

The JEP Advances in its Investigation of the Forced Recruitment of Minors

After contrasting the information provided to the Special Jurisdiction for Peace (JEP) through reports by victims' organisations and state institutions, the Chamber for Recognition of Truth, Responsibility and Determination of Conduct (SRVR) published their internal prioritisation strategy with respect to the FARC-EP sub-case of Case 07 on the recruitment and use of children in the armed conflict. In Auto 159 of 2021, the SRVR established that in the Provisional Universe of Facts of Case 07, constructed from the reports presented to the JEP, 18,677 victims of forced recruitment had been identified, and a working hypothesis defined for the next stage of investigation.

Case 07

In March 2019, the SRVR formally opened Case 07, entitled "Recruitment and the use of children in the armed conflict". That same year, the Chamber divided the case into two sub-cases based on the alleged perpetrators: the FARC-EP and the Colombian Armed Forces. Based on 33 reports received, the JEP summoned several former members of the FARC-EP to voluntarily testify and provide the facts related to the forced recruitment of minors into the ranks of the guerrillas. There were two lines of investigation: (i) the responsibility of the determining actors in the design, implementation and execution of recruitment policies and (ii) the responsibility of those who implemented and developed practices that affected the rights of minors both at the time they joined the guerrilla and during their time within the ranks.

After verifying both the voluntary testimonies collected and the information collected through reports and the process of characterising accredited victims, on 4 August 2021 the SRVR defined the internal prioritisation strategy of the FARC-EP sub-case and made a new call for voluntary accounts.



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The New Prioritisation Hypotheses

In Auto 159 of 2021, the SRVR preliminarily advised of the following three hypotheses of investigation: (i) The FARC-EP systematically recruited and used girls and boys aged 15, 16 and 17 in the armed conflict, as part of its formal and explicit policies, (ii) the FARC-EP systematically recruited and used in the armed conflict, girls and boys under 15 years of age, contrary to their own explicit and formal provisions and (iii) in recruiting and using minors as combatants, the FARC-EP created conditions for the violation of multiple rights and the commission of multiple crimes against girls and boys, their families and communities.

Regarding the third hypothesis, the SRVR stated that the investigation will focus on crimes of sexual and gender-based violence, forced disappearance, homicide, torture, cruel, humiliating and degrading treatment and other inhumane acts. The Chamber emphasised the behaviours of sexual and gender violence that include forced abortion, sexual slavery, forced contraception, among others, because they are behaviours that dominate among accredited victims and, like recruitment, can constitute war crimes and crimes against humanity.

The Investigation Focus

The SRVR established that its research methodology will be prioritised and divided into phases. The first phase will focus on the recruitment and systematic use of girls and boys, both older and younger than 15 years old, at the hands of the FARC-EP's Eastern Bloc between January 1996 and December 2016.

This prioritisation followed from what can be observed in the Provisional Universe of Facts of Case 07. Aspects where there are more data and where the periods and territories in which the facts happened are at a higher frequency are taken first, in order to show more clearly behaviour patterns and their representativeness within the case.



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In this aspect, when cross-referencing the available information, the SRVR found that the highest number of victimisations by department occurred in Meta, where there were a total of 5,132 victimising events. In this department, the Eastern Bloc operated with 8,987 associated victims of forced recruitment. Temporary recruitment peaks were evidenced between 1997 and 2000, in 2002, in 2007, and the last significant peak being in 2013.

Expectations

According to what was set out in the Auto, 274 victims have been accredited in Case 07 as of 28 July 2021. The JEP has indicated that the prioritisation strategy will not affect the status of those already accredited as victims. With the participation of the victims who are in the accreditation process and the hearings for 26 additional voluntary accounts, it will likely be possible to continue clarifying the events that occurred in the region dominated by the Eastern Bloc and to continue to find grounds to establish who are most responsible for the crimes committed in the framework of Case 07.

Embrace Dialogue recognises the effort made by the JEP to implement investigation strategies that seek to clarify the events that fall within Case 07. We hope that the new prioritisation stage will contribute to the search for the truth and the realisation of justice for the victims of forced recruitment as minors and their families.



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