



# The OAS in Colombia: MAPP/OEA, Paramilitary Demobilization and Civil Society

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This article presents a brief synopsis of recent developments with regard to the Organization of American States' Mission to Support the Peace Process in Colombia. The article further addresses ongoing debates about the Mission's verification of the paramilitary demobilization process and its relation with the Inter-American Commission on Human Rights, as well as the relevant considerations of national and international civil society organizations.

Información

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The OAS Secretary General's reports on the organization's Mission to Support the Peace Process in Colombia are usually greeted with minimal fanfare. However, when Secretary General Insulza issued his sixth quarterly report on the Mission in late February, 2006, the impact was devastating. Insulza's report showed that while thousands of paramilitary combatants were laying down their arms within the framework of a negotiated settlement with the Colombian government, underlying paramilitary structures often remained intact. This evidence of paramilitary "cloning"<sup>1</sup> raised grave questions about the demobilization scheme that had become the flagship program of Alvaro Uribe's presidency, and appeared to put the entire peace process at risk.<sup>2</sup>

The Mission to Support the Peace Process in Colombia (known by its Spanish acronym, MAPP/OEA) was created by the OAS Permanent Council via Resolution 859 in February of 2004. The Mission's chief task is to verify the cessation of

hostilities, demobilization, disarmament, and reinsertion of illegal armed groups that have reached agreements with the government.<sup>3</sup> Notwithstanding recent discussions between the Colombian government and the guerilla groups FARC and ELN—in the latter case these discussions are ongoing and relatively advanced—MAPP/OEA's work has thus far focused almost exclusively on the demobilization of the paramilitary group *Autodefensas Unidas de Colombia* (AUC).

The demobilization of the AUC neared its conclusion in May of 2006 with over 30,000 members of the organization having demobilized collectively in the preceding two-and-a-half years.<sup>4</sup> Secretary General Insulza's sixth quarterly report, however, highlighted three emerging and troublesome phenomena with regard to AUC demobilization: 1) the regrouping of demobilized combatants into criminal gangs that control specific communities and illicit economic activities; 2) the existence of holdouts who have not demobilized; and 3) the emergence of new armed

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1 See "OEA denuncia 'clonación' paramilitar", *Semana.com*, March 2, 2006.

2 See "OEA denuncia 'conejo' en desmovilización de bloques 'paras' y dice que está en riesgo el proceso", *El Tiempo*, March 1, 2006.

3 "Convenio entre el Gobierno de la República de Colombia y la Secretaría General de la Organización de los estados Americanos para el Acompañamiento al Proceso de Paz en Colombia," January 23, 2004.

4 "Paras', lejos del fin," *El Tiempo*, May 2, 2006.

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actors and/or the strengthening of those that already existed in areas abandoned by demobilized groups (OEA 2006a).

As previously mentioned, the sixth quarterly report on MAPP/OEA created a splash in Colombia and beyond, with the government (among other measures) convening a security council meeting in response to the report's findings. Meanwhile, the press and the public began seriously questioning the effectiveness of government programs to reinsert demobilized combatants into civilian life. The very notion that the AUC's demobilization represented a genuine peace process seemed to be in doubt, and to some extent still is.<sup>6</sup>

The sixth quarterly report marked something of a departure for MAPP/OEA, which had previously issued reports that were highly supportive of the demobilization process and rather superficial in their analysis. Civil society groups in particular expressed ongoing apprehensions about MAPP/OEA's lackluster monitoring of the ceasefire declared by the AUC in December of 2002.<sup>7</sup> Concerns were also raised regarding the Mission's failure to incorporate human rights norms into its verification work.<sup>8</sup> These shortcomings were acknowledged by Secretary General Insulza in October of 2005, when he delivered his first report on the Mission since taking office as head of the OAS. Insulza recognized that "verification of the human rights considerations of demobilization must be shored up significantly." (OEA 2006a). He further asserted that "the time has come to redefine the [OAS's] role in Colombia," and announced plans to double the Mission's size (OEA 2006b).

Secretary General Insulza's October, 2005 report—which constituted a diagnosis of MAPP/OEA's ills and a roadmap for addressing them—included a proposal to establish a working group of the Inter-American Commission on Human Rights (IACHR) in the field that would collaborate with MAPP/OEA (OEA 2006b). The initiative was clearly meant to address one of the most significant shortfalls of the Mission, namely its failure to integrate human rights concerns into its verification functions.

