

Deusto Journal of Human Rights

Revista Deusto de Derechos Humanos

No. 16/2025

DOI: <https://doi.org/10.18543/djhr162025>

ARTICLES / ARTÍCULOS

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<https://doi.org/10.18543/djhr.3402>

E-published: December 2025

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Can memory heal the wounds? How dealing with the past in Colombia contributes to reconciliation in transitional contexts

¿Puede la memoria sanar las heridas? Formas de tratar el pasado en Colombia que contribuyen a la reconciliación en contextos transicionales

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Submission date: 10.03.2025

Approval date: 30.09.2025

E-published: December 2025

Citation / Cómo citar: Gutiérrez-Rodríguez, Carlos and Pietro De Perini. 2025. «Can memory heal the wounds? How dealing with the past in Colombia contributes to reconciliation in transitional context.» *Deusto Journal of Human Rights*, n. 16: 225-246. <https://doi.org/10.18543/djhr.3402>

Summary: Introduction. 1. Methodology. 2. Memory as a pillar of Transitional Justice. 3. Memory's relevance for victims in the Colombian case. 4. Memory's challenges and contributions to reconciliation. Conclusions. References.

Abstract: This article examines whether memory, in the Colombian context, is strengthening transitional justice in its contribution to reconciliation. We took Colombia as a case study because the Final Peace Agreement signed in 2016 has become a global benchmark for the negotiated resolution of armed conflicts and a source of lessons learned. While in other transitional processes, memory has been a step, a complement, or a replacement for justice, in Colombia, memory is playing a fundamental role in the judicial sanction of the perpetrators. Consequently, an analysis of the Colombian case explores the potential and limits of memorial initiatives in peacebuilding,

considering both the advances and obstacles present in the post-agreement scenario. Based on a set of interviews with experts and victims of the Colombian conflict, the article claims that memory can benefit peacebuilding and reconciliation if it is exemplary, polyphonic, and participative. Otherwise, it can reinforce social divisions and political contestation.

Keywords: Memory, Colombia, reconciliation, transitional justice.

Resumen: Tomando como caso de estudio el contexto colombiano, este artículo examina si la memoria puede contribuir a la reconciliación en los procesos de justicia transicional. Elegimos Colombia porque el Acuerdo Final de Paz firmado en 2016 es considerado una referencia global para la resolución negociada de conflictos armados y una fuente de lecciones aprendidas. Mientras que en otros procesos transicionales la memoria ha sido un paso, un complemento, o un reemplazo de la justicia, en Colombia la memoria está jugando un papel fundamental en la sanción judicial de los perpetradores. Consecuentemente, el análisis del caso colombiano explora el potencial y los límites de las iniciativas memoriales para la construcción de paz, considerando los desafíos y obstáculos presentes en el escenario de post-acuerdo. Basado en un conjunto de entrevistas con expertos y víctimas del conflicto colombiano, el artículo afirma que la memoria puede beneficiar la construcción de paz y la reconciliación si es ejemplar, polifónica y participativa. De lo contrario, puede reforzar las divisiones sociales y la contestación política.

Palabras clave: Memoria, Colombia, reconciliación, justicia transicional

Introduction

This paper assesses the role of memory to advance reconciliation in a context of Transitional Justice (TJ) in the follow up of the Colombian Final Peace Agreement (FPA). According to the former Deputy Prosecutor of the International Criminal Court (2018,4), the concept of TJ:

[E]mbraces a full range of processes that societies employ to deal with the legacy of past human rights abuses and to achieve accountability, justice, and reconciliation. To fulfil these aims, transitional justice systems commonly include four measures: criminal justice, mechanisms for the establishment of the truth, reparations programs, and guarantees of non-recurrence.

The FPA, signed in November 2016 between the Colombian government and the Revolutionary Armed Forces of Colombia (FARC-EP), found political solutions to seemingly unsolvable conflicts (Herbolzheimer 2016). Due to the method followed during the peace talks and the innovations introduced in its content, the agreement is considered a global reference of negotiated settlements to armed conflicts (Nylander *et al.* 2018, 8). Moreover, the FPA has been considered among the most victim-centered comprehensive peace agreements ever signed (Quinn and Joshi 2019, 208).

