

Transitional Justice in Colombia

**Justice and Peace Law: an
experience of truth, justice and
reparation**



Republic of Colombia

Introduction

The transitional justice process in Colombia, developed by means of the so-called Justice and Peace Law, is an unprecedented process. Its purpose is: i) to achieve demobilization, disarmament and reintegration of illegal armed groups, ii) to recognize and enforce the rights of the victims to truth, justice and reparation and iii) to conduct criminal proceedings against the leaders of these groups that are responsible for the commission of serious crimes.

This ambitious objective, which requires an enormous effort to reconcile the apparently contradictory values of justice and peace, has been made possible by a complex process of institutional participation in which the different parties have contributed with their own experiences and perspectives to the achievement of a delicate balance between the desire for reconciliation of millions of Colombians and the demands of domestic and international justice.

These characteristics, added to the fact that the transitional process is carried out within a situation of violence in which some armed groups (guerrillas) have yet to make the decision to take part in a peace process, and in which those that did participate (self-defense groups) had not been defeated militarily, make this a unique and original process. In addition, broad participation by the international community has allowed the incorporation of a number of expert recommendations (mistakenly called "international standards")¹ in order to adjust the process to the expectations of contemporary criminal justice.

¹ The establishment of international standards requires the existence of a coherent and consistent international practice, as well as an "opinio juris" from the subjects, this is a belief that such experience has acquired a legal character. Those conditions are not yet met in the current context of transitional justice.

Past peace processes with armed groups in Colombia (until 2002), never took into account the rights of the victims nor elements of justice. The peace agreements of the 80s and 90s with groups such as the M-19, the Quintín Lame and the Popular Liberation Army, were based on the granting of amnesty and pardon to all their members.

This situation is in direct contrast with the current process, with around 50,000 demobilized individuals, over 18,000 weapons given up, with the main leaders of the self-defense groups and their accomplices behind bars awaiting trial, where more than 280,000 people have been recognized as victims and where the truth regarding more than 36,000 criminal actions, previously unknown, has started to emerge.

Approximately 5 years after its implementation, the Justice and Peace Law has shown its benefits and has the approval of a great majority of the Colombian people and a large part of the international community. It has been a process that has required learning along the way, building from the ground up without prior models, with difficulties and ups and downs, where mistakes are common and corrective actions must be appropriate and swift, but which has undoubtedly achieved significant results. Initial skepticism has gradually evolved into a sentiment of trust and the dynamics of the process have acquired a degree of inertia that cannot be reversed.

Background

The process toward the creation of the legal framework of the transitional justice process in Colombia was a long one and met with numerous obstacles. It originated during the 2002 peace negotiations with the self-defense forces that had shown their willingness to disarm and reintegrate themselves into civil society. However, the question remained on what to do with those individuals responsible for the perpetration of serious crimes.

The international and local context had undergone an imperceptible but radical transformation in the sense of no longer allowing the most serious crimes to go unpunished. The creation of the International Criminal Court and the growing exposure and recognition of the victims, required the creation of new mechanisms where peace would be subject to the discovery of the truth, recognition of responsibility for serious crimes and reparation for the victims.

This led to the Government's initiative to present the Justice and Peace Law bill, which was debated in the Colombian Congress for almost two years. Substantial modifications were made to the original project, taking into account the points of view of scholars and experts, political parties and movements, non-governmental organizations and Colombian and international agencies and institutions. It was a widely participative process, in which the most diverse groups had the opportunity to express their opinions.

After approval of Law 975 in July of 2005, the Constitutional Court carried out a review and found that the Law was in accordance with the Constitution (Case

C-370/06), while at the same time adding substantial modifications that made it, not only stricter regarding criminal responsibility for the perpetration of serious crimes, but also more generous in the recognition of the victims' rights to truth, justice and reparation.

It was a transparent process, which included the participation of all branches of the Government and the control entities of the State, with strict adherence to the Constitution and the Law. The international community provided assistance and supervision of the entire process.

Characteristics of the **Justice and Peace Law**

The law is essentially comprised of two parts. The first one refers to the criminal procedures for the investigation and judgment of serious crimes and the requirements to be eligible for the benefit of an alternative penalty. The second refers to the means by which the victims can exercise their rights to the truth, justice and reparation.

The law sets forth an alternative penalty of 5 to 8 years for those individuals who decide to participate in the demobilization process and fulfill the requirements of complete confession of their crimes and integral reparation to the victims. Non-fulfillment of these requirements results in the removal of the individual from the list of candidates under this law and the transfer of their proceeding to the ordinary criminal law system.

