

## THE RIGHTEOUS AMONG THE COLOMBIANS

### Working Draft

*"What hurts the victim most is not the cruelty of the oppressor but the silence of the bystander... And so we must know these good people who helped Jews during the Holocaust. We must learn from them, and in gratitude and hope, we must remember them."*

*Elie Wiesel*

*"Whoever saves a single life, saves an entire universe."*

*Mishnah, Sanhedrin 4:5*

A transitional justice process risks producing a national depression. The stories that emerge through trials, truth commissions and reparation programs are mostly devastating; and the only actors on the national stage are victims, victimisers, collaborators and silent bystanders.

Yet, in Colombia – as in any armed conflict – there are also thousands of stories of ordinary citizens and moral leaders who at great personal risk blew the whistle on victimisers, intervened to save the lives of neighbours or strangers, and otherwise acted with extraordinary valour in the haze of war. These stories and individuals are often invisible to the public, slowing the pace and depth of conflict recovery and national reconciliation.

Colombia can avoid this fate. Few acts better reflect the principle of non-repetition (Point 5) than those in which the lives of erstwhile enemies and innocents were saved at great personal risk.

Although the mandate of Colombia's future truth commission already calls for attention to stories of institutional transformation and community protection of the social fabric, something bigger and bolder is necessary: a national project to honour the "Righteous among the Colombians".

Inspired by the "Righteous Among the Nations" program created by Israel after the Shoah, Colombians could create their own model focused on rescues from imminent war crimes and crimes against humanity. The program could be the subject of an accord with the FARC, or alternatively an independent initiative of the Government following the end of the armed conflict. In either case, it could encompass the following:

- Legislation
  - A national law on the Righteous among the Colombians (RAC) creating the national title and honour of "RAC". The law would have no end date; it would have supra-constitutional status.
- Criteria for Award
  - An individual (or exceptionally, a community) whose actions resulted in saving the lives of a person, family or community on an "opposing side" of the conflict who was being targeted as the object of an international crime.
  - The motivation for the actions must have been altruistic; the single purpose must have been to save lives, and not some self-serving or self-enriching motive. The idea is that the individual obeyed a "higher law"; universal values.
  - The individual consciously put himself or herself in danger, leaving the position of silent bystander and resulting in a high risk to his or her life or liberty.
  - The individual did not publicise or boast of his or her acts.
  - The existence of unequivocal evidence attesting to the above.
- Nomination Process
  - The nomination must come from the rescued person, family or community, serving as a way to "repay" the debt they feel they owe to the rescuer.
  - Evidence for purposes of nomination should include: biographic information on the nominator and nominee; signed and notarised testimonies by the survivor and other witnesses of the rescue effort (the what, when, where, how – including how the

- danger to the rescuer manifested itself); official documents authenticating the same; and any available letters, diaries, film, and photographs.
- Nominations can be posthumous.
- Decision Process
  - The RAC title will be awarded by a Special Independent Commission, chaired by the Chief of the (Supreme Court), with the advice of respected national war historians (and, over time, by some of the rescued persons who made nominations).
- Elements of the Award
  - An official title of RAC awarded by the state, on behalf of all of its citizens.
  - A specially-minted medal bearing the honouree's name. The medal would include the Colombian coat of arms on one side, and the Andean condor – Colombia's national bird – on the other.
  - A certificate of honour in the honouree's name.
  - The planting of a wax palm tree (*Ceroxylon quindiuense*) – Colombia's national tree – in a special new "National Orchard of the RAC": a symbol of the renewal of life.
  - The creation of a garden of orchids (*Cattleya trianae*) – Colombia's national flower – in the birthplace of the honouree.
  - Placement of the honouree's name on a special Wall of Honour constructed in the (National History Museum) in Bogotá.
  - Honorary Colombian citizenship, if the honouree is not a Colombian national.
  - A special award ceremony attended by honourees, next of kin, national media, etc.
- The state will also create a National Monument to the Anonymous Rescuer to honour those whose identities and acts never will be known (for any number of possible reasons).
- An accessible national database with information, photos and stories of rescues, rescuers and rescued will be maintained by the Special Independent Commission.
- An international partnership will be established with Yad Vashem Museum in Jerusalem.

<p>Sample Types of RAC "Rescue Actions"</p> <ul style="list-style-type: none"> <li>• Protests or strikes against the imminent commission of international crimes.</li> <li>• Whistle blowing by members of state and non-state armed actors to prevent the commission of international crimes.</li> <li>• Arranging hiding places, providing life-saving food and medicine, or organising rescue transports by land or water to prevent the commission of international crimes.</li> </ul>
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