Power Relations Behind the Victim: The Representation of Child Soldiers in the Colombian Conflict

MASTER THESIS INTERNATIONAL RELATIONS

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ABSTRACT

This thesis aims to critically analyse how power relations in victimhood discourse have changed within the framework of five decades of Colombian armed conflict and how this affected the discourse of child soldiers. By analysing two case studies, the El Caguán – and the Havana peace process, this thesis aims to answer the main research question: How did power relations behind the victim change due the implementation of transitional justice during the Colombian peace processes and how has this affected demobilised child soldiers? Critical discourse analysis is used to understand which power relations determine the recognition of the victim, which will also provide an understanding of how victims and especially child soldiers have been referred to throughout the armed conflict. This thesis aims to contribute to studies of childhood, studies of transitional justice and the implementation of such justice regarding former child soldiers and victims of war conflicts.

Keywords: Colombian Armed Conflict; Power and Knowledge; Child Soldiers; Transitional Justice; Peace Process; Memory; Discourse Analysis.

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LIST OF ABBREVIATIONS

AUC   Autodefensas Unidas de Colombia

CDA   Critical Discourse Analysis

ELN   National Liberation Party

FARC   Revolutionary Armed Forces of Colombia

IR   International Relations

LGBTI Lesbian, gay, bisexual, transgender and intersex

NGO   Non-Governmental Organization

UN   United Nations

1. INTRODUCTION

"I joined the Army when I was 14 because, one, I was persuaded that the only way to get my parents back or to stop that from happening was to be a part of the Army and kill those people who were responsible for killing my parents. But, you see, the thing that is very disturbing about this ... is that once I joined the Army and started fighting, I was also killing other people's parents and so I was creating a circle of revenge where I killed somebody else's parents, he is going to be persuaded by a different group, either the RUF [Revolutionary United Front] or the Army, saying, "Okay. Join the Army and kill this person who killed your parents." So, it is a circle of revenge. And the disturbing thing about it is that it is kids that are killing kids".

–I., age 14[1]

1.1 Context

Colombia has suffered one of the world's most violent conflicts (Herbolzheimer 2016, 1). After five decades of fighting, 260,000 deaths, more than 60,000 people disappeared and around 7 million people displaced, the Colombian government signed a peace accord with guerrilla group FARC in 2016 (LeGrand et al. 2017, 259.) The roots of the conflict go back to the 1950s and the armed peasant movements of the early 1960s. The period known as *La Violencia* split the country, after which groups such as FARC (Revolutionary Armed Forces of Colombia) and ELN (National Liberation Army) were formed (Pabon 2014). Over the decades numerous attempts were taken to finalise an agreement that would end the war and bring peace to the nation. In 1989 a peace agreement was signed with the guerrilla group M-19, which led to the adoption of a new constitution in 1991. In the late 1990's peace talks with FARD and ELN were held, but these did not result in a lasting agreement. When Alvara Uribe became president in 2002, he announced that he would reach a peace settlement with the paramilitary groups. Negotiations were conducted, with one of the most important peace talks taking place in the early 2000s in El Caguán, but it was followed by an escalation of violence (Justice for Colombia). The demobilization process proved faulty and several paramilitary groups re-emerged (International centre for transitional justice). After president Uribe, the new president Juan Manual Santos opened talks with the guerrillas in a bid to a find a negotiated solution to

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[1] UN panel, "Reclaiming Our Children," UN headquarters, transcript, May 7, 2002.

the conflict. In November of 2012, the Havana peace process was initiated between the government and FARC, finally resulting in a ceasefire in July 2015 (Justice for Colombia).

Between the El Caguán and the Havana processes, something changed in the mindset of the agents involved. One of the main changes was the importance of the victim. In 2005, the Justice and Peace Law was established which became the basis for the demobilisation of thousands of paramilitaries (Oettler 2020; Perez 2017). Another law, the Law on Victims and Land Restitution was passed in 2011 and provided for the creation of a Unit for Reparations for Victims. With this programme, reparations for victims could be provided and all of them could get registered (Herbolzheimer 2016, 4). This law is possibly the first of its kind that govern reparations and justice for victims of a conflict, while the conflict itself was still ongoing (Pabon 2014). The transitional justice mechanism gave the individuals, communities, and nations a chance to respond to all the atrocities arising from the war. Additionally it helped them to process and deal with the aftermath of the conflict (Machel 2010, x). Participation of the victims in the peace process led to several gains for human rights advocates in various aspects of the agreement such as the Integral Transitional Justice System. This system seeks to satisfy the rights of victims, while also trying to find out the truth about what happened in the Colombian conflict. Important, this allowed those responsible for human rights violations to be held accountable. In this manner, it contribute to establishing trust in the peace process and ultimately achieving reconciliation. The impact of the victim's participation in the peace process was crucial for the achievement of a comprehensive and inclusive agreement that truly reflected the perspective of those who have suffered the most during the conflict and not just the political agenda's of the Colombian government and FARC (Perez 2017). The agreement made in the city of Havana was a milestone in the process of achieving peace and made Colombia the global reference for identifying political solutions to so called intractable conflicts. As this peace process had been their third attempt, the parties involved in the process had looked at past experiences and consequently developed innovative approaches and frameworks (Herbolzheimer 2016, 1).

1.2 Relevance

The Colombian conflict created a situation which left few options for children to protect and provide themselves. The participation of children in armed conflict is common throughout history, but their recruitment and usage as child soldiers has only recently got international attention and condemnation. Scholars suggest that the grown concerns correlate with changed

view regarding childhood and war. Childhood and soldiering are opposing concepts, but this understanding is not universal and depends on the cultural context (Steinl 2017, 3).

The study on child soldiers in peace processes is not only important for the further development of former child soldiers as Colombian citizens, but also for the sustainability of peace itself. In regards to the use of transitional justice, the Colombian peace process is an important case study, because "this peace process boasts the most comprehensive and holistic approach to transitional justice the world has seen". As the efforts to peacebuilding happened amidst the conflict, Colombia took a new approach towards reinventing institutionalised reconciliation practice. As a result, there is an ongoing debate about how Colombia took "a shift away from the classic primary activities of transitional justice" (Oettler 2020). As Parmar et al. note: "If children are excluded from a country's agenda, if their rights are not addressed, a fault line will run through the heart of the nation. The measure of a country's strength and vision is not its military might but its investment in children's capacities, in their development (2010, X)." Although academic studies of child soldiers are increasingly conducted in international relations, they are lacking in the field of IR (Berents 2009: 3; Watson 2006: 238). According to Berents, the dominant discourse of childhood has a limited understanding of the experiences of former child soldiers, which is a concern in peace building activities (2009: 2). Transitional justice mechanisms can be tools to understand their experiences. This thesis may contribute to the studies of childhood, the studies of transitional justice and its implementation regarding former child soldiers and victims of conflicts. The outcome of this research is expected to be applicable to future peace processes and the treatment of former child soldiers. It also hopes to encourage emerging efforts to prioritize children's issues in transitional justice.

1.3 Research Question and Sub-questions

A key turning point took place between the El Caguán and the Havana peace processes. The final peace process with FARC underlined the importance of victims, and the actors concerned decided to include the voice of the victims in this process. There were many child soldiers involved in the conflict and it can be argued that they were key to successfully ending the war. This thesis thus aims to answer the following question: ***How did power relations behind the victim change due the implementation of transitional justice during the Colombian peace processes and how has this affected demobilised child soldiers?*** To answer this question the follow sub-questions are posed: *What is the history of the Colombian conflict in relation to victimization?; How are child soldiers represented in Colombian perspective?; How did the*

victims of the conflict change the victim framework and what role did demobilised child soldiers have in this process?

