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How to Repair the Loss of a Future?

An Intersectional Analysis of the Politics of Reparation in
Colombia after Paramilitary Demobilization

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Abstract

This study investigates the Colombian transitional justice process from an intersectional perspective in order to uncover potentials and problems of the reparation process to meet the needs of female victims. A theoretical framework on reparation that highlights the importance of the dimensions of recognition and redistribution, as well as the collective and individual dimensions, is used in order to study how reparations can contribute to social justice. The analysis is based on interviews carried out in Colombia with civil servants, civil society organizations and victims. Female victims are suffering violations of their human rights both as a consequence of the armed conflict in Colombia and because of structural injustices. The intersectional perspective shows how categories influence victims' needs, both independently and in a mutually reinforcing manner. The structural roots of many of female victims' needs suggest that the transitional justice scheme need to be widened, from privileging political and civil rights to incorporating economic, social and cultural rights. The Colombian reparation scheme has the potential of contributing to social justice, but the fact that the armed conflict has not yet ceased and other political constraints specific to the Colombian case pose challenges to the achievement of sustainable peace.

Key words: transitional justice, reparation, Colombia, victims, women

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List of Abbreviations

CEOIN	Centro a Cooperación al Indígena (Centre of Indigenous Cooperation)
CNRR	Comisión Nacional de Reparación y Reconciliación (National Commission of Reparation and Reconciliation)
IACHR	Inter-American Commission on Human Rights
IMP	Iniciativa de Mujeres Por la Paz (Women's Initiative for Peace)
JPL	Justice and Peace Law (Ley de Justicia y Paz)
MAPP/OEA	Misión de Apoyo al Proceso de Paz en Colombia/Organización de los Estados Americanos (Mission to Support the Peace Process in Colombia/Organization of American States)
MIJ	Ministerio del Interior y de Justicia (Ministry of Internal Affairs and Justice)
NGO	Non Governmental Organization
OFP	Organización Femenina Popular (Feminine Popular Organization)
ONIC	Organización Nacional Indígena de Colombia (Colombian National Indigenous Organization)
PGN	Procuraduría General de la Nación (The Procuraduría – Internal Affairs Agency)
UNHCR	United Nations High Commissioner for Refugees

1 Introduction

The complex question of how to repair victims of gross human rights violations is currently being addressed in Colombia. Through a process of transitional justice victims' needs are to be attended through reparation¹ mechanisms that are to address symbolic and material aspects of victims' lives in order to remedy damages and bring justice. Women constitute the majority of the victims of the armed conflict in Colombia and to appropriately meet their needs and include them in the transitional justice process is a central issue given the transitional objective of establishing sustainable peace (see Rooney 2007).

1.1 The Victims of Colombia

Three million people have had to leave their homes in search for a place where they can feel safe, massacres of civilians are continuously taking place, approximately 3000 persons are in this moment kidnapped, no one knows how many have disappeared against their will, and the same uncertainty applies to the number of murders and rapes committed (UD 2008). This is Colombian reality. After more than forty years of internal armed conflict, where guerrilla groups, paramilitaries and the military have been main actors, Colombia is now beginning to address the issue of reparations to the victims of the conflict. Government, civil society and international organizations are debating victims' rights and the design of processes and programmes that are to deliver truth, justice and reparations (Avilés 2006; IACHR 2007).

Human rights organizations, and especially women's organizations, have criticized the Law of Justice and Peace and processes related to the reconciliation and reparation process. Women's organisations argue that the processes do not reflect the reality of women's situation in today's Colombia and the crimes that have been committed against them (IMP 2007; Sisma 2008:55ff). This is especially serious considering that the majority of the surviving victims of the conflict are women (IMP 2007). It is also a fact that most paramilitary victims are to be found in more rural areas of the country where poverty is often widespread

¹ John Torpey argues that reparation, in singular, makes reference to the variety of actions and activities that seek to restore the *status quo ante*, and that reparations, in plural, is used as a synonym for compensation – monetary reparation (2005:38f). I am though of a different opinion after having studied the transitional justice literature. My impression is that the singular and plural versions of the word are used interchangeably referring to reparations as a general concept (e.g. see Rubo Marin 2006). This is how it will be used in this study. When a certain kind of reparation is referred to this will be clearly stated.

(IMP 2007:17, 26). Having this in mind it is important to identify and analyse the victims' socio-economic situation when crafting the processes of reparation and reconciliation². Such an analysis is necessary in order to promote local involvement and empowerment (Verdeja 2006). Another important characteristic of the social structure in Colombia is the various ethnicities that constitute the Colombian population³. Ethnicity is an important variable in the Colombian context that will influence the needs and demands of people in their situation as victims of the conflict (Villamizar H. 2007). Because of structural injustices that women are suffering, as a result of the gender system, *social justice* becomes particularly important to women, but also to socially and economically marginalized groups like the rural population and ethnic groups (see Nagy 2008). Social justice is in this study seen as constituted by socioeconomic redistribution *and* cultural recognition (see Fraser 2003).

1.2 Statement of Purpose

Reparations have quickly become a very controversial matter in Colombian politics through an increased political role of the victims and the recognition of them as subjects of rights. Victims' rights have become a highly politicized issue which has led to conceptual confusion in Colombian politics. A transitional justice process is said to be taking place in the aftermath of paramilitary demobilization. But the extent of this process and whether one can really talk of a transitional justice in the Colombian case is contested (Uprimny et al. 2005). My analysis of the reparation process in Colombia will therefore be carried out on both a conceptual level and on a practical implementation level. In order to get a deeper understanding of the practical level I argue that it is important to analyse the conditions for the reparation process. The type of definition and understanding of transitional justice will determine the importance given to justice within the process, which will influence the way of addressing reparations.

The reparation process in Colombia is young and implementation is only about to begin. At the practical level of my analysis I will therefore focus on the expectations of the reparations to come and of how the victims position themselves within the transitional justice process.

An analysis of both the conceptual and practical level will open up for analysis of the politics of reparations in today's Colombia, and by comparing the political conditions of a reparations process with the victims' needs and expectations of the same process, my objective is to point out weaknesses and benefits of the

² 50% of the Colombian population live below the poverty line, and about 20% of the population live in conditions of extreme poverty. The poverty is especially severe in the rural areas of the country (UD 2008:2).

³ In Colombia there are 87 indigenous peoples that constitute about 3% of the Colombian population. 92% of the indigenous people live in the rural areas. About 10% of the population are Afro-Colombians. 70% of the indigenous people and Afro-Colombians live below the poverty line (UD 2008:18; PGN 2007:67).

reparation process in Colombia in terms of its potential to contribute to a just society in terms of social justice. Reparation in post-conflict contexts is a complex matter, philosophically as well as practically. The question of how to repair damages the victims of the violent conflict in Colombia have suffered clearly demonstrates this. By analyzing the Colombian case from an intersectional perspective, including the categories of gender, place of residence and ethnicity, I expect to shed light on this complexity and show how a process of reparations is closely connected to democratic quality and of how it could contribute to a more equal and inclusive society.

My research question is:

- What potentials and problems can be identified in the Colombian reparation process in order to meet women's needs and contribute to social justice?

On the conceptual level I will focus my analysis on the legal framework of the transitional justice process; the Law of Justice and Peace and decree 1290 on administrative reparation. The transitional justice process is vast and complex, and despite the fact that all aspects of transitional justice are closely intertwined and interdependent I will focus my analysis by delimiting the investigation to only reparations to greatest extent.

The same limitation will be used when analyzing the implementation level, or rather the victims' expectations on reparations. Given that my objective is to highlight women's particular situation as victims and their needs and demands in relation to reparations, my analysis is made from a gender perspective. While I believe that a gender perspective is of greatest importance, I also believe it is necessary to recognize the difference not only between men and women, but also within the group that women culturally constitute. Therefore an intersectional analysis will be applied. In the Colombian case the variables of ethnicity and place of residence have significant social, economic and cultural implications and will be considered in the analysis together with the gender variable (see chapter 2.1.1).

1.3 A Critical Stance

As a researcher I am inspired by critical theory in the sense that I believe in the emancipatory potential of knowledge. Characterizing for critical theory is a critical questioning of social reality and asymmetric power relations in order to show how social change can be realized (Alvesson & Sköldbberg 1994:chapter 5). Critical theory rejects the idea of theoretical universality and allows for perceptiveness of specific contextual circumstances, which enables analysis that is not abstracted from social and political contexts. The critical stance does not unconditionally disqualify the use of theoretical abstractions and generalizations, but it implies recognition of the particular socio-historical context and political structures conditioning people's lives (Young 2000:14).

Iris Marion Young describes the method of critical theory as a way of analyzing existing social relations and processes in order to identify their potential, while recognizing shortcomings and limitations (2000:10). In accordance with Young I position myself as a critical researcher – revealing deficiencies in political and social projects “and at the same time envision[ing] transformative possibilities” (ibid.).

1.4 Transitional Justice – a Quickly Developing Field

Reparation is one of the “pillars”⁴ that make up a transitional justice process and the success of a reparation program is highly interconnected to the success of other parts of the process. Transitional justice is a concept that deals with a constellation of interrelated problems and dilemmas of moral, political and legal nature that arises when a society emerges from violent conflict and human rights abusers are to be held accountable (Bell et al. 2004:305). Transitional justice has become a widely accepted term, but the definition of it, what should and should not be included in the concept, is still unclear (Boraine 2006:17f). The field of transitional justice is situated in the intersection between democratization, human rights protections, and state-reconstruction after conflict. Transitional justice has become a common response following political regime change and the justice-seeking that arises in the wake of conflict (McEvoy 2007:412).

