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## Challenges for the police service in preventing unlawful recruitment in the post-agreement

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## Challenges for the police service in preventing unlawful recruitment in the post-agreement

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Los retos del servicio de policía para prevenir el reclutamiento ilícito en el posacuerdo

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**ABSTRACT.** This qualitative study sets out to analyze the Colombian National Police’s challenges to address the forced recruitment of children and adolescents problem in Tumaco (Nariño), a municipality profoundly affected by this issue, in the framework of the post-agreement. Prevention was considered as the police service’s strategic approach. Semi-structured interviews were used to determine various factors that favor the phenomenon of illegal recruitment. Post-demobilization armed groups were characterized to understand their actions and the risk they represent to the population. It was found that the National Police must focus its efforts on confronting the causes of this phenomenon to prevent it rather than merely fighting its effects. Furthermore, maintaining minors away from the armed conflict and criminal groups is an inter-institutional challenge.

**KEYWORDS:** adolescence; children; crime prevention; police; post-agreement; recruitment

**RESUMEN.** Esta investigación cualitativa se desarrolló en Tumaco (Nariño), un municipio muy afectado por el reclutamiento forzado de niños, niñas y adolescentes, para analizar los retos de la Policía Nacional de Colombia en el marco del posacuerdo al enfrentar esta problemática. En el marco de la prevención como enfoque estratégico del servicio de policía, se aplicaron entrevistas semiestructuradas, con lo cual se pudieron determinar diversos factores que favorecen el fenómeno del reclutamiento ilícito. Se caracterizaron los Grupos Armados Posdesmovilización para comprender su accionar y sus riesgos para la población. Así, se encontró que los retos de la Policía Nacional implican enfrentar las causas de este fenómeno para prevenirlo, más que solo combatir sus efectos. Más aún, mantener alejados a los menores del conflicto armado y los grupos delincuenciales es un reto interinstitucional.

**PALABRAS CLAVE:** adolescencia; niñez; policía; posacuerdo; prevención del crimen; reclutamiento

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## Introduction

To 2016, around 16,879 children and adolescents have been recruited by different Colombian internal armed conflict actors (Centro Nacional de Memoria Histórica, 2017, p. 55). Article 162 of the Colombian Criminal Code defines the crime of illegal recruitment as “Anyone who, on the occasion and in the course of armed conflict, recruits children under eighteen (18) years of age or forces them to participate directly or indirectly in hostilities or armed actions” (Law 599 of 2000). Illegal recruitment is one of the great scourges of the armed conflict in the country. Under the law, boys, girls, and adolescents (NNA in Spanish) are entitled to rights. The Code for Children and Adolescents (Law 1098 of 2006) establishes that NNA must be protected from armed groups’ recruitment and exploitation. It also states that guaranteeing this protection is an obligation of the State, regardless of the context of territorial conditions. The Code for Children and Adolescents also establishes that it is the Colombian National Police’s (PNC in Spanish) role to comply with and enforce the NNA protection standards, including their protection from illegal recruitment.

Despite this legal mandate, the recruitment of NNA is not an unusual practice in the national territory’s current context. The signing of the Peace Agreement between the National Government and the FARC-EP brought several challenges to Colombian institutions (Pinzón, 2019). These include illegal recruitment, which still lingers in the minds of the Colombian people and continues to be practiced by the residual groups that emerged after the disarmament of the FARC-EP, in the territories where this armed group used to occur (Oficina del Alto Comisionado de las Naciones Unidas, 2018, p. 6).

The phenomenon developed systematically in the years adjacent to the agreement’s signing and doubled from 2017 to 2018. In 2017, there were 24 known cases of recruitment of minors in the country. The following year there were 50 known cases, meaning an increase of more than 100% (Coalición contra la Vinculación de Niños, Niñas y Jóvenes al Conflicto Armado en Colombia [Coalico], 2019). Of the 50 cases reported in 2018, according to Human Rights Watch (2018), 21 occurred in the municipality of Tumaco (Nariño), representing 42%. According to Wanumen (2015, p. 7), society must assume a co-responsibility role in defending NNA’s rights; it is its obligation to denounce and report any act that violates their integrity. The PNC must coordinate with social groups to take action to guarantee NNA rights. Especially, to reduce the risk factors that threaten them in the armed conflict. The PNC’s observatory alleges that the victimization of NNA is part of the dynamic processes of the social conflict and fuel for mistaken ideologies on the conception of the armed conflict in the country (DIJIN, 2010, p. 14).

This article examines the challenges faced by the PNC, from its preventive nature, to combat the practice of forced recruitment of NNA in areas of the country historically linked to the conflict, such as the municipality of Tumaco (Salas, 2016, p. 56), understanding its role within the existing legal framework. Currently, this area has been invaded by new armed actors, remnants of the FARC-EP, in a post-agreement scenario that promotes non-repetition and non-revictimization guarantees to the parties of the conflict, especially the NNA that continue to be made part of these criminal structures.

Therefore, this research assumes the municipality of Tumaco (Nariño) as its object of study to understand the PNC's challenges in facing the forced recruitment of children by the FARC's Post-Demobilization Armed Groups (GAPD in Spanish), from the police service's preventive approach in the post-agreement scenario. This objective is divided into three sections. First, it characterizes the police service's preventive nature and the GAPD's nature present in Tumaco, within the post-agreement framework. Second, it identifies the phases of recruitment of minors in the municipality, the incidence of the GAPDs, operation of criminal activity, recruitment methods, and victims' and victimizer's conditions. Finally, it formulates an alternative, from the perspective of prevention, to confront the PNC's challenges in facing this problem.

## **Theoretical framework**

Prevention is understood as the preparation and disposition made to anticipate and minimize risk or threat (RAE, 2019). It is a human behavior connatural to safeguarding and preserving life. Therefore, it is approached from a behavioral perspective, concerning its ability to influence individuals' behavior to preserve their integrity. It is also addressed as a phenomenon, given that prevention is an individual's manifestation in response to the nature of the crime it seeks to prevent; in this case, illegal recruitment. This preventive behavior is nothing more than a risk-minimizing weapon (Espitia, 2000; Fernández, 2014). In the scientific context, prevention can be classified according to its objective and scope. Therefore, according to Crawford's (1997) theories, and compounded by Selmini (2009), it can be classified into four types, developmental prevention, situational prevention, community prevention, and social prevention.

