a la justicia por parte de estos sectores que reclaman especialmente colectivos, que reclaman una respuesta real y oportuna a los derechos que de alguna u otra manera fueron vulnerados.</p> <p>Agregaría la idea de la perspectiva étnica y de género, la necesidad de articular, sobre todo porque muchos de los programas de reparación colectiva tienen un componente étnico o son de sujetos étnicos, de articular eso con los otros instrumentos los planes de salvaguarda, los proyectos de vida de las comunidades étnicas, el avance en el reconocimiento de derechos territoriales, de las formas de resolver los conflictos territoriales, incluso ambientales y de desarrollo, toda esta lógica necesita articulación.</p>	<p>Consultants</p> <p>Implementing partner</p>
	<p>más allá de las iniciativas que hablan explícitamente de este trabajo de reparación, también se ha venido identificando desde la coordinación institucional cómo, por ejemplo, algunas de las acciones en materia de salud, de educación, incluso, en la disposición de vías y de infraestructura, pero también, el apalancamiento de temas de sostenibilidad económica y seguridad alimentaria, contribuyen al proceso de reparación integral de víctimas y es un tema que se sigue fortaleciendo, que obviamente, ha arrancado desde una perspectiva de satisfacción, pero que también contribuye a generar garantías de no repetición a los territorios. Así, inicialmente... De entrada, la iniciativa no plantee este alcance o, pues, pueda no estar conectado de una forma preliminar.</p>	<p>Transitional Justice Institutions: Peace Agreement</p>
	<p>la unidad de víctima no tiene presupuesto propio, pero si vamos a la Gobernación, pero si vamos al municipio a reclamar vías como estamos en este momento en el Carmen de Bolívar y Montes de María que con cualquier aguacero que cae los campesinos quedan incomunicados, porque las vías de acceso no sirven; pero no encontramos respuestas, no encontramos respuestas ni siquiera, nos duele mucho cuando nosotros llegamos a una gobernación y nosotros decimos: “pero es que somos sujetos de reparación colectiva, ustedes tienen que articular con la unidad de víctimas”, y la respuesta que nos dan es: “no, yo respondo por mi gobierno yo no tengo nada que ver con unidad de víctimas”, cuando la unidad de víctimas se supone dentro del acuerdo de paz se creó para que fuera la articuladora del sistema; pero esto aquí no se está dando y cada día a las víctimas seguimos sufriendo</p>	<p>Implementing partner</p>
<p>Bogotá has made serious efforts to improve coordination and can act as an example.</p>	<p>Nosotros con el equipo que trabajamos los temas de paz, hemos tenido la fortuna de trabajar a nivel nacional y, evidentemente, la polarización que se vive en redes, en medios, en la calle, en el barrio, en Bogotá, se ve a menor escala que en otras... Hay zonas más complejas, unas más que otras, claro, pero Bogotá tiene unas características y unas condiciones que favorecen este tipo de escenarios comparándola con otros entes territoriales que existen en el país</p>	<p>Transitional Justice Institutions: Local Peace Agreement</p>

TABLE 5: ADDITIONAL QUOTES TO SUPPORT FINDINGS

FINDING	QUOTE	INTERVIEWEE CHARACTERIZATION
	<p>hicimos un convenio con la Jurisdicción Especial para La Paz, un acuerdo con la Comisión de Esclarecimiento de la Verdad y un acuerdo con la Unidad de Búsqueda de Personas dadas por Desaparecidas, así como una mesa técnica que deriva en un convenio con el Comando Conjunto de Transición de las Fuerzas Armadas, entendiéndolo también como un actor fundamental para la justicia transicional y para la verdad; y esos convenios tienen unos horizontes, ya ahora Manuela podrá ahondar en ellos, pero los horizontes que nos hemos planteado son, aparte de facilitar las condiciones para temas como POAT, presentación de informes de las víctimas, flujo de información, intercambio de información, etc., Frente al tema de verdad, específicamente, tenemos dentro del convenio con la Comisión una serie de espacios; unos para la territorial Bogotá, la macro territorial Bogotá, enfocados, muy enfocados en Sumapaz y en algunos sitios emblemáticos que han sucedido en el marco del conflicto en Bogotá o desde Bogotá; y el segundo elemento que está relacionado con el informe, tanto el acompañamiento en distintos escenarios de verdad por la Comisión para la construcción del informe, como posterior a la publicación del informe, una estrategia de difusión, sensibilización, visibilización de los resultados del mismo y de apropiación y empoderamiento por parte de las comunidades del informe, no sólo en lo relacionado con Bogotá, sino entendiéndolo que, pues, Bogotá es el lugar... el segundo con mayor número de víctimas del conflicto armado después de Medellín, pero mayor número de víctimas que se recepcionan de diferentes partes del país, digamos, el más diverso en cuanto a la composición de la población víctima.</p>	Implementing Partner
<p>Gaps in implementation are also related to deficient information flow, lack of technical know-how, and fragmentation of public policy.</p>	<p>En estos momentos tenemos una gran complejidad y es que los procesos que acompañamos especialmente de reparación colectiva se encuentran encallados, no han tenido avance óptimo en relación a la formulación en sus planes de reparación integral colectiva a razón de muchas opciones, por ejemplo una de ellas es la continua rotación de funcionarios públicos al interior de estas entidades, lo cual obstaculiza el avance de los procesos porque se pierde la memoria de los mismos</p>	Consultants
	<p>Por otro lado los proyectos y actividades de estos planes de reparación colectiva se siguen llevando hasta las comunidades desde los escritorios que se elaboran, ya sea en Bogotá, ya sea en el municipio, ya sean en cualquier parte menos con la articulación de las organizaciones sociales de base, los territorios siguen siendo mirados como algo por allá, relegados y los proyectos que se desarrollan en las comunidades son impuestos por las por las instituciones de gobierno. Cuando aquí lo que se debía hacer es concertarlo con la comunidad y ahora en los planes reparación colectiva, aunque fueron concertados con la comunidad los han minimizado, los han minimizado de tal forma que nada que nada de lo que quedó en los planes se está desarrollando de la forma como fue acordada.</p>	Implementing partner
	<p>son cosas muy difíciles de aterrizar, pero creo que el problema no es solamente, digamos en las regiones, sino hay un problema de capacidad institucional y ART lo reconoce, cómo es que yo no tengo gente y no tengo a nadie que se preocupe por el enfoque de género y no tengo a nadie que sepa del tema de reparación de víctimas, pues, hasta ahora están como tratando de meterlo con los planes de reparación colectiva y no tengo cómo acceder a recursos, porque, aquí estoy llegué a local porque el proyecto está muy débil y no hay como acompañar las comunidades.</p>	Implementing Partner
<p>Productive projects and psychosocial support are the two policies with</p>	<p>una estrategia que empezó con la Unidad para las Víctimas, también su trabajo con el Centro, se ha trabajado en el Ministerio de Salud y hoy en día la trabajamos con la unidad de búsqueda también y con la comisión, entonces esta es una estrategia que está completamente montada y en funcionamiento en estas entidades que te digo,</p>	Implementing Partner

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<p>most transformative promise and least advancement.</p>	<p>básicamente buscando como la como la dignidad y el bienestar de las víctimas en el momento en que entran como al sistema</p>	
	<p>Un tema importante en el tema de víctimas que es fundamental, el tema de habilidades blandas y asistencia psicosocial, creo que es un tema que todavía no está maduro y tiene que trabajarse mucho más fuertemente, ha habido unos avances importantísimos y USAID ha sido un cambio en poner el tema y poder desarrollarlo, pero falta mucho, creo que es una historia de éxito de cómo se empezó a trabajar ese tema, pero falta mucho, creo que es un tema central, esa capacidad de poder trabajar con las víctimas en fortalecer su resiliencia y la capacidad de poder gestionar su vida y su futuro como parte de ese proceso de ser (inaudible 25:17).</p>	<p>Implementing Partner</p>
	<p>Otro tema que es como muy importante que ya tiene que ver con el tema de la temporalidad, es cómo se puede avanzar en lo que tiene que ver con la estabilización socioeconómica de las víctimas, porque una vez las víctimas sean reparadas y atendidas, ya viene el tema de su estabilización socioeconómica, entonces ese es otro gran reto que tiene la ley, mejorar las condiciones socioeconómicas sobre todo las de las víctimas de desplazamiento forzado.</p>	<p>Implementing Partner</p>
<p>Land restitution is an area of concern.</p>	<p>fíjate que nosotros estamos haciendo un estudio para cuatro resguardos indígenas del municipio de Ungía donde nosotros evidenciamos que entre la fase donde se abre el acto administrativo de focalización y la presentación de la demanda en promedio son aproximadamente unos 4 años para terminar la fase administrativa, y entre que el proceso y la demanda se radica en un juzgado de restitución de tierras de Quibdó y se da sentencia al fallo, son aproximadamente unos 3 años en procesos que aproximadamente buscan restituir 10 mil hectáreas de tierra, ahora imagínate un proceso de 100 mil hectáreas de tierra o quizás de 600 mil hectáreas de tierra como se está llevando en el sur del departamento del Chocó, evidentemente esto nos lleva a pensar que son procesos muy desgastantes con una rotación clarísima por parte de los juzgados en relación a los jueces, y donde la unidad de restitución de tierras, no lleva procesos como los lleva CINEP, nosotros llevamos un proceso donde hacemos un balance día a día, en la unidad de restitución de tierras y existen funcionarios 15 a 20 procesos de restitución étnica lo cual genera un retraso.</p>	<p>Consultants</p>
	<p>Una forma de garantizar la permanencia nuestra y nuestra existencia y salvaguarda como grupo étnico es que el Estado nos garantice y nos proteja nuestro derecho fundamental al territorio, porque para nosotros los grupos étnicos el territorio no es un mero pedazo de tierra, el territorio tiene un componente espiritual, tiene un componente físico, tiene un componente cultural. Para nosotros realizar ciertas prácticas y usos tradicionales como pueblo étnico o como comunidad campesina, requerimos de la tierra para producir, requerimos de la tierra para transmitir nuestros usos y prácticas tradicionales, nuestras costumbres. Entonces ahorita que usted me preguntaba de esta reparación transformadora, esta reparación transformadora sería las acciones, la garantía de medidas respecto a la transformación territorial, respecto a lo que tiene que ver acuerdo de paz punto uno, ahorita que usted me preguntó, ¿por qué no le apuntamos más al acuerdo de paz? Entonces, prácticamente el eje central del acuerdo de paz es el punto y dice: reforma rural integral, transformación del campo,</p>	<p>Implementing partner</p>
	<p>Retornos y ubicaciones hay que aumentaron y el número de víctimas de desplazamientos forzados que efectivamente sean beneficiarios de procesos de retornos y reubicaciones y que logren asentarse o que logren restablecerse dignamente en los lugares de retorno o de reubicación y que sean beneficiarios como de proceso de reintegración comunitaria. ... de restitución de tierras de la medida de restitución de tierras hay una serie, o sea, hay un número muy importante de hectáreas, no tengo el dato te lo podamos conseguir, de hectáreas</p>	<p>Implementing partner</p>