One of the reasons for such recognition is its Integral System for Truth, Justice, Reparations, and Guarantees of Non-Repetition (from now on: *The Integral System*). This is a mixed Transitional Justice System that combines a Truth Commission (CEV, Spanish Acronym), a Special Jurisdiction for Peace (JEP, Spanish acronym) and a Unity to Find People Considered Disappeared (UBPD, Spanish acronym).

The final report of the CEV has acknowledged that in Colombia there have traditionally been *defensive memories* where victims built communities and groups based on shared victimizing events. However, those memories and collectives were reluctant to acknowledge the harm suffered by the opposing side (CEV 2022a, 33). Consequently, the CEV established that no single sector is responsible for the armed conflict in Colombia. It opted for constructing an *inclusive truth* that recognizes the memories of all victimized sectors (CEV 2022a, 60). More importantly for this paper, in its Resolutions of Conclusions,¹ the

¹ A Resolution of Conclusions is a document that finishes the first investigation phase at the Acknowledgment Chamber of the JEP. After a dialogical process between perpetrators and victims (Cote-Barco 2020), the Resolution determines if the

JEP has established that memory is a fundamental component of the sanctions that must be complied by the perpetrators holding the biggest responsibility for the crimes committed during the armed conflict. According to this tribunal, memory can contribute to the reparation of the damages caused by the war. This is the first time that memory is a fundamental part of the criminal sanction and does not function as an alternative —e.g., Chile and Spain—, a complement —e.g., Greece— or a step towards justice —e.g., Argentina and the *Juicios por la Verdad* (Gutiérrez-Rodríguez 2025).

All these reasons make Colombia an exceptional case study for understanding the contributions of memory to transitional justice and the advances and challenges of memory to achieving reconciliation. The following sections will discuss the methodology employed in this project, the relationship between memory and TJ, the contributions of memory to reconciliation in the Colombian case, and its main achievements and challenges.

1. Methodology

This article gathered information applying qualitative techniques —reading, observing, and questioning (Corbetta 2015). The data collected was analyzed using a grounded theory approach, according to which theories are based on the findings from the ground (Birks and Mills 2023). To do so, we analyzed information collected from academic sources, reports of Human Rights Organisations, and judicial documents; we observed meetings of victims at Bogotá's Center for Memory, Peace and Reconciliation and public interventions of JEP's judges, victims, and experts during academic conferences.

Moreover, we interviewed 22 victims. Half of them had relatives killed by state representatives, and the other half had relatives who belonged to the Colombian armed forces. They were interviewed and contacted through the CMPR. We also interviewed eleven experts/practitioners. These included two magistrates of the JEP, a former JEP's deputy magistrate (*Magistrado Auxiliar*); advocates representing victims before the JEP, the former director of the Colombian Mission of the United Nations Mine Action Service who participated in the design of one of the restorative projects proposed in the Resolutions of

perpetrators prosecuted have fulfilled the requirements determined to benefit from the "restorative sanctions". It also presents its findings to a further instance of the JEP, the Tribunal for Peace, which should evaluate the proposed sanctioning projects.

Conclusions; and the team's leader of the Kroc Institute for International Peace Studies, in charge of monitoring the implementation of the FPA's point on victims.

Although it might be argued that this is a small sample and therefore not representative, representativeness does not only have to do with quantitative issues. In fact, a small group of testimonies can offer keys to interpreting a phenomenon and represent specific dynamics (Carnovale 2007). Obviously, the testimonies themselves are not enough to build this type of representativeness, and that is why the research is triangulated with other sources such as scholarly papers, official documents, and human rights reports.