Tristan Anne Borer dates the birth of the transitional justice literature to the fall of the Latin American dictatorships in the 1970s and demands on truth about atrocities committed during authoritarian regimes (2006:17). Therefore, the importance of truth-telling became an early focus of transitional justice studies, while questions of justice and accountability were raised in the wake of a far reaching tradition of amnesties enjoyed by repressors (Barahona de Brito et al. 2001:5).

The field of transitional justice has been criticized for having an overly legal approach to societal change, to a great extent ignoring social and economic aspects (Bell et al. 2007; Borer 2006; McEvoy 2007; Nagy 2008). Critics argue that theories are largely disconnected from the real lives of those affected by the legal system, consequently excluding power structures from the analysis. Rosemary Nagy states that transitional justice analysis runs the risk of producing truths blind to gender and social injustice (2008:275f), and therefore I argue that an intersectional analysis of the reparations process (in Colombia) is fruitful in order to visibilize power structures and social circumstances that will impact outcomes of the process. Among the theories of transitional justice I have found only one article (there could be more) applying intersectionality on a case of transitional justice. This is done by Eilish Rooney (2007) that analyses a case of

⁴ Alexander L. Boraine (2006) talks of five key pillars that amplify a holistic approach to transitional justice: accountability, truth recovery, reconciliation, institutional reform, and reparations.

women's equality in Northern Ireland, and she concludes that intersectionality will increase the understanding of structured subject positions in transition, even though it means posing questions that are not easily answered.

Reparation is just one of many concepts of transitional justice⁵. Tristan Anne Borer argues that the question of how, or whether, the various concepts fit together has not yet been answered by transitional justice scholars (2006:26). This uncertainty also results in an uncertainty of how feasible these goals are and whether the fulfilment of a certain goal contradicts another. Clarifying how reparation is connected with other transitional justice concepts will not be a main objective of this study, but I believe that it will contribute to discussions of such relationships as the study is an empirical contribution to the field (compare Thoms et al. 2008).

Pablo de Greiff's *The Handbook on Reparations* (2006) is an essential volume on reparations, and he points out that the reparative element of justice has received insufficient systematic attention and much less than prosecutorial justice. This has led to a greater focus on perpetrators than on victims in post-conflict or transitional countries. de Greiff argues that all existing reparations programs can be criticized for not being sufficiently comprehensive, and states, "it can be argued that frequently decisions concerning the catalogue of rights whose violation trigger reparations benefits have been made in a way that excludes from the programs those who have been traditionally marginalized, including women and some minority groups" (2006:7). From where we stand today, academically and pragmatically, my work will be a contribution showing the significance of reparations in general, and particularly in Colombia, and how gender from an intersectional perspective becomes a crucial variable to include in the design of reparations programmes.

⁵ See appendix 5 for an overview of transitional justice concepts.

2 Method

I agree with the anti-positivist argument that knowledge is not a politically neutral product (May 1997:79). My study is most likely affected by my values in the choice of theme, problem and focus. Feminism (as a social movement *and* within social science) is both an explicit and implicit political project aiming to enhance women's power and status through problematizing the relationship between gender and power (Randall 2002:109f). This study is designed drawing on this line of thought.

2.1 The Case of Colombia

My study is of such nature that a qualitative case study is best suited as it enables the researcher to in depth look at the complexity of a given situation capturing subtle aspects. It has the advantage of opening up for a more holistic approach to the object of study instead of, as in a survey, being limited to certain factors and aspects of it (Denscombe 2000:41ff).

The Colombian transitional justice process is a thoroughly debated project in Colombia and the victims' situation is a matter of controversy. A study on reparations in Colombia has the potential of shedding light on possibilities and pitfalls of reparation as a transitional justice mechanism from a victim's perspective. As well as the study has the prospective of giving insight in transitional justice problems in general, it will also be an empirical contribution aligned with what Thoms et al. are calling for in the field of transitional justice: "Some scholars have already begun this important task, finding that transitional justice has different impacts across different contexts. These are crucial first steps, but more is required. [...] [W]e still will not have ironclad guidelines for individual countries. Detailed country knowledge will always be necessary" (2008:30).

2.1.1 Places and Analytical Categories

An intersectional approach is the recognition of several factors as the source of experiences of oppression, instead of exclusively presupposing gender as the category of analysis (de los Reyes & Mulinari 2005). Ethnicity, class and gender are the categories that are usually applied in intersectional analysis (Cockburn 2007:7; de los Reyes & Mulinari 2005:29f), but other factors like sexuality,

ability, and place of residence also affect political subjects' position in power structures (see Yuval-Davis 1997:24).

In the Colombian society the categories of ethnicity, class and gender are highly determining for peoples possibilities and access to power (IMP 2007; PGN 2007). In this study the categories of gender and ethnicity will be applied, while class will be exchanged for place of residence in order to get a deeper understanding of the difference between the rural and the urban context. The category of place of residence is, however, highly related to the one of class. The majority of the rural citizens in Colombia are poor and their access to education and other infrastructure is limited (IMP 2007). I argue that place of residence is a "richer" category of analysis in the case of the victims of the conflict since it will have important influence on their access to the process in many aspects. The greater number of victims is from rural areas (still living there or having fled to the city) (ibid.), and therefore it is important to look closer at the consequences of this fact in relation to the reparation process. The ethnic category must not be ignored in the Colombian context given that 10% of the overall population are Afro-Colombians and 3% are indigenous. Among the victims of the conflict these two populations are overrepresented due to their marginalization in the Colombian society. Based on their ethnic identity they have specific needs and demands in terms of reparations (PGN 2007).

The choice of analytical categories has been determining for what regions of the country that have been visited and what organizations that have been interviewed. I spent one month in Colombia in June 2008 based in the capital Bogotá, where I interviewed various national and international organizations engaged in victims' rights; organizations based on gender, on ethnicity and human rights organizations. Representatives from state organisations were also interviewed in Bogotá. Together with a women's organization working with victims' rights, *Iniciativa de Mujeres por la Paz* (IMP), I travelled to various parts of the country (see appendix 6 for map and number of inhabitants); Barrancabermeja, a city where I met with organizations, victims and attended an informative event on reparations; Soacha, a suburb of Bogotá with a large population of displaced victims, where I interviewed victims and attended an event on reparations; Sibundoy, a village in the scarcely populated southern part of the country, where I attended an event on reparations and a meeting with the mayor and talked to victims and organizations; and Pasto, a city in the south of Colombia where I met with several organizations.

2.2 The Range of Material

Three different methods have been used in the collection of data for this study; interviews, observations, and written sources. An advantage of the case study is that it allows for the use of several methods, which increases the validity of the data and is useful for "controlling" results (Denscombe 2000:102ff). When researching a topic that is highly politicized, as is the case of this study, it

becomes increasingly important to use various methods in order to check for tendencies in the material that are the result of positions in power structures and personal interests (see Alvesson & Deetz 2000:216ff). The validity of data collected is also connected to the researcher's knowledge of the wider political and social context. It is highly important to be sensitive to power structures in society and what implications a certain identity has on social life, including the positioning of the researcher in these structures. Keeping in mind the privileged position as a western researcher, certain ethnocentrism and influence on data by the presence of the researcher is difficult to avoid (see May 1997:38; Scheyvens et al. 2003:149).

2.2.1 Interviews

My field work started off by interviewing informants (see appendix 1) that I had contacted before my arrival in Colombia. Additional key informants were then pointed out to me (see Esaiasson et al. 2003:286). Ten informants provided me with valuable information of the general current political situation and valuable insights on my area of interest.

Respondents (see appendix 2) from state organizations were chosen based on their involvement in the reparation process, and the organizations focused on are the ones that have responsibilities towards, and carry out activities directed at, the victims of the conflict. My intentional plan was to carry out interviews with respondents from state organizations as well as with representatives for victim's organizations in order to obtain information about the possibilities and expectations of the reparations process. To get in contact with organizations in areas outside of Bogotá, and to make sure research could be carried out safely, I sought help from IMP that is a network established in several regions. IMP provided support by initiating contact with organizations in different part of the country, and also by providing the opportunity to interview victims that were not strongly (if at all) connected to any organization. This gave me the opportunity to collect testimonies of women's lives in various locations – stories that were not told through the discourse of human rights organizations.

The interviews with the 31 respondents were carried out based on a semi-structured interview framework that followed a scheme of predefined themes derived from the theoretical framework (see appendices 3 and 4). Questions were planned but there was always the possibility to follow up new themes as they arose (see Alvesson & Deetz 2000:215f; Denscombe 2000:135).

Most interviews were recorded (in some cases I was asked not to) and transcribed. Complementary notes were also taken during interviews to help recall details of situations when carrying out the analytical work (see Kvale 1997:153f). All interviews were held in Spanish and quotes from interviews found in this study are my translations. Greatest effort has been made in order not to lose important nuances of the language in translation. Sometimes the Spanish word will appear in brackets since some words are more of concepts than nouns.

With the methodological pitfalls of interviews in mind it is important to highlight that finding objective truths and fixed meanings in the testimonies have not been the purpose of interviews. Instead nuances, similarities, differences and paradoxes are central to the analysis (see Kvale 1997:201).