These preventions have fields of application that respond to multiple needs, those of the situational context, the phenomenon to be addressed, as well as the implementing agents' and the target population's. The PNC implements prevention based on the coexistence and public safety needs in the territory. Furthermore, it seeks to create approaches, strategies, and classes of prevention to fulfill its functions established by

law, such as maintaining the necessary conditions for the exercise of rights (Article 218 of the Political Constitution) and the protection of NNA (Law 1098 of 2006).

The police service's preventive approach is borne from the applicability of Clarke and Gilling's (2014) preventive approaches. They are embodied in the System of Prevention, Coexistence, and Citizen Security (PNC, 2016), the National Model of Community Quadrant Surveillance (PNC, 2014), and the Regulations of the Police Service (Resolution 000912 of 2009). These doctrinal documents define prevention as a strategy called *community prevention* in which situational and social prevention interact to develop mechanisms and activities that allow the control, mitigation, minimization, or eradication of crimes and contraventions. This strategy's aim is to prevent the criminal phenomenon's reproduction in the social spectrum.

Community prevention is a tool borne from the need to build the social fabric that coexistence demands. For Carvajal (2016), this strategy is necessary for the post-agreement stages, especially in the face of phenomena that transgress human rights. In particular, to address the illegal recruitment of NNA, the PNC should implement community-based prevention according to the Conpes 3673 document (Departamento Nacional de Planeación, 2019), which constitutes the overall strategy for the prevention of the illegal recruitment of children phenomenon. Thus, as articulated in the Conpes 3673 document, community prevention seeks to create spaces for inter-institutional coordination to address the social problems and the criminal phenomenon of forced NNA recruitment in Colombia. Understanding what illegal recruitment is, its causes and effects, and its history in the country is necessary to create these spaces.

As a social issue, the recruitment of NNA implies a violation or infringement of NNA rights, protected by the Political Constitution in Article 44, which also declares their prevalence over others' rights. This is also regulated by the Code for Children and Adolescents, which refers to infants and adolescents' legal entitlement to the fundamental right of freedom to develop (Botero, 2017). "The recruitment and exploitation of children is part of a policy directed against a population in a situation of extreme vulnerability" (Springer, 2012, p. 10). This policy was borne from an illegal armed actor associated with practices, such as illegal mining and drug trafficking. Regarding the Ministry of Social Protection's definition (Decree 4690 of 2007), Springer (2012) presents that recruitment is defined as the permanent or temporary engagement of persons in conditions of vulnerability under the age of 18 into organized groups outside the law and/or groups for the commission of crimes linked essentially to drug trafficking and illegal mining.

According to López (2017), the phenomenon of illegal recruitment of minors in Colombia is the most disturbing violation of international humanitarian law. Minors

under the age of 18 assume a victim role and, upon entering the armed group, victimizers (Ramírez, 2010; Springer, 2012; Villarraga, 2013). It is essential to examine the perspectives of analysis on the conditions or motivations concerning the introduction of children into criminal structures is also vital (Observatorio de Procesos de Desarme, Desmovilización y Reintegración, 2011). It is also necessary to establish the legal conditions surrounding children's participation in armed groups and their status as victims to address this problem (Coalico, 2019).

In a country like Colombia, with more than 17,778 minors, victims of recruitment and exploitation by illegal armed groups during the armed conflict (Centro Nacional de Memoria Histórica, 2018), it is not only important to study the victims of recruitment, but also to address these illegal armed groups as agents and actors within the phenomenon.

For recruitment to occur, two essential conditions must be met. First, local conditions must be unfavorable to the victims of recruitment; second, the agents and actors must exist within this area (Bautista, 2015). According to the National Center of Historical Memory (2017), the highest number of cases occurred between 1997 and 2005, with 9,199 recorded events. According to another report by the same National Center of Historical Memory (2018), these cases were attributed to organized criminal groups (GDO), organized armed groups (GAO), and organized illegal armed groups (GAOML), the most representative of is were the FARC-EP.

Having understood recruitment as a phenomenon that depends on victims and victimizers, as well as specific conditions that foster it, the Colombian State is bound to break this chain of events following the essential purposes of the Colombian State, as stated in Article 2 of the Political Constitution. Thus, it can be stated that the PNC, given its essential purpose of ensuring coexistence (PNC, 2019), together with other State institutions (Colombian Institute of Family Welfare and territorial entities, among others) must assume a preventive role against the forced recruitment of minors by the GAPD, based on co-responsibility, cooperation, and inter-institutional coordination.

The PNC's activities must be accompanied by a thorough understanding of the criminal structures and territory, as well as diagnostics to provide a somewhat constant updating of the existing information on the recruiting actors. Following the United Self-Defense Forces of Colombia's (AUC) and the FARC-EP's demobilization processes, the GAPD have emerged and continue recruitment practices in this post-agreement scenario. Like their predecessors, these GAPD are armed groups involved in the internal conflict.

According to Shultz et al. (2017), armed groups were initially conceived as "those that challenge the authority, power and legitimacy of the State, either by seeking to

replace it, weaken it or co-opt it; they use violence to do so and can act both locally and globally, using the rise of technological aids, etc.” (p. 27). In other words, they are an illegal armed actor that destabilizes a State body’s order and security. When discussing the origins of armed groups or armed actors, it is inherent to also speak of the armed conflict in Colombia (Valencia & Daza, 2010). The conformation of these armed groups directly relates to the national armed conflict; they are part of the nature of the conflict and its evolution in the territory. One of these groups is the FARC-EP. According to the Ombudsman’s Office (2017), as an illegal armed actor, it has characteristics that define and place it as a GAOML. The Ombudsman’s tool for characterizing illegal armed actors contains the following dimensions or topics:

1. Origins and nature: the reasons that gave rise to the organization and explain why it exists (Pataquiva, 2009).
2. Geographical presence: geographical location where the armed actor is situated (Salas, 2016).
3. Strategies and tactics (political and military): the armed actor’s materialization and mode of action (Cantor, 2016).
4. Sources of funding: economic activity, which is generally involved in the commission of crimes (Pécaut, 2008)
5. The use or role of violence: this dimension measures the illegal group’s war-like impact and violent methods, like the forced recruitment of children.
6. Organizational structure: refers to the organization, roles, hierarchy, and management of the criminal group (Cantor, 2016).