As mentioned at the end of the Introduction, the information was analyzed following a grounded theory approach divided into three cycles. During the initial cycle, *in vivo* coding was employed, using memos and notes to highlight the parts that intuitively seemed the most significant. This activity was carried out based on a list of predetermined codes, which were then edited and enhanced later. During the intermediate cycle, the interviews' transcripts were systematized using *Atlas.Ti* to identify patterns and organize the quotes and ideas shared by victims and experts. Finally, the advanced cycle linked the testimonies to information gathered through observation and reading, which includes relevant scholarship, to the point of theoretical saturation. The latter "is the point at which categories are sufficiently developed that no new concepts are introduced through the process of concurrent data generation/collection and analysis" (Birks and Mills 2023: 176).

2. Memory as a pillar of Transitional Justice

As mentioned in the introduction, TJ is characterized by measures taken to achieve justice, truth, reparations, and guarantees of non-repetition. These concepts were considered the four pillars of TJ. However, "memory processes in connection with serious violations of human rights and international humanitarian law constitute the fifth pillar of transitional justice" (Salvioli 2020, 5). We recognize that memory is transversal to transitional justice, in the same sense that all its pillars are connected to each other. However, thinking of it as an independent pillar is convenient from an analytical point of view to understand its specific contributions to reconciliation.

Whether common, individual, official, or collective, memory "refers to the ways in which people construct sense or meaning of the past,

and how they relate that past to their present in the act of remembering" (Jelin 2007, 141). It is an interdependent process of remembering and forgetting (Amadiume and An'Naim 2000, 5), which relates to human actions that bring subjectivities, emotions, communications, interests, narratives, social conditions, and power relationships into play (Gutiérrez-Rodríguez 2020a). While an individual memory refers to personal remembrances of an event, a 'common memory' brings together the memories of those who personally experienced a certain incident (Margalit 2004, 51). In contrast, a 'shared memory' refers to events that are relevant at a personal level even if they did not occur to us (Margalit 2004: 52). A shared memory can also be a 'collective memory', a representation of the past, demarcating the boundaries between social groups, a source of social and political identity and justice (Moskovičević 2022, 23; Teitel 2002).

Fabian Salvioli (2020, 4-5), UN special rapporteur on truth, justice, reparation, and guarantees of non-recurrence, claims that "the acknowledgment of war crimes and mass human rights violations is essential for restoring dignity to victims, enabling society to regain trust and initiating a process of reconciliation." However, memory is a slippery concept with multiple meanings and political implications. As a case in point, many assume that memory is a fundamental vector that produces democracy (Pettai 2016). Nonetheless, such an assumption should be avoided or problematized because memory is an involuntary muscle (Portelli 2016, 487). For instance, in the context of the European Union, "memory politics has unintentionally facilitated exactly what it aimed to condemn: the political forces in Europe that are increasingly resorting to distortion of historical facts, and employ symbolism and rhetoric that echoes aspects of totalitarian propaganda" (Pistan 2020, 34). Therefore, one way of understanding the relationship between memory and democratic transformation is that such relation is never direct and linear, because sociopolitical processes are always uncertain and open-ended (Jelin 2019, 188). After all, memory is "a struggle over power and who gets to decide the future" (Barahona de Brito *et al.* 2011, 38) and also the sanction of memory laws can trigger memory wars because people who disagree with the officialized version react to express their discontent (Pistan 2024, 14). In a nutshell, memory policies do not imply that populations will passively receive the narrative proposed. There are always 'underground memories' that oppose the 'official memories' (Pollak 2006, 18).

As one of TJ's pillars is truth, public debates are opened to determine what societies went through. Truth is also a fundamental

component in understanding the potential contribution of memory to reconciliation. First of all, the way in which truth is constructed “defines what is memorable, what is forgettable and also what is reprehensible of the collective experiences lived in the traumatic contexts, in this case, the armed conflict” (Molano and Hernández 2024, 84). Secondly, truth can act as a form of social empowerment for those who were deprived of power and repressed. It can act as a “weapon against oblivion, which can combat ‘social amnesia’, denial, cover-ups, and various pernicious forms of revisionism, whereby past atrocities are either justified or denied” (Barahona de Brito *et al.* 2011, 26).

