

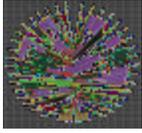
PERMANENT COUNCIL



OEA/Ser.G
CP/doc.3894/04
11 May 2004
Original: Spanish

QUARTERLY REPORT OF THE SECRETARY GENERAL ON THE MISSION TO SUPPORT
THE PEACE PROCESS IN COLOMBIA (MAPP/OEA)

This document is being distributed to the permanent missions
and will be presented to the Permanent Council of the Organization..



MISSION TO SUPPORT THE PEACE PROCESS IN COLOMBIA (MAPP/OEA)

I. Introduction

This quarterly report of the Secretary General on the Mission to Support the Peace Process in Colombia (MAPP/OEA) is presented to the Permanent Council of the Organization of American States (OAS) in keeping with resolution CP/RES. 859 (1397/04), in which the Council resolved “to instruct the Secretary General to provide quarterly reports to the Permanent Council on the work of the MAPP/OEA and its continued ability to contribute, through its work in Colombia, to the fulfillment of the values and principles contained in the Charter of the Organization of American States and the Inter-American Democratic Charter.” This document is also intended for presentation to the General Assembly at its thirty-fourth regular session, to be held in Quito, Ecuador, from June 5 to 8, 2004.

II. The MAPP/OEA mission

A. *The mandate*

On January 23, 2004, the Government of the Republic of Colombia and the General Secretariat of the OAS signed an agreement defining a mission to monitor the peace process (MAPP/OAS). Then, on February 6, 2004, the OAS Permanent Council adopted the aforementioned resolution, “Support to the Peace Process in Colombia,” CP/RES. 859 (1397/04), authorizing the establishment of the mission and spelling out its mandate.

The MAPP/OEA was given a broad, integrated mandate consistent with the basic principles of the Organization. Here, recognition is due to the permanent representatives for the vital contributions and support they offered during the regular meeting of the Permanent Council held on February 6, 2004.

Of special note is the broad nature of the mandate, clearly aimed at comprehensive support to the peace process being carried out by the Colombian people. All actors in the conflict are included: guerrilla groups, Self-Defense Forces, and, most especially, the communities affected by the violence.

The central concerns of promoting and defending human rights and justice and of building confidence and security are fundamental to the tasks this Mission is initiating. It is not empty rhetoric to say that the Mission is inspired by these essential values. They are also a guiding principle of OAS actions in general.

B. *Conduct of the Mission*

During January and February, missions were formed to make contact with government institutions, representatives of cooperating countries, and international organizations. By April, the Mission had, on a temporary basis, two (2) international verification officials in Medellín and one (1) staff member at the central level.

Temporary Mission headquarters were set up in Bogotá. A move to permanent, independent headquarters is in progress. Another office has been established in Medellín to monitor the reintegration process. That office operates with assistance from Medellín City Hall, which provides the facilities, staff, and basic equipment.

The difficulty of obtaining funds with which to carry out the mandate fully has had a strong impact on the Mission's performance and limits its potential. Accordingly, continued efforts to secure the essential funding from various countries and cooperating organizations are pursued on a priority basis. The Mission's budget is provided in Appendix I.

C. *Coordination with the Inter-American Commission on Human Rights (IACHR)*

Contact and communication with the Inter-American Commission on Human Rights is under way, in keeping with the decisions of the Permanent Council. Coordination has begun and staff are exploring how to work together on advisory services, communications, and action. To that end, exploratory and coordination efforts are being initiated with the Office of the High Commissioner for Peace, the Office of the Defender of the People, and the Catholic Church, with a view to working in indigenous communities affected by the violence.

D. *Activities of the Mission*

During the first quarter of operations, the Mission has been in contact with the various sectors and institutions, local communities, nongovernmental human rights organizations, and other parts of the international community, introducing the Mission and raising awareness of its mandate.

In this context, and in keeping with its mandate, it has monitored the national Government's peace policies as they pertain to irregular armed groups.

As for demobilized irregular groups, the Mission has monitored the fulfillment of commitments, following in particular the legal status of demobilized persons and their reintegration into the work force and civilian life.

Considering that the weapons turned over by demobilized groups have not yet been destroyed owing to existing legal provisions in Colombia, the Mission is making the necessary efforts with the authorities to bring about the appropriate reforms and make expeditious destruction possible during future demobilizations.