The Judicial Branch is responsible for carrying out the proceedings: The Office of General Prosecutor, through its Justice and Peace Unit, is responsible for the investigation stage, while the Justice and Peace Chamber of the judiciary is in charge of the trial stage. The Supreme Court of Justice is competent to hear and resolve any appeals. Furthermore, the law provides for participation by the Office of the Inspector General of the Nation and the Office of the Ombudsman.

In comparison with those cases in which the transitional justice processes are entrusted to international courts (e.g. ICTY or ICTR) or mixed courts (Sierra Leone or Cambodia), the fact that the Judicial Branch itself carries out the proceedings, generates the great advantage that it enables the strengthening of local

institutional capabilities while, at the same time, bringing justice closer to the communities affected by the crimes.

With regard to the victims, the Law recognizes their right to attend all stages of the criminal proceeding, making them true participants thereof. They have the right to directly question the accused (nominated) individuals about the perpetration of crimes against their families and to demand reparation. Said reparations include different modes, such as restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition.

In addition, the perpetrators are joint and severally responsible for their crimes; they must answer, not only for the crimes they committed directly, but also for those committed by other members of the illegal group to which they belong. But, even in those cases where the culprit cannot be identified, the State is under the subsidiary obligation to repair. No budgetary limitations exist for the judicial reparation of the victims.

In order to implement these rights, the Justice and Peace Law created the National Commission for Reparation and Reconciliation. This independent institution is comprised of representatives of the Government and control agencies, as well as representatives of civil society and of the victims.

The Commission's duties cover 5 aspects: i) reparation and attention to victims, ii) reconciliation, iii) demobilization, disarmament and reintegration, iv) historical memory and v) specific populations and gender.

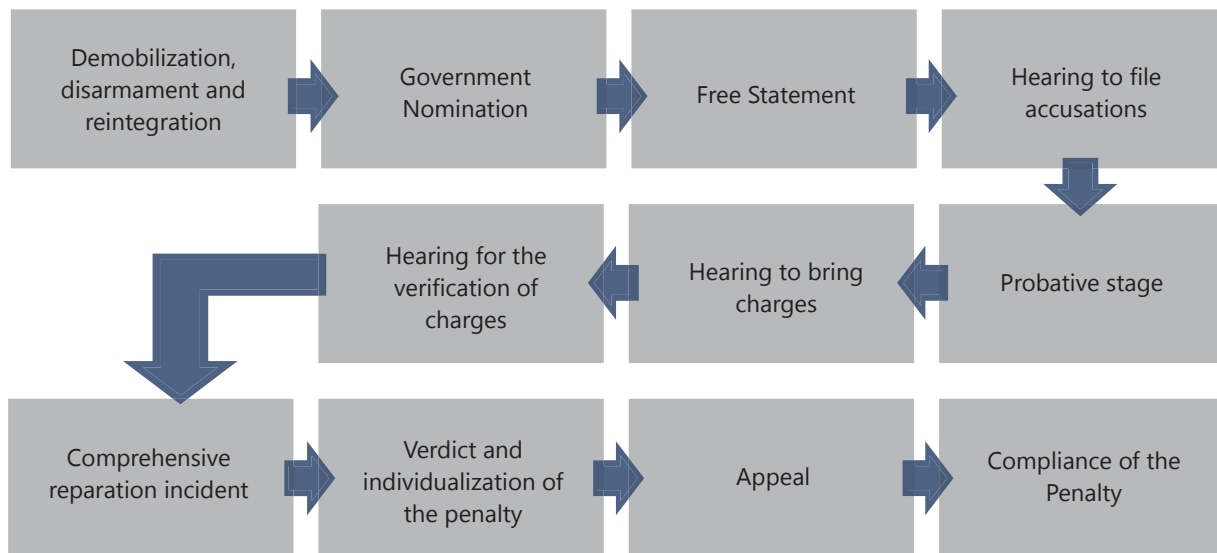
With regard to reparations, after adoption of the Law, the Commission identified the need to supplement the legal reparations with administrative reparations in order to expedite and enforce this right of the victims. This led to the creation of the Program of Administrative Reparations with contributions from the national budget.

Regarding historical memory, the Commission's objective is to obtain an integrating memory from all sources, not only from the participants of the acts of violence in Colombia, but most importantly, from the victims. To this end, it foresees the publication of a number of books regarding emblematic cases of violations of human rights and International Humanitarian Law, such as the massacres of Trujillo and El Salado, which have already been published.

In addition, 12 regional commissions for asset restitution were created with the purpose to facilitate the procedures for the restitution of assets and property to the victims.

As can be observed, the Justice and Peace Law includes the ambitious goal to cover all dimensions of a transitional justice process and, in that sense, it represents an enormous challenge in terms of human and financial resources.