Usually, during political transitions, institutions are settled to establish an official version of what happened. The social representation of those memories produced by the transitional institutions depends on the level of victims’ participation. Excluding victims affects the legitimacy of the process and questions the decisions made by the transitional institutions (Hodžić 2010, 124). Indeed, as official institutions are no exception to the political disputes on memory referred to above, ‘official memories’ are also susceptible to variations and contestation. Agreement among elites within such institutions can establish political reconciliation. However, this outcome does not necessarily equate to achieving social reconciliation based on how a society interprets and appropriates its past in an ongoing attempt to mold its future (Barahona de Brito *et al.* 2011, 37-38).

Through memory, therefore, the past is constantly re-elaborated. Political and social identities affect the readings of the past. Memory is a contested field in which different versions of what a society experienced influence the present and may determine potential futures. Indeed, the struggle for the past is always a struggle for the future because speaking about social memory means speaking about memories (in plural) that are in constant dispute (Jelin 2017).

Memories that emerge from transitional circumstances can either impose a Manichean interpretation of the past through a feeling of community that excludes those who disagree, or they can be plural and embrace differences through peacebuilding and democratic ambitions. As Verovšek (2016) points out, indeed, politicians often draw on collective understandings of the past to mobilize remembrance as an instrument of politics.

Ideally, memories contributing to building peace and (social and political) reconciliation should amplify victims’ narratives, acknowledge their pain, and advocate for social transformations, recognizing victims’ activism and political processes of organization (Wills 2022). In a nutshell, a peace process needs to include approaches to ‘dealing with

the past,' acknowledging that resolving the legacy of war is necessary for future stability (Strömbom and Bramsen 2022, 1244).

These democratic virtues are related to the potential that memory has to maintain the cohesion of groups, institutions, and nations, creating the illusion of a shared national past (Pollak 2006, 25). Consequently, certain narratives of the past can be used to strengthen democratic values. Thus, memory can be a value for democracy when it is conducive to democratic justice because it makes it a source of mobilization for the reproduction and the modification of a political system (Misztal 2005, 1335-1336).

3. Memory's relevance for victims in the Colombian case

There is no academic consensus regarding when the Colombian armed conflict started. However, according to the Historical Commission on the Conflict and its Victims (2015), violence has persisted due to unaddressed structural factors such as an absent State and extreme inequality in the countryside. These two elements, combined with an excluding political system and the legacy of violent traditions from the civil wars of the 19th century, have made the Colombian armed conflict one of the world's oldest (Jiménez and González 2012, 10).

Although the exact beginning of the armed conflict is debatable, the CEV's final report establishes that the National Front of 1958 was the turning point between the internal armed conflict that ended with the FPA in November 2016 and the bipartisan civil war of the 1950s (CEV 2022b, 25). The National Front was an agreement between the Liberal and the Conservative party, the groups involved in *La Violencia* of the 1950s, who agreed to alternate government every four years, capturing the state and excluding non-traditional elites from power.

The CEV affirms that, in contrast to *La Violencia*, which was a conflict between political parties, the war that Colombia experienced from the National Front was a conflict over political power, democracy, the model of state, land tenure, territorial control, and income. The armed conflict that the National Front initiated is also different from the armed conflicts that continue in some territories after the signing of the FPA. Indeed, the dynamics of these conflicts are a combination of economic and political objectives that do not seek to seize power at the national level but to exercise local control to favor illegal economies (CEV 2022a, 88).

Memory is closely related to symbolic reparations as long as "to be effective for reconciliation, reparations should not only focus on

assistance and compensation, but should also attend to the psychological and symbolic damages of war in communities affected by mass atrocity" (Firchow 2017, 333).

In Colombia, memory is related to victims' processes of narration and self-recognition (Alzate 2022, 189). The recovery of memory has allowed victims' organizations at the national level to reconstruct the events related to the violence they have suffered. Moreover, it also allows giving back to the murdered or disappeared people their human and political integrity, vindicating their vision of a concrete change in Colombian society (Casafina 2023, 120).