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	<p>restituidas formalmente, sentencias de los jueces; pero todavía está restitución no es material entonces hay que consolidar esas acciones, siguen persistiendo aún retos en los temas de participación, creo que hay muchas cosas por mejorar en cuanto a la operación y el seguimiento del esquema de participación.</p>	
<p>Even when just compensation is considered, notable gaps persist between the aspirations of the SNARIV and its implementation.</p>	<p>el tema de la reparación individual es un mecanismo que les ha ayudado a más de uno pero que en el tiempo es muy difícil y costoso, y el gobierno si bien ha hecho esfuerzos importantes por atender el tema de la reparación individual en temas presupuestales y arquitectura institucional, lo cierto es que el volumen de víctimas y el volumen de recursos es demasiado grande y entonces la proyección es a demasiados años, entonces es una complicación</p>	<p>Implementing partner</p>
	<p>a reparación integral a las víctimas está bastante lejos de su cumplimiento, más allá de las herramientas que brinda la ley 1448 de los decretos ley. ¿Por qué? El proceso ha tenido bastantes dificultades. La T025 le puso un reto fiscal que no va a poder ser resuelto. Tendríamos que hacer una reforma tributaria única y exclusivamente para capturar esos más de 20 billones de pesos que hacen falta para la indemnización como medida. Ojo, sólo la indemnización como medida individual o colectiva, porque estoy hablando no sólo de las indemnizaciones en términos de reparación individual, sino de reparación colectiva... O mejor, de este escenario se deriva una situación bastante compleja y es la presión que sobre las demás entidades del Estado, de la misma unidad nacional, y sobre los entes territoriales recae por la insatisfacción de las víctimas frente a la facilidad o la viabilidad de su reparación económica.</p>	<p>Transitional Justice Institutions: Local Peace Agreement</p>
<p>The escalation of armed conflict in various regions has interrupted planned activities and diverted resources from repairment to relief.</p>	<p>Ahora bien, aquí no hay que desconocer un tema y es el contexto de violencia generalizada donde se proceden o se llevan en curso estos procesos de restitución y reparación, en muchas ocasiones lo que hemos percatado en nuestra presencia territorial es que existe una presencia y un control social territorial en (inaudible 30:55) de distinta índole que controlan social y territorialmente los territorios, encontramos que existe una pervivencia, una convivencia entre distintos actores armados e inclusive funcionarios públicos o cuerpos de investigación judicial que de alguna otra manera obstaculiza la reclamación de derechos y evidentemente una estigmatización y una criminalización por parte de sectores gremiales incluso políticos</p>	<p>Consultants</p>
	<p>Eso era un tema que no veía de una manera tan grande desde hace cerca de 15 años no se veían desplazamientos forzados masivo; es decir 200 o 300 personas saliendo de su comunidad y dejándolo todo, eso no veía hace tanto tiempo así que eso obliga a los entes territoriales, obliga al estado Colombia y a la UARIV a invertir recursos en esa atención de urgencia y de emergencia esos recursos de la urgencia y la emergencia son onerosos, es de los elementos más costosos que tiene la política pública de atención a víctimas y creo que ese es un escenario que de no parar la agresividad o la violencia que se tiene en los territorios pues vamos a tener esa situación humanitaria nuevamente agravada en distintas zonas, la oficina lo ha manifestado en su recién informe que se presentó hace un par de semanas y por supuesto es preocupante el incremento de desplazamientos masivos.</p>	<p>United Nations</p>
<p>Collective reparations can have a positive impact when delivered</p>	<p>Pues positivo ha sido porque siempre las comunidades han estado prestas a construir. Positivo porque a pesar de que muchas veces las institucionalidades no tengan la logística para llevar a cabo todo este tema de construcción, la comunidad siempre ha dicho: “Listo, si no hay nosotros ponemos y cada quien nos reunimos, el que lleve a su papá china las lleva, el que coloca el pescado lo lleva y así hacemos la olla comunitaria”, y de esta forma sacamos</p>	<p>Consultants</p>

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<p>through sustained community engagement.</p>	<p>todos los planes de construcción adelante. Entonces eso ha sido muy fructífero para este proceso de reparación colectiva.</p>	
	<p>Entonces a nivel nacional prácticamente la reparación colectiva es una expectativa, es una expectativa porque no se han generado los logros necesarios frente a acciones de materialización de esta norma, porque si nosotros decimos: bueno, listo ok, tenemos derecho a 5 medidas de reparación integral, restitución, indemnización, lo que tiene que ver con la reparación, las medidas de no repetición, pero eso está es en el papel, y qué hubiese sido si no se hubiese prorrogado la norma, nuestros casos hubiesen sido prácticamente un sueño. Entonces frente a esa situación existen muchos casos emblemáticos donde aún persiste la violación de los derechos humanos, la violación del territorio, la violación de los derechos colectivos, sociales y culturales</p>	<p>Implementing partner</p>
<p>Delayed reparation processes risk revictimization and generating bureaucratic harms.</p>	<p>lo cierto del caso es que los pasos que se dan son pasos muy lentos y con una clarísima desarticulación interinstitucional, intra institucional que realmente limita el acceso a la justicia por parte de estos sectores que reclaman especialmente colectivos, que reclaman una respuesta real y oportuna a los derechos que de alguna u otra manera fueron vulnerados.</p>	<p>Consultants</p>
	<p>the problems of victims don't go away in time, they actually get more compounded, especially if there's physical torture and scarring, that can often get worse as you age. So, society needs to understand, it needs to be sensitized to these stories, and the best way is a human way, because we're all human. And fact sheets don't do it. It's listening to people that does it.</p> <p>Seeing how the layers of trauma in the conflict that they've experienced, how it manifests in their lives and in the next generation. And then society can say, "well, actually we have to pay attention, otherwise this is just going to go on and on and on".</p>	<p>Expert</p>
<p>Differential approaches, an innovative proposal of the VLR are insufficiently considered in practice.</p>	<p>En otros sentidos, también hemos aprendido que el tema generacional importa, es muy distinto hablar de reconciliación con jóvenes que no han sido protagonistas ni víctimas centralmente, que nacieron en la Colombia post 2005 o que, digamos, se educaron o tienen conciencia política en esa Colombia posterior a 2005, cuando ya, de alguna manera, pasó el gran pico humanitario, de emergencia humanitaria; que hablar con personas de mi edad, entre 45 y cincuenta y pico, que tenemos ya unos recuerdos muy frescos de cómo era la violencia; o incluso, la generación de nuestros padres, que tienen también, digamos, experiencias y posturas políticas frente a eso, muy distintas. En el trabajo que yo he hecho lo que encuentro es que, en general, las víctimas movilizadas en torno a temas de justicia transicional y reparación son víctimas recientes, es decir, víctimas que fueron victimizadas hace poquito. Eso soporta un poquito esa idea mía de que el tiempo... El tiempo importa cuando hablamos de estas cosas porque, en algunos sentidos, el tiempo sana las heridas.</p>	<p>Expert</p>
	<p>cuando llegamos al tema de la implementación de ciertas medidas que requieren que exista una digamos... un proceso de titulación colectiva o de titulación individual donde se les reconozca a la comunidad su derecho al territorio que ancestralmente, tradicionalmente han venido ocupando y frente al cual sufrieron despojos, sufrieron despojo del agua, al territorio, de la tierra como tal y frente a los procesos de titulación colectiva que llevan por allí unos 24 años, 20 años, 15 años la agencia nacional de tierra ha sido digamos renuente en la vulneración de este derecho fundamental de las comunidades étnicas y más porque así lo contemplan los decretos ley que reglamenta la reparación colectiva para estos pueblos étnicos y es un derecho muy en conexidad con otros derechos fundamentales como el derecho a la vida, el derecho a la salud, el derecho a la</p>	<p>United Nations</p>

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	alimentación de las comunidades campesinas, entonces frente al tema de la reparación colectiva y el acuerdo de paz a nivel general el avance ha sido prácticamente de un 10% y a nivel de costa caribe el avance ha sido de un 0% como tal	
<p>Participation without tangible and explicit results at different stages of the process leads to fatigue.</p>	<p>el primero fuerte es cómo fortalecer los derechos políticos de las víctimas y eso tiene dos dimensiones, la dimensión de prevención y protección en los territorios, liderazgos de víctimas en restitución de tierras, mesas de víctimas que han sido amenazados, pero tiene que ver con los instrumentos de participación y representatividad de las víctimas, en dos niveles, el protocolo de participación de víctimas que ha sido fuertemente cuestionado sobre todo por la eficacia que ha tenido para que las víctimas incidan en la política pública, en un segundo nivel, tercer nivel, el tema de la implementación del acuerdo de paz y la profundización democrática que prometía el acuerdo de paz donde están temas incluso como las curules de víctimas, yo diría ese primer gran reto en términos de participación política y democracia</p> <p>entonces habría que mirar es no solamente el proceso de difusión, sino cómo se favorece un entorno protector para que puedan esas comunidades participar, porque lo que les digo la gente tiene mucho miedo, tiene mucho miedo y no va a reuniones porque muchas prácticas de control social de distintos grupos, de muchos colores que operan en las regiones.</p>	<p>Implementing partner</p> <p>United Nations</p>
<p>The COVID-19 pandemic has generally worsened conditions for reparations, care, peacebuilding, and reconciliation, but it has also represented an opportunity to reshape and develop activities.</p>	<p>creo que al comienzo de la pandemia también ha sido una visión de muchos en cuáles van a ser los escenarios de diálogo, de participación ciudadana en clave de la reactivación económica o de ver si esos procesos donde, a nivel regional, varios actores van a querer participar en la construcción de una visión conjunta tras la pandemia, van a también convocar espacios de diálogo y concertación o van a ser escenarios impuestos.</p> <p>el segundo elemento es, se dio un proceso de paz y el proceso de paz abrió otros elementos importantes que necesitaban resolverse y que derivan en necesidades de intervención del Estado, y abre otro Universo de cosas lo que a veces pone el foco en la segunda parte si cruzarla con la primera, tercero pandemia, los tres elementos hacen que el asunto sea bastante complicado y haya a veces que nadar contra corriente para poder que el tema de las víctimas que no se ha resuelto que se encuentra con un escenario más complejo y con otro más complejo todavía no desaparezca porque lo que evidenció la pandemia también es que las víctimas son los vulnerables dentro de los vulnerables porque además de sus propias vulnerabilidades porque casi siempre pertenecen a los grupos poblacionales más pobres de las zonas rurales y tienen que muchas veces en los casos de desplazamiento irse para los centros urbanos en dónde además de su pobreza no tienen redes, no tienen nada, su situación es terriblemente complicada y ahora con el COVID muchísimo más complicada, entonces la situación de las víctimas en el contexto global, creo que es un problema complicado.</p>	<p>Consultants</p> <p>Implementing partner</p>
<p>Peacebuilding is a malleable framework that brings together actors for conversations that would have been impossible.</p>	<p>Para nosotros como CINEP haber puesto en juego el tema de las comunidades de paz, programas de desarrollo y paz, el primero de ellos en el Magdalena medio, en Barranca y los 31 municipios que conforman ese gran programa desde hace ya 25 años, nos da una capacidad no porque lo hayamos hecho nosotros solos, porque es imposible, lo primero que hay que entender en la reconciliación es que se necesita que muchos pongan esfuerzos, pero si nos ha tocado ser protagonistas y provocadores, inspiradores de esas otras fórmulas no armadas para solucionar nuestros problemas sociales, económicos, políticos, culturales, ambientales.</p>	<p>Consultants</p>