THE JUSTICE AND PEACE LAW PROCEDURE



"The Justice and Peace Law has been the subject of different opinions and criticisms regarding its effectiveness and applicability. In this regard, the Mission takes into account the importance of observing the results in all dimensions, stressing that the achievements of the Law have been significant for thousands of people who had been subjected to paramilitary violence."

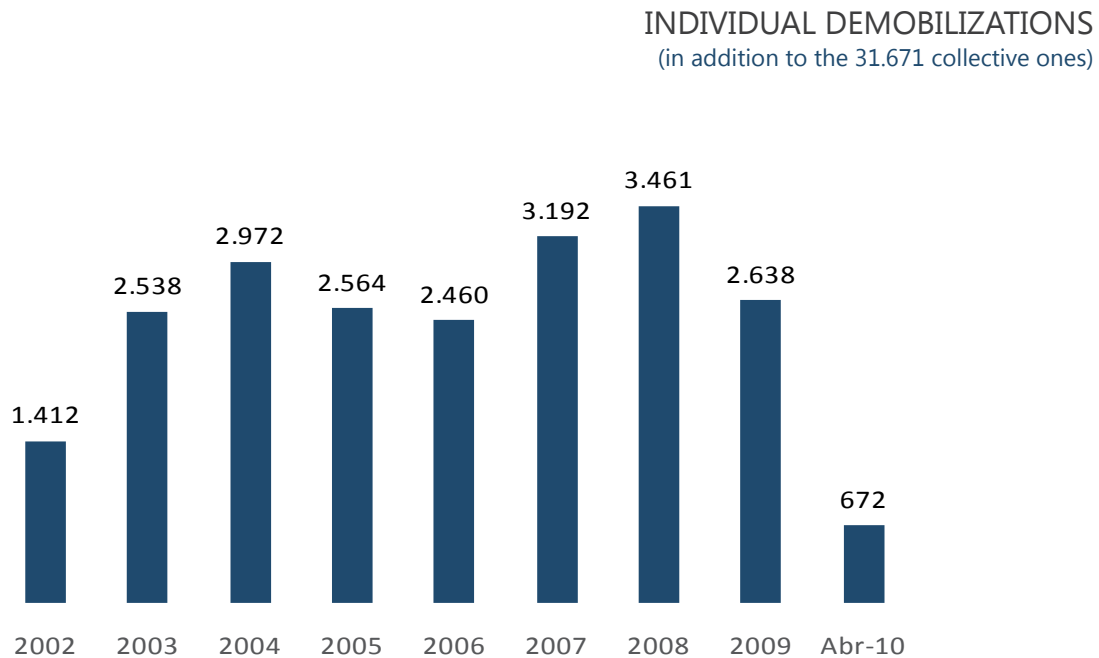
The Justice and Peace Law in practice

The transitional justice process in Colombia required the creation of a new institutional framework with units, agencies and institutions that did not exist before, as well as the corresponding assignment of budgetary, physical and human resources. This process did not materialize overnight and required adjustments along the way to respond to a challenge the magnitude of which could not have been predicted from the outset.

Over the five years of existence of the Law, the Justice and Peace Unit staff of the General Prosecutor's Office has grown from 295 to 1,060 members. Likewise, the budget increased from approximately 1.8 million dollars in 2006 to more than 22 million dollars in 2009.

Demobilization, Disarmament and Reintegration (DDR)

As a result of the negotiation process with the self-defense groups, 37 collective demobilization processes were carried out between 2003 and 2006, during which 31,671 members of these groups demobilized, including their main leaders. In addition, 21,909 members of such groups as well as of guerrilla groups have demobilized at the individual level between 2002 and April of 2010.



Source: Ministry of Defense

The Mission to Support the Peace Process of the Organization of American States (MAPP/OEA) has provided its assistance in these demobilization processes, and has cooperated in the verification of said processes. The MAPP/OEA is also currently active in reintegration programs for members of illegal armed groups and in the prevention of recruitment.

