

# **COMPREHENSIVE APPROACHES TO VICTIMS' REPARATION**

**National Commission for  
Reparation and Reconciliation  
CNRR**

The Hague, October 25, 2010

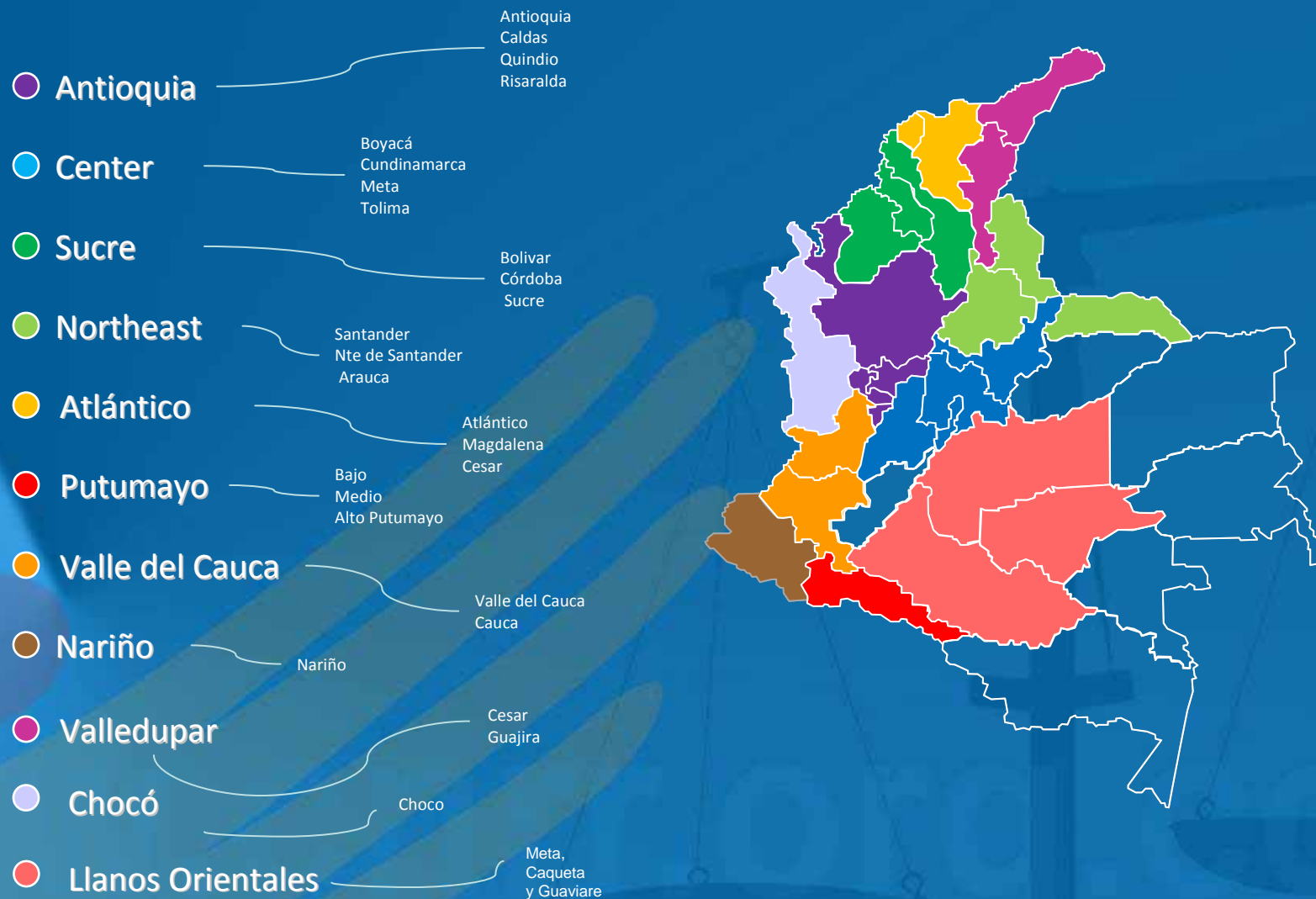
# THE CNRR AND ITS WORK

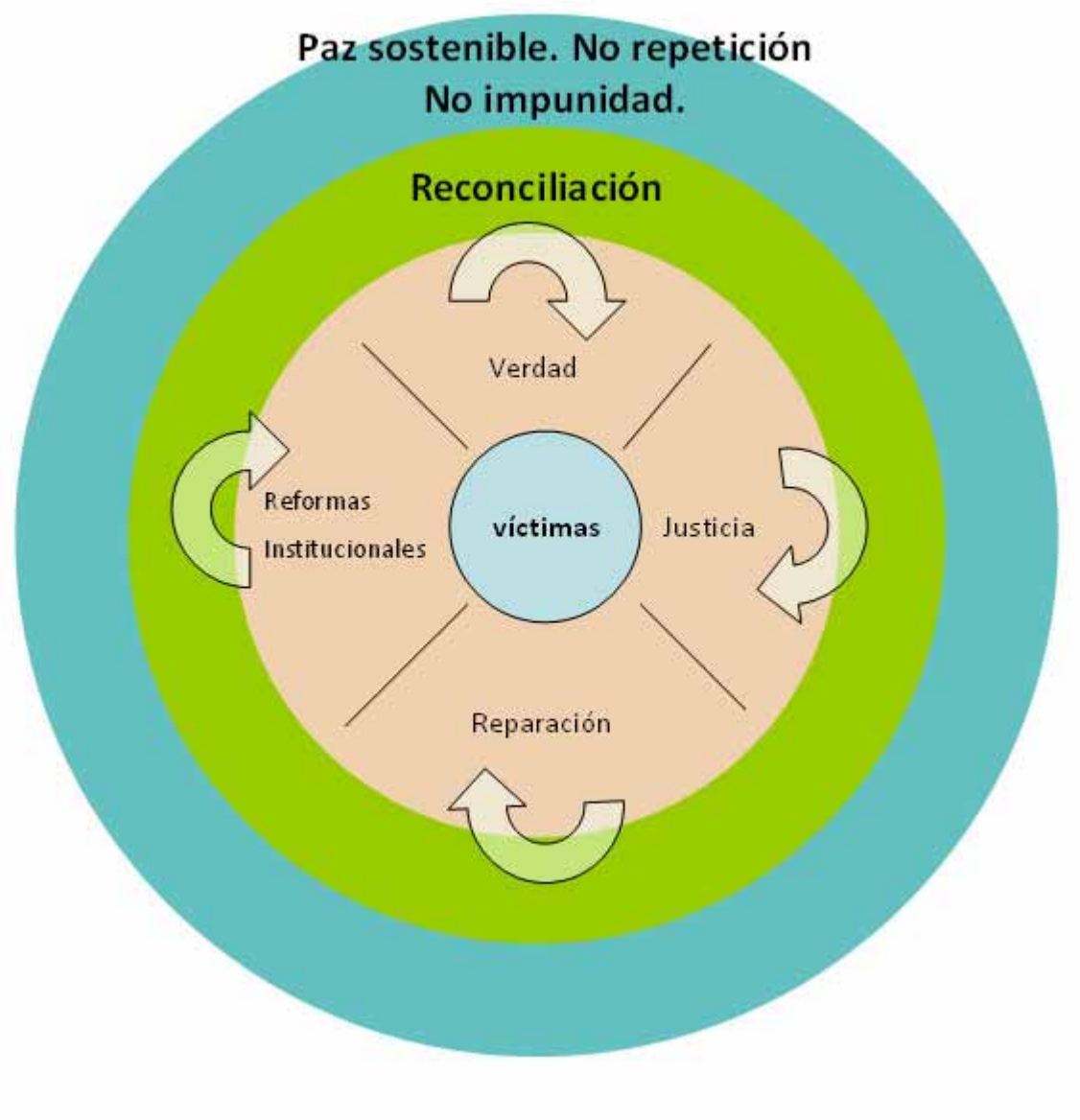
**The National Commission for Reparation and Reconciliation – CNRR** is a mixed institution created by the Justice and Peace Law, composed by representatives from the national government, representatives for the victims, representatives for the State's control organs and five representatives for civil society. The CNRR works for the defense and promotion of the rights of the victims of the Colombian armed conflict.