At the request of the Government of Colombia, the Mission participates in negotiating sessions between the Government and the United Self-Defense Forces of Colombia, observing the authorities but not acting as mediators. This has made it possible, on the one hand, to explain the details of the Mission's mandate to one of the actors in the conflict and, on the other, to gain first-hand knowledge of these illegal armed groups.

At the initiative of the Office of the High Commissioner for Peace, the Mission is participating in designing projects for communities affected by violence, promoting their transition to institutional rule.

With the help of private enterprise and other cooperating bodies, the Mission is preparing activities to reintegrate former combatants, their families, and persons displaced by the conflict.

III. Unfolding of the peace process in general

Since the beginning of the tasks entrusted to the Mission to monitor efforts by the Government and people of Colombia to bring about peace, the technical nature of the Mission has been emphasized. This involves recognizing, first and foremost, the expertise and skill developed by the Colombians.

Therefore, the first steps are to learn about and recognize that expertise and skill. The national institutions, intellectuals and the academic sector, men and women working in the field, the enormous commitment of the Catholic Church and its talks with all actors in the conflict, the Facilitating Commission of Antioquia, the communities that have opposed the violence in peaceful and heroic ways, the nongovernmental organizations--in all these the Mission recognizes the enormous experience gained and effort expended by Colombians in facing the armed conflict over these many years.

Witnessing that great ability on the part of Colombians is the Mission's first function. The conviction is that the peace process will be valid and sustainable as long as it is directed and carried out by Colombians themselves.

A. *Indicators of violence*

The impetus of the democratic security policy and the launching of the peace process by the Colombian Government have established security conditions that a large part of the population considers positive.

The indices of violence (homicides, abductions, massacres, and forced displacements) have dropped during 2003 and the first quarter of 2004. Still, the national Government has evaluated the cessation of hostilities by the Self-Defense Forces and found it to be incomplete.

The Mission has drawn upon official information on the course of the violence and on data provided by independent organizations of recognized professionalism.

B. *Peace process with the Self-Defense Forces*

The agreement of Santafé de Ralito, signed on July 15, 2003, by the national Government and the United Self-Defense Forces of Colombia (AUC, or *Autodefensas Unidas de Colombia*), marks the beginning of demobilization of these outlaw armed groups, which the authorities plan to complete no later than December 31, 2005.

As a first step under the agreement, on November 25, 2003, 847 members of the *Bloque Cacique Nutibara* (BCN) of the AUC in the city of Medellín turned over 623 rifles, short weapons, and support weapons, in addition to ammunition. The OAS was present as a special guest for this activity.

On December 7 of that year, 156 men belonging to the *Autodefensas Campesinas de Ortega*, in Cajibío, Department of Cauca, were demobilized. The OAS was invited.

1. Legislation

The Penal Alternatives Bill, presented by the Executive in the middle of last year as a legal means of advancing negotiations on the disarmament and demobilization of all the illegal groups, has come under criticism. Congressional and human rights groups have taken the lead on this position. The original proposal has been the subject of public hearings, which have led to amendments. The new proposal, now entitled Justice and Reparations Act, has been received by the international community as a positive step and is now in the congressional approval process. The Self-Defense Forces have been critical of the proposal.

2. Negotiations

These are being held at the bilateral level with various factions, at a unified negotiating table. Continued efforts are under way to establish points of consensus leading to a timetable for their geographical centralization, a more effective cessation of hostilities, demobilization, and reintegration. This process continues with the will of the parties to keep the dialogue going and come up with a solution to the conflict.

The Self-Defense Forces are not a homogeneous entity; internal disputes exist. These struggles may have led to the chaotic events that caused the disappearance of a top AUC leader. The prosecutor's office is working to clarify this situation.

In perspective, and in the context of the democratic security policy, the peace process agenda is linked to negotiations with the Self-Defense Forces, especially on the establishment of centralization zones where conditions will be conducive to a cessation of hostilities. On this point, the Mission's verification mandate can be fulfilled effectively only under these conditions.

3. Follow-up on demobilized groups

a) Reintegrated former members of the *Bloque Cacique Nutibara* (AUC-BCN)

- *Murders*

Two demobilized young men were murdered.

- **Guillermo Echevarria Correa** was shot to death on January 3 of this year while walking with his wife and son. The police and the prosecutor's office have gotten involved, and one of the alleged culprits is under prosecution.

- **Asdrúbal de Jesús Campuzano** died as the result of acts of violence that took place on February 15 of this year. No one has been found responsible to date.

The MAPP/OEA office in Medellín is following up on these cases and their investigations.