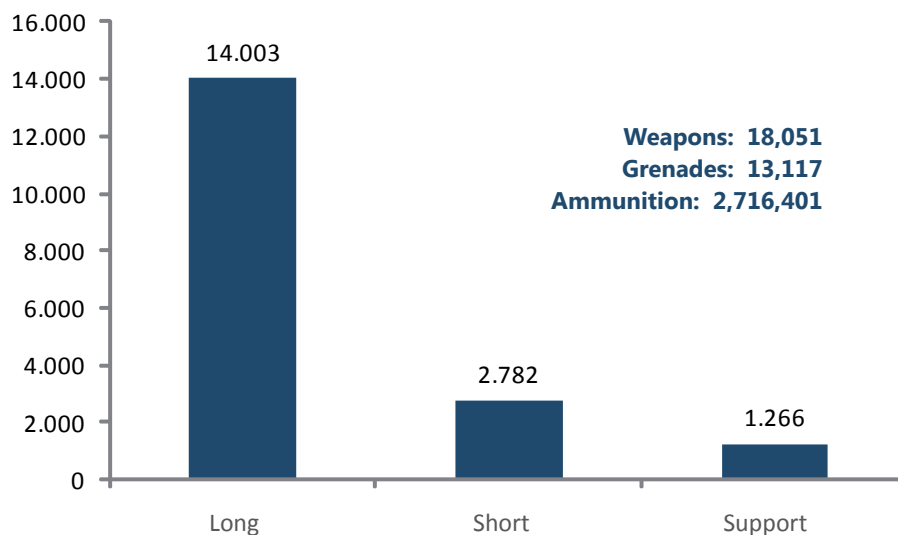
Through its 5 regional offices in Bogotá, Barranquilla, Bucaramanga, Cali and Medellín, this Mission has been performing an important role with the objective to ensure the sustainability of the demobilization process.

Regarding disarmament, the peace process with the self-defense groups entailed giving up 18,051 weapons that were in the hands of these groups. These weapons were subjected to an identification and individualization process, so that the collected information could be used in the clarification of crimes. Upon

completion of this process, the weapons were smelted in order to ensure that they would not be used for the commission of new crimes in the future.

The information obtained during the weapon identification process was also transmitted to the Office of the Prosecutor as part of the commitment to cooperate with the Court.

WEAPONS GIVEN UP VOLUNTARILY



Source: High Commissioner for Peace

On its part, the National Commission for Reparation and Reconciliation has played an important role in the identification of problems such as the potential rearmament of former members of illegal armed groups, possible tensions between demobilized individuals and the communities that take them in, and the existence of vulnerable groups of demobilized persons (children, women, disabled persons) who require special humanitarian assistance.

As in any demobilization process, a certain percentage of the illegal armed groups decides to continue pursuing criminal activities. Colombia has not been an exception. It is estimated that approximately 10% of the former members of these groups have returned to the drug business and have become what is known as emerging criminal gangs ("Bacrim" for its acronym in Spanish).

At times, the activities of these gangs have been mistakenly interpreted as equivalent to the self-defense group phenomenon, but it is clear that their character is not one of counterinsurgency, and that their aim is not to replace the authority of the State. Their behavior is purely criminal and linked to the drug trafficking business. The State has vigorously responded to this phenomenon and, as of November 2009, 7.190 members of these gangs had been arrested, 1.192 had been killed in confrontations with the Armed Forces. The individuals that have been captured include criminals such as alias Don Diego (one of the FBI's 5 most wanted fugitives, together with Osama Bin Laden), alias Don Mario and Los Mellizos ("the Twins").

"The Mission notes that the United Self-Defense Forces of Colombia (AUC) have disappeared as a political reality, which is undoubtedly of significant importance to the country and represents a great step within the peace process that began in 2004. But, as we have been stating since the Sixth Quarterly Report, some of them have reappeared, not as paramilitaries, but as criminal gangs, explicitly connected with drug trafficking and other illegal activities."

14th Quarterly Report of the Secretary general to the Permanent Council on the Mission to Support the Peace Process in Colombia (MAPP/OEA), April 28, 2010.

OPERATIONAL RESULTS OF ACTIVITIES BY THE ARMED FORCES AGAINST EMERGING CRIMINAL GANGS ("BACRIM") (AS OF NOVEMBER 17, 2009)		
Total Bacrim members captured	7190	100%
Demobilized Bacrim members captured	1075	15%
Total Bacrim members killed during clashes with the Armed Forces	1192	100%
Bacrim members killed during clashes with the Armed Forces	71	6%

Source: Office of the Director of Criminal Investigation - National Police.
Communication No. 1609 - GRESO-ARIDA -38,10. November 18, 2009.