1.4 Modalities of violence – historical background of the Colombian War

As previously said, the start of the conflict goes back to the 1950s. Appropriation, use and possession of land motivated the origin of the armed conflict and its persistence (GMH 2016: 27). Since the nineteenth century, traditional political parties have used violence to particularly secure domination over the state. In the period known as *La Violencia,* which lasted from 1946 to 1958, violent acts between the Liberal and Conservatives reached its critical level. *La Violencia* expressed itself in repression against agrarian workers and several popular urban movement which support the ideals of Liberal party leader Jorge Eliécer Gaitán. Different armed groups were formed within the political parties and confrontation between the groups intensified and degraded to a point at which the armed groups started to commit massacres, violent acts and sexual crimes (GMH 2016: 118). To further highlight the several armed groups, I will now give a brief overview of their key characteristics.

The FARC is the oldest guerrilla group in Latin America. In a report of the Human Rights Watch written in 2003, the FARC guerrillas counted over 16,500 trained and armed fighters among their forces. Throughout the conflict, FARC became more militarized and eventually distanced themselves from the Communist Party that they were allied with (GMH 2016: 141). In 1999, President Pastrana initiated formal talks with the guerrillas aimed at negotiating peace. (Brett 2003: 23-24).

Compared to the FARC, the ELN is a relatively smaller and more regional group. However, its influence with regards to how to maintains itself as a military group is rather dramatic. Within the group the Central Command takes the political and military decisions, but field commanders are believed to act with a much greater autonomy than they do in the FARC. It is difficult to ascertain the number of children participating in this force, because the number of children who have abandoned it or who have been captured from it is smaller than that of the FARC (Brett 2003: 24-26).

AUC (Autodefensas Unidas de Colombia), also known as the United Self-defence Groups of Colombia or the paramilitary, consists of at least ten groups. In 2003, the group had 11,000 armed members. Their history is almost as long as the FARC and they direct their terror towards what they perceive as the guerrilla's civilian support networks. Even civilians who inhabited areas where guerrillas were active in past times are seen as targets. The paramilitary groups

were declared illegal in 1989. However, the government has failed to disband them or bring justice to their leaders or military officers who facilitated or tolerated paramilitary abuse (Brett 2003: 26).

The armed conflict cannot be characterized by a distinctive form of violence, as the armed groups have used and combined different types of it. However, it can be established that the main victims of the violence were the civilians of Colombia (GHM 2016: 26). According to the GMH report: "The war has especially affected the poor sectors of the population, Afro-Colombian and indigenous communities, and opponents and dissidents. Woman and children are the ones particularly affected (2016: 31)." A pattern of direct violence against other indigenous and black communities has been found in documentation of each analysed case (GMH 2016: 31). Although possession of land was the main motivation of the conflict, other problems occurred throughout as well. These include drug trafficking; exploitation of mining and energy sources; criminal alliances between paramilitary groups and governmental actors (GMH 2016: 27). The violence in Colombia is a result of international actions that are mostly inscribed within political and military strategies and based on complex alliances and social dynamics. Due to a lack of political will to recognize and face the problems and as the magnitude of the armed conflict is still not well understood, collecting and processing of all information got a late start (GMH 2016: 37). Both legally and illegally armed agents used the context of generalized violence in which the conflict took place to hide their actions invisible and portray them as violent acts perpetrated by others (GMH 2016: 39). Nevertheless, violence on civilians was part of the war strategy of all armed agents involved. It was a way to waken the adversary and amass strength at the same time. As civilians are a source of political, economic, moral, and logistical support, they were crucial to the outcome of the conflict (GMH 2016: 40-43). Between 1996 and 2002, violence on civilians increased, because they were regarded as an extension of the enemy. Within this period, paramilitary groups started to challenge the ascendance of the guerrillas. After the FARC shifted from a defensive to an offensive guerrilla strategy, they expanded towards new regions. When the tension between the national government and the armed forces intensified, the self-defence groups multiplied and mutated into paramilitary ones, which unleashed a brutal repression of the civilian population. This also started alliances with several drug-traffickers. The armed forces and illegal armies started to blur the distinction between combatants and civilians and between social struggles and urgent activities (GMH 2016: 148). The rise in guerrilla and paramilitary violence and the heights of drug-trafficking that were reached, led to the gradual weakening of political alternatives to the use of violence. This escalation demanded fundamental changes in the

institutions of the state. The new Political Constitution of Colombia of 1991 facilitated a peace agreement that smoothed the way towards the dismantling of the drug-trafficking cartels (GMH 2016: 150-56). However, the conflict was far from over.

During the 1990s, the guerrilla and paramilitary groups started to expand, resulting in the maximization of express, extension, and levels of victimization between 1996 to 2005. The relationship between the armed agents and the civilian population changed as the former employed intimidation, aggression and murder and exile (GMH 2016: 160). After Alvaro Uribe became president in 2000, his government unleashed the greatest political, military, and juridical offense against the guerrilla groups in the history of the conflict. This caused the military capacity of the guerrillas to weaken. Additionally, a controversial political negotiation between the Uribe government and the paramilitary groups arose. On the one hand, it gave rise to the demobilization and partial disarming of the paramilitary structures and a reduction of violence. On the other hand, the government failed to contribute to impunity of those guilty of the crimes and to recognise the victims (GMH 2016: 185). In 2005, the Justice and Peace Law was established, which brought new concerns, debates and challenges related to the post-conflict implication of transitional justice. The law allowed many truths and experiences of victims to be uncovered (GMH 2016: 30). Difficulties and tension around this law were reflected in national politics. Uribe's government refused to acknowledge the existence of the armed conflict in the country and called the FARC a terrorist threat to Colombian democracy (GMH 2016: 198). Only with the Santos government in 2010, the governmental policy shifted into making the victims and political solution of the conflict its two banners. Its commitment is validated through the implementation of the Victims Law in 2011 and Juan Manuel Santos negotiation with the FARC in 2012 (GMH 2016: 195). This finally resulted in the initiation of a ceasefire in 2015 and the finalisation of an agreement in 2016.

1.5 Lay-out of the thesis

This chapter has given the overall introduction of this research and its historical background. Chapter 2 will delve into a literature review of the theories of victimization and victimhood, child soldiers and their recruitment, and transitional justice. Chapter 3 explains the methodology and the instances that will be analysed. Chapter 4 and 5 will analyse the El Cagúan peace process which took place from 1999 till 2002 and the Havana peace process from 2011 till 2016. The thesis ends with the conclusion and discussion in chapter 6.

2. LITERATURE REVIEW

This chapter goes into the three main frameworks of the thesis, in order to present the existing literature and explains the most important concepts this thesis focuses on. The first part focuses on the discourse of victimhood, the second part on the definition of child soldiers and their recruitment, and the final part on the concept of transitional justice.

2.1 Victimhood

What and who is a victim and most importantly: who decides who the victim is? Tami Amanda Jacoby has formulated a political theory of victimhood which is "driven by a distinction between victimisation as an act of harm perpetrated against a person or group, and victimhood as a form of collective identity based on that harm" (Jacoby 2015: np). According to her the contemporary literature on victims of war, oppression and crimes against humanity often forget to ask several key questions. Why are these victims, rather than others, recognized and by whom? She argues how we need to have plausible theoretical assumptions in the study of victimhood to make sense of claims of victimhood in political contexts, which seem to be absent from such studies (Jacoby 2015: 512).

The 1985 United Nations Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power defines the victim as:

"Person who, individually or collectively, have suffered harm, including physical or mental injury, emotional suffering, economic loss or substantial impairment of their fundamental rights, through acts or omissions that do not yet constitute violations of national criminal laws but of international recognized norms relation to human rights" (United Nations in Jacoby 2015: 514-15).

However, the UN definition of the victim does not address the complexity of victim-based identity. A straightforward definition of victimhood is challenging, because an actor could have committed violence and thus can be seen as both victim and perpetrator, as demonstrated by the child soldiers in the Colombian case. Another important notion that this UN definition does not address is the relationship between the victim and politics. Power is a useful concept to understand how any individual or group has the capacity to force the behaviour of others against their will. Victims are defined by those that have the power to do so. Forcing people is a type

of power in cases of oppression, violence, and coercion where the weaker individual will submit and becomes the victim. Power is embedded in a normative framework and the powerful decide what the appropriate behaviours and believes are (Jacoby 2015: 515-16). It can also benefit the victim, but this depends on the political context. To gain power, victims to gain such power need a way to achieve their goals such as receiving justice, peace, and a political representation (Jacoby 2015: 17). Victims can thus use power to resist which will be demonstrated by the notion of transitional justice later in this chapter.