The JEP does not offer retributive justice in the sense of sending perpetrators to jail as many victims expect, but neither does it offer distributive justice, because the JEP is not allowed to order individual reparations or land restitutions (Judgment C-080 of 2018). The only thing left for victims is the right to know what happened to their relatives and the possibility to transmit the memory of their case (Castañeda 2024). For many victims and organizations, memory has become a form of resistance that can have more social impact than any judicial decision (Lemus 2024).

As public memory is a scenario of a political dispute that reflects the social struggles in the country, memory's relevance for victims should be understood in the framework of broader historical claims of the victims' movement in Colombia (Vargas 2024). As a result of these political disputes, the state's definition of 'victim', i.e., who deserves the deployment of public policies to acknowledge and repair the damages they suffered, has changed over time. Colombia went from local definitions of the public problem of victims to transnational concepts, which implied a 'standardization' and the generation of technical-legal devices to homogenize the definition of 'victim' (Espinosa 2021, 420). According to this international standardization, a victim is a person who has suffered a violation of international human rights law or a serious violation of international humanitarian law.

Despite such homogenization, 'hierarchies' of social mourning persist. Consequently, some victims receive more attention than others (Espinosa 2021, 423). This grading relates to memory by creating a dispute over who deserves to be publicly remembered. Through that remembrance, it is recognized that a citizen's rights were violated. By publicly acknowledging this, there is a contribution to the reparation and recognition of that person's citizenship and agency despite becoming a victim due to the perpetrators' actions.

Even if 'victim' is a contested category that might not be easily accepted due to the social stigmas regarding passivity and vulnerability,

Colombian victims' activism highlights their agency. Moreover, as the FPA was achieved "in a context where victims had a fairly robust set of constitutional and legislative rights" (Landau 2020, 1321), being a victim in Colombia means having specific rights to truth, justice, reparation, and guarantees of non-repetition. For this reason, victims like Janeth Rodríguez, Jacqueline Mosquera, and anonymous victims 3, 4, and 5 felt offended for not having been recognized as victims by the JEP. In the words of Janeth Rodríguez (2024), "we feel 'destroyed' for not being part of the peace process".²

However, independently of their participation in the JEP, victims have already taken action to promote and build their memories. Most victims do not expect permission or support from the JEP to do memory. In the court, they see the opportunity to have their memories officially acknowledged by an institution. Victims participate in the JEP to give visibility to their memory so that their relatives and their organizational actions are not forgotten (Rojas-Lozano 2024).

Memory can help victims deal with their pain, establish links with others, and unfold a human rights activism that denounces the crimes they have suffered, advocating for the prevention of future human rights violations (Wills 2021; Gutiérrez-Rodríguez 2020a). This was corroborated in the interviews with the victims, who recognize in memory a possibility to deal with their grief.

In the words of Jacqueline Mosquera (2024, personal interview), "memory serves to repair, a little bit, the pain left by the war." For Delsa Vanegas (2024), memory is significant because remembering helps clarify the facts and contributes to dignifying the lives of people who served the country. In memory, victims have found a way to make their stories visible, hoping that it will contribute also to non-repetition. According to Aidee Forero (2024, personal interview), "we are the voices of those who were silenced. We as mothers, widows, and families continue with this [struggle for memory because otherwise] they will be forgotten." In that regard, Esperanza Rojas affirmed that:

² The JEP did not choose their cases due to technical reasons. As their relatives were killed by paramilitary groups and the JEP was designed only to judge the crimes committed by the National Army or by the FARC, the tribunal cannot accept their cases. To attend to the crimes committed by paramilitary groups Colombia has a different system created by the Law of Justice and Peace of 2005, a transitional mechanism instituted in the framework of the peace talks with paramilitary groups. However, victims whose individual cases do not meet the technical requirements can participate in the JEP as collective actors as long as they belong to an organization accredited by the transitional tribunal.

Memory is important for us. We want the memory of our loved ones to be included in all these memory processes because it is very sad to arrive at the Center for Memory, Peace and Reconciliation, and see that our relatives are not included, [it is sad] that we as victims are not visible and that our organizations are not very visible either. This work has been done together and has to be visible because history has been written with pain and sacrifice and, above all, over the victims (Rojas 2024).

