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Colombia Peace Programmatic I

Demobilization and Reinsertion of Ex-Combatants in Colombia

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Abbreviations and Acronyms

AUC	United Self-defense Forces of Colombia (Autodefensas Unidas de Colombia)
CNN	National Normalization Council (Consejo Nacional de Normalización)
CODA	Arms Surrender Committee (Comité de Dejación de Armas)
CRN	Regional Normalization Council (Consejo Regional de Normalización)
CRO	Orientation and Reference Center (Centro de Orientación y Referencia)
CRS	Socialist Renovation Current (Corriente de Renovación Socialista)
DAPRE	Administrative Department of the Office of the President of the Republic (Departamento Administrativo de la Presidencia de la República)
DAS	Administrative Security Department (Departamento Administrativo de Seguridad)
DDR	Disarmament, Demobilization, and Reinsertion (Desarme, Desmovilización y Reinserción)
DNP	National Planning Department (Departamento Nacional de Planeación)
ELN	National Liberation Army (Ejército de Liberación Nacional)
EPL	People's Liberation Army (Ejército Popular de Liberación)
ESAP	Public Administration Superior School (Escuela Superior de Administración)
FARC	Revolutionary Armed Forces of Colombia (Fuerzas Armadas Revolucionarias de Colombia)
FOREC	Fund for Reconstruction of the Coffee Region (Fondo para la Reconstrucción del Eje Cafetero)
GTZ	German Technical Assistance
ICBF	Colombian Institute for Family Welfare (Instituto Colombiano de Bienestar Familiar)
ICETEX	Colombian Institute of Technical Studies Abroad (Instituto Colombiano de Estudios Técnicos en el Exterior)
ILO	International Labour Organization
IOM	International Organization for Migrations
M-19	M-19 Movement (Movimiento M-19)
MAQL	Quintín Lame Armed Movement (Movimiento Armado Quintín Lame)
MIR-COAR	Independent Revolutionary Movement (Movimiento Independiente Revolucionario)
NGO	Nongovernmental organization
OACP	Office of the High Commissioner for Peace (Oficina del Alto Comisionado por la Paz)
OAS	Organization of American States
PAHD	Program for Humanitarian Care for Demobilized Combatants (Programa de Ayuda Humanitaria para Hombres Desmovilizados)
PANJD	Program to Assist Children and Adolescents Disengaged from the Armed Conflict (Programa de Asistencia a Niños y Jóvenes Desplazados)
PNR	National Rehabilitation Plan (Plan Nacional de Rehabilitación)
PRT	Revolutionary Workers Party (Partido Revolucionario de los Trabajadores)
PRVC	Program of Reincorporation into Civilian Life (Programa de Reincorporación a la Vida Civil)
SAME	Coaching, Monitoring and Evaluation System (Sistema de Acompañamiento, Monitoreo y Evaluación)
SME	Small and medium enterprises
SENA	National Apprenticeship Program (Servicio Nacional de Aprendizaje)
UN	United Nations
UNICEF	United Nations Children's Fund
USAID	United States Agency for International Development

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Acknowledgments

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Peace Programmatic I: Demobilization and Reinsertion of Excombatants in Colombia

EXECUTIVE SUMMARY

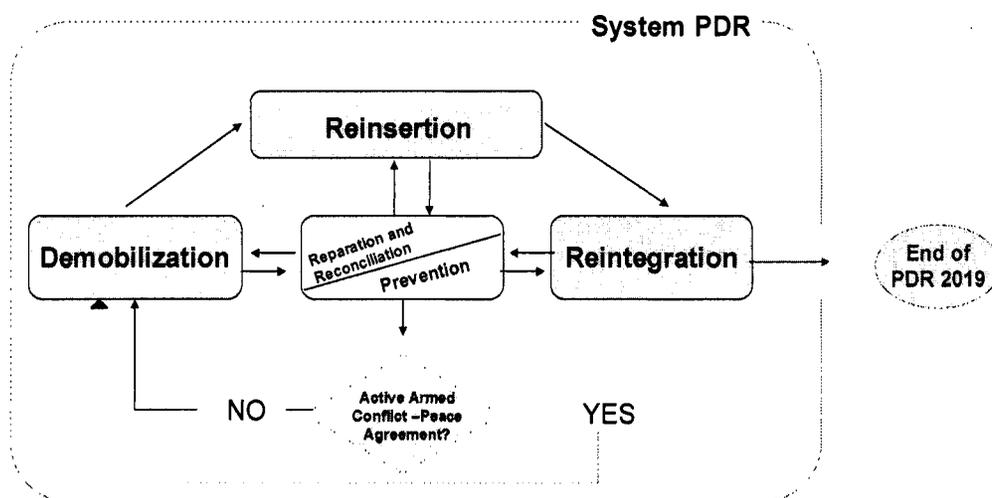
1. This report presents the results of the study on the demobilization and reinsertion of excombatants from illegal armed groups in Colombia. The report describes and analyzes the Colombian case, compares it with international experience, discusses critical issues of the current program, and presents options to improve its design and implementation. The study responds to a request by the Colombian government to conduct an assessment of the previous and current approaches to demobilization and reinsertion in Colombia and, in light of national and international experience, to present options to improve the program.

2. The study is the first of a programmatic sector work series under the Peace Building Pillar outlined in the Country Assistance Strategy Progress Report. The second study, carried out in 2007, focuses on the assessment of the condition of especially vulnerable victims of the conflict—families who lost the breadwinner, orphans, people with disabilities, members of ethnic groups, and adults over 65—and proposes a model for fair, viable, and sustainable reparation for these groups.

3. This study relied principally on secondary data and information from existing studies, essays, and press articles produced by government agencies, nongovernmental organizations, United Nations and bilateral agencies, specialized analysts, and media. The analysis also used primary information collected for the study, including (1) information from interviews with government and nongovernment sources about the current condition of individuals demobilized during the 1990s, (2) the profiles of a sample of young excombatants (18–26 years old) enrolled in the current reinsertion program in Medellín and Bogotá, (3) the assessment of the demobilization and reinsertion experience of the 1990s as viewed by leaders of existing foundations from four of the demobilized groups, and (4) a special work session held with 50 representatives from diverse private-sector associations and businesses.

4. This study assesses Colombia's experience using a framework of five interwoven phases from armed conflict to peace: prevention, demobilization, reinsertion, reintegration, and reconciliation. This framework together with accumulated national and international best practices in technical aspects of the operations of DDR programs are used in the analysis of the current Program of Demobilization and Reinsertion (PDR). (See figure 1 below).

Graphic 1 Conceptual framework for the DRP



5. Colombia has a long history of demobilizing and reinserting combatants from illegal armed groups. The history includes amnesty for those who took arms against the State and those who were accused of other political crimes or had committed excesses to protect the State (up until 1953); political peace processes with members of illegal armed groups (1990-1998); individual demobilization of deserters from those same groups (1993-present); and negotiations with the Autodefensas Unidas de Colombia (AUC, [United Self-Defense Force of Colombia]) (July 2003). Over time, a legal and institutional framework evolved to facilitate the demobilization and reinsertion process.

6. The study identified the most relevant lessons of the 1990s reinsertion program as follows:

- The reinsertion program must be linked to a comprehensive peace policy such that there will be consistency among the different instruments of the policy toward the intended goal.
- It is advantageous to have a high-level, high-profile institution directing the process and coordinating all agencies involved. It is also important to establish clear roles for central and regional governments, facilitated by mechanisms such as the National and Regional Councils of Normalization described in chapter 2.
- Mechanisms such as the National Peace Fund are critical to support local and regional development activities for the benefit of affected communities and demobilized individuals.

- When reinsertion occurs in the midst of a conflict, there is a risk of violence against reinserted individuals as well as the recipient communities.
- Economic reinsertion programs designed with the assumption that demobilized individuals have entrepreneurial or business skills will likely be unsuccessful; and
- There are several obstacles to establishing an information system to monitor individuals and programs and to evaluate impact.

7. The Uribe Administration's democratic security policy includes the demobilization and reinsertion of members of illegal armed groups into civilian life. The Administration aims to end the activities of illegal armed groups by initiating a peace dialogue with those groups that are willing to cease hostilities and by creating paths to integration for individuals who decide to give up arms. The goal of these actions is to "create a virtuous circle of recovery, presence, and consolidation of state control."¹

8. Colombia's context differs in important ways from the international experience with excombatants. The most notable differences are the following:

- Colombia is implementing its PDR in a state of conflict, without a prior comprehensive peace agreement with all illegal armed groups;
- The Government of Colombia and state agencies are leading and financing the effort;
- Colombia's economy and infrastructure operate adequately;
- Colombia's public and private institutions responsible for implementing the program are relatively strong;
- Colombia offers opportunities for both individual and collective demobilization and reinsertion; and
- Narcotrafficking is a key source of finances for Colombia's illegal armed groups, and it is difficult to control.

9. These differences present both challenges and opportunities. The primary challenges are guaranteeing the security of both demobilized individuals and communities, as well as strengthening the presence of the State in the areas recovered from the AUC groups and controlling the financial sources of the illegal armed groups, particularly drug trafficking. The main opportunity for Colombia is exercising its relative advantages to conduct a successful PDR in the middle of ongoing conflict. Colombia's success in this regard would provide an international model of best practices.

10. Under the Uribe Administration, 41,323 excombatants have been demobilized since 2002 more than eight times the number of those demobilized and reinserted during the 1990s. In addition, there has been a significant reduction in violent crime, kidnapping, attacks on towns, and in the number of people displaced.

11. Colombia's current program incorporates the basic components of DDR programs found around the world, plus some additional features that give it advantages over international experience. Colombia's program features components for legal status, health, education, personal

¹ The National Development Plan (2002-2006) *Hacia un Estado Comunitario*, Page 37.

adaptation, and preparation for work. The duration of the collective and individual reinsertion—18 and 24 months, respectively—is greater than the average international program. It costs 1.7 times the per capita GDP for collective demobilization (US\$4,542) and 6.1 times for individual demobilization (US\$16,468).

12. Furthermore, there are innovative and effective programs in Bogotá and Medellín in terms of the political base as well as in design and implementation. In both cases, the program is part of the city government, it is largely financed by the local government, and it focuses on the recovery of human capital in terms of the personal, civic, and social competencies of demobilized people.

13. Despite the measurable success of demobilizations and the excellent features of the PDR, there is considerable concern about implementation. The main concerns include:

- The scale and diversity of those demobilized is much larger than expected. It overwhelmed the capacity of the program to respond and led to improvisation and mistakes;
- There are shortcomings in the institutional framework and insufficient coordination among agencies involved;
- Some components of the program are weak, particularly adaptation support, citizenship and social skills development, employability preparation, and the link between cash benefits and personal achievement;
- There is a need to increase the convening capacity of the government and to build public support for the program;
- Local governments must become more involved in the implementation of the program, and there must be a stronger focus on community-based activities;
- Combining reinsertion, reparation to victims, and reconciliation remains a formidable challenge
- The program has failed to adequately gather and analyze data and to monitor and evaluate individuals and the program.

14. To address these concerns and strengthen the PDR, the study makes the following recommendations:

- Strengthen key program components by integrating adaptation support, citizenship formation, education, and employability in a sequence of steps toward reintegration into civilian life.
- Define a sound institutional arrangement and improve coordination among responsible agencies. The lead agency should preferably be a managing agency directly linked to the Office of the President, with a high political profile and good working relations with the Ministry of Finance and Public Credit and the DNP. Local governments would be formally integrated into the institutional arrangement and given a stronger role in the program.
- To garner broad public support and increase collaboration, convene into the PDR stakeholders such as the private sector, churches, specialized social organizations, and international cooperation agencies.

- Guarantee the security of demobilized individuals and their host communities by increasing the effective state presence in areas vacated by the illegal armed groups. In addition, adopt a greater focus on local development and community-based approaches in areas where demobilization is taking place.
- Ensure the program's financing, estimated to be \$610 million for the period 2006-2010, assuming that all illegal armed groups will be demobilized.
- Integrate the PDR into other components of a national peace strategy such as reparation, reconciliation, and the prevention of the reoccurrence of the armed conflict.
- Finally, construct a set of simple, practical, and easy to use indicators to monitor progress toward reinsertion into civilian life and to evaluate the impact of the program.

Chapter 1. Introduction to the Study

1. This chapter presents a brief background of Colombia's country context and government policy. It contrasts Colombia's experience with disarmament, demobilization, and reinsertion (DDR) to the international experience. It then introduces the study's objective, methodology, sources of information, conceptual framework, and content.

BACKGROUND AND RATIONALE

Country context and government policy

2. Overall, the socioeconomic outlook is improving in Colombia. While peace is still not certain, security conditions have improved significantly, generating greater public confidence, enhanced consumer spending and investor activity, and higher economic growth. After a sharp contraction in 1999 reversed years of progress in poverty reduction, the economy has been growing strongly since 2002, with private investment rebounding to pre-crisis levels of 12 percent of GDP in 2004. Unemployment is at its lowest in six years, and poverty levels, while still very high, are beginning to decrease. Furthermore, the government has succeeded in reaching important demobilization agreements with guerrilla fighters and illegal self-defense forces after years of previous failures.

3. The democratic security policy has helped reduce conflict-related violence and its negative effects on civilians. There has been a significant reduction in kidnappings, violent crime, and attacks on small towns, and the number of people displaced by conflict has decreased. The reduction of violence can be explained by three factors associated with the application of the security policy: the increased military and intelligence capacity of the state, the response by the illegal armed actors to increased state power, and the progress made on negotiations with and demobilization of the United Self-Defense Force of Colombia (Autodefensas Unidas de Colombia, AUC)¹.

4. The democratic security policy, as defined in the National Development Plan (2002–2006) *Hacia un Estado Comunitario*, calls for negotiations leading to the demobilization of the AUC and other illegal armed groups and to the reinsertion of their members into civilian life. The policy seeks to end the illegal armed groups by offering a peace dialogue with those groups that are willing to cease hostilities and a path for individuals who decide to give up arms on an individual basis. The end of these actions is to “create a virtuous circle of recovery, presence, and consolidation of state control.”²

1. The AUC is one of three main paramilitary groups.

2. DNP, “Plan Nacional de Desarrollo (2002-2006): Hacia un Estado Comunitario” (Bogotá: Imprenta Nacional de Colombia, 2003), 37.

5. The 2005 Justice and Peace Law complements the security policy and offers a framework for government negotiations with illegal armed groups toward the return of their members to civilian life. It also represents an attempt to secure the rights of victims to truth, justice, and reparations, which are a part of the peace and reconciliation process.³

6. Since the early 1950s, Colombia has advanced several processes for the reinsertion of ex-combatants into civilian life. These include amnesty and absolution for all those who had taken arms against the state, were accused of other political crimes, or who had committed excesses to protect the state (up until 1953); peace processes with illegal armed groups (1990–1998); facilitation of individual demobilizations or desertions from insurgent or self-defense groups (1993-present); and negotiations with the AUC (July 2003-present). The evolution of the legal and institutional frameworks during these periods, particularly during the last fifteen years, is discussed in detail in chapter two.

The Colombian experience in the international context

7. While some individual members or entire illegal armed groups have demobilized in Colombia, others are still actively engaged in war against the state. Ongoing conflict affects the sustainability of the demobilization and reinsertion processes. Therefore, implementing DDR has required the development of programs with economic, social, and political components to facilitate the reinsertion of ex-combatants into civilian life even as the conflict continues. Furthermore, the drug trade fuels the armed conflict and represents a continuing security and economic challenge for the country.

8. As seen in table 1, the most notable differences between Colombia's experience with DDR and that of other countries are the following: (1) Colombia implements the DDR without a comprehensive peace agreement with all armed groups, (2) the leadership and financing of the program rests with the government of Colombia, (3) the nation's economy and infrastructure function adequately; (4) its public and private institutions are relatively strong; (5) opportunities for individual and collective demobilization do not occur in other countries, and (6) the drug trade, which fuels Colombia's conflict, is more difficult to control than the products used to sustain conflict in other countries. The main reason is that there is not a legal international market for drugs as there is for diamonds, oil, or timber.

9. These differences represent challenges and opportunities. The main challenges are to guarantee the security of demobilized people and of the communities in their area of influence; to strengthen the presence of the state, especially in zones cleared by the AUC; and to control narcotraffic as the main source of financial support to the illegal groups.

3. The contents of the law are consistent with current constitutional and legal provisions in Colombia. These include, for example, Law 782 /02 on talks with armed groups, their demobilization and collective reinstatement as members of society; Decree 128/03, which establishes rules on individual demobilization; and the international instruments ratified by Colombia with respect to human rights.

Table 1. International and Colombia DDR

Standard DDR	Colombia's DDR
Prior peace agreement; formal ending of conflict in most cases	No comprehensive peace agreement; ongoing conflict with other groups; parts of AUC did not demobilized, FARC and ELN still armed against the state
Led by international community (bilateral, UN) in most cases	Led by Government of Colombia
Most resources by international community (75%)	Most resources by government (90%)
Length of DDR process is 6–12 months	Length of DDR process is 18–24 months
Security, fiscal, and political stabilization and reconciliation is main priority	Security and political stabilization is main priority; less emphasis on reconciliation
Seriously damaged infrastructure and economy	Working economy and infrastructure
Weak or inexistent institutions	Reasonably strong institutions
Weak or inexistent private sector	Reasonably strong private sector
Collective demobilization	Collective and individual demobilization
Access to controllable illegal resources fuels conflicts (diamonds, oil, timber, drugs)	Drug trade continues to fuel illegal armed groups; very difficult to control
Reform (usually reduction) of army and police in most cases	No reform of army or police associated with DDR; increase in public force
Per capita income under US\$1,000	Per capita income around US\$1,800

10. Colombia's experience in conducting a successful DDR in the midst of ongoing conflict, combining conflict and post-conflict measures, positions Colombia as reference of good practices.

THE STUDY

Objective and scope

11. This study is the first phase of a programmatic sector work series under the Peace Building Pillar outlined in the Country Assistance Strategy Progress Report.⁴ The government of Colombian asked the World Bank to evaluate approaches to and experiences with reinsertion in Colombia in light of relevant international experience. The study assesses the legal and institutional frameworks, program approaches, and experience with the reinsertion of ex-combatants from illegal armed groups during the last 15 years in Colombia. It concludes with a set of recommendations aimed at strengthening the current program of individual and group reinsertion.

12. The study acknowledges the impact of broad socioeconomic issues on the demobilization and reinsertion program, such as drug production and trade, violence, poverty, and inequality, among others. Although the study mentions these issues, they are beyond its scope; therefore, the study does not address them in depth. Moreover, while the proposed framework in chapter four refers to prevention, demobilization, and reconciliation as phases of a continuum, in particular to

4. The second study, which began in FY07, focuses on the assessment of the situation of especially vulnerable victims of the conflict—families who lost the breadwinner, orphans, people with disabilities, members of ethnic groups, and the elderly—and proposes a model for fair, viable, and sustainable reparation for these groups.

reconciliation as a goal of the DDR program, the study does not address these issues in detail. The focus of the study is on reinsertion and reintegration as instruments of a comprehensive peace policy.

13. The study has been a team effort by the World Bank with the National Planning Department (Departamento Nacional de Planeación, DNP). The team also comprised government agencies responsible for the implementation of the program—the Ministry of Defense, the Ministry of the Interior and Justice, the Office of the Peace High Commissioner, the Colombian Institute for Family Welfare (Instituto Colombiano de Bienestar Familiar, ICBF)—as well as multilateral and bilateral organizations, such as the International Organization for Migrations (IOM) and the United States Agency for International Development (USAID); leaders of the private sector; civil society organizations specializing in the subject, such as the Ideas para la Paz and Restrepo Barco Foundations; representatives from foundations established by demobilized groups during the 1990s; and specialized consultants.

Methodology and sources of information

14. The study relied principally on secondary data and information from existing studies, essays, and press articles on the relevant themes, produced by government agencies, nongovernmental organizations, United Nations (UN) and bilateral agencies, specialized analysts, and media. The analysis also used primary information collected for the study, including (1) information about the current condition of the individuals demobilized during the 1990s, (2) the profiles of a sample of young ex-combatants (18–26 years old) enrolled in the current reinsertion program from Medellín and Bogotá, and (3) the assessment of the demobilization and reinsertion experience of the 1990s as viewed by leaders of existing foundations from four of the demobilized groups.

15. During the preparation of the study, the study team also conducted individual interviews with government and nongovernment sources, including policymakers. Important information was garnered in a work session held with 50 representatives from diverse private-sector associations and businesses, and in a workshop with 25 representatives from all groups demobilized between 1990 and 1998. Although some of the key issues of analysis and recommendations were validated during those events, further discussion and validation with a broad audience is planned as preparation of the final report continues.

16. Information on the current status of the individuals demobilized during the 1990s was particularly hard to obtain. There were practically no existing sources of information; therefore, a consultant used his familiarity with the leaders of the demobilized groups to obtain first-hand information on the whereabouts of the 4,817 members of the nine demobilized groups. The information is a first attempt to reconstruct this story, which merits further research.

A conceptual framework for reinsertion and reintegration in Colombia

17. International experience and field study on the application of DDR processes in war-torn countries has allowed the accumulation of best practices in technical aspects of the operations. World Bank experience, particularly in African countries, has identified at least three interwoven

technical phases: (1) demobilization, including disarmament and discharge; (2) reinsertion, including resettlement when needed; and (3) reintegration.⁵ In addition, the analysis of experiences has brought into focus the need for attention to two additional phases of the process from armed conflict to peace; that is, prevention and reparation/reconciliation.

18. The complete framework shown in figure 1 of the executive summary implies the interaction among these five components. However, the Colombian program focuses mainly on the demobilization and reinsertion components. The other components of the framework, prevention on one side and reparation-reconciliation on the other, are weak or absent in the formulation of the DDR. For this study, the full framework is used to analyze the Colombian program, identify critical issues, and recommend adjustments to the program. The definition of each of the components follows below.

19. **Demobilization** refers to the assembly and disarmament of blocs or individuals in a given site, pre-discharge orientation, actual discharge and documentation, and transportation to place of origin or relocation. It aims at eliminating the military capacity of the armed group or individual and dissolving the group.

20. **Reinsertion** refers to the transition process between demobilization and actual reintegration into civilian life. During the transition, individuals receive benefits such as cash allowance; health, education, and housing services; and counseling and referral services for training and employment.

21. **Reintegration** refers to the process whereby the demobilized individual begins to integrate into a rural or urban community, accessing the regular social services and networks offered by the state without receiving the individual benefits guaranteed during the reinsertion period. The DDR program, in coordination with subnational government and other public and private entities, may facilitate the provision of access to land, seeds and tools, credit, continued counseling, and referral for employment support, vocational training, and formal education. It may pay special attention to individuals with disabilities.

22. **Prevention** refers to policies to control markets for weapons and arms, particularly of small weapons including anti-personnel mines; measures to prevent recruitment into illegal armed groups, particularly of youths; and policies to address unresolved social conflicts such as those over land, access to justice, impunity, and violation of human rights. It also refers to interventions that build social capital and enhances the trust between citizens and state institutions.

23. **Reparation and Reconciliation.** Reparation refers to the moral, symbolic, and material damage caused to victims. Reparation includes elements of economic compensation, restitution of tangible or intangible assets, rehabilitation, satisfaction of the victim and the guarantee that crimes will never be repeated. Reconciliation refers to the establishment of new relations between the communities and the state, and among communities and its members. Reconciliation includes a general process of healing, repentance, pardon, and reparation for individual victims, families, and communities affected by violent conflict. It also refers to rehabilitation and

5. Nat J. Colleta, Markus Kostner, and Ingo Wiederhofer, *War to Peace Transition in Sub-Saharan Africa: Lessons from the Horn, the Heart, and the Cape* (Washington, DC: World Bank, 1996).

building or reconstituting social capital, and sensitizing communities regarding the acceptance and support for the reintegration ex-combatants.

24. As the framework implies, the components interact and are interdependent. The link between demobilization, reinsertion, and reintegration indicate a sequence of stages with specific activities and calendars. In turn, the link between each of these stages and the processes of reparation, reconciliation, and prevention go in both directions implying that they reinforce each other. This implies, for example, that reinsertion should be carried out in such a way that it takes into consideration preventive measures with both the demobilized and other members of the population in a given community. It also implies promoting reparation and reconciliation initiatives as it is implemented.

25. In Colombia governments have used concepts of DDR in various ways. In the 1990s, emphasis was on demobilization and reinsertion. Currently, official documents use “demobilization and reinsertion” interchangeably with “reintegration” and “reincorporation,” although the program is officially called today Program for Reincorporation into Civilian Life (Programa de Reincorporación a la Vida Civil de Personas y Grupos al Margen de la Ley, PRVC).

26. This report will use the concepts of the proposed five-phase framework to analyze the Colombian experience with DDR and to recommend adjustments to the of DDR program. The analysis and recommendations center on reinsertion and reintegration. It makes reference to issues of a comprehensive policy towards peace building to illustrate how the DDR program fits into such a policy and how the prevention and reconciliation phases become goals to which the program must contribute.

Content of the study

27. The rest of this report is organized as follows: chapter two reviews the legal and institutional frameworks during the last 15 years, describes the program approach and components, and presents results of the reinsertion of ex-combatants during the 1990s, with emphasis on the process of the nine groups that signed a peace agreement with the government and fully demobilized. Chapter three presents a description and assessment of the current institutional framework, including the treatment of minors disengaged from illegal armed groups. It describes the achievements of demobilization and reinsertion and identifies nine program issues to be addressed. Chapter four proposes alternatives to strengthen the current model of individual and collective reinsertion. It suggests ways to improve the program by strengthening its focus, institutional framework, reinsertion components, participation and engagement of stakeholders, public support, and monitoring and evaluation. Chapter five makes recommendations aimed at strengthening the current reinsertion program with emphasis on its personal, social, and economic dimensions; improving the policy framework for the program; and at gaining widespread support for it. The chapter ends with a rationale for future technical and financial support by the Bank to the government program.

Chapter 2. Reinsertion in Colombia: 1950s to the Present

28. This chapter describes Colombia's history with the demobilization and reinsertion of ex-combatants. It starts with a brief account of the conflicts in the country beginning with the wars of independence but it centers on a detailed description of the experience of the 1990s, including an attempt to account for the 4,817 individuals demobilized during that time. The chapter concludes with a summary of the legacy of the demobilization of the 1990s and its potential contribution to the present program.

BACKGROUND

29. Conflicts have played a significant role in the creation of Colombia. Its history is marked not only by the Spanish Conquest in the 16th century and Independence wars of the early 19th century, but also by a succession of internal armed conflicts throughout the 19th and 20th centuries.

30. The nation was marred by violent conflict during 60 years of the 20th century.⁶ The period known as *La Violencia* played a determining role in political, social, and economic events in recent Colombian history. Initiated during the 1930s and reaching its most acute points between 1948 and 1953, *La Violencia* engulfed the nation in a bipartisan war between "liberals" and "conservatives." While there are no reliable figures on its effects, *La Violencia* encompassed a large portion of the national territory; claimed 135,000–200,000 lives,⁷ most of them in rural areas; and forcibly displaced at least 800,000 people, thereby accelerating the urbanization of the country.⁸

31. Several political interventions sought to end the conflict, including one that created the National Front (Frente Nacional). In 1957, the Liberal and Conservative parties agreed to share power for the following 16 years as a way to prevent further bipartisan bloodshed. While the National Front implied the end of the period of *La Violencia*, various sectors of Colombian society, and especially poor people, were excluded from the political accord drawn by the two dominant parties. This stimulated the organization of minority groups into structured guerrilla organizations seeking political participation⁹ and social and economic reform, and gradually introduced armed revolutionary struggle in the country.

32. Analysts differentiate two stages in the creation of the contemporary Colombian guerrilla groups.¹⁰ The first is the decade of the 1960s, which saw the rise of the Revolutionary Armed Forces of Colombia (Fuerzas Armadas Revolucionarias de Colombia, FARC); the People's

6. Rafael Pardo, *La Historia de las Guerras* (Bogotá: Ediciones B, 2004), 43.

7. O. Guzmán Germán, Fals Borda, and Eduardo Umaña, *La Violencia en Colombia*, Tomo 1 (Bogotá: Carlos Valencia Editores, 1980), 292.