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	<p>las metodologías de movilizatorio han puesto su granito de arena en estos años de existencia, es el hecho que buscamos impactar diferentes temas, y uno de esos es impactar los imaginarios, es cómo logramos crear, generar nuevas narrativas, cambiar percepciones, cómo logras que la otra persona vea el otro punto de vista, ahí empiezas a romper la polarización porque tú en el momento que le abres los ojos a la otra persona de: "oye, muy bien tu punto, pero este es el mío, yo te explico por qué este es el mío" ahí empiezas a generar un diálogo, acá no todos tenemos que estar bautizados, todos pensando iguales pero si de respetar al otro, y de conocer las otras narrativas</p>	Consultants
	<p>Creemos también que los ejercicios de reconocimiento que han venido haciendo los actores armados van generando una esperanza en el sentido de que es posible que haya un arrepentimiento y una redención. Y también poner en valor la verdad como un espacio de sanación para el dolor de las víctimas, y ellas así lo han nombrado.</p> <p>Entonces yo creo que en la narrativa, pues nuestro gran esfuerzo está puesto y estará puesto en clave de porqué la verdad tiene que conducirnos a un imaginario de paz que nos hemos negado, a esa posibilidad de construir una convivencia armónica en el territorio.</p>	Transitional Justice Institution: Peace Agreement
<p>Reconciliation is a multifaceted and multilevel process that requires careful consideration of both individual, institutional and contextual factors.</p>	<p>a presión de justicia en principio está basada en un tema de sanación, justicia y más allá de un tema penal y un tema de encarcelamiento, es un tema más de sanación y de verdad. Y una justicia que para el caso nosotros de lo étnico afro, se articule con los procesos más de una justicia más de restauración de la tranquilidad en el territorio. Ese es un poco la percepción de justicia de la lectura que hago normalmente. Conocer la verdad, conocer los autores, conocer las razones, en el caso de masacres, en el caso hechos de asesinato, violación y que eso permita particularmente un tema de no repetición, sanación y no repetición, que es lo que es en parte muy ligado al concepto de justicia. Propiamente lo que implica un tema penal también se lleva lo penal. Pero creo que está centrada allí.</p>	Implementing partner
	<p>le apostamos al tema confianza, al tema de desarrollo regional, sostenibilidad, pero estoy segura que no son las únicas, tenemos que comenzar a pensar cuáles son las otras agendas en las cuáles sectores, y aquí va la misión al tema empresarial por ejemplo, se sienten convocados y efectivamente su aporte es valioso y hay una posibilidad de articular el trabajo, cuáles son esas agendas en las cuáles podemos trabajar, que los incluyan, que los hagan parte y que generen unos escenarios de convivencia y de reconciliación así no sea ese el término, así no sea ese el contexto, porque definitivamente como ya lo hemos sabido y no es una cosa actual, creo que todos lo hemos mencionado, el trabajo alrededor de convivencia y reconciliación pasa por entender que el mismo término se agota, no se interpreta igual, no tiene conceptos, no es homogéneo en sus definiciones pero eso no impide que en términos de acciones, no conceptuales sino acciones y procesos uno si tenga que buscar la manera, llamado cómo sea, bajo la sombrilla que sea unos procesos en la práctica de lograr, esas transformaciones y demás. Vuelvo al principio de mi intervención, diría que la pregunta metodológica es qué vamos a hacer, por dónde y por qué agendas es que nosotros podemos entender el fenómeno de la polarización y sobre eso buscar otras salidas para los procesos de reconciliación.</p>	Consultants
	<p>ha sido un gran acierto del programa, que eso sea algo, digamos que dependa de cada comunidad y casi que de cada individuo y qué han logrado ligar y esto ya fue en el último, en los últimos años, en los que yo no he estado.</p>	Implementing Partner

TABLE 5: ADDITIONAL QUOTES TO SUPPORT FINDINGS

FINDING	QUOTE	INTERVIEWEE CHARACTERIZATION
	<p>Pero, ahora que lo reencuentro me he dado cuenta del valor que tiene, que lo han ligado mucho a las cosas cotidianas.</p> <p>Entonces, cuando nosotros arrancamos era reconciliación alrededor de la implementación de los acuerdos, que eso genera, pues todas las ampollas y toda la polarización y era un tema muy difícil.</p> <p>Pero, en cambio, si uno lo pone en un plano cotidiano, se vuelve algo real para la gente y tiene contenido concreto. Entonces, creo que eso también ha sido un gran acierto y un gran aprendizaje del programa</p>	
<p>Pillar 8 of the PDET is the window of opportunity to include new actors, particularly the private sector.</p>	<p>estos lugares donde había un ETCR que en los otros y parte de nuestra reflexión eso es porque la cercanía, el contacto, humaniza y permite tener una mayor aceptación, esos son el tipo de reflexiones que nos ayudan a identificar qué tipo de intervenciones nos ayudarían más en temas de reconciliación y parte de generar esa empatía que es una de las grandes apuestas nuestras en distintos proyectos, es fortalecer la empatía que puede haber entre personas, no solamente los más allegados, sino los más distantes a estos procesos con las personas que están pasando por estos procesos, bien sea víctimas, excombatientes o poblaciones en zonas PEDT es asegurar, fomentar la lógica de empatía y de cercanía humana, ese era un punto adicional para mencionar sobre esto porque es cierto que sería chévere que pudieras ver los resultados de esa encuesta y eso creo que puede ayudar también a identificar algunos puntos de acciones críticas a seguir.</p>	<p>United Nations</p>
<p>The promise of the territorial approach is not being used to its full capacity.</p>	<p>La dinámica del conflicto nos rompió de tal manera que mucha gente tuvo que salir del territorio sin quererlo, pero que se ubicó de manera estratégica y que ha permitido mantener todos esos elementos que anteriormente mencioné. Es de allí de que para nosotros es importante la reparación colectiva con esa mirada y ese enfoque de territorio extendido o urbano, rural o campo poblado porque también en la nueva lógica que hoy se está intentando. Que las comunidades, sobre todo las comunidades rurales étnicas, siempre han mantenido, solo que la institucionalidad no la ha comprendido. Y la idea es que cada vez la institucionalidad pueda entender las formas de cómo nosotros logramos entender no solamente el término de reparación colectiva, sino también en términos de territorio y territorialidad y transterritorialidad y multi territorialidad, el enfoque que les damos nosotros como grupo étnico.</p>	<p>Implementing partner</p>
	<p>La reparación colectiva territorial sería muy interesante, como de alguna manera hay reparos con el tema de reparación colectiva, reparos de la institucionalidad porque no les ha funcionado, como de las comunidades porque no sienten que hayan logrado lo que quiere, entonces toda esta lógica de reparación colectiva territorial no es tan de buen recibo y no se advierte las comunicaciones, porque si uno hiciera ese cruce en tema PDT hay recursos, no muchísimos, pero muchos de estos problemas de estos programas han tenido dificultades por recursos, en PDT hay recursos porque vienen recursos de las regalías a través de Local Pass, Obras con Impuestos, Ministerios a través de los marcadores presupuestales, recursos de distintos lados y uno dice: "pues claro, ahí hay recursos, yo debería hacer ese cruce entre los 3 elementos para generar desarrollos territoriales significativos" entonces es una cosa interesante que ayudaría a las víctimas si en los PDT se trabaja con el enfoque reparador que así está establecido el enfoque étnico y el enfoque de género y si se cruza con el tema de reparación colectiva territorial y de garantías de no repetición en lógica transformadora.</p>	<p>Implementing partner</p>
	<p>De pronto cuando el Estado colombiano se le pregunta ¿usted ha cumplido con lo ordenado en la Ley 70 de 1993 que se creó por mandato constitucional artículo transitorio de la Constitución Política, donde se le tenía que reconocer a las comunidades negras, afrocolombianas, raizales y palenquera del país el derecho a la propiedad de sus territorios ocupados ancestralmente? el Estado colombiano va a responder sí, sí hemos cumplido; pero</p>	<p>Implementing partner</p>