According to Jacoby, an individual can only see themselves as victim if there is a 'we' that has been wronged, as victimhood will not result into political effects or recognition otherwise (Jacoby 2015: 522). When a target audience that is in a position of power recognises a set of victim claims, victimhood is achieved. However, it is necessary to ascertain who is responsible. This recognition depends on the relationship between victims, perpetrators, and the audience. Jacoby notes multiple scenarios that can positively or negatively affect this relationship (Jacoby 2015: 526). Whether or not someone identifies themselves as victim depends on many factors. As stated in chapter 1.1, the war has especially affected the poorer sectors, particular communities, and women and children in Colombia. It can thus be concluded that there is an intersection between these gender, class, race and age in relationship to power. This intersection differs on local levels. For example, victim-based identities seem to be more common in democracies because there is more room for political expression and freedom (Jacoby 2015: 520).

To help identify who exactly the victim is and who decides on that it is also important to look at the role of memory. Memory provides a method for victims to explain the origins and causes of armed conflict in their territory. The power of memory lies in the fact that from memories of suffering come memories of dignity and resistance. By documenting these memories, victims can defend and stand up for themselves. It also leads to the rise of another connotation of the word victim: the victim as social agent. Memories make it possible to reconstruct the stories of what happened during the Colombian conflict and claimed a leading role in reconstructing its history (GMH 2016: 33-34).

Images play a critical role in the reconstruction of the histories of armed conflict. Looking back at images can cause a change of representations. Images depict who the victims were and, how a conflict has been memorised. I demonstrate this with a brief overview of the analysis of Paul Bijl, who focused on the colonial atrocities of 1904 in Indonesia and Jane Lydon who focused on the Indigenous people in Australia. Both used images to analyse how people remember the past through representations (Bijl 2015: 9). Bijl argues in his analysis how at that

time the images taken in 1904 "have failed to become meaningful within a national framework for most observers, while for others they cannot be viewed in any other matter" (2015: 15). It was not the case that these images were forgotten or unavailable. They have always been there, but they lacked meaning within a particular national framework. Bijl's analysis demonstrates how these images changed meaning as they were being framed and reframed during their social biography (Bijl 2015: 50). He takes on the discourse of victimhood, which at the time was not an acknowledged category in The Netherlands. Even though the Indi-Europeans suffered from racial discrimination, they did not identify themselves as victims because there was little room for non-white people to speak up (Bijl 2015: 20). According to Roland Bleiker, images have the power to give suppressed minorities a change to 'speak up' and to get the voice they did not have before, or at least get the potential to circulate it and have it heard (Bleiker 2018: 8).

Jane Lydon took a similar take on images in her analysis as Bijl. The images of the Indigenous provided a new perspective on the past and present. She argues: "The historical image got transformed due to simple techniques of recontextualization – over – writing, inscription, layering, enlargement and resurfacing." She highlights how the archives of these photographs offer a rich source of history for the aboriginal and Maori artists and provide a means to explore several issues that have remained in the present (2018: 214-15). One of the main roles of the images was to recognize the suffering of the victim. According to Judith Butler, the importance of images of conflict is that we need to make them 'real' to us (Butler in Lydon 2012: 275). During the Forrest River massacre images were used to substantiate allegations against the accused men. They were made to bear witness to the truth of events that were contested then and now. The images were used to trace what had happened during the massacre and to seek justice for the Indigenous people (Lydon 2012: 275-76). By taking on a portrait of the Indigenous, it individualised people and insisted on the victim's humanity. It enlarged the meaning of the visual narrative. Furthermore, it served as a way to show people from the 'civilised' urban area (which is opposite off where the massacres took place) that these events where happening in the same world and, country they live in. The evidence provided by the images and its reframing into new narratives caused for a shift in perspective of other Australians towards the treatment of the Indigenous people. Thanks to new media forms, the images got to be seen around the world (Lydon 2012: 283-85). The images had changed into social agents, thereby recognizing the victimization (Lydon 2012: 210-11, 215).

2.2 Child Soldiers and Recruitment

Debates about children affected by the war in Colombia have mainly focused on displacement and recruitment. This focus can be found in academic debates, NGO reports and the legal framework of the country. The latter contain the Conflict Analysis Resource Centre and the Institute of Political Studies and International Relations. In the context of the relationship between children and armed conflicts, child recruitment has gained a privileged place in the social maps of human rights networks (Parra 2018: 52). Human rights can be understood as a paradoxical concept. On one hand it is said that human rights belong to all people. On the other hand, it can only be realized in particular places with particular instruments and protections (Stern and Straus 2014: 3). Stern and Straus argue that "human rights are constituted ineluctably by a paradoxical intersection between the universal and the specific. The existence of human rights is always simultaneously global and local and the rights themselves are both always and never universal. Human rights are only imaginable when global and only concrete when they are local. This is what structures human rights according to Stern and Straus (2014: 4). There is tension between the universal and the local.[2] Universally, there is a search for a set of instruments which among others include treaties of principle, international organizations, and laws to embody the universality of human rights. However, the local is fundamental within human rights, as it occurs in particular times and places. Moreover, the response to human rights violations take place at that particular time and place. The locality shapes what constitutes such a violation. According to Stern and Straus "human rights abuse is thus always local, always political, and always historical, and the fight for human rights is also always local, political, and historical. In this sense, there is no transcendent universal in the empirics of human rights" (2014: 9). Colombian case reports such as *Basta Ya!* demonstrated through data on violations of human rights that the armed conflict did not affect everyone equally (GMH 2016: 31). In connection to child soldiers, Rosen said that there is multiplicity of childhood which is "each codified by age, ethnicity, gender, history, location, and so forth" – "the international law regarding child soldiers is build on the humanitarian [3] definition of childhood, which clashes with the local understanding of the involvement of young people in war" (Rosen 2007: 297).

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[2] According to Stern and Straus, the local is "the particular and the contextual, in the sense of rooted in specific places and relationships so pervasive that they give rise to a sense of the 'locale' as a sited experience of community and contention about rights, values and obligations." It can also refer to a field of actors that have influence on national level (2014: 12).

[3] Humanitarian refers to those who promote human welfare and social reform. Definition taken from the online dictionary Meriam-Webster ("Humanitarian").

2.2.1 Discourse of Child Soldiers

The involvement of children in conflict is not a new phenomenon. However, its effect has changed in the last decades (Berents 2009). Within international relations, the academic study of child soldiers is increasing (Brett and McCalling 1998; Brockelburst 2006; Cohn and Goodwill 1994; Zack-Williams 2001). One of out of every four irregular combatants in Colombia's civil war is under the age of eighteen years old. These children are mostly from poor families (Brett 2003: 4). Children become the bitterest of enemies in war and fight against other children with a background like their own. Ah-Jung Lee did a study on understanding and addressing child soldiers. The humanitarian discourse has a very broad definition of a child soldier. It assumes that all involvement of children with armed groups is abhorrent and unacceptable and explains a child soldiers as follows:

"While there is no precise definition, the Coalition considers a child soldier any person under the age of 18 who is a member of or attached to government armed forces or any other regular or irregular armed force or armed political group, whether or not an armed conflict exists. Child soldiers perform a range of tasks including participation in combat, laying mines and explosives: scouting, spying, acting as decoys, couriers, or guards; training, drill or other preparations; logistics and support functions, portering, cooking and domestic labour; and sexual slavery or other recruitment for sexual purposes" (Lee 2009: 8).

