



CONSTITUENT OF EXILES WHO HAVE BEEN/ARE PURSUED BY THE COLOMBIAN STATE

We are the “Constituent of political exiles who have been/are pursued by the Colombian state” (Constituyente de Exiliados/as Políticos Perseguidos por el Estado Colombiano), an international non-profit association, which comprises a great number of people who have been forcibly displaced outside of national borders to the whole world, and which has its main seat in Brussels, Belgium.

The exerted violence in Colombia over the past 70 years, with an armed, political and social conflict has produced around 8 million forcibly displaced people. Many of them have had to leave the country. We name this phenomenon “**A nation in exile**”. For our association of exiles, political exile is a crime of State. Expatriation is the result of violence exerted through a politics of pursuit and terror strategies against social leaders and political opponents, of which the State is responsible for acts or/and omission.

It is necessary to also stress on the **re-victimization**, that we exiles have been subjected to, especially since 2004 with the so called “Operación Europa” of the DAS (Political secret service), and more recently, by the paramilitary machinery, acting against some member of our association in the Spanish State.

After the peace agreement between the Colombian state and the FARC-EP, the persecution, threats, forced displacement and targeted killing of social leaders, political opponents, Human Rights defenders and insurgents, who were granted amnesty and pardon, as well as their family members, has not ceased. So far, in 2017 until July 19 we have the outrageous number of 56 murdered: 41 social leaders, 6 guerilleros who were granted amnesty and/or pardon and 9 of their family

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members.

The fifth point regarding victims of the conflict, establishes the *“integral system of truth, justice, reparation and non-repetition”*, including the special peace jurisdiction and the commitment on Human Rights (*“Sistema Integral de Verdad, Justicia, Reparación y No Repetición”* (SIVJRNR). It begins with the following statement: **“The compensation of the victims is central to the agreement between the national government and the FARC-EP”**.

The political exiles are part of the victims of armed conflict, and we have to be recognized as such with our rights. As stated by the fifth point of the final agreement, the victims have to receive a “differential” treatment. The political exiles are a victim collective with specific characteristics, which are not applicable to the general universe of victims.

The law 1448 of 2011 (the “law of victims and land restitution”) does not cover the political exiles. It completely ignores the victims abroad. Also does so the regulatory decree 4800 of 2011, which fails to consider international forced displacement as a victimizing event, which should be subject of reparation.

The constituent of exiles is observing the non-compliance of the implementation of the peace agreement on the part of the Government regarding the failure to issue laws and decrees, which should be in force by now in accordance with the agreement. This regards subjects such as: land owning, electoral system, democracy, reconciliation of Colombians, security measures for social leaders, Human Right defenders, political opponents, demobilized insurgents, among others, dismantlement of paramilitary groups, the amnesty and pardon law for the release of guerilleros, the construction of housing and social spaces in the “zonas veredales”, where the demobilized insurgents are living, among others.

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In regard to the non-compliance by the Government in the implementation of the peace agreement, we, the members of the Constituent are deeply worried about the lack of conditions and guarantees, which would allow the exiles to pursue a dignified return to the country of origin with safety, peace, truth, justice, reparation and non-repetition, as it is our right.

We greatly value the Second Mission of the United Nations, approved by the Security Council on July 10 of 2017, to monitor compliance with the peace agreement. This mission is a challenge for the Government, which cannot ignore or breach what was agreed. Doing so would imply a high political cost, not only nationally, but also vis-á-vis the international community, which could consider Colombia as a failed State.

Geneva, Switzerland, 18 and 19 September 2017

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