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	<p>resulta que la titulación colectiva para comunidades negras se ha centrado en la región Pacífica, en la Costa Pacífica y en el Caribe colombiano existe un total rezago frente al cumplimiento de este mandato constitucional, porque para nosotros los negros, para nosotros las comunidades afro el territorio es la vida misma, del territorio depende nuestro proyecto de vida y del territorio depende nuestra existencia y pervivencia como grupo étnico.</p>	
<p>State institutions, TJ or ordinary, have difficulties in defining their role and perspective when carrying out social dialogue.</p>	<p>no significa que la institucionalidad tenga que estar ahí en todo momento, porque puede haber muchos espacios de diálogo pues por organizaciones y distintos etcétera; pero que sí, y esa también era una de las cosas que nosotros alentamos y que veíamos como una posibilidad en la política, era que (inaudible 30:17) pasar es que las tintas entidades empiezan a impulsar sus procesos de diálogo, sus ejercicios de diálogo, entonces, el Ministerio del Medio Ambiente tiene unos espacios de diálogo, pero el del Interior tiene otros y la Procuraduría, entonces, empieza con otros, en los mismos territorios, frente a los mismos conflictos y termina dándose como una duplicidad de esfuerzos que hacen que se desgaste también el escenario, que no se logre concertar acciones, ni transformaciones frente a estas problemáticas.</p>	<p>Consultants</p>
	<p>no significa que la institucionalidad tenga que estar ahí en todo momento, porque puede haber muchos espacios de diálogo pues por organizaciones y distintos etcétera; pero que sí, y esa también era una de las cosas que nosotros alentamos y que veíamos como una posibilidad en la política, era que (inaudible 30:17) pasar es que las tintas entidades empiezan a impulsar sus procesos de diálogo, sus ejercicios de diálogo, entonces, el Ministerio del Medio Ambiente tiene unos espacios de diálogo, pero el del Interior tiene otros y la Procuraduría, entonces, empieza con otros, en los mismos territorios, frente a los mismos conflictos y termina dándose como una duplicidad de esfuerzos que hacen que se desgaste también el escenario, que no se logre concertar acciones, ni transformaciones frente a estas problemáticas.</p>	<p>Consultants</p>
<p>The main contribution of USAID/Colombia and its implementing partners has been the support and accompaniment of the materialization of the TJ and peacebuilding project.</p>	<p>La experiencia que hemos tenido en la FIP es que, si el diálogo está más enfocado en acciones concretas, de manera natural, como que ayuda a gestionar los conflictos, pero no necesariamente tú tienes que hablar del conflicto, sino que te ayuda como a entender que con el otro puedes trabajar, puedes empezar a verlo de una manera como más humana y eso te ayuda como a gestionar el conflicto que tienes</p>	<p>Consultants</p>
	<p>Y creo que la primera tarea era ¿cómo se hace la reparación? ¿Cómo esas 5 medidas que la ley dice que son la reparación cómo se implementan y cómo se hacen? entonces gran parte de todo lo que se hace hoy en reparación, en los protocolos, las metodologías, muchas herramientas que hay, de alguna manera se hicieron conjuntamente con ellos porque la pregunta sobre todo al inicio de la unidad de víctimas como decía era ¿eso cómo se hace?</p>	<p>United Nations</p>
	<p>se nos acabó el romanticismo de pensar en grandes instituciones y de pronto pensar en más territoriales más fuertes, que puedan continuar con unas metodologías que uno bien o mal, indicadores que uno bien o mal, desarrolla a lo largo de un trabajo de reconciliación y se prende la doble vía, no. Usted qué indicadores, usted qué metodologías tiene, usted qué está haciendo, yo que estoy haciendo y más bien generar masa y no pensar cómo solamente en algunas, en un socio, cómo fue en este caso, no, un gran socio que tenía ese principio.</p>	<p>Implementing Partner</p>
<p>The efforts made by USAID/Colombia to support (and incentivize)</p>	<p>Ese mecanismo de consulta para el caso del Pacífico medio aún no está conformado, no está diseñado. Es decir que hoy la iniciativa que se están formulando no están pasando por un mecanismo formal, especial de consulta. Y lo que hemos venido haciendo desde la comunidad a este caso desde la mesa PDET, desde el grupo motor, es</p>	<p>Implementing Partner</p>

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FINDING	QUOTE	INTERVIEWEE CHARACTERIZATION
participation, especially of victims, are generally regarded as positive.	haciendo el mayor esfuerzo y con el acompañamiento técnico y uso financiero del programa de CODHES y USAID, es ver cómo la iniciativa implementar pasa por la mesa, por una revisión, para que estén lo más alineados posible con lo que las comunidades quieren.	
Technical support in the implementation of VLR, especially psychosocial and do no harm approaches, has been good.	Debe contener un ejercicio de atención integral que no se quede o que la reparación no se quede simple y llanamente en la reparación económica, que es una de las apuestas, una de las luchas de nosotros en ocasiones cuando hablamos con organizaciones de víctimas o con víctimas directamente o le planteamos si vamos a hacer un ejercicio de exigencia de reparación, la reparación debe atravesar por un ejercicio principalmente del ejercicio de la reparación simbólica, pero también de un ejercicio de reparación como algunas plantean o dicen: “yo no necesito plata ni absolutamente nada simbólico. Yo lo que necesito es que, en el ejercicio de reparación, se me cuente la verdad sobre lo ocurrido”; “Yo quiero saber por qué lo asesinaron o por qué me desaparecieron a mi familia”. Entre otros elementos.	Implementing partner
	También lo hacemos con las entidades territoriales, con las gobernaciones, como nosotros estamos teniendo una focalización muy fuerte en los municipios PDET de las medidas que tiene una unidad para víctimas, hemos intentado decirle a los alcaldes: “Alcalde yo le hago la transferencia metodológica, le pongo a un psicólogo, usted apoye con otro psicólogo, con eso de esta manera podemos atender a muchas víctimas en esta medida que realmente hace que las víctimas reconozca, perdonen y que puedan seguir avanzando en este proceso de rehabilitación emocional”, mientras pues en paralelo con las personas priorizadas podemos tener el acceso a las medidas de indemnización.	Instituciones Justicia Transicional: VLR
Work with organizational strengthening is a process that supports sustainability of reparations and peacebuilding, especially in the territory.	desde nosotros como víctimas, de verdad que, pues tenemos unas dudas ante el Gobierno, no creemos en el Gobierno. Pero sí creemos en ustedes porque son los que nos han apoyado para poder nosotros hablar, para poder no quedarnos callados. Y de verdad que somos muy positivos. Creo que la mayoría de población víctima del desplazamiento, que estamos fuera de los territorios, creemos en el proceso y queremos continuar. Yo creo que la población víctima, las víctimas, día tras día le aportamos a la paz, le aportamos, así sea con lucha, con sufrimiento, pero estamos aportando para que esto continúe. Y lo que decía mi compañero, yo creo que están ustedes que son como nuestros aliados, que son los que nos dan esa fortaleza para poder continuar con un gobierno con mucha corrupción. De verdad que lamentable decirlo. Pero así se vive en nuestro país. Queremos que se pueda continuar, que nos puedan continuar fortaleciendo, que podamos continuar con nuestros procesos que llevamos en nuestros territorios y que a pesar de todas las amenazas que hemos tenido, seguimos persistiendo y seguiremos luchando. Yo creo que ya dimos un paso y yo creo que hay que ser muy positivos.	Implementing Partner
	adicionalmente hemos visto un elemento que además de ser reto es algo que en los últimos años se ha venido mermando en ciertos programas y proyectos sobre todo a nivel gubernamental, es el tema de fortalecimiento de capacidades, no es porque yo sea una convencida de ese tema sino porque sí vemos que para poder lograr esos procesos de reconciliación más colectivos, si no empezamos por este fortalecimiento individual va a ser muy difícil	Consultants
An area that requires further attention is collective reparation. This is particularly important for ethnic	Yo, antes de darle la palabra a Orlando, quisiera brevemente plantear también dos reflexiones cortas sobre reparación colectiva y tratar el tema de reparación colectiva en Buenaventura. Y la primera es que creo que el caso de Buenaventura, refleja algo que nosotros hemos visto y que hemos alertado frente al programa de reparación colectiva y es el rezago que han tenido los casos étnicos frente a los casos no étnicos. Los casos no étnicos han tenido un mayor nivel de avance en la construcción de los planes de reparación en la implementación	Implementing partner

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FINDING	QUOTE	INTERVIEWEE CHARACTERIZATION
<p>groups given the links of the PIRC with the PDET and GNR.</p>	<p>de sus planes de reparación. Los casos que ya se han cerrado todos son casos no étnicos. Hay más de cien sujetos no étnicos con plan integral ya construido. Pero para el caso de los sujetos étnicos, más del 70% de los sujetos que están en reparación colectiva están en etapas iniciales hasta ahora, están arrancando ese proceso. Y para el caso de Buenaventura, eso implica que después de varios años de trabajo, todavía no se ha podido culminar en la elaboración de los planes de reparación para todos los consejos comunitarios que están en ese proceso.</p>	
	<p>Pero pasa algo que nosotros como víctimas vemos y es una debilidad que es que la cabeza de coordinar la reparación colectiva que es la unidad nacional de atención y reparación a las víctimas no tienen la competencia frente a la implementación de estas medidas que se logren para una reparación transformadora como tal. Entonces esa limitante que se depende de un Snariv es un obstáculo bien grande para implementar esta medida de restitución de indemnización, rehabilitación, satisfacción y garantías de no repetición frente a las graves manifestaciones de violación de los derechos humanos.</p>	Implementing partner
	<p>de esos más de 700 sujetos de reparación colectiva tenemos en fases de identificación o socialización prácticamente el 75% de los sujetos; en una fase de implementación el 25% de los sujetos y ya en fase de culminación como tal a nivel nacional se está hablando de 8 sujetos como tal, entonces vemos que existen digamos un nivel de cumplimiento como tal muy bajo, entonces la gran pregunta de nosotros las comunidades víctima y de los sujetos ¿qué sería de nosotros, qué sería de nuestra suerte si no se hubiese logrado prorrogar la Ley 1448 y sus decretos ley como tal que son los decretos (inaudible 00:32:10) entonces allí vemos que este objetivo de reparación integral a las víctimas prácticamente no ha cumplido con el fin como tal de generar es reparación territorial, esa reparación social, esa reparación digamos al tejido humano de las comunidades. Porque sin lugar a dudas nosotros necesitamos de una reparación transformadora, de acciones transformadoras como tal.</p>	Implementing partner
	<p>También con el enfoque étnico, apoyo en la implementación de las iniciativas PDET en territorios de comunidades étnicas enfocadas al fortalecimiento de las capacidades para el empoderamiento, autogestión de los sujetos colectivos allí hemos hecho unas capacitaciones empoderando a los sujetos de reparación colectiva en el marco de los municipios PDET para que ellos también se empoderen, no solo de su plan de reparación colectiva sino cómo lo articulan a los municipios PDET para poderles dar cumplimiento y que puedan hacer esa veeduría con toda la tranquilidad y que les permita implementar lo que está dentro de los PDET pero también muy de la mano con su plan de reparación colectiva.</p>	Transitional Justice Institution: VLR
<p>Outreach and knowledge management require further support from USAID/Colombia.</p>	<p>los proyectos y actividades de estos planes de reparación colectiva se siguen llevando hasta las comunidades desde los escritorios que se elaboran, ya sea en Bogotá, ya sea en el municipio, ya sean en cualquier parte menos con la articulación de las organizaciones sociales de base, los territorios siguen siendo mirados como algo por allá, relegados y los proyectos que se desarrollan en las comunidades son impuestos por las por las instituciones de gobierno. Cuando aquí lo que se debía hacer es concertarlo con la comunidad y ahora en los planes reparación colectiva, aunque fueron concertados con la comunidad los han minimizado, los han minimizado de tal forma que nada que nada de lo que quedó en los planes se está desarrollando de la forma como fue acordada.</p>	Implementing partner
	<p>el fortalecimiento a la coordinación nación territorio identificando esa oferta que hay en el territorio, identificando esas oportunidades para poderle llegar a las víctimas a través de estos mapas de oferta tanto locales</p>	Transitional Justice Institution: VLR