According to this, the FARC dissident groups that abandoned the peace process, in any of its phases, are characterized as GAPD, largely because of their origin and nature. García (2017) defines them as follows: “the GAPD are an insurgent leg of an illegal armed group, which due to social, economic, cultural, and above all political opposition conditions, forsakes the laying down of arms.” (p. 9)

These GAPD’s main characteristic involves maintaining the demobilized group’s ideology. In other words, they are armed heirs to the political cause of those who have left the conflict. Overall, they have been constituted to maintain the initial group’s model, however, with stronger ideological roots. Thus, they retain almost all of the initial group’s characteristics. In their dimensions, they continue many of the practices related to organizational structure and financing. Therefore, a criminal practice inherited, such as the recruitment of NNA, springs from a strategic concept of an increased cheap, trainable, and obedient force (Comisión Interamericana de Derechos Humanos, 2015).

Within the peace process and consolidation of an agreement with the National Government, the path to surrendering their weapons generated discontent for some

of the FARC-EP's members. They expressed the disgruntlement through a manifesto called "Rebellion" (2017). The birth of these armed groups has left a phenomenon of dissidence in the post-agreement period that can be scrutinized as GAPD. According to the Foundation Ideas for Peace (FIP), the GAPD grew from a single group in June 2016, the year of the Agreement, to 18 known structures with more than 1,200 members present in areas of 13 departments, including Tumaco. The dissidents of the former 29th Front, the Daniel Aldana and Mariscal Sucre Mobile Column, who identify themselves as the Oliver Sinisterra Front (FOS) (Álvarez et al., 2018) have a presence in this department.

The GAPD's economy is based on the continuity of the criminal economy inherited from the FARC-EP, which, according to Ballentine and Nitzschke (2015), generates internal competition within these criminal structures. This competition gives rise to unexpected factions and violent actions that affect the population, and the continuation of violence perpetuates illegal recruitment even in the context of the post-agreement. The GAPD's structures are smaller cells that act according to the needs of the territory they occupy. One of the manifestations of perceived violence is the forced recruitment of NNA, employing persuasive recruitment methods, no longer motivating with an ideological purpose, but with the support of the criminal economy to which they are linked.

The *post-agreement* has been used to contextualize and temporally delimit the research and place the recruitment practice still occurring after the Agreement (Segura & Mechoulam, 2017; Departamento Nacional de Planeación, 2019). To clarify the concepts, it must be noted that *post-agreement* does not mean *post-conflict* because "the Agreement does not represent the end of the conflict" (Insuasty & Borja, 2016, p. 374). Herein lies the institutional challenge of peace (Cardoza, 2014), especially regarding permanently respecting the guarantees of non-repetition and freedom and equality constitutional principles, in addition to the protection of NNA, ensuring their non-involvement in the conflict. These objectives require strengthening the Police Unit for Peacebuilding's (UNIPER) role, the PNC's institutional post-agreement strategy (UNIPER, 2017; Nieto, 2016; PNC, 2018).

## Methodology

This research assumes a qualitative, descriptive approach (Hernández et al., 2010), which defines essential properties, characteristics, and features of the phenomenon under analysis. It uses the phenomenological method. According to Creswell, "In this method, the researcher identifies the essence of human experiences in relation to a phenomenon as described by the participants in a study" (cited in Guzmán & Alvarado, 2009, p. 57). Guzmán and Alvarado also indicate that "the semi-structured

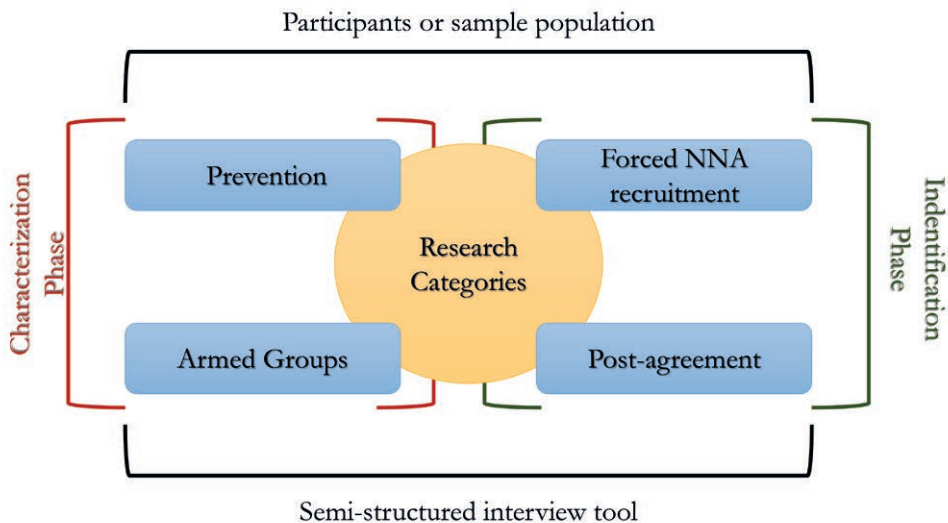


interview is the technique for obtaining empirical information directly associated with this method.” (2009, p. 58)

To answer the research problem using the phenomenological method, it is necessary: 1) to establish the phenomenon’s categories of analysis from the problem question; 2) to select, through categorization, participants who contribute from experience to each categories’ development; 3) to align the categories with the specific objectives to solve the general objective; 4) to design the interview as an instrument of information collection, focused on answering the problem question through the categories; and, 5) to develop the specific objectives in the methodological phases (Guzmán & Alvarado, 2009).

In line with the above, the problem question for this research has been categorized into four research categories: 1) prevention as the role to be assumed by the PNC in facing the phenomenon under study; 2) armed groups as the actors of the phenomenon, as described in the theoretical framework; 3) forced recruitment of children as the study phenomenon; and, 4) post-agreement as the socio-temporal context in which the study phenomenon occurs.