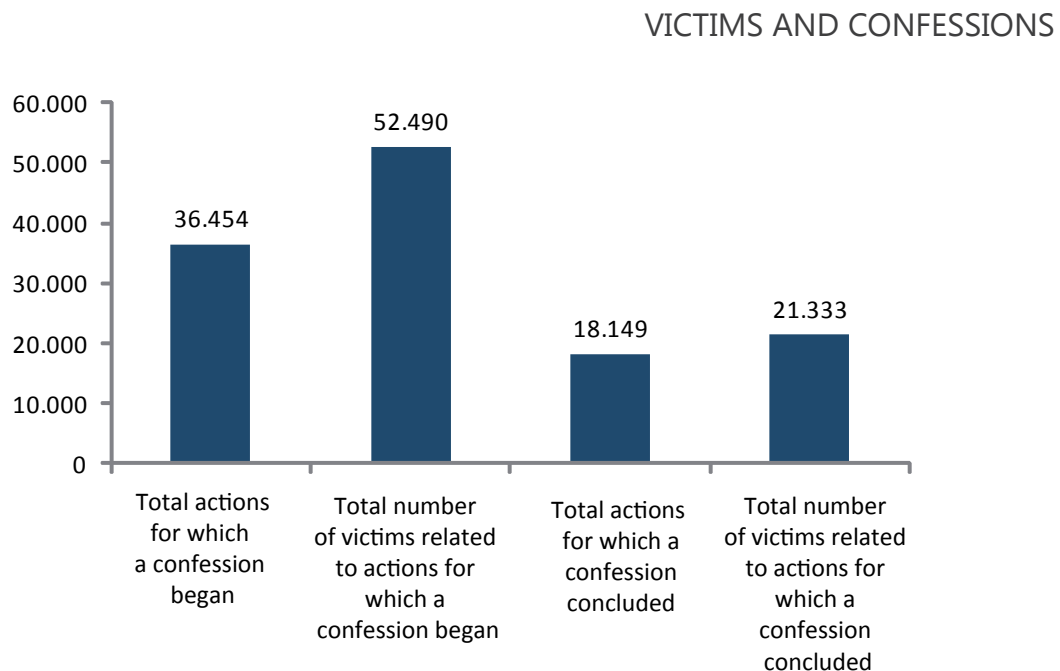
Criminal responsibility and confession of crimes

One of the most important features of the transitional justice process in Colombia is the existence of criminal investigations and proceedings conducted independently by the Judicial Branch against former members of illegal groups.

This proceeding begins with the so-called free-statement hearings. The purpose of this stage is the full confession of all crimes by the former members of illegal armed groups nominated by the Government (currently 4,112). A prosecutor of the Justice and Peace Unit, with the participation of the Office of the Inspector General of the Nation, is in charge of carrying out this task. It also provides for the participation of the victims in the hearings by means of a system that ensures protection of their identity through the use of separate rooms and voice distortion. The hearings are public and fully compliant with procedural guarantees.

In practice, these hearings go beyond their purely criminal scope, since they include a confrontation between victims and perpetrators and, for the same reason, they become the first step toward forgiveness and reconciliation. In several cases, participation by the victims in the hearings ends with the admission of responsibility by the perpetrators and, in that sense, it constitutes one of the first means of satisfaction for the victims.

More than 36,000 criminal actions have been referred during these hearings, each of which may include several crimes. This is particularly significant considering that a substantial number of these crimes were previously unknown to the authorities. The existence of more than 52,400 victims has been referred in these hearings.



Source: Attorney General of the Nation

The sheer magnitude of the crimes has made it difficult to achieve speedy progress in the criminal proceedings to obtain judgments, given that the Office of the General Prosecutor must receive all the confessions and investigate all the facts as required by Law. However, recent caselaw by the Supreme Court authorized partial indictments, which has enabled progress in the accusations. To date, accusations have been filed against 195 individuals and charges have been brought against 85. These cases have been passed on to the judges in order to begin the trial stage.

Loss of benefits and extradition

During the initial stage of the criminal proceedings some of the leaders of the self-defense groups (15) showed their unwillingness to comply with the obligations of the Justice and Peace Law and tried to continue conducting their criminal activities from prison. As a result, they lost the potential benefits they were entitled to and were extradited to the United States.

This decision demonstrated that no concessions were going to be made to those not willing to fulfill the requirements of the Law. It also allowed the mid-ranking members of the self-defense groups, that remained in the process, to speak about their crimes without fear of retaliation by their former bosses.

Some sectors have mistakenly argued that the intention was to silence these former leaders, but the reality has shown that most of them have, on the contrary, continued to participate in the proceedings and have even increased their willingness to collaborate. Several of the most impacting confessions about their crimes and the relation between them and important politicians have taken place after their extradition.

Since then 33 public hearings by videoconference have taken place in 13 cases

within the Justice and Peace jurisdiction. Likewise 37 public hearings in 21 cases have been carried out within the framework of the ordinary criminal jurisdiction.

There is a continuing effort to improve the judicial cooperation mechanisms between the two countries in order to ensure the participation of the extradited individuals in the investigations carried out in Colombia.

Finally, several judicial decisions² have confirmed that the extradition of individuals do not prevent the continuation of the investigations and trials within the framework of the Justice and Peace Law. Moreover, there is no irreparable damage caused to victims because their rights are guaranteed by such Law and its implementing decrees.