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	<p>como nacionales, invitándolos porque hay muchas ofertas que se pasan y las víctimas no se postulan entonces hemos estado ahí haciendo todo el proceso de acompañamiento.</p> <p>el tema de reconciliación, el tema de resolución de conflictos que está vinculado, son temas en donde uno debe encontrar cómo llevarlo al terreno de lo concreto y específico, entonces a partir de eso ir identificando cuáles son esos actores que pueden hacerlo, por ejemplo, este empresario Medina que fue el que facilitó los acuerdos de paz, él es un campeón de ese tema específico y se podría trabajar con él en otros temas, Armitage en Cali, como él logró ese trabajo de poder. Es un tema de incentivos, pero también temas que van más allá de ese análisis económico del incentivo, ningún proceso de paz o reconciliación ha salido de una escuela de economía de las universidades, este es un tema personal, identificar quiénes son los actores, de cultivarlos, pero no es un tema automático, y muchas veces son actores que uno no conoce, entonces en esa identificación es fundamental</p>	Implementing Partner
<p>Positive experiences of support and strengthening of TJ processes and entities bodies are poorly tied to the strengthening of ordinary state institutions.</p>	<p>El desafío no solamente tiene que ver con el sistema integral, el desafío tiene que también interpelar a la jurisdicción ordinaria o a las autoridades ordinarias... esas investigaciones hoy por hoy en la pro de la Fiscalía están de acuerdo con la información que hemos recibido con una suerte de estancamiento en la Fiscalía General y ahí sí creo que hay grandes desafíos que involucran al ordinario y a lo transicional porque la Fiscalía hoy tiene la obligación de continuar estas investigaciones</p> <p>cuando tú no tienes una imagen y no ha estado priorizado, pues la cooperación y la posibilidad de unir esfuerzos para encontrar a los desaparecidos es muy poca, entonces lo que nosotros reconocemos es que la búsqueda y sobre todo desde esta perspectiva humanitaria y extrajudicial permiten la convocatoria a distintos actores para contribuir a la búsqueda, por decir algo, si un Alcaldía tuviera unos archivos de medios de comunicación de hace mucho tiempo, eso sería muy útil para nosotros porque muy seguramente en esos archivos locales de medios de comunicación locales puede haber referencia de información muy valiosa, eso no necesariamente es una prueba para la Fiscalía, para nosotros no es una prueba pero si nos permite estructurar búsquedas.</p> <p>Nosotros llegamos a esta política pública a partir de dos acciones del CONPES, Laura, la primera, lo voy a decir literalmente, dice: Incorporar la estrategia de reincorporación comunitaria en la política pública de convivencia, reconciliación, tolerancia, no estigmatización, etc. Esa es una de las acciones. La segunda acción es incorporar acciones de la estrategia de prevención de la estigmatización en esta política pública. Hemos venido teniendo reuniones bilaterales con el Ministerio del Interior, que son los líderes de la expedición de esta política pública. El año pasado, la información que recibimos fue que se estaba instalando nuevamente el Consejo Nacional de Paz. Tuvo como un receso, se nombraron nuevos comisionados, ellos daban insumos o dan insumos para la construcción de la política, nuevamente ese tema se retomó, el ministerio tenía como meta la expedición de la política a finales, en diciembre, del año pasado, lo cual no ocurrió; sin embargo, nosotros presentamos una propuesta que tiene un alcance muy desde la oferta que tenemos, porque la idea no es, como entidad, generar muchísimas más cosas, sino, desde lo que tenemos, que es la estrategia de reincorporación, cómo conectamos esto con la política pública y cómo contribuimos a los fines de la política pública.</p>	<p>United Nations</p> <p>Transitional Justice Institution: Peace Agreement</p> <p>Transitional Justice Institution: JPL</p>
<p>The constant renewal of TJ frameworks by the GoC has shifted attention on occasion in USAID/Colombia from</p>	<p>llevo 16 años trabajando en temas de reintegración, construcción de paz, y siento como si estuviera empezando otra vez, que llegan noticias de masacres, asesinatos, de amenazas y uno dice en qué momento volvimos a echar así para atrás. Teniendo en cuenta eso creo que los retos más difíciles, y sin tener en cuenta el momento actual de paro y demás, creo que acá tenemos un tema de fortaleza institucional muy fuerte y no sé si debemos seguir atacando el fortalecimiento institucional de la manera tradicional, acá vuelvo y digo si no sé si seguimos en la</p>	Consultants

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FINDING	QUOTE	INTERVIEWEE CHARACTERIZATION
functional relationships, established agencies, and working conceptualizations.	<p>misma manera de: "venga tratamos de fortalecer las instituciones" no sé cómo sacudirlas y hacer que las mismas instituciones también tomen otros caminos y otras opciones, pero sí creo que el tema de confianza institucional, fortaleza institucional, capacidad institucional son una de las cosas muy fuertes y de altos retos que tenemos en este momento, esto unido a la crisis, a la pandemia y al mismo hecho que venimos, entonces nos vamos al 2016 supuestamente a un acuerdo de Paz que debía ser implementado, un plebiscito que ganó el "no" pero al final de todo sí pasó el sí, somos un país lleno de una cantidad de matices y lleno de una cantidad de problemáticas que cada cosa hace que sea más difícil.</p>	
	<p>hoy en día muchas de lo que hacemos inconscientemente perpetúan narrativas antiguas y ya clásicas de cómo se hacen las cosas, entonces uno va a los territorios, hace A, B, C, se hacen los proyectos productivos que deben ser de esta manera, pero muchas veces, y esto lo siento mucho en cooperación internacional, no solamente en USAID sino en Cooperación Internacional que muchas veces sigue pasando las críticas que uno le hace, cuando estudias Desarrollo lo primero que dicen es no venga con un (idioma en inglés 26:53) a implementar, pero sigue pasando, porque al final de todo las políticas país se piensan un poco afuera y terminan siendo implementadas con unos grandes actores que tal vez no sé si son los más conectados a la realidad colombiana, o realidad en general, porque tenemos los grandes TETRA TECH, Chemonics, aunque mi experiencia con Chemonics ha sido fabulosa, me parecen top literalmente de los implementadores de ustedes, pero muchas veces hasta el mismo ACIDI siento una desconexión, como que son unos monstruos enormes y te lo digo por experiencia de participar en las convocatorias, y en cómo se arman las propuestas y demás, siempre son unos extranjeros que están armando desde casa matriz la gran propuesta y cómo la conectan realmente a la realidad es difícil, entonces por ejemplo nosotros hemos participado y lo que más nos han agradecido es: "oigan, nos tomamos el tiempo de darles una clase de contexto, de oiga esto funciona así" pero creo que desde el mundo de la Cooperación y del desarrollo seguimos cometiendo esos errores, es muy fácil criticar, acá estoy tratando de ser lo más constructiva y sé que se ha tratado e hacer y se ha avanzado muchísimo como mundo en cooperación internacional, ayuda al desarrollo seguimos cayendo en errores de continuidad de prácticas y cuándo es algo nuevo hay un temor porque no hay confianza</p>	Consultants
	<p>el acuerdo de paz en el punto 2 creaba los consejos de reconciliación y convivencia, como ustedes saben esos consejos a partir de una serie de observaciones que hicieron distintas organizaciones de la sociedad civil, entre ellas la FIP se decidió fusionar los consejos de paz que venían de 1998 con estos que creaba el acuerdo y por eso se actualizó a los Consejo de Paz Reconciliación y Convivencia que es la figura que existe actualmente, y dentro del mandato que tenía en el acuerdo, ese consejo de reconciliación estaba la estructuración de una política pública de reconciliación, convivencia, tolerancia y no estigmatización, entonces esa agenda la recoge el Consejo Nacional de Paz y sacar adelante esa iniciativa sigue siendo un interés del Consejo Nacional de Paz, fue en ese marco, la FIP apoyó un proceso de recolección de insumos en distintos territorios que se entregó a la Administración anterior, eso quedó quieto, pero en algunos momentos el actual comisionado sí ha señalado que podría haber un interés de avanzar un poco, cómo les digo es una agenda, es un punto importante para el Consejo Nacional de Paz el avance, seguir dando pasos para la materialización de esta política.</p>	Consultants
The private sector has shown a preference for forward-looking activities with respect to	<p>los empresarios en este momento se dieron cuenta que la inestabilidad política los afecta directamente a ellos, incluso con la bajada de la calificación y todas estas cosas y están dispuestos a meterle plata incluso en impuestos, la forma cómo se ha logrado..., yo creo que hay muchas formas, de hecho, el programa desmovilización tiene incentivos particulares para empresas que contratan excombatientes, lo hizo Coca Cola, montones, en impuestos, tú pagas menos impuestos si contratas, pero esto es para excombatientes, no es para víctimas.</p>	Expert