8. Pardo 2004, 417.

9. Markus Kostner, "To End a War: Demobilization and Reintegration of Paramilitaries in Colombia." In Paper No. 43 (Bonn: Bonn International Center for Conversion, 2005), 9.

10. Comisión de Estudios sobre la Violencia, "Colombia: Violencia y Democracia," Informe presentado al Ministerio de Gobierno (Bogotá: Universidad Nacional de Colombia, Colciencias, 1988).

Liberation Army (Ejército Popular de Liberación, EPL); and the National Liberation Army (Ejército de Liberación Nacional, ELN). The second stage, during the end of the 1970s, saw the rise of “second-generation” guerrilla organizations such as the Movimiento M-19 (M-19 Movement), the Partido Revolucionario de los Trabajadores (Revolutionary Workers Party, PRT) and the Movimiento Armado Quintín Lame (MAQL, Quintín Lame Armed Movement).

33. As a reaction to the activities of guerrilla groups, armed self-defense organizations (commonly known as paramilitaries) arose in the 1980s. The United Self-defense Forces of Colombia (Autodefensas Unidas de Colombia, AUC), which comprises most paramilitary groups, was created in 1997. By 2002, there were 22 such groups operating in 28 departments in the country.

34. During the 1990s, second-generation guerrillas and some dissident factions from other groups accepted a peace proposal offered by the government, under which 4,817 combatants were demobilized and reintegrated. Nevertheless, the FARC, ELN, and a faction of the EPL remained active. Current estimates indicate that FARC has 10,000–12,000 armed members, and the ELN 2,500–4,000. The current administration has embarked on negotiations and a DDR process with the AUC, and a reinsertion process with FARC and ELN deserters, all of which have processed over 42,000 former combatants. In addition, the government and the ELN have recently started contacts towards a peace dialogue.

35. The Colombian government initiated several negotiation processes with the goal of resolving the internal conflict that has plagued the nation for over four decades. Although it started with a comprehensive peace effort during the early 80’s, negotiations began to gain political importance and momentum with the demobilization of the second-generation guerrilla groups in the 1990s, under which nine armed groups demobilized. The government designed and implemented policies to facilitate the individual and collective demobilization and reinsertion of combatants from the ranks of these groups. These policies have oscillated between goals linked to the so-called “democratic opening” of the early 1990s and the current strategy explicitly focused on counterinsurgency.¹¹ These same policies have given rise to the creation of several legal and institutional structures in support of reinsertion, as explained below.

LEGAL FRAMEWORK CREATED OVER TIME

36. The search for peace in Colombia has been accompanied by several revisions of the legal frameworks that address the legal status of combatants and facilitate their reintegration into civilian life. These frameworks, called “peace legislations,” have corresponded to the peace policy adopted by each administration. Thus, during the search for a negotiated peace that characterized the early 80s and most of the 1990s, the normative framework centered on facilitating peace dialogues and the legal resolution of the status of former combatants, via pardons and amnesty. Once the option of comprehensive peace negotiations with other armed groups failed to yield the hoped-for results, other alternatives were incorporated in the

11. Andrés Peñate Giraldo, “Programa de desmovilización: Visión del Ministerio de Defensa.” In Cepeda Ulloa Fernando, ed., *Instituciones Civiles y Militares en la Política de Seguridad Democrática* (Bogotá: Embajada de los Estados Unidos, 2004), 313.

Colombian legal framework to deal with illegal armed groups, such as promoting desertions, called “individual demobilizations.”

37. Colombia’s legal framework for peace and conflict issues cannot be adequately understood apart from the international context of the time. During the peace processes undertaken with guerrilla organizations in the 1990s, no coercion- or deterrence-based international legal framework was in place to force armed groups to answer for war crimes. The Rome Statute and the creation of the International Criminal Court in 2001 introduced legislation about war crimes and crimes against humanity, and obligated armed groups to answer for their crimes. This legislation pressured illegal armed groups to comply with international humanitarian law. The office of the UN High Commissioner for Human Rights in Colombia regularly monitors violations of international law by these groups.

38. Furthermore, the experience gained in international peace processes and DDR programs has brought to attention issues of justice, truth, and reparation, which are considered indispensable for any sustainable peace. The experiences of El Salvador, Guatemala, and South Africa at the end of the 1990s, and the establishment of truth commissions and mechanisms for the reparation of victims of the conflict, set new precedents and influenced recent Colombian legislation.

39. Thus, national and international events have influenced modifications and innovations in Colombian legislation. These modifications of the legal framework can be conceived as three stages in Colombia’s efforts to end the armed conflict. The first stage corresponds to initiatives undertaken during the years of La Violencia and the National Front (1933–1974); the second one is the product of negotiation processes undertaken with armed groups (1990–1998); and the third stage includes new provisions on truth, justice, and reparations (introduced in 2005).

40. The first stage was defined by the issuance of specific measures aimed at granting amnesty to those who had taken up arms, such as Decree 1823 of 1953, which granted amnesty to individuals who had taken up arms against the state and/or committed excesses in defending the state;¹² and Decree 2582 of 1953, which selectively granted amnesties or pardons for political crimes committed prior to that date. These measures were taken as part of the end of the confrontation between liberal and conservative parties in an attempt to create a climate of reconciliation among all contending parties.

41. The second stage, characterized by a search for a negotiated resolution to the armed conflict and recognition of the special legal status of former combatants, was necessitated by the rise of the National Front. The National Front, which agreed to share power between the liberal and conservative parties and to distribute bureaucratic positions in government among its members, excluded other political movements. Some of these movements took up arms against the state to protest their exclusion. As a result, several legal instruments were issued, including laws, decrees, presidential directives, and special resolutions, which sought to facilitate negotiations and the reinsertion of ex-combatants while complying with the commitments and

12. The guerrilla organizations of the provinces of Tolima, Antioquia, Zona Cafetera (the coffee-growing region of central Colombia), and the Llanos (Eastern Plains) demobilized requesting respect for their lives; safe passage to be able to travel freely; and economic support so they could return to their places of origin, purchase medications, and obtain loans for construction and farmland.

agreements made with various illegal armed groups. The Amnesty for Peace Law (Law 35 of 1992) granted a general amnesty covering all political crimes. Negotiations undertaken with the groups demobilized in the 1990s, as will be seen in a later section of this chapter, broadened the application of amnesty and pardons. Previously, pardons were limited to political crimes against the institutional order, such as rebellion, sedition, or insurrection, coup attempts, or attempts to overthrow the government.¹³ This normative framework evolved as new groups demobilized.¹⁴ The chart in annex 5 illustrates the evolution of the legal framework.

42. Starting in 1993, new elements in Colombian legislation attempted to promote—simultaneously with collective negotiations—the reinsertion of individual armed group deserters into civilian life by granting them certain benefits (Decree 445, Decree 1495 of 1993, and Decree 1835 of 1994). A comprehensive law was drafted in 1997 to facilitate dialogue with illegal armed groups and encourage the reinsertion of former combatants who had previously participated in collective negotiations or had deserted individually. This law compiled provisions set forth in previous laws and introduced services for victims of the conflict (Law 418 of 1997 and its subsequent modification, Law 548 of 1999).

43. The Uribe Administration modified the above legislation to align with its policies. Specifically:

- Law 782 of 2002 extended the term of Law 418 of 1997 in order to facilitate dialogue with illegal armed groups and their individual and collective demobilization and reinsertion;
- The individual demobilization of members of illegal armed groups was regulated (Decree 128 of 2003), and additional economic benefits were granted to deserters of groups who provided information leading to the prevention of attacks, the seizure of military equipment, the capture of members of illegal armed groups, or the release of kidnapped victims (Decree 2767 of 2004); and
- Individuals under the age of 18 in any way linked to the armed conflict were acknowledged as victims of the conflict (Article 15 of Law 782 of 2002).

13. Amnesties and pardons are defined in the Reinsertion Program's Management Report [Informe de Gestión] for 1990–1994 (page 78). *Amnesty* is defined as a criminal procedure institution originating in the Constitution and the law that may be granted only by the legislative branch of government. With amnesty, the illegal nature of certain political acts is eradicated, and all criminal actions, indictments, and consequences thereof cease to have punitive force. A *pardon*, on the other hand, is defined as a criminal procedure institution derived from public authorities. It consists of the suspension of a sentence imposed after a ruling determining guilt has become *res judicata*. It applies to individuals and to political crimes only.

14. Law 77 of 1989 authorized the President of the Republic to grant pardons, regulated instances where procedures would cease to produce effect, and regulated the issuance of motions to dismiss in the case of the M-19. While negotiations were underway with the EPL, PRT, and Quintín Lame in 1991, the government issued Decree 213 of January 22, 1991, whereby pardons and amnesties were defined as applicable to guerrilla organizations demobilizing after that date. When the 1994 Peace Accords with the Socialist Renovation Current (Corriente de Renovación Socialista), Medellín People's Militia (Milicias Populares de Medellín), and the Francisco Garnica Front were entered into, Law 104 of December 30, 1993—the “Public Law and Order Law”—had already been enacted. This law contained provisions for facilitating dialogue with and the demobilization and reinsertion of guerrilla groups, and specifically addressed the benefits of extinguishment of criminal actions and sentences in political crime cases. Law 40, however, also known as the Anti-Kidnapping Law, had already been enacted, as well. Through this law, members of these groups who were [also] being prosecuted for kidnapping crimes were rendered ineligible for the legal benefits of pardons and amnesties.

44. The third stage began with the Justice and Peace Law (Law 975 of 2005), which provides a framework for government negotiations with illegal armed groups in the interest of peace, and the return to civilian life by members of guerrilla or paramilitary organizations. It also represents an attempt to guarantee victims' right to truth, justice, and reparations, and to promote reconciliation among Colombians.¹⁵

45. The three stages in the history of Colombian legislation are somewhat intertwined. For example, the current legal framework on demobilization and reinsertion, in its individual and collective modalities, is derived from legislation initiated in 1993. Also, Law 782 of 2002 gathers parts of these provisions and adapts them to the present condition to better fit the government policy. This policy, heavily influenced by the failure of the peace process with the FARC during the previous government, puts greater emphasis on security and the need for ceased hostilities as a condition for dialogue. Although the legislation intends to promote demobilization without rewarding crime or offering impunity, it is clear that each government adapts the legislation to the primary objective of its approach to the conflict.

46. There are also differences between the current process and those of the 1980s and 1990s. The first difference concerns the scope of legislation. Current legislation incorporates elements that were absent in the legislation of the early 1980s, particularly in relation to justice, truth, and reparations. Current legislation permits increased participation by communities and individuals affected by the conflict, regarding clarification of the crimes committed by members of armed groups, and it seeks to set the basis for reconciliation. A second difference is that the presence of drug trafficking and the active involvement of current armed groups in drug production or trade make the Colombian situation altogether more complex. Drug trafficking existed during the 1990s, but it was not as severe. Both types of illegal armed groups (AUC and FARC) became more heavily involved in the drug business, which facilitated their expansion during the late 1990s and in the early years of this century. Members of illegal armed groups who are currently involved in drug trafficking and who demobilized are not covered by any of the above-mentioned laws; instead they are subject to anti-drug legislation.

SEARCH FOR A STABLE INSTITUTIONAL STRUCTURE

47. Prior to the demobilization of M-19, the government lacked the institutional structure to support the reinsertion of ex-combatants into society. Since the 1990s, the institutional arrangements established to meet the demands created by reinsertion have fluctuated based on at least three dimensions: (1) location of the office or agency in charge of reinsertion within various government institutions; (2) the level of decentralization of the management of the reinsertion program; and (3) the level of participation of stakeholders in decision making.

48. **Institutional location.** The institutional structures created to support the reinsertion processes underwent multiple changes in the 1990s. At the national level, the program was first part of the Administrative Department of the Office of the President (Departamento

15. The study does not address the political and legal aspects of the application of the Justice and Peace Law. It rather focuses on the current government's demobilization and reinsertion program and on how to best provide for a successful reintegration into productive society for those individuals who agree to demobilize.

Administrativo de la Presidencia), then of the National Rehabilitation Plan (Plan Nacional de Rehabilitación, PNR), and finally of the Social Solidarity Network (Red de Solidaridad Social). Under the Uribe Administration, the Ministry of the Interior and Justice is in charge of the reinsertion program. As the site of the program has changed several times, so has its name. It was first called the Reinsertion Program (1990), then the General Direction for Reinsertion (1998), and it is now called Program for the Reincorporation into Civilian Life of Individual and Illegal Armed Group (Programa para la Reincorporación a la Vida Civil de Personas y Grupos Alzados en Armas)¹⁶.

49. These changes of institutional location were the result of several factors, such as government agencies' limited capacity to carry out the process; the need to raise the profile of the program and endow it with presidential authority; and the relevance, at any given moment, of decentralizing processes in various regions.

50. **Level of decentralization.** The modus operandi of the illegal armed groups affects the dynamics of the conflict in their areas of influence. While some illegal armed groups, such as the EPL, operated in various regions of the country, others, such as MAQL and PRT, concentrated their activities in few areas. This variation led the government to adapt the DDR to regional conditions and to seek greater involvement of local actors and institutions in the program. In the 1990s, the reinsertion program was initially conceived as a centralized process; however, the implementation requirements, together with requests made by regional authorities and local organizations, led to the establishment of 17 regional offices in reinsertion areas. These regional reinsertion offices permitted better coordination, improved institutional arrangements with demobilized organizations, and coordination with regional authorities. This structure was later consolidated in 1994 into six larger regional offices, each of which covered two or three regions. This new arrangement, adopted primarily for budget reasons, resulted in less interaction between management and members of the demobilized groups. In addition, close coordination with local authorities became more difficult. These regional offices were dismantled during the Uribe Administration, and services are now provided by Orientation and Reference Centers (Centros de Orientación y Referencia, CROs), coordinated by the Ministry of the Interior and Justice, a new mechanism that is working relatively well, as will be explained in chapter 3.

51. **Participation in decision making.** One of the key features of the institutional framework of the 1990s was the participation of representatives from demobilized groups, regional authorities, and social sectors in the decision making, supervision, and execution of reinsertion programs. In 1992, organizations such as the National Normalization Council (Consejo Nacional de Normalización, CNN) and the Regional Normalization Council (Consejo Regional de Normalización, CRN) were formed by representatives of the national government and of the demobilized groups charged with supervision and coordination roles. They called on national, departmental, and municipal institutions and nongovernmental organizations (NGOs) to participate in planning, implementation, and social control of PNR activities. The National Consultation on Agreements Committee (Comité Consultivo Nacional de los Acuerdos, CCNA), comprised government delegates and representatives from demobilized organizations, who met

16. After the study was carried out, the government established the office of the High Counselor for Social Reintegration and delegated the reinsertion responsibilities to this office. Such an office is one of the recommendations of the study.

continuously for more than six years to monitor the fulfillment of the terms of the agreements. Another example is the National Peace Council (Consejo Nacional de Paz) formed in 1997 with a broad representation of government, private sector, and religious and civil society organizations to promote state policies for peace and garner societal support for the policies.

52. In recent years, the role of participatory mechanisms has declined. While the National Peace Council still exists, the last two administrations have not convened it, and no initiatives have involved social sectors in the peace and reinsertion processes. A plausible explanation for failing to convene the National Peace Council is that negotiations with the FARC during the previous administration and with the AUC during the Uribe Administration have been highly controversial. Several sectors represented in the Council have very different views from those of the government about policy and strategy; thus, it may be difficult to reach agreements within the Council. As a result of this situation, the peace process and DDR programs have been handled as an internal government matter. In contrast to this, in the ongoing contacts with the ELN towards peace dialogue, the role of NGOs has been significant.

DEMOBILIZATION PROCESSES: 1990–2002

53. The early steps that facilitated the significant DDR processes of the 1990s originated with the Betancur Administration (1982–1986), which opened the doors to a dialogue with the guerrillas. However, this early dialogue did not have the full support of the main political players or of some commanders of the National Army. Although 700 combatants from the FARC, EPL, and M-19 joined the program and received economic and social security benefits, the process deteriorated. Towards the end of the Betancur Administration, this initiative had produced (1) a plan for the rehabilitation of violence-affected areas that was not implemented for lack of resources; (2) a political party promoted by the FARC, Patriotic Union (Unión Patriótica), many of whose members were assassinated in the years following the creation of this movement; and (3) a military truce with the FARC, signed in 1983, and formally broken in 1985.

54. During the Barco Administration (1986–1990) the framework adopted by the previous government was broadened to include peace as part of a comprehensive national development strategy. This strategy was directed at harmonizing the work of various government agencies. A comprehensive strategy was then conceived which articulated political, economic, social, and institutional actions and included all sectors willing to act peacefully. This policy, called Reconciliation, Normalization, and Rehabilitation¹⁷ was characterized by the following:

- Political, economic, and social reform would be accomplished through institutional channels. Guerrilla participation would take effect once the respective guerrilla group had demobilized;

17. *Reconciliation* entailed closer relations between the state and communities, including two components: (1) the design of a new model to address social protest and community demands through institutional channels, looking for solutions based on dialogue, thereby modifying the behavior of the state towards the respective population; and (2) dialogue with armed insurgents. *Normalization of civilian life* meant achieving a climate of political coexistence and tolerance through the strengthening of democratic processes and acknowledging that the opposition is an integral component of this process. *Rehabilitation* was an instrument for closer relations between the state and communities, strengthening participatory democracy regarding local development while addressing regional imbalances.

- The state would interact directly with communities via the PNR;¹⁸ and
- The goal of dialogue with guerrillas was their demobilization, as stated specifically in the government proposal titled the Peace Initiative.

Collective Demobilization

55. This peace initiative made it possible for illegal armed groups to enter civilian life. Between 1990 and 1998, peace agreements were signed with nine guerrilla groups involving 4,817 combatants. Table 2 below shows the year and the number of members demobilized from each group. And annex 5 presents a detailed comparison of the demobilization and reinsertion process of government administrations 1982–2006.

Table 2. Demobilized Groups 1990–1998

Year	Group	Demobilized
1990	M-19 Movement	923
1991	Revolutionary Workers Party	208
	People’s Liberation Army	2,109
	Quintín Lame Armed Movement	159
1992	Ernesto Rojas Commando	25
1994	Socialist Renovation Current	443
	Medellín People’s Militia	650
	Francisco Garnica Front	150
1998	MIR–COAR Independent Revolutionary Movement	150
Total		4,817¹⁹

56. Out of the 4,817 demobilized, 58 percent came from rural areas; 77 percent were men; 11.4 percent belonged to indigenous communities; and 47 percent had little or no schooling. Only 4.2 percent were reportedly minors; however, most of the groups did not accurately report the members of their groups who were minors to avoid the political cost of having recruited children into their ranks.

Individual demobilization

57. With Decree 1385 of 1994, individual demobilizations gained strength at the end of the 1990s. Between 1998 and 2001, a total of 909 illegal combatants deserted FARC, ELN, and

18. The PNR was designed by the Barco Administration as the central instrument in its efforts to establish closer relations between the state and communities. The goal of the PNR consisted of “reestablishing equilibrium in conflict-affected areas, since conflict is propitiated by economic disarticulation, institutional absence, and high levels of poverty.” The Plan sought regional, economic, social, and political integration by strengthening institutions and community participation. The PNR reoriented public spending to serve community demands. In order to undertake local strengthening, the PNR designed mechanisms for participation and agreements such as Municipal and Departmental Councils and the Special Projects Fund.

19. This number is the result of the research undertaken by this study and based on official documents on demobilization and reinsertion.

AUC.²⁰ Of these, 83 percent came from FARC and the rest from the other groups; 44 percent were under 17 years old; 92 percent were men; 84 percent had not completed elementary school; and 20 percent had been forcibly recruited. The profile of this group is quite different from that of the group of those collectively demobilized. In particular, the percentage of minors among individuals demobilized is almost ten times larger than among groups demobilized. On average, people demobilized as individuals also had much lower levels of schooling than those demobilized in groups.

THE REINSERTION PROGRAM AND ITS COMPONENTS

58. The disarmament and demobilization of irregular groups required clearly defined processes for their reinsertion into civilian life. However, Colombia's negotiations and DDR program during the 1990s predated most other international experiences of demobilization and reinsertion, as well as an international legal system to address armed conflict and war crimes. Consequently, Colombia went through a process of trial and error that led to the creation of its DDR program. Colombia's reinsertion program comprised institutional, legal, political, economic, and social components, as well as a peace fund with perhaps unintended benefits in terms of promoting reconciliation. The main focus of the reinsertion concerned legal and political aspects that would permit direct participation of ex-combatants in the structures of democratic power. While this point is evident in all agreements, it developed over time. First, the socioeconomic aspects not included in previous agreements were gradually incorporated. Second, the Government's institutional framework for a broader reinsertion program was gradually strengthened. The main components of the DDR program are described below.

Institutional component

59. Institutional structures that supported the DDR of the 1990s were created as the processes developed. This is why the significant efforts undertaken by institutions to meet the demands posed by reinsertion must be acknowledged. The comprehensive peace policy and strategy (reconciliation, normalization, and rehabilitation) launched in 1988 provided a framework to facilitate not only negotiations but also reinsertion and reconciliation. Its regional development instrument, the PNR, provided support for reinsertion work at the local level through the municipal rehabilitation councils and its participatory method for identifying and implementing projects.

60. Another relevant aspect was the establishment of NGOs and foundations by the demobilized groups with government encouragement and support. These organizations played a key role in maintaining the unity of demobilized groups and supporting reinsertion activities. In general terms, these organizations (1) coordinated the reinsertion activities of their members; (2) undertook joint management of programs together with the government and demobilized groups; (3) acted as liaisons between the government and ex-combatants; and (4) conducted follow-up of activities. M-19 established Cooprapaz, Fundemos, and Compaz; the MAQL created Fundación

20. Maria E. Pinto, Andrés Vergara, and Yilberto Lahuerta, "Diagnostico del programa de reinserción en Colombia: mecanismos para incentivar la desmovilización voluntaria individual" Archivos de Economía, Documento 211 (Bogotá: DNP, November 2002), 3-8.

Sol y Tierra; the PRT founded CORPADEC; the EPL Fundación Progresar; and the CRS established Fundación Arco Iris, now called Fundación Nuevo Arco Iris. Some of these organizations are still active today.

61. However, there were several structural weaknesses in the institutional component:

- Lack of clear roles and responsibilities among government institutions led to confusion and duplication of mandates and actions;
- Organizational instability of the program due to changing locations in the government structure led to confusion among large portions of the demobilized population;
- The DDR program did not have a high political profile and could not convene other government agencies responsible for key reinsertion activities;
- Regional agencies still looked to the central government for reinsertion activities even though the arrangement permitted regional participation and initiative in reinsertion processes via the Regional Normalization Councils;
- The government and the demobilized organizations were unable to fully involve such fundamental players as the private sector and civil society organizations; therefore, they had to do most of the work;
- The Reinsertion Advisory Commission created to support economic reinsertion never materialized any action; and
- The international community did not have a major role in the process because it lacked experience with DDR at the time, and because the government could finance and manage the program.

Legal benefits

62. The government designed a series of legal and institutional measures to meet the conditions of amnesty and pardon, which were the central elements of the legal benefits in the peace agreements reached with all nine demobilized groups except the EPL.²¹ In general terms, the scheme adopted to grant these benefits encountered difficulties.²² Processing and procedures were slow and failed to meet the expectations of demobilized groups²³ for the following reasons:

- The infrastructure provided to service the amount of requests received was inadequate and led to serious processing delays and deficiencies;
- The lists were prepared by demobilized organizations with the belief that those included in them would automatically receive the benefits;

21. It issued Law 77 of 1989, whereby the President of the Republic was empowered to grant pardons and regulate cases in which criminal procedures would cease to produce legal effect, as well as the issuance of motions to dismiss the cases. It issued Decree 213 of January 22, 1991, which defined the benefits of pardons and amnesties for guerrilla organizations. It also established a Follow-up Committee for processes (which granted pardons and amnesties), composed of representatives from the Ministry of the Interior, the Office of the Peace Advisor, and the M-19.

22. In the case of the M-19, by the end of 1993, a total of 39 members of this group had been pardoned and 44 had been refused this benefit; 83 had been amnestied, while the amnesty requests submitted by 21 individuals had been rejected (Management Report 1990–1994 of the Reinsertion Program).

23. Fernando Britto Ruiz, “Aspectos Legales de los Procesos de Paz y de Reinserción.” In *De las Armas a la Democracia*, Volume I (Bogotá: Instituto Luis Carlos Galán para el Desarrollo de la Democracia, 2000), 196.

- The legislation enacted failed to precisely define the issue of connection with political crimes, and investigations were thus left to the interpretation of judges; and
- The granting of amnesties operated relatively slowly, but pardons were more expeditious because they were subject to administrative procedures under the responsibility of government agencies.

Political benefits

63. The political component was paramount for the demobilized groups of the 1990s. In fact, it is likely that most combatants demobilized primarily to gain the right to political participation.²⁴ The political benefits arising from the peace accords offered three options. The first option was participating in the National Constitutional Assembly (NCA). A total of five representatives from the EPL, PRT, and MAQL participated in the Assembly. M-19 chose to participate in the NCA by direct popular vote, and obtained 19 of the 70 seats available, six of them filled by ex-combatants. Option two was creating legal political movements with facilities and guarantees granted by the national government, and the third option was political participation by way of the appointment of two representatives from the movement to Congress, which was the choice of the CRS.

64. Probably because of the high expectations afforded this component by both the government and the demobilized groups, it has become the component with the lowest favorable rating by those reinserted. On the one hand, the national government failed to provide a system of benefits capable of addressing the specific disadvantages of those who were embarking on a new political project, and it did not foresee the need to provide appropriate initial financial support with which to initiate new political projects.²⁵ On the other hand, as it became evident that the groups were unable to define their political strategy and improve their management skills,²⁶ much emphasis was placed on the construction of national political projects, when it was precisely at the local level where demobilized groups had their greatest strengths. In addition, there was the perception by demobilized groups that once their commanders joined the national political arena they disengaged from their own rank and file. This led to a leadership breakdown and made it difficult for former commanders to lead their entire organizations towards greater political participation. It is also plausible that the assassination of M-19 commander Carlos Pizarro in 1990, as well as the deaths of the leaders of other organizations, especially from the EPL, contributed to a general weakening of the political structures of these organizations.

65. However, looking back, it must be recognized that the groups that demobilized during the 1990s, despite limitations, achieved political participation and representation. Some opted to join traditional parties, while others sought to remain as new and independent political forces. More importantly, the arrival of these groups onto the political scene triggered major changes in national institutional structures. These groups not only actively and significantly participated in the Constitutional Reform of 1991, but demobilized leaders currently head the main opposition

24. Fernando Urcochea, "Perspectiva Institucional de los Procesos de Reinserción." In *De las Armas a la Democracia*, Volume II (Bogotá: Instituto Luis Carlos Galán para el Desarrollo de la Democracia, 2000), 67.

25. Otty Patiño, "Armas Versus Política." In *De las Armas a la Democracia*, Volume I (Bogotá: Instituto Luis Carlos Galán para el Desarrollo de la Democracia, 2000), 93.

26. Fernando Urcochea (2000), 69.

party. Seven demobilized members hold positions for which they were elected by popular vote, and 19 were candidates in the last congressional and presidential elections of 2006, including one presidential candidate.

Economic component

66. The economic component consisted of a set of elements intended to help former combatants lead a productive life. This component included a monthly cash allowance granted to each demobilized individual for a period of six months, and economic insertion loans of up to US\$2,987 in the case of M-19; US\$3,159 in the case of the EPL, PRT, and MAQL; and US\$4,840 for the CRS. Monies were assigned to one of the following:

- Housing, which benefited 1,193 reinserted individuals in all groups,²⁷ the results of which have been favorably evaluated;
- Higher education for demobilized individuals who had completed high school and aspired to higher education, managed by the Colombian Institute of Technical Studies Abroad (ICETEX). A fund was created to grant loans to this effect. While this fund failed to recover its portfolio, it successfully disbursed loans for university education;
- Job placement and job generation. While the government's commitment to finding stable jobs for demobilized individuals failed to materialize, there were some positive experiences. Such was the case of the 147 demobilized individuals who joined the National Security Agency (Departamento Administrativo de Seguridad) most of whom are still working with that agency. This is probably the only successful achievement of the national government in terms of job placement for reinserted individuals;
- Land for demobilized individuals seeking to pursue agricultural and livestock related projects, under which 99 plots benefiting 990 families were delivered.²⁸

67. Land distribution has been an important feature of demobilization programs in Colombia. This is due in part to the fact that illegal armed groups recruit a large percentage of their members among peasant families. The distribution of land was complemented with an entrepreneurial support component that included training, technical assistance, and pre-investment works. This land distribution and support activity allowed the demobilized and their families to undertake productive projects. The program had mixed results due to a combination of factors including lack of access to credit, changing economic conditions as a result of economic liberalization policies, and continued armed confrontations in some of the regions. In a report prepared for the study, it was found that out of the 990 beneficiary families nearly 60 percent is accounted for: 353 families are working the land, and 135 are currently displaced by the armed conflict. Of the remaining 40 percent, some have abandoned the land, or no information was available.