In the characterization phase, the categories of *prevention* and *armed groups* were developed based on the interviews’ data, thus fulfilling the first specific objective. The identification phase addressed the categories of *forced NNA recruitment* and *post-agreement*, developing the second specific objective. Both phases used the answers from selecting the interviewees’ semi-structured interviews addressing the categories (Figure 1).



**Figure 1.** Alignment of the categories with the methodological phases in the phenomenological method

Source: Created by the authors based on Guzmán and Alvarado (2009).

The interviewees were selected according to the research categories. For Hernández et al. (2010), “In studies with a phenomenological perspective, where the aim is to analyze the values, rites, and meanings of a certain social group, the use of both expert and case-type samples is frequent” (p. 397). Therefore, the sample is represented through the interviewees chosen according to specific profiles. Two of the interviewees are PNC active professionals; the other two are standard cases, inhabitants, or grassroots of the municipality of Tumaco (Nariño).

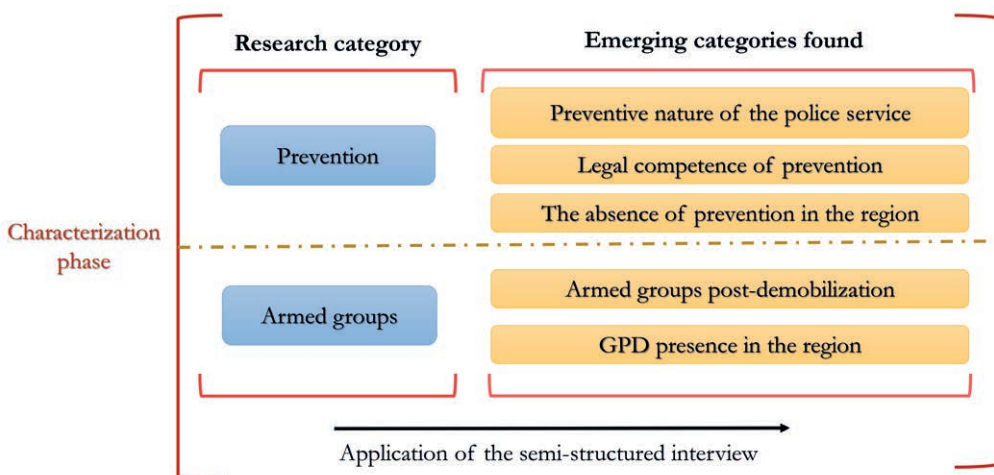
The interview constructed from the above consisted of 14 questions, divided by research category. Four questions involved prevention, three involved the armed groups category, five, the forced recruitment of NNA, and two, the post-agreement category. The interview was validated by the Escuela de Cadetes de Policía “General Francisco de Paula Santander” Research Group, as well as by the research’s methodology and subject advisor. Its application led to the findings and results that follow.

## Results

The following results were obtained in the research’s different phases by applying the interview as a data collection instrument.

### Results of the characterization phase

This phase was divided into two categories: *prevention* and *armed groups*. The results of this phase are shown in Figure 2 and explained below.



**Figure 2.** Results of the characterization phase.

Source: Created by the authors.

The following findings were made regarding the prevention category:

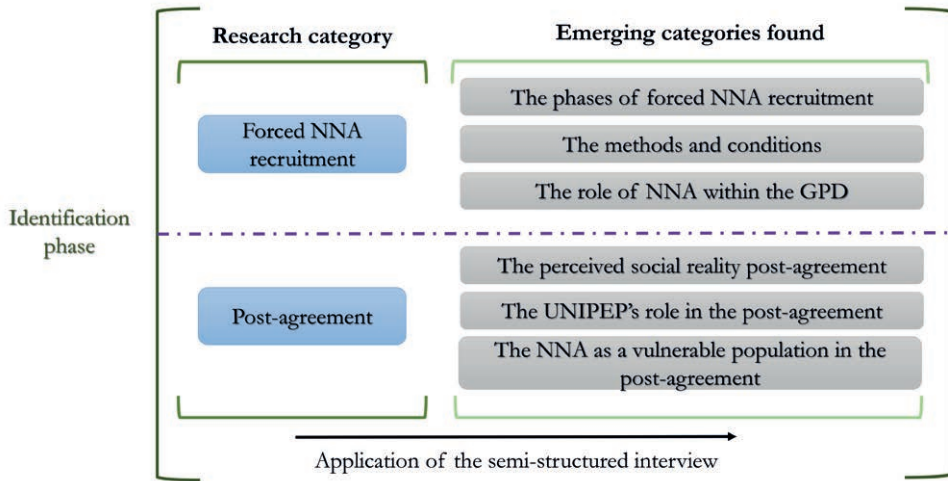
1. According to the police doctrine's analysis, by nature, the police service is preventive. Prevention is the pillar of police work in the national territory. It also follows a type of situational prevention, applied especially to achieve the necessary conditions for coexistence as a mission of the PNC.
2. The PNC's legal competence to prevent the forced recruitment of NNA is based on its mission, as defined in Article 218 of the Constitution. Especially the section that makes it responsible for guaranteeing the conditions necessary for Colombian citizens to live together in peace. This mission has been regulated through Articles 88 and 89 of Law 1098 of 2006.
3. Concerning the absence of prevention in Tumaco, Interviewee two said, "In Tumaco, we see none of that." To the same question, Interviewee one responded, "From my point of view, it's not very strong, the strategies used are not applied to young people, children, and adolescents; they are not very strong." This clearly shows the lack of preventive activity by the PNC against the phenomenon of child recruitment in Tumaco (Nariño).

The results for the *armed groups* category are described below:

1. The FARC-EP dissidents that emerged after the signing of the Agreement, according to the Ombudsman's Office armed groups characterizing tool, are constituted as GAPD.
2. The GAPD that are present in Tumaco have a significant impact on the territory, from the social point of view. Regarding this, Interviewee two affirmed that the presence of these groups "is worrisome, and we really don't know what could happen." Regarding their territorial presence, he said, "it is evidenced by actions such as the bomb they left in the police station that left many civilians affected, in the infrastructure, in the business sector, in the commerce in what is the center of Tumaco." Interviewee three added, "it is very difficult to control the influence of these armed groups since they are socially accepted and are part of the realities of the territory."