The International Humanitarian Law[4] that is applicable to civil wars prohibited combatants from recruiting children under the age of fifteen (Brett 2003: 10), but Brett's report for the Human Rights Watch shows multiple times that the forces also used children younger than this age. Based on the definition of a child by the humanitarian discourse, children are vulnerable because they lack moral, physical, and mental competence. Globally, child soldiers are conceptualised as victims (Lee 2009: 8).[5] According to Lee, in the critical studies towards the pillar assumptions of the global discourse[6] on child soldiers, scholars have been arguing that there are different models of childhood due to the different societies. This connects to Stern and

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[4] The international humanitarian law, also known as the law of war, protects those who are no longer participating in the hostilities of the armed conflict. It seeks to limit the effects of armed conflict (Machel (1996); ICRC).

[5] This vulnerability also has created the assumption that child soldiers have no real agency in their participation in the armed war (Lee 2009: 9). As a result, many studies state the importance of children's agency in peace building, because by recognising their agency these children might become potential peace builders (Martuscelli and Villa 2018; Berents 2009; Garcia-Godos 2018).

[6] By global discourse I refer to the universal definition of child soldiers. It has however been noted how this definition is locally constructed and in that way might differ from the universal interpretation.

Straus argument on how there is a tension between the universal and the local and to Rosen's notion on how there is a multiplicity of childhood. It will be important to keep this in mind as, highlighted in the next part on 'child recruitment', not every society defines the boundaries of childhood by a chronological age (Lee 2009: 14). This, demonstrates once more the intersection between age and power on a local level. Some societies even conceptualise military participation as part of becoming an adult and thus encourage children to participate. Thus, the global discourse on child soldiers is in some cases to be distant from the lived reality (Lee 2009: 16).

2.2.2. Child Recruitment

"The recruitment of children by guerrillas and paramilitary forces has grown in recent years" (Brett 2003: 4). In 2003, there was no precise data on the number of child combatants in Colombia, but at that time the Human Rights Watch estimated that a total of at least 11,000 children were enlisted as soldiers. Since 1997, the Colombian Law 548 prohibited the recruitment of children in the armed forces or police until these children reached the age of eighteen. Before this law, Law 418 permitted eleventh grade students to join the armed forces before they turned eighteen if they had parental permission (Brett 2003: 102). Since December 1999, the recruitment for military services of children under the age of eighteen was prohibited (Brett 2003: 11). According to the thesis of the global discourse child soldiering is an unambiguous violation of universal children's rights (Björkhaug 2010: 2). These children are ordered to kill, mutilate, torture and are conditioned to the cruellest abuses" (Brett 2003: 4).

The recruitment of children into non-state violent armed groups has traditionally been divided into two types: children who are forced to join the armed groups and children who join them voluntarily. Children's recruitment has been viewed because of poverty, domestic violence, and a lack of education. As a result, children are described as passive victims of actions conducted by adults. According to Björkhaug, this raises the question of how children's recruitment should be understood (Björkhaug 2010: 2). Within the discourse of child soldiers, the recruitment by armed groups is explained as results of economic factors and as socio-cultural phenomenon. If children decide not to join an armed group, their lives and welfare are at risk, which made them a particularly vulnerable group in the Colombian war. The recruitment of children did not start at the beginning of the conflict, as guerrillas and paramilitaries began their recruiting drives in the 1990s (Brett 2003: 19). As mentioned above, some children decide to join an armed group because it makes them feel safer during the war as they are being protected by the group. Most child recruits decided to join the irregular forces voluntarily.

However, it can be argued that this voluntary decision is the result of the lack of opportunities for children of the poorest sector of rural society. Some families decided to send their children into combat, because they cannot support them, or children joined the forces because they were trying to escape the domestic violence in their own homes (Brett 2013: 10; Reed 2014).

The FARC, being the largest group, had the most child soldiers and showed no leniency to children due to their age, assigning children the same duties as adults. Breaking a rule lead to brutal consequences such as entering a combat without weapon if they lost one, and falling asleep on duty could be paid for by death. Interviewed former child soldiers told the Human Rights Watch that they had to execute other children and were sometimes even selected deliberately because the victim was their friend (Brett 2003: 7). According an official statue of the FARC, "entry into the FARC is by personal, voluntary, and conscious decision between the ages of fifteen and thirty". Raúl Reyes, a member of the FARC's General Secretariat who was responsible for the group's international outreach promised in 1999 to Olara Otunnu, U.N. Secretary General's Special Representative for Children and Armed Conflict, that the FARC would stop with the recruitment of children under the age of fifteen. However, the report of the Human Rights Watch showed that they continued to indicate children below this age (Brett 2003: 29).

A smaller group of children who joined the ELN, but they had the same duties as the FARC. According to the Human Rights Watch, 'the ELN has entered into discussions with state agencies on international humanitarian law issues, including the demobilization of children, but has conditioned implementation on the opening of negotiations with the government.' This meant that in 2002, when the negotiations between the ELN and the government stalled, the ELN retained hundreds of child soldiers (Brett 2003: 8). In contrast to FARC, the ELN paid their soldiers a salary, which seemed to have been decisive in gaining new recruits. Following their 'code of war,' the ELN was not supposed to recruit minors under the age of sixteen. Yet, they were allowed to take part in revolutionary activities.

The recruitment of children also played a major role in the growth of paramilitary group AUC. Similar to ELN, many children attempted to join the group because of the salary they would receive. The AUC stated that their recruits must be over the age of eighteen, but the actual recruitment had little to do with this requirement, according to the Human Rights Watch. The number of children employed by the AUC was lower then either the FARC or the ELN (Brett 2003: 33).

After the phenomenon of child soldiers became a prominent issue in the international humanitarian and human rights field, the studies on child soldiers received more 'international

attention, advocacy and programming on the phenomenon of child soldiers and led to the creation of the Coalition, made up for prominent humanitarian and human rights organisation' (Beirens in Lee 2009: 6). It all started with the UN study from Machel (1996) on the impact of armed conflict on children. Another reason for the increased attention in politics and media, was that the notion of 'child soldiers' often defies emotional and moral senses, even though child soldiers only constitute a small part of all the children and adolescents who were affected. In this case, the child is perceived as vulnerable and the soldiering as inherently damaging (Derluyn et al. 2015).

2.3. Transitional Justice

Although the attention for transitional justice has grown in recent years, Latin America can be considered the first laboratory of transitional justice mechanisms (Garcia-Godos 2018: 27). The concept involves criminal jurisdictions, truth commissions, reconciliation efforts, and reparations programs. Transitional justice enables individuals, communities, and nations to respond to all atrocities arising from war, giving them the opportunity to process and deal with the aftermath of the conflict. The concept is also meant to prevent future violations (Machel 2010: X). According to United Nations Security Council and the International Centre for Transitional Justice, transitional justice refers to:

"The study of the choices made, and the quality of justice rendered when states are placing authoritarian regimes by democratic state institutions" or later: "the full range of processes and mechanisms associated with a society's attempts to come to terms with a legacy of large-scale past abuses, to ensure accountability, serve justice and achieve reconciliation" (United Nations Security Council, International Centre for Transitional Justice (ICTJ) in Derluyn et al. 2015).

In Colombia, the process of transitional justice allowed for the uncovering of many truths about what happened during the armed conflict and in more detail with the victims, perpetrators, and criminal alliances (GMH 2016: 30). It served as a means to recognise a set of victim claims and for a 'we' to be wronged which is according to Jacoby necessary for an individual to identify themselves as victim. The use of truth commissions demonstrated how memories play a huge role in the transitional justice mechanisms. By telling their stories and going back to what has happened during the conflict from their own perspective, the victims got to stand up and be heard. Transitional justice plays a host of critical roles. First, it provides a framework for how

contemporary memories of violence should be known and acted upon. Second, elements of transitional justice such as truth seeking, reparations and justice are interrelated with the victims' constructed political memory after the war. Third, it contests facts from the past to current problems in the post-conflict society (Gomez 2019: 3). Finally, transitional justice mechanisms address and recognize the ethnic communities who have been particularly vulnerable during the conflict, but are often excluded (GMH 2016: 254). The same mechanisms documented how children were forced or coerced to participate in the conflict (Machel 2010: xvii). Studies of transitional justice demonstrated that in cases where the regime lacks any will or means to prosecute the perpetrators of political crimes the establishment of a truth commission is often the least controversial solution (Jacoby 2015: 519). All in all, transitional justice connects the victim, perpetrator, and survivor.

