

03 July 2009

Colombia: New displacement continues, response still ineffective

The protracted internal armed conflict in Colombia had to May 2009 displaced almost 3.1 million people according to the government, and over 4.6 million people according to a reliable non-governmental source. Nevertheless, under-registration in the government's system remains pervasive. In 2008, Colombia's highest administrative court derogated a decree that determined that internally displaced people (IDPs) could only be included in the national registry up to one year after being displaced, and in January, 2009, the Constitutional Court directed the government to decisively tackle this problem by improving registration systems.

All parties to the conflict, including guerrilla groups, the new armed groups which have emerged since the demobilisation of paramilitaries, and state forces, are responsible for forced displacement and human rights abuses and violations. According to a recent survey, threats directed at civilians by the illegal armed groups have become the single greatest cause of internal displacement. Human rights violations by government forces have continued, including systematic extra-judicial executions. Additionally, aerial fumigations of illegal crops, which also destroy other crops, have caused displacement by causing food insecurity. Finally, human rights defenders, including IDP leaders, have continued to be threatened, attacked, and killed, and discredited by government.

The government's response to the plight of IDPs has continued to improve, but not enough to meet the benchmarks set by the Constitutional Court. The Court has ordered significant amendments to government policy and programmes for IDPs and has continued to measure the enjoyment of rights of the displaced population, declaring in January 2009 that the "unconstitutional state of affairs" in the government's response for IDPs, originally declared in 2004, continued. In June 2009, a proposed law to protect and provide reparations to victims of conflict, the so-called "victims' law", was defeated by a government majority in the House of Representatives.

The Court's data show that the biggest gaps relate to housing, income generation, and protection of land. Much more needs to be done to prevent new displacement, protect the displaced population, and implement durable solutions through effective reparations and solutions other than return – only three per cent of the displaced population wish to return to their place of origin under the current conditions.

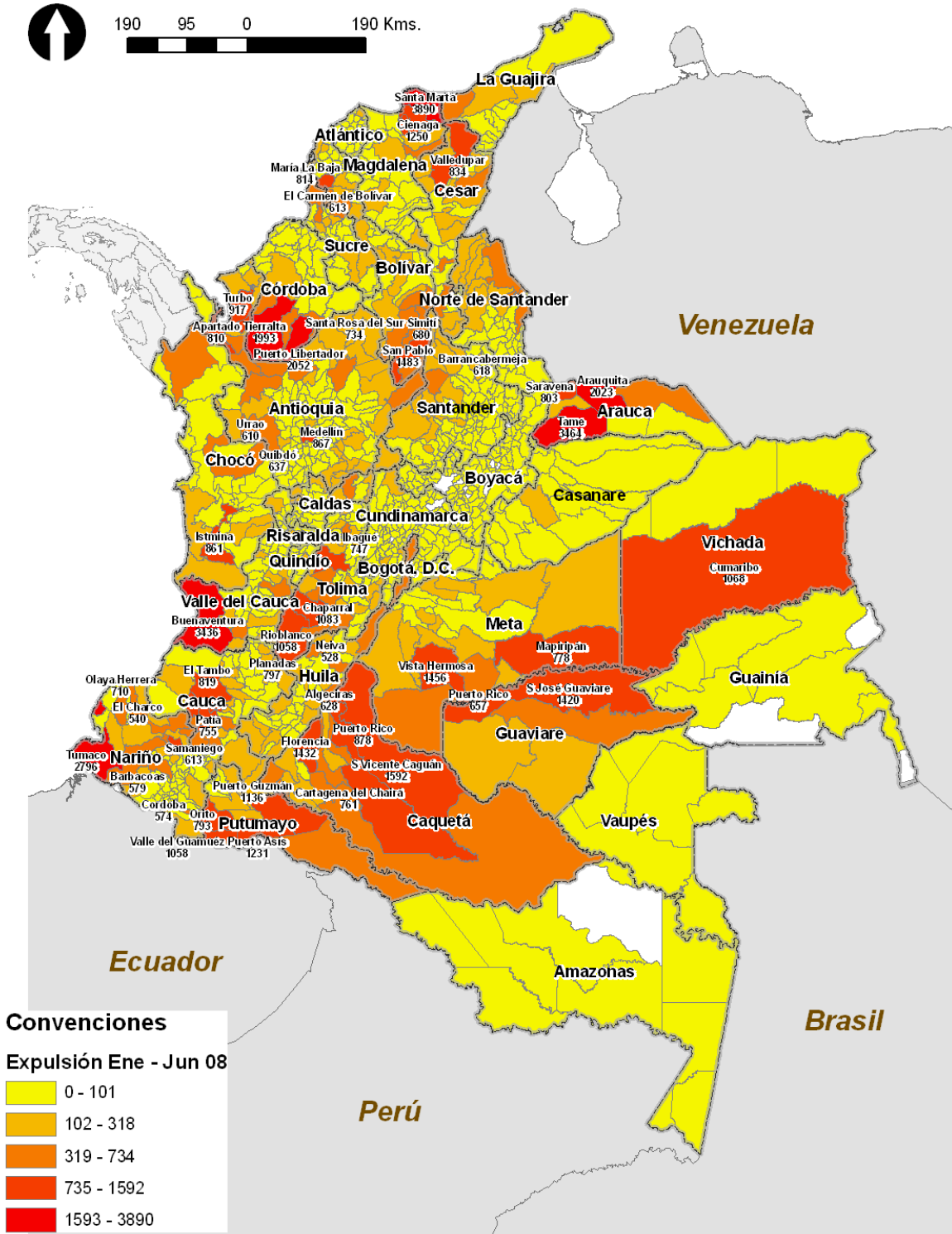
Map of Internal Displacement in Colombia, 1 January – 30 June 2008