68. Productive projects deserve special attention for two reasons. First, the policy emphasized this component; and second, given their rural origins, an important number of demobilized people chose this option. Most of the loans granted targeted transportation, cattle projects,

27. María Eugenia Pinto, Andrés Vergara, and Yilberto Lahuerta, "Diagnóstico del programa de reinserción en Colombia: mecanismos para incentivar la desmovilización voluntaria individual" (Bogotá: DNP, 2002).

28. Other sources, such as the Ministry of the Interior Programa de Reinserción 2002, reports beneficiaries of a total of 99 plots and 18,733.6 hectares, including individual beneficiaries from Decree 1835/94.

agricultural activities, and various commercial enterprises. An assessment of these productive projects carried out in 2000 under the sponsorship of the Carlos Galan Institute for Democracy revealed the following: of the total number of individual initiatives 21.7 percent were operating well in the year 2000, 15.5 percent were operating with some difficulty, 48.5 percent had failed, and 14.1 percent of the projects never took off. Among the collective initiatives, 7.6 percent were still operating, 15.6 percent faced difficulties, 47.6 percent had failed, and among the remaining 24.6 percent, the respective partnerships had been dissolved.²⁹ The development of these projects included technical assistance from private-sector entities for project design and start up. By 1994, 25 institutions and organizations had been contracted for technical assistance, including foundations established by demobilized individuals.

69. The balance of successful and unsuccessful productive projects, their size, and their areas of specialty are as follows. Out of 277 total projects; 125 (45.1 percent) failed before the end of the first year. Of those that are still active, 41 percent are agricultural projects, 23.5 percent are related to service provision, 16.6 percent are commerce activities, and 14.1 percent are small manufacturing firms. Most (45.3 percent) of the projects are family businesses, micro and small enterprises are 39.2 percent, and only 14 percent are firms with more than 10 employees. The overall level of failure of businesses is 78.8 percent, which, although extremely high, is much better than the world average of 85 percent failure.

70. It is worth noticing that the Collective Transport of the Coffee Zone (Colectivos del Café) is a public transport project that started with 92 members in the city of Pereira, including individuals demobilized from the EPL. Currently, it owns 35 vans, each with a capacity to transport 16 passengers between cities of the Central Coffee Region. This is one of the success stories of the productive projects.

71. Several factors affected the development of land and productive projects. First, most of the loans were approved and disbursed without carrying out technical and financial feasibility studies. Second, the resources granted by the government were delivered with the understanding that co-financing would provide twice those amounts to start productive activities, but this was difficult because most demobilized individuals were not considered to be creditworthy and they lacked collateral. Third, coordination between the design and development of productive projects, and a training plan capable of supporting this process, was inadequate. Fourth, the economic reinsertion activities that took place during the 1990s did not escape the economic situation of the country during the last decade, characterized by economic liberalization. Fifth, technical assistance services failed, partly because they were based on the premise that the same methodologies employed with other groups could be used with those who demobilized. Finally, armed conflict continued. In fact, several of those who demobilized are now listed as displaced by the conflict (see the Risks of Reinsertion in a Conflict Context below).³⁰

29. Carlos Franco, "Apuntes a la Reinserción Económica: Diez Años de Supervivencia a la Crisis de la Economía y de la Paz" In *De las Armas a la Democracia*, Volume I (Bogotá: Instituto Luis Carlos Galán para el Desarrollo de la Democracia, 2000), 97-156.

30. It is worth noticing that the factors affecting the productive projects of the demobilized are the same factors that affect any small business or productive undertaking by any other person or group. The conclusion is that those providing technical assistance made the same mistakes that are commonly made in this type of business. Thus there is nothing unusual or specific to demobilized individuals or groups about those results.

Social component

72. The social component included several elements: (1) education and training, (2) health services, and (3) psychological and social services. Education and training was perhaps one of the most successful elements of the process. An innovative education model was designed and used by the Universidad Pedagógica Nacional to provide primary and secondary schooling to those interested. It focused on literacy, numeracy, and life skills, allowing validation of primary and secondary education in a period of 18 months. In addition, the pedagogical framework was built in a way that it used the experience of the adults participating in the program, and content and methods promoted peace and reconciliation. Table 3 shows the program graduates 1992–1997. The 8,353 people include demobilized individuals and members of the communities into which the ex-combatants reinserted. This mix of demobilized and other beneficiaries enjoying a similar benefit proved very useful in terms of reconciliation.

73. The Public Administration Superior School (Escuela Superior de Administración Pública) and the National Apprenticeship Program (Servicio Nacional de Aprendizaje, SENA) undertook training activities regarding public affairs, the workings of democratic institutions, vocational training, and job related skills. In addition, ICETEX established a student credit program to support higher education studies. A shortcoming of the training programs is that they were supply driven and not tailored to needs and profiles.

Table 3. Total Number of Graduates between 1992 and 1997

Period	Graduation Groups	High School Graduates
1992–1993	10	313
1994	18	1,562
1995	29	2,452
1996	28	3,585
1997	5	441
Total	90	8,353

Source: Graduation records of the Instituto Pedagógico Nacional.

74. The government signed an agreement with the Social Security Institute to provide health care services for those who have been reinserted. This scheme was very useful and afforded all those who demobilized and their families, access to health care services. A special subprogram for individuals with disabilities provided services to 189 ex-combatants with disabilities.

75. **Psychosocial services** were not given initial attention, becoming one of the most deficient elements of the program. Starting with the problems of some demobilized M-19 members, there were several attempts to implement services at the national level as well as through the municipal and departmental health secretaries. However, there was insufficient coverage, service was of poor quality and lacked professional staff, and demobilized individuals rejected these services because they associated them with psychiatric treatment.

76. Finally, the inter-institutional agreement between the Presidential Program for Reinsertion, the University of El Valle, and the NGO Company for Peace (COMPAZ) carried out a

professionalization program for ex-combatants on political and conflict resolution studies. The program graduated 75 demobilized individuals, several of whom are public servants with government entities dealing with peace, reinsertion, or social action. Others work in academic centers, specialized NGOs, and research organizations.

NATIONAL PEACE FUND COMPONENT: COMMUNITY PEACE DIVIDEND

77. The peace processes emphasized the need to recover physical, institutional, and social capital in affected areas. The National Peace Fund was established to meet these needs.³¹ The Fund was responsible for pursuing specific activities and projects in areas where demobilized armed movements had been active, and it became a means to provide peace dividend benefits directly to communities affected by the conflict. Through a participatory methodology, the Fund implemented projects in municipalities according to the area of influence of the groups, as shown in table 4.

Table 4. National Peace Fund

Demobilized group	Amount assigned (US\$)	Number of municipalities in which groups were active	Number of departments in which groups were active
M-19	\$1,493,251	50	14
PRT	\$3,296,703	17	7
EPL	\$3,159,308	87	18
MAQL	\$947,792	17	1
CRS	\$4,755,494	N/A	17

78. Although the National Peace Fund was a valuable initiative in terms of reparation, it had several limitations:

- Resources assigned were limited to small "brick and mortar" infrastructure works, mainly school related, which precluded investments in other needs.
- The provision for mixed public-private project financing was seen as an important factor from the outset, but it occurred only on rare occasions.
- Resources allocated to civilian works in scattered communities and small districts resulted in a high degree of fragmentation and thus inefficiency.
- Some established local powers felt threatened by the social investment in helping demobilized groups form political organizations; and
- Continued conflict with other armed groups not involved in the peace process of the 1990s (FARC, ELN, and AUC) hindered the establishment of regional investment projects.

In spite of these problems, the Fund became an essential instrument in terms of socializing the peace strategy and creating an appropriate context for the reinsertion of former combatants.

31. In the case of the CRS, the Fund was called *Regional Development Projects*.

Although it was not conceived as such, it became the first mechanism that compensated for damages inflicted on the civilian population by the armed groups.

RESULTS OF REINSERTION: WHERE ARE THEY?

79. Demobilized combatants of the 1990s numbered 4,817. Preliminary data gathered for this study shows that 3.5 percent of this total was excluded from the DDR program for having joined illegal groups shortly after the demobilization.³² Of the 4,817 that effectively demobilized, there is no current information available for 37 percent. Nearly 45 percent are involved in economic and productive activities, formal employment, and social and political activities. The rest—about 18 percent—are presumably dead, displaced, in jail, or living abroad. (For details, see annex 1).³³

Execution of the DDR budget

80. During 1990–1999, about US\$189 million of public funds were invested and distributed as shown in table 5 below.

Table 5. Budget Execution DDR 1990–1999

Item	Total (US\$)
Demobilization	41,600
Investment in zones of influence of groups, NGOs	22,680
Staff and operational costs	45,300
Social support ex-combatants and communities	32,100
Negotiation with CRS and MP	28,350
Accord MIR – COAR	18,890
Total	189,000

Source: National Planning Department, Economic archives (Maria Eugenia et al.)

81. There are significant investments in rehabilitation, regional development projects, regional agencies and community assistance, support for NGOs, peace initiatives, and other reconciliation activities. Twenty four percent of the costs were on operational expenses, 29 percent in investments on social, economic, and peace-related activities for the demobilized combatants and for the zones in which they demobilized, and 47 percent invested in the cash allowances following the demobilization.

32. This was the case with 70 members of the EPL and 73 members of the MMP.

33. This study sought to discover the whereabouts of those demobilized in the 1990s because this information did not exist. The consultant, familiar with all the groups demobilized during the 1990s, went to each of the existing leaders of the organizations created to compile the information. The information on some groups is more complete than on others. This effort must be continued in order to preserve part of the history of the demobilization. The difficulty in obtaining the information highlights the importance of establishing information systems and follow-up systems.

82. Between 2000 and 2002, the investment on the *Dirección General de Reinserción*, the new name of the office, was US\$28.2 million. Of this total spent, 37 percent was allocated for projects under the Regional Agreements budget item.

LEGACY OF THE REINSERTION OF THE 1990s: WHAT CAN WE LEARN?

83. The overall assessment of the reinsertion experience is positive, although some aspects of design and implementation benefited the program and others limited its performance and impact. In addition, given the lack of national or international precedent, Colombia's reinsertion program in the 1990s demanded innovation and experimentation. The rest of this chapter will consider the lessons of the 1990s that are most useful for the program today. These lessons concern:

- the innovation, coherence, and profile of the institutional framework;
- the importance of the National Peace Fund as a reconciliation activity;
- the flexibility and effort to adapt to demands and profiles;
- the risk of reinsertion in the midst of a conflict;
- the strengths and limitations of social and economic components;
- the duration of programs and the risk of dependency; and
- the challenges of monitoring and evaluation.

Institutional framework: innovation, coherence and profile

84. The reinsertion processes of the 1990s demanded the creation of legislation and institutions capable of providing the required support, which was unprecedented in the country. An important aspect was the effort made to achieve consistency between the national peace policy—its mechanisms, instruments, and activities—and the reinsertion program. This consistency is seen in the link between the CNN and the program, as well as CNN's relationship with local authorities and social organizations. A high-level, high-profile institution is required to direct the process and coordinate all agencies involved, to provide a degree of institutional stability, and to support regions in the implementation of reinsertion.

85. Despite these important efforts for innovation, coherence, and institutional status, the policy faced difficulties. For example, the reinsertion program did not carry enough institutional weight to convene government agencies with responsibilities in the program. This translated into insufficient resources for programs and improvisation in program design and implementation. In addition, the reinsertion program did not enjoy a high profile. Society at large did not know the potential benefits of such a process. Much criticism was raised—and is still being voiced—about excessive government benefits to demobilized groups, despite the fact that the program extended some of its benefits to members of communities where the demobilized were reinserted.

86. Participation and consensus-building mechanisms, such as the CNN and the CRN, were essential components of the reinsertion and reconciliation strategy. Although there were difficulties, they intended to mainstream the basic principles of reinsertion policies and programs among national and regional entities, authorities, and civil society organizations. An important lesson derived from this experience is the need to create and consolidate initiatives for direct interaction between demobilized individuals or groups, the government, and social organizations. Direct interaction helps address the needs of the reinsertion process and provides a

communication channel, promoting reconciliation between former combatants and representatives of the establishment they were combating. It also gives the process transparency and accountability by involving other actors and institutions.

87. The creation of foundations by demobilized guerrillas provided an important social safety net to ex-combatants. These foundations helped to maintain the social bonds that kept ex-combatants united as a group, facilitating their commitment to and participation in the reintegration process. These foundations also aided the reinsertion program by identifying programmatic needs and adjustments, and aiding in its implementation. The fact that some of these foundations still exist and have extended their work to community and local development activities illustrates the success of this initiative. Despite some valid criticisms about how certain organizations managed resources, future efforts in collective demobilizations should take into account the advantages of promoting ex-combatants to form associations as a main transition pillar in a reintegration process.

National Peace Fund: Community peace dividend and compensations

88. The National Peace Fund was one of the most innovative instruments developed during the 1990s. Despite implementation problems, it enabled ex-combatants to reintegrate into conflict-affected regions, and it offered some compensation to communities damaged by the armed struggle. Since one of the common experiences in all reinsertion processes is that communities feel left out of the benefits of reintegration, the Fund offers an effective mechanism to provide communities with a small dividend of the peace processes.

Flexibility and adaptation to demands and profiles

89. A single plan designed to serve everyone equally left no room for adaptations to rural, urban, local, and regional conditions or to address particular needs of specific groups. The reinsertion model must be flexible and allow for modifications along the way based on local profiles, needs, and contexts. Reinsertion must respond to the specific characteristics of each group that is demobilizing and to the region where its members will be reinserted. Further, the model should respond to the needs of special populations such as minors, women, and members of ethnic communities. This issue will be further discussed in chapter 4.

Risk of reinsertion in a context of conflict

90. The sustainability of the reinsertion process of the 1990s was placed at risk by the ongoing conflict with and between illegal armed groups. Throughout the 1990s and beginning of the 2000s, 15 percent of ex-combatants were killed, especially in regions where, following demobilization, a struggle for territorial control ensued between active guerrillas and AUC groups. The difficulties encountered in finding sustainable activities to improve the income of demobilized individuals, along with the general situation of insecurity, led some former combatants to contemplate armed options once again or join other armed groups.³⁴ Currently, 1.5

34. This was the case of the Jaime Bateman Cayón group made up of demobilized members of the M-19.

percent demobilized again in the late 1990s under Decree 1835/94; 1.2 percent are currently being demobilized under the agreements with the AUC; and of the 37 percent about whom there is no information, some are presumed to have joined other illegal activities. In addition, 5.3 percent demobilized beneficiaries who received land during the 1990s are reported internally displaced due to land struggles between armed groups.

91. The security of ex-combatants in areas subject to ongoing conflict is undoubtedly one of Colombia's biggest challenges. Although specific provisions in the 1990s peace accords addressed this issue, they were clearly insufficient, especially in rural areas, where paramilitary groups gained control.³⁵ A more comprehensive approach to reinsertion is required; local institutions and authorities should be prepared to provide a safety net and an early warning system in order to respond in a timely manner to the security needs of ex-combatants.

Strengths and limitations of social and economic components

92. While the health care and education components were relatively successful, the same may not be said of training and psychosocial programs. In effect, the training program was a voluntary option not used by all demobilized individuals, in part due to overestimation of their own skills, which led to the failure of productive projects. In addition, most of the training was supply driven and did not lead to further education or job-related results. Future programs must work closely with ex-combatants to assess their needs and skills in a way that can serve as a guide to reinsertion activities. The need to adequately provide for psychosocial support in the program was not foreseen, and in some cases this ultimately affected the proper reinsertion of demobilized individuals and groups. This experience demonstrates the need to integrate social and psychological care in all programs in order to facilitate the transition from military to civilian life.

93. One of the major problems faced by the program implemented during the 1990s was the approach used for the productive reinsertion activities. The main weakness of the approach was to assume that all demobilized individuals and groups could become entrepreneurs in a short period of time if some resources and technical assistance were provided. This led to the failure of micro-enterprises. In addition, there were practically no job-placement programs available to help demobilized people find work in the public or private sector, except those who entered the DAS. In retrospect, it is advisable that livelihood alternatives (1) identify options not necessarily linked with micro-enterprises; (2) are based on the realistic assessments of individuals and regional contexts; and (3) include genuine participation of the private sector.

94. The evaluation found that the skills and abilities developed by individuals and groups during the armed conflict were not used after demobilization. It is important to consider in DDR programs the type of skills acquired during the conflict that can be put to civilian use. An interesting example is FMLN's Radio Venceremos in El Salvador, which was established during the conflict to justify the revolution, and undertook communication activities in reconstruction and reconciliation following the conflict.

35. Specific security arrangements were agreed upon and established, and included the provision of security personnel, armored vehicles, and communications.

Program duration and the risk of dependency

95. The reinsertion program for ex-combatants extended for over 15 years, which seems an excessive amount of time. The length generated at least two problems: the ex-combatants were dependent on the reinsertion program for basic livelihood, and they established permanent identities as ex-combatants. Reinsertion needs to be a temporary stage, during which the demobilized acquire the necessary tools to confidently integrate into society once the program ends. This should be complemented by transitional activities to promote independence and self-reliance. The length of the program should be determined according to well-defined objectives and goals and to indicators of progress and success that identify the criteria to exit the program. This issue is further elaborated on chapter 4.

The challenge of monitoring and evaluation

96. In spite of the special efforts undertaken by this study to identify the current location and activities of those who demobilized during the 1990s, data was obtained for only 63 percent of them. This is due to the fact that during the 1990s, monitoring and evaluation was the responsibility of demobilized groups, especially through their foundations. Although they made direct contact and communicated with former combatants, there was no structured system in place to register and follow up on this information; therefore, no rigorous monitoring was possible. Over time, the regional dispersion of demobilized individuals and groups and their involvement in activities outside the scope of the foundations, made follow-up more difficult.³⁶ Although the need for a solid information, monitoring and evaluation system should be a key feature of this type of program, it was never established. In addition, it was assumed that once the demobilized reintegrated into society, there would be no need to continue monitoring their activities. While this is partly true, only medium and long-term data can prove the sustainability of the process. This, of course, raises questions about the proper length of the follow-up period, security, rights to privacy, and other concerns.

36. The exception to this was the MAQL, since all their ex-combatants were located in the indigenous lands of the Cauca and maintain strong links with the Fundación Sol y Tierra, and the M-19 to a large extent.

Chapter 3. Current Model of Demobilization and Reinsertion of Ex-combatants

97. This chapter starts with a description of the policy background of the DDR, its institutional framework, and the roles of various agencies. The next two sections describe the features and steps of the reinsertion process, focusing first on individual and collective demobilization, and then on the disengagement of minors. The following section presents the results of the demobilization and reinsertion activities of the program, which in turn is followed by an assessment of the program in light of lessons from international practices on DDR. The final section identifies and analyses some critical issues of the current Colombian DDR derived from the assessment.

BACKGROUND

98. The DDR program was one instrument of the democratic security policy defined in the National Development Plan (2002–2006), *Hacia un Estado Comunitario*. This instrument seeks to end the activities of illegal armed groups by two types of actions, (1) a peace dialogue with those willing to cease hostilities, and (2) a path for those who decide to give up arms on individual basis. The goal of these actions is to “create a virtuous circle of recovery, presence, and consolidation of state control.”³⁷ Since 2003, a total of 32,877 individuals have demobilized.³⁸

99. Law 782/2002 and the rules for its application authorize the government to offer reinsertion programs for demobilized members of illegal armed groups who have surrendered voluntarily to the authorities (Individual DDR) or are members of groups with which a peace agreement has been signed (Collective DDR). Underage members who disengage from illegal armed groups via either of these two processes are considered by law to be victims of armed violence; thus, they are treated differently from adults.

100. Collective and individual DDRs are handled by the government through the following offices, ministries, and institutions (see figure 1).³⁹

101. The Office of the High Commissioner for Peace is responsible for negotiations with illegal armed groups, for the peace agreements reached with them, and for their demobilization. It is also responsible for processing member lists of such groups so that adults are assigned to the Ministry of the Interior and Justice under the PRVC and individuals under 18 years of age are assigned to the ICBF.

37. Plan Nacional de Desarrollo (2002-2006), 37.

38. David Angel Juan, “Brief del Director del Programa para la Reincorporación a la Vida Civil” (Bogotá: Ministry of Interior and Justice, February 16, 2006).

39. This chapter draws heavily on “Política de desmovilización y reincorporación de miembros de grupos armados al margen de la ley: diagnóstico y retos para el futuro,” a summary of the current policy and program prepared by DNP Dirección de Justicia y Seguridad, published in January 2006.

102. The Ministry of Defense, through the Armed Forces and the National Police, is responsible for sheltering those who desert illegal armed groups. The functions of the Program for Humanitarian Care for Demobilized Combatants (Programa de Atención Humanitaria al Desmobilizado, PAHD) of the Ministry of Defense include the following: (1) promoting desertions; (2) receiving demobilized combatants of legal age; (3) providing humanitarian care and protection to deserters; (4) making a preliminary evaluation of their legal standing; and (5) transferring minors to ICBF. The adults demobilized are under the supervision of the Ministry of Defense for approximately three months pursuant to Decree 128, 2003. Once the Committee for Surrender of Arms (Comité de Dejación de Armas, CODA) recognizes their status as demobilized, ex-combatants are transferred to the Reincorporation Office of the Ministry of the Interior and Justice to initiate their reinsertion process.

103. CODA verifies that deserters under the custody of the Ministry of Defense belong to an illegal armed group and that they sincerely want to return to civilian life, and declares the demobilized eligible for the program. As part of that process, the Prosecutor's Office reviews their legal standing to verify that they do not have other pending legal problems. If they do not, they are transferred to the Reincorporation Office of the Ministry of the Interior and Justice (see below). If they have a case pending, they are transferred to judicial authorities. CODA is made up of representatives from the Ministry of the Interior and Justice, the Ministry of Defense, the National General Prosecutor's Office, the ICBF, and the People's Ombudsman's Office. Given that desertion implies breaking the war code imposed by the illegal armed groups (leading to a death penalty for deserters and threats against their families), the program shelters, protects, and attends not only to the demobilized combatants but also to their immediate family or family nucleus.

104. The Ministry of the Interior and Justice Office of Reincorporation is responsible for coordinating the PRVC for ex-combatants 18 years of age and older. It works in two modes: one for individual demobilizations and the other for group demobilizations. For combatants demobilized individually, the program grants a humanitarian aid package that includes lodging in private homes or on farms, vocational training, health care, education, income-generation assistance, psychosocial support services, and a monthly stipend for the demobilized combatants and their family nucleus. In the case of collective demobilizations, the persons reinserted return to their place of origin. In this case, the CROs help them obtain benefits that include vocational training, health care, education, and a monthly stipend for the duration of their 18-month reinsertion process. In both cases, at the end of the program (or before, if they are ready), each demobilized combatant is expected to receive a grant to start a productive activity.

105. The ICBF, through its Program to Assist Children and Adolescents Disengaged from the Armed Conflict (Programa de Asistencia a Niños y Jóvenes Desmobilizados, PANJD) is responsible for caring for the demobilized who are under 18 years of age. It conducts programs for health, education, income-generation, and rebuilding family-ties. It uses temporary homes, specialized care centers, and youth hostels in its interventions. When young victims reach legal age, they may leave the program, or have their cases transferred to the PRVC of the Ministry of the Interior and Justice.

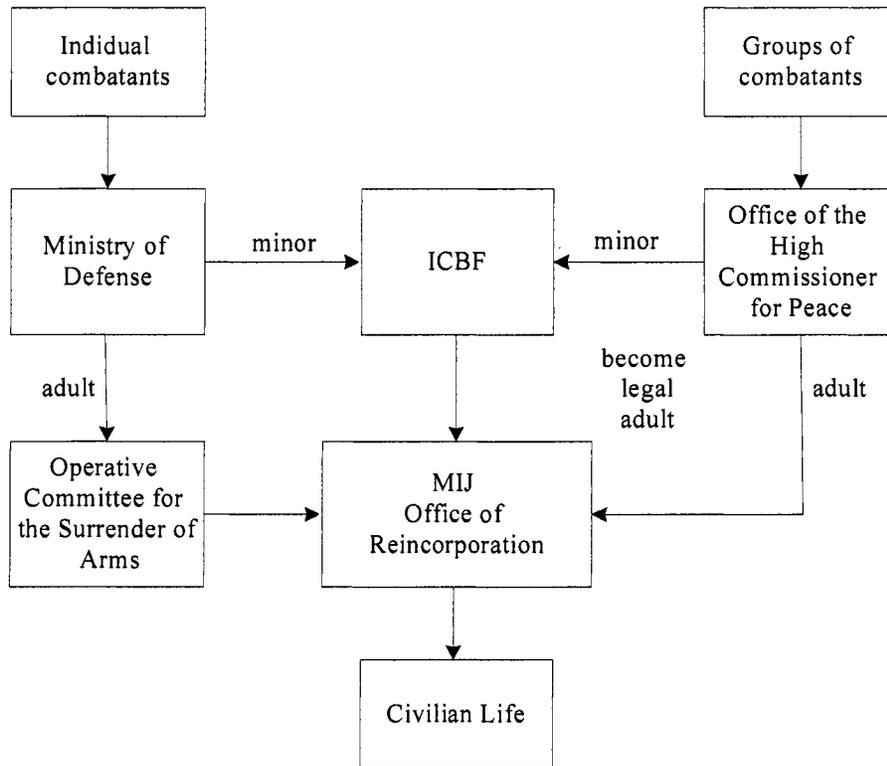
106. At the regional level, the mayor's offices of some of subnational governments, such as those in Bogotá and Medellín, have set up offices or programs to attend to demobilized

combatants who are reinserted in their cities. In Bogotá, the mayor's office, along with the central government, has designed a program to complement the central government's program and to address the needs of those demobilized. It includes care for minors; follow-up to determine if the demobilized combatants stay in Bogotá after they conclude the reincorporation program (this is called Plan 731, which refers to the first day after the end of the program); education, psychosocial support; and economic activity assistance. Medellín, in turn, has a program that is considered the most advanced and effective. Some features of this program will be mentioned in other chapters as a reference for the reinsertion program.

107. The government created the Intersectoral Commission for the Reintegration of Members of Illegal Armed Groups into Civilian Life to facilitate coordination and implementation of reintegration activities between different agencies. It is chaired by the MIJ and composed by the Ministry of Defense, the ICBF, and the Presidential High Commissioner for Peace.

108. The international community has had a limited role in the current reinsertion program. The Organization of American States (OAS) verifies the DDR of the AUC and accompanies the affected communities. The governments of the United States, Sweden, and Holland support the OAS in this activity. The IOM provides technical assistance for the Coaching Monitoring and Evaluation System (Sistema de Acompañamiento, Monitoreo y Evaluación, SAME), the operation of some of the CROs, and the rehabilitation of minors from ICBF, among other activities, with financial support from USAID. USAID also finances coordination activities among the state institutions in charge of legal aspects of the demobilization process, including the General Attorney Office (Fiscalía), The Public Defender Office (Procuraduría), and the Security Agency (DAS, Departamento Administrativo de Seguridad). The governments of Italy and Canada, GTZ, UNICEF, European Union and ILO support rehabilitation activities with minors protected by ICBF.

Figure 1. Institutional Framework: Operation and Coordination between National Governmental Agencies



INDIVIDUAL AND COLLECTIVE REINSERTION PROGRAMS

109. The features of the programs for collective and individual demobilization share some similarities but also have differences resulting from the agreements between the AUC and the government. Table 6 lists the features of both programs and indicates important differences in terms of entry points, duration, mandatory participation in some activities, and costs.