Conclusion

This chapter has analysed the most important literature and frameworks used throughout this thesis. To summarise, the victim-based identity is complex and not fully addressed by the UN definition. It is important to understand the relationship between the victim and politics. Power is a useful concept for demonstrating which agents have the means to define victimization. Victimhood can only be achieved if the ones who are in power recognize a set of victim claims. Only if there is a 'we' that was wronged, victims can identify themselves as victims. This recognition depends on many factors. From the studies we can conclude that there is an intersection between the factors gender, age, race, class, and power. Tracing history through memories helps to identify victims and to make clear who decided on victimhood in various contexts. Documenting memories led to another connotation of the word victim: the victim as social agents. This is demonstrated by multiple studies of memory through the use of images.

Child recruitment got a privileged place in the social maps of human rights networks. Importantly, the existence of human rights is simultaneously global and local and there is a tension between the universal and the local. The local is fundamental in human rights as it occurs in particular times and places. Moreover, the response to human rights violations take place at that particular time and place. In the context of the Colombian case, it has been noted how overall citizens especially women and children from the rural areas with an Afro- and/or Indigenous background got hit the most by the armed conflict. Again, from the studies regarding child soldiers, we can conclude that there is an intersection between age and power on a local level, as there are different models of childhood in different societies.

Transitional justice mechanisms enable individuals, communities and nations to respond to all the atrocities arising from war and gives them the opportunity to reconcile with them. In Colombia, the process allowed for the uncovering of many truths about what happened during the armed conflict. It has thereby been the fundamental tool for recognising a set of victim claims and a 'we' that was wronged. Tracing the history of the conflict through memory enabled victims to be recognised as the mechanisms and gave space for those were excluded to speak up. Transitional justice shed light on which power relations lay behind the recognition of victimization, thus forming a bridge between the victim, perpetrator, and survivor.

3. METHODOLOGY

As mentioned in chapter 1, this thesis aims to answer the following question: ***How did power relations behind the victim change due the implementation of transitional justice during the Colombian peace processes and how has this affected former child soldiers?*** To answer this question the following sub-questions will be addressed: What is the history of the Colombian conflict in relation to victimization; How are child soldiers represented in Colombian perspective? ; How did the victims of the conflict change the victim framework and what role did demobilised child soldiers have in this process?

The main objectives of this research are:
- Analysing the historical background of the Colombian War and corresponding peace processes. Understanding the type of victimization that happened during the conflict.
- Analysing the representation of child soldiers in Colombian perspective. To understand the role of child soldiers in Colombian society.
- Analysing transitional justice mechanisms implemented in the Colombian peace processes. Understanding the effect of public participation and specifically the effect of implementing the voice of child soldiers.
- The previous point mentioned goes hand in hand with analysing the change in the importance of the victim within peace processes.

3.1 Critical discourse analysis
I have found that the best way to understand and uncover the ways victims/child soldiers have been represented within the Colombian perspective is to perform critical discourse analysis

(CDA). Discourse determines how victims and child soldiers are seen and being treated by several actors. To understand what CDA entails, this research will mainly focus on Gillian Rose's definition of discourse analysis in her book *Visual Methodologies: An Introduction to Researching with Visual Materials*. This chapter will also draw on the book *Representation* by Stuart Hall, Jessica Evans, and Sean Nixon.

The term discourse used to be a linguistic concept [7], meaning "passages of connected writing or speech". This meaning changed in the theory of Foucault, that both Rose and Hall et al. take on in their work. According to Foucault, a discourse refers to: "a group of statements which provide a language for talking about – a way of representing the knowledge about – a particular topic at a particular historical moment" (Hall et al. 2013: 29). This fits the way Rose describes discourse as statements that structure the way something is thought about and the way we act on basis of that thinking. In this manner, discourse deals with how the world is understood and shaped with a particular knowledge (Rose 2016: 187). Foucault argues that discourse defines and produces the objects of our knowledge and 'nothing has any meaning outside discourse' (Foucault in Hall et al. 2013: 29). Yet, this does not mean that nothing exists outside discourse, as discourse is about where meaning comes from and not about whether things exist.

Discourse gives us the opportunity to talk about a topic and, to define ways to talk, write or conduct ourselves, but it also limits and restricts other ways of talking about this topic and construct knowledge about it. Such limitations are defined by how discourse, representation, knowledge, and 'truth' is historized. Only within a specific historical context, something has meaning and in that time is seen as the 'truth'. According to Foucault, meanings, and practices of knowledge change over time. This includes forms of objects and subjects. If we apply this concept to child soldiers and the victim: they have always been there during the war-period, but only had meaning at a particular historical moment. This meaning could only appear within a particular discourse (Hall et al. 2013: 30-31).

Foucault's theory is also deals with the relationship between power and knowledge. According to him, they are inextricably connected to another. He argues how "power is implicated in the questions of whether and in what circumstances knowledge is to be applied or not." The implication that knowledge is linked to power assumes the authority of 'truth' and that it contains the power to make itself true. The grounds wherein this truth is claimed is defined as regime of truth (Rose 2016: 190).

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[7] Linguistics is the scientific study of human language. It observes languages and tries to describe them, to find generalizations within its description, to finally draw conclusions about its nature (Hana 2011: 1).

Foucault argues that "power/knowledge is always rooted in particular contexts and histories" (Hall et al. 2013: 36). What we know in that particular period of time, affects the way we act. Foucault takes the example of crime and how knowledge on crime in a certain historical moment affects how criminals in that time were punished or regulated. Thus, studying punishment, requires taking into account how "the combination of discourse and power – power/knowledge – has for example produced a certain conception of crime and the criminal" (Hall et al. 2013: 33-34). In practice, this means that one has to study the knowledge, institutions, subjects, and practices that define a crime or a criminal (Rose 2016: 187).

CDA in this research focuses on how power/knowledge produced certain conceptions of the victim and child soldiers. Through particular regimes of truth, I will analyse how specific views on the victim and child soldiers are constructed and see how this affected the way they were represented. This thesis contains a study on the intersection of class, gender, race, and age in relation to power in the Colombian perspective. The goal is to find out what provided a shift in the understanding of who is a victim/child soldier in this perspective. To this end, the thesis contains analyses of the discourses of victimhood and child soldiers. The hypothesis is that the implementation of transitional justice and the increase of not only national, but also international awareness, had a large role in the transformation of representation of the subjects.

3.2 Data collection

Due to language restrictions, all data collected in this study are secondary sources. The most important source is the *Basta Ya!* Report. This report was provided in 2016 by the National Centre for Historical Memory and provides an overview of the histories and realities of the conflict. Other data that were used consist of fellow reports on the Colombian conflict, scholarly articles and earlier research regarding this subject, to provide context and a deeper understanding of the conflict. These sources included amongst others: "You'll Learn Not to Cry – Child Combatants in Colombia report by The Human Rights Watch (2003), Children and Transitional Justice by Parmar et al. (2010) and, "A Theory of Victimhood: Politics, Conflict and the Construction of Victim-based Identity" by Tami Amanda Jacoby (2015). The sources were be sampled from online university libraries and other online archives such as *JSTOR*.

In my analysis, I will use one photograph to visually analyse how its interpretation changes historically when put in different frameworks and time periods. This is the only primary source used within this thesis. The image is that of Angel (14) and Daniel (16) of the

ELN in Chocó Colombia in 2014, taken by Juan Arredondo.[8] Juan Arredondo is a Colombian photojournalist who covered the Colombian conflict in 2014. This image of Angel and Daniel is part of a three-year journey into the life of the child soldiers of Colombia described in Arredondo's essay "Born into Conflict" (Braham 2018).