### Results of the identification phase

As in the previous phase, the interviews gave rise to relevant emerging categories to analyze the results in the categories that comprise the identification phase, as can be seen in Figure 3.



**Figure 3.** Results for the identification phase.

Source: Created by the authors.

*Forced NNA recruitment* and *post-agreement* were analyzed within the identification phase. The following findings were made for the forced NNA recruitment category:

1. It was found that forced NNA recruitment occurs in three stages in Tumaco. The first is from 9 to 10 years old, the second, from 11 to 15 years old, and, finally, from 16 to 17 years old. This activity is tied to region-specific causal phenomena. Initially, the GAPD in Tumaco use the opportunity factor. Then, they use methods of persuasion or coercion for forced recruitment. Ultimately, induction and indoctrination is a systemic process that obeys the needs of the GAPD's drug trafficking and illegal mining economies.
2. Regarding methods and conditions, it was found that the lack of access to opportunities is a condition that favors recruitment. Within the mentioned recruitment stages, the lack of opportunities is the most influential risk factor. According to Interviewee four, "minors in Tumaco don't have access to education, health, decent housing [...], in rural areas, the conditions are not optimal for the children's development, and they find themselves threatened and vulnerable. That is, these children don't have even the slightest space to develop freely." The GAPD take advantage of this circumstance to offer the NNA a socio-economic development collective that is unattainable to them by other means, especially in rural areas.

3. Finally, the NNA's role within the criminal structures was identified. The NNA are used, from their condition of victims, to feed networks of child prostitution and labor abuse inside and outside the GAPD; they are especially used, according to the Interviewee two, to "scrape coke." As indoctrination is reinforced, they start to be used as victimizers. At this point, tasks related to the use of firearms emerge, such as providing sentry duty, controlling and supervising other NNA, and working in coca base laboratories. Finally, they are tasked to engage in high-profile crimes, such as kidnapping, extortion, hired killings, and micro-trafficking. According to Interviewee one: "We see 13 and 15-year old children killing people. Brother, literally! You see them in the street with a gun collecting extortion payments, on a motorbike, and intimidating shopkeepers." Interviewee two explains that "These kids are recruited by these structures because they have nothing else to do. And, when they are recruited, they are practically given a job. And, at 13 and 15 years old, any peso helps, even if they are selling their soul to the devil. It's just that one sees these kids killing, stealing, selling vice, scraping coca."

The following results were identified for the category of *post-agreement*:

1. Regarding the social reality perceived for the post-agreement in Tumaco (Nariño), Interviewee two stated, "people continue to perceive the same realities in Tumaco. Nothing has changed before or after the post-agreement; in Tumaco, nothing has changed." This is a worrying statement, which is reinforced by Interviewee one's statement, "It's still the same. There are days when you don't notice the presence of these armed groups, but they are always there." In this sense, the signing of the Agreement did not change the municipality's social reality; the only change was the armed actors that practice illegal recruitment.
2. It was concluded that UNIPEP has played a fundamental role in the recruitment of children, as part of the PNC's strategies to deal with the post-agreement. In this regard, Interviewee four stated, "The model is the result of the joint effort of UNIPEP and the Special Justice for Peace. The issue of recruitment as a risk factor affecting the implementation of the agreements was not specifically addressed. However, experience has shown that the opposite is true, and the institution's [PNC] prevention strategies must be well reformulated, especially with regard to the recruitment of minors." Thus, shortcomings have been identified in the model's formulation that are certainly related to its neophyte character. This model must

- be adapted to overcome these shortcomings as the risk scenarios for the Agreement become apparent.
3. As a final finding, it is evident that the NNA are a particularly vulnerable population in the post-agreement period. Minors are victims of the failure to implement agreements. However, this becomes more complex when, upon being recruited, they assume the victimizers' role while still being victims. Usually, minors who acquire a sense of belonging to the GAPD are more difficult to extract from the armed conflict, given that their condition as victimizers has given them status within the emerging organization in the post-agreement period. Despite this, they continue to be victims of recruitment.

## Discussion

Based on these findings, it is clear that the PNC's preventive approach to police service is indeed challenged concerning NNA recruitment. Most of these challenges are related to the causes of the phenomenon, which reaffirms the importance of prevention. Identifying these challenges would favor anticipating the phenomenon and controlling it even before it materializes. These challenges are also related to the birth of new criminal structures, emerging from FARC-EP dissidents, reiterating an institutional commitment to building a social fabric based on the defense of NNA rights in the post-agreement period.

The *prevention* category results reflect Wanumen's (2015) statements on the need for community and PNC relations to respond to the phenomenon of NNA recruitment. According to Selmini (2009) and Clarke and Gilling (2014), this is called *community prevention*, which is the prevention methodology adopted by the PNC (2014). The results show that this type of prevention should not only be used for coexistence according to the MNVCC but can also be used to prevent the occurrence of criminal and social phenomena, such as NNA recruitment.

Prevention at the PNC level should be supported by other institutional actors, both governmental and non-governmental. The findings of this research corroborate this statement. They also reinforce the need for this co-responsibility to become a principle of police service. The prevention of the phenomenon of NNA recruitment by the GAPD must be carried out based on the known causes. It should involve the maximum number of prosecuting and administrative collaborations, based on inter-institutionality and social co-responsibility to assume the public policy challenges for the prevention of NNA recruitment, exploitation, and sexual violence (Consejería Presidencial para los Derechos Humanos y Asuntos Internacionales, 2019).

However, this research's findings disagree with some authors' characterization of the new armed actors that have emerged from the FARC EP dissidents in the post-agreement period. The Ministry of National Defense's Permanent Directive 037 of 2017 defines the FARC-EP dissidents as an Organized Residual Armed Group or GAO-R to provide the public forces with legal elements to combat these groups. However, this study's results show that the GAO-R, from a conceptual point of view, belong to a structural derivation of the already established GAOs, such as the *Pelusos* or the *Clan del Golfo* (Ministerio de Defensa Nacional, 2019). This research showed that, according to the Ombudsman's Office, the dissidents should be classified as a Post-Demobilization Armed Group (GAPD), given that this denomination is limited to the rearmament process of the demobilized group's former combatants. It is also considered in a transition phase between the demobilized GAOML and its constitution as a GAO. The GAOML has an ideology of political ends that the GAPD still claim to preserve. However, this ideology is lost within the armed group. Focusing on criminal economic activity, without any political or revolutionary connotations, these GAPD acquire characteristics of a GAO.