- *Legal status*

The demobilized individuals have been documented: 862 identification cards and 420 military service records (200 more are being processed). The Administrative Department of Security (DAS) has issued 639 certificates. The status of 215 demobilized individuals is as yet undetermined.

The latter are subject to a writ of prohibition, having been charged with conspiracy to commit an offense. According to information provided by the Office of the Attorney General of the Nation, there are 254 individuals with judicial case records. Some are under prosecution with confidential case files.

To date, fourteen (14) demobilized individuals have been detained. Two cases have to do with offenses committed after the demobilization. In the others, the corresponding analysis has not been completed. Thirteen (13) of these are in the Bellavista Penitentiary and Prison Facility and one (1) is in the Itagüí Maximum Security Prison. Some of these cases are in preliminary investigations, some are at trial, and five (5) individuals are now serving sentences.

SITUACION JURIDICA						
	NOMBRE Y APELLIDOS DEL DETENIDO	PENITENCIARIA DONDE SE ENCUENTRA	FECHA DE INGRESO	DONDE SE LLEVA EL PROCESO	ESTADO JUDICIAL	TIPIFICACION DEL DELITO
1	CARLOS ANDRES HERRERA AGUDELO	CARCEL BELLAVISTA BELLO	3/3/2004	JUZGADO 20 PENAL CIRCUITO MEDELLIN, VIGILA JUZGADO 5° EJECUCION DE PENAS Y MEDIDAS	CONDENADO	HURTO CALIFICADO Y AGRAVADO
2	SAMUEL JOSE CARDENAS TORRES	CARCEL BELLAVISTA BELLO	2/13/2004	FISCALIA 1° ESPECIALIZADA MEDELLIN	SINDICADO	HOMICIDIO Y EXTORSION
3	ARLEY DE JESUS VILLA PALACIO	CARCEL BELLAVISTA BELLO	12/26/2003	JUZGADO 1° PENAL DEL CIRCUITO DE ITAGUI	CONDENADO	HURTO CALIFICADO Y AGRAVADO, PORTE ILEGAL DE ARMAS Y SECUESTRO SIMPLE
4	ALEXANDER ARROYAVE GOMEZ	CARCEL BELLAVISTA BELLO	3/1/2004	JUZGADO 1° PENAL DEL CIRCUITO DE ITAGUI	SINDICADO	TRAFICO, FABRICACION O PORTE DE ESTUPEFACIENTES
5	ANIBAL ENRIQUE VERDUGO BARRAGAN	CARCEL BELLAVISTA BELLO	12/26/2003	FISCALIA 30 SECCIONAL CARTAGENA - BOLIVAR	SINDICADO	HOMICIDIO AGRAVADO
6	ROBINSON VASQUEZ ARAQUE	CARCEL BELLAVISTA BELLO	1/29/2004	JUZGADO 1° PENAL CIRCUITO DE ITAGUI, VIGILA JUZGADO 2° EJECUCION DE PENAS MEDELLIN	CONDENADO	PORTE ILEGAL DE ARMAS
7	MIGUEL ALEJANDRO USUGA SERNA	CARCEL BELLAVISTA BELLO	1/6/2004	FISCALIA 2° UNIDAD 1° DELITOS CONTRA LA VIDA MEDELLIN	SINDICADO	HOMICIDIO, LESIONES PERSONALES Y PORTE ILEGAL DE ARMAS
8	EDILBERTO DE JESUS CAÑAS CHAVARRIAGA	CARCEL BELLAVISTA BELLO	1/29/2004	FISCALIA 121 SECCIONAL DE ITAGUI	SINDICADO	HOMICIDIO
9	HECTOR ALONSO LONDOÑO GONZALEZ	CARCEL BELLAVISTA BELLO	4/18/2004	JUZGADO 2° PENAL DEL CIRCUITO DE MEDELLIN	SINDICADO	PORTE ILEGAL DE ARMAS
10	WILSON DARIO CALLE RESTREPO	CARCEL BELLAVISTA BELLO	1/29/2004	JUZGADO 12 PENAL DEL CIRCUITO DE MEDELLIN	SINDICADO	HURTO CALIFICADO Y AGRAVADO
11	JOSE ASDRUBAL CASTRO PATIÑO	CARCEL BELLAVISTA BELLO	3/19/2004	FISCALIA 94 UNIDAD 1 DELITOS CONTRA LA LEY 30/86 MEDELLIN	SINDICADO	TRAFICO, FABRICACION O PORTE DE ESTUPEFACIENTES
12	DIEGO ARMANDO ALVAREZ MONSALVE	CARCEL BELLAVISTA BELLO	11/26/2003	FISCALIA 18 ESPECIALIZADA DE MEDELLIN	SINDICADO	CONCIERTO PARA DELINQUIR, SUPRESION U OCULTAMIENTO DE DOCUMENTO PUBLICO
13	JAIMAR NICOLAS CASTAÑO ALVAREZ	CARCEL BELLAVISTA BELLO	11/28/2003	JUZGADO 20 PENAL DE MEDELLIN, VIGILA JUZGADO 2 EJECUCION		
14	JUAN MAURICIO OSPINA BOLIVAR VERIFICADO POR JEFE PENITENCIARIO.	CARCEL MAXIMA SEGURIDAD ITAGUI	Feb. 2004	JUZGADO 1° PENAL CIRCUITO DE ITAGUI	CONDENADO	HOMICIDIO (EN SR JEISON ESTEBAN OCAMPO RESTREPO)