2.2.2 Observations and Written Sources

Observations have contributed to valuable insights as they provide data and information on what victims and state organization representatives identify as central issues and problems with less influence from the researcher (Denscombe 2000:178). Information about their experiences was collected under circumstances very different from the interview. Observations were carried out at events and work-shops and were of participatory nature – participatory in the sense that my identity as researcher was known (see *ibid.*:175f). It proved to be of greatest importance to have the close connection with IMP in order to win the trust of participants, and equally important to clearly introduce myself and explain my reason for being present.

A significant amount of literature on the transitional process in Colombia is available. A variety of reports, articles and books produced by national and international NGOs, state organizations, the government and academics were collected in Colombia. When incorporating this material into the analysis, one has to be aware of political tendencies given the political situation in the country (see chapter 4). The collection of a wide range of written material, together with data from interviews and observations, will allow for “balancing” of the material.

A large amount of reports and articles on the situation of the victims of the Colombian internal conflict and on reparations are available. Currently, women’s organizations have mobilized around the issue of sexual violence in the conflict context resulting in a significant amount of written material related to this matter (see IMP 2007).

2.3 Trust in the Midst of Conflict

The fearful eyes of a woman from Barrancabermeja, that faced me while I asked her for an interview, are eyes I will never forget. After having asked the lawyer working for IMP for orientation on her rights and possibilities within the transitional justice process she gave me a swift and shy smile and quickly disappeared. I will never learn about the source of this woman’s fear. But I can guess. There are many reasons for fear in Colombia today.

Thanks to my contact with IMP I made contact with victims of the conflict, and the organization’s good reputation lead to the creation of the trust that made my interviews possible. These interviews were a new experience and a challenge to me. I have carried out fieldwork in cultural settings different than my own before and I have faced the challenge of developing cultural sensitivity (see Leslie

& Storey 2003:130). However, the Colombian context is different. The constantly present violence and deep feelings of insecurity, and in some cases severe poverty, asked for sensitivity and understanding of situations that to me, as a Swedish citizen, seem more like fiction than reality. I sincerely hope my study will do justice to these women's stories and that I will be able to reflect their reality with my words.

Colombia is still facing an internal armed conflict, which together with other political and economic factors create an atmosphere of distrust and certain risk. Human rights defenders have been killed and threatened (IACHR 2007:21). The organizations and civil servants I have met with are all working with highly politicized issues where strong competing discourses are to be found. I have worked by the principle of informed consent (see Scheyvens et al. 2003:142) and some respondents I have promised anonymity. In many cases I find it unnecessary to state the identity of the respondent (given the political context) and names are exchanged for titles.

3 Reparations and Intersectionality

Ruti Teitel is a frequently cited scholar in the field of transitional justice who has defined transitional justice as: “the conception of justice associated with periods of political change, characterized by legal responses to confront the wrongdoings of repressive predecessor regimes” (2003:69). However, the definition of transitional justice is somewhat vague and leaves room for interpretation and confusion. Questions about what the state is transitioning to arise, as well as questions about what kind of justice that is the goal of transitional justice (Boraine 2006:17; Roth-Ariaza 2006:1).

3.1 A Peace versus Justice Dilemma

Transitional justice is a field where many dilemmas can be identified because of incompatible objectives in a post-conflict context. The overarching dilemma is that of tensions between justice and peace – what tradeoffs need to be made in confronting injustice and securing peace (Kaminski et al. 2006:295; Sieff & Wright 1999:757)? Political leaders might choose the path of *realpolitik* which involves the pursuit of political settlements, sacrificing justice for peace, and not giving priority to moral and ethical limitations in the crafting of the peace agreement. (Bassiouni 2003:191). But there is a price to pay for choosing peace over justice. Bassiouni argues that while settling more immediate problems of a conflict this is done at the expense of long-term peace, stability, and reconciliation (ibid.:191f). A more profound vision of peace, or positive peace (see Borer 2006:12ff), includes the restoration of justice and activities such as the search for truth, punishment, and redress to victims (Bassiouni 2003:192).

3.1.1 Towards a Broader Understanding of Transitional Justice

Alexander Boraine argues that because of the limits of law and its capacity to prosecute all offenders after gross human rights violations, it is necessary to embrace a notion of justice that is wider, deeper and richer than retributive justice (2006:18ff). Boraine points out that societies in transition need instruments and models to support a notion of justice different than one in individual terms. Five key pillars will provide a holistic approach to transitional justice; *accountability* (punishment of violators of the law as far as possible), *truth recovery*, *reconciliation*, *institutional reform* (to guarantee substantial transformation and

creation of institutions that will be able to break with the past), and *reparations* (ibid.:19-25).

Today several scholars are wanting to extend the limitation of the transitional justice discourse from focusing on “dealing with the past” to a forward-looking, constructive notion of transitional justice that includes a broader project of social and political change (Bell et al. 2007:81). Bell et al. (2007) identifies criminal accountability, lustration and state-building as past focused end-goals, while arguing that meaningful societal change also requires reformation of political legal and social institutions. Kieran McEvoy argues that legalism has influenced transitional justice, separating legal analysis from politics and other social science disciplines (2007:414f). Debates concerning the content of justice need to be opened up beyond a legal discourse which would foster questions of justice in terms of inclusion of excluded and marginalized citizens. This way notions of distributional justice can also be addressed within the discourse of transitional justice (Bell et al. 2007:85f; Roth-Arriaza 2006:1).

The dominant legal discourse in transitional justice can also be understood as an effect of the expanding human rights law paradigm. The supremacy given to civil and political rights over economical, cultural and social rights indicates why social justice concerns (e.g. poverty and health) have become a marginalized issue (McEvoy 2007:418). This is highly unfortunate since the relationship between rights and development is a symbiotic one. Factors like knowledge, resources and abilities will affect the individual’s access to what she is entitled to; they are necessary for effective exercising of rights (Larsson 2007:26). Justice hence becomes a question of redistribution, just as sustainable peace becomes a question of socioeconomic justice.

3.2 Victims and the Reason for Reparation

Boraine highlights that in the search for reconciliation and a just society, reparation programs occupy a special place in the transitional context from the standpoint of the victims (2006:24). For them reparation is the most substantial expression of the state’s effort to remedy suffered harms.

Pablo de Greiff points out that most reparation efforts have concentrated on a limited range of civil and political rights, while violations of other rights are left largely unrepaired (2006:7). He also highlights that frequently reparations programs are designed in a way that excludes traditionally marginalized like women and minority groups (ibid.).

Ernesto Verdeja (2006) suggests a theory on reparations that opens up to what other scholars are asking for; fostering questions of justice in terms of inclusion and the need to address questions of redistributional justice. Verdeja argues that, if properly framed, reparatory justice can: “(a) return to victims some sense of moral worth of dignity; (b) force a society to reconceptualize its sense of identity; (c) foster public trust in state institutions; (d) help undermine perpetrator narratives that justified past atrocities; (e) promote a critical reinterpretation of a nation’s

history” (2006:450). On a personal level a model of reparations seeks to restore victims’ sense of dignity and moral worth, remove stigmatization tied to victimhood, and restoration of their political status as citizens (ibid.). Further Verdeja argues, inspired by the writing of Nancy Fraser, that a theory of reparations must include both material and symbolic components (ibid.). A twofold approach, in terms of recognition and redistribution, to reparations is necessary in order to meet the variety of needs expressed by victims, and at the same time it is important to avoid patronizing manners of addressing needs in order to create subjects instead of objects of a reparations process (ibid.:450f). Recognition and redistribution are complementary components in the quest for social justice (Fraser 2003).

3.2.1 Four Dimensions of Reparations

Reparation in terms of recognition makes reference to identity formation of the subjects of the process, which would aim at strengthening the self-confidence, self-respect, and self esteem of the victims. Activities contributing to these ends would need to be developed through dialogical interactions with other subjects of the society (Verdeja 2006:451).

Ernesto Verdeja’s theory of reparations in transitional democracies outlines four ideal-typical dimensions of reparations: a symbolic (recognition) and a material (redistribution), a collective and an individual (2006:454). He argues that these dimensions are all crucial and that they correspond to different mechanisms of reparations. Groups, that need to be repaired collectively, can be of cultural, ethnic, ideological, racial or economic nature, and might also span over various categories. Reparation through recognition applies both to the individual subject as well as to groups suffering from oppression and discrimination. Groups may also require recognition of their uniqueness in an institutionalized manner (Verdeja 2006:451f). When a group have been targeted and victimized in conflict *collective recognition* would include public attention being brought to the fact that violations were the results of planned strategies of oppression against designated “targets”. Public acts of atonement, official apologies, creation of public spaces of homage to victims, and establishing of museums are examples of recognition mechanisms on the collective level (Verdeja 2006:455).

Individual recognition reflects the need to recognize victims as individuals and how violence affected them on a personal level, and therefore needs to be sensitive to the variety of distinct experiences that victims tell. This will counteract the constitution of a passive group of victims since it will aim at emphasizing the importance of remembering that victims are not just statistics, but people that have suffered intolerable cruelties (ibid.:456).

Collective redistribution is an element of reparations closely connected to distributive justice and seeks to provide the material basis and security necessary for victims to become full participants in social, political, and economic life. This can be done by the creation of housing programs, the guarantee of employment, infrastructure investments, and health initiatives in order to cure traumas (Verdeja

2006:456f). *Individual redistribution* is important in order to show that the state's recognition of victims is not only an empty symbolic gesture. The symbolic reparations needs to be backed by material support, normally in forms of rehabilitation (medical and psychological), legal services, compensation, and restitution. Through individual redistribution considerations can be taken of the type of violation the victims has suffered (ibid.:458).