On the other hand, authors like Springer (2012), Villarraga (2013), and Otálora et al. (2013) state that NNA recruitment is a systematic practice framed within GAOML policies. It obeys the needs of maintaining internal conflict in Colombia, where NNA are victims of state neglect. The results of this investigation are in line with these claims. However, they differ somewhat regarding the actors. It was found that most criminal structures use illegal recruitment to sustain the dynamics of their criminal economy and not the armed conflict.

Furthermore, these armed actors' recruitment policy has mutated into methods that are not only forced but also persuasive. This research provides, among its results, an update on the phenomenon. According to Coalico (2019) and Human Rights Watch (2018), NNA recruitment is not only carried out by the GAOML. The GAPD also do it as a systematic practice that, according to the findings, is not to sustain the internal armed conflict, but to sustain the chains of drug trafficking and illegal mining controlled by these GAPD.

The findings on the NNA's role in GAPD in Tumaco, are no different from those identified by authors such as Springer (2012). However, the phenomenon within the territory is due to specific dynamics that cannot be generalized. In Tumaco, recruitment is mainly forced, especially for drug trafficking. This phenomenon is reinforced by the social risks of marginalization and the lack of access to better living conditions for NNA. There is a notable lack of education, housing, and guarantees for the minors' free development, even in the context of the post-agreement period.

Authors, such as Insuasty and Borja (2016), have indicated that the agreements' signing does not represent the end of the conflict. And, according to Cardoza (2014)

and Pinzón (2019), peace-building is one of the Colombian State's main challenges for institutionality. This research's results agree with these authors. From the regional factor, municipalities like Tumaco have not perceived changes in their social reality after the signing of the Agreement. The findings show that the conflict has mutated, and its actors have changed. However, that is far from being post-conflict. Therefore, the concept of post-agreement has been assumed as a socio-temporal context of the study, but not as a social reality.

## Conclusion

Based on the research findings and responding to the research problem developed in the general objective, the existence of challenges for the PNC has been corroborated. This section closes by answering the problem question and presenting the PNC's challenges in the face of the phenomenon under study.

The study determined that there are new challenges for the PNC in the post-agreement, considering its preventive approach to police service. Regarding the phenomenon of child recruitment, the challenges arise from the very application of prevention. The same is true regarding the armed actors emerging from the post-agreement period, characterized as GAPD.

Specifically, the PNC's new challenges, given their preventive nature of the service, concerning NNA recruitment by GAPD within the post-agreement's framework are the following.

1. Rebuilding trust between the PNC and the Colombian citizenry, especially with populations in vulnerable conditions, to apply the police service's preventive nature in areas where, because of historical circumstances, people are indifferent to it.
2. Transforming the police service's approach in Tumaco. The strategies must become less operational and more preventive to attack the phenomenon from its causes, and not its effects. This begins with reformulating the service planning methodology, adapting the service to each territory's needs to make it more effective and inclusive.
3. Creating closeness and empathy with the municipality's community to exercise prevention, especially given the link between NNA and the conflict. It should be a PNC priority to create a chain of empathy with the populations where the service is provided. This chain must be strengthened or created with the political and administrative authorities through strategic communications.



4. Execute situational prevention by producing State presence in the most forsaken regions that experience recruitment in the post-agreement period, like Tumaco. This challenge involves reconsidering the type of prevention used in service provision planning. Situational prevention can complement community prevention and generate synergies that can mitigate specific phenomena, such as forced recruitment.
5. Apply the differential approach according to NNA's age, gender, ethnicity, and socio-economic status to make recruitment prevention effective and inclusive. This challenge is required because of the new social needs arising in the post-agreement period. NNAs are a vulnerable population that needs specialized and differentiated attention to dissociate them from the armed conflict and criminal structures.
6. Strengthen inter-institutional coordination by promoting spaces for improving the NNA's quality of life. Based on the principle of co-responsibility, the PNC must use territorial management to assume this challenge from strategic planning. This should be done to generate significant impacts on the NNA's quality of life so that they remain on the sidelines of the armed conflict and criminal structures.
7. Propose strategies that are adapted to the realities of the region to confront phenomena that threaten the principle of non-repetition and non-victimization, such as forced NNA recruitment. This is perhaps the most significant new challenge because it encompasses all the previous. It is directly related to the PNC's strategic and mission processes. It involves an institutional and inter-institutional effort to mitigate NNA recruitment by armed actors in the post-agreement framework.

These new challenges are accompanied by others, which, although not new, must be adapted to the new conditions produced by the post-agreement. These challenges are 1) to neutralize the emerging criminal structures transformed according to the needs of criminal activity and that recruit NNA; 2) to create spaces where children and adolescents can develop socially and freely away from the conflict, based on community prevention; 3) to ensure that the necessary opportunity factors are created to provide NNA's better social, economic, and life opportunities than those offered by the GAPD; and, in connection with this, 4) to promote the Chair for Peace from the citizen education component, to strengthen social responsibility towards the protection of NNA rights.

This research provides a relevant update on the approach to the phenomenon of recruitment from a police point of view. In that sense, it makes a significant contribution to previous studies. Moreover, the existing research is part of a construction

of historical memory of what the conflict with the FARC-EP left behind; the NNA recruitment phenomenon must be approached from the current contextual realities.

The phenomenon of NNA recruitment in the post-agreement period is a research topic that should continue to be addressed, not only from the PNC's perspective and the preventive service approach provided by the institution but also from perspectives, like the social, economic, and political. In particular, research should be conducted from a more profound peace-building perspective that positions NNA rights and their constitutional guarantees along the peace-building lines for future generations.

