

1 GUARANTEES FOR TRANSITION TOWARDS PEACE

The process of changing from one way of being to another, is one of the definitions of "transition" considered by the Royal Spanish Academy (RAE). In general terms, to transition suggests a passage from one moment to another, but in Colombia, the transition to peace has cost us dearly; over 60 years of conflict and four previous attempts of peace negotiations, yet violence still continues.

Until now, all the previous peace agreements signed between the government and the armed groups, whether guerrillas or paramilitaries, have failed to consolidate peace. Patterns of violence against efforts to build a better country, a country free from war, in which reconciliation and solidarity weigh more than the learned and entrenched hatreds, have thwarted their chances of success.

Talking about Transitional Justice in Colombia is not easy. Its fundamental base is in accountability and integral reparation for victims. The truth component scares many who have participated in the violence but have not yet recognised their own responsibility. Nonetheless, recently, the number of people who want to do so has increased.

When Law 975 of 2005 came into effect, the Uribe government (2002-2010) preferred to extradite paramilitary commanders who were willing to reveal the truth about their actions, those being favoured and those giving the orders. With truth silenced, reparations for the victims were not guaranteed. Consequently, there was no satisfactory transitional justice process to lay the groundwork for reconciliation.



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With the signing of the Final Peace accord with the FARC-EP in 2016, victims became the central focus of the agreement. Not surprisingly, the need to create a Comprehensive System of Truth, Justice, Reparation and Non-Repetition was agreed. The three institutions in charge of this difficult work - the Special Jurisdiction for Peace (JEP), the Commission for the Clarification of Truth, Coexistence and Non-Repetition (CdV) the Special Search Unit to locate disappeared victims (UBPD) -, have each had to wage their own legal, political and social battles against attempts to discredit their work by groups seeking to promote hate, and who do not accept the urgent need for change.

In this sense, any guarantees for the transition towards peace will now depend on an innovative society that believes deeply in truth and reparation as pillars of transitional justice, that is informed about the advances and challenges, and that supports the construction of peace with different collective and individual processes.

This snapshot is the first in our series Transitional Justice Snapshots that will provide readers with true and up-to-date information on the developments of the JEP. This is our contribution to embrace the transition to peace.



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