Table 6. Characteristics and Achievements of the Collective and Individual DDR

Features	Collective	Individual
Program Entry Point	High Commissioner for Peace	Ministry of Defense
Program Duration	18 months	24 months
Benefits (Services)	Legal advice, health, psychosocial support, formal education and job training	Legal advice, health, psychosocial support, formal education and job training
Benefits (Humanitarian Assistance)	US\$156 per month + US\$880 for productive projects	US\$235 per month + US\$78 for each family member + US\$3,513 for productive projects
Participation in programs	Voluntary for psychological support, education, and vocational training programs; and to register in CROs.	Mandatory for all programs
Program costs per capita	US\$ 4,452 per demobilized	US\$16,468 per demobilized
Origin of demobilized	Mostly urban	Mostly rural
Marital status	46 percent married	36 percent married
Reasons given by ex-combatants for joining armed groups	Domestic violence, vengeance, forced recruitment, income source- unemployment	Forced recruitment, domestic violence, status, income source-unemployment
Reason for withdrawal	Decision made by commander	Individual decision: abuse, lack of remuneration, lack of freedom
Current location	Majority is in place of origin	Majority is in large cities

110. **Entry strategy and location.** As shown in figure 1, there are three entry points into the program. The Ministry of Defense is the entry point for adults who demobilize individually (rather than as part of a group). The Office of the High Commissioner for Peace is the entry point for collective demobilizations, and the ICBF is the entry point for demobilized victims under 18 years of age. Former combatants' immediate destination also varies according to the point of entry used. Those who enter through the Ministry of Defense go into collective shelters or independent homes in cities where security is provided. Individuals processed through the Office of the High Commissioner for Peace return to their place of origin to live with their families or in independent homes.⁴⁰ Minors are placed into special care centers or temporary homes under ICBF protection. (For more details see annex 4).

111. **Program costs.** Since 2003, the government has allocated US\$161.2 million to finance the reinsertion program, duplicating the 1990–2002 budget for the same purpose (see annex 4, table 5 DNP on Demobilization and Reinsertion). In all, the benefits made available through the DDR represent an average investment per capita of US\$16,468 for individual demobilization and US\$4,462 per person for collective demobilization.⁴¹ The Colombian government incurs this

40. By the end of 2005, this population was dispersed in 30 Departments, primarily Antioquia (37.2%), Córdoba (21.8%), Valle del Cauca (5.2%) and Norte de Santander (5.1%).

41. This is a DNP-DJS-GEGAI calculation. It includes benefits granted during the demobilization and reinsertion stages, which last about 27 months in the case of the individual DDR (three months for demobilization and 24 for

cost. The differences in costs are explained in part because (1) demobilized individuals are more expensive since the program supports their families and provides them with housing in large cities; and (2) the allocation for productive projects is lower for those collectively demobilized.

112. CROs and their role in the programs. The CROs, under the Ministry of the Interior and Justice, provide assistance to the demobilized on legal counseling and documentation, access to health services, and information on education and training options, and on productive projects. Registration with CROs is voluntary. Each CRO has a core staff responsible for the SAME who report to IOM. The management and service staff of the CRO are hired by and report directly to the MIJ Office of Reincorporation.

113. Support for income-generation activities. The government offers two different programs:

- The PRVC assists demobilized individuals and their families with designing and implementing productive projects, and provides US\$3,513 to be invested in an income-generating activity or in housing.
- Under the Productive Projects for Peace, the Office of the High Commissioner for Peace promotes associations between collectively demobilized groups and rural sector investors for large agricultural projects. It also provides each ex-combatant with a seed capital of US\$880.

Both initiatives are complemented with employment opportunities through the Ministry of the Interior and Justice, which establishes ad hoc agreements with public and private entities to hire individually demobilized ex-combatants in their agencies or enterprises, and with regional and local authorities to employ the collectively demobilized in public works, de-mining, and eradication of illicit crops, among others.

PROGRAM TO ASSIST CHILDREN AND ADOLESCENTS DISENGAGED FROM THE ARMED CONFLICT

114. By law, youths under 18 years of age who may have taken part in an illegal armed group are regarded as disengaged from the armed conflict.⁴² This applies to those engaged in intelligence activities, logistics, or combat, and who may have been captured, surrendered voluntarily, or turned over by an illegal group to the authorities or to a national or international agency. As child victims of armed conflict, they are entitled to special protection under International Law. Disengaged children and adolescents are entitled to special protection to be provided by the state. They are not tried as criminals, and the aid they receive is directed towards restitution of their rights and comprehensive protection.

reinsertion). The calculation is based on the assumption that each demobilized individual's family group consists of 1.1 people, on average. It does not include benefits awarded for having surrendered weapons or information.

42. In the case of national legislation, this includes the Colombian Constitution, Law 782/2002, Decree 128/2003, Law 975/2005 (The Justice and Peace Law), and the Children's Code. As to international law, there is the Convention on the Rights of the Child, the International Pact on Civil and Political Rights, the American Convention on Human Rights, the Geneva Conventions and facultative protocols, ILO Convention 182 and, particularly, the Beijing Rules and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty.

115. The ICBF, through PANJD, is responsible for providing comprehensive care and aid to restore the rights of these youths and to offer them alternatives to engagement in illegal groups.⁴³ PANJD also helps these youths find safety in an institutional setting or in a social or family environment. The protective measure used depends on each child's particular situation, and a juvenile or family court judge makes the decision. Disengaged minors are not entitled to the economic benefits available in the DDR for adults.⁴⁴ For details showing options on program exit, see annex 4.

116. By February 2006, 2,060 underage youths had entered the PANJD. Of these, 63 percent (1,689) had surrendered voluntarily and individually, 14 percent (366) had been turned over by illegal armed groups as part of peace agreements, and 23 percent (630) had been captured. None of the children were demobilized as a result of the peace negotiations with AUC because, just as in 1990s, illegal armed groups do not want to admit to have recruited minors.

RESULTS OF DEMOBILIZATION AND REINSERTION PROGRAMS

117. All those concerned with the DDR program in Colombia agree that the objective of demobilizing members of the illegal armed groups has been successful during the past four years. For example, in July 2003, the national government and the AUC signed the Santa Fe de Ralito Agreement that initiated formal negotiations for the demobilization of the AUC, and include demobilizing all of the AUC blocks. In addition, an effective propaganda campaign advanced by the Ministry of Defense, has led to individual demobilizations of members of the AUC, FARC, and ELN. By June 2006, 41,121 combatants have demobilized, compared with 4,817 demobilized between 1990 and 1998. The main results are listed in table 7 below.

Larger than expected demobilizations

118. The government's success is demonstrated by the number of individual and group demobilizations. The number of those demobilized since 2002 is more than eight times the number of those demobilized and reinserted during the 1990s, a result of nine peace agreements that the national government signed with the same number of illegal armed groups.

119. Out of the 41,121 former combatants demobilized by June 2006, 30,944 were members of the AUC (collectively demobilized), and 10,177 were individual deserters of ELN, FARC, and AUC, plus a few from other small groups. Of the individual demobilizations, 2,060 were underage youth, resulting from the government's campaign to promote desertions.⁴⁵

43. PANJD has a contingency plan for coordinating the mass demobilization of minors. UNICE, IOM, the Human Rights Ombudsman Office, and respective local authorities are also part of this initiative.

44. Disengaged minors who reach legal age before their protection service expires become beneficiaries of the PRVC, which finances the benefits to which they are entitled for the remainder of the period under the ICBF plan. If the DDR benefits expire before disengaged minors reach legal age, they are still entitled to resources to help them become part of the economy.

45. Figures from demobilizations from the Press Office of the Presidential Office, updated to January 31 2006.

Table 7. Total Demobilized Individual and Collective, August 2002–June 2006

Year	FARC-EP	ELN	AUC Individual	AUC Collective	Others	Total
2002	529	139	0	0	62	730
2003	1376	405	692	1041	65	3579
2004	1300	333	1269	2648	70	5620
2005	1135	301	1095	10419	32	12983
2006	837	176	342	16836	19	18209
Total	5177	1354	3398	30944	248	41121

Source: Programa de Atención Humanitaria al Desmovilizado (PAHD) – Oficina Alto Comisionado para la Paz.

Reinsertion: Trying to keep pace with demobilizations

120. Although the numbers of people demobilized exceeds the government's capacity to process them, the DDR program is undertaking an enormous effort to respond to the situation. As a result, by February 2006:

- 1,129 collectively demobilized people were participating in the Productive Projects for Peace; 1,566 had formal and informal jobs; and additional 350 jobs were being agreed with national and regional institutions and the private sector;
- Six CROs were located in different cities (Cucuta, Monteria, Turbo, Cali, Medellín, Buenaventura), three mobile CROs were established, and three more were set up in Bogotá and Medellín to provide psychological support. Future CROs are planned in other areas of large concentration of demobilized ex-combatants; and
- The strengthening of the SAME has allowed for better assessment of the profiles and needs of demobilized people. In effect, of all of those collectively demobilized as of February 2005, the SAME has tracked 94 percent, and 78 percent of all of those demobilized up until October 2005. This means they have been followed up through home visits by CRO staff.

121. Despite all these efforts, government's capacity to respond has limitations. The increasing number of demobilizations challenges the program's capacity. For example, public partners that provide education, health, psychosocial support, and training services must have a great capacity for flexibility and for responding on a timely basis. This is a real challenge for at least two reasons. First, the availability of slots does not always match the needs. Second, it is difficult to adapt to the special needs and profiles of the diverse population of former combatants. A large number of demobilized migrate to other locations, disappear for periods of time, or drop out of the program temporarily or permanently. The SAME works relatively well with collective demobilizations. However, individuals demobilized are much more difficult to follow because they disperse to several cities and because the SAME for this group is still being developed. In the case of ICBF, it is reported that of 2,685 minors attended by ICBF between November 1999 and December 2005, 33.7 percent have left the program.

Conflict, demobilization, and security

122. Conflict-related violence declined between 2003–2005. Civilian deaths decreased by 32.2 percent, the number of people wounded by 45.8 percent, and the takeover of municipalities by 65.6 percent. Moreover, the number of massacres decreased by 47.3 percent, forced displacement by 31.5 percent, and economically motivated kidnapping by 49.2 percent.⁴⁶ Two factors explaining these results are the increased activity of the armed forces against the illegal armed groups, and the demobilizations of ex-combatants, particularly those resulting from the negotiations with the AUC. Demobilizations have not only reduced the number of illegally armed men, but individual demobilizations have also prevented additional crimes and have diminished the warfare capacity of illegal armed groups, as shown in table 8 below.

Table 8. Results from information given by individual demobilized, July 2005

Arms (units)	3,477	Kidnapped rescued	24
Providers (units)	7,458	Illegal fighters condemned	2,375
Munitions (units)	1,298,410	Camps destroyed	368
Explosives (kg)	39,806	Destroyed Coca Base (kg)	3,351
Mines (units)	2,868	Trigger wire (meters)	39,737
Grenades (units)	3,788	Estopines (units)	15,641
Vehicles (units)	525	Uniforms (dozens)	121
Communication equipments (units)	597	Diverse Equipment and Inputs (units)	78

Source: Program for Humanitarian Care for Demobilized Combatants from the Ministry of Defense.

123. This overall tendency, however, shows regional variations. In some departments of Colombia, particularly areas where illegal armed groups continue to have control and influence, the rate of homicides, the intensity of armed confrontations, and forced displacement of the population have increased. The problems in these regions and Colombia’s high levels of violence compared with other countries are a concern for the state. They demand a continued effort to consolidate the security gains and to prioritize attention to regions of conflict.⁴⁷

124. Despite these results, there is still concern that areas in which AUC formerly operated could fall under the control of active illegal armed groups, as occurred in the 1990s. Moreover, recent reports show evidence that there is rearmament of demobilized individuals under the leadership of AUC leaders who did not demobilize, or under emerging leaders. A newly released special report by the OAS Verification Mission on compliance with the rules of demobilization presents evidence of 21 cases of demobilized combatants who regrouped in the departments of Tolima, Arauca, Meta, Sucre, Cordoba, Valle del Cauca, Southeast of Antioquia, Norte de Santander, and Cundinamarca. Media reports of October 2005 called attention to the same issue.⁴⁸

46. DNP, *Vision Colombia 2019: II Centenario* (Bogotá: Editorial Planeta, 2005), 58.

47. This section is based on a background report prepared by Camilo Echandia in November 2005.

48. OAS, “Sixth Quarterly Report of the Secretary General to the Permanent Council on the Mission to Support the Peace Process in Colombia (Mapp/Oea)” (OAS, February 16, 2006). “Aparecen 12 nuevos grupos ‘paras’” *El Tiempo*, 16 de octubre de 2005.

125. Furthermore, although the rules of demobilization of the AUC include disarmament, according to the OAS Verification Mission, only about 16,984 arms, mainly pistols and AK-47 rifles, have been surrendered by demobilized combatants. This is a fairly low number, considering that AUC has demobilized nearly 30,944 members. In 2005, the ratio of arms to people in Colombia was 0.55, compared with an average of 0.50 in other countries with DDR programs.⁴⁹ However, Colombia's average is well below the 0.76 percent average registered for Central American countries. The risk that some of the arms will go into the black market is still high, and is common in DDR programs in other countries.

Keeping track of the demobilized through information systems

126. The state institutions responsible for the DDR program have databases and some other information regarding their respective clients. The IOM provides technical assistance to the program in the development and implementation of the SAME (administered by the Ministry of the Interior and Justice), for profiling, mapping, and documenting those demobilized; and for follow-up activities. In September 2005, the Ministry of Defense designed an information system to capture the special characteristics of individual demobilizations. ICBF recently established an information system to monitor its activities with under-age youths disengaged from armed groups. Despite these efforts, there is dissatisfaction inside and outside the government with the availability of information for management and evaluation purposes.

ASSESSMENT OF THE PROGRAM IN LIGHT OF INTERNATIONAL BEST PRACTICES

127. Lessons from international best practices identify 10 dimensions to analyzing the features of successful DDR programs. The dimensions and operational items for each one appear in annex 3. This section presents a summary of the most salient features of the current DDR program in Colombia, highlighting areas in which the program excels and those in which it needs improvement. When appropriate, the analysis differentiates between individual and collective demobilization.

128. The political dimension of the process reveals a mixed picture. Issues regarding the assembly and disarmament of blocs, pre-discharge orientation, documentation, and transportation to place of origin or relocation were included in negotiations with the AUC. Features of the reinsertion program and the implications of the process were not discussed or understood in detail by all parties, in part because the size and pace of demobilizations was greater than expected, so there was insufficient preparation to handle them. Regarding individuals demobilized, as reported in a recent survey, most were unfamiliar with the conditions and features of demobilization and reinsertion activities before their desertion.⁵⁰ This is understandable, given that they deserted the illegal armed group, or were captured, and most of the information is available through leaflets distributed by the army or by public radio

49. Albert Caramés, Vicenc Fisas, y Daniel Luz, *Análisis de los programas de desarme, desmovilización y reintegración (DDR) existentes en el mundo durante 2005* (Barcelona: Escuela de Cultura de Paz, Universidad Autónoma de Barcelona, February 2006), 21.

50. Elsa Castañeda, Ana Maria Convers, y Julián Quintero, "Adiós a las Armas, Proyecto: Desmovilización y reincorporación de Jóvenes Colombianos a la Vida Civil" (Bogotá: Fundación Restrepo Barco-Banco Mundial, 2006).

announcements of the program. The political will and commitment to DDR exist, but the program has been criticized for having weak leadership, which resulted, in part, from an unsatisfactory institutional arrangement. The program's centralized management reflects an unrealistic view of implementation challenges, given that ex-combatants are dispersed throughout the country with diverse geographic, cultural, and administrative conditions.

129. National reconciliation has not been actively promoted as a key feature of the demobilization and reinsertion of the AUC. As a result, there is some degree of suspicion and lack of trust among civil society, the private sector, and the international community about the terms and conditions of the negotiations with the AUC. This contrasts with the open and participatory approach to the current dialogue with the ELN. It is still unknown how the government will deal with the huge concentration of land in the hands of many of the demobilized leaders, and the devolution of land to those internally displaced by conflict.

130. Assembly, delivery of arms, pre-discharge orientation, documentation, and registry are handled adequately. In addition, information about civilian life, rights and duties, opportunities and constraints; actual discharge; and transportation to place of origin or relocation are all handled effectively and efficiently by teams under the direction of the Office of the Peace High Commissioner and the oversight of the Verification Mission of the OAS. Data on socioeconomic conditions, needs, and aspirations are collected to inform the design of program interventions. Collectively demobilized people are registered into the SAME with the support of the IOM, which is used to monitor each ex-combatant and to generate information for management purposes. The MIJ Office of Reincorporation is extending the SAME to those individually demobilized for purposes of accompaniment, monitoring, and reporting.

131. The composition of the entitlements package reflects the needs of ex-combatants and their families in different socioeconomic environments and provides a safety net for an ex-combatant and his or her family in the period between demobilization and reintegration. The quantity, quality, and duration of this entitlement package are well above the standard in international programs (see table 1). Local bank accounts throughout the country are used to transfer monthly cash installments, which enable ex-combatants to easily access financial assistance throughout the reinsertion phase. Cash installments are delivered regularly and on time with little complaints from beneficiaries. As shown in table 6, the entitlement package for individual and collective demobilizations has some differences.

132. The entitlements package received by ex-combatants is quite adequate compared with the standard of living of vulnerable, displaced, or poor members of the communities into which they reintegrate. For example, the income of displaced families is, on average, a third of the monthly minimum wage in Colombia; that is, about US\$60, compared with US\$235, and US\$156 received by the individual or collectively demobilized ex-combatant, respectively. This generates some resentment among communities and the general public. Expressions such as "you need to take up arms to receive government attention" or "these benefits show that crime pays" or "crime is being rewarded" are frequently heard.

133. Reintegration as understood in the proposed framework is not occurring. First, because the demobilizations are fairly recent, there have been a relatively small number of ex-combatants who have "graduated" from the current phase of reinsertion since 2002. Second, the program has

not defined the reintegration phase—that is, the intervention after the reinsertion phase—and so there is no guidance regarding the transition from reinsertion to reintegration. Third, there is no post-program follow-up of those who have gone through the reinsertion phase and therefore no information on them, or on the impact of the DDR program.

134. Classification of ex-combatants into several target groups and sub-groups based on personal characteristics, place of origin, individual or group demobilization, mode of subsistence and, hence, their different needs, requirements, and aspirations is a desire but not a reality of the program. There is no differentiated, relevant, and cost-effective menu-style approach, and no way to do a careful matching of opportunities and actual needs that is demand-driven. Furthermore, the implications for the reintegration of individual and collectively demobilized ex-combatants are not stated in program documents. One key difference is that, for security reasons, the majority of the individually demobilized and their families would be reintegrated into urban areas that are different from their places of origin. The collectively demobilized, by and large, return to their place of origin.

135. The social and reconciliation dimensions of the DDR program in Colombian are particularly absent. It is the interplay of a community's physical and social capital and the ex-combatant's financial and human capital that ultimately determines the ease and success of reintegration. Efforts to strengthen social capital (for example, by using existing community organizations and channels of communication) enable the communities to take development into their own hands and facilitate ex-combatant reintegration. Informal networks between ex-combatants, in the form of loose discussion groups, formal nongovernmental organizations, or economic ventures, are key elements for both economic and social reintegration. Such types of associations can be extremely helpful in situations with low social capital, as demonstrated by the foundations created by the demobilized groups of the 1990s.

136. Furthermore, community support programs as critical adjuncts to the human capital recovery process of ex-combatant are not implemented, and there is little community sensitization and political awareness interventions. Stigmatization of ex-combatants is probably widespread.

137. Institutional issues are also a weakness of the program and a source of public debate. First, there are no guidelines in terms of the sequence of steps in the reinsertion phase or on the prioritization of program components. For instance, some top government officials and staff emphasize getting a job as the first priority of the program, while others such as the leaders and staff of the program in Medellín claim that personal and social skills, education, and psychosocial support for adaptation to the new life must come first. Second, program does not reflect the international best practice regarding institutional arrangement, in which central coordination by one agency with overall responsibility is balanced by decentralizing implementation authority to the local governments and communities through existing organizational structures. (The shortfalls and obstacles created by multiple agencies with specific mandates but without strong coordination were discussed in chapter 3.) Third, equally weak is coordination within government and between the government and other program stakeholders. This was one of the positive lessons of the reinsertion in the 1990s. Fourth, the administrative costs of the program are not well documented. Information is precise on cash allowances and the final cash incentive for productive activities of those individually demobilized. It is less so for

education and training, health, recreation, job support, and others. The costs incurred by the local administrations, some staff costs of public entities involved in the program, and contributions from donors, NGOs, and churches have not been estimated. This is the case at the national level as well as in the cases of Medellín and Bogotá, where the local administration makes considerable investments in the program. Finally, local governments and local communities are not involved in decision making. Governors and mayors of the critical departments and municipalities where the majority of demobilization and reinsertion takes place, despite their commitment and willingness to collaborate in the process, complain about lack of information and involvement in the planning of the demobilizations. They also note the lack of guidance and resources to implement the reinsertion activities.

138. Management issues such as staff training to improve skills and knowledge, information, monitoring and evaluation, and social control mechanisms are addressed by the program, but require more careful attention and financing. The absence of a central information system for the overall program, the weakness of the information systems in each of the responsible agencies, and the need to consolidate the SAME were discussed in chapter 3. So far, the program does not have any control mechanism established by which congressional leaders or civil society organizations can assess implementation and results and provide feedback to the managers of the program. Nevertheless, DNP is taking the initiative to develop indicators for the success of the reinsertion program and monitor them through the Information System of the Government (Sistema de Información del Gobierno), established by the government to monitor the achievement of targets of the National Development Plan.

139. The economic impact of the program in social and economic terms is expected to be positive, but it must be assessed. The combined increased security; reduction in violence and public fear; increased gains in private investment; and the capture of arms, weapons, cash, vehicles, and war material (see table 8) are important dimensions with economic impact recognized as a result of the demobilization of the AUC, and to a lesser extent, of the demobilizations of individual members of other illegal armed groups. The quantification of these gains in economic terms is yet to be done, as is its impact on the overall economy of the country. Unlike other countries where DDR programs have taken place, Colombia has a working economy, a strong private sector, and relatively strong public institutions, despite the ongoing conflict.

CRITICAL ISSUES IN THE DEMOBILIZATION AND REINSERTION STRATEGY

140. Despite the notable achievement with regard to the number of demobilizations, there is considerable concern with respect to the success of the reinsertion program. A number of issues and challenges identified and documented during the preparation of the study merit special attention. Those include: (1) the scale and diversity of those demobilized; (2) shortcomings of institutional coordination; (3) the weakness of some program components; (4) insufficient convening capacity of the government; (5) insufficient involvement of local governments; (6) the need for stronger regional development focus; (7) the challenge of combining reinsertion with reconciliation; (8) incomplete information on the cost and financing of the program; and (9) a deficient system to gather and analyze program data. The issues are stated below.

The scale and diversity of the demobilized is larger than expected

141. The 41,121 demobilized people have exceeded the expectations of the government, and have required adjustments in the program according to their individual profiles, which show considerable variation. The DDR program estimates that of the combined number of those demobilized from individual and group demobilizations since 2002, about 68 percent come from rural areas, while the other 32 percent come from small towns or cities. The DDR also estimates that illegal armed groups recruited 37 percent of their members when they were under 18 years of age. Among ex-combatants, there is significant variation in age, regional origin, ethnic background, and gender. Of those individually demobilized 85 percent are males, and 15 percent are females; 80 percent are over 18 years of age and 20 percent are minors; 58 percent are functionally illiterate, and 19 percent cannot read or write. It is estimated that about seventeen percent of all demobilized combatants have serious psychological problems.⁵¹ No information is available on the number of ex-combatants with disabilities.

142. As for the minors, most of them are 15 to 17 years of age; 72 percent are males and 28 percent females. The minors suffer addictions (most critically seen among those demobilized from the AUC) and they have symptoms of post-traumatic stress disorder. They have not completed school. In many cases, the minors come from homes where they were abused, and they have also suffered abuse within the armed groups. Only 20 percent return home to live with their families. In addition, approximately 20 percent of those demobilized are girls, with specific social, economic, and psychological issues, some of which derive from their participation in an armed group, where they have been subject to sexual and physical abuse and discrimination.

143. This diversity of profiles creates a challenge for the DDR, which struggles to match the need for services and opportunities, which is based on individual characteristics, with the supply of the institutional responses, which tend to offer non-customized support. Although there is a sound program for minors supported by several international agencies, no specific actions exist to target the needs of women, ex-combatants with disabilities, or ethnic minorities.

Shortcomings of institutional coordination of the reinsertion program⁵²

144. Since the 1990s, different types of agencies have been in charge of implementing the DDR program. At the onset of the Uribe Administration, their roles and responsibilities were defined more clearly. For demobilization they seem to work well. However, the DDR program under the responsibility the Ministry of the Interior and Justice has some shortcomings. According to the assessment done by DNP, the institutional arrangement for reinsertion is based on two premises.⁵³ First, although the agencies involved are different, they are equally important to implement the DDR program. Second, by having their roles defined clearly, coordination between them will occur almost naturally.

51. The source of information is the database of the Ministry of Defense, Program of Humanitarian Assistance to the Demobilized.

52. As noted above, this description gives an account of the situation prior to the government's decision at the end of 2006 to elevate the profile of the reinsertion program.

53. DNP Summary Document 2006, 19.

145. However, an analysis of the interaction among the institutions involved show that there is not an agency with the capacity to coordinate other agencies with roles in the DDR program. Agencies are independent entities in the government structure and of relatively equal rank. In addition, the services regularly supplied by agencies in health, education, and training do not necessarily dovetail with the demands, priorities, and modalities required by the reinsertion programs. In general, these agencies do not have the flexibility to adapt to special demands. Further, the hierarchy of some agencies within the reinsertion program is unclear. In other cases, agency mandates regarding certain activities is unclear, which creates confusion and duplicity of functions. Finally, inter-institutional coordination mechanisms, such as the Intersectoral Commission for the Reintegration of Members of Illegal Armed Groups into Civilian Life, have not been effective. One of the reasons seems to be that each of the heads of these agencies is autonomous within their mandate, and there is no accountability with respect to a higher level that oversees all of them.

Weakness of some components of the program strategy

146. The 18- and 24-month reinsertion programs include a cash allowance (“humanitarian assistance”), legal services, education, psychosocial support, and economic benefits for the demobilized and their immediate families. The government funds the program, while state institutions at the national, regional, and local levels are expected to deliver program services. Despite this comprehensive program, which is fairly sound when compared with the international DDR experiences given Colombia’s relatively strong service institutions, sources within and outside government have identified shortfalls. For instance, the National Development Plan mentions the reinsertion program, but it does not address the details of the reinsertion process. In addition, there is no coherent formulation of the various components of the program and how they interact to reach the reinsertion objective. Critics cite problems with the articulation and sequencing of specific steps (such as education, training programs, or work-related activities) and the assignment of responsibility for their implementation. Others identify a lack of coherence in terms of approach, criteria for success, methods, and transition from one program to another among the existing programs of the responsible state agencies.

147. An additional issue of concern and debate is the need to unify the requirements and benefits of the individual and collective DDR program, as well as of national and regional programs. The differences in duration, degree of participation, amount of cash allowances, and economic support for productive projects, may promote, for example, desertions from one program and re-entry into another. A case in point is the debate on the duration of the programs. The government, for example, in response to the dependency created by the 1990s reinsertion program, insists that measures must be taken to ensure self reliance and independence of the demobilized and limits duration of the national programs (18-24 months). Regional programs such as the one in Medellín, in contrast, consider the time limits established by the government to be too brief to allow the demobilized to acquire the necessary skills to reintegrate into civilian life, and insist that support should be provided for as long as the ex-combatant requires it. Both views have technical, financial, and management implications.

148. Regarding social and economic reinsertion, the results of the national experience is mixed, as documented in Chapter 2. This is problematic, given the importance of these two dimensions

for the sustainability of gains made through the reinsertion process. On economic reinsertion, critics have insisted that neither of the two options offered by the government ensure the sustainability of the reinsertion process. First, regarding employment generation, the government has an ad hoc approach of looking for partners to provide jobs for the demobilized without a clear strategy. Second, the emphasis of the current program on productive projects for demobilized people risks making the same mistake as in the 1990s of assuming that all ex-combatants had entrepreneurial skills and vocation. In addition, there is not a clear strategy with respect to engaging the private sector.