# Functions of the CNRR

1. Provide public policy recommendations on comprehensive reparation, collective reparation, reconciliation, DDR, gender and specific populations. The CNRR seeks to promote the exercise of the rights of the victims to truth, justice, reparation and guarantees of non-repetition.
2. Guarantee the victims' participation process in the Justice and Peace process.
3. Contribute to the reconstruction of the conflict's historical memory.
4. Follow-up and verification to the DDR process.
5. Coordinate the activities of the Regional Property Restitution Commissions.
6. Undertake national actions for reconciliation, with the aim of preventing the resurgence of new facts of violence.

# CNRR's regional offices





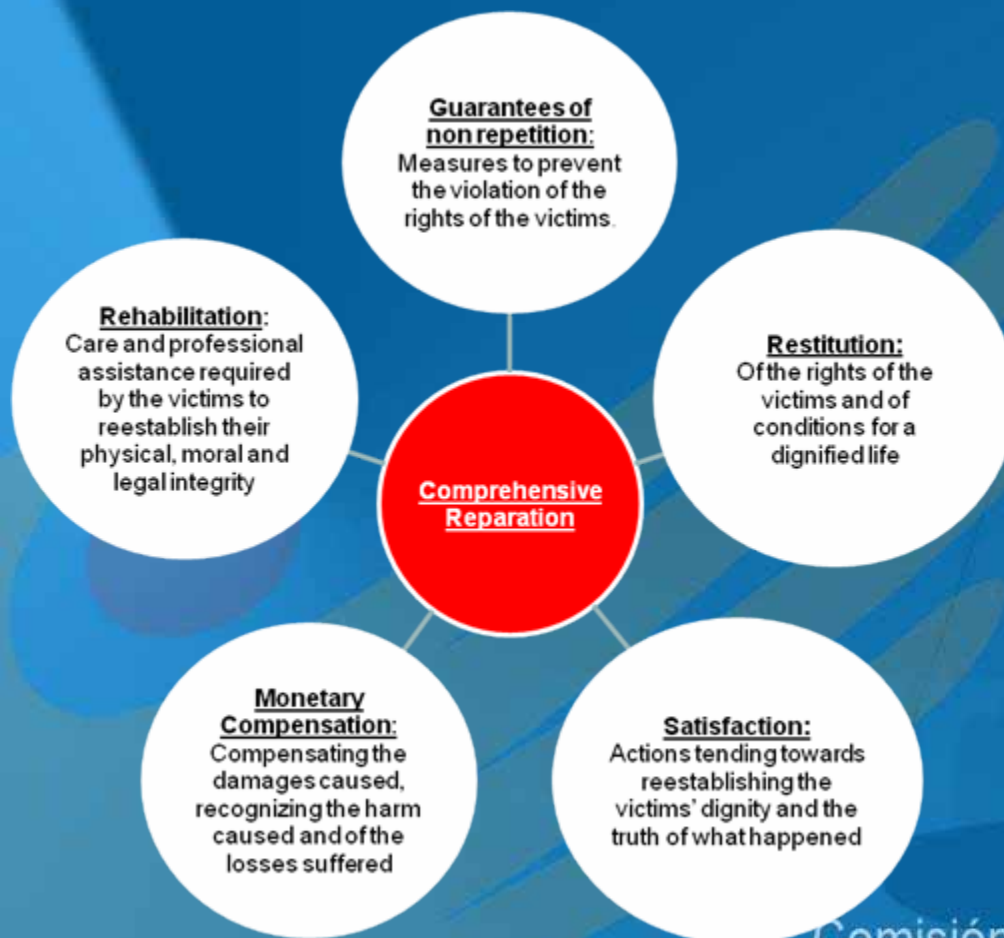


# What does the CNRR understand by comprehensive repairation?

Two dimensions for comprehensive repairation:

**Internal coherence :**

**External coherence –  
achieving a balance between:**

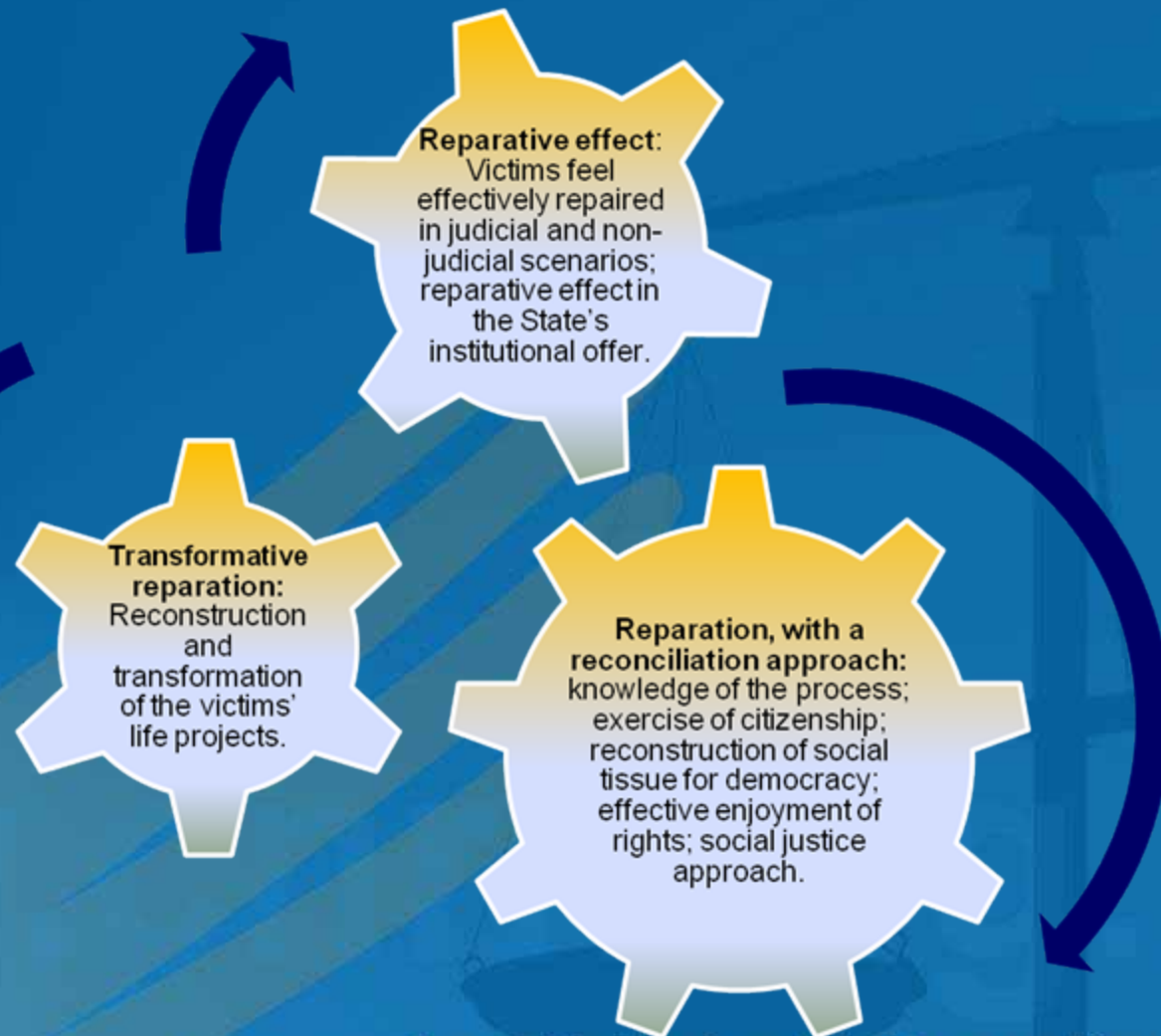


**TRUTH**

**JUSTICE**

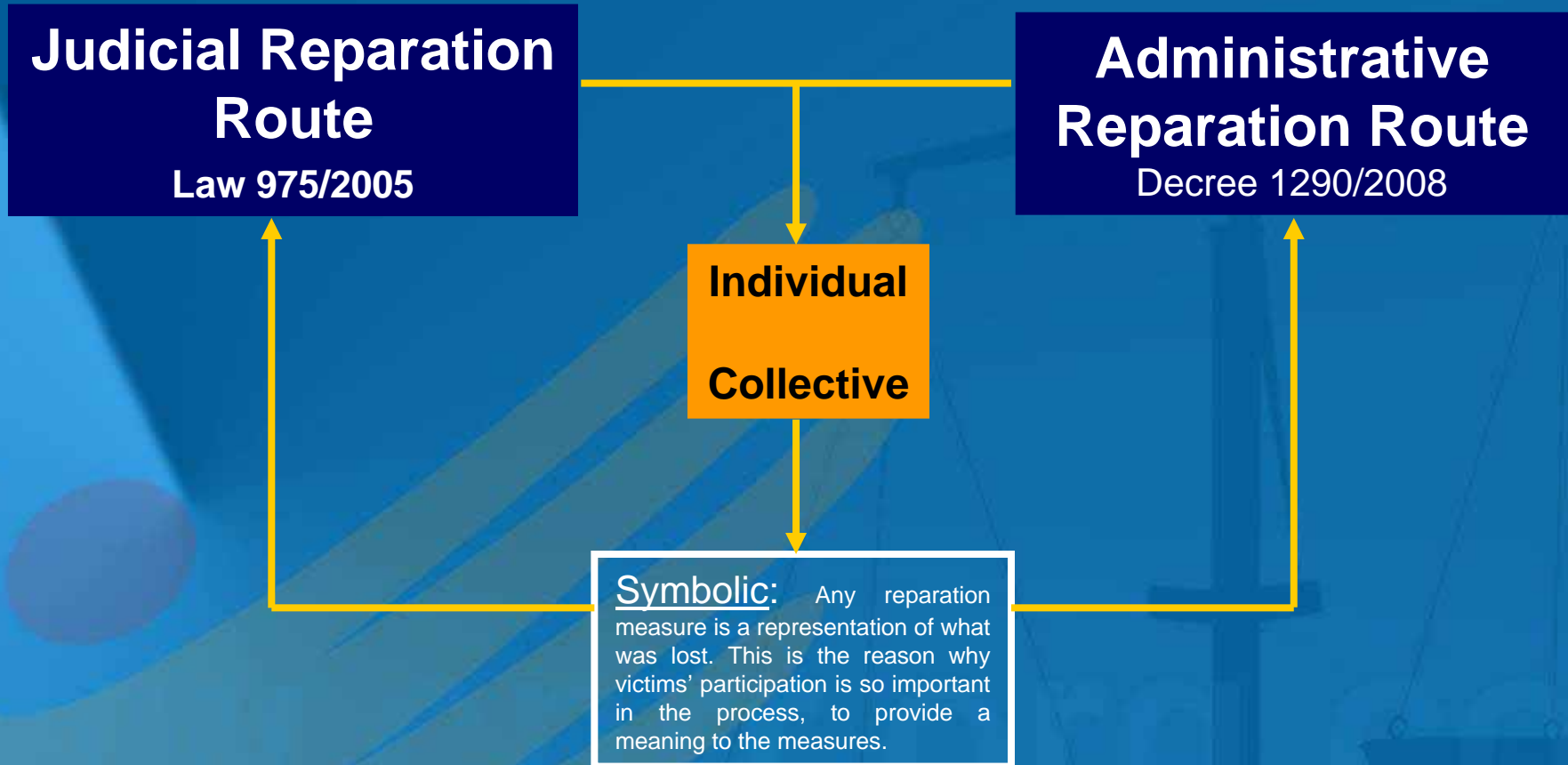
**REPARATION**

# What are the concepts that guide reparation?



# Paths for reparation

## INTEGRAL REPARATION





# Achievements

Victims' pedagogical and sensitization strategy, on their rights and their participation in the Justice and Peace process:

Knowledge multipliers and community peers strategy; theatre forum; pedagogy for specific populations (ethnic groups); Training platform for institutions (SIVIFOM).