Search for missing people

One of the most terrible crimes committed against thousands of Colombians was that of forced disappearance. This crime represents the violation of many fundamental rights, such as the right to life, to freedom and personal safety, humane treatment and the recognition of legal personality.

Once the Constitutional Court revised the Justice and Peace Law, it ordered that those who had been accused had the specific obligation to confess the forced disappearances and to contribute to shed light on the facts. Thanks to these confessions, 2.579 graves have been exhumed, in which over 3.131 bodies have been found. Of this amount, 807 have been fully identified and delivered to their families.

These numbers are especially significant, considering that unlike other countries, in Colombia there is usually one person per grave. This entails a greater logistical, technical and security-related effort. In former Yugoslavia, for instance, 1.600 people were found in a single grave.

² Judgement by the Superior Council for the Judiciary, Disciplinary Chamber, File 10011102000200801403 01 dated 6 May 2008; Judgement Antioquia's Administrative Tribunal, Second Chamber, File 05001-23-31-000-200800688-00 dated 5 June 2008.

In 2008, the Prosecutor of the International Criminal Court, Luis Moreno Ocampo and Judge Baltazar Garzón visited Colombia to participate in an exhumation task and observe the quality and professionalism of the team of the Technical Investigations Corps of the General Prosecutor's Office.

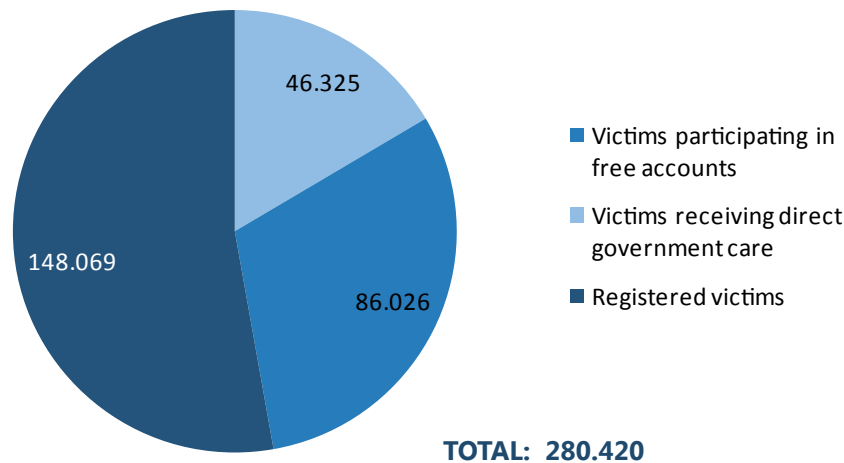
A significant part of this effort has been the work of the Missing Persons Search Committee, the members of which include Government representatives, the Office of the General Prosecutor, the Inspector General's Office and civil society. Likewise, an Urgent Search Mechanism for Missing Persons has been created to help find a missing person by way of the immediate adoption on the part of the judicial authorities of all procedures conducive to finding the person presumed to be missing.

Moreover, the existence of a National Registry of Missing Persons facilitates the work of the authorities regarding the clarification of this crime and finding the victims.

Participation of the victims and outreach

The most important achievement of the implementation of the Justice and Peace Law is, without a doubt, the fact that the victims are recognized and made visible. In a short period, thousands of Colombians went from anonymity to become the true protagonists of the transitional justice process. Over 280.000 people have been registered as victims. Of this amount, over 46.000 have participated in the free-statement hearings.

PARTICIPATION OF THE VICTIMS



Source: General Prosecutor of the Nation

At the beginning of the process, the victims were reluctant and fearful of approaching the authorities to report the crimes or to enquire after their loved ones. This entailed great effort on the part of the Office of the General Prosecutor to visit the regions to organize informative and support sessions for the victims. Approximately 380 sessions were held, in which more than 86.000 victims were personally and directly assisted. Likewise, a website on the matter and a nationwide toll-free number were created.

On the other hand, the work of the National Commission for Reparation and Reconciliation has been pivotal to victim's public information and outreach strategy. The entity has also prepared a series of documents setting principles, criteria and lines of action guiding the reparation process. The entity has nationwide presence through its 12 regional offices and almost 150 officers, which has allowed the victims to become familiar with their rights and to participate in the process.

The Commission has also set up a series of radio and television programs with the cooperation of a few television channels and radio stations to disseminate the testimonies of the victims. Over 15 documentaries have been broadcasted on television and several radio shows are broadcasted regularly in regional radio stations. Most of them may be accessed through the Commission's website, which also includes detailed information on each one of their areas of work.