Given the importance of a carefully designed reparations program, the importance of multiple transitional justice mechanisms being implemented simultaneously in a comprehensive manner must not be understated. If Boraine's four other pillars are not carefully connected to the pillar of reparation, reparation programs are more likely to fail and victims and ordinary citizens may lose respect for the transitional justice process. Solutions must be found in the exercise of judgement and creative combination of legal, political, social and economic approaches (Boraine 2006:25; Thoms et al. 2008:24f; Verdeja 2006:465).

3.2.2 Political Aspects of Transitional Justice

A critical perspective on reparation programs is important since they could serve merely political ends. Material reparations could become a form of blood money, effectively releasing the state from responsibilities (Boraine 2006:25). Also, material reparations run the risk of being used by governments in order to build moral and political capital, while the reparations carried out are actually only satisfying basic state obligations. The normative distinction between reparative justice aimed at victims must not be mixed up with general state policies to fight poverty (de Greiff 2006:8; Verdeja 2006:467). Transitional justice is, in general, a political project, although the traditional legalist approach has underestimated political factors which have led to exclusion of analysis of actions, motivations, philosophical assumptions and power relations – factors that influence legal actors and shape legal institutions (McEvoy 2007:439).

Bassiouni points out that in political negotiations actors might be forced to accept international legal norms leading to the introduction of certain transitional justice mechanisms, but later these can be undermined by deprivation of capacity which neutralize their potential and render their impact limited and insubstantial (2003:192). Sieff and Wright argues that “institutional design is a function of the balance of power, the role played by transnational advocacy networks and the goals of political leaders” (1999:785f), which will be determining for the norms of justice a transitional justice process will be based on, as well as the solutions selected to achieve adherence to those norms (ibid.:769). Transnational advocacy networks of domestic and international human rights organizations have an important role to play in informing the public about the serious crimes committed and of placing human rights concerns on the public and political agenda (ibid.:761). But efforts by advocacy networks to reconcile peace and justice are constrained by the distribution of power in specific political contexts (ibid.:779). In the case of reparations it is important to highlight that enforceability of reparations programs may depend on whether the state adopts the stance that

reparation is a *right* of victims (Laplante & Theidon 2007:245). Political will and determination is determining after all (Mani 2005:74).

3.3 Feminist Critique – Women and Armed Conflict

Gender⁶ issues tend to be marginalized from what constitutes the main concerns in the context of post-conflict (Mazurana 2005:40). This marginalization touches upon two aspects of women's lives; the gender-based and sexual violence and socioeconomic dynamics of the conflict. Sexual violence affects women both in times of peace and during armed conflict, however, during conflict rates of sexual violence rise as members of fighting groups specifically target women and girls, often in a systematic manner (Mazurana et al. 2005:4). The various kinds of sexual violence “all correspond to gender: the gender and sex of the victim, the gender of the perpetrator, and gender relations in the society and culture(s)” (ibid.:4). A male bias in the formulation of the transitional problem have centered on political violence resulting in “extraordinary” violations of civil and political rights being emphasized. “Ordinary” violence manifested in militarized, unequal (and patriarchal) societies is not addressed (Nagy 2008:285f).

The workload on women, as providers and caregivers, tend to increase in conflict and post-conflict situations. The social structures and networks are profoundly affected by conflict and women and girls are particularly affected by such changes. Conflict increases the number of female- and child-headed households because men might have fled or been killed. Changing demographic structure of communities affected by violence unproportionately burdens women (Mazurana et al. 2005:5ff). Even when women are subjects to the same violations as men, socioeconomic and legal status as well as cultural meanings of gender may imply that the subsequent harms for men and women are not the same (Rubio-Marín 2006:22).

Feminist scholars have also drawn attention to the fact that women often become indirect victims in transitional justice processes bearing witness on behalf of lost partners and children. Their own stories of violence and suffering are rarely drawn into the light. When they do, the majority of the crimes refer to sexual violence, and low rates of reports can be explained by rape being highly stigmatizing to the victims in many cultural contexts (Nagy 2008:286). Cynthia Cockburn concludes: “Patriarchy then becomes an inescapable concept in the course of women's anti-war work” (2007:229).

⁶ By gender I refer to socially constructed differences between men and women and the social roles constructed based on these differences (see Mazurana et al. 2005:13).

3.3.1 Intersectionality

The intersectional perspective is born out of the criticism of feminism that meant that feminism only addressed the needs of the white western woman, why the incorporation of other oppressive structures needed to be included in the analysis (de los Reyes & Mulinari 2005:15). Intersectionality is thus the visibilizing and problematizing of how power structures are linked together, preserving social, political and economical inequalities (ibid.:24). The concept of positionality is often used in this context to describe how we are each positioned in more than one dimension of difference (and oppression). Power relations can thus be understood as one's positioning in terms of ethnicity, gender and class (or other categories implying oppression) (Cockburn 2007:6). Positionality allows us to speak of the way individuals and groups are related to each other in terms of social difference (Meintjes et al. 2001:7). Different positions will thus affect one's experience of as well as connection to the conflict, which will also determine positions in the aftermath of conflict (ibid. 2001:5).

3.3.2 Reparations from an Intersectional Perspective

Eilish Rooney argues that “transitional justice can benefit from undertaking the theoretical challenges posed by intersectionality and that social stability in conflicted societies may be strengthened through addressing the corrosive impacts of inequality” (2007:174). An important benefit of intersectionality is that it brings into view issues of poverty that are of central importance in transitional contexts (ibid.:181). Drawing on this line of argument I believe that Ernesto Verdeja's theory on reparations has the potential of capturing intersectional concerns thanks to his inclusion of the dimensions of recognition and redistribution, as well as the collective and the individual aspects of reparations (see Ericsson 2007; Fraser 2003). Verdeja's framework of reparation has the potential of addressing socio-economic harms of structural inequality, and these need to be faced if a “different” future is to be created through the transitional justice process (see Rooney 2007:175).

An intersectional perspective on reparations needs to address structural inequalities based on several categories – in my case gender, place of residence and ethnicity. An intersectional reparations framework will problematize objectives of reparations in terms of returning to “how things were before”, arguing that what existed before were fundamentally unjust social, political and economical circumstances. This argument is derived from feminist critique (see Bell & O'Rourke 2007:41), and I believe it is fruitful to add the categories of ethnicity and place of residence (or class) in order get a deeper understanding of original unjust conditions. Problematizing the objectives of reparations through an intersectional perspective can have structural transformative and emancipatory potential, and will emphasize the importance of prioritizing socioeconomic issues (compare Bell & O'Rourke 2007:42).

4 Colombia – in Transition?

The challenges of transitional justice depend closely on the specific characteristics of a certain conflict, and there is no universal process design that benefits peace building. Historical aspects, prejudices, irreconcilable interests, civil and ethnic conflicts, and reluctance to compromise are some of the factors that will have to be considered (Borer 2006:39). The Colombian society shows a wide spectrum of factors that poses various challenges to the building of sustainable peace.

4.1 Half a Century of Armed Conflict

In the armed conflict in Colombia serious crimes, including human rights violations and violations of international humanitarian law, have been, and still are being, committed and most of the victims are civilians (Guembe & Olea 2006:122). The fact that there are two types of non-state armed actors, guerilla groups and paramilitaries, complicates the resolution of the conflict considerably and their involvement in drug-trafficking complicates the situation even further (ibid.:120).

The origins of the internal armed conflict in Colombia can be traced back to 1948 and the assassination of the presidential candidate for the Liberal Party. About a decade later guerilla groups influenced by social revolutionary ideas started to emerge in response to military repression, political violence, and lack of leftist political options (Guembe & Olea 2006:122).

Paramilitary groups, or self-defense groups, emerged in the 1980s and have been described as private armies of drug lords protecting themselves and their property. Close ties between the Colombian military and the paramilitaries have been verified and explained as the result of the military's frustration with its incapacity to overthrow the guerilla groups. The paramilitary groups were able to fight these groups without being limited by legal parameters and did not need to worry about human rights monitoring, which was increasing at this time (Avalés 2006:381ff; Valencia 2007:18). By the 1990s most paramilitary groups were organized under the umbrella organization *Autodefensas Unidas de Colombia* – AUC (United Self-Defense Forces of Colombia) (ibid.). During the 1990s and up until the mid 2000s the military power of both guerilla and paramilitary groups increased leading to effective control of parts of the Colombian territory and the escalation of serious crimes (Guembe & Olea 2006:124).

4.1.1 Demobilization of the Paramilitaries and *Parapolítica*

Since the 1980s peace negotiations have taken place repeatedly with guerrilla groups without success, while negotiations with the paramilitary organization AUC was never considered until 2002 when president Álvaro Uribe came to power. AUC lacks an acknowledged political agenda, which was a legal and political constraint in negotiations with them, but changes in the legislation opened up for formal peace negotiations that lead to cease-fire (Guembe & Olea 2006:124f). By the middle of 2006 demobilization of paramilitary combatants was completed and almost 32.000 members of the AUC had handed in their weapons (IACHR 2007:1). However, the paramilitary phenomenon did not cease to exist. Some blocs of the AUC never demobilized and some demobilized combatants have taken up their arms again, and emerging illegal “gangs” are continuing to pose threats to civilians (MAPP/OEA 2008:3). The extent and significance of what the government call “newly emerging gangs” is not clear and subject to strong disagreements between the government and the civil society that argues that paramilitarism is still a highly active phenomenon (MAPP/OEA 2006:6).

