



POLICY RECOMMENDATIONS: THE PEACE ACCORD JUSTICE FOR VICTIMS OF THE CONFLICT

Social leaders are crucial for guaranteeing that the 2016 peace accords are fulfilled so that Colombia is more peaceful, politically inclusive, and egalitarian.

President Iván Duque's government has undermined peace by exhibiting limited political will to advance its implementation, cutting needed funding and supporting legislative actions that would weaken core aspects of the accord, and weakening transitional justice.

Specifically, several aspects of the peace accords—essential to the work of social leaders—are under sustained pressure. It's critical that the international community pressure the Colombian government to strengthen them.

The Colombian government can support the grassroots work of social leaders by implementing the following key provisions of the peace accords:

GUARANTEEING TRANSITIONAL JUSTICE AND VICTIMS' RIGHTS

Colombia's over 50-year conflict came at a high human cost—220,000 dead, over 80,000 disappeared and 8 million persons internally displaced. Atrocious massacres, thousands of kidnappings and infractions of international humanitarian law were committed.

The 2016 peace accord set up three mechanisms—the **Special Jurisdiction for Peace (JEP)**, the **Truth, Coexistence and Non-Repetition Commission**, and the **Unit for the Search of Disappeared Persons** to uncover the truth behind these abuses, obtain justice for those impacted, find ways towards national healing and reconciliation, and guarantee non-repetition.



JUSTICE FOR AFRO-COLOMBIANS AND INDIGENOUS PEOPLES

The Special Jurisdiction for Peace (JEP)—a court system where ex-guerrillas, former paramilitaries, civilians, public officials, and third parties can testify about their role in the conflict, in some cases in exchange for reduced sentences.

Many of the JEP's [major cases](#), for example, deal with finding truth and justice for human rights abuses that took place in rural areas with a large Afro-Colombian and Indigenous population.

Hence, when the Duque administration seeks [to neuter](#) rather than empower the JEP in order to protect special economic and political interests, this is a blatant effort to impede justice that blocks victims' possibilities to know the truth about crimes committed and heal. Furthermore, this hampers efforts to make sure that such egregious crimes are not repeated in the future.

A LACK OF SUPPORT FROM THE DUQUE ADMINISTRATION

Some of the ways in which the Duque administration unsuccessfully sought to hinder the peace accords' promise of transitional justice include:

- In March 2019, the president tried to derail the crucial legislation that created the JEP.
- Also in 2019, the president threatened to cut the JEP's budget by 30 percent (this caused so much political turmoil in 2019 that he backtracked; the JEP did end up receiving the 2020 funding it said it needed—USD\$82 million).
- The president's political party tried to create a special court within the JEP that would only try members of the military.
- The president tried to limit the kinds of crimes that fall under the JEP's jurisdiction.
- The Democratic Center Party (Duque's party) is promoting a referendum to revoke the JEP and attempting to discredit information the JEP has released about the 6,402 extrajudicial killings committed by Colombia's armed forces.

All these attempts to radically change the JEP ignored its importance as a tool to help Afro-Colombian and Indigenous communities seek justice for human rights crimes committed during Colombia 52-year conflict.

THE TRUTH COMMISSION AND THE UNIT TO SEARCH FOR THE DISAPPEARED

The JEP is not the only justice mechanism established by the peace accords that is facing a lack of political support from the Duque administration. The Truth Commission, which is collecting thousands of testimonies in order to record the truth of what happened Colombian conflict, received [only 40 percent](#) of its requested budget in 2019, according to the most recently

available information.

This curtails the commission's ability to fulfill its mission and will impact efforts to document the conflict's disproportionate impact on Afro-descendant and Indigenous peoples. The make-up of the commission is meant to be representative of this focus: the 11-person commission includes an Afro-Colombian man, an Indigenous Embera woman, and another commissioner who is meant to examine how women and people of other gender identities experienced violence during the conflict.

Similarly, the Unit to Search for the Disappeared reportedly only saw [a third](#) of its requested budget approved for 2019; in 2020, it was only able to execute 33.4 percent of its budget. Its work has been [further obstructed](#) by bureaucratic funding and hiring delays, as well as the outbreak of the COVID-19 pandemic.