4. CASE STUDY I: EL CAGUÁN PEACE PROCESS

This analysis of the El Caguán peace process mainly focusses on the dominant power in this particular time period. This chapter aims to analyse the relationship between power and victimization to understand how child soldiers in this time were constructed and referred to. I will place the image of Angel and Daniel within this framework to demonstrate how they would be perceived, and which language would be used to construct them. This chapter argues that the dominant power relations in this framework were unable to recognize the victimization that was happening and thus ignored the existence of victims.

The El Caguán peace process took place between January 1999 and February 2002 and was a peace process between the government of President Andrés Pastrana Arango (1998-2008) and the FARC. Between 1996 and 2005, the war had reached its "maximum expression, extension and levels of victimization." Within this period, the relationship between the armed agents and the civilian population changed. On a broad scale, the population were subjected to great levels of intimidation, aggression, murder, and exile. This period can be characterized by a mass nature (GMH 2016: 162). Before the El Caguán peace process, the government of Ernesto Stamper (1994-1998) did not want to negotiate with the FARC as they believed that the armed group would gain territorial control over an area that they would use as a strategic base to provide a great military advantage. Yet, this is exactly what happened during the Andrés Pastrana Arango government (GMH 2016:163).

Within this historical framework, Angel and Daniel would as part of the armed group ELN[9], be participating in a war environment marked by one of the most violent periods of the armed conflict. By 1999, offensive armed groups expanded their control on territories or strengthened their domination on the ones they already owned. The end of the 1990s and the early 2000s are the years of the paramilitary. As the regional elites felt pressured and harassed

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[8] See Fig. 1. Juan Arredondo "Angel, 14, and Daniel, 16, of the ELN in Chocó, Colombia in 2014. By Globaljournalist. https://globaljournalist.org/2018/12/documenting-colombias-child-soldiers/
[9] See Fig. 1.

by the FARC, they started to support the Armed Forces. In their opinion, the peace policy of the Pastrana government went against the status quo and would lead to the growth of the FARC. They believed that that they would eventually lose their power in the regions. This led to the paramilitary becoming the dominant power with both national and regional influence (GMH 2016: 167).

Thus, the paramilitary got to a dominant position in society which was also supported by the State. Even though the International Humanitarian Law was already implemented at this time, it has been repeatedly shown how the guerrillas and paramilitary have failed to respect this law. The guerrilla's main targets were villagers in the rural towns. As the focus of the paramilitary lay on defeating the guerrillas their preferred method to do that was by committing massacres of townspeople who were expected to have contacts with the guerrillas (Escobar 2004: 37). One of their most violent acts took place in the rural area of El Salado[10] and went on for five days, which also spilled over to the region of the Montes de María where 60 peasant-farmers were murdered. After the Pastrana Government left thousands of Colombians within the demilitarized zone, they all fell under the dominant positions of the guerrillas and the paramilitary. This again demonstrates how during this period the Government mainly focused on appeasing the opposition (Escobar 2004: 44). The access to these rural areas provided the opportunity for the paramilitary and the guerrillas to increase their child recruitment. Due to for example poverty, these children were often more vulnerable to the seduction of the Armed Forces and the guerrillas, which led to the interpretation that these children mainly 'volunteered'[11] in their recruitment.

Since the 1980s, the FARC had grown in terms of members, military, and territory. Their attacks on the Armed Forces consisted of the siege of regional elites through "kidnappings, assaults on their properties, looting and extortions." The ELN of which Angel and Daniel were part of was at that time able to sustain offense through attacking the Armed Forces and several police stations (GMH 2016: 168). The policy of the Pastrana government was centred around the search for a negotiated settlement with the guerrillas. At the same time, they wanted to strengthen the Armed Forces and started to recover territory seized by the FARC in 1998 and 1999. This caused for the tensions between the government and the paramilitary to ease. There were growing tensions between them because the government had removed accusations of

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[10] Amongst many other areas did it also include lower and mid Putumayo; Bolivar; Sucre; and Magdalena.
[11] I use volunteered in quotes marks as it was often the case that these children were seduced in the way they were promised that they would do field jobs, not knowing that they were being forcefully recruited by an armed group (Escobar 2004: 36). This is however not the case for all recruits, some children did indeed voluntarily join either the paramilitary or armed groups.

human rights violations and violent escalation of the FARC. The Armed Forces wanted to halt the development for peace talks with the guerrillas. Anyone who was against the paramilitary or had contact with the guerrilla were immediately threatened, harassed, or eliminated (GMH 2016: 180-81).

In the beginning of the Pastrana government, there were opposing opinions on the mechanism of the meetings between the government and the FARC. Some thought that it would be an important space for the participation of civil society, but others thought that it would be a useless rhetorical gesture. In mid-2000 the FARC were ambiguous towards peace, and the possibility to reach an agreement on the civilian population became doubtful (GMH 2016: 172-73). In the perspective of the FARC, the attitude of the government was contradictory. They believed that the willingness of the government for peace and diplomacy was centred around non-peaceful processes such as strengthening the Armed Forces and fighting against drug-trafficking. All of this led to fragile peace talks. Another reason for the fragility was that after the FARC had kidnapped three indigenists from the United States in 1999, the U.S. attitude towards negotiations with the FARC changed. They suspended any attempts for talk with the guerrilla and reduced the time limit for the negotiations (GMH 2016: 175). In November 2000, the paramilitary kidnapped seven congressmen to protest against the reviving process with the FARC. This act was then condemned by the FARC by further committing previously committed violent acts which led to suspension of the talks. In February 2002, president Pastrana made the decision to end the peace talks with FARC (GMH 2016: 176).

The dominant position of the guerrillas and paramilitary during the El Caguán period left no room for recognition of child soldiers as victims. In chapter 2.1, it was mentioned how victimhood is achieved when those who are in the position of power recognize a set of victim claims (Jacoby 2015: 526). Yet, the guerrillas and paramilitaries began their recruiting drives in the 1990s. The guerrillas referred to the child soldiers as "little bees" because "the children had the ability to sting before their targets realize they have been attacked." Similarly, the paramilitaries are known for referring to them as "little bells" as they were used to patrol with paramilitary units (Escobar 2004: 38). These terms illustrate how child soldiers were viewed by these groups: not as victims, but as useful tools to further their ambitions.

Connecting this to the theory of Stern and Strauss on human rights, both national and international response towards child recruitment was low[12], as it rather focused on persistent ties between paramilitary forces and units within Colombia's military. Within the U.S. policy

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[12] Even though the universal International Humanitarian Law was implemented, it was not respected by the Colombian Government on a local level.

in Colombia, the recruitment of children by illegal armed groups was only a secondary issue in its impact on human rights. The Washington Post did not give child recruitment any attention, besides an article written in 2000 about how the FARC ranks include teenagers and how there are increasingly widespread reports of forced recruitment (Glaser 2000).

The Human Rights Watch reports thereby note that in this time the Colombian government was unable to protect children from further recruitment. They argue how the government lacked in fully implementing its commitment towards protecting citizens' rights, even though it was aware of the situation (Escobar 2004: 38; Brett 2003: 22). The Colombian Constitution previously implemented Law 418, Law 548 and the International Humanitarian Law that all focused on protecting both children and human rights, but they were repeatedly ignored (Escobar 2004: 43). Article 162 of Colombia's criminal code, which was introduced in 2000, notes how anyone who recruits children under the age of eighteen or obliges them to participate in the armed conflict will face a penalty of six to ten years imprisonment. The Human Rights Watch said that at that time they did not receive any credible reports of this happening in practice.