In the end of 2006, testimonies of demobilized paramilitaries ignited a political scandal that has been named *parapolítica* where close connections between politicians and paramilitaries have been revealed – a scandal that have assumed great dimensions (Valencia 2007:45ff). On the 1st of August 2008 the newspaper *El Tiempo* reported that the third member of Congress had been sentenced since proved guilty of connections with the AUC. More than 40 other cases of connections between members of Congress and the AUC are being investigated at the moment (El Tiempo 2008a). More cases of *parapolítica* are found on regional and local levels, and the extent of the scandal is still not clear (Valencia 2007:52).

4.2 The Justice and Peace Law

The Justice and Peace Law (JPL) that was approved by the Colombian Congress in June 2005 is the legal framework of the peace negotiations with the paramilitaries, and possibly with other armed groups in the future (Uprimny & Saffon 2006). The law establishes an alternative system of criminal justice and takes up the discourse of transitional justice (Guembe & Olea 2006:131). The criminal sentence is replaced with alternative punishment in the circumstance of collective or individual demobilization of illegal armed actors. Perpetrators obtain reduced sentences in return for their collaboration in attaining peace, justice, reparations to victims, and their own reintegration in society. The purpose with the JPL is said to be facilitation of the peace process and reintegration of ex-combatants, and the guarantee of victims’ rights to truth, justice and reparations (ibid.:127).

4.2.1 Transitional Justice à la Colombia

The traditional dilemmas of transitional justice are in the Colombian case combined with a number of particular characteristics of the Colombian conflict, which need to be considered (Uprimny et al. 2005). An obvious characteristic is that the process is taking place in a context of ongoing conflict. The demobilization of the AUC will, if successful, only lead to partial peace. Judging from the current situation, peace agreements with guerilla groups are not foreseeable in a near future. Democratic procedures continue to be undermined by illegal armed actors and the security of victims and organizations associated with legal proceedings under the JPL is not guaranteed (IACHR 2007:21).

Another characteristic of the Colombian case is the understanding of the term “transition” as such. What is at stake is a transition from conflict and transitional justice as an approach to deal with past gross human rights violations. Ní Aoláin and Campbell (2005) argue that a more nuanced understanding of a transitional process needs to conceptually separate war/peace transitions from illiberal polity/democracy transitions. Ní Aoláin and Campbell determine that in the case of conflicted *democracies* it is crucial to conceptualize the change at stake in terms of a movement from procedural to substantive democracy. We should be talking of a deepening, rather than an introduction, of democratic standards (Ní Aoláin & Campbell 2005:212).

The internal armed conflict and high levels of political and drugs-related violence towards civilians, police and judicial sectors, is a clear sign of ungovernability and a threat to the Colombian democratic system. Colombia is considered one of the most stable democracies in Latin America and has indeed managed to maintain the electoral regime despite increasing political and social violence (Guembe & Olea 2006:138). Colombia has been qualified as a “besieged democracy”, a competitive political system unable to establish the rule of law necessary for a consolidated democracy (Avilés 2006:382).

The Colombian justice system has been criticized by international bodies because of its inefficiency and the existing human rights crisis in the country. Massive violations of the human rights are being committed and the rate of impunity is high. There are significant gaps and failures in the collection of evidence, cases do not result in convictions, and many cases do not reach the indictment stage. This situation poses a serious threat to the implementation of the JPL (Guembe & Olea 2006:131f).

5 Reparation from Where We Stand⁷

5.1 The Legal Framework

The Justice and Peace Law (JPL) is the legal mechanism that is to facilitate a peace process while through a scheme of integral reparation guaranteeing the rights of victims that have suffered, individually or collectively, physical or psychological harm, emotional suffering, financial loss or a reduction of their fundamental rights, as a consequence of actions attributed to organized armed illegal groups that have demobilized (Colombian Congress 2005). Hence, victims of acts of guerilla groups cannot denounce crimes within the framework of the JPL. In case a state agent has caused the suffering the victim has to turn to the ordinary judicial system (Huber 2007:128).

More than two years after the adoption of the law it is not clear how interpretations and applications will materialize. Penal processes have still not come further than to the first court hearings, and the organization IMP estimates it will take at least another two years before the first sentences will be imposed. What reparations the victims receive will be stated in the sentences.

There is one article in the JPL that treats the judicial institutions' and implementing organizations' attention to special needs of women, children, elderly and disabled (Colombian Congress 2005). This article and one on protection saying that in cases of sexual violence the victim's privacy and dignity should be especially cared for, are the only ways in which women are mentioned in the law. No other differentiation of the population is made in the law. There is no differentiated treatment of the reparation of ethnic communities, even though the armed conflict has affected the indigenous and Afro-Colombian communities in a special way (PGN 2007:172).

The scheme on integral reparation is clearly compatible with Ernesto Verdeja's (2006) theory on reparations, translating the language of material and symbolic reparation to terms of redistribution and recognition. How the balance is

⁷ This heading is a play on the title of Cynthia Cockburn's book, *From Where We Stand*, that she claims is chosen because it opens up to many questions that I think are applicable and important when discussing reparations (in Colombia). 'From where' makes reference to a changing landscape, which in this case implies the interpretive element of political phenomena; there are many opinions about reparation – this is how it is seen from a critical stance. 'We' makes reference to the fact that reparation is not only an urgent question in Colombia, but rather a global matter. 'Stand' evokes reflections on the different social positionings and their relation to needs and claims in terms of reparations (see Cockburn 2007:1).

kept between the components and the individual and collective dimensions (in relation to victims' needs) is a crucial question that will have to be answered for empirically.

In April 2008 the Colombian government issued a decree creating a program for administrative reparation which will give victims that have suffered violence committed by illegal armed groups, including guerilla groups, the right to monetary compensation (MIJ 2008). A fixed amount corresponds to certain crimes like mental and physical injuries, kidnapping, sexual violence and forced displacement (IMP 2008). Material loss and collective violations are not repaired by this program. It is clearly stated in the decree that the program is an action based on *solidarity*. The reparation is applied for at various state organizations, but not until August 15th 2008 the forms for applications were in place and applications could be accepted (El Tiempo 2008b), so the implementation phase is still to be evaluated.

5.2 Political Circumstances

“Es la hora de las victimas” (“It is the hour of the victims”), said the president of Colombia Álvaro Uribe in July 2008 when he reopened the ordinary sessions of the Congress (El Tiempo 2008c). But at the same time he asked for “fiscal and administrative moderation” now when decisions are to be taken on questions of material reparation (ibid.). The political juncture is at the moment favourable for discussions on victims' rights and the matter is high on the political agenda.

The government and the civil society have much polarized opinions on the human rights situation in the country in general, and in particular of how the matter of victims' rights should be conceptualized and practically managed. International organizations, and especially the United Nations, have played an important role monitoring and putting pressure on political leaders to make them incorporate international norms on human rights and victims' rights in legal frameworks and in practice. Antonio Madariaga (Viva ciudadanía) draws attention to the pressure that the international community put on the government that was important for the recognition and conceptualization of victims' rights in the final draft of the JPL.

The question of the responsibility to repair victims has become very controversial with the decree of administrative reparation. The JPL declares that the state has a responsibility to repair that is subsidiary, and that applies when the responsible perpetrator do not have the resources to satisfactory repair the victim, and underlines and the state is not responsible for violations (Huber 2007:303). The decree on administrative reparations clearly affirms that the program is created based on the principle of the state's *solidarity* with the victims. National and international NGO:s have expressed harsh criticism towards the government for not assuming the state's *responsibility* to repair that can be derived from ratified international treaties (see Huber 2007:23ff). Antonio Madariaga says:

This government is a government of words. What this government does all the time, first in the Justice and Peace Law and then in the decree on administrative reparation, is to deny their responsibility. They think that denying it verbally change the matter. The government comes to the contradiction of proposing administrative reparation with resources from the national finances, without acknowledging responsibility. It is a political action that is absurd.

But Gunhild Scwitalla (CNRR) says the decree is a sign of political will, at least in the case of indemnity. She argues that international comparison is important and that in such perspective Colombia has come far. In other countries reparation schemes have been drafted, but are yet to be implemented. Schwitalla says: “I think the decree was adopted because of two reasons; the government’s will and because of the urgent needs of victims that live in extreme poverty in the regions”.

In addition to highly politicized stands on reparation, the political scandal of *parapolítica* (see chapter 4.1.1) is a fine indication of the political nature of the transitional justice process in Colombia. The scandal reveals corruption of politicians and state institutions which undermine trust in the state apparatus.

5.3 Practical Conditions

In a case like Colombia where hundreds of thousands of victims (“only” the forcefully displaced population being three million) are to be repaired within the transitional justice process, capacity problems seem to be a fact. The National Commission of Reparations and Reconciliation (CNRR), that was established by the JPL, points out that reparation is a financial challenge and this amount of victims can only be justly repaired through the application of a set of measures that creatively combine economic compensation with truth-seeking and justice making, as well as applying measures of collective nature in order to repair communities and social collectives (CNRR 2007:22f). The CNRR also states the challenge of reaching a balance between assuring justice, truth and reparation, and the strategic objective of establishing peace, is the only sustainable alternative to end the conflict (ibid.:20f).

Many of the respondents mention capacity problems in terms of lack of civil servants, lack of regional coverage where rural areas are left behind in the process, and problems with information diffusion and informed civil servants and politicians. Victims are being sent from one state institution to another when trying to obtain information and get help to get access to the reparation process. It is the result of civil servants having very little, if any, knowledge of legal frameworks and procedures of the reparation process, even though their institutions are by law responsible to advise and facilitate the proceedings. MAPP/OEA emphasizes the regional and local problem that the reparation process faces as a result of regional governors and local mayors not getting involved and taking responsibility (2008:11f).