This position is shared by Blanca Monroy (2024), for whom memory plays a fundamental role, to the point of affirming that “if we forget, these people die. If, however, we remember them, we have them in our memory. By having them in our memory, we revive these boys. We make them stay alive” (Monroy 2024, personal interview).

Memorial processes offer the possibility of bonding with other victims who have suffered from similar harm. Individual memories evolve into collective memories because victims are no longer just searching for their relatives. In the words of Manuela Páez-Rojas (2024, personal interview) “we are no longer looking for just my family member, but for 6,400 victims. When we go, let’s say, on August 30, which commemorates forced disappearances, people have come to us [saying] ‘I am looking for my husband, and you are exhibiting a photo of him’”. Moreover, for Jacqueline Mosquera (2024, personal interview), participating in such memorial initiatives is ‘nice’ because she can share hugs with other victims. They feel they are not the only ones going through such a complicated situation (Hernández 2024). Anonymous Victim 3 (2024), expressed that memory has contributed to her personal healing because they know that other companions are in the same situation. This was the same position of Anonymous Victim 4 (2024), who expressed that by participating in the memorial initiatives, “you are with more people, you meet with more people. All of that, all of that has helped me”.

4. Memory’s challenges and contributions to reconciliation

In the previous sections, we explored the meaning and the relationship of memory with other pillars of TJ. In this section, we will discuss the concrete relationship with reconciliation to identify the main challenges and achievements of memory as a tool for reconciliation in the Colombian transitional process.

Before the signing of the FPA and the beginning of the peace talks there was a debate regarding the existence of the armed conflict in

Colombia. In 2002, Álvaro Uribe (2002-2010) won the presidential election with a political agenda that prioritized the military defeat of the guerrillas over a negotiated solution (Pizarro 2003, 6). His narrative denied the political dimension of the armed conflict, arguing that the guerrillas were narco-terrorist organizations, and affirming that Colombian Armed forces were heroes saving the country. This reading of the past denied the crimes committed by the armed forces and tried to silence their victims' claims (Gutiérrez-Rodríguez 2019).

Against this backdrop, the first achievement of the 'Integral System' is its commitment to overcome this Manichean narrative of Colombian history, reviewing the complexities of the conflict and giving voice to actors and memories that had traditionally been denied or subjugated. Through eleven volumes and almost 10,000 pages, the CEV's Final Report presents the historical account, the causes, and the degradation of the armed conflict. It also reports on the impact of the war on specific regions and particular populations, for example, children and adolescents, populations with diverse sexual orientations and gender identities, ethnic peoples, and exiled persons (Molano and Hernández 2024, 102).

The findings of the CEV, as an extrajudicial institution, are combined with the decisions of the JEP. The latter has been able to establish that a *de facto* policy was instituted in the Colombian National Army to systematically murder civilians who were presented as combat casualties. Moreover, the JEP has determined that sexual violence was structural and practiced by all armed actors. Furthermore, the tribunal acknowledged a disproportionate impact against ethnic peoples. It recognized that repairing this damage requires an inter-judisdictional dialogue with ethnic notions of justice, and found that nature itself was a victim of the armed conflict (Gutiérrez-Rodríguez 2024). Furthermore, the JEP determined that FARC-EP systematically committed kidnappings, degrading the conflict.

According to the former president of the CEV, Francisco De Roux, these acknowledgments are contributions to reconciliation because "the first thing that is required for reconciliation is to accept, with greatness and humility, that the human tragedy that all of us carry in Colombia is part of our identity" (Ríos-Monroy 2022, personal interview). In that sense, the memory constructed by the transitional institutions aims to be a memory for peace instead of a memory for war (Wills, 2022), where we recognize ourselves from our vulnerability, as there is a shared pain regardless of the sides that fought in the conflict.