TABLE 5: ADDITIONAL QUOTES TO SUPPORT FINDINGS

FINDING	QUOTE	INTERVIEWEE CHARACTERIZATION
reconciliation and peacebuilding.	<p>la Comisión ha hecho un esfuerzo importante, desconocemos si este año dentro su planificación van a lograr tener públicamente un acto de reconocimiento de responsabilidad; pero Laura yo creo que en ese comité de seguimiento una de las propuestas que se le podría plantear hoy a la Comisión es también de qué manera el rol que puede jugar el sector privado y el sector privado en muchas dimensiones. Hay muchas empresas por ejemplo que han involucrado a ex integrantes de las FARC, muchas personas que hacen parte del proceso de paz en sí misma y que eso favorece la reconciliación y además porque es como darle la posibilidad desde un punto de vista de: mire, usted va a tener más... este tema también lo califica, quien le compra sus productos, que usted se comprometa con este tipo de cosas, sobre todo en términos de marca, y creo que la recomendación es Laura que ya también se lo hemos planteado a la Comisión, es también revisar la posibilidad de que no solamente haya una representación de las víctimas y de organizaciones, sino con algunos de los sectores, porque la Comisión de la Verdad también ha trabajado o interlocutado con la ANDI, eso lo ha liderado la dirección de diálogo social.</p>	United Nations
	<p>en el caso colombiano durante varios años, el acento de la reconciliación era sobre memoria y sobre todo en los niveles locales, en las iniciativas territoriales donde se ponía mucho énfasis en generar esta conciencia de recordar lo que ha pasado para que no vuelva a pasar y unos intentos interesantes, los que mencionaba Tatiana con Prodeco, Ecopetrol desde el sector empresarial también entrar en esta onda de construir memoria local en clave de no repetición, pero ahora el acento muy claramente está en el tema de justicia, justicia restaurativa, reparativa, justicia transicional que tiene también la sombrilla grande en reconciliación, donde se quiere que esas personas que cometieron atrocidades y crímenes en el marco del conflicto puedan pasar por un proceso judicial y reparativo,</p>	Consultants
	<p>Creemos que parte de la tarea de No Repetición es involucrar a muchos actores. Por eso estoy hablando pues de extender esta tarea a otros y en el tiempo. Creemos que es muy importante la vinculación del sector privado. Yo diría; uno porque son decisores de muchas cosas, porque tienen incidencia en la agenda legislativa y en la agenda de los gobiernos. Siempre han tenido mucha incidencia y porque siempre tienen incidencia también en las poblaciones en los territorios donde ellos trabajan. Ya hemos venido haciendo pues un trabajo con ellos a través de espacios de escucha, a través de foros y de capacitaciones con Andy Boca por ejemplo, con la FIP, con otras organizaciones.</p>	Transitional Justice institution: Peace Agreement
	<p>Con niños y jóvenes, que sé que es un tema también de interés, contarles un poquito que nosotros tenemos tres instituciones educativas que son los ITAFs, son Institutos Técnicos Agropecuarios Y Forestales. Están ubicados en Darién, en El Tambo y Cajibío, y creo que esta es una alternativa muy interesante para estos jóvenes rurales. Nosotros buscamos el recambio generacional rural; que para los jóvenes exista en su futuro, en su proyecto de vida, la posibilidad de quedarse en esos entornos rurales; y para esto, tenemos una metodología que se llama La Alternancia, no como la que tenemos hoy, sino una metodología que nos ha permitido aprender haciendo. Entonces, tenemos unos fondos rotatorios que permiten a los estudiantes tener proyectos productivos nuevos o fortalecer los que ya tienen con sus familias y, de esa manera, pues tengan el currículum regular, pero también se pueda complementar con el aprender haciendo. Tenemos unos técnicos agropecuarios que los pueden visitar y que pueden fortalecer, no solamente sus capacidades y entender mejor lo que sucede y producir más y mejor, sino también, compartir ese conocimiento tradicional y mejorar también las buenas prácticas agropecuarias que van variando con el tiempo y también enseñarlo a sus familias.</p>	Consultants

TABLE 5: ADDITIONAL QUOTES TO SUPPORT FINDINGS

FINDING	QUOTE	INTERVIEWEE CHARACTERIZATION
Community incorporation of ex-combatants delivers important outcomes for a variety of actors involved.	la gracia y la magia de la reintegración comunitaria es mostrarla a una comunidad que al aceptar y trabajar con lo que se te está integrando que pueden ser desde desmovilizados hasta víctimas, hasta desplazados, porque no nos tenemos que concentrar en desmovilizados, te va a beneficiar como comunidad, y no va a ser una carga porque el problema, especialmente con desmovilizados, realmente con comunidad vulnerable, es que tú ves que te empieza a llegar comunidad vulnerable y tú dices: “acá ya se toteo, no ya estábamos mal y ahora nos llegó más” si tú logras demostrarles y cambiar de nuevo imaginarios, y cambiar la percepción de que tú al recibir, al ser tolerante, al ser abierto a recibir a esa persona tu comunidad va a beneficiarse porque el gobierno le va a invertir a un programa de reintegración comunitaria de tu barrio, entonces puede que se te mejoren tus parques, puede que se te mejore tu seguridad, puede ser que mejore la apariencia del barrio, me entiendes, desde cosas micro a cosas macro; si tú logras que la gente entienda que no es una carga, sino un plus, estaríamos al otro lado	Consultants
	si hay un proceso de reincorporación llevándose a cabo, pues que la población no sienta que el excombatiente, por haber estado en un grupo armado ilegal, tiene mayor atención del Estado, porque probablemente muchas de esas personas nunca el Estado les ha llegado con una oferta suficiente. Entonces, cómo no generas que haya un desbalance y que uno diga “Bueno, este que no la hizo bien tiene toda la atención y yo, que estoy acá, digamos que no siento el mismo acompañamiento”. Entonces, en ese sentido, todos los procesos comunitarios y que la gente sienta que la llegada de un excombatiente, por ejemplo, a una situación particular pues es común para todos y que se involucren, digamos, como parte activa de ese proceso. Yo creo que en las comunidades rurales hay un deseo muy fuerte de que nadie más viva lo mismo que han vivido y creo que hay una mayor apertura en muchos casos,	Consultants
	el Ministerio de Defensa en un momento sacó un estudio de cuánto le cuesta dar una baja, esto es incluyendo el entrenamiento, desplazamiento, todo lo que quiere decir que un soldado esté listo para ir a campo de batalla y dar una baja, eso costaba 300 mil dólares, y el programa de reintegración costaba en su momento 5 millones 900 mil pesos, por individuo, entonces también si usted quiere quedarse en negocio, cuál es el camino más efectivo, tanto costo y beneficio, es desmovilícelos y reintégreles a la sociedad para que sean útiles a la sociedad, entonces tú al mostrar que te va a costar menos que darles plomo, va a ser más efectivo porque le van a empezar a dar a la sociedad y a aportarle, tú ves que el programa es bueno para ti, pero si a ti nadie te ayuda a hacer ese clic, tu sigues diciendo es que claro, le están pagando un millón de pesos, un salario mínimo a cada uno de esos bandidos, o también experiencias que me pasaron en la vida	Consultants
GNR has a double role in TJ. They respond to violations suffered by (in)direct victims in the past and benefit the entire community in the future.	Y creo que ese tipo de compromiso con la juventud no se repita, ¿vale? Y creo que ese tipo de compromiso con la juventud es fundamental, porque estamos hablando de niños que tienen 8, 10 años y que no vivieron lo que pasó y que para ellos es importante saber de primera mano qué fue lo que ocurrió. En otros casos... bueno ahí hay otro montón de cosas que no tienen tanto que ver con ustedes sino con (inaudible 00:09:08) y demás, es el proceso de saber qué fue lo que pasó y reparar a partir de la verdad. Hay otras opciones que no sé qué tan viable sean	Expert
Existing TJ and peacebuilding measures	hay muchas debilidades muy fuertes que se convierte en una amenaza contundente contra la reparación colectiva, contra la reparación de los territorios con esa capacidad de general paz desde ahí, desde esa unidad institucional que se merecen las víctimas, que se merece los territorios, y que se merecen los acuerdos, por eso mi llamado muy contundente, yo hablado mucho con Marta sobre esto de hacer un llamado mucho a la cooperación	Implementing partner

TABLE 5: ADDITIONAL QUOTES TO SUPPORT FINDINGS

FINDING	QUOTE	INTERVIEWEE CHARACTERIZATION
<p>are not used to their full capacity.</p>	<p>internacional porque los recursos no van tan dirigidos contundentemente, nosotros acá de nuestro municipio de Zambrano Bolívar echamos por decirlo así vulgarmente a un operador, porque solamente uno operador se está gastado miles de millones de pesos para construir algo que conoce el territorio, que conocen sus alcaldes, que conocen sus funcionarios, entonces no puede venir desde la centralización del gobierno a los territorios a decirte a ti construir un pozo de Bocachico, de (inaudible 01: 25:15) Bocachico porque es injusto, es un insulto a los conocimientos del territorio como tal, entonces siempre yo he dicho: no, pero es que realmente está funcionando al revés, o lo hacen adrede, que lo hacen con buena intención o con mala intención se convierte en una acción con daño, hoy el ejercicio de reparación como tal, se convierte en una acción con daño cuando la participación ciudadana, donde los territorios no están haciendo partícipes contundentemente, sino que están en la participación obligada a través de los OCAD paz para poder poner reponer un territorio</p>	
	<p>¿Cómo puede haber una reparación colectiva transformadora con hambre? cuando nosotros no tenemos acceso al agua en pleno siglo XXI, hoy 16 marzo del 2021, nuestras comunidades étnicas afrocolombianas, campesinas de la Región Caribe no tienen acceso al agua, porque el agua pasó a ser prioridad de las empresas y de los megaproyectos agroindustriales, turísticos, minero energéticos para la consolidación de un modelo económico que nos excluye a nosotros, entonces nos están vulnerando un derecho fundamental que no tenemos acceso al agua, que afecta el derecho a la vida, a la salud, a la alimentación, al trabajo, entonces el conflicto armado persiste y no puede haber paz territorial mientras no se le brinde a la comunidad las garantías ,la seguridad necesaria para participar y para tener tranquilidad en su liderazgo.</p>	<p>Implementing partner</p>
<p>Existing TJ and peacebuilding mechanisms are not used to their full capacity.</p>	<p>más allá de las iniciativas que hablan explícitamente de este trabajo de reparación, también se ha venido identificando desde la coordinación institucional cómo, por ejemplo, algunas de las acciones en materia de salud, de educación, incluso, en la disposición de vías y de infraestructura, pero también, el apalancamiento de temas de sostenibilidad económica y seguridad alimentaria, contribuyen al proceso de reparación integral de víctimas y es un tema que se sigue fortaleciendo, que obviamente, ha arrancado desde una perspectiva de satisfacción, pero que también contribuye a generar garantías de no repetición a los territorios.</p>	<p>Transitional Justice Institutions: Peace Agreement</p>
	<p>la Región Caribe persisten a nivel de relación institucional prácticas clientelistas que dificultan también poder cumplir, ejecutar, diseñar incluso antes aquellos procesos o el cumplimiento de las medidas y de las acciones que conducen pues a la garantía de los derechos de las víctimas, estamos hablando ya sea de restitución, reparación colectiva, estamos hablando también de todos los mecanismos que están implementados que están formulados en el acuerdo de paz con el caso PDET que aquí han formulado, entonces claro ese concepto que no ha logrado desmontar ciertas prácticas clientelistas a nivel local, que se presenta en las regiones en distinto grado</p>	<p>Implementing partner</p>
	<p>la JEP se está quedando corta en algunos casos porque no se está llegando a los territorios, conocemos de unos enlaces que ha llegado a territorios, pero que yo no veo que estén haciendo ese papel para que se puedan documentar y pueda haber verdad, justicia, reparación y garantías de no repetición en estos territorios apartados de Colombia. Lo digo porque nuestra zona Montes de María hay comunidades donde hubieron falsos positivos, donde hay fosas comunes, que ya se dio un primer informe de algunos departamentos en donde el departamento de Bolívar no está y nosotros como líderes de los territorios conocemos de todas estas situaciones, pero no se ha hecho ese ejercicio desde las comunidades para que también puedan las víctimas que saben que les desaparecieron, que les asesinaron a sus familiares puedan solicitar con las garantías de no ser perseguido, que se diga la verdad en estos asesinatos.</p>	<p>Implementing partner</p>