Thus, the El Caguán peace process is marked by the dominant position of not only the paramilitary but also the guerrillas. Even though the recruitment of child soldiers was known in the Colombian Constitution, the government lacked the ability to recognize them. The citizens of the rural areas received the hardest hits and the power given to the paramilitary by the State provided the Armed Forces with the abilities to commit the massacres and increase their child recruitment. To overcome their opponents, the same went for the guerrillas. As the rights of the citizens had repeatedly been ignored in this historical framework by those who were in the position of power, there was no place to recognize their victimization. Instead, child soldiers such as Angel and Daniel were referred to by names such as "little bees" or "little bells" portraying their position in the conflict through the perspective of the dominant forces.

5. CASE STUDY II: HAVANA PEACE PROCESS

Like the analysis of the El Caguán peace process, the analysis of the Havana peace process mainly focusses on the dominant power in this particular time period. This chapter aims to analyse the relationship between power and victimization to understand how child soldiers in this time were constructed and referred to. This analysis will depict some changes that occurred during the peace process as the victim began to receive a more prominent role and transitional

justice mechanisms were implemented. I will also again place the image of Angel and Daniel within this framework to demonstrate how they would be perceived, and which language would be used to construct them. This chapter argues that the implementation of transitional justice not only gave victims of the conflict the ability to recognize themselves as victims, but also provided an opportunity to understand the truth about what happened during the conflict. Their recognition was applied on both a national and an international level.

The image of Angel and Daniel was taken in a ELN camp in Chocó in 2014. Meaning that they lived within the historical framework of the Havana peace process which took place from 2012 to 2016. In the previous chapter, I demonstrated how the paramilitary became the dominant power and the conflict with the guerrillas got worse. Regarding prosecution, an important decision was made by the Court in 2000. Up until 2010, the Court distinguished between a political crime of rebellion and a common crime of criminal conspiracy. The first was usually applied to prosecutions against the FARC and the latter was often applied against the paramilitary. This is an important distinction because in 2007 the Court used this as a tool to refuse the paramilitary as political offenders. The prosecution of the paramilitaries has been difficult as the granting or refusal of a legal status has varied through time (GMH 2016: 244-45). After Álvara Uribe Vélez (2002-2010) took office his policy on their treatment focused on restoring monopoly of weapons to the State. Uribe aimed to defeat the guerrillas by military force. This led to changes regarding peace negotiations with self-defence groups in 2003. Previously, peace talks could only be held with illegal organizations that had been recognized with a political status. Law 782 eliminated this requirement and authorized for peace talks with self-defence groups. This led to a paradox in 2005 after the Law of Justice and Peace was established. This law aims to provide a legal framework for negotiations. It is an attempt to

"harmonize respect for the rights of victims to truth, justice and reparation with a politically and legally admissible judicial alternative that allows for a definitive conclusion to the negotiations between the government and paramilitary groups" (GMH 2016: 248-51).

This law mainly focuses on the perpetrators of the conflict. It did not offer an alternative for paramilitaries who were accused of committing human violations and only focused on compensation, not on transformation. No changes were made to remove the conditions, which meant that activities like child recruitment for example continued (Contreras 2017: 33). However, by refusing the acknowledgement of the existence of the armed conflict calling it a

'terrorist threat[13], Uribe denied victims, but at the same time also opened a space for them by giving them the rights to hear the truth.

In 2010, the new president Juan Manual Santos (2010-2014) shifted the government policy towards two banners: the victims and political solution of the conflict. In 2011, he implemented the Law on Victims and the Restitution of Lands, also known as the Victims Law, and opted for peace negotiations with the FARC in 2012 (GMH 2015: 195). Before the peace negotiations took place, the Colombian government gave a public signal for the peace talks, acknowledging the root causes of the conflict and initiating a process of legislative changes. The language they used to refer to the FARC changed as well,[14] which resulted in FARC to show willingness in engaging in the peace process. They made a public commitment to stop the kidnapping of people and recruitment of children. Both the Colombian government and the FARC acknowledged their responsibility for the committed human rights violations. These negotiations also gained international support,[15] in which the international players provided legal advice (Herbolzheimer 2016: 7-8). Although the Colombian citizens did not trust the Colombian government and the FARC at first due to the past events[16], it was the first time the civil society got to participate in the peace negotiations (Zambrano and Isa 2013: 2). Eventually the FARC and the Government felt the international and national pressure to move forward with the agreed road map of the peace process (Herbolzheimer 2016: 9).

The Victims Law offered the opportunity to restore acres of land to displaced Colombians and provides reparations like financial compensations (Human Rights Watch 2011). In contrast to the Justice and Peace Law, the Victims Law shifted focus to the victims of the armed conflict. It aimed to address the atrocities suffered by the victims. Within this law, the right of children were also affirmed and those under the age of 18 who have been associated with illegal armed forces were considered as victims. By 2014, those who were associated with the paramilitaries got included in the law as well (Reed 2014). In July 2012, the Congress passed the amendment of the Legal Framework for Peace to the Constitution. This Framework not only recognized the rights of victims, but also set an inviolable minimal effort on the State's duty to investigate and punish those who commit serious human rights violations. The Framework thus implemented a key element in the transitional justice model: the idea that to transition from war to peace it is

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[13] GMH 2015: 198

[14] Not calling them 'narco-terrorists' for example (Corrales 2016).

[15] They were supported by Cuba and Norway who became the pillars of international support, but also among others the US, European Union, and the UN showed support.

[16] At this time this has been the fourth attempt for negotiations with the guerrillas and the Colombian citizens became hesitant to trust the FARC (Garcia-Sánchez and Carlin 242).

necessary to provide minimal justice for the atrocities committed in the past and with consideration for the rights of the victims (GMH 2016: 262). The framework demonstrates how memory began to play an important role in the achievement of peace and recognizing the victim. By using truth commissions, the victims were offered the national frameworks in which they had the opportunity to identify themselves as victims. By acknowledging their victim claims, victimhood was achieved. Importantly, truth commissions do not work in the same way as the court. Truth commissions only focus on the past and aims to create an overall image of certain human rights or international humanitarian law violations that I have mentioned in the previous chapters. Other characteristics of truth commissions are that they mainly exist temporarily and are vested with some sort of authority, which allows for greater access to information or protection (Dukic 2007: 693-94). If we connect this to the Colombian case, the authority is provided by the new politics[17] of the government. At this time, several human rights organizations[18] succeeded in putting pressure on the FARC and the government to acknowledge the vulnerable groups. These include the agrarians, women, children, and the LGBTI (Herbolzheimer 2016: 6). The people who were invited to give truth testimonies got the opportunity to explain what had happened in their region and raise awareness in the civil society. Reconstructing historical memory recognizes the diversity of groups and subjects that have created these memories from a variety of experiences and contexts (GMH 2016: 335, 393). The *Basta Ya!* report also demonstrated how the testimonies provided a list of evidence about the identity of the victimizers (GMH 2016: 345). An example is the EL Tigre massacre perpetrated by the paramilitaries. Thanks to the truth testimonies, the paramilitary were recognized as the victimizers and the people who suffered because of them got to be named the victims (GMH 2016: 341).

Similar to Paul Bijl and Jane Lydon, Juan Arredondo photographed child soldiers like Angel and Daniel in 2014 to cover testimonies of them. According to Arredondo the child soldiers were stigmatized by the Colombian society who at the time viewed them as criminals. Through images he aims to humanize them and to provide the public with open and informed conversations with fewer pre-conceptions. Arredondo uses the images to expose the challenges of these former child soldiers. In this sense we can argue that the images are used as evidence of what truly happened during the armed conflict. When we look at the image we see soldiers,

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[17] By 'new politics' I refer to the Justice and Peace Law (2005) and the Victim's Law (2011), which provided the rights for victims to hear the truth about the armed conflict.
[18] Among others were for example the Gender Sub-commission and the National Commission of Indigenous Women (Herbolzheimer 2016: 6).

but we must not forget that they are children too (Arredondo 2016). The photograph was made in black and white, because he wanted "to mute any colour distraction from the subject matter and to draw the reader or viewer closer to the issue" (Leica Internet Team 2014). He believes photographs to be conceived as "instruments of representation and preservation of historical memory could bring change and help restore the identity, stability, and dignity of children caught in the middle of this war" (Arredondo 2016). To reintegrate into society, it is important for them to also be recognized by the civil society and local communities. The transitional justice mechanism addressed the involvement of child soldiers in the armed conflict. To succeed in reconciliation with the victims the truth about child soldiers needed to be clarified (Contreras 2017: 32). The testimonies provided a space for these demobilised child soldiers to speak about their experiences and share knowledge (Reed 2014). At the same time, it recognised the responsibility of their victimization. Through truth testimonies these children were not only recognized as perpetrators, but also as victims. Overall, the transitional justice mechanism became the tool for victims to cope with the scars of the armed conflict.