Women run an even larger risk of not being informed on their rights as victims, or as citizens. It shows that it is more difficult for women than men

because women, in general, do not have the habit of getting involved in matters outside the sphere of the family. There is also the possibility of gender discrimination on behalf of civil servants. Several respondents argue that considerations of problems like this must be taken in the implementation, and the same is true considering the fact that many victims live in remote rural areas and need to be involved in the reparation process. Gunhild Schwitalla (CNRR) argues that when victims cannot afford to travel to where institutions are located, the state needs to go looking for the victims. Education is another problem that Maria Zavala, forcefully displaced from one rural area to another, highlights saying that analphabetism in her area is widespread and she has one year of schooling.

The security of the victims and the demobilized is also a challenge of the implementation of the JPL. The Inter-American Court of Human Rights (IACHR) expresses the same preoccupation of victims' security, reporting that they are terrorized in various areas in the country by criminal gangs, non-demobilized paramilitaries, new armed groups, and strengthened existing ones, highlighting that this situation threatens the possibilities for victims to assert their rights. They also condemn the killings of three women in the beginning of 2007 that were all engaged in JPL processes and leaders of organizations working for victims' rights (IACHR 2007:21).

5.4 Reparation of the Colombian Women

The JPL clearly states that the reparation should be integral and in the criteria for reparations the CNRR explain the integrality stating that reparations need to be conceptualized as a part of the transitional justice process highlighting that they are closely connected to truth-seeking, reconstruction of historical memory, application of justice and institutional reform. In order to be integral it is also necessary that there is a balance between material and symbolic reparations as well as a balance between the individual and collective dimensions. The integral reparation need to include these different forms of reparation: *restitution*, looking to return the victim to her situation she was in before the violation; *indemnity*, monetary compensation recognizing damages suffered; *rehabilitation*, professional assistance in order to reestablish legal, physical, and psychological integrity; *satisfaction*⁸, actions in order to reestablish dignity and diffusion of truth; *guarantees of non-repetition*, measures taken to avoid that victims will repeat to have their human rights violated (CNRR 2007:19f). The criteria for reparation also state that a transversal perspective needs to be applied in order to acknowledge and meet the different needs and interests based on categories as gender, ethnicity and age (ibid.:25). However, the transversal perspective is not

⁸ Satisfaction is all non-monetary remedies apart from rehabilitation. Satisfaction includes, truth-telling, recovery and re-burial of victims' remains, actions to restore victims' reputation, apology and commemorations (Shelton 2005:23).

given the same emphasis in the JPL and is absent in the decree on administrative reparation (see Colombian Congress 2005:23; MIJ 2008).

Florian Huber means that integral reparation is a complicated matter and makes reference to recent transitional processes in other countries where integral reparation of damage has not been achieved (2007:439). Nevertheless integrality cannot be neglected. Gunhild Schwitalla (CNR) says there is a lot of work to be done on this matter and that it is necessary in order to meet victims' subjective and diverse needs. A complete package of reparations must be the objective of the reparations process. Differentiation between rural and urban areas is also central according to Schwitalla, although, the majority of the victims are from rural areas – women with little education living in the countryside.

The needs and interests expressed by women in terms of reparations are highly connected to Colombian cultural patterns – to *machismo*. Respondents and reports tell the same story; women always talk about what has happened to their families and of how they need to be repaired while not thinking as much of their own needs. Dora Tvera (ONIC) says that in a displaced family it is the woman that assumes all responsibility of the children, while the man is more likely to first think of himself. Ana Teresa Rueda (OFP) explains: “It is different for a man. It originates from the machismo that one lives, and those elements has to be considered by the reparation programs. Women and men have different needs in terms of reparation – because of the different gender roles”.

5.4.1 Individual Recognition

Derived from the concept of integral reparation, as stated in national and international norms and legal frameworks, the forms of reparation that can be considered as recognition are rehabilitation and satisfaction⁹. Forms of *individual* recognition are necessary to recognize victims as individuals and how violence affected them on a personal level (Verdeja 2006:456).

A violation directed at women and that is repeatedly taken up by respondents and reports is sexual violence. But few cases of sexual violence are reported. Clemencia Herrera (CEOIN), an indigenous woman from the Amazonian countryside says that women do not dare to report sexual violence because then the armed groups will keep abusing them and hurt them. She continues explaining that the situation is more difficult in remote areas like the Amazon because that is where the war is hiding and there is no protection for victims. Access to justice is more complicated in the countryside.

⁹ I will connect the concept of integral reparation to Ernesto Verdeja's division of reparation in four dimensions needed in order to guarantee the inclusion of legal, political, social and economic aspects of justice (see chapter 3.2.1). He says that they correspond to different mechanisms of reparation, and I will discuss the five forms of reparation at stake in Colombia. My connection between forms of reparation and a certain dimension(s) can be discussed and the interconnectedness and overlapping of dimensions and forms makes my approach open to interpretations.

In the case of sexual violence its stigmatizing effect is another obstacle for access to reparation, and several respondents mean that because of this reason women do not want to make public what they have suffered. There is a lot of fear involved. This is a very complex topic that needs to be resolved. Criticism has been directed at court proceedings that need to be adjusted and sensitive to the nature of sexual violence in order to encourage women to step forward and report crimes. Social and technical aspects have thus led to a situation of extensive impunity (Sisma 2007:78ff).

Impunity of crimes of sexual violence is nevertheless not only widespread in times of war. The organization ‘Sisma mujer’ argues that it is often difficult to say what violations of women’s rights that actually are connected to the armed conflict (Sisma 2007:8, 18). This is explained by Cockburn: “[sexual violence] is a continuum in terms of the place it occurs – home, street, community, country, continent. Second it is a continuum in terms of time.” (2007:190).

Not ‘only’ sexual violence is a source of women’s suffering though. As a consequence of the gender roles imposed on women they face particular hardships and need psychological assistance, says Luz Adriana Cataño (IMP) and continues: “We are left traumatized. Psychological support would help to make us continue with our life projects”. The reparatory form of satisfaction is also highly important as many women say that justice for them is a good reputation. It could be that their husband was accused for being allied with the guerilla, and she is looking for the perpetrator to officially state that her family is not part of the guerilla.

In the light of individual recognition a strict punitive approach to justice is far from suitable in order to address the needs of women. Additionally, making reference to violence as a continuum for women, sexual violence can be seen as deeply connected to structural injustices and cultural patterns, why reparations, as strictly connected to the armed conflict, cannot offer necessary remedy.

5.4.2 Collective Recognition

Applying an intersectional perspective where ethnicity is recognized as a category with structural implications the collective dimension needs attention in the Colombian case. *Collective* recognition would offer rehabilitation and satisfaction to groups that were targeted in strategic oppression during conflict.

Collective reparation is of central importance to indigenous groups and Afro-Colombians. Gunhild Schwitalla (CNRR) highlights that these groups are collective rights subjects, and that for them the collective is more important than the individual. Respect for their traditions and territories is crucial and needs to be addressed in terms of satisfaction as a reparatory measure. In terms of rehabilitation there is the need to work with reparations in communitarian spaces in order to restore the social networks (tejidos).

The spiritual aspect of their lives is also utterly important. Indigenous groups and Afro-Colombians have claims of cultural recognition in terms of respect. However, the respect they are asking for is not merely because of the violence they have suffered as a consequence of the conflict. Pastora Puerta Arias (IMP),

an Afro-Colombian woman, points out that historically these groups have suffered discrimination, and that is why it seems hypocritical to them to talk of reparation only in relation to the armed conflict. They have always been oppressed, and violence is simply a continuum. The Procuraduria (internal affairs agency) means that ethnic groups talk of reparation from two perspectives; the historic reparation related to social exclusion and abandonment by the state, and reparation of violations provoked by the armed conflict (PGN 2007:75). The discrimination they have and are suffering has led to indigenous peoples and Afro-Colombians being disproportionately affected by the conflict since they are less protected by the state. Ethnic groups have been objects of systematic and massive violations of their human rights (ibid.:167f).

Collective recognition in ethnic terms is needed to properly repair the hardship an indigenous or Afro-Colombian woman is suffering. On top of suffering displacement, and being women in a chauvinist society, they are also facing ethnic discrimination, argues Gunhild Schwitalla (CNRR). The ethnic discrimination results in making these women more exposed to sexual violations. The Procuraduria have made a report on victims and ethnic groups and confirms that women belonging to ethnic groups are affected by multiple discrimination because of the structural discrimination of women *and* ethnic groups (PGN 2007:168).

The violations the ethnic groups have suffered are consequently connected to social structures, as in the case of sexual violence. If the transitional justice process is to address these violations of human rights the conceptualization of its objectives must then be extended to include social justice.

5.4.3 Individual Redistribution

Compensation and restitution are forms of reparations included in integral reparation and are related to material damage and connect to Verdeja's dimension of redistribution.

The question of restitution of land is one of the aspects of reparations that is the most complicated, but also the most important. Several respondents argue that an urgent obstacle to restitution today is the fact that the emerging armed groups have interest in certain territories, and so do powerful companies. Economic interests are the reason why there are cases of Afro-Colombian communities that today are forced to leave the lands they are constitutionally entitled to. There is a widespread disrespect on this matter. For women this is a certainly urgent matter, and also very complex. Patricia Linares (PGN) explains:

75% of the victims are forcefully displaced women from rural areas, heads of the family since their husbands are dead. They do not have the capacity to join the labour market because they do not have any education. [...] It is also important to reflect on what restitution would mean to victims. This concept I would discuss in the Colombian case. Because going back to the situation that she was in before becoming a victim, could in our reality involve revictimization, because of the poor conditions she comes from. [...] The causes of the armed conflict are structural. There is a structural problem that you see reflected in the map. Where you see more

intense forced displacement the presence of the guerrilla is more intense; the military presence is found in the most unprotected areas.