149. On social reinsertion, several weaknesses have been identified:

- The DDR program on “Education for peaceful and productive reinsertion” is in the process of formulation and has not been implemented. Critics have expressed concerns about the effectiveness of the education activities that have been provided so far to the demobilized, with exception of the Medellín program.
- The psychosocial support activities have been implemented since 2004 by a variety of specialized NGOs, but assessments have not taken place and therefore results have not been evaluated. This is a priority due to the fact that many of the demobilized were recruited as young as 12 years of age and have spent many years in isolated areas committing and witnessing acts of sometimes unimaginable violence. Despite these efforts, existing programs to treat psychological problems and war-related disabilities are insufficient.
- The participation of collectively demobilized ex-combatants in the social programs is voluntary, leaving serious doubts about whether those who choose not to participate can acquire the personal and social skills needed to successfully reintegrate into civilian life.

Insufficient convening capacity of the government: The case of the private sector

150. Several observers have noted that the government lacks a coherent and convincing message to potential strategic partners, including civil society organizations, the private sector, and the international donor community. There is general consensus about the importance of involving the private sector in economic activities and other contributions to support the reinsertion program. Nonetheless, *how* to involve the private sector is a different matter. Some business leaders close to the government have been willing to work with the demobilized to create farming industry companies of the kind promoted by the Office of the High Commissioner for Peace, such as for oil palm, cacao, rubber, coffee, and other commodities. However, in a study commissioned by USAID with Creative Associates and Fundación Ideas para la Paz, individuals interviewed stated that the private sector as a whole does not yet have faith in the reinsertion program.⁵⁴ Some even suspect that the type of agrobusiness activity named above might be promoted by demobilized leaders using productive resources obtained illegally.

151. Among the main concerns expressed by business leaders were (1) lack of clarity about the role of different agencies in charge of the DDR program and how the policy is carried out; (2) lack of information on how past experience is taken into consideration, for example the

54. World Bank, USAID, & DNP, “Inserción económica de excombatientes ilegales: propuesta para el sector privado” (Bogotá: December 2005).

reinsertion of the M-19 and the EPL groups in Colombia during the 1990s, as well as international experience; (3) lack of clarity on the control mechanisms used to make sure that the benefits are received only by ex-combatants of the illegal armed groups and not other people infiltrated in the program; (4) lack of information on the handling and use of resources (land, real state, cash) according to the Justice and Peace law.

152. Regarding economic reinsertion, the business leaders interviewed also expressed serious concerns about their involvement in the DDR program. The main concerns were (1) lack of knowledge about the personality, knowledge, and competencies of the demobilized population, (2) the perception that contributing to economic reinsertion of this population contradicts business logic by contracting of poorly trained people, and selling deficient products manufactured by demobilized individuals, (3) feeling uncomfortable about “rewarding illegality” by generating opportunities for ex-delinquents in a context of high unemployment affecting a large segment of the population, including victims, and (4) feelings unable to deal directly or indirectly in their businesses with demobilized people.

Insufficient involvement of local governments

153. The reinsertion program is coordinated at the national level, but its implementation takes place at the local levels. This implies the need for a fluid dialogue and coordination between the different entities involved, which, so far, with the exceptions of Medellín and Bogotá, have been insufficient. Departments and municipalities with high concentrations of demobilized combatants lack instruments and resources to respond to the demands of the demobilized in their territories. Needed are (1) clear governmental guidelines on how to address the needs of demobilized, and the benefits and programs available; (2) an explanation of the role of CROs and the scope and limitations of the programs; (3) consistent information on the demobilized population arriving in the regions; and (4) mechanisms to facilitate coordination and decision making by local authorities.

154. During a national seminar involving a number of international experts on the subject that took place in Medellín in mid-October 2005, several governors and mayors expressed some of these concerns and others. They felt that demobilization is a positive development, but they lack information from the central government prior to the demobilizations, and they lack guidance and resources once demobilization takes place. They are eager to work with the central government in a true partnership to make sure that the DDR program is successful. But they expect to participate in the formulation of the policy and to reach agreement with the central government with respects to priorities, resources, actions, and responsibilities.

Need for a stronger regional development focus

155. There is a clear need to promote the involvement of demobilized people in local and regional development projects. This is the case especially for projects that empower communities and take place areas in which the armed groups are being demobilized. Such projects can help to prevent the recurrence of violence, reestablish the role of the state, and rebuild relationships of trust with state institutions and the rule of law. The Justice and Peace Law refers to reconciliation as one of its objectives. This is critical in view of existing tensions and violence generated by

illegal armed groups. Development projects can help to address current regional conditions that support recruitment by armed groups and drug traffickers, including residents' lack of legitimate economic alternatives. These projects may also combat youth recruitment by encouraging young people's sense of belonging within their community.

156. However, the policy framework behind the reinsertion program does not make explicit this local and regional focus in social and economic reinsertion activities. It rather seems as if the benefits defined in the law and the program for the individuals demobilized is a direct transaction between the state and the individual, as if families and communities are not a part of that process. The success of the reinsertion program is critical for the conflict-reduction policy, and reinsertion needs to be combined with reparation and reconciliation activities as implied in the Justice and Peace Law. The best way to obtain that balance is through local and regional development actions and plans.

The challenge of combining reinsertion with reconciliation

157. Achieving an adequate reinsertion and integration of ex-fighters into neighborhoods or communities affected by the violence of the illegal armed groups poses a major challenge. On one hand, guaranteeing timely development of ex-combatant profiles and matching the demands of profiles with the supply of services and resources to support sustainable reinsertion is very difficult. On the other hand, in accordance with the Peace and Justice Law, justice and reparation to the victims, and reconciliation with the community at large may require a balanced mix of incentives, benefits, and actions applicable to the entire community in need and not only to those being reinserted. Otherwise, reconciliation among individuals, families, groups, and state institutions not only would become unachievable but could also generate even more discontent and violence. Achieving this balance between reinsertion and reconciliation is a need, compounded by the fact that the number of those demobilized may exceed existing capacity and resources.

Insufficient information on the cost and financing of the program

158. What is the cost of the DDR program for this large number of demobilized combatants? And what are the costs for the reparation to victims? According to the Ministry of the Interior and Justice, during 2002–2005 the government invested about US\$77 million in direct services for the demobilized (covering cash allowance, shelters, transportation). This figure does not include the contributions made by the Ministry of Defense, and the ICBF, or the costs of training, health care, and education activities, all of which represent approximately another US\$152 million. This figure, of course, does not include the costs of reparation in compliance with the demands of the Justice and Peace Law, which is extremely hard to estimate but will probably far exceed the above figure.

159. Developing more precise estimates of the real total and per capita costs including all aspects of the reinsertion program and the reparations is a pending task. Based on very preliminary figures, using current per capita costs of individual and group demobilizations, it is estimated that if all illegal armed groups demobilized, the total cost would be about \$610 million

for the period 2006–2010. There is no information on how the government might finance all the demands of a reintegration and reconciliation process.

Deficient system to gather and analyze program data

160. Even though the SAME has made significant advances on systematizing data on collective demobilized individuals, the program still lacks a comprehensive system to gather and analyze data and produce official reports. National institutions in charge of the reinsertion programs have been provided with instruments to monitor the programs, but they have difficulties capturing in a timely and precise way the benefits provided to the demobilized. Also, they do not have tools to measure the impact of their activities or whether the goals of the program are being achieved. Finally, they lack the technological infrastructure to create databases. The IOM, DNP and the Reincorporation Office of the Ministry of the Interior and Justice are discussing the consolidation the SAME for the collectively demobilized, adapting the system for the individually demobilized, and working towards the creation of a central information system to which all relevant agencies will be linked.

Chapter 4. Alternatives to Strengthen the Current Model of Individual and Collective Reinsertion

161. This chapter starts with a discussion of the Justice and Peace Law as an opportunity for peace and reconciliation and the recovery of lost human, social, and economic capital. The next section outlines a series of proposed adjustments to the program based on the assessment of critical issues stated in the previous chapter. These adjustments include adjusting the institutional arrangement, prioritizing human capital recovery as a previous step to productive engagement, conditioning the cash allowances to specific results of the process, and monitoring progress of the demobilized population and of the program. The chapter ends with a discussion on garnering public support for the policy and program and mitigating identified risks.

BUILDING THE FOUNDATIONS FOR PEACE

162. The continued armed conflict has taken a severe toll in terms of the loss of human, social, and economic capital. For this reason, many in Colombia feel that peace-building efforts must balance the reintegration of illegal ex-combatants into civilian life with the reparation for the human and social damage caused by decades of conflict.

163. Evidence of the loss of human, social, and economic capital is abundant. Aside from the tens of thousands of lost lives, the internal displacement of 2-3 million Colombians is the most visible example of the dislocation and damage to human and economic capital. A recent study by the government's sponsored Poverty and Inequality Reduction Mission concludes that internally displaced households show lower levels of human capital (measured by the number of years of schooling and dropout rates) than poor and indigent households in urban areas, in addition to their loss of land, housing, and productive assets.⁵⁵ The loss of social capital is seen in the lack of trust in state institutions due primarily to the violations of human rights by illegal armed groups and sometimes state representatives, excessively high levels of impunity, and in the suspicion and silence among neighbors in communities. Finally, the reduction of GDP due to the armed conflict is estimated at 3 percent per year.

164. In light of the need for a balance between reintegration and reparation, the DDR program should be seen as a component of a broad process of peace building. International best practices of post-conflict reinsertion, reintegration, and reconstruction, as well as the Colombian experience of the 1990s, offer useful lessons for the current situation in the country. At the same time, a successful DDR program in Colombia will contribute to the understanding and operation of this type of programs in contexts of ongoing conflict in other countries.

55. Ana María Ibáñez and Andrés Moya, "La Población Desplazada en Colombia: Examen de sus condiciones socioeconómicas y análisis de las políticas actuales" (Bogotá: MRPD, 2006).

The Justice and Peace Law: A chance for peace and reconciliation

165. The 2005 Justice and Peace Law offers a framework for the government to negotiate with illegal armed groups in the interest of peace and individual or collective return to civilian life for members of guerrilla or paramilitary organizations. It represents an attempt to guarantee the victim's right to truth, justice, and reparations and is a potential path to peace and reconciliation.⁵⁶

166. While the contents of this law have sparked controversy among human rights groups, who see it as a path to impunity for crimes committed by illegal armed groups, it was debated at length and subject to the rules of democratic process in Congress, with political parties and organizations in civil society having an opportunity to present their proposals. More importantly, the Justice and Peace Law is seen as the starting point of negotiations with the AUC and not the ultimate outcome. Unlike peace processes in other countries, where mechanisms for reinsertion into society and victim compensation were negotiated by governments and armed groups and became part and parcel of the agreements (for example, in El Salvador and Guatemala), this law is an effort by Colombian authorities to establish rules for negotiation, demobilization, and reinsertion. It also defines minimum requirements for truth, justice, and reparations as a prior condition for any peace agreement with armed groups. In other words, it is an attempt to cover all the conditions needed to contribute to a peace process, taking into account former combatants as well as the civilian victims of the conflict.

167. The law created three mechanisms to facilitate its application. One is the National Reparation and Reconciliation Commission,⁵⁷ which is intended to give victims a role in the clarification of the truth and in follow-up and verification of reinsertion and reparations. The Regional Commissions for the Restitution of Assets, which handles claims on property, are a second mechanism; and the third is the Fund for the Reparation of Victims, made up of the illegally obtained assets restituted by demobilized members of the armed groups and funds from the national budget.

168. The main criticisms of the law by national and international organizations relate to the lack of appropriate procedural means to guarantee reaching the truth. Fault is found with the limited amount of time and financial resources for the gathering evidence, the voluntary declaration of crimes by the perpetrators, and leniency of the punishment, even if the accused misled the court or did not declare all the truth. Another criticism is the insufficient opportunity for the victims to confront the accused, in terms of their protection and providing the material means for their participation. A final criticism is the insufficient resources in the Reparation Fund to compensate the victims.

169. Despite these criticisms and their degree of validity, the law opens a door to find a path for peace in Colombia. Thus, its successful application becomes a critical challenge for the

56. The contents of the law are consistent with current constitutional and legal provisions in Colombia. These include, for example, Law 782 /02 on talks with armed groups, their demobilization and collective reinstatement as members of society; Decree 128/03, which establishes rules on individual demobilization; and the international instruments ratified by Colombia with respect to human rights.

57. This commission was established in September with representatives of the national government and prominent members of the academic community and civil society organizations.

government. It will show that a balance is possible between an adequate handling of those demobilized—effective legal action and reintegration into society—and reparation to the victims. In addition, it will help to create trust between citizens and state institutions, to reduce impunity, and to re-establish a culture of legality. Finally, if successful, it will be a positive incentive for other members of the illegal armed groups to demobilize and eventually reach a comprehensive peace agreement. For these reasons, it is worth giving it a chance to succeed; it is worth the government, the private sector, civil society organizations, and the international community working together towards its effective and successful application.

PROPOSED ADJUSTMENTS TO POLICY AND PROGRAM COMPONENTS

170. The efforts of all those concerned to support the reinsertion and reintegration initiative of the government should focus on improving rather than changing the program. The positive balance of the performance of the program thus far needs to be recognized in the context of an arduous process towards the reduction of conflict and the search for peace and reconciliation. The evidence on international DDR programs shows how difficult these processes are, given the nature of the problems they try to resolve and the diverse interests of the contending parties. The evidence on the reduction of violence as a result of demobilizations, the relatively strong basis of the DDR program, and the increasing awareness of the need for a political solution to the current causes of the conflict as well as to pending social issues are reasons for optimism.

171. The state, however, faces serious challenges. It must confront the persistent problems of armed organizations that wield economic and political influence on parts of the territory. The state must also confront illegal activities that continue to fuel the conflict, and ensure security and institutional presence in the areas of demobilization, and, more generally, over the entire territory. These challenges notwithstanding, the persistence of difficulties and risks does not invalidate the steps taken towards the resolution of the conflict.

172. Following are proposed adjustments to six key policy and program components based on the analysis of the DDR program of chapter 3 and the assessment with respect to international best practices of this chapter. While all the issues identified in the analysis are important, these six deserve greater priority. As these issues are addressed, the others may fall in place more easily.

Improving formulation of policy and strategy

173. The ongoing conflict in Colombia is a 40-year-old, complex, societal and state problem that needs to be addressed comprehensively. The analysis of the conflict and the policies and instruments to deal with it would benefit from considering the original and current causes of the conflict, the resources that fuel it and the factors that may prolong it. In addition, it is desirable that all sectors of society become increasingly aware of the nature of the conflict as well as of costs, time, risks, commitments, and benefits of the instruments to deal with it, so that they can contribute to its resolution. Both society and the state have been unable to find a path to the solution of the conflict. For these reasons, it is of utmost importance that government's policy and instruments to reduce the conflict achieve broad consensus and support by Colombian society.

174. Participants in the consultations carried out during the preparation of the study discussed limitations in the current formulation of the conflict-reduction policy and instruments. Some argued that the government views the DDR program as an instrument to deal with the consequences of the conflict (lack of security, and political instability) rather than with its original causes (social, economic, and political exclusion and unresolved social conflicts) or the current factors that maintain it (conflict is profitable for FARC, ELN, AUC, and other interest groups). The international experience shows that illegal access to resources has fueled conflicts in many countries such as Angola, Liberia, Cambodia, and Sierra Leone. As long as there are drugs, diamonds, timber, oil, or other resources to fuel a conflict, the DDR interventions will have a limited ability to make a difference. The Colombian conflict, closely associated with drugs, is a particularly complex case, given the difficulty to control the illegal drug market. In other countries such as those mentioned above, the resources linked to the conflict were more easily controlled because there is a legal market for them, which is not the case with drugs.

175. The policy must consider the motivations, interests, incentives, and concerns of all illegal armed actors, those that are currently demobilizing, and those that continue fighting against the state. In addition, it has to clearly outline how it would attempt to negotiate, in political terms, the demobilization and reinsertion of all combatants, given their power and level of influence in certain regions of the country. A piecemeal approach that deals with each illegal armed group one at a time can make negotiations more difficult. In summary, the government policy to address the armed conflict could consider a variety of instruments towards building the foundations of peace, one of which is a DDR program. But a DDR program alone cannot solve a longstanding societal and state problem such as the armed conflict in Colombia without broader attention to the factors causing or fueling the conflict.

Improving the institutional arrangement

176. The institutional arrangement that works best in DDR programs is one in which central coordination is handled by one agency with overall responsibility, balanced by a decentralized implementation authority. In the case of Colombia, close alignment between the office in charge of the overall peace policy with all illegal armed groups, and the operation of the reinsertion activities, is highly desirable. This would imply alignment of policy and administrative authority both at national and local levels to guarantee a unity of policy, concepts, and programs, with sufficient legitimacy among state, private, and international actors. Alternatively, within the umbrella and authority of a body in charge of national conflict reduction and peace policy, one office would handle all aspects of demobilization, and a different one would handle all aspects of the reinsertion program.

177. The agency with overall responsibility for the reinsertion program requires a high political profile to be able to influence and coordinate the heads of other agencies responsible for specific populations or aspects of the program. It needs to be closely linked with the DNP and the Ministry of Finance and Public Credit to ensure the program is aligned with the goals of the National Development Plan and is allocated the financial resources required for operation. Finally, it should have an advisory board with mixed representation of public and private institutions to guarantee a broad base of societal support beyond the government.

178. A high political profile, management capacity, and broad composition should be requirements of any institutional arrangement. If the preferred option in Colombia is to keep the arrangement as it is—that is, handling demobilization through the Office of the High Commissioner for Peace and the Ministry of Defense and handling reinsertion and reintegration through a different agency—their roles and responsibilities should be further clarified. This clarification would define the functions and responsibilities of each office regarding the DDR program, the hierarchy among them, the lines of power and authority, and the accountability among the Office of the High Commissioner for Peace, the office of reinsertion, the Vice Ministry of Defense, and the ICBF.

Decentralization and involvement of local governments

179. The decentralization of program operations is essential for successful implementation. In the Colombian DDR, the participation of governors in departments and mayors in municipal governments is necessary for at least two reasons. First, providing public services for demobilized individuals are the responsibility of the local authority. With decentralization, local authorities and staff would be in a better position to provide some of the entitlement services of the program to the individual beneficiaries and would be better able to monitor and control them.

180. Second, illegal armed groups exercise some degree of political and economic influence of their areas of operation. Thus, the type of relationships that they have established with the communities, the markets, and the political establishment in those areas would also affect the operation of the program. This is an important consideration given that the illegal armed groups, guerrilla or paramilitary, tend to negotiate their demobilization rather than their surrender. This has been demonstrated by the process with the AUC, as they have not been defeated.

181. One measure to increase involvement of local governments in the program is to increase the coordination between the CRO, the local governments, and local NGOs. The CRO, whose function is to provide reference and opportunities to the demobilized, should be closely linked to the offices of the local administration charged with the provision of public services such as health, education, job training, psychosocial support, and others. The cases of Medellín and Bogotá provide a good example of increasing coordination between the national program and the local administration that is worth considering for other cities with high concentration of demobilized populations, such as Cúcuta, Montería, Sincelejo, Cali, and Turbo. However some of these cities would probably require technical support, training, and resources to perform an adequate role.

A human capital recovery approach to adaptation and social and economic reintegration

182. The majority of those Colombians who have joined illegal armed groups have a personal or family history and background quite similar to vulnerable and poor populations all over the country. Furthermore, it may be argued that a large percentage of them were victims before they joined the armed group. This appears to be the case of the beneficiaries in the Medellín program, called Program for Peace and Reconciliation. Available information shows that 57 percent of those demobilized said they joined the illegal armed group because of the death of a close relative at the hands of a violent actor (25 percent), an external threat (25 percent), and family or

neighborhood conflict (7 percent). Thus, they experienced violence before they became perpetrators in the violent conflict themselves.⁵⁸ In addition, they lacked opportunities. In effect, it is estimated that 75 percent of those demobilized 2003–2006 have primary education or less. This was also the case with the demobilized groups of the 1990s. A large percentage of them—between 45 and 84 percent depending on the group—had little or no education.

183. Recovering the human capital of these individuals, in terms of personal competency, social and educational skills should be the first step of their reinsertion into civilian life. This is the approach that the Medellín program follows when it states that “we need to recognize that, with the exception of some leaders, the majority of those Colombians that have gone to war have done it as a consequence of social and emotional abandonment. To replace the history of violence, they must recompose spiritual and psychological aspects and develop elements of individual identity and social skills for coexistence. Demobilization operates in the political dimension as a collective matter, but in order to be effective it must be personalized.”⁵⁹ Beyond the trauma that their participation in armed violent activities may have produced, these individuals have been trained into illegal structures, whose *modus operandi* is guided by authoritarian methods that greatly contrast with the responsibility and autonomy required to a law-abiding civilian life. In addition, as demobilized ex-combatants they confront the fears of a radical change of life demanding that they adapt to a hostile civil environment where their previous code of conduct is not valid anymore.

184. **Adaptation support, citizenship, and education.** The recovery of human capital, understood as the reconstitution of personal worth, family and social relations, as well as a return to education, should be the first step in the reinsertion process. The emphasis of the activities during this first step would be a combination of adaptation support (called psychosocial support in the program), citizenship and social skills formation, and educational options (formal, non-formal, informal) according to profile and preferences. The aim of adaptation support would be to promote self-confidence among demobilized actors, a sense of self-worth, identification, and a lifelong project that comes from within the individual. Citizenship and social skills formation would be oriented towards family life and social interaction, using dialogue and communication as the main instruments to deal with personal and family issues and concerns. Hopefully, ex-combatants will progressively replace arms and other violent behavior as the source of self-confidence and power for the use of the social skills of dialogue and communication acquired.

185. The support for the recovery of human capital in this type of program demands identification and reference figures as well as family and community support during the process. In the Medellín program, a psychologist and a local organizer/facilitator (*orientador*) with leadership skills, usually a demobilized person are assigned a group of 80-120 individuals to work in small group formats during the reinsertion process in the adaptation support activities. The program itself serves as a positive source of identification for the demobilized ex-combatants given its high reputation in the community and the commitment and dedication of its senior leaders.⁶⁰ For those demobilized in the 1990s, the NGOs established by the various groups

58. Alcaldía de Medellín, “Propuesta para una política nacional de reinserción: El modelo de Medellín” (Medellín: Alcaldía de Medellín, 2006), 2.

59. *Ibid.*

60. “This program has several impressive innovations. The claimed absence of a time-limited nature of the program offers the type of safety that is needed by ex-combatants with their particular demographic background. So many of

fulfilled this type of role as a familiar and friendly reference group to support the adaptation process.

186. Formal, informal, and non-formal education should be provided according to previous levels and preferences. To the extent possible, all those demobilized should be encouraged to complete the basic education cycle and continue their education to other levels. These educational activities would be competency-based, following the parameters and guidelines established by Ministry of Education for basic, citizenship, and work-related competencies, and by SENA for technical education and employment related skills. Education programs for demobilized individuals would then focus on these sets of competencies and skills leading to employability.⁶¹ Additionally, as a point of departure for the competency-based program, the program would also identify and develop the skills acquired during the armed conflict that have a civilian value. This includes leadership skills put to a more socially productive use in the reinsertion and reintegration phases.

187. The design, implementation, and supervision of the activities of this step of the process need to be assigned to various levels, keeping in mind the desired distribution of roles between national and local levels. The central office responsible for the program should provide the guidelines, the allocation of slots, financial resources as needed, and supervision to ensure coherence of policy and program. The central office would look into expanding the network of entities specialized in the provision of these services, and the design of training programs in partnership with educational institutions. The local government, in coordination with the corresponding CRO, should be responsible for implementation through a network of existing public and private service providers. Program staff at the local level should supervise compliance with guidelines, monitoring, and coordination of service providers. Although adaptation support, behavioral change, and education may be provided by different entities, local program staff should ensure high level of coordination among these service providers to achieve the impacts of synergy on the individuals monitored, to the extent possible, on a one-to-one basis.

188. **Employability and entrepreneurial skills development.** The ability to enter gainful employment is also an aspect of the human capital recovery. Most of the ex-combatants, at the moment of disarmament and discharge, do not have the basic education, appropriate behaviors, and competencies required to enter a formal job. The reinsertion program must ensure that they acquire them over time, particularly for those who take this as the preferred path. Others may opt

these individuals have suffered great disappointment and betrayal from their families that the promise of constancy, alone, is healing. The recognition, emphasis, and use of intrapsychic skills as well as interpersonal skills are of great importance. Even such activities that are deemed illegal can build such skills in a person. Moreover, leaders must not be ignored. If they are so ignored, they will revert to those groups that will recognize their leadership. The use of both these in-group leaders as well as constant, professional figures is most important in a population that lacks strong, healthy figures with whom to identify. Constancy of the program and of the leaders of the program is most important, and this program seems to have identified that need. Working with the individuals in their own community is also important. The mutual reinforcement of the individual's reaction to community and the community's reaction to the individual is exactly what was missing in their lives before recruitment, and, if not reinforced after demobilization, could lead to re-recruitment." Rich, Harvey, Consultant Report, (Bogotá: February 2006).

61. Employability is understood as the capacity of individuals to get a job, as an employee or as member of an autonomous income-generation unit, to keep it, and to learn the specific skills required by it. (World Bank, USAID & DNP 2005).

for continuing their formal education to achieve professional qualifications. Thus, gainful employment is a next step linked to adaptation support, citizenship and social skills, and basic education. This step would aim to provide program participants with employability and entrepreneurial skills relevant to specific rural or urban contexts. In this light, work and economic reinsertion result from and are part of the process of capital recovery and education.

189. However, work (not necessarily employment) must be a part of the education towards employability. The central office in coordination with local governments would design work options according to existing capacities, resources and opportunities to provide work for the demobilized ex-combatants. Among the options traditionally used for this purpose, for example in Bogotá and Medellín, the following can be considered for the National Program: (1) work for an additional cash allowance, (2) work for food in civil works or other projects managed and implemented by the local government, (3) maintenance of green areas, parks, and other public facilities, (4) work as guides in large public events, helping pedestrians in zones with large vehicle concentrations and the like. In addition, it is worth exploring the possibilities of enhancing any civilian skills ex-combatants learned in the conflict, as proposed above, such as community organization, team work, and communications, as a way to facilitate their transition into a productive life.

190. The acquisition of specific competencies must be in accord with the needs of the job market in each area. In addition to considering the interests and capacity of the demobilized individuals, the supply of training opportunities must be based on needs and opportunities of the market environment in each region. To this end, the Ministry of the Interior, the CRO, and the appropriate office of the local government could usefully promote the organization of local committees or other such mechanisms with the participation of SENA, local business associations, specialized NGOs, and others familiar with the local economic environment to identify job and other income-generation opportunities. This is a way to ensure a match between the market demand for specific skills with the employability and entrepreneurial profiles of the available beneficiaries.

191. Finally, the central office must find alternative ways to provide adaptation support, and educational and work-related opportunities in those areas where the existing institutional capacity is insufficient or not capable of providing the services according to the requirements of this population. The Ministry of the Interior should look into the recovery of the Bachillerato en Paz y Convivencia, which was successfully implemented during the 1990s and involved demobilized populations, community residents, and others. This type of program serves as an instrument of education as well as of reconciliation.

Conditional humanitarian support⁶²

192. The participation of all demobilized ex-combatants in the activities of each program component is expected, but it is not mandatory. As indicated in chapter 3, registration in the CRO is voluntary, particularly for the collectively demobilized. This makes it difficult to register

62. The notion of humanitarian assistance or support is usually used with reference to emergency situations generated by nature or humans. It would be preferable to use a more common notion in DDR programs, such as cash allowance, cash transitional support, cash benefit, or cash subsidy.

demobilized individuals. For example, only 26 percent of the former combatants demobilized during 2006 are registered in the SAME, as contacted by the CRO. Even though this is normal due to the recent demobilizations, requiring registration as a condition of receiving benefits would probably accelerate the rate. In addition, there are not clearly established benchmarks, targets, or achievements linked to education, psychosocial support, or job training activities, or to the delivery of the cash payments or the final productive activity incentive for the individually demobilized.

