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Case 004: the situation in the Urabá region

In September 2018, the Chamber for the Recognition of Truth of the Special Jurisdiction for Peace (JEP) decided to open a case for the Urabá region, to investigate the crimes committed in the framework of the armed conflict between 1986 and 2016. **The macro-case comprises 10 municipalities**: 6 of them located in Antioquia (Turbo, Apartadó, Carepa, Chigorodó, Mutatá and Dabeiba) and 4 of them in Chocó (Carmen del Darién, Riosucio, Unguía and Acandí).

This macro-case is consistent with the different prioritization criteria in the JEP. In particular, it has: a territorial perspective, due to the geo-strategic importance of the region and its connection with the Gulf of Urabá; a differential perspective, given the presence of indigenous, afro-Colombian and peasant communities, and the disproportionate impact the armed conflict has had on them; and a gender perspective, which focuses on how women were victimised.

Why was thisregion prioritised?

The macro-case was opened on the basis of reports presented by, among others, the Prosecutor General's Office, the National Centre for Historical Memory, as well as victims and civil society organisations like the Popular Research and Education Centre (CINEP), Reiniciar Collective, and the Women's Peace Route. These helped establish the key elements of the case, including:

i) The region as an epicentre of the armed conflict, an aspect that the Chamber for the Recognition of Truth considers to be a well-known fact, and the economic importance of the region due to current infrastructure and agroindustry projects, which have both led to a strong presence of the drug trade.

ii) The existence of enough information about the characteristics and impact of the armed conflict in the region, that it can be estimated at least 50% of the crimes



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identified remain unpunished.

iii) The number of serious violations to human rights and international humanitarian law, including forced displacement, dispossession of land, forced disappearances, and persecution towards social organisations (e.g. San José de Apartadó Peace Community), union members, political parties (the UP), and other groups.

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For this case, a mechanism was set up to coordinate the work of the JEP with the Indigenous Special Jurisdiction, with the populations of Urabá and Bajo Atrato. This allows the JEP to carry out its work while respecting the traditional authorities in the region, while at the same time incentivising the collective participation of the population, which leads to a better understanding of their needs regarding truth and justice.

Multiple perpetrators

Compared to other cases in the JEP, this macro-case is different in the sense that there is not only one actor responsible for the crimes committed. According to the information received by the Chamber for Recognition, the crimes were committed by the Armed Forces (XV and XVII Brigades of the Army) in conjunction with paramilitary groups, but also by the former FARC-EP guerrilla (Fronts 5, 34, and 57), who committed crimes while trying to control the region. It is estimated that around 42% of the alleged perpetrators were members of the former FARC-EP, and 8% of them members of the Armed Forces. Hence, this macro-case represents an opportunity to advance in a simultaneous and impartial manner to establish the truth about the crimes that were committed by the principal actors of the armed conflict.

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Achievements

The JEP has received 14 individual testimonies and 9 reports from civil society and victims' organisations regarding this case. The last of those reports, resented in January 2020 by members of the Community Council of Curbaradó, in the Chocó Department, provides an account of how the 24 communities that make up the Community Council have been victims of forced displacement, confinement, selective killings, and threats. It is also worth noting that between the time the case was opened in September 2018 and now, around **5,000 people from the region have been accredited as victims**. In September 2019, with the first collective accreditation, a total of 22 groups under the name of Humanitarian Zones and Biodiverse Zones of the Bajo Atrato in Chocó were accredited as victims and have the right to participate in the investigation.

To make this participation effective, the Chamber for the Recognition declared precautionary measures in favour of indigenous and afro-Colombian communities in the Bajo Atrato, following episodes of violence after 1 December 2016. The Office of the Prosecutor-General, and the Office of the Ombudsperson, together with representatives from indigenous and afro-Colombian communities of the region created a follow up Commission to verify the effectiveness of these precautionary measures.

Embrace Dialogue (ReD) salutes the efforts of the JEP to fight impunity in the Urabá region through the investigation of the perpetrators and the guarantees given to the victims through precautionary measures that seek to avoid violence getting in the way of their participation.



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