TABLE 5: ADDITIONAL QUOTES TO SUPPORT FINDINGS

FINDING	QUOTE	INTERVIEWEE CHARACTERIZATION
<p>The end of the mandate of the CEV is a strategic moment for USAID/ Colombia in the short term.</p>	<p>un componente que es muy importante es el informe, y el informe lo han decidido los comisionados como un informe transmedia, y yo creo que ahí el tema territorial va a necesitar apoyos porque el transmedia hasta ahora se está pensando especialmente como un transmedia que es una plataforma digital, además de los componentes análogos y culturales. Sin embargo, ustedes saben que lo digital en muchos territorios del país pues todavía no es una realidad, entonces yo siempre he pensado que esa transmedia va a necesitar también versiones impresas, versiones en USBs, versiones en otras cosas y yo creo que allí apoyos en una mayor divulgación que sea más efectiva a los territorios</p>	<p>Transitional Justice Institution: Peace Agreement</p>
	<p>Por lo mismo que decía ahora, que fundamentalmente se trata de elevar niveles de consciencia en el conjunto de la ciudadanía, en el aparato de Estado, en los órganos decisores, y eso requiere que dediquemos un esfuerzo, un tiempo, no solo como Comisión sino que seamos capaces de encontrar quiénes van a ser esos aliados que van a hacer la tarea como si fuera propia. Que terminada la Comisión queda un conjunto importante de organizaciones y de líderes que van a hacer pedagogía y apropiación del informe final a través de muchas formas, a través de formas que van a ser por ejemplo esa plataforma, una plataforma digital, transmedia, que pone el informe final en lenguajes, en formas, que generen entusiasmo, que les lleguen a muchos públicos, vamos a hacer publicaciones de textos para niños o la postarán también en la página web.</p>	<p>Transitional Justice Institution: Peace Agreement</p>
	<p>Y, es por ello que hemos diseñado un mecanismo que llamamos “La Red Aliada” y es un conjunto de organizaciones y personas que históricamente han estado trabajando por la construcción de la paz, que se han sumado a esta tarea de la Comisión de la Verdad, que han aportado a la Comisión de la Verdad con informes, con recomendaciones, con apoyos, etcétera, de manera que nosotros podamos entregarles esta tarea que sigue de aquí en adelante que hemos llamado “El Legado” estamos trabajando sobre El Legado, El Legado es toda una estrategia para la comisión que hemos definido como un conjunto de actividades, proyectos, dispositivos, activaciones que nos permita garantizar que hay un nivel importante de apropiación del informe final de las recomendaciones y en general de los aprendizajes que ha hecho la Comisión, porque no solamente los que quedan en el informe final, aquí hay un acumulado muy grande y en ese sentido estamos trabajando tres componentes:</p> <p>Un componente que es la narrativa, es decir, que podamos definir cuál es exactamente el mensaje o los mensajes que queremos dejar instalados.</p> <p>Dos: una plataforma transmedia, multimodal, que no es otra cosa que un montón de medios a través de los cuales podamos llegar de diversas maneras a distintos públicos este mensaje, y animarlos a abordar el informe final y a asumir las recomendaciones como parte de su agenda, de una agenda propia.</p> <p>Y un tercer componente, sería la red de relaciones, que estaría la red aliada de la que te estaba hablando ahora, el Comité de Seguimiento</p>	<p>Transitional Justice institution: Peace Agreement</p>
<p>The diffusion and social appropriation of the Final Report of the CEV provides an opportunity to promote coordination between transitional and</p>	<p>nosotros entendemos que tenemos que ser capaces en esta etapa de generar un informe de un mensaje a través del informe final y las recomendaciones que genere una conmoción positiva, es decir, que interpele a la ciudadanía en general, que le hable a la sociedad y que la sociedad pueda a través de esa reflexión que suscite el informe final, entender que es necesario asumir unas tareas. Que no son solo del Estado, que no son solo del Gobierno que seguramente pues tendrá unas responsabilidades que esperamos asuma a través de las recomendaciones, sino que tiene que ver con el conjunto de la ciudadanía, entendiendo que la tarea de la Comisión de la Verdad es en</p>	<p>Transitional Justice Institution: Peace Agreement</p>

TABLE 5: ADDITIONAL QUOTES TO SUPPORT FINDINGS

FINDING	QUOTE	INTERVIEWEE CHARACTERIZATION
<p>ordinary institutions and within the SIVJRR.</p>	<p>esencia una tarea ética y política, es decir, que requiere que haya una masa crítica suficiente, ilustrada y comprometida y activada para promover esa movilización.</p>	
	<p>en términos de retos de la Comisión creo que lo más importante es el legado, o sea, como en ese marco lógico se tiene en cuenta, cómo se puede apoyar la participación de sociedad civil, cómo se puede cualificar la participación, cómo se puede apoyar la configuración de mesas técnicas e interinstitucionales para el cumplimiento de las recomendaciones, qué cosas se pueden hacer. Y creo que para esto va a ser muy importante y con esto terminaría el tema digamos de los grande retos de la Comisión a muy gran... muy rápidos y gran vista, es la red de aliados que está construyendo la Comisión de la Verdad para eso, que es, con la institucionalidad local y con actores de organizaciones de la sociedad civil, familiares de víctimas, organizaciones de víctimas, organizaciones de derechos humanos, poder generar una masa crítica que pueda también no solamente darle un respaldo al Comité de Seguimiento, sino que eso mismo permita la apropiación del informe en los territorios y también esas recomendaciones. Porque además esto es lo que va a perdurar en el tiempo de la Comisión de la Verdad.</p>	<p>United Nations</p>
	<p>con la Comisión para el esclarecimiento de la verdad. Digamos, hubo un primer encuentro entre los directores, el director de la ARN y el padre De Roux, y uno de los mandatos que tiene la Comisión tiene que ver con el tema de garantías de no repetición. Lo digo, pues, digamos, desde esta orilla. No sé si, seguramente, la ARN con otro alcance también se ha reunido con ellos. Pero desde el tema comunitario, tuvimos la oportunidad de reunirnos con las representantes de la Comisión de la verdad para, frente a ese... a ver cómo podíamos articular un trabajo conjunto para trabajar esa línea, ese mandato de las garantías de no repetición, sobre todo, desde la estrategia que mencionaba Julián, de fortalecimiento de entornos protectores.</p>	<p>Transitional Justice: JPL</p>
<p>Notions of the public and public spaces are insufficiently explored as a means of sustainability of reconciliation actions and coordination between actors.</p>	<p>Yo siento, presiento que esta red va a tener unos núcleos territorial, ojalá sea así y yo siento que debería ser prioritario precisamente en los lugares donde la repetición es más fuerte. Y allí pues por supuesto lo que hacemos alrededor del informe y las recomendaciones que yo creo que la gente ya también está haciendo cosas. Entonces en la frontera hay iniciativas para los mínimos humanitarios, en el Pacífico está toda esta estrategia de diálogos interétnicos y de mesas interétnicas por la paz, por la verdad, por la reconciliación. En el Suroccidente del país está la mesa interétnica del Norte del Cauca. Digamos, hay muchas cosas en el país que ya están pensando cómo hacer viable la no repetición y yo creo que si esos espacios se le suma lo que va a decir el informe, las nuevas herramientas, las recomendaciones puede ser muy importante.</p>	<p>TJ institution: Peace Agreement</p>
<p>The use of creative and innovative tools and activities expands the</p>	<p>Estamos preparando unas herramientas pedagógicas en un taller de cocreación con maestros que son de todos el país que representan culturas y territorios muy distintos. Vamos a hacer una serie de activaciones artísticas y culturales que propenden por generar como una emoción desde el corazón, un estímulo para que muchos más se</p>	<p>Transitional Justice: Peace Agreement</p>

TABLE 5: ADDITIONAL QUOTES TO SUPPORT FINDINGS

FINDING	QUOTE	INTERVIEWEE CHARACTERIZATION
<p>space for GNR and peacebuilding</p>	<p>acerquen al informe final, pero también para que comprendan la esencia misma de lo que queremos dejar instalado.</p>	
	<p>más allá de las iniciativas que hablan explícitamente de este trabajo de reparación, también se ha venido identificando desde la coordinación institucional cómo, por ejemplo, algunas de las acciones en materia de salud, de educación, incluso, en la disposición de vías y de infraestructura, pero también, el apalancamiento de temas de sostenibilidad económica y seguridad alimentaria, contribuyen al proceso de reparación integral de víctimas y es un tema que se sigue fortaleciendo, que obviamente, ha arrancado desde una perspectiva de satisfacción, pero que también contribuye a generar garantías de no repetición a los territorios.</p>	<p>Transitional Justice Institutions: Peace Agreement</p>
	<p>El siguiente programa que creo que también es muy importante es de ciudadanía activa. Digamos que es una línea que se trabaja muchísimo desde la planeación territorial participativa, el fortalecimiento, capacidad de negociación, derechos humanos, que creemos que esto es clave. Y pues en gestión ciudadana, digamos que se trabaja con los jóvenes para mejorar sus habilidades y competencias ciudadanas y democráticas a través de proyectos de vida en el caso del individuo, pero también trabajamos con los docentes y los rectores para que incluyan estos temas en su plan estratégico situacional y, de esta manera, el joven se entienda como individuo, mejore sus habilidades, pero también se involucre en lo comunitario. Por eso, también tenemos unas iniciativas que permiten, dentro de todos los procesos de planificación que les voy a contar ahora, involucrar a los jóvenes de manera importante. Voy a hacer un poco aquí en desarrollo integral territorial, que creemos que es clave y de su interés para todos los temas de gobernanza y de territorialidad que tienen dentro de esta nueva planeación. Digamos que aquí, esto es una metodología que es muy interesante. Nosotros apoyamos... Y la puesta en marcha de distintas iniciativas de desarrollo local, pensando en comunidades sostenibles, en que todos los actores del territorio podamos participar de manera activa en la planificación del mismo, y de esta manera, uno genere un fortalecimiento en los procesos de planeación, de participación, pero también de gestión territorial, de tal manera que los líderes y todos los actores del territorio podamos gestionar de manera conjunta qué es lo que queremos en el mismo</p>	<p>Consultants</p>
<p>una de las cosas que hicimos con ACDI/VOCA fue una campaña que se llamaba cita a ciegas, que era muy interesante este material no se ha publicado, lo tiene ACDI todavía pero cita a ciegas fue un concurso que hicimos a nivel nacional para hacer 3 intercambios, y era: "gánese una cita a ciegas para conocer a alguien de un territorio que usted no tiene ni idea y que tiene una percepción tal vez errada" entonces hicimos un intercambio entre Bogotá y el Urabá, entre Vista Hermosa y Medellín, y entre Ciénaga y Quibdó, y documentamos el antes, el durante y el después, entonces tu primero te postulabas al viaje diciendo: "yo quiero ganarme la cita a ciegas para conocer Urabá, porque tengo en mi cabeza que Urabá es A,B,C,D,E y me gustaría confirmarlo y conocer más a fondo, y además me siento la mejor embajadora de Bogotá" entonces escogíamos los ganadores así y armábamos los viajes y documentábamos, es impresionante ver cómo un joven de Urabá que nunca ha venido a Bogotá, cómo literalmente está en el avión y empieza a decir "Chao mis platanitos" y llega a Bogotá y está acompañado por esta niña local universitaria, y se lo lleva a Transmilenio, pero le muestra las cosas malas, mira acá te roban, y cómo ver: "oiga, yo pensaba que Bogotá todo el mundo era antipático, que nadie saludaba que hasta el clima, nunca salía el sol" entonces cambiar percepciones. O también tener a esta niña que nunca había ido al Urabá y que tenía una percepción del Urabá como si fuera el Congo, la niña decía: "yo sé que acá han habido muchas masacres" pero que sabes positivo de Urabá, entonces no es tapar la realidad con un dedo, pero es mostrar que hay mucha más riqueza en esas percepciones y que tú al abrirte a tener más conocimiento, más información, cambias esos imaginarios y esas narrativas, y en el momento que nosotros como colombianos logremos cambiar las narrativas y</p>	<p>Consultants</p>	