Administrative Reparation

During the implementation process of the Justice and Peace Law, the need to expedite the issue of progress regarding reparation was observed. The magnitude of the confessions (Salvatore Mancuso alone - the leader of the self-defense groups - has confessed to 500 crimes) made it clear that the criminal processes would take more time than was expected, but that this was not a reason to delay the right of the victims to reparation.

This is why the Administrative Reparation Program was created in addition to the judicial reparation, with the purpose of granting a series of individual reparation measures to any person whose fundamental rights had been infringed by the self-defense groups or the guerrilla.

The procedure to obtain reparation is very simple, as it does not require hiring a lawyer, just filling out a form that must be rapidly processed. The Reparation Committee must decide on a reparation petition before 18 months. The non-issuance of a decision is understood as an acceptance of the petition.

During its first year of operation (2009) approximately 10.000 victims received reparation, including 70 women victims of sexual violence, 550 minors who had been forcefully recruited and 1.300 victims of anti-personnel mines. The budget

for 2009 was US \$100.000.000.; the budget for 2010 is US \$150.000.000.

To place into context the magnitude of this effort, it must be taken into account that the ICC's Victims Trust Fund had a budget of approximately US \$6.000.000 to November 2009 for all its programs.

ADMINISTRATIVE REPARATION (In addition to judicial reparation)	
2009	
Budget	100.000.000 dólares
Beneficiaries	10.000 approx victims
Women victims of sexual abuse	70
Children forcefully recruited	550
Victims of anti-personnel mines:	1.300

Source: National Commission for Reparation and Reconciliation CNCRR

Justice and Peace Jurisprudence

One of the greatest dilemmas faced by the country regarding the process of implementation of the Law was how to settle the contradiction between organizing swift trials and at the same time investigating the entirety of the crimes perpetrated by former members of illegal groups.

This debate fueled much controversy and was finally resolved by the Supreme Court of Justice in the ruling that authorized partial indictments (Judgement 32575 of 14 December 2009). This implies that the General Prosecutor's Office must continue to investigate the crimes, but is able to issue indictments per subgroup of crimes as long as there is enough evidence to support them.

This pivotal decision allowed accelerating the Justice and Peace process as of December 2009, and as a consequence, to increase the number of indictments and charges.

Another main jurisprudence is related to the obligation of the accused to confess not only the time, mode and place in which the individual crimes they perpetrated took place, but also, in order to be granted the benefits of the Law, the confession must include information on the structure and operation of the criminal organization they belonged to (Judgement 31150 of 12 May 2009). This decision of the Supreme Court has allowed reconstructing the truth on the criminal organizations as a whole, their operation and their structure.

Another jurisprudence (Judgement 31582 of 22 May 2009) is related to the pretense of some members of the self-defense groups whereby they claimed to be the "ideologists" of their organizations and were therefore unaware of its criminal activities. In light of this situation, the Supreme Court of Justice indicated that "ideologists" had to be aware of the multiple criminal actions perpetrated to achieve the ends of the organization and that therefore they were co-responsible for those actions. This prevented many former members of the self-defense groups from evading justice.

These decisions have gradually consolidated the justice and peace legal framework and shall become essential to guide the actions of the authorities responsible for applying the Law.

Participation of the international community

Although the international community was to a certain extent distrustful of the transitional justice process at its early stage, it gradually began to understand the process and to support its different dimensions. The active involvement of states and international organizations in the process has gradually increased.

As has already been mentioned, the Organization of American States through the Mission to Support the Peace Process performs verification tasks and accompanies the process.

Likewise, countries such as, Canada, Germany, Japan, the Netherlands, Spain Sweden, Switzerland, and the United States participate in several of the working areas of the National Commission for Reparation and Reconciliation. Organizations such as the IOM, Open Society Institute, Friederich Ebert Stiftung, OCHA, UNDP, and AVINA have also supported the Commission.

The Office of the General Prosecutor has also received support from the European Union, the Netherlands and the United States, among others.

Multiple NGOs have also been present, mainly by supporting the victims in their legitimate claims and by monitoring compliance with the provisions of the Law.

This accompaniment has given transparency and legitimacy to the process. It has also served to reinforce the State's institutional capacity concerning justice, which has positive implications in the medium and long term. The situations in which an international court is responsible for investigating the crimes are very different, for in spite of their invaluable work, they do not contribute to strengthen domestic justice systems.

The role of international justice is essential in our world nowadays, but we must not forget that states have the primary responsibility for the investigation and prosecution serious crimes. In this sense, constructive approaches such as “positive complementarity”³ of the International Criminal Court are welcomed as they emphasize the need to strengthen national justice systems.