To understand what Insulza had in mind, it is useful

to recall that the resolution authorizing MAPP/OEA called on the Mission to act consistently with the effective exercise of human rights and international humanitarian law, and invited the IACHR to provide advice to the Mission (OEA 2004). However, during the first year-and-a-half of its existence MAPP/OEA did not succeed in reaching an agreement with the IACHR regarding the scope of this advice. Meanwhile, the Mission issued reports that failed to consider violations of the AUC ceasefire from a human rights perspective, and which declined to address the serious implications for victims' rights to truth, justice and reparation of a controversial new law governing the demobilization of illegal armed groups, the so-called Justice and Peace Law passed in July of 2005 (see, e.g., CEJIL 2006). Insulza's October, 2005 proposal put the issue of the IACHR's advice to MAPP/OEA back on the table.

In this context, several civil society organizations held a thematic hearing before the IACHR in March of 2006 to address the Inter-American Commission's role in advising MAPP/OEA. The organizations in attendance asserted that the IACHR, while providing advice to MAPP/OEA, should be careful to maintain its independence and autonomy and should interact regularly with victims and with organizations that use the Inter-American system. The assembled organizations further delivered four specific recommendations: first, that the IACHR issue a detailed public statement regarding the conformity of the Justice and Peace Law with international human rights standards; second, that the IACHR issue quarterly reports simultaneously with those of MAPP/OEA analyzing the peace process's human rights effects, especially with regard to victims' rights; third, that the IACHR's rapporteur for Colombia participate directly in the Commission's field visits to Colombia; and fourth, that the Commission issue a special report on land issues and forced displacement in Colombia, bearing in mind the particular relevance of these issues to the structural dismantlement of paramilitary groups.<sup>14</sup>

As of this writing, the IACHR was still studying Secretary General Insulza's invitation to establish a working group in

6 See, for example, "En Nariño hay 2.000 paramilitares 'desmovilizados' activos", *Semana.com*, May 2, 2006; "Paras', lejos del fin," *El Tiempo*, May 2, 2006.  
7 See, for example, letter from Gustavo Gallón, Director of the Colombian Commission of Jurists, to MAPP/OEA chief Sergio Caramagna, June 21, 2005.  
8 See, for example, CEJIL, "Observations to the OAS Permanent Council regarding the Mission to Support the Peace Process in Colombia (MAPP/OEA)", October 12, 2005.  
14 See Comité de Solidaridad con Presos Políticos, Comisión Colombiana de Juristas, Colectivo de Abogados José Alvear Restrepo, Grupo Interdisciplinario por los Derechos Humanos, Sisma Mujer, Red Nacional de Mujeres, Corporación Jurídica Libertad, Corporación Reiniciar, Comisión Intereclesial Justicia y Paz, and CEJIL, "Asesoría de la CIDH a la MAPP/OEA: Observaciones presentadas a la Comisión Interamericana de Derechos Humanos," March 6, 2006.



Colombia. The Commission is, however, conducting frequent visits to the country within the framework of its advisory role to MAPP/OEA. The IACHR made four such visits between January and May of 2006, and the latter two included the participation of the Commission's new Rapporteur for Colombia, Commissioner Victor Abramovich. On one of these visits, in April of 2006, Commissioner Abramovich attended the second phase of the demobilization of the Élder Cardenas Block of the AUC, which operated in Urabá. The Commissioner also met with local officials and with members of the population affected by the violence. A second visit, in May, 2006, took Commissioner Abramovich and his colleagues to Bogotá, where they met with government officials as well as Colombian human rights organizations. The IACHR plans to release a second report on the paramilitary de-

mobilization process in the near future (its first such report was issued in December, 2004).

Meanwhile, Secretary General Insulza's plans to expand MAPP/OEA have met with some success; a more robust verification mechanism was clearly reflected in the sixth quarterly report's details of continuing paramilitary activity. Still, questions remain regarding MAPP/OEA's capacity to contribute positively to Colombia's nascent and often troubled peace process, and regarding the scope of the IACHR's role in advising the Mission about the human rights implications of this process.<sup>15</sup> Insofar as the Colombian experience represents uncharted territory for both the OAS and the Inter-American Commission, future developments will undoubtedly be closely observed by both OAS member states and civil society groups in Colombia and beyond.

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15 The majority of an Inter-American Dialogue Task Force on the OAS recently concluded, for example, that the IACHR should rarely if ever assume operational roles in OAS missions that are not plainly part of its human rights mandate. "The human rights body should be especially careful to avoid politically controversial initiatives (such as assisting the demobilization process), which could end up compromising its independence and diminish its professional credibility." See Inter-American Dialogue 2006, 16-17.