

## **INTERNATIONAL CONSULTANT TO PROVIDE TECHNICAL ASSISTANCE TO THE SPECIAL INVESTIGATION UNIT OF THE ATTORNEY GENERAL'S OFFICE**

### **1. Context and background**

After four years of negotiations, the Government of Colombia and the Revolutionary Armed Forces of Colombia–People’s Army (FARC-EP) guerrilla organization signed the “Final Agreement to End the Conflict and Build a Stable and Lasting Peace” (Final Agreement). This agreement is unprecedented and marks a milestone in ending a conflict that has lasted more than 50 years. The Final Agreement is divided into six main sections: (i) Integrated Rural Reform; (ii) Political Participation; (iii) End of the Conflict; (iv) Solution to the Illicit Drug Problem; (v) Victims; and (vi) Implementation, Verification, and Referendum.

In the framework of sections three (iii) End of the Conflict and five (v) Victims, the Final Agreement provides for the establishment and start-up of the “Special Investigation Unit for dismantling the criminal organizations and conducts responsible for homicides and massacres against human rights defenders, social or political movements or against individuals who participate in the implementation of the agreements and peacebuilding, including the criminal organizations that have been termed paramilitary successor groups and their support networks” (Special Investigation Unit or SIU). The establishment of the Unit is one of a series of political and technical measures that aim to guarantee and protect the rights of human rights defenders, members of political parties, and community, social, and political movements.

Under the agreement between the Government and the FARC-EP, the Attorney General’s Office (AGO) issued Resolution 02903 of 24 August 2016, which creates the SIU referred to in the Final Agreement in the chapters on End of the Conflict and Victims.<sup>1</sup> According to this directive, the SIU is tasked with implementing an effective system of judicial investigation capable of achieving criminal sanctions for the serious human rights violations against human rights defenders and members of social, communal, and political movements committed by criminal organizations that have been termed paramilitary successor groups and their support networks.

Subsequently, Decree-Law 898 of 2017 “creates within the AGO the Special Investigation Unit for dismantling the criminal organizations and conducts responsible for homicides and massacres against human rights defenders, social or political movements or against individuals who participate in the implementation of the agreements and peacebuilding, including the criminal organizations that

---

<sup>1</sup> Final Agreement to End the Conflict and Build a Stable and Lasting Peace, 24 November 2016, page 82.

have been termed paramilitary successor groups and their support networks, in compliance with the provisions of Point 3.4.4 of the Final Agreement to End the Conflict and Build a Stable and Lasting Peace, establishes basic guidelines for forming the Unit, and, consequently, partially modifies the structure of the AGO, the institution's staffing structure, and sets out other provisions.”

The latter specifically fulfills Point 3.44 of the Final Agreement, through the establishment of the SIU.

In accordance with the agreements reached by the parties and set out in the Final Agreement, the European Union (EU) will provide technical and financial support to the SIU. To this end, the European Union decided to enter into a Delegation Agreement with the FIIAPP. In the framework of the Agreement, the EU requested that ICTJ provide specialized technical assistance to the SIU teams.

## **2. Object of the Consultancy**

To render services to ICTJ for the implementation of the Agreement entered into by ICTJ and the FIIAPP, for the purpose of providing technical assistance to the Special Investigation Unit for dismantling the criminal organizations and conducts responsible for homicides and massacres against human rights defenders, social or political movements or against individuals who participate in the implementation of the agreements and peacebuilding, including the criminal organizations that have been termed paramilitary successor groups and their support networks (SIU), in accordance with ICTJ guidelines, SIU priorities, and in conformity with the purposes for which the unit was established.

## **3. Activities**

- Prepare a 10-month work plan and timeline, in coordination with ICTJ and the SIU, following the general parameters established in the EU-FIIAPP-ICTJ project.
- Identify, jointly with the SIU, the main training and technical assistance needs of the national, regional, and itinerant teams of the SIU.
- Provide technical assistance to the SIU teams on the following topics, in accordance with the priorities identified with the SIU:
  - ✓ Identification and characterization of the criminal structures responsible for the crimes committed against human rights defenders, social leaders, and former FARC combatants, in the regions targeted by the project.
  - ✓ Profiling of victims.
  - ✓ Preparation of regional contexts, with emphasis on identifying regional and local conflicts and interests that allow the determination of the possible motives and objectives of the attacks.

- ✓ Identification of the modus operandi and patterns of macro-criminality that enable the identification and characterization of the criminal plans of the illegal organizations allegedly responsible for the attacks, according to the investigation hypotheses formulated by the prosecutors.
- Coordinate the specific expert advice that ICTJ will provide to the SIU through international experts. This will include identifying topics, identifying consultants, and coordinating the advisory and training activities.
- Participate in coordination and monitoring meetings between the SIU, FIIAPP, ICTJ, and the EU.
- Prepare monthly progress reports.
- Prepare a final report with the main results of the technical assistance and recommendations for the Attorney General's Office.
- Any other activities necessary to fulfill the object of the consultancy.

#### **4. Profile of the Consultant**

##### **Education**

Lawyer, with post-graduate studies in criminal law.

##### **Language**

The consultancy will be performed in Spanish.

##### **Work Experience**

- Fifteen (15) years of professional work experience in topics related to criminal investigation and prosecution in national or international justice systems; analysis of criminal organizations and investigation of macro-criminal phenomena or system crimes.
- Knowledge of i) criminal prosecution of crimes against humanity or war crimes; ii) preparation of contexts for the investigation of international crimes; and iii) prioritization and selection of cases, preferable.
- Publications on these topics, desirable.

**Confidentiality:** The products to be delivered are confidential and shall be the property of the SIU and ICTJ. The international consultant shall maintain the confidentiality of the information obtained in the context of this consultancy work.

**Supervision:** The director of the ICTJ Office in Colombia shall be responsible for the supervision of this consultancy.

**Place of Work:** The place of work for this consultancy shall be the ICTJ Office in Bogotá and the SIU of the Attorney General's Office, both the office in Bogotá and the regional offices targeted by the project.

**Duration of the consultancy:** 10 months