193. The participation of the beneficiaries in program activities must be mandatory and linked to the delivery of the cash allowance. Conditional cash transfer programs, such as Familias en Acción in Colombia, offer a useful lesson for the reinsertion program. The transaction between participation in an activity, (for example, school attendance) and delivery of the cash subsidy is straightforward and understood by beneficiaries. The lack of compliance and its consequences—that is, nonpayment of the subsidy for the corresponding period—is also clear and transparent. The positive impact on this type of program on school attendance, dropout rates, and achievements is widely documented. A similar approach can be instituted in the reinsertion program as an incentive. That is, making the cash support contingent upon the participation in education, adaptation support, citizenship, and social skills formation, and preparation for gainful employment activities. If a sequence of activities as the one outlined in the previous section for human capital recovery is followed, targets of achievement for each step can be more easily established and monitored. This condition of the program would most probably produce important results.

Adopting a greater focus on local development and community-based approaches

194. The approach to reinsertion as a human capital recovery process facilitates the involvement of local communities into the program. The residents of those communities, by and large, have to deal with feelings of rancor and fear with respect to the demobilized. Reparation of the human and social damaged caused by the armed conflict is due to them, and it is considered in the Justice and Peace Law. Therefore, the reinsertion program could be used as a practical way to bring together residents of the communities and the ex-combatants through activities that benefit both of them.

195. One step in this direction is through building social capital and implementing development interventions in areas where demobilization is taking place, particularly those areas with the largest concentration of demobilized people. In this concept of local development, all residents—including vulnerable families, victims, those demobilized from armed groups, and others—work together, receive benefits, and carry out projects that contribute to specific livelihood needs while facilitating reconciliation. Initiatives similar to the 1990s National Peace Fund could be part of this strategy. Examples of interventions are youth-at-risk prevention activities, including the prevention of recruitment by armed groups; neighborhood strategies for reducing crime and violence; community policing; creating safe places to play and go to school; and activities for restorative justice to restore balance to the community disrupted by the conflict.

196. The attention to youths as beneficiaries and actors in local development interventions is a priority. In effect, DDR programs and post-conflict interventions generally take into

consideration the situation of youths as a high-risk sub-population that requires significant attention. Moreover, the role of youths as key actors in the development process is increasingly being recognized in development literature. An evaluation report of peace in Sierra Leone highlights the government's view that the "disenfranchisement of youth was one of the primary factors that led to the war, creating resentment and a sense of hopelessness in the first place, and ensuring the existence of a willing pool of recruits for fighting factions. As a result of their wartime experience, they are now more politically aware and carry greater expectations for involvement in decision making and desire for economic opportunity that ever before."⁶³ Attention to this priority in Colombia would be an excellent preventive measure for recruitment of young people into illegal armed groups or other type of illegal activities.

Devising information systems and implementing evaluation, follow-up, and monitoring plans

197. The lack of a unified database for group and individual demobilization is worrying for several reasons. It facilitates a "revolving door" for multiple registration and participation in the program, and it deprives the government of a tool for monitoring and evaluation. In addition, information that facilitates the flow of data within and among the agencies in charge of the DDR need to be established urgently. The goals should be to:

- establish a single database for all people currently demobilized, using available biometric technology to guarantee that once registered, it will be nearly impossible to re-register.
- establish data entry and database procedures at each agency to track program execution and ensure timely and effective monitoring of the situation of each beneficiary. The agency with overall responsibility for the program would gather information from all the agencies, consolidate it, and make it available to the government, the control agencies, international cooperating partners, the general public and any other interested party.
- Implement document management standards that preserve the institutional track record. Because the DDR is a politically sensitive process in which data management is a critical factor, the agencies responsible for carrying them out must apply document management standards that make it possible to maintain—and if need be to recover—the institutional track record as well as to record and preserve present performance.⁶⁴

198. In addition, the evaluation of the impact of the program requires baselines, performance indicators, and impact indicators for each of the programs. Both the baselines and the indicators must be clear, measurable, and coherent if they are to be used to assess the activities carried out by the various service providers—central government, CROs, subnational governments and private contractors—and their impact on the beneficiary population.

199. This would be particularly relevant for the monitoring and evaluation of the support programs for adaptation, civic education, and training. The progress on these areas would be assessed at a minimum of three points in the process; namely, during the initial module at the

63. Gebreselassie Tesfamichael, Nicole Ball, and Julie Nenon, *The final evaluation of disarmament, demobilization and reintegration program and the multi-donor trust fund supporting DDR* (Washington, D.C: Creative Associates International Inc, July 2004).

64. DNP summary document, 2006.

onset of the DDR program, midway through the benefit period, and at the end of process for an individual or for a cohort.

200. Furthermore, the program would benefit from processing all existing information on the course of these programs. The PRVC has at least six sources of data on the impact of its programs that are not being used fully. These include: (1) the psychological profiles of the individually demobilized who have been remitted by the psychologists who work with the PAHD;⁶⁵ (2) the reports prepared by the psychologists at the PRVC shelters;⁶⁶ (3) the reports prepared by organizations the PRVC engages to conduct the psychosocial workshops; (4) the first assessment done by SENA during the Initial Module at the start of the education and training program; (5) the study on the situation at the shelters done by the Reconciliation Foundation (Fundación para la Reconciliación) in the first half of 2005; and (6) the questionnaire distributed to more than 800 individual DDR beneficiaries during 2004 and 2005 by Ana Arjona, a Yale University researcher. This information would be processed and used to define not only the profiles used to orient the design of support programs for adaptation and education, but also the baselines used to measure their impact.

201. Finally, an effort should be made to define indicators and instruments to monitor the implementation of the reinsertion program as a whole and to measure the degree of its success. This instrument will help, among other things, to resolve the debate regarding the time limit of the program between those who argue for a fixed period of time for individual benefits and those who argue that there should be no time limit. The instrument will be applied periodically and would be able to measure achievement against expected targets for each step of the program. The exit point would be determined on a case-by-case basis according to the performance of the individual in the program.

GATHERING SUPPORT FROM OTHER STAKEHOLDERS AND PARTNERS

202. The Colombian reinsertion program has an adequate basis to bring together several sectors to collaborate in the achievement of its objective. Componentes of the experience of the 1990s such as the National Normalization Council (Consejo Nacional Normalización, CNN) and the Regional Normalization Council (Consejo Regional de Normalización, CRN) could be good examples. This way of working would require looking for practical ways to engage the private sector, specialized NGOs, academic groups, community organizations, and international donors. In addition, the government could consider developing a campaign to sensitize Colombians from all walks of life about the need to ensure that the reinsertion program works and becomes an instrument of a more comprehensive policy towards building a lasting peace and reconciliation. It is for these reasons that the discussion of policy and instruments such as the reinsertion program would benefit from more open discussion with other stakeholders so that it enjoys a greater level of legitimacy and support by a broad base of sectors and actors.

65. Since the beginning of 2005, the psychological team working with the Ministry of Defense-PAHD has done a preliminary evaluation of each Individual DDR beneficiary.

66. As of mid-2004, the Ministry of the Interior and Justice-PRVC has stipulated that those operating its shelters must have psychologists and social workers on their teams.

The role of specialized NGOs and the international community

203. The Colombian Agency for International Cooperation (now part of Acción Social), in collaboration with national and international organizations, developed a proposal on the support needs of the Second Thematic Component of the International Cooperation Strategy. The organizations include the Office of the High Commissioner for Peace, the Reincorporation Program of the Ministry of the Interior and Justice, the Ministry of Defense, the ICBF, representatives from the Group of 24,⁶⁷ and specialized NGOs. The thematic component deals with reincorporation into civilian life and recovery of the rule of law. The technical proposal presented in the document outlines five lines of cooperation: (1) prevention of recruitment of children and youths by the illegal armed groups, (2) individual and collective psychosocial attention, (3) individual and collective reincorporation, (4) institutional recovery in communities affected by violence, and (5) institutional strengthening.⁶⁸

204. The construction of this document required a significant number of consultations, discussions, and debates with a broad segment of representatives from international organizations, national NGOs, academic groups, and staff of the government agencies. The final document offers a menu of areas for support to international donors, including UN system agencies, bilateral cooperation agencies, and national and international NGOs. As a result of the consultations and debates, there was agreement regarding the set of themes and lines of action. However, there were different views expressed by various stakeholders about the content and approach proposed by the government to some of those themes and lines of action. In general, the discussion was framed by the diverse views regarding the democratic security policy and the government's handling of the armed conflict.

205. The discussions of the formulation of the policy and of the convening capacity of the government emphasize the need to make further efforts to open up the process in search of consensus on specific areas, and to find practical ways of cooperation by national and international organizations interested in the peaceful resolution of the armed conflict in Colombia and in the success of the reinsertion program. Some of the areas outlined in the technical proposal have received attention by international agencies, particularly in the area of prevention of recruitment of children and youth and on support to reparation to communities affected by violence. In addition, some specialized NGOs collaborate with the government program, providing their know-how in psychosocial support and reconciliation on contractual basis.

67. The Group of 24 is formed by 24 countries that met with the government and a group of civil society organizations first in London and then in Cartagena to define the terms of cooperation of the international community with the Uribe Administration. The parties have agreed on a framework declaration of principles that together with a set of thematic components constitute the International Cooperation Strategy. *Mesas Temáticas*, or working groups, were convened to operationalize the priorities, actions, and resources needed for each component.

68. Acción Social, *Estrategia de Cooperación Internacional, II Eje Temático*, Propuesta Técnica (Bogotá, August 13, 2004).

The role of the private sector

206. As stated in the study carried out by USAID and Ideas para la Paz discussed in chapter three (Convening Capacity of the Government), the private sector has expressed serious concerns on the policies and programs of DDR and their role in it. These concerns are valid and consistent with the observations made by others in this report, particularly in chapter three. However, the government can adequately address these issues through a range of policy options, including the following:

207. **Identifying and advising on income-earning projects.** The participating company can propose the creation of income-earning projects, rural or urban, to supplement the production or supply chain of which it is part. The project or business would be initiated pursuant to advice and coaching from specialized firms and businesses. To this end, the company would finance studies aimed at pinpointing potential business plans and markets, and invest in consulting and coaching for productive initiatives of this type.

208. **Sponsoring SMEs.** A participating company could support SMEs that hire demobilized persons as apprentices or employees through commercial or trade agreements. This could be a reward for the SME's contribution to the reinsertion process. It is essential that the commitments assumed by both companies—the "sponsor" and the SME—be defined clearly.

209. **Creating internships or inservice training.** Under this option, the participating company accepts beneficiaries as interns or inservice trainees. For this to be successful, the job creation incentives offered by the Ministry of Social Protection would have to be brought into line, and SENA's arrangements for apprentice hiring will have to be revised.

210. **Executives on loan to the reinsertion program.** Executives with entrepreneurial vision can use this option to help DDR-executing agencies define strategic aspects. The executing agencies must formally request this cooperation from the private sector, defining the areas, time, and expected results. There are a number of possible fields where executives "on loan" can participate. Some examples are: (1) promoting institutional policy at national and regional levels; (2) making financial management as effective as possible, which also helps to build confidence; (3) designing indicators and goals; and (4) defining procedures and responsibilities within and among the various agencies.

211. **Purchasing products or services from income-earning projects or units created by the demobilized population.** In this option, the participating company agrees to purchase products or services from projects or units created by demobilized population, under competitive terms with respect to quality and price.

212. **Joining forces with the demobilized to implement large-scale agricultural projects.** The company establishes growers associations, agricultural processing companies, corporations, limited liability companies, or cooperatives with demobilized people to undertake large-scale agricultural projects. Mechanisms such as rural capitalization incentives, forest incentive certificates and the agricultural protection fund would be used to implement these projects. The private sector, as a partner in the project, would contribute capital and land, plus the inputs stipulated in rules and regulations on setting up associate enterprises.

213. **Creating pre-feasibility funds for economic insertion initiatives to benefit the demobilized.** To help develop these initiatives, the company delivers resources to a fund through which elements such as market studies, business plans, and business consulting will be financed.

214. **Creating funds to finance income-earning projects or initiatives undertaken by the demobilized population.** Under this option, a fund is established by the private sector to supplement the seed money or initial capital provided by the government to generate income-earning alternatives for the demobilized. These resources will be used for capitalization and investment in the economic initiatives of the demobilized population.

215. The discussion of these options could very well be an entry point for a dialogue with representatives of the private sector. Besides discussing these concrete options, this dialogue would also provide an opportunity for the government and the private sector to address the concerns on information risks, business logic, ethical dilemmas, and other identified in the study sponsored by USAID.

RISKS ASSOCIATED WITH THE DEMOBILIZATION AND REINSERTION PROGRAMS

216. All DDR programs confront serious risks deriving from the nature of violent conflict. Resolution of the conflict is likely to result in a degree of dissatisfaction among some interest groups, as a large number of individuals trained in armed combat are reinserted among civilians. Some of the risks for Colombia are increased general crime and violence, violence against demobilized people, violence against communities under the influence of illegal armed groups, a lack of support for the government policy and program strategy, and the failure of the reinsertion program.

Crime and violence in post-conflict situations

217. International experience shows that crime and violence increase in the post-conflict period after peace agreements and demobilization have taken place. In Central America, the peace agreements ended armed confrontation; however, criminal activity went up after agreements were signed. Crime increased 36 percent in El Salvador, which reached the highest homicide rate in the world (139 per 100,000 people). Guatemala and Nicaragua followed a similar path.⁶⁹ The recycling of ex-combatants from illegal armed groups into criminal organizations, compounded by the demobilization of significant numbers of the Armed and Police Forces, is a constant in post-conflict situations, as further illustrated by the cases of Northern Ireland, Sri Lanka, and the Philippines.

Reinsertion in the middle of continued armed conflict

218. This security risk of increased crime and violence is further aggravated by security concerns due to the continued armed confrontation as reinsertion takes place. Currently, Colombia lives simultaneously with the demobilization of AUC and individual members of other

69. "El Campanazo de Llanogrande," *El Tiempo*, October 24, 2005.

illegal armed groups, a peace conversation with ELN, a fight against the FARC, efforts of reconciliation through regional peace and development programs, and other such activities.

219. Security concerns include the wellbeing of recipient communities and cities, due to the presence of new mafia-like groups fighting for control of organized criminal activities. These concerns call attention to the attention that needs to be assigned to an increase in crime following demobilization. However, the combination of illegal armed groups that are still active, in association with drug trafficking and other types of criminal activity, is a serious cause for concern. A relevant aspect of this concern is the lack of arms control, particularly in regards to AUC disarmament, and the fear that the arms not turned over to authorities will be sold in the black market or used for other criminal activities. A recent report by the UN Office against Drugs and Crime documents the serious efforts by the state to control small arms, but also the high risk derived from heavy cross-border traffic of arms.⁷⁰

220. One little-noticed example of organized crime can affect the future of the country: the infiltration of mafia-style, drug trafficking networks from semi-urban and rural areas into Colombia's major cities. This infiltration, mainly in urban areas on the Caribbean coast and in northeast Colombia, is also found in the interior of the country, as illustrated by the increase in homicides in Bogotá during 2005. Infiltration of the nation's capital appears to come from the Eastern Plains and has sparked violence since 2002 in districts such as Cazucá, which is located on the outskirts of Bogotá, near Soacha, and is strategically important to the guerrillas. The selective killings in Cazucá—most of the victims are young men between 16 and 20 years of age—and the arrests made towards the end of 2004 when the leaders of several criminal gangs were apprehended are just a few of the recent elements that justify this concern. It appears that their primary objective is to monopolize coercion and protection for a series of businesses and activities that are susceptible to control by organized crime.⁷¹

Analysts and critics fear a threat to democratic institutions

221. A wide range of analysts and critics whose views were obtained for this study feel that the rules of demobilization, particularly the presence of the AUC leaders in their areas of influence, may result in further deterioration of the already clientelistic democratic processes in those regions. In effect, they argue that the negotiation to demobilize does not include any consideration of how to dismantle the financial and political structures of the AUC leaders, how to neutralize the territorial control, and how to return the illegally obtained assets, particularly the land taken from the displaced population, which the Contraloría General estimates is 1.5-4 million hectares. Furthermore, although the Justice and Peace Law encourages demobilized individuals to declare their illegally obtained assets, it does not make any provision in terms of recognizing these assets and sanctioning the demobilized if these assets are not declared.

222. The actions of demobilized and non-demobilized groups of the AUC and other illegal armed groups may represent a big challenge for the government and society in general due to their influence in local economies and governments, in both urban and rural areas around the country, the use of intimidation or force to control the territory, and the allegations of increasing

70. UNODC, *Violencia, Crimen y Tráfico Ilegal de Armas en Colombia* (Bogotá: UNODC, 2006).

71. The World Bank, "Conflict, Violence and Sustainable Peace," Draft Policy Note (World Bank, 2006).

involvement in organized crime activities. For this reason, a broader peace policy that addresses the root causes of violence and builds on preventive and reconciliation measures is essential.

A failed or weak DDR program

223. Failure of the reinsertion program would have widespread negative consequences. It would be bad not only for the individuals and communities affected by violent conflict or demobilizations, it would also be bad for the individuals demobilized, for the larger society, and for the prospect of future negotiations with other illegal armed groups, namely FARC, ELN, and the remaining groups of the AUC that have not yet disarmed. Recent press coverage in *El Tiempo* newspaper and in *Semana* weekly magazine reported the views of security analysts and demobilized commanders of the AUC in this respect.⁷² They assert that improvisation during the demobilization process and poor attention to the demobilized has caused the return of some of them to arms, as was also reported in the OAS Verification Mission recent report on compliance with rules of the agreement. In addition, analysts maintain that the influence and armed pressure of active AUC structures and of guerrilla groups in 100 municipalities of the north and south of Colombia threaten the coming elections.

OPPORTUNITIES TO ADDRESS RISKS AND GAIN SUPPORT FOR THE DDR PROGRAM

224. Results of the application of the democratic security policy in recent years point to a considerable reduction in conflict-related violence, the presence of the police and municipal authorities in all 1,073 municipalities of the country, and the demobilization of 41,121 ex-combatants from illegal armed groups. In addition, it is evident that increased security as indicated by the decline in homicides as of 2003 is partly the result of efforts to demobilize the AUC, pursuant to the Santa Fe de Ralito agreement signed by this illegal organization and the government on July 15, 2003. The demobilizations of the AUC explain 48 percent of the reduction of the homicide rate in Colombia during the last two years.⁷³

225. However, the recovery, presence, and consolidation of state control in all those regions where demobilization has take place is, at best, incomplete. It is argued that the state lacks capacity to guarantee the security of those areas, that the leaders of the AUC still exercise control over those regions in which they have demobilized, and that there is a latent possibility that the ex-combatants could return to illegal activities within or outside of illegal armed groups.⁷⁴ The guarantee of security by the state will have an impact on trust in state institutions, reconciliation initiatives, and incentives for the negotiations with other armed groups.

226. The challenge for the government is to move from the letter of the law to effective action on the ground. The DDR program and the Justice and Peace Law are legitimate government initiatives, brought about by established internal government procedures and the legislation process in Congress. However, they do not have full national and international support behind them due primarily to a lack of a broad public discussion and consensus. Some of the opportunities and risks are stated below.

72. "Habla 'Jorge 40,'" *Revista Semana*, no. 1244, March 5-12, 2006.

73. Eduardo Pizarro Leongomez, "Del Terrorismo al Gansterismo" in *El Tiempo*, February 27, 2006.

74. UN Human Rights Commission, "Report on Human Rights in Colombia" (Bogotá: OHCHR, 2006).

Gaining support for the DDR program

227. The reinsertion program as an instrument of the democratic security policy has sufficient base to be successful if certain conditions are met. First, security must be sustained. The program has contributed to improved security in the areas formerly occupied and controlled by the AUC. The challenges are to maintain that security through state institutions such as the police, judiciary, and the military; and to re-establish the state's development role in those areas to gain public confidence and legitimacy.

228. Second, the reinsertion program must be managed effectively. The government needs to establish a stronger presence in areas controlled by FARC and ELN, and implement a strong and equitable local development strategy. If security and development expand, the state will have a much stronger foundation from which to negotiate.

229. Third, the Justice and Peace Law must be applied successfully. A successful application of the law would provide greater credibility and legitimacy to the government policy, as well as to state institutions. For example, the government could make a commitment to generate the following results in a relatively short period of time: (1) the visible empowerment of the Reparation and Reconciliation Commission as an instrument of society—not just of the government; (2) the processing and resolution of the legal standing of a number of demobilized leaders of the AUC, using the Justice and Peace Law, including their public declaration of repentance and collaboration with the authorities and the victims; (3) the actual restitution of lost assets—particularly land—to a number of families displaced by force; and (4) the formulation of a national reconciliation strategy discussed with a broad range of stakeholders and widely communicated. This issue is further discussed in chapter 5.

Chapter 5. Recommendations to the Government

230. This chapter outlines a series of recommendations to the government on how to strengthen the DDR program as an instrument of a comprehensive policy towards peace building and reconciliation. The recommendations address the strengthening of program components, defining a stronger institutional arrangement, seeking broad public support and communicating effectively with the public, and reaching agreement on the role of the private sector and other key social stakeholders. Some of the recommendations were already validated with relevant stakeholders during the preparation of the study, and others will be validated as the dissemination of the study continues.

Strengthen key program definitions and components

231. **Define a clear and operational conceptualization for the program.** The reinsertion phase would consist of the activities of an 18- to 24-month period leading towards civilian life. The reintegration phase would consist of entering rural or urban life beyond the reinsertion period, accessing the regular social services and networks of the state and receiving special support, if needed. Towards that end, establish targets, achievements expected, and indicators of the reinsertion phase to determine the exit point.

232. **Strengthen program components by integrating adaptation support, citizenship formation, education, and employability in a sequence of steps towards reintegration into civilian life.** Contract specialized technical assistance to deepen the understanding and design of adequate models of adaptation support; competency-based education, including citizenship and social skills; and the type of dignifying work and employment-related opportunities for individuals with low levels of formal education. Since adaptation support—called psychosocial support in the Program—has been identified by program staff and external analysts as a very weak but critical aspect of the program, undertake an external evaluation of this aspect.

233. **To strengthen livelihoods, promote reconciliation, and regain state control and sovereignty, adopt a greater focus on local development and community-based approaches in areas where demobilization is taking place.** Focus on specific territorial spaces of municipalities and regions, and combine social capital building, reinsertion, reparation, and institutional recovery interventions. Key institutional recovery areas are access to justice, security of life and property, and recovery of land by the internally displaced population. Given that the roots of unresolved social conflicts are within regions and local contexts, the main issues of access to land and productive assets, reduction of impunity, security of life and property, and fighting corruption must be addressed at those levels. The territorial space becomes the arena in which social cohesion can be rebuilt, and participation in the decision-making process becomes the basis for consensus building and ownership of the local development process. This type of intervention will increase the stake of the population in peace and their willingness to resist the pressure from armed actors. The economic and social opportunities will facilitate the productive occupation of the territory. This occupation, supported by the state and government agencies,

will also contribute to regaining the control and sovereignty of a state that supports its citizens and receives the support of its citizens.

234. Condition the delivery of the humanitarian support (cash allowances) upon participation in activities and obtaining specific and gradual achievements, as explained in chapter 4. The CRO/municipality would verify participation and achievement. This is a specific way to devolve management of the program to local governments.

235. Construct a set of simple, practical indicators to monitor progress towards reinsertion into civilian life and to evaluate the impact of the program. These indicators may be used to build a reinsertion-reintegration index. The index would include dimensions such as:

- Identification and basic profile: gender, age, marital status, origin, skills, type of demobilization (education oriented, work oriented, or both);
- Education: Education level achieved
- Socio-emotional dimension: level of self-esteem; ability to express feelings; self-awareness and sense of responsibility in roles such as partner, father, son, citizen; level of autonomy, level of tolerance.
- Cognitive dimension: basic literacy, numeracy, and calculus; ability to compose texts, reading comprehension; level of advance in academic, work, personal, family and social performance.
- Employability skills.

Define a sound institutional arrangement and improve coordination among responsible agencies.

236. The managing agency should be directly linked to the Office of the President, possess a high political profile, and enjoy good working relations with Ministry of Finance and Public Credit and the DNP. It should work closely with local governments, especially those with high concentration of former combatants, have strong management capacity and financial flexibility, and consult a selected but representative public-private advisory board. The ideal is a single agency with overall central responsibility, able to coordinate the work of other agencies, balanced by decentralizing implementation authority.

237. An option mentioned by several people consulted during preparation of the study is a combination of features of the PNR and the Fund for Reconstruction of the Coffee Region (*Fondo para la Reconstrucción del Eje Cafetero*, FOREC). PNR has a clear link between the central government and the regional authorities through the national and regional rehabilitation committees, and its regional peace funds are operated by the regional committees as the instrument to operationalize a reinsertion and reparation balance. FOREC features a public-private National Board with the technical secretariat exercised by DNP, and a direct link to the Office of the President. It is organized according to management zones in each critical area under the leadership of a reputable civil society organization to guarantee coordination and closer attention to beneficiaries, and has a private fiduciary entity to manage the funds.

238. Local governments should be formally integrated into the institutional arrangement and given a stronger role in the program. To take advantage of existing experience that may represent good practices, document and evaluate the Medellín program to identify useful lessons to disseminate to other cities with high concentration of demobilized, such as Bogotá, Sincelejo, Monteria, Cali, Turbo, and Cúcuta.

Review the policy framework for the reinsertion program with relevant stakeholders in order to garner broad public support

239. Establish an ongoing dialogue with significant stakeholders to strengthen the policy framework supporting the DDR and increase its chances for success. This dialogue would call upon a broad segment of Colombian society, in particular the Catholic Church, business associations, influential civic leaders, representatives of victims, local governments, specialized NGOs, and international donors. The government and these stakeholders would review the policy and strategy, considering the extent to which it (1) takes into consideration all illegal armed groups in the policy and program, (2) identifies the current causes of the conflict, particularly its profitability, (3) takes into account the real financial, political, and territorial power of illegal armed groups, (4) articulates program direction by the national government and implementation by the local governments, and (5) integrates demobilization, reinsertion, reintegration, reparation, and reconciliation.

Communicate widely the features of the program, its achievements and constraints

240. Establish a plan to disseminate the rationale for the policy and program and to increase awareness among Colombians from all walks of life about the need to ensure that the reinsertion program works well and becomes an instrument that contributes to a peaceful resolution of the armed conflict. The audience of this communication plan would be potential partners among civil society and private sector organizations, academic groups, churches, the general public, and the international community.

241. The communication to partners and the public would include items such as

- a justification of the DDR, the rationale for its design, and the definition of the main concepts used in the program;
- the institutional framework, explaining how the program is managed, the interaction and coordination among the various government agencies involved, and the resources allocated and how they are used;
- a description of the program components and what each component contributes to the reinsertion objective;
- the current partners and stakeholders involved in the program, their roles and contribution;
- the areas that need support and how to join as a partner;
- the monitoring and evaluation results of the program.

242. The dissemination of the information will help the general public to gain understanding of the features of the program, its mode of implementation, the resources available, its achievements, and limitations. This information would also be useful for the articulation of alternatives for the involvement of the private sector and civil society organizations in specific components of the program. This support is particularly needed in the areas of adaptation support, citizenship and social skills, and economic reinsertion opportunities.

Reach agreement with relevant stakeholders on an appropriate and realistic role for the private sector.

243. Continue the dialogue initiated during the preparation of the study with a selected group of private sector business leaders. The aim of this dialogue is to establish a mechanism to address the legitimate concerns of the private sector and to identify together the appropriate and realistic ways in which the private sector can support the reinsertion and the reintegration phases of the program. This mechanism would be formed by high-level representatives of the government and of the business community, who will meet around an agreed-upon agenda, with clearly defined targets, results, and dates.

Show results of the application of the Justice and Peace Law that balance reinsertion with reparation.

244. **Empower the National Reparation and Reconciliation Commission as a societal mechanism** and support it to (1) facilitate the participation of victims in the legal process against demobilized leaders of the AUC, and (2) generate results in the restitution of lost assets, particularly land, to families displaced by force, in areas of high concentration of former combatants.