Nonetheless, these steps towards reconciliation face material challenges, such as the continuation of the armed conflict. Due to the lack of readiness of the state to fill the security vacuum left by the FARC-EP (Piccone 2019, 7), Colombia has at least six non-international armed conflicts that involve the National Liberation Army (ELN) a guerrilla that did not participate in the peace talks, FARC-EP dissidents, FARC-EP recidivists, and paramilitary groups fighting to control territories previously occupied by the 'guerrilleros' who abandoned weapons (International Committee of the Red Cross 2022). Consequently, "victims, NGOs, and ex-FARC combatants noted the lack of security and the continuation of violence in some areas of the country, making the implementation of sanctions difficult and putting offenders and communities at risk" (Mayans-Hermida *et al.* 2023, 209).

In theory transitional institutions are crucial for individual and social reconciliation because they help a society to understand and acknowledge a disputed history by bringing the voices of victims to the general public, aiming to prevent further abuses (Narvaéz *et al.* 2018, 62). In practice, however, neither the JEP nor the CEV have closed the public debate regarding Colombia's past. Memorial battles continue. For instance, the *Centro Democrático*—a political party of the extreme right—headed by former president Álvaro Uribe, has created its own report opposing the CEV's findings. In it, they deny the armed forces' role as perpetrators, prioritizing their role as victims and heroes. The document also describes the Commission's findings as biased and designed to pass off the victimizers of the past as the heroes of the present (Uribe 2022).

At an individual level, some of the victims interviewed recognize that the meetings with the perpetrators organized by the CEV and the JEP have been useful for forgiveness and reconciliation when adequately prepared and organized. For instance, Blanca Nubia Monroy—mother of Julián Oviedo Monroy, a civilian young man recruited and killed by the army to be falsely presented as a combat casualty—affirms that:

It is something beautiful. They [from the CEV and the JEP] bring us together and reunite us with these people who hurt us. Our struggle [for memory, truth, justice, and guarantees of non-repetition] teaches us how to heal the wounds we have. And to forgive. I think that if the Truth Commission and the JEP were not here right now, we would still be full of rage and hate (Monroy 2024, personal interview).

Cecilia Arenas —sister of Mario Alexander Arenas, another civilian killed by the army to be falsely presented as a combat casualty— agrees with her. Cecilia affirms that one of the biggest achievements of the transitional process is “showing the world that victims and perpetrators can work together. Because [they] have found victims and perpetrators that still do not forgive each other, but they are working to make that reconciliation” (Arenas 2024, personal interview). Moreover, Anonymous Victim 2 (2024) affirmed that a significant achievement of the transitional process was the chance that she had to be face to face with those responsible for the death of her family member. It was a very hard process for her, but she recognized it as an opportunity.

Some of the victims interviewed who have not yet been summoned to the restorative meetings developed by the ‘Integral System’ state that “we as victims of the security forces want to get there and be able to see the faces of the perpetrators who did harm to us” (Vanegas 2024, personal interview). However, members of the same organization have had the opportunity to meet with the perpetrators without preparation. Some were at an event without knowing that the perpetrators were going to be there. They were not prepared to see them, and the encounter caused new harm.

Participation in these types of encounters must be well-informed and voluntary. An example of events organized by the ‘Integral System’ that contribute to reconciliation are the JEP’s acknowledgment hearings (*Audiencias de Reconocimiento*), where perpetrators and victims meet in a meticulously prepared public event. In these acknowledgment hearings, victims intervene, perpetrators recognize the damages caused by their crimes, and occasionally publicly ask for forgiveness (Parra-Vera 2023a, 4).

However, if victims do not perceive requests for forgiveness as sincere, it may cause further harm. Such requests may also be premature. Some of the victims interviewed reported feeling offended because perpetrators asked for forgiveness without having confessed or told the truth. They said they ask for forgiveness, but forgiveness for what?

In the first hearings organized by the JEP, the military arrived reading papers meticulously written by their lawyers. Many victims stated that such apologies were meaningless because it was a forgiveness that “did not come from the heart” (Gutiérrez-Rodríguez 2020b, 37).