Impact of the Justice and Peace Law in the ordinary jurisdiction

The Justice and Peace Law has had significant effects that go beyond its own jurisdiction. As confessions by former members of the self-defense groups started to take place the truth about the relation of these groups with important national and regional politicians became publicly known.

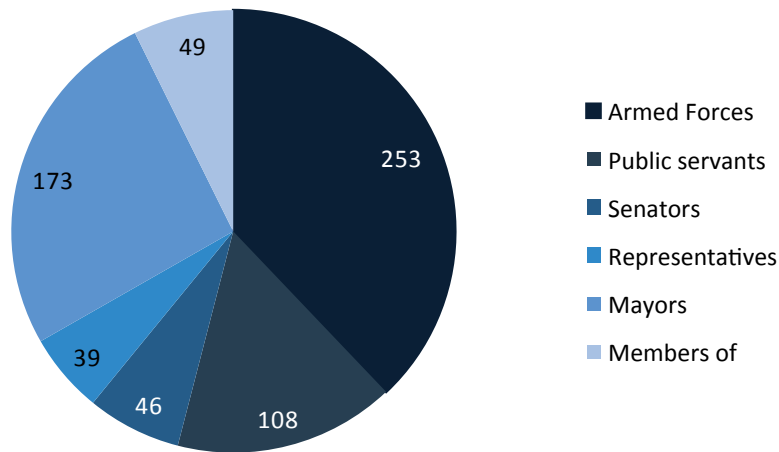
This initiated a process known as “parapolitics” which has been lead by the Office of the General Prosecutor and the Supreme Court of Justice. There are currently 46 senators and 39 members of the House of Representatives under investigation for their possible links to the self-defense groups. In addition, 19 governors and 173 mayors are also being investigated.

Many of them have been convicted, among them, for instance, Senator Alvaro García, who was sentenced to 40 years of prison (the maximum term imposed in Colombia) for participating as the mastermind of the Macayepo massacre, in which 15 peasants died. Similar convictions are expected.

On the other hand, over 250 members of the Armed Forces, including high-ranking officers, are also under investigation for their possible links to these groups. It is worth saying that the persons investigated in these cases are not entitled to the benefits of the Justice and Peace Law.

³ International Criminal Court, Office of the Prosecutor, Prosecutorial Strategy 2009 – 2012, 1 February 2010. “The positive approach to complementarity means that the Office will encourage genuine national proceedings where possible, including in situation countries, relying on its various networks of cooperation, but without involving the Office directly in capacity building or financial or technical assistance.”

INVESTIGATIONS TRANSFERRED TO ORDINARY JURISDICTION (Without reduced sentence nor benefits)



Source: General Prosecutor of the Nation

The process of transitional justice has also exposed the relation between self-defense groups and the private sector. One particularly relevant case was that of the multinational corporation Chiquita Brands, which an American prosecutor found guilty of financing these groups and imposed the company a US \$25.000.000 fine. The National Commission for Reparation and Reconciliation has requested this sum be transferred to the Victim's Fund created by the Justice and Peace Law so it may be used for the reparation of victims.

"A complex peace process is not devoid of errors; in spite of this, it has been an invaluable process, as it has generated opportunities for Colombia in terms of the recovery of territory for State institutionality and has made the victims visible, generating conditions for them to gain access to truth, justice and reparation".

XIV QUARTERLY REPORT OF THE SECRETARY GENERAL TO THE PERMANENT COUNCIL ON THE MISSION TO SUPPORT THE PEACE PROCESS IN COLOMBIA (MAPP/OAS), April 28 2010.

Conclusion

The transitional justice process in Colombia covers a broad array of actions in the areas of reintegration, justice and rights of victims. All state organs participate in the execution of these actions with independence and within the scope of their competencies according to the law.

The investigations conducted by the judicial organs have exposed thousands of crimes and have led to a new way of conducting the proceedings, not only shedding light on individual crimes, but also on the structure and actions of illegal groups as a whole.

Victims have become the main actors of this process and have started to see their rights to truth, justice and reparation recognized.

The nation's conscience is fighting against the use of violence as a valid means for political action. This has undoubtedly brought about the reinforcement of democratic means. The results of the experience of transitional justice are favoring an environment for ending the cycle of violence in Colombia. This is in accordance with the ultimate purpose of transitional justice, which is the construction of a reconciled society.

The efforts undertaken by the State and the people of Colombia are unprecedented in the world. It is probably the most complete and demanding legal framework to achieve the reincorporation of illegal armed groups by way of a peace process without ignoring the requirements of justice in relation to the

commission of serious crimes.

The Colombian model will not only have an impact on future negotiation processes with other illegal armed groups (guerrillas), but it should also become a reference point to similar efforts undertaken in other parts of the world.



Republic of Colombia