245. Using the Justice and Peace Law, **resolve the legal standing of a number of demobilized AUC leaders**, including their recognition of crimes, their contribution to the clarification of truth, and the reparation of victims with devolution of illegally obtained assets. This result will help to create trust between citizens and state institutions, the main feature of a reconciliation process.

246. **Increase access to justice in areas with a high concentration of demobilized members of the AUC and in other conflict-affected zones.** Take measures such as strengthening the precarious conditions of justice-related offices in those zones: community police, judicial police, peace judges, and restorative justice options. In addition, facilitate access to information on the legal rights of every citizen, how the system works at the local level, and how to address legal authorities; provide or link citizens to transport on certain days, or use mobile courts; use facilitators to advise and accompany citizens from remote areas to the legal services.

247. A gradual reduction of impunity and establishing the rule of law in regions of the country with high concentration of demobilized ex-combatants would increase the credibility of the government and the security of citizens. The state must regain the monopoly of justice, frequently influenced in those zones, directly or indirectly, by illegal armed groups.

BIBLIOGRAPHY

- Acción Social. “Estrategia de Cooperación Internacional, II Eje Temático,” *Propuesta Técnica* (Bogotá, August 13, 2004).
- Alcaldía de Medellín. “Propuesta para una política nacional de reinserción: El modelo de Medellín” (Medellín: Alcaldía de Medellín, 2006).
- Angel Juan, David. “Brief del Director del Programa para la Reincorporación a la Vida Civil” (Bogotá: Ministerio del Interior y Justicia, February 16, 2006).
- Britto Ruiz, Fernando. “Aspectos Legales de los Procesos de Paz y de Reinserción.” In *De las Armas a la Democracia*, Vol. I (Bogotá: Instituto Luis Carlos Galán para el Desarrollo de la Democracia, 2000).
- Caramés Albert, Vicenc Fisas, and Daniel Luz. *Análisis de los programas de desarme, desmovilización y reintegración (DDR) existentes en el mundo durante 2005*, (Barcelona: Escuela de Cultura de Paz, Universidad Autónoma de Barcelona, February 2006).
- Castañeda, Elsa, Ana Maria Convers, y Julián Quintero. *Adiós a las Armas, Proyecto: Desmovilización y reincorporación de Jóvenes Colombianos a la Vida Civil* (Bogotá: Fundación Restrepo Barco-Banco Mundial, 2006).
- Cepeda Ulloa, Fernando (ed.). *Instituciones Civiles y Militares en la Política de Seguridad Democrática* (Bogotá: Embajada de los Estados Unidos, 2004).
- Colleta, Nat J., Markus Kostner, and Ingo Wiederhofer. *War to Peace Transition in Sub-Saharan Africa: Lessons from the Horn, the Heart, and the Cape* (Washington D.C: World Bank, 1996).
- Comisión de Estudios sobre la Violencia. “Colombia: Violencia y Democracia,” Informe presentado al Ministerio de Gobierno (Bogotá: Universidad Nacional de Colombia. Colciencias, 1988).
- DNP. *Plan Nacional de Desarrollo (2002-2006): Hacia un Estado Comunitario* (Bogotá: Imprenta Nacional de Colombia, 2003).
- . “Política de desmovilización y reincorporación de miembros de grupos armados al margen de la ley: diagnóstico y retos para el futuro,” Summary Report (Bogotá: Dirección de Justicia y Seguridad, enero de 2006).
- . *Visión Colombia 2019: II Centenario* (Bogotá: Editorial Planeta, 2005).
- Echandía, Camilo. Background Report prepared for the Conflict, Violence, and Peace policy Note (World Bank, November 2005).
- El Tiempo*. “El Campanazo de Llanogrande” October 24, 2005.
- . “Aparecen 12 nuevos grupos ‘paras,’” October 16, 2005.
- Franco, Carlos. “Apuntes a la Reinserción Económica: Diez Años de Sobrevivencia a la Crisis de la Economía y de la Paz.” In *De las Armas a la Democracia*, Vol. I (Bogotá: Instituto Luis Carlos Galán para el Desarrollo de la Democracia, 2000).
- Guzmán Germán, O., Fals Borda, and Eduardo Umaña. *La Violencia en Colombia*, Tomo 1 (Bogotá: Carlos Valencia Editores, 1980).
- Ibañez, Ana María y Andrés Moya. “La Población Desplazada en Colombia: Examen de sus condiciones socioeconómicas y análisis de las políticas actuales” (Bogotá: MRPD, 2006).
- Kostner, Markus. “To End a War: Demobilization and Reintegration of Paramilitaries in Colombia.” In Paper No. 43 (Bonn: Bonn International Center for Conversion, 2005).

- OAS. "Sixth Quarterly Report of The Secretary General to the Permanent Council On the Mission to Support the Peace Process In Colombia (Mapp/Oea)" (OAS, February 16, 2006).
- Pardo, Rafael. *La Historia de las Guerras* (Bogotá: Ediciones B, 2004).
- Patiño, Otty. "Armas Versus Política." In *De las Armas a la Democracia*, Vol. I (Bogotá: Instituto Luis Carlos Galán para el Desarrollo de la Democracia, 2000).
- Peñate Giraldo, Andrés. "Programa de desmovilización: Visión del Ministerio de Defensa." In Cepeda Ulloa Fernando, ed., *Instituciones Civiles y Militares en la Política de Seguridad Democrática* (Bogotá: Embajada de los Estados Unidos, 2004), 313.
- Pinto Maria E., Andrés Vergara, and Yilberto Lahuerta. "Diagnostico del programa de reinserción en Colombia: mecanismos para incentivar la desmovilización voluntaria individual" Archivos de Economía, Documento 211 (Bogotá: DNP, November 2002).
- Pizarro Leongomez, Eduardo. "Del Terrorismo al Gansterismo" in *El Tiempo*, February 27, 2006.
- Presidencia de la República. "Programa para la Reinserción 1990-1994: Balance de un Proceso" Informe de gestión del Presidente Cesar Gaviria Trujillo (Bogotá: Presidencia de la República, 1994).
- Revista Semana*. "Habla 'Jorge 40'" No. 1244, March 5-12, 2006.
- Rich, Harvey. Consultant Report, 2006.
- Tesfamichael, Gebreselassie, Nicole Ball, and Julie Nenon. *The final evaluation of disarmament, demobilization and reintegration program and the multi-donor trust fund supporting DDR* (Washington, D.C: Creative Associates International Inc., July 2004).
- UN Human Rights Commission. "Report on Human Rights in Colombia" (Bogotá: OHCHR, 2006).
- UNODC. *Violencia, Crimen y Tráfico Ilegal de Armas en Colombia* (Bogotá: UNODC, 2006).
- Uricoechea, Fernando. "Perspectiva Institucional de los Procesos de Reinserción" In *De las Armas a la Democracia*, Vol. II (Bogotá: Instituto Luis Carlos Galán para el Desarrollo de la Democracia, 2000).
- World Bank. "Conflict, Violence, and Sustainable Peace" Draft Policy Note (World Bank, 2006).
- World Bank, USAID & DNP. "Inserción económica de excombatientes ilegales: propuesta para el sector privado" (Bogotá: December 2005).

Annex 1. Demobilization in the 1990s

Process of Demobilization

Group	Total Demobilized	Expelled from Program	Dead	Violent Death %	Total Active Alive	With actual Information
M19	923		126	17	797	748
PRT	208		28	4	180	120
MAQL	159		20	2	139	137
MMP	650	70	120	25	460	287
CRS	443		79	14	364	286
FG	150		8	1	142	53
MIR-COAR	150		6	1	144	134
CER	25		8	3	17	12
EPL	2109	73	307	46	1729	732
Total	4817	143	702	113	3972	2509

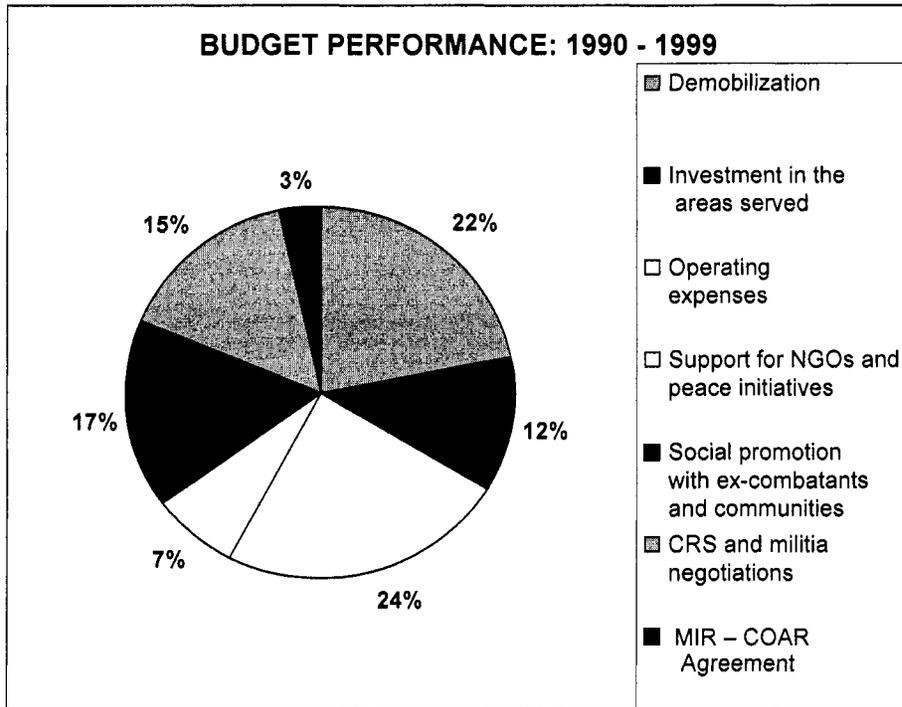
Activities of Demobilized with Information

Group	In AUC list	IDP	In jail	Abroad or exile	Business activity	Social & NGO	Politics
M19	4		4	28	237	210	15
PRT		73		4	13		1
MAQL	0		3		11	45	
MMP	35			7	15	250	
CRS	2	2	23	10	138	42	
FG	0			2	19	22	
MIR-COAR	2				15	110	
CER	0		1		9		1
EPL	15	60		12	304	85	2
Total	58	135	31	63	761	764	19

Characteristics of Demobilized Groups

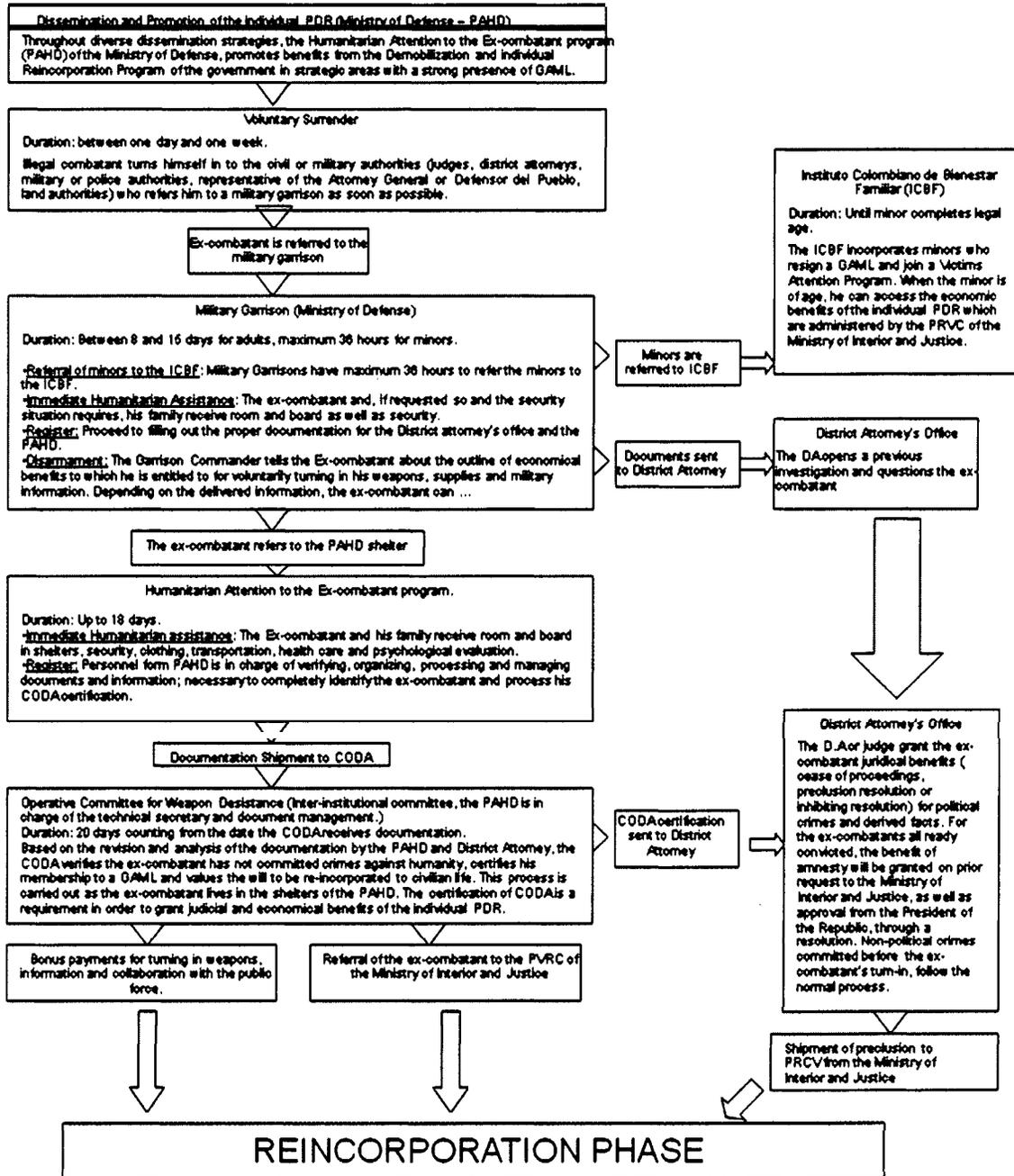
Group	Total	Taken out for illegal activities	Men %	Women %	Indigenous %	Rural %	Urban %	Minors %	Primary or Less %	Secondary School %	College %	Diability %
M19	923	0	68	30	8.4	47	53	2	8	77	15	3.8
PRT	208	0	87	13	1	84	14	0	56	29	15	N/I
MAQL	159	0	81	19	91	91	9	13	85	14.3	0.7	N/I
MMP	650	70	74	26	0	0	100	0	95.6	4.4	0	8.6
CRS	443	0	83	17	1.1	53.40	46.60	0	25	65	10	1.3
FG	150	0	76	24	0	68	32	0	N/I	N/I	N/I	0.6
MIR-												
COAR	150	0	73	27	0	6	94	0	64.40	36	0.6	3.3
CER	25	0	70	30	0	100	0	0	0	100	0	N/I
EPL	2109	73	75	25	1.10	73	27	4	45	44	11	4.4
Total	4817	143	76.6	23.4	4.3	58	42	4.2	47	46	6.5	3.6

Budgetary Execution PPR 1990 – 1999



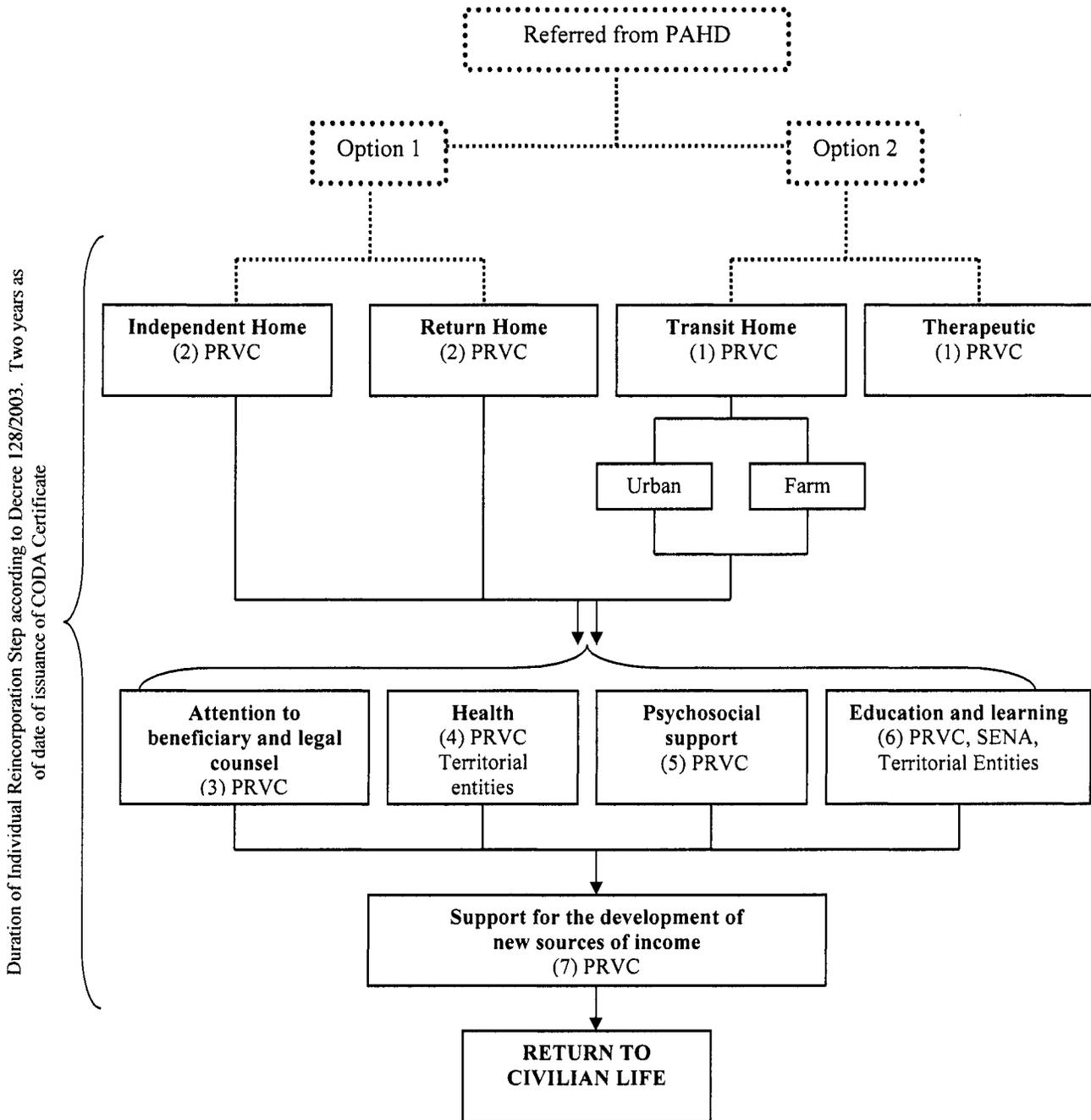
Annex 2. Individual and Collective Demobilization and Reincorporation

Individual Demobilization Steps

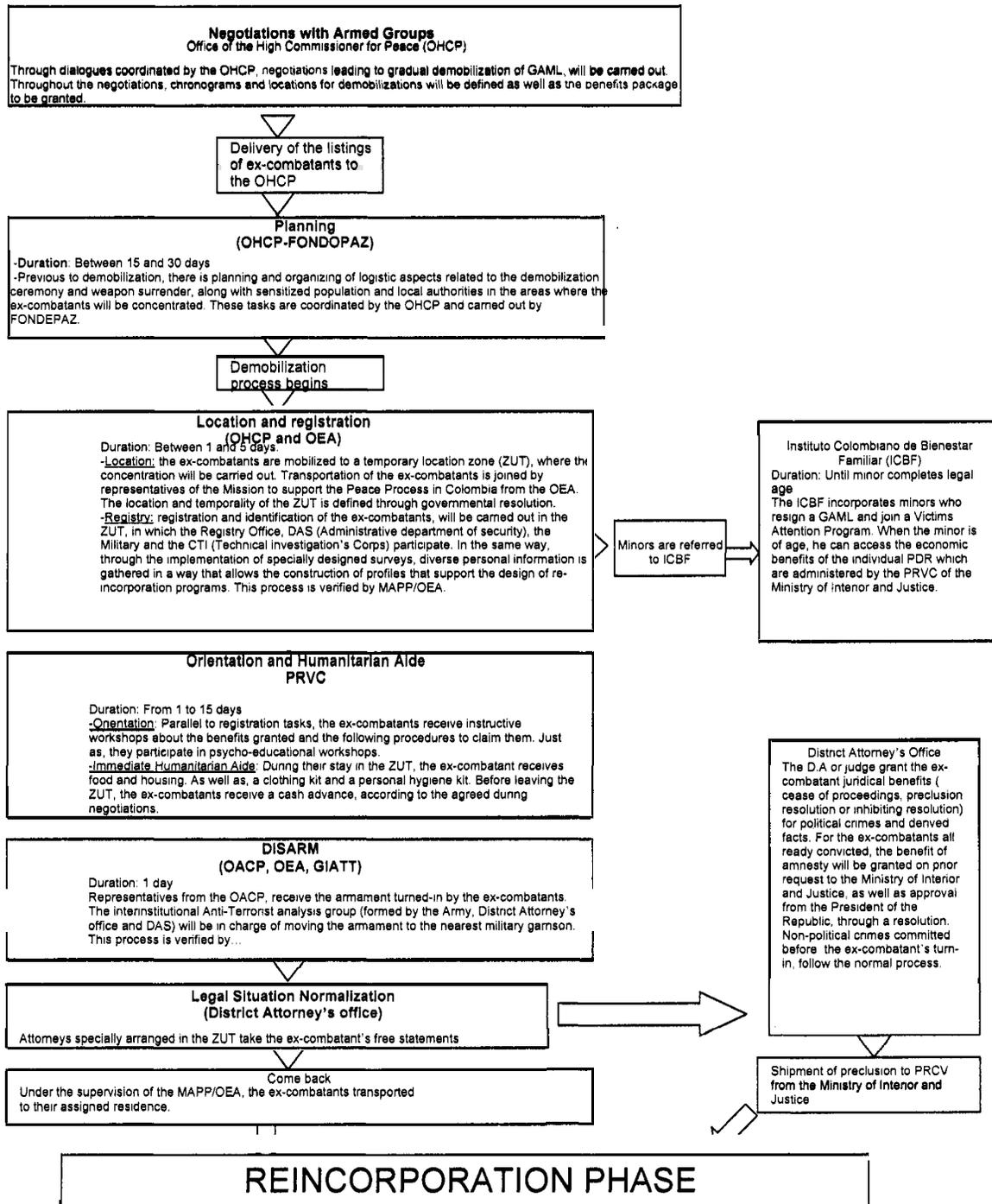


-Depending on the stage of the ex-combatant's penal process, the juridical benefit granted can be a concession of amnesty, cease of proceedings, preclusion resolution or inhibiting resolution. These benefits only apply to constitutive facts of political crimes. The ex-combatants who have committed atrocious crimes or crimes against humanity, loose all rights to the individual-PDR benefits and are processed before ordinary justice, or, in case they abide by the Law 976 of 2005 (peace and Justice Law) the resolution of their juridical situation will be carried out according to the procedures established by the above mentioned Law.

Individual Reincorporation Steps

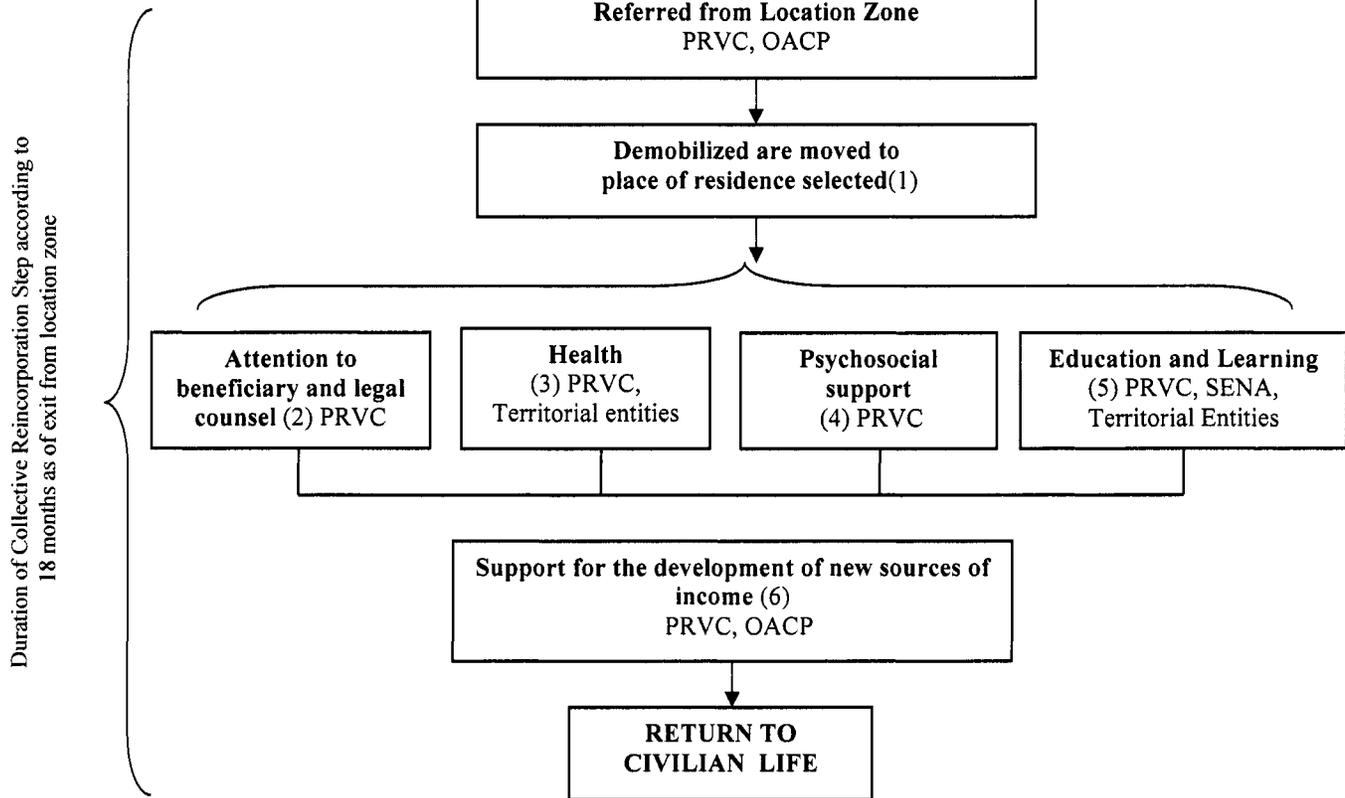


Collective Demobilization Steps



*Depending on the stage of the ex-combatant's penal process, the juridical benefit granted can be a concession of amnesty, cease of proceedings, preclusion resolution or inhibiting resolution. These benefits only apply to constitutive facts of political crimes. The ex-combatants who have committed atrocious crimes or crimes against humanity, loose all rights to the individual-PDR benefits and are processed before ordinary justice, or, in case they abide by the Law 975 of 2005 (peace and Justice Law) the resolution of their juridical situation will be carried out according to the procedures established by the above mentioned Law.

Collective Reincorporation Steps



Annex 3. International Best Practices: Key Lessons

In his speech at the 1995 Annual Meetings of the World Bank and the International Monetary Fund, Mr. James Wolfensohn, President of the World Bank, declared that a priority of the Bank is to anticipate and be organized for post-conflict economic development programs, when war is replaced by peace. A demobilization and reintegration program (DRP) for ex-combatants is the key to effective war-to-peace transition. The success of this initial first step following the signing of a peace accord signals the end to organized conflict and provides the security for those war-affected persons to reinvest in their lives and their country.

Reinsertion and reintegration are not distinct phases after demobilization but rather a seamless continuum of transition from military to civilian life without a clear beginning or end. During each of these phases, the needs of ex-combatants are different and require different support measures.

Essential elements of a successful demobilization and reintegration program are (i) classifying ex-combatants according to need and their desired mode of subsistence, (ii) a minimum transitional assistance package, (iii) simplicity in delivery, keeping transaction costs low while maximizing benefits to ex-combatants, (iv) sensitizing communities and building on existing social capital, (v) central coordination, balanced by decentralizing implementation authority to districts, and (vi) connecting to ongoing development efforts through the retargeting and restructuring of existing portfolios.