Esperanza Rojas (2024), the Director of the Foundation for the Protection of the Rights of Victims of Abduction and Enforced

Disappearance expressed in her interview that she feels that the FARC-EP has not been honest. In interviews, victims expressed several times that the perpetrators participating in the JEP were offering a 'half-truth'. In that regard, JEP's Magistrate Julieta Lemaitre argued that the victims' disagreement with the perpetrators' statements is related to the moral dimension of the truth. For the victims, it is not enough if the perpetrators limit themselves to describing the facts without acknowledging what these harms meant to the victims and how this affected their lives (Lemaitre *et al.* 2024).

Moreover, JEP's Judge Marcela Giraldo stated that the truth that relatives expect is marked by their emotional ties with the direct victims. They hope to know the last words of their relative, what jokes he/she made in captivity, if he/she cried, and other personal things. However, the perpetrators had a very different relationship with the direct victims, and, to a large extent, they are not able to respond to these demands for emotional and affective truth (Kroc 2024). Consequently, a memory that serves reconciliation should be 'exemplary' (Todorov 2000), i.e., it should go beyond the literal description of the facts, contemplating the reasons behind the heinous human rights atrocities and imparting knowledge that encourages non-repetition. This is why for Rojas (2024) a talk, or a press conference in which they apologize is not enough.

Regarding "the apologies offered at different times by the groups in conflict, Colombia follows a Latin American pattern, i.e., apologies are perceived as insincere and ineffective, and their usefulness in the context of reparations to victims and reconciliation with perpetrators is questioned" (Ruiz *et al.* 2022, 147). The lack of honesty or the perception that the perpetrators are not telling the whole truth is related to the fact that at the beginning, they used the transitional instances to reproduce discourses that justified their actions in the war or maintained behaviors typical of an ordinary judicial process.

This is shown, for instance, by the tendency to say or answer only what they are asked, limiting themselves to solely the facts. Some have even alluded to the 'scripts' they had to follow in the ordinary justice system, in the context of the cover-up strategies that are currently under investigation. Consequently, victims have complained about re-victimization occurring during certain statements. In other voluntary statements, a debate has arisen about how perpetrators perceive the harm suffered by victims and compare it to the pain they themselves have suffered. Some victims have also considered this comparison to be re-victimizing (Parra-Vera 2022, 146).

In this sense, the memory that serves reconciliation must be participatory, incorporating the demands and questions of the victims so that the narrative that emerges from the institutions does not unquestioningly reproduce the narrative of the perpetrators. However, in Colombia, the armed conflict has left more than nine million victims, a massive number that immediately raises logistical difficulties to engage and guarantee the participation of such an enormous number of people (Gutiérrez-Rodríguez 2024, 1577).

Conclusions

Memory can contribute to reconciliation as long as it is exemplary, polyphonic, and participative. For instance, the CEV constructed a novel report that brings to the forefront the accounts of previously unheard populations and has documented the human rights violations committed by different sides in the war, recognizing the complexity of the conflict without holding only one side responsible. In fact, as mentioned above, the CEV's Final Report places the origin of the conflict on the National Front. In other words, the periodization of the report locates the beginning of the conflict in a decision of both conservative and liberal political elites, who decided to take turns in political power. However, this achievement is challenged because memorial battles do not end with the institutions' findings. Currently, there is a dispute over the past and certain sectors deny the veracity and legitimacy of institutions such as the CEV and the JEP.

The work carried out by these institutions has allowed certain victims to advance healing and reconciliation processes with their perpetrators, but the massiveness of the conflict means that not all victims can participate in these initiatives. Those who do not participate feel excluded, question the system's legitimacy, and do not see individual paths to forgiveness or reconciliation. Even those who do participate may see apologies as acts of protocol. Forgiveness and reconciliation remain subjective and are distanced when the state is unable to make material reparations to the victims and respond to their demands. Finally, memory is limited in contributing to reconciliation when the conflict has not ended. In Colombia, rather than not to repeat, memory calls for the conflict to cease. In this country, therefore, reconciliation through memory is an ongoing process that is not just about addressing past events but also about shaping, inclusively, the present and future of Colombian society. Indeed, while institutions can provide frameworks and opportunities

for reconciliation, true social reconciliation depends on broader societal acceptance and engagement.

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