Finally, it is recommended that these challenges be addressed by providing avenues of attention to NNA in the regions, based on prevention methodologies and using the differential approach. This is proposed so that the State assumes institutional responsibility at the different territorial levels and supports police work by strengthening plans, programs, and projects that aim to improve the quality of life of NNA at risk of being recruited by GAPD or other armed groups in the national territory. This also implies strengthening social responsibility and community participation for the protection of NNA rights.

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## References

- Álvarez, E., Pardo, D., & Cajiao, A. (2018). *Trayectorias y dinámicas territoriales de las disidencias de las FARC* (ed. revisada). Fundación Ideas para la Paz (FIP).
- Bautista, D. (2015). Reflexión sobre el papel de los actores en el conflicto armado en Colombia y la importancia de la memoria histórica para la construcción de paz. *Trans-pasando Fronteras*, 8, 73. <https://doi.org/10.18046/ref.i8.2086>
- Botero, L. (2017). Reclutamiento forzado de niños, niñas y adolescentes en Colombia. ABCES Jurídico (2.08). <http://ns3112306.ip-213-251-184.eu/handle/10946/3101>
- Cantor M., J. (2016). *Perfil de la estrategia político-militar de las FARC, Sendero Luminoso y el EPP* [tesis de pregrado, Universidad Colegio Mayor de Nuestra Señora del Rosario]. Repositorio Institucional EdocUR. <https://repository.urosario.edu.co/handle/10336/12614>
- Cardoza, G. (2014, junio). *Retos del Estado para la construcción de la paz en Colombia*. IV Seminario Internacional sobre Interculturalidad “Territorialidades, Desarrollo Rural y Paz”. Pontificia Universidad Javeriana, Cali, Colombia. <https://bit.ly/2YCbEpd>
- Carvajal, C. C. (2016). La Policía Nacional en el posconflicto. *Revista Criminalidad DIJIN e Interpol PNC*, 7, 38-48.
- Centro Nacional de Memoria Histórica. (2017). *Una guerra sin edad. Informe nacional de reclutamiento y utilización de niños, niñas y adolescentes en el conflicto armado colombiano*. <https://bit.ly/2MYSVyM>
- Centro Nacional de Memoria Histórica. (2018). Yordan, uno de los 17778 niños reclutados por la guerra [episodio de podcast]. En *Jueves de Podcast*. <http://centrodememoriahistorica.gov.co/podcasts/jueves-de-podcast/>

- Clarke, D., & Gilling, F. (2014). Prevención del crimen: teoría, policía y políticas. *The British Journal of Criminology*, 38, 527-530.
- Coalición contra la Vinculación de Niños, Niñas y Jóvenes al Conflicto Armado en Colombia (Coalico). (2019). *Boletín de Monitoreo 20. Niñez y conflicto armado en Colombia, enero-diciembre 2018*. <https://bit.ly/2Y29a48>
- Comisión Interamericana de Derechos Humanos. (2015). *Violencia, niñez y crimen organizado*. Organización de Estados Americanos.
- Consejería Presidencial para los Derechos Humanos y Asuntos Presidenciales. (2019). *Línea de política pública de prevención del reclutamiento, utilización, uso y violencia sexual contra niños, niñas y adolescentes por parte de grupos armados organizados (GAO) y grupos delictivos organizados (GDO)*. <https://bit.ly/37LyjU0> Recuperado 20 de febrero de 2020, de <http://www.derechoshumanos.gov.co/Prensa/2019/Documents/191119-Linea-pol%C3%ADtica-Prevenci%C3%B3n-RUUVS.pdf>
- Constitución Política de Colombia. (1991). *Gaceta Constitucional n.º 116*. <http://bit.ly/2NA2BRg>.
- Crawford, A. (1997). *The local governance of crimen. Appeals to community and partnership*. Clarendon Press.
- Decreto 4690. (2007). Por el cual se crea la Comisión Intersectorial para la prevención del reclutamiento y utilización de niños, niñas, adolescentes y jóvenes por grupos organizados al margen de la ley. Ministerio de Protección Social. Diario Oficial 46831. <https://bit.ly/30EXQg6>
- Defensoría del Pueblo de Colombia. (2017). *Grupos armados ilegales y nuevos escenarios de riesgo en el posacuerdo*. <https://bit.ly/3fmp53>
- Departamento Nacional de Planeación. (2019). *Documento CONPES 3673. Política de prevención del reclutamiento y utilización de menores por parte de los grupos armados organizados al margen de la ley y de los grupos delictivos organizados*. <https://bit.ly/3d0FvN6>
- Dirección de Investigación Criminal e Interpol (DIJIN). (2010). *Investigación criminológica. Niños, niñas y adolescentes: víctimas y victimarios*. Policía Nacional de Colombia.
- Espitia, E. C. (2000, marzo). La fenomenología interpretativa como alternativa apropiada para estudiar los fenómenos humanos. *Investigación y Educación en Enfermería*, 18(1), 27-35. <https://www.redalyc.org/pdf/1052/105218294002.pdf>
- Fernández, I. (2014). Prevención de la violencia y resolución de conflictos. El clima escolar como factor de calidad. En *Tipos de hechos violentos* (4.ª ed., pp. 43-74). Nancea de Ediciones Madrid.
- García R., M. A. (2017). Grupos posdesmovilización y ejercicio de la oposición política en Colombia. *Reflexión Política*, 19(37), 100-118.
- Guzmán, A., & Alvarado, J. (2009). *Fases y operaciones metodológicas en la investigación educativa* (vol. 1). Asociación de Investigadores de Ciencias de la Educación.
- Hernández, R., Fernández, C., & Baptista, P. (2010). *Metodología de la investigación* (5.ª ed.). McGraw-Hill.
- Human Rights Watch. (2018, 13 de diciembre). Colombia: disidencias de las FARC asolan a comunidades afro. <https://bit.ly/3hr0MTv>
- Insuasty, A., & Borja, E. (2016). El papel de la comunidad universitaria en el posacuerdo o posconflicto. *El Ágora USB*, 16(2), 373-376.
- Ley 1098. (2006, 8 de noviembre). Código de Infancia y Adolescencia. Congreso de la República de Colombia. Diario Oficial 46446. [http://www.secretariassenado.gov.co/senado/basedoc/ley\\_1098\\_2006.html](http://www.secretariassenado.gov.co/senado/basedoc/ley_1098_2006.html)
- Ley 599. (2000, 24 de julio). Código Penal. Congreso de la República de Colombia. Diario Oficial 44097. [https://www.unodc.org/res/cld/legislation/can/codigo-penal\\_html/Codigo\\_Penal.pdf](https://www.unodc.org/res/cld/legislation/can/codigo-penal_html/Codigo_Penal.pdf)
- Ministerio de Defensa Nacional. (2017). *Directiva Permanente 037. Lineamientos del Ministerio de Defensa Nacional para caracterizar y enfrentar a los Grupos Armados Organizados Residuales (GAOR)*.