This **Best Practice Paper** identifies a number of key lessons that can determine the impact of a demobilization and reintegration program on ex-combatants. Consequently, these lessons warrant close consideration by Bank staff, client governments, donors, and NGOs during the design and implementation process of a DRP.

Political Dimensions

- In war-to-peace situations, demobilization and reintegration issues should be included in the peace negotiation process at the earliest stages.
- Strong political will and leadership, exemplified by commitment, realism, and pragmatism, are crucial factors for successful program implementation.
- National reconciliation should be actively promoted through transparent policies and community-level conflict resolution efforts that reduce suspicion and aim at rebuilding a relationship of trust.
- The land question needs to be treated carefully and openly so as to take into account both traditional and legal rights to the land, as well as to redress historically rooted inequalities.
- Targeting
- Ex-combatants constitute an especially vulnerable group in need of priority-targeted assistance.

- Socioeconomic data should be collected on ex-combatants to reveal their characteristics, needs, and aspirations to make the design of program interventions more appropriate.
- An analysis of the opportunity structure for ex-combatants (in particular the demand for labor and the availability of land, credit and skill development) is a prerequisite for targeted counseling and adequate placement as well as for program design.
- An authentic, non-transferable, and non-corruptible identification system is of paramount importance for avoiding targeting errors.
- The particular problems of female and child soldiers as well as of disabled ex-combatants warrant the development of specially targeted interventions.

Demobilization

- Ex-combatants should not be kept in military-type centers, for instance cantonment or quartering, for prolonged periods of time lest they can become a serious threat to security.
- Information about civilian life, rights and duties, opportunities and constraints, should be provided to ex-combatants before discharge.
- Post-discharge orientation in the communities of settlement provides valuable information for settling into the local environment.
- Especially in war-to-peace transitions, neutral international monitors and technical assistance can facilitate design and implementation of the demobilization phase.

Reinsertion

- The composition of the entitlements package should reflect the needs of ex-combatants and their families in different socioeconomic environments. Such a package provides the **transitional safety net** required to help an ex-combatant and his/her family bridge the difficult transition period between demobilization and reintegration.
- The benefits of monetizing the entitlements package as against in-kind provision are to reduce the transaction costs, control for leakage, and allow for flexible utilization by the beneficiary.
- The use of local bank accounts to transfer cash installments enables ex-combatants to access financial assistance throughout the reinsertion phase. If paid into local bank accounts in a staggered manner it also serves as a pulling force, spreading benefits and ex-combatants throughout the country. The capacity of the banking system, in particular in rural areas, should be evaluated beforehand.

Reintegration

- The classification of ex-combatants into several target groups and sub-groups should be based on mode of subsistence and, hence, their different needs, requirements and aspirations. This allows for the development of a differentiated, relevant, and cost-effective menu-style approach.

- In order to avoid resentment, ex-combatants should receive the minimal support necessary that helps them achieve the standard of living of the communities into which they reintegrate.
- Urban reintegration is more complex than rural reintegration and requires a more diversified approach. All support measures should be based on a careful matching of opportunities and actual needs. To the extent possible they should be demand-driven.

Social Dimensions

- It is the interplay of a community's physical and social capital and the ex-combatant's financial and human capital that ultimately determines the ease and success of reintegration.
- Efforts to strengthen social capital, for example by using existing community organizations and channels of communication, enable the communities to take development into their own hands and facilitate ex-combatant reintegration.
- Informal networks between ex-combatants, in the form of loose discussion groups, veterans associations, or economic ventures, are key elements for both economic and social reintegration. Such veterans associations can be extremely helpful in situations of low social capital.
- A community support program is a critical adjunct to the assistance to the ex-combatant and should provide visible benefits to the community. Community sensitization and political awareness are paramount in this effort.
- The stigmatization of ex-combatants as unfit for the military or as conveyors of disease, violence, and misbehavior should be avoided.

Institutional Issues

- Prioritization of program components by simplicity in implementation, implementing the simple components first, puts scarce resources to optimal use.
- Central coordination by one agency with overall responsibility, balanced by decentralizing implementation authority to the districts and communities through utilizing existing organizational structures, makes for a powerful institutional arrangement.
- The higher the transaction (administrative) costs, the smaller the resources available to ex-combatants.
- Coordination within government and to other project promoters is important in maximizing the effectiveness of program interventions vis-à-vis ongoing initiatives.
- Once the major program objectives have been fulfilled, any remaining activities should be integrated into the government's mainstream development efforts.
- Ex-combatant representatives, who are voluntarily elected by their constituency, as well as field-based staff, perform crucial roles for facilitating reintegration.

- Local communities should be directly involved in decision-making, especially on crucial local matters, in order to allocate scarce public resources in a transparent and socially accountable manner.

Management Issues

- Staff training to improve skills and knowledge should be initiated prior to demobilization and focus on problem solving.
- The major value of a monitoring and evaluation system lies in consistently improving ongoing operations by regularly reporting and advising management and keeping abreast with major trends in the program.
- The use of an external auditor can effectively improve funds management. The external auditor, in addition to ensuring control of program resources and transparency, also gives confidence to the donors as well as the beneficiaries.

External Assistance

- Timely availability of resources is a primary factor in enabling smooth operations. Donor budget cycles and disbursement and auditing procedures have to be closely meshed with DRP implementation schedules.
- Close coordination between government, NGOs, community-based groups and donors as well as capacity building need to be central elements of cooperation.
- Coordination of donor support by a lead donor has proven to be very effective.

Economic Impact

- The peace dividend needs to be understood in social and economic terms as well as in financial terms. The combined increased security and reduction in public fear gained through the reinvestment of savings from military downsizing into the development of a disciplined, high quality defense force is in effect a form of peace dividend.
- It is useful to link a countries overall macro-economic reform program, especially in terms of the public expenditure mix, to the planned reintegration program.
- Jump-starting the economy through rehabilitation of critical infrastructure can also be linked to the reintegration programming of ex-combatants through training and employment schemes, which both reconstruct material assets and build human capital.

Continental demilitarization is a precondition for the revival of civil society, poverty reduction, and sustainable development in Africa. The realization of this objective necessitates the reduction of the destructive flow of arms into the continent, disarmament, and the demobilization of armed forces on one end, the reintegration of ex-combatants into productive civilian roles and the revitalization of civil society on the other.

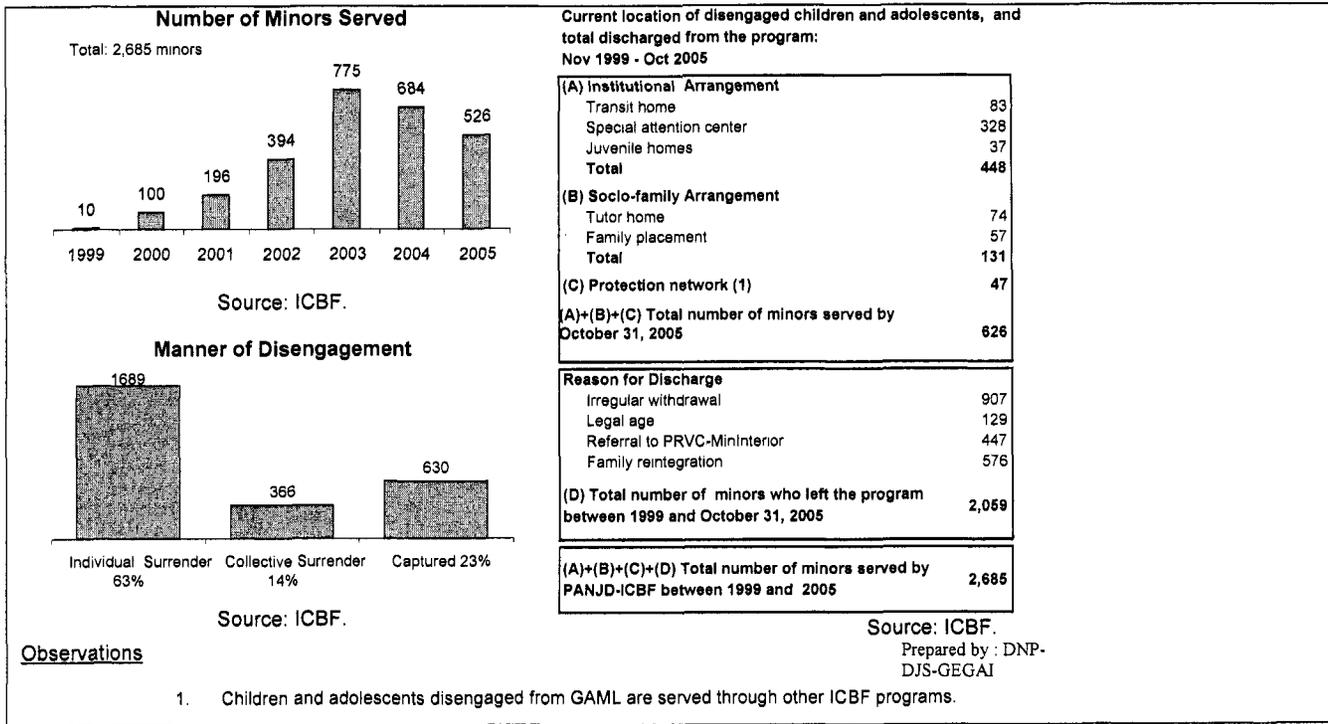
Revitalizing civil society entails the promotion of local association, community participation, and peer accountability. It reduces the level of individual fear and enables the collective sanctioning of violence and the promotion of local security. These are minimal conditions for people to reinvest in their communities, emotionally and financially.

Annex 4. Demobilization and Reinsertion Tables and Diagrams - DNP

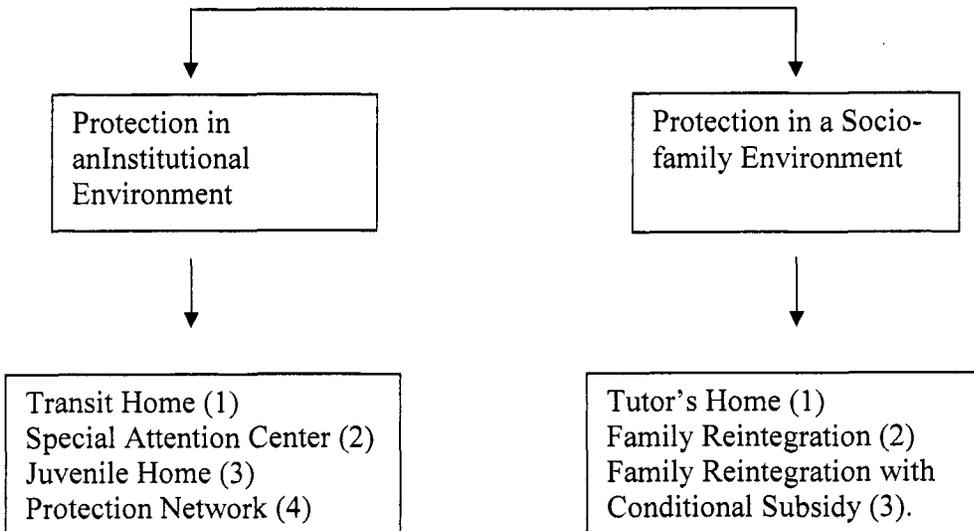
DNP – Budget Allocation for Demobilization and Reinsertion of Adults and Minors 2003-2006

	2003		2004		2005		2006		Total Budget 2002-2006
	Investment	Operation	Investment	Operation	Investment	Operation	Investment	Operation	
Office of the President Colombia									
Implementation of action to collective reincorporate illegal armed groups into civilian life	-	-	20,000,000,000	-	27,206,618,961	-	28,306,396,050	-	75,513,015,011
Interior and Justice Ministry									
Program for reinsertion into civilian life. Law 518/99, art 8 & 65	-	23,600,000,000	-	71,516,000,000	-	73,901,720,000	-	98,383,000,000	267,400,720,000
Defense Ministry									
Transfer to Demobilization Program	-	15,010,400,000	-	25,000,000,000	-	25,820,000,000	-	35,000,000,000	100,830,400,000
ICBF									
Program to Attend Disengaged Children & Youths	1,988,620,609	-	3,689,682,793	-	8,737,944,815	-	5,633,377,419	-	20,049,625,636
Total	1,988,620,609	38,610,400,000	23,689,682,793	96,516,000,000	35,944,563,776	99,721,720,000	33,939,773,469	133,383,000,000	
Total of the period	40,599,020,609		120,205,682,793		135,666,289,776		167,322,773,469		463,793,760,647

Main Results of the Program for Attention to Minors Disengaged from Illegal Armed Groups



Program for Attention of Minors Disengaged from Illegal Armed Groups



Annex 5. Government Authorities with Responsibility or Involvement in Demobilization and Reinsertion Processes with Illegal Armed Groups: 1982 – 2006

<p>BELISARIO BETANCUR CUARTAS (1982-1986)</p> <p><u>National Rehabilitation Plan - PNR</u> Law 35/1982 (November 19); Decrees 3286, 3287, 3288 and 3289 of 1982. (November 20), Presidential Directives 07 & 15 of 1982</p> <p><u>Executive Department for Public Integration, Office of the President of Colombia (SIP)</u> Decree 2496 of 1983 (September 5)</p>	<p>VIRGILIO BARCO VARGAS (1986-1990)</p> <p><u>Office for Reconciliation, Normalization and Rehabilitation</u> Document: "A Policy of Change for Reconciliation, Normalization and Rehabilitation" (September 18, 1986); Decree 2577/1986 (August 7)</p> <p><u>Executive Department for Public Integration, Office of the President of Colombia (SEP)</u></p> <p><u>Rehabilitation Councils</u> Decree 3770/1986 (October 17)</p> <p><u>National Rehabilitation Plan - PNR</u> DNP Document - 2.311 -SISEP -- SIP Office - 1987 (April)</p> <p><u>National Government-M-19 Bilateral Demobilization Commission</u> Joint Declaration (July 17, 1989)</p> <p><u>National Normalization Council- DAPRE-</u> Decree 314/ 1990 (February 1)</p>	<p>CÉSAR GAVIRIA TRUJILLO (1990-1994)</p> <p><u>Office for Reconciliation, Normalization and Rehabilitation</u> Decree 1860/1991 (July 26)</p> <p><u>Consultative Commission on Law and Order</u> Decree 2015 /1991 (August 27)</p> <p><u>Reinsertion Advisory Commission</u> Decrees 2198 and 2199 /1991 (September 23)</p> <p><u>Headquarters of the Presidential Program for DAPRE Reinsertion</u> Decree 2884 / 1991 (December 26)</p> <p><u>Peace Office</u> Decree 0053 / 1992 (January 13)</p> <p><u>Social Policy Office</u> Decree 0053/ 1992 (January 13)</p> <p><u>Reinsertion Consultative Committee- PNR-</u> Decree 2707 / 1993 (December 30)</p> <p><u>Disarmament Operating Committees- CODA</u> Decree 1385/1994 (June 30)</p>	<p>ERNESTO SAMPER PIZANO (1994-1998)</p> <p><u>Peace Office (Office of the High Commissioner for Peace)</u> Decree 1957/ 1994 (August 9) Decree 2107/ 1994 (September 6)</p> <p><u>Special Executive Department for the Reinsertion Program - Social Solidarity Network-</u> Agreement 0037 1997 (December 19) Decree 3084/1997 (December 23)</p> <p><u>Government Negotiating Commission for the Process with MIR-COAR</u> Decree 1247/ 1997 (May 9) Decree 2087/ 1998 (October 14)</p> <p><u>National Peace Council</u> (=National Peace Committee) Law No. 434 / 1998 (February 4) (Still in force)</p>	<p>ANDRÉS PASTRANA ARANGO (1998-2002)</p> <p><u>Department for Reinsertion (Ministry of the Interior)</u> Decree 2546/ 1999 (December 23)</p> <p><u>Peace Office (Office of the High Commissioner for Peace)</u> Decree 127/ 2001 (January 19) (still in force)</p> <p><u>Program to Assist Victims of Violence - ICBE-</u> <u>Resolution 0666/ 2001 (April 19)</u> (Still in force)</p> <p><u>Group for Humanitarian Attention to the Demobilized (National Ministry of Defense)</u> <u>Resolution 0722/ 2001</u> (Still in force)</p>	<p>ALVARO URIBRE VÉLEZ (2002-2006)</p> <p><u>Peace Office (Office of the High Commissioner for Peace)</u> Decree 1809/ 2002 (August 7)</p> <p><u>Exploratory Commission for Contacts with Self-defense Groups</u> <u>Resolution 185/ 2002 (December 23, 2002)</u></p> <p><u>Disarmament Operating Committees, CODA</u> Decree 1385/ 1994 (June 30) Decree 128/ 2003 (January 22)</p> <p><u>Administrative Committee for Reinsertion -Reinsertion Office</u> <u>Resolution 1066/ 2002 (September 18)</u></p> <p><u>Program to Reincorporate Insurgents and Rebel Groups into Civilian Life (Ministry of the Interior and Justice)</u> Decree 200/ 2003 (February 3) Decree 3041/ 2006 (September 7)</p> <p><u>Cross-sector Commission for the Reincorporation of Insurgents and Rebel Groups into Civilian Life</u> Decree 1262/ 2004 (April 30)</p> <p><u>Office of the High Commissioner for Social and Economic Reintegration of Insurgents and Rebel Groups (DAPRE)</u> Decree 3046/ 2006 (September 7)</p>
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Annex 6. Legal Benefits of the DDR: 1991-1995

Legal Implementation of DDR Benefits: 1991-1995			
Legal Benefits	1991 Political Constitution	20/07/1991	Defines executive and legislative powers for granting pardons and amnesty (Articles 150 and 201, and Provisional Article 30).
	Decree 1943/ 1991 (Office of the President of Colombia)	12/08/1991	Measures on pardon and amnesty (excluding heinous crimes, homicide committed outside combat or against a defenseless victim).
	Law 7/ 1992	03/07/1992	Provisions on criminal procedure. Full application of the principles of "favorability" and res judicata.
	Decree 1527 (Ministry of the Interior)	16/09/1992	Extends the deadlines applicable to presentation of the request for pardon or amnesty contained in Decree 1943/ 1991.
	Law 40/ 1993	19/01/1993	Stipulates that, in no case, shall the perpetrator or accomplices to a kidnapping of any type be eligible for amnesty and pardon, or the consequences of a suspension of proceedings or writ of prohibition, nor shall kidnapping be considered a politically-related crime, given its heinous nature.
	Decree 264/ 1993 (Ministry of Justice)	05/02/1993	Grants benefits for cooperation with law enforcement and justice officials.
	Decree 445/ 1993 (Office of the President of Colombia)	08/03/1993	Grants benefits to those who leave subversive organizations voluntarily (individually).
	Decree 542/ 1993 (Office of the President of Colombia)	23/03/1993	Contains provisions to facilitate talks with guerrilla groups and their demobilization and reinsertion into civilian life, specifying the functions of the persons authorized by the President to undertake negotiations.
	Decree 1495/ 1993 (Office of the President of Colombia)	03/08/1993	Grants benefits to those who leave subversive organizations voluntarily (individually).
	Decree 2198/ 1993 (Ministry of the Interior)	02/11/1993	Contains provisions to facilitate talks with guerrilla groups and their demobilization and reinsertion into civilian life, specifying the functions of the persons authorized by the President to undertake negotiations.
	Law 104/ 1993	30/12/1993	The Colombian Congress established ways and means for coexistence and effective administration of justice. The grounds for termination of criminal action and punishment in the case of political crimes (rebellion, sedition, protest and conspiracy) or related offenses are outlined under Heading III. However, among other offenses, the measure does not apply to heinous crimes, genocide or homicide committed outside combat. The interested party must demonstrate a willingness to return to civilian life. The regulations for this law are contained in Decree 1385/ 1994.
	Decree 649/ 1994 (Ministry of Justice and Law)	24/03/1994	Contains measures to facilitate the search for peace and provisions on birth registration for members of armed groups who have demobilized and are involved in a peace process led by the national government.
	Decree 649/ 1994 (Ministry of Justice and Law)	24/03/1994	Contains provisions on birth registration for members of armed groups who have demobilized and are involved in a peace process led by the national government.
	Decree 715/ 1994 (Office of the President of Colombia)	06/04/1994	Establishes rules to facilitate the reincorporation of demobilized guerrilla groups who are involved in a peace process led by the national government (cancels arrest warrants for CRS).
	Decree 716/ 1994 (Ministry of the Interior)	06/04/1994	Excludes regulations that might be issued pursuant to Paragraph 2, Article 355 in the Colombian Constitution, as well as the requirements set forth in Law 80/ 1993, with respect to the agreements, contracts and payments that might be made to natural persons or legal entities, as called for in signed agreements, or those that might be signed with demobilized guerrilla groups.
Decree 1059/ 1994 (Ministry of Justice and Law)	26/05/1994	Cancels arrest warrants for members of the People's Militias in Medellín.	
Decree 1385/ 1994 (Office of the President of Colombia)	30/06/1994	Grants benefits to those who leave subversive organizations voluntarily.	

	Decree 1387/ 1994 (Office of the President of Colombia)	30/06/1994	Cancels arrest warrants for members of the Francisco Garnica Front.
	Law 241/ 1995	26/12/1995	Extends and amends Law 104 / 1993.
Educational Benefits	Resolution 2303/ 1991 (Department of Civil Service-ESAP).	26/07/1991	Exempts PRT, EPL and MAQL members from payment of tuition, once they have been certified by the SIP National Reinsertion Office. Would apply to technological training programs, university studies and advanced training offered by ESAP.
	Ministry Directive No. 56/ 1995	21/12/1995	Implements the "Education for Peaceful Coexistence" Program and the academic sub-program for primary and high school equivalency.
Political Benefits	1991 Political Constitution	20/07/1991	Provisional Article 12: Stipulated special peace districts for elections to public office on October 27, 1991, or the direct, one-time appointment of a plural number of congressmen to each chamber in representation of the groups involved in the peace process.
	Decree 1384/ 1994	30/06/	There were two appointments to the House of Representatives for the 1994-1998 period. This was done to facilitate the reinsertion of demobilized guerrilla groups (CRS).
	Decree 1388/ 1994 (Office of the President of Colombia)	01/07/1994	Established a Special Peace District for municipal council elections on October 30, 1994 (applicable to all demobilized groups).
	Resolution 253/ 1994	23/08/1994	The National Electoral Council authorized creation of the Corriente de Renovación Socialista (Socialist Reform Group) as a legally-established political movement.
Economic and Social Benefits	1991 Political Constitution	20/07/1991	Provisional Article 13: Authorizes the government to issue the provisions necessary to facilitate the reinsertion of guerrilla groups, to improve economic and social conditions in the areas where they were located, and to provide the territorial body and the municipal body and jurisdiction with public services and the constitution and operation of municipal collegiate bodies in those areas.
	Decree 777/ 1992 (Finance Ministry)	16/05/1992	Waives a series of legal requirements for transfers from the State to the reinsertion programs provided for in Provisional Article 13 of the 1991 Political Constitution.
	Decree 798/ 1992 (Ministry of Health)	21/05/1992	Waives payment of the analysis fee for licensing by the Ministry of Health.
	Decree 962/ 1992 (Ministry of the Interior)	10/06/1992	Regulates and lends continuity to the making of payments derived from the signing of peace agreements, incumbent upon the Ministry of the Interior.
	Decree 1933/ 1992 (Ministry of the Interior)	27/11/1992	Issues regulations that allow <i>reinsertados</i> involved in the peace process access to civil service.
	Decree 1934/ 1992 (Ministry of the Interior)	27/11/1992	Organizes the land awards program to facilitate the reinsertion of demobilized guerrilla groups.
	Decree 1315/ 1993 (Office of the President of Colombia)	08/07/1993	This decree authorizes the government to enter into mercantile trust or trust agreements to help execute reinsertion projects for demobilized guerrilla groups.
	Decree 1727/ 1993 (Ministry of Finance and Public Credit)	01/09/1993	Stipulates special and provisional tax and customs treatment. Is applicable to cooperatives formed by demobilized guerrilla groups.
	Agreement No. 31/ 1994 (Inurbe)	04/08/1994	Declares demobilized households eligible for family housing subsidies.
	Decree 706/1995	20/04/1995	Regulates the family housing subsidy for demobilized households.
	Resolution No 19 / 1995 (National Agricultural Loan Commission)	20/09/1995	Special program for loans provided to the demobilized through FINAGRO.

Annex 7. Comparison of Agreements among Main Demobilized Groups 1989-1994⁷⁶

Group	Political Favorability	Justice, Human Rights, Law and Order	Guarantees for Reinsertion	Regional and Social Development	Oversight	Economic Policies
M 19	<ul style="list-style-type: none"> • Political Constitution Amended • Special Peace District • Electoral Reform 	<ul style="list-style-type: none"> • Justice Reform Commission • Publication of information on the self-defense forces (<i>autodefensas</i>), incumbent upon the Armed Forces • Academic commission to study the drug traffic • Democracy Defense Statute revised • Commission to study ratification of the Geneva protocols 	<ul style="list-style-type: none"> • Pardon Law and regulatory degree • Reinsertion Program (without specifying the details) • Security Plan (confidential) 	<ul style="list-style-type: none"> • Establishment of the Peace Fund for investment in areas where the demobilized are located 	None	<ul style="list-style-type: none"> • Participatory planning, income, wages, labor aspects, housing, health, food security, peasant production and marketing
PRT	<ul style="list-style-type: none"> • 1 spokesperson at the Constituent Assembly • Promotion of the peace process and political project • Political party legalized 	<ul style="list-style-type: none"> • Human Rights Office on the coast • Government Commission on Human Rights • Human rights analysis and survey meetings in 10 municipalities • Support for victims of the violence • Participation in the Commission to Analyze the Violence in Cauca • Information on compliance with the agreements with the M19 	<ul style="list-style-type: none"> • Pardon • Security Plan • Reconciliation Plan: 3 years, 4 stages; <ol style="list-style-type: none"> 1. Initiation 2. Transition (subsidy, health, education and training for income-earning projects 3. Consolidation of economic or educational activities 4. Evaluation 	<ul style="list-style-type: none"> • 300 million for the area served • Municipalities and indigenous communities included in the NRP • Regional plans, developed in consultation with the communities 	National Constituent Assembly	None

⁷⁶ Taken from: Cleves Patricia, Consultant Report for this study, 2006.

Group	Political Favorability	Justice, Human Rights and Law and Order	Guarantees for Reinsertion	Regional and Social Development	Oversight	Economic Policies
EPL	<ul style="list-style-type: none"> • 2 delegates at the Constituent Assembly • Promotion of the peace process and political project • Political party legalized 	<ul style="list-style-type: none"> • Commission to Overcome Violence • Support to victims of the violence • Government's willingness to enforce International Humanitarian Law 	<ul style="list-style-type: none"> • Pardon • Security Plan: 3 stages <ol style="list-style-type: none"> 1. Transition (economic assistance, health, education, training, psycho-social counseling, citizen participation, job placement) 2. Reunion: Income-earning projects, education or job placement 3. Follow-up and evaluation 	<ul style="list-style-type: none"> • 2000 million for the area served • Additional resources through public agencies • Community participation in the NRP and the Municipal Peace Councils 	<ul style="list-style-type: none"> • National: 3 persons • International: Spanish Socialist Workers' Party and Socialist International 	None
MAQL	<ul style="list-style-type: none"> • 1 spokesperson at the Constituent Assembly 	<ul style="list-style-type: none"> • Involvement in the Commission to Overcome Violence and its study on the conclusions of the Pueblo Nuevo Meeting and the document by the Study Sub-commission on Human Rights and Indigenous Rights 	<ul style="list-style-type: none"> • Pardon • Security Plan • Reinsertion Plan: 3 stages <ol style="list-style-type: none"> 1. Guarantees: economic assistance, health, clothing, dental care, safe-conduct, I.D. papers 2. Transition: non-formal education or technical training 3. Reunion. Income-earning project, with the possibility of land or temporary placement 4. Follow-up and evaluation 	<ul style="list-style-type: none"> • 600 million in the area served • Additional resources through public agencies • Pueblo Nuevo Camp will be donated to the Tribal Council 	<ul style="list-style-type: none"> • Confederation of Evangelical Churches • World Council of Indigenous Peoples 	None