257 multipliers and 350 peers; 22.000 victims oriented through the theatre forum; 52.621 victims received orientation on their rights; 18 sensitization workshops on property restitution, with victims and institutions.

# Achievements

Support and promotion of  
inter-institutional  
coordination for the care of  
victims:

Inter-institutional model for the  
assistance to victims -MIAV;  
Regional Interagency  
Committee for Justice and  
Peace Commissions of  
Property Restitution

25.258 people have  
received orientation and  
assistance through the  
MIAV; 11 Regional  
Property Restitution  
Commissions are in  
place.

# Achievements

## Individual Administrative Reparation:

Contribution to the drafting of Decree 1290/2008: Prioritization of victimization types; Conceptual elements for the Decree.

The CNRR presides the Administrative Reparation Committee.

Orientation and accompaniment to victims in the different procedures they have to undertake to present their claims.

Number of claims	Number of claims positively resolved	Number of victims who have received compensation
331.604	150.000	60.000

## **SOME CRITICISMS**

Administrative reparation has focused on monetary compensation for victims of a series of human rights violations that took place between 1964 and 2008, leaving aside the rest of the measures that are part of a comprehensive reparation.

The burden of the proof lies in the institutions in charge of administrative reparation, and not in the victims. Nonetheless, the results of this measure show that only 4,6% of the universe of victims have been covered.

# Achievements

## Some Findings:

Collective Administrative Reparation: Design and set up of 7 pilot collective reparation projects, in communities that were systematically affected by illegal armed groups; Production of the Interinstitutional Collective Reparation Program (currently under discussion).

Afflictions within the communities are linked to the presence of illegal armed groups during extended periods of time, the suppression of the State's institutional presence; destruction of social tissue; impoverishment and loss of productive capital.

Collective reparation implies the restitution of collective and citizen rights. This in order to resolve the damages that were caused in the public sphere.

The damage caused in the communities and public sphere makes evident the need to link reparations to the State's institutional offer: dignified conditions of living, State presence; access to adequate services, under a reparative approach.

Collective reparation is also a form of reconstruction of historical memory and contribution to guarantees of non repetition.



# Achievements

## Collective judicial reparation:

For the comprehensive reparation incident phase, the CNRR has developed methodologies for collective damage assessment and the design of collective reparation measures for the affected communities.



# Comparative analysis of the construction of collective judicial reparation measures

Categories of analysis	Reparation incident # 1 (Mampuján, San Cayetano and Isla Múcura)	Reparation incident # 2 (Cúcuta)
<b>Collective subject</b>	Community with a clear identity as a social organization (Mampuján).	Population systematically affected, in a defined territory.
<b>Affectations</b>	Massive forced displacement, homicide, kidnapping, torture.	Homicide, “social cleansing”, corruption in the institutions and infiltration by illegal armed actors.
<b>Construction process for reparation measures</b>	Assessment of collective damage; consultation of measures with the community.	Context analysis; assessment of collective damage; analysis of local development plans; consultation and socialization of measures with different institutional and social actors, including victims.
<b>Focus of the measures</b>	Overcoming structural poverty conditions, through a monetary compensation perspective. Simplification of the integrality of the reparation measures.	Focus on cultural transformation, the reconstruction of social tissue and reconciliation. Strengthening and transforming local institutions; articulation with the State’s social offer.

# Achievements

Property restitution: Property restitution process in a perspective of national reconciliation; Victims' participation in the preparation of the Property Restitution Program; inclusion of a differential approach in the design of the program; training and orientation to institutions and victims.

11 Regional Property Restitution Commissions working in the country, 4525 claims in process; definition of five restitutions routes; 3 ongoing pilot projects for restitution, with 105 property titles legalized and restituted to their legal owners.

## REPARACION INTEGRAL



# Challenges

Appropriation of a comprehensive vision of the transitional justice process, in view of national reconciliation: victims' rights, actors of the process, interinstitutional articulation.

Integrating the transformative reparation approach into the State's social offer, the public policy for victims' assistance and the different reparation measures.

Understanding integral reparation as a process that requires the orientation and participation of victims, in the design and implementation of the reparation measures.

Overcoming a vision of reparation as monetary compensation, particularly in a context with millions of victims.