The Mission is monitoring the situation of detainees, visiting penitentiaries, and attending hearings with the Office of the Prosecutor in Medellín, to follow up on cases and obtain official information on the dates of the offenses committed and any links among them.

The reintegration process is handled by the Office of the High Commissioner for Peace, the City Hall of Medellín, and the Democracy Corporation (*Corporación Democracia*), an umbrella organization of

demobilized individuals. The Program provides for security, psychosocial follow-up, training in coexistence and community safety, vocational placement, education, integration into the health care system, and subsidies.

Progress has been observed in all of these areas. The situation of demobilized persons, as of April 26, was as follows:

Staff of the Democracy Corporation and spokespersons	6
Victims of homicide	2
Detainees	14
Working	762
Receiving psychological support	807
Participating in the Peace and Reconciliation Program	407

Within the Peace and Reconciliation Program, 70 demobilized individuals have been trained under the Schools of Coexistence and Citizen Safety project. Its aims are to produce community leaders and to provide follow-up and assistance to the demobilized as a whole. In addition, 18 demobilized individuals are now in primary school, 52 are in secondary school, 115 are enrolled in one-year technical courses, and 91 are enrolled in university studies.

b) Demobilized former members of the *Autodefensas Campesinas de Ortega*

After demobilization, four (4) were arrested for homicide. Later, three were freed for lack of evidence. One has a pending case of another nature.

A number of state institutions and some international organizations are sponsoring projects to support community reintegration. These include building a road to link the village to the department seat, installation of an electric plant, issuing land titles in the area, and naming a professor for each of the five districts or *comarcas*. The Mission is negotiating a community project.

IV. Conclusions

1. The Mission continues to work for its installation according to its mandate. As yet, it lacks the basic resources for its logistical operations and the hiring of staff. This affects its ability to fully monitor the peace process and limits its deployment in the country, especially in areas where the conflict is taking place.

2. Still, the Mission has a significant presence with institutions and the public and has assumed a noted role in supporting the peace process. The Organization's commitment to monitor peace efforts is bringing important opportunities to understand the nature of this process to which the Colombian Government and people are so devoted.

3. The reintegration of demobilized individuals from the *Bloque Cacique Nutibara*, despite certain delays and difficulties characteristic of this sort of process, is proceeding in an acceptable and positive manner. The judicial proceedings they have undergone, the effective vocational placement, and other such placement efforts now under way indicate a positive trend.

4. The same can be said of the fulfillment of the agreements with the demobilized and the community of Cajibío.

5. Participation in meetings between the Government and the United Self-Defense Forces of Colombia has provided the Mission with first-hand experience of a reality that, until now, had not been seen by the international community.

6. The Mission reaffirms its commitment to support the peace process initiated by the Government and people of Colombia. Efforts invested toward that end serve to strengthen state institutions, justice, and the great undertaking of promoting the effective exercise of human rights with greater opportunities for peace. Peace in Colombia is possible.

7. The Mission notes the urgent need to begin work in the communities affected by the conflict. It is convinced that this task, in the medium and long terms, will serve the broader, integrated purpose of the mandate by strengthening confidence, security, human rights, and justice, especially among those hardest hit by the violence.

8. Despite the difficulties, including recent incidents, the Mission confirms the continuation of negotiations for the geographical centralization and subsequent demobilization of the Self-Defense Forces. These efforts, and those to find a peaceful solution to the conflict, are still under way.

<http://scm.oas.org/pdfs/2004/CP12845.pdf>