Maria Zavala, displaced from northern Colombia, says that what she wants most of all is to get her land and farm back. This is the most important she says, because reparations need to be done through sustainable projects with the prospective of securing the future. Everyone in her village, that are all displaced, wants to be repaired this way. But as reflected in the quote above, this might not be true for everyone. There are displaced people that want to return to their place of origin in the countryside, others that want to stay. However, both situations ask for redistributive measures. Restitution of land becomes a demand of the victim wanting to return, while the need for proper housing and education in order to learn a new profession will be the needs of the urban victims, according to numerous respondents.

The administrative reparation program recently introduced addresses reparations in terms of indemnity. All victims that have been interviewed express their need for monetary assistance, whether to use for housing, education, health service or food. But as Borraine states (see chapter 3.2.2), monetary reparation may be used in political purposes and be confused with basic state obligations, which is a risk in the Colombian case. A civil servant, stressing that this is his personal opinion, argues:

If one looks and analyzes profoundly this program it is not more than offering the victims some rights that they as citizens should have; health care, education, housing etc. One does not need to be victim, or should not need to be, in a liberal state. There should not need to be a justice and peace process at stake to give victims, or poor people, rights to health, education and housing. They are basic and fundamental rights.

Many sources also point out that the administrative reparation does not foster socioeconomic sustainability. Given that the amount that is to be paid to victims is not big enough to make sustainable investments (e.g. in housing or a business) Antonio Madariaga (Viva ciudadanía) argues that reparations become conceptually mixed up with what should be humanitarian aid.

To judge from interviews the place of residence has some influence on what seems most important to victims in terms of redistribution or satisfaction. Even though all victims in this study are in need of economic means, women from the city seem to give the truth-seeking more importance, while women from the countryside stresses the need for redistributive measures as many are in need of education and health care etc. This way the place of residence becomes a question of class and education. This section clearly shows how victimization is connected to structural inequalities in Colombia.

5.4.4 Collective Redistribution

To ethnic groups collective redistributive measures in terms of compensation and restitution are of great importance and closely connected to collective recognition as outlined above. However, to the ethnic groups in Colombia

compensation seems to be subordinated restitution. The indigenous woman Clemencia Herrera (CEOIN), says: “To us the economic benefit is not of highest priority. To us the most important is that they recognize the indigenous peoples collectively, by restituting the land (tierra), that we can return to our territories defending our rights to life. Reminding us of our life plans, the way we have presented them as indigenous peoples.[...] Without territory the indigenous person is absolutely nothing”.

The Procuraduria reports that forced displacement is particularly serious and difficult because of indigenous and Afro-Colombian peoples cultural connection to territory – the loss of their lands has a deep impact on their lives on both a spiritual and practical level. Forced displacement of ethnic groups is a grave violation since they have special constitutionally protected rights to land. Despite this they are suffering a proportionally larger displacement than other groups (PGN 2007:169).

Ernesto Verdeja mentions housing programs, infrastructure investments and health initiatives as reparations in terms of collective redistribution (2006:456f). Such investments are much needed in rural areas, but in the Colombian context such actions should not be seen as reparations. Rather it would signify an extended state presence in unprotected areas, according to several representatives of the civil society.

As concluded in previous sections, reparation of damage suffered by ethnic groups, as well as women and people from rural areas, will not be a guarantee of their human rights being respected. Violations of their economic, social, and cultural rights are being committed in contexts that cannot always be connected to the armed conflict that peace is to end. Nevertheless, the conflict in Colombia has affected the people for so many decades that it has created structural injustices that fall outside the political and civil rights privileged in the transitional justice scheme.

5.4.5 The Guarantee of Non-Repetition

Non-repetition is a form of reparation that makes part of the concept of integral reparation, but does not easily fit in Verdeja’s reparation scheme of recognition and redistribution. The CNRR defines this form of reparation as measures that will prevent violations of human rights to be repeated in the future, effective cessation of activities allowing violations being the objective (CNRR 2007:92). When talking of non-repetition the CNRR also states that measures needs to be taken in order to effectively return goods, lands and territories under conditions that guarantee security and sustainability (ibid.:93).

Gunni Schwittalla (CNRR) says that there is a still lot of work to be done in terms of non-repetition. There are still many armed groups in Colombia that have not demobilized but she argues that it would be false not to talk of non-repetition, and she believes it is the most important part of a reparation program.

Respondents in both rural and urban areas give testimonies of a conflict that is far from over. They talk of grave violations of human rights being committed by

paramilitaries, guerilla, military and new armed groups. Marina that is displaced and now lives in the suburb Soacha was asked what justice means to her, and she said:

“**Fear.** The fear to report a crime. People do not report because of fear. They say that the Prosecutor General’s Office is corrupt. Justice in a good sense would be that the violence really stopped. That they did not carry arms. There is as much violence here as in the countryside. Soacha is a very violent place. There are paramilitaries, guerilla...there is lots of violence”. [my emphasis]

Gunhild Schwitalla (CNRR) argues the guarantee of non-repetition has transformative elements that could lead to a substantial change in the society since it has the potential of stopping the discrimination that women and ethnic groups have lived before and during the conflict. Preexisting cultural patterns lead to intensified discrimination of these groups during the conflict, and by guaranteeing non-repetition of these acts a deeper societal change could be achieved. Antonio Madariaga (Viva ciudadanía) says that when we have made the institutional reforms that the guarantee of non-repetition implies is when we have moved from a democracy of low intensity to one of high intensity, and then we can believe that the violations of human rights will not be repeated.

Patricia Linares (PGN) points out that the Colombian case is not a transitional justice process in a strict sense. It is a scheme that is useful for the country, but since there is still conflict it is difficult to talk of institutional reform. So from where we stand today in Colombia non-repetition is far from being guaranteed.

The form of reparation that the guarantee of non-repetition implies raises many interesting and important questions in terms of social justice. This form of reparation becomes highly central in order to reach a more sustainable peace – positive peace (see Borer 2006:12ff). I argue that the effectiveness that CNRR talks of can only be reached through deeper institutional reform – a reform that also will guarantee the respect for economical, social and cultural rights. If not, women, ethnic groups and rural population, today suffering structural injustices, will continue suffering violations of their human rights. Also, given the massive dimension of the reparation process in Colombia and the fact that the armed conflict has been intense for decades reparation programs should be designed in combination with public policy on socioeconomic development.

There is potential in the concept of integral reparation in order to move towards social justice and a durable peace. But the “integrality” needs to be taken seriously or the transformative potential of a reparation program will be seriously undermined. The balance between the dimensions of redistribution and recognition, the collective and the individual, must be setting the direction for reparative justice initiatives. In Colombia critics argue that not enough attention is paid to victims and society at large and that the state does not take enough responsibility in both monetary and non-monetary reparations (see Guembe & Olea 2006:134f, 139). How the direction of reparation programs is set should be questioned.

6 Conclusions

The main interest in this study is to identify female victims' needs from an intersectional perspective in order to evaluate how, and if, they can be satisfied through reparation measures, and what potential such measures have to contribute to social justice within a transitional justice process. By combining Ernesto Verdeja's theoretical framework of reparations (Verdeja 2006) with an intersectional perspective, in order to highlight the influence of structural positions on needs and difficulties, I have showed how female victims' needs are highly connected to structural injustices in Colombian society.

The conception of reparation as integral, as stated by the Justice and Peace Law and the National Commission of Reparation and Reconciliation (CNRR), has the potential of meeting the needs of female victims. Nevertheless, cultural circumstances in terms of machismo make it difficult to address the widespread problem of sexual violence. Gender roles also make it less likely that women will express personal needs. In terms of redistribution the reparation program seem to have little potential to alleviate women's exposure to poverty from today's perspective. Rural women are especially in need of material reparation, but they also suffer from violence due to state absence. Women from ethnic groups have collective reparation claims in terms of land because of injustices produced by the armed conflict and historical oppression which also lead to exposure to violence. State institutions lack of capacity is also factor making the reparation process less effective.

The reparation programs, as outlined in Colombia, seem to have little potential to address the continuum of violence experienced by women (see Nagy 2008:284ff) springing from both the ethnic, place of residence and gender category. This suggests that the transitional justice scheme need to look beyond political and civil rights in order to include economic, social and cultural rights. However, in the Colombian case it is important that reparation programs are being developed in combination with public policy and development programs (compare de Greiff 2006:8).

The guarantee of non-repetition that is included in the integral reparation scheme as stated by the Justice and Peace Law has good potential to address the injustices female victims have and are suffering resulting in violations of their human rights. This form of reparation would address structural reasons of violations of human rights that women are suffering and could potentially lead to substantial change in terms of social justice and inclusion. But in Colombia the armed conflict has not yet ceased and the Colombian case indicates the political nature of transitional justice processes. In Colombia political constraints pose a challenge to the transitional objective of obtaining sustainable peace and certainly to an objective in terms of social justice.