TABLE 5: ADDITIONAL QUOTES TO SUPPORT FINDINGS

FINDING	QUOTE	INTERVIEWEE CHARACTERIZATION
	<p>vuelvo a mi punto anterior, logremos cambiar la narrativa de justificar y normalizar el odio, el conflicto, ahí vamos a avanzar.</p>	Consultants
<p>The emphasis of different state agencies and USAID/Colombia programs on identities such as the victims and ex-combatant understood as mutually exclusive supports further policy fragmentation.</p>	<p>Mira que ese es justamente uno de los temas complejos con el tema de víctimas y es que al nombrarlos o ya al crear una cosa que se llama Unidad de Víctimas, de alguna manera con que les en el tiempo un sufrimiento que vivieron. Digamos, de alguna manera, conviertes ese hecho traumático en su justificación casi que a perpetuo para recibir atención estatal y eso me parece muy perverso, como la idea de... Y lo veo muchas veces en las reuniones de víctimas. Entonces, “No, yo soy víctima de no sé qué”, y se presenta “Soy víctima de desplazamiento, fui víctima de violencia sexual, fui víctima no sé qué”, y como que tienen que... hay una necesidad muy grande de insistir en ser víctimas para merecer atención estatal. Eso, insisto, me parece super perverso porque debían ser ciudadanos, habiendo sido victimizados o no, deberían tener derecho a un montón de servicios y de ayudas por el hecho de ser personas vulnerables y no necesariamente por el hecho de haber sido traumatizada</p>	Expert
<p>The focus on PDET municipalities has further segmented public policy with respect to victims and reconciliation.</p>	<p>es clave, digamos, si hay un proceso de reincorporación llevándose a cabo, pues que la población no sienta que el excombatiente, por haber estado en un grupo armado ilegal, tiene mayor atención del Estado, porque probablemente muchas de esas personas nunca el Estado les ha llegado con una oferta suficiente. Entonces, cómo no generas que haya un desbalance y que uno diga “Bueno, este que no la hizo bien tiene toda la atención y yo, que estoy acá, digamos que no siento el mismo acompañamiento”. Entonces, en ese sentido, todos los procesos comunitarios y que la gente sienta que la llegada de un excombatiente, por ejemplo, a una situación particular pues es común para todos y que se involucren, digamos, como parte activa de ese proceso.</p>	Consultants
	<p>Cosas que salieron bien, son bastantes, los embajadores de la reconciliación, pero el punto es no dejarse poner la camisa del acuerdo de paz, mientras no se dejen limitar la cancha de juego a ese acuerdo entre las FARC y el gobierno nacional se puede hacer mil cosas a futuro, pero si la cancha está limitada a eso va a ser difícil hacer una diferencia hacia futuro</p>	Consultants
	<p>esa coordinación entre esas tres entidades ha sido muy difícil y a hecho que no haya como una cosa, digamos, como más estructural. Entonces, se hacen cosas y se pica aquí, se pica allá y ahora hay como un ejercicio de tratar de recoger esos distintos ejercicios, que se ha hecho como en un documento, pensando otra vez que la política lo que termina siendo es un documento Conpes, ¿cierto?, donde también hay unas orientaciones; pero pues ustedes conocen bien lo que se dice de dos documentos Conpes, que son como el saludo, que no se le niega a nadie; y tiende el riesgo de quedar ahí... tiene ahí de quedar como en un papel, una cosa ni siquiera,</p>	Consultants

TABLE 5: ADDITIONAL QUOTES TO SUPPORT FINDINGS

FINDING	QUOTE	INTERVIEWEE CHARACTERIZATION
	<p>pienso yo, como les digo... de pronto, con una visión como demasiado... Como con demasiadas frustraciones frente a lo que pasa ahí, pero una cosa es que... pues yo no le veo que sea como mayores alcances.</p>	
	<p>el rol de las entidades territoriales, de la institucionalidad, tanto yo creo que nacional también, me pareció que lo planteó verdad, pero también muy desde las instituciones a nivel regional y local si, que pareciera que están distantes, están distantes como han estado distantes en tiempos anteriores, en los distintos mecanismos de justicia transicional, desde la ley de justicia y paz, desde la Ley 1448, ahora mismo los mecanismos del sistema, de su implementación o aterrizaje en el territorio, pues suele ser difícil porque finalmente hay competencias que involucran a los regionales, a las entidades regionales y en ese sentido digamos los espacios, las organizaciones se quedan sin interlocución local y regional para plantar la garantía</p>	Implementing partner
<p>The high number of standardized Social Dialogue initiatives and agendas have led to exhaustion amongst the participants and attrition amongst institutions and authorities.</p>	<p>Y también hay una cosa y es que, si tú vas, que creo que eso es un avance, pero es un avance como medio mentirosillo, es donde uno va en cualquier municipio y eso Paulo nos lo ha mostrado en muchas ocasiones, hay como un montón de espacios de diálogo, de mesas de diálogo. Entonces, está la mesa de diálogo social, la mesa de diálogo por la niñez, la mesa de diálogo... que también se confunden con espacios de participación y que, al final, como no se sabe muy bien cuál es el objetivo último, hacen que eso desgasta el espacio y desgasta a las personas</p>	Consultants
	<p>la participación porque juega un rol determinante como un factor que moviliza muchas otros sectores alrededor de estos temas, el hecho de poder atraer a otros sectores a estos diálogo social como la participación nos pone esos retos de cara a cómo el Gobierno y el Estado empieza a ser unos procesos mucho más holísticos e integrales de poder atender no solamente la conflictividad en los territorios sino otra serie de fenómenos que se están presentando en los territorios, que están asociados con la defensa de los derechos de los líderes y lideresas de las comunitarias en los territorios</p>	United Nations
	<p>no significa que la institucionalidad tenga que estar ahí en todo momento, porque puede haber muchos espacios de diálogo pues por organizaciones y distintos etcétera; pero que sí, y esa también era una de las cosas que nosotros alentamos y que veíamos como una posibilidad en la política, era que (inaudible 30:17) pasar es que las tintas entidades empiezan a impulsar sus procesos de diálogo, sus ejercicios de diálogo, entonces, el Ministerio del Medio Ambiente tiene unos espacios de diálogo, pero el del Interior tiene otros y la Procuraduría, entonces, empieza con otros, en los mismos territorios, frente a los mismos conflictos y termina dándose como una duplicidad de esfuerzos que hacen que se desgaste también el escenario, que no se logre concertar acciones, ni transformaciones frente a estas problemáticas.</p>	Consultants
<p>When monitoring and evaluation actions surrounding social dialogue are strengthened, it can be a powerful tool to collect information relevant for</p>	<p>a nivel Nacional nos hablan de diálogo, en el sector minero, hidrocarburos, agricultura, con la misma Secretaría de Gobierno en Bogotá mucho interés en el que se acompañe y se está asesorando en la construcción de un observatorio de conflictividad, esto es un plus importante porque ya es una mirada de: "oiga necesitamos tener núcleos o puntos, buscar conversaciones, espacios reales de participación para construcción amplia de lo que esté sucediendo en los territorios, ya sea locales" y entramos con una lógica de SART, y los Sistemas de Alerta y Respuesta Temprana es una de las herramientas que tiene el diálogo frente a estos procesos, debemos tener cuidado porque a nivel nacional la gente está hablando de diálogo pero lo están utilizando como herramienta y el diálogo es mucho más que eso, las herramientas que tenemos alrededor de esos espacios de diálogo como lo es</p>	United Nations

TABLE 5: ADDITIONAL QUOTES TO SUPPORT FINDINGS

FINDING	QUOTE	INTERVIEWEE CHARACTERIZATION
reconciliation and peacebuilding.	un SART, nos permite mirar procesos de cómo recopilar información, sistematizarla, analizarla, ayudar a tener un proceso de toma de decisión rápido o contingente o asertivo de acuerdo a lo que esté sucediendo en un espacio	United Nations
	el diálogo social, o el diálogo, no le voy a poner apellido, ha sido una manera en que las comunidades han podido expresarse de muchas maneras, y expresas insatisfacciones que requieren la atención y la función social del Estado básica y creo que esa es una mirada importante y es cómo las instituciones están haciéndole la tarea a cumplir la función social para la que están, esto es un Estado social de derecho, no es un Estado de derecho, creo que tiene una mirada desde la complejidad y definitivamente también eso implica una forma en la cual se relaciona tanto el sector privado como el sector público en el uso del diálogo para generar procesos en los territorios y en el nivel Nacional, eso no solamente pasa en los territorial, el nivel Nacional se nutre de muchas de estas cosas.	