- Ministerio de Defensa Nacional. (2019, enero). *Política de Defensa y Seguridad PDS. Para la legalidad, el emprendimiento y la equidad*. <https://bit.ly/37KC1NS>
- Nieto R., J. H. (2016). *Informe de gestión institucional 2016*. Policía Nacional de Colombia .
- Observatorio de Procesos de Desarme, Desmovilización y Reintegración. (2011). *Marco jurídico sobre niños, niñas, adolescentes y jóvenes menores de edad, conflicto armado, desvinculación y DDR*. Universidad Nacional de Colombia. <https://bit.ly/3e2OIWG>
- Oficina del Alto Comisionado de las Naciones Unidas para los Derechos Humanos. (2018). *Informe anual del Alto Comisionado de las Naciones Unidas para los Derechos Humanos sobre la situación de los derechos humanos en Colombia durante el año 2017*. <https://bit.ly/2Y1BK63>
- Otálora, C., Rodríguez, N., & Bermeo, M. (2013). La niñez en el conflicto armado y los contextos de violencia. Reclutamiento y utilización por grupos armados ilegales y procesos de restablecimiento de sus derechos (2010-2012). En Centro Nacional de Memoria Histórica, *Desafíos para la reintegración. Enfoques de género, edad y etnia* (pp. 325-388). Imprenta Nacional. <https://bit.ly/3el0tYD>
- Pataquiva, G. (2009). Las FARC, su origen y evolución. *UNISCI Discussion Papers*, 19, 154-184. <https://www.redalyc.org/pdf/767/76711407010.pdf>
- Pécaut, D. (2008). Las FARC: fuentes de su longevidad y de la conservación de su cohesión. *Análisis Político*, 63, 22-50. <http://bdigital.unal.edu.co/43594/1/46015-223254-1-SM.pdf>
- Pinzón, J. C. (2019). La paz, un desafío para la institucionalidad en Colombia: posconflicto, presupuesto público y la Policía Nacional. En Dirección Nacional de Escuelas (ed.), *Memorias XVI Versión del Concurso Nacional de Ensayo Crítico 2018* (ed. revisada, pp. 97-112). Policía Nacional de Colombia.
- Policía Nacional de Colombia. (2014). *TOMO 2.2. Modelo Nacional de Vigilancia Comunitaria por Cuadrantes (MNVCC)*.
- Policía Nacional de Colombia. (2016). *Sistema de Prevención, Convivencia y Seguridad Ciudadana*. <https://bit.ly/3e3kgeT>
- Policía Nacional de Colombia. (2018). *Planteamiento Estratégico de Seguridad y Convivencia Ciudadana 2018-2022*. <https://bit.ly/2Y492kZ>
- Policía Nacional de Colombia. (2019). *Plan Estratégico Institucional PEI 2019-2022 "Colombia Bicentenario"*.
- Ramírez B., P. (2010). El reclutamiento de menores en el conflicto armado colombiano. Aproximación al crimen de guerra. *Revista Derecho Penal y Criminología*, 31(90), 25-32. <https://bit.ly/2C8AsNZ>
- Real Academia de la Lengua Española. (2019). Prevención. En *Diccionario de la lengua española*. Asociación de Academias de la Lengua Española.
- Resolución 000912. (2009). Por la cual se expide el reglamento del servicio de policía. Policía Nacional de Colombia.
- Salas S., G. (2016). El conflicto armado y su incidencia en la configuración territorial. Reflexiones desde la ciencia geográfica para la consolidación de un periodo de posnegociación del conflicto armado en Colombia. *Bitácora Urbano Territorial*, 26(2), 45-57. <https://revistas.unal.edu.co/index.php/bitacora/article/view/57605>
- Segura, R., & Mechoulam, D. (2017). *Made in La Habana: Cómo Colombia y las FARC decidieron terminar la guerra*. International Peace Institute.
- Selmini, R. (2009). La prevención: estrategias, modelos y definiciones en el contexto europeo. *Revista Latinoamericana de Seguridad Ciudadana*, 6, 41-47.
- Shultz, R. H., Farah, D., & Lochard, I. V. (2004). *Armed groups: A tier-one security priority*. US Air Force, Institute for National Security Studies.

- Springer, N. (2012). *Como corderos entre lobos. Del uso y reclutamiento de niños, niñas y adolescentes en el marco del conflicto armado y la criminalidad en Colombia*. Springer Consulting Services. <https://bit.ly/3cVO0ZW>
- Unidad Policial para la Edificación de la Paz (UNIPPEP). (2017). *Modelo de Construcción de Paz de la Policía Nacional*. Policía Nacional Colombia. <https://bit.ly/3fprTwB>
- Valencia, O., & Daza, M. (2010). Vinculación a grupos armados: un resultado del conflicto armado en Colombia. *Revista Diversitas. Perspectivas en Psicología*, 6(2), 429-439. <https://bit.ly/30H7UoR>
- Villarraga, Á. (2013). Experiencias históricas recientes de reintegración de excombatientes en Colombia. *Colombia Internacional*, 77, 107-140. <https://doi.org/10.7440/colombiaint77.2013.05>
- Wanumen, P. (2015). *Eficacia de las políticas públicas implementadas por el Gobierno Nacional, el Ministerio de Defensa e instituciones competentes que previenen el reclutamiento y utilización de menores de edad por parte de los grupos armados al margen de la ley y las redes del crimen organizado* [tesis de maestría, Universidad Militar Nueva Granada]. RI UMNG. <http://hdl.handle.net/10654/6981>