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SJP's Appeals Section ordered to accredit the family of a 13-year-old girl who was victim of recruitment by extinct Farc-EP

- The girl's sister, mother and father will be able to intervene as victims in Case 07.

Bogotá, June 2nd of 2022. The Special Jurisdiction for Peace (SJP) Appeals Section ordered to accredit the sister, the mother and the father of a 13-year-old girl who was victim of recruitment by Farc-EP in Bolívar. This way, the victims will be able to intervene in case 07, which investigates the recruitment and use of children in the armed conflict.

Though the girl is still missing, it is believed that she might have died in a military operation against Farc in 2000. According to the family's testimony, the last time they knew about her she presumably was riding in a vehicle in which also was going a member of Farc-EP. The vehicle presumably was attacked by the Army, killing 14 people, but the family of the girl never received the confirmation of her death or received her remains.

Nevertheless, in 2002, some villagers told the family that they witnessed the girl's death and how they got rid of her body after the attack.

This decision made by the Appeals Section revoked a first instance ruling of August 2021, in which the Acknowledgment Chamber didn't accredit this family under the argument that it didn't have enough information to prove that the girl was recruited by Farc.

In its analysis, the Appeals Section considered that the hypothesis of the disappearance or the killing of the girl as a result of the recruitment or the use of children for war is reasonable in terms of the existence of databases, press reports and other public information that coincides with the facts narrated by family members.

Also, the Section quoted two fundamental reasons to accredit this family: "It is true that the girl disappeared or died in the middle of an armed confrontation in

Colombia; and the doubts that persist around her possible recruitment or use for war by an armed actor of conflict must be resolved in favor of the victims, in accordance with the transitional justice's normativity and jurisprudence about recognition of victims in SJP's instances".

The new ruling also pointed that the Acknowledgment Chamber can only accredit victims in the current cases that are already opened. Though, it clarified that "the denial of accreditation only implies the impossibility to participate or to intervene in a specific transitional judicial process, it doesn't question the quality of victims of conflict". In other words, the Chamber's decision doesn't disregard the family's condition as victims.

On the other hand, the ruling ordered the SJP's Executive Secretary (ES) to facilitate the victims' accreditation procedure. "The ES must establish if the victimizing facts can correspond to a case to be open in the future, or if it must orient the victim about the reach of the decision, and to put the victim into notice of its alternatives", says the ruling.

Case 07 was opened by the Acknowledgement Chamber on March 1st of 2019, and, to this date, it registers 18.677 victimizing incidents of children recruited or used during armed conflict.