Thus, in contrast to the El Caguán peace process, the biggest change that happened in the Havana peace process is the recognition of victims by the Government. This recognition occurred because of the new politics that got implemented. It started with President Uribe who, although he denied the conflict, opened a space for victims' rights by implementing the Justice and Peace Law in 2005. The truth testimonies which focused on the memories of the victims, that took place after President Santos took office in 2010, gave victims the opportunities to tell the truth about what happened during the conflict and at the same time provides knowledge to the civil society. The authorities provided a national framework for child soldiers in which they could identify themselves as victims. This enabled child soldiers to share their experiences, which led to a public recognition of them not only as perpetrator and victims at the same time. Images of child soldiers like the one of Angel and Daniel by Juan Arredondo were not only used as evidence to show the truth and provide knowledge, but also as a tool to restore their identities. This was already acknowledged by the 2011 Victims Law, that was necessary for them to be recognized by the public and local communities to reintegrate into society. It can be argued that the power relations behind the victim include the victims themselves, as they enabled the convictions of their victimizers by sharing their own experiences. The outcome of the testimonies provided a list of evidence about the identity of the victimizers.

6. CONCLUSION AND DISCUSSION

In conclusion, this thesis sought to answer the question: ***how did power relations behind the victim change due the implementation of transitional justice during the Colombian peace processes and how has this affected demobilised child soldiers?*** Through chapters 4 and 5, it has become clear that the process of achieving victimhood and thus recognizing the victim and victimization depends on the temporal dominant power relations. The El Caguán peace process has demonstrated how the dominant power at that time did not offer the national frameworks to those who could otherwise identify themselves as the victim. They did not appoint a 'we' that was wronged and thereby failed to recognize victim claims. This same case study also shows how there is indeed a tension between the universal and the local regarding human rights. Even though the universal International Humanitarian Law was implemented, it was not respected by the Colombian Government on a local level. The recruitment of children below the required aged continued, citizens kept being displaced and were often harassed and intimidated by the paramilitary and the guerrillas.

As the armed conflict did not affect everyone equally we can speak of an intersection between power and the categories of gender, age, race and class. The recruitment of children increased during the El Caguán process due to the worsening conditions for many Colombian children. Because the dominant power at that time laid in the hands of the paramilitary and the guerrillas, these child soldiers were not recognised as victims but as useful combatants in the armed conflict. This is demonstrated by the fact that they were referred to as either 'Little Bees" or "Little Bells." The citizens of rural areas were the main targets of the guerrillas and especially women and children with an Afro- and/or Indigenous background got hit the most by the armed conflict, as well as agrarians who were often the victims of the paramilitary massacres. At this time, the Colombian government lacked the ability to fully implement its commitment towards citizens' rights and thus were also unable to protect children from further recruitment.

With the implementation of transitional justice mechanism during the Havana peace process the power relations behind the victims started to change. By tracing back, the history of the armed conflict with the use of memories of those who were harmed, the authorities opened a space for the victims to tell and know the truth about what happened during the conflict. It also became a tool for them to cope with the scars of the conflicts. The international and national pressure that the FARC and the Colombian government received during this period made sure that they moved forward with the agreed road map of the peace process.

The same mechanisms provided demobilised child soldiers the opportunity to share their experiences and provide knowledge, while restoring their identity to the public at the same time. Previously, they were represented by the civil society as perpetrators in the armed conflict. Even though transitional justice did not fully ignore the fact that they indeed were part of the committed victimization, it was able to recognise them as victims at the same time, as earlier implemented in the Victim's Law (2011). Photographs like the one of Angel and Daniel by Juan Arredondo were used as evidence during the truth commissions to mainly show the public what truly happened during the armed conflict. If they were not recognized by the civil society and the local communities, these children would not have been able to reintegrate back into society. The photographs were thus another way to cover testimonies of these child soldiers.

Thus, the new politics that got implemented recognized not only the identities of the victims, but their victimizers as well. As I argued in chapter 5, the power relations behind the victim also started to include the victims themselves, as the truth testimonies gave these victims the ability to speak up for themselves and provide knowledge on the events during armed conflict, eventually leading to convictions of their victimizers. Through these phenomena, they were able to identify themselves as victims, meaning that victimhood had been achieved. This was especially important for demobilised child soldiers as they could be both perpetrator and victim. The outcome of the transitional justice mechanism helps to understand how one should respond to the atrocities committed during the war and how reparations programs should be completed to prevent future violations.

Discourse analysis has shown its importance throughout this thesis by identifying the development of meaning behind victimhood and child soldiers in Colombian perspective. By using this method of analysis, I was able to understand where this change in importance towards recognizing the victim and circumstances regarding child soldiers came from. In addition, the implementation of visual resources demonstrates how the description of images changes in meaning if you analyse it in different historical frameworks, even when looking at the same resource. This shows why it is important to include visual resources, as the image of Angel and Daniel contained different meanings within the frameworks of the different case studies after analysing the temporal power relations in each of them. By focussing on the representation of demobilised child soldiers, this thesis has contributed to the literatures of childhood, transitional justice and its implementation regarding former child soldiers and victims of war conflicts.

I would now like to take a moment to discuss ideas for follow-up research. Firstly, it would be good to further investigate the effects of transitional justice mechanisms in different contexts, as there is ongoing debate about the merits of these mechanisms among scholars.

According to Gready and Robins, the problem with transitional justice is that its effects are ill-defined. Because there is a lack of 'theory of change' in the history of the concept it is difficult to delineate what and who it is for. They argue that it is an under-conceptualised idea (2020: 280-81). Pablo de Greiff also stated that transitional justice faces a list of challenges. According to him, it is difficult to distinguish civilians from armed agents, and victims from perpetrators. In armed conflict such as the Colombian one there is a multiplicity of agents of violence. In the Colombian case, an example of this is how child soldiers are seen as both perpetrators and victims. It is also necessary to keep in mind that a certain way of application of the mechanism does not work in every context. To more clearly delineate the effects of transitional justice, future work would thus need to analyse transitional justice on a local level, with a focus on the civil society as they play a crucial role in transitions (Greiff de 2020: 255-56).

Secondly, further analyses could focus on the agency of demobilised child soldiers. Scholars such as Berents (2009); Brockleburst (2017) and Martuscelli and Villa (2018) have argued for the importance of children's agency. According to Berents, the dominant discourse of childhood has a limited understanding in the experiences of former child soldiers. Right now, studies focus more on how their conflict experiences affect their future, but we must also look at their current understanding (Berents 2009: 3). They also argue for the difficulty of understanding children's voluntary recruitment. Within this thesis is has been stated that some children decide to voluntarily join armed groups, however these scholars argue that often these children might not have a choice (Martuscelli and Villa 2018: 390). Employing an agency approach will improve life experiences outcomes for children and reduce the risk of children being a causal factor of ongoing instability and violence (Berents 2009: 2). By identifying child soldiers as passive victims it may exclude their role as agents and builders of peace.

IMAGES

Fig. 1. Juan Arredondo "Angel, 14, and Daniel, 16, of the ELN in Chocó, Colombia in 2014. By Globaljournalist.
https://globaljournalist.org/2018/12/documenting-colombias-child-soldiers/

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