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Appendix 1 – List of Informants

Patricia Buriticá (Stockholm)	Iniciativa de Mujeres por la Paz (IMP)	2008-05-26
Catalina Díaz (Bogotá)	International Center for Transitional Justice (ICTJ)	2008-06-23
Paula Gaviria	Fundación Social	2008-06-12
Julissa Mantilla (Bogotá)	United Nations Development Fund for Women (UNIFEM)	2008-05-30
Luz Estela Martelo (Bogotá)	Swedish International Development Cooperation Agency (SIDA)	2008-05-30
Maria Camila Moreno (Bogotá)	SIDA	2008-05-28
Michael Reed (Bogotá)	International Centre for Transitional Justice (ICTJ)	2008-06-03
Tommy Strömberg (Bogotá)	Swedish Foreign Ministry (UD)	2008-05-30
Torgny Svennungson (Bogotá)	SIDA	2008-05-28
Gabriel Turriago (Bogotá)	United Nations Development Programme (UNDP)	2008-06-11 2008-06-18

Appendix 2 – List of Respondents

ORAGANIZATIONS

Particia Buriticá (Bogotá)	Iniciativa de las Mujeres por la Paz (IMP) and Commissioner of the National Commission of Reconciliation and Reparation (CNRR)	2008-06-26
Ingrid Cadena (Pasto)	Bitácora Ciudadana	2008-06-16
Luz Marina Díaz (Barrancabermeja)	IMP	2008-06-06
Clemencia Herrera (Bogotá)	Centro a Cooperación al Indígena (CEOIN) (represents the Amazon region)	2008-06-05
Pastora Puerta Arias (Bogotá)	IMP	2008-06-18
Alexandra Patricia Jurado (Pasto)	Organización Femenina Popular (OFP)	2008-06-16
María Zavala (Bogotá)	Cooperativa agropecuaria de Valle Encantado (organization in a rural community in Montería)	2008-06-04
Antonio Madariaga (Bogotá)	Viva la Ciudadanía and coordinator for Mesa Nacional de Victimas de Organizaciones Sociales	2008-06-17 2008-06-18
Juan Edgardo Pai (Pasto)	Unidad Indígena del Pueblo Awa (UNIPA) (indigenous people organization)	2008-06-16
Luis Armando (Bogotá)	Proceso de Comunidades Negras en Colombia (PCN) (Afro-Colombian organization)	2008-06-23
Ana Teresa Rueda (Barrancabermeja)	OFP	2008-06-06
Dora Tavera	Organización Nacional Indígena	2008-06-11

(Bogotá) de Colombia (ONIC)
(indigenous people's organization)

STATE INSTITUTIONS

Gunni Scwitalla (Bogotá)	CNRR	2008-06-09
Andrea García Haylen Maldonado Luis Alberto Bonilla (Bogotá)	Defensoría del Pueblo (the Office of the Public Advocate, the unit for the Justice and Peace Law)	2008-06-23
Luis Gonzales (Bogotá)	The Prosecutor General's Office, The unit for the Justice and Peace Law	2008-06-18
Patricia Linares (Bogotá)	The Procuraduria	2008-06-24
Maria Teresa Duque (Bogotá)	The Procuraduria	2008-06-25
Marlen Mesa (interview via e-mail)	Acción Social	2008-07-23

VICTIMS OF THE VIOLENCE

"Adriana"	Barrancabermeja	2008-06-06
"Marlene"	Barrancabermeja	2008-06-06
"Karen"	Barrancabermeja	2008-06-06
"Marina"	Soacha	2008-06-13
"Maria"	Sibundoy	2008-06-15
"Cecilia"	Sibundoy	2008-06-15
"Clara"	Sibundoy	2008-06-15
"Antonia"	Sibundoy	2008-06-15
"Andrea"	Sibundoy	2008-06-15
"Patricia"	Sibundoy	2008-06-15
"Rosario"	Sibundoy	2008-06-15

EVENTS ATTENDED

National conference of the organization "Madres por la vida" (Mothers for life)	National Museum, Bogotá	2008-05-29
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Launching of the book “Más Allá de las Cifras” produced by Sisma Mujer	Club de Comercio, Bogotá	2008-05-29
Information event arranged by state institutions and IMP	Centro de la Ciudadanía, Barrancabermeja	2008-06-06
Workshop on the administrative reparation arranged by IMP	Casa de la Mujer, Soacha	2008-06-13
Workshop on the administrative reparation arranged by IMP	Old people’s home, Sibundoy	2008-06-15
Meeting of “Mesa Nacional de las Víctimas” (Victim’s National Committee)	Office of “Viva Ciudadanía”, Bogotá	2008-06-25
Meeting with the IMP and the mayor	Sibundoy	2008-06-16

Appendix 3 – Interview Guide: Victims and Organizations

PRESENTATION

- Name
- Family status
- Place of residence and place of origin
- Education
- Ethnicity
- Organizational background
- Relation to the reparations process
 - depending on the relation the person had to the process I exchanged “you” for “the victims” in some of the following questions.

THE TRANSITIONAL JUSTICE PROCESS

- What do you think of the justice and peace process, in general terms?
 - What achievements do you believe have been made?
 - What are the most serious problems and obstacles of the process?
 - What expectation/hope do you have of/in the process?
- What does the concept of justice mean to you?

REPARATIONS

- What type of claims in terms of reparations do you (and your organization) have?
 - Do you have individual and/or collective reparations claims?
 - Is the State responsive to the fact that different groups of victims have different needs and claims? (gender, ethnicity, place of residence)
- Are there any differences between the needs of men and women? (Are there any problems for women within the process that make it difficult for them to receive reparations?)
- What possibilities have you had to influence the reparations process? (Do you feel like an actor of the process or more like a (passive) receiver?)
- Are there possibilities to influence the reparations process based on your culture/special needs?
- Have you/have you had any problems to report the crimes you have suffered?
- Do you place confidence in the State? (How would the State recuperate you credence in it?)
- How would you feel repaired? (How would an ideal reparations program be designed?)
 - What kind of reparation do you believe is the most important?
- How can dignity be restored?
 - Are the problems to restore the dignity for a man and a woman the same?
- What does land (*la tierra*) and the restitution of it mean to you?

DIFFERENT TYPES OF CRIMES

- What kinds of atrocities has your community (*comunidad*) suffered?
- Have men and women suffered the same kind of atrocities?
 - Can you comment the situation of sexual violence?
 - What effects does sexual violence have on the victim?

LIFE CHANGES (CAMBIOS)

- What kind of changes of your life situation has the armed conflict and the violence you have faced implied?
 - Would you like to go back to the life you lead before the atrocities?
- What would reparations mean to you in your personal and family life? (What would it mean to you as a woman?)

Appendix 4 – Interview Guide: State Institutions

PRESENTATION

- Name
- Place of residence and place of origin
- Position in the organization
- Experience in this field (reparations, conflict resolution, gender, indigenous peoples etc.)
- Relation to the reparations process

THE TRANSITIONAL JUSTICE PROCESS

- What do you think of the justice and peace process, in general terms?
 - What achievements do you believe have been made?
 - What are the most serious problems and obstacles of the process?
 - What expectation/hope do you have of/in the process?
- What does the concept of justice mean to you?
- What changes/modifications are necessary in order to successfully repair the victims as stated in the legal framework?

REPARATIONS

- What is the most important objective of reparations?
- Are there any differences between the needs of men and women? (Are there any problems for women within the process that make it difficult for them to receive reparations?)
- What type of claims in terms of reparations do the victims have?
 - Individual and/or collective reparations claims?
 - How does the State respond to the fact that different groups of victims have different needs and claims?
- What possibilities do the victims have to influence the reparations process? (Are they actors of the process or rather (passive) receivers?)
- Are there possibilities to influence the reparations process based on different culture and special needs?
- Have you observed that victims have difficulties to report crimes (in order to participate in the reparations process)? (because of gender, place of residence or ethnicity)
- Do you believe reparations have the potential of being a way for the state to recuperate the citizens' trust?
- Do you find the design of the reparations program to correspond to the needs of the victims, or how would an ideal program be outlined?
 - What kind of reparation do you believe is the most important?
- What do you think of the importance and possibilities of restitution of land?
- How does your organization coordinate your work with reparations with other state institutions?

- How is the work carried out on the national/regional/local level? What difficulties have you observed in the relations between the different levels?
- What do you think of the future of reparations in Colombia?

DIFFERENT TYPES OF CRIMES

- What kinds of atrocities have the victims suffered?
- Have men and women suffered the same kind of atrocities?
 - Can you comment the situation of sexual violence?
 - What effects does sexual violence have on the victim?
- What do you think of stigmatizing crimes and the possibilities to “repair” them?

Appendix 5 – List of Concepts of Transitional Justice

Borer listed transitional justice concepts she came across while making an overview of a few major books on transitional justice. The list gives a good idea of the complexity of the field of transitional justice and of the interconnectedness of many of its concepts.

Accountability	<i>Nunca Más</i>
Acknowledgement	Peace
Amnesty	Punishment
Apology	Reconciliation
Coexistence	Reconstruction
Confession	Remorse
Dignity	Reparations
Forgiveness	Repentance
Healing	Responsibility
Human Rights Culture	Restoration
Justice	Retribution
Mercy	Rule of Law
National Unity	Truth

Source: Tristan Anne Borer, *Truth Telling as a Peace-Building Activity*, p. 26

Appendix 6 – Map of Colombia



Source: geology.com/world/colombia-satellite-image.shtml

Number of inhabitants in the municipalities:

Barrancabermeja: 187 311

Soacha: 398 295 (only 68 647 of these inhabitants were born in Soacha)

Sibundoy: 11 529

Pasto: 383 846

Bogotá: 6 778 691

Source: DANE 2005