

## FOR IMMEDIATE RELEASE

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## ICTJ Report: Colombians Want Genuine Peace with Justice

*Survey Shows Strong Demand for Accountability and Reparations and  
Low Support for Lenient Sentences*

**NEW YORK, December 22, 2006**—The Colombian government must listen to the people and take steps to deliver justice to victims if it is serious about negotiating a durable peace, the International Center for Transitional Justice (ICTJ) said today, following the release of its survey report, [\*Colombian Perceptions and Opinions on Justice, Truth, Reparations, and Reconciliation\*](#).

The 75-page report is based on an extensive national survey that the Center conducted with more than 2,000 respondents in February and March 2006, in collaboration with a Colombian NGO—the Social Foundation—and an international consortium of donors known as the Project Counseling Service. The survey assesses perceptions of a range of transitional justice issues, as well as levels of violence suffered by civilians, many of whom have endured more than four decades of brutal armed conflict waged among government, left-wing guerilla, and paramilitary groups.

Since 2003, Colombia's President Alvaro Uribe has been conducting disarmament negotiations with the powerful right-wing paramilitary group, the United Self-Defense Forces of Colombia (AUC). Under the "Justice and Peace Law," more than 30,000 rank-and-file combatants have been offered a comprehensive amnesty and reintegration package, while leaders alleged to have committed serious crimes are expected to stand trial at special courts, with the promise of receiving drastically reduced sentences in exchange for full disclosure of their crimes (eight years is the maximum penalty, regardless of the severity of the crimes).

Initial proceedings against AUC leader, Salvatore Mancuso, began on Tuesday. A key paramilitary commander for more than a decade, Mancuso laid down his arms two years ago. He is the first of several hundred leaders expected to face the special courts.

Among the report's findings are that Colombians are deeply distrustful of the current demobilization process, even though a significant majority expressed a favorable attitude toward real reconciliation. As many as 30% of the respondents believe that the conflict will "never be resolved" and an additional 28% said they didn't think it will be resolved in the next 14 years.

This attitude is matched by alarming levels of both physical and emotional victimization among civilians: more than 50% of those surveyed considered themselves either direct or indirect victims of the conflict.

“The government must realize that sustainable peace will not come from any agreement that sanctions impunity at the expense of victims’ rights to truth and justice,” said Eduardo Gonzalez, head of the ICTJ’s Colombia program. “Our survey shows that people will not support this contentious compromise unless it is accompanied by robust prosecutions, reparations, and truth-seeking efforts. After more than four decades of violent conflict, government failure to listen to the victims could prove fatal to the demobilization process and cripple prospects for a durable peace.”

While many of the report’s statistics reflect the deep and long-unaddressed suffering of respondents, they also indicate a strong desire for justice and a sense of entitlement to basic human rights. This desire has clear implications for the current peace process and for prosecutions underway in the special courts for paramilitaries. According to the survey, respondents do not believe that peace must come at the price of justice: 75% believe that the government must prosecute members of illegal armed groups.

The report also indicates that among those surveyed:

- Nearly 90% believe that the victims of violations have a right to receive reparations from the perpetrators and their leaders, and nearly 70% believe the government is also partially responsible for providing reparations;
- 79% believe the Colombian people have a right to truth and want an impartial historical record of the facts and responsibilities for the violations suffered during the conflict. Yet among those, 39% percent are also afraid that truth-seeking may result in reprisals or in governmental inaction;
- 73.9% expressed a favorable attitude toward reconciliation, but victims directly affected by the violence made clear that they do not want to live in close proximity to former combatants or see them holding positions of power;
- 63% believe that *both* the leaders and the rank-and-file combatants must be prosecuted for their crimes. Furthermore, only 26% agreed that there should be any leniency accorded to leaders in meting out punishments, while 45% did not want any leniency to be granted. This statistic was especially high among women, with a full 67% pushing for the prosecution of both categories of offenders and more than 50% demanding full sentences.

“Victims should be seen as the keys—not the obstacles—to peace,” said Gonzalez. “If the state fails to strike an appropriate balance between the need to demilitarize and the need pursue accountability for past crimes, the peace process will not only lose

credibility, but Colombia will have squandered a rare opportunity to end one of the world's longest-running conflicts.”

## **The Report**

For the full report in Spanish (English translation forthcoming) see: [\*Colombian Perceptions and Opinions on Justice, Truth, Reparations, and Reconciliation\*](#)

For more information about the ICTJ's work in Colombia and for other reports on this topic, please see the [Colombia page](#) on the [ICTJ website](#).

## **The ICTJ in Colombia**

The ICTJ started working in Colombia in 2003, in response to requests from civil society organizations for input to the legislation on paramilitary demobilization. In collaboration with several partners, the Center produced an extensive analysis of the proposed law and concrete suggestions about how it might better achieve truth-seeking, accountability, and reparations objectives, and presented its recommendations to the government.

In 2005, the ICTJ participated in seminars on restorative justice, reparations, gender justice, DDR and disappearances, organized by several local partners, and also presented an *amicus brief* to the Inter-American Court of Human Rights on the *Mapiripán* case, raising the issues of *de facto* impunity and demobilization.

In early 2006, the Center issued a report on transitional justice in Colombia for the Swiss Federation and an *amicus brief* on Law 975 to the Colombian Constitutional Court, which raised serious concerns regarding justice, reparations, and victims' rights.

In late 2006, with assistance provided by the European Commission, the ICTJ supported the National Commission on Reparations and Reconciliation in its efforts to produce a Comprehensive Action Plan. Also, with support from the Swiss government, the Center conducted a national seminar on official and unofficial truth-seeking initiatives. *Colombian Perceptions and Opinions on Justice, Truth, Reparations, and Reconciliation* was conducted with funding from the Norwegian Refugee Council.

## **About the ICTJ**

The International Center for Transitional Justice (ICTJ) assists countries pursuing accountability for past mass atrocity or human rights abuse. The Center works in societies emerging from repressive rule or armed conflict, as well as in established democracies where historical injustices or systemic abuse remain unresolved.

In order to promote justice, peace, and reconciliation, government officials and nongovernmental advocates are likely to consider a variety of transitional justice approaches including both judicial and nonjudicial responses to human rights crimes. The ICTJ assists in the development of integrated, comprehensive, and localized approaches to transitional justice comprising five key elements: prosecuting perpetrators,

documenting and acknowledging violations through non-judicial means such as truth commissions, reforming abusive institutions, providing reparations to victims, and facilitating reconciliation processes.

The Center is committed to building local capacity and generally strengthening the emerging field of transitional justice, and works closely with organizations and experts around the world to do so. By working in the field through local languages, the ICTJ provides comparative information, legal and policy analysis, documentation, and strategic research to justice and truth-seeking institutions, nongovernmental organizations, governments and others.

### **About the Project Counseling Service**

The [Project Counseling Service \(PCS\)](#) is an international consortium of European and Canadian cooperation agencies, established in 1979. PCS implements activities and programs in Latin American countries in situations of armed conflict and post-conflict, placing emphasis on populations affected by political violence, particularly refugees and the displaced.

### **About the Social Foundation**

The [Social Foundation \(Fundación Social\)](#), a Colombian NGO, was founded in 1911 by a Jesuit priest with a holistic vision of community and social welfare. Its projects continue to focus on the links between economic development and building sustainable peace.

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