DESPLAZAMIENTO EN COLOMBIA - EXPULSIONES I SEMESTRE 2008
 1 Enero - 30 Junio 2008
 Fuente: SIPOD - Acción Social



190 95 0 190 Kms.



Convenciones

Expulsión Ene - Jun 08

0 - 101
102 - 318
319 - 734
735 - 1592
1593 - 3890

Source: UN OCHA

More maps are available on <http://www.internal-displacement.org/>

Context and causes of displacement

Colombia's protracted conflict has many battlefronts across most of the country's regions, including the Pacific and Caribbean coasts, the Central Andes, and the Amazon region. Parties to the conflict include government forces, remnants of demobilised paramilitary groups, and rebel groups including the Revolutionary Armed Forces of Colombia (*Fuerzas Armadas Revolucionarias de Colombia* or FARC) and the National Liberation Army (*Ejército de Liberación Nacional* or ELN). Besides confrontations among armed actors, the violence is characterised by attacks and threats by armed groups against the civilian population. Recent data show that direct threats are the greatest cause of internal displacement (Comisión de Seguimiento, 2009). Threats are used to intimidate the civilian population and maintain the domination of illegal groups over certain areas, and also as a tool to drive small farmers from land to develop legal and illegal crops.

The government has carried out sustained anti-insurgency and anti-narcotics campaigns during the seven years of Alvaro Uribe's presidency, which have clearly weakened the FARC (ICG, March 2009). However they have resulted in widespread breaches of international humanitarian and human rights law by all parties involved, and in massive internal and cross-border displacement of the country's rural civilian population (OHCHR, 2009; IACHR, 2009; USDoS, 2009). Hopes for a negotiated end to the conflict remain faint, especially now that the FARC have announced their re-grouping and drawn up a new military plan that

includes more attacks into urban centres (El Espectador, February, 2009).

Latest displacement figures

Internal displacement currently affects between six and ten per cent of the population and the rate of new displacement has increased. According to the reliable non-governmental Observatory on Human Rights and Displacement (*Consultoría para los Derechos Humanos y el Desplazamiento* or CODHES), over 380,000 people were newly displaced in 2008, bringing the total number of IDPs to over 4.6 million. In 2008 the number of people newly displaced was 24 per cent higher than in 2007, and the rate of displacement per 100,000 inhabitants increased from 713 in 2007 to 888 in 2008 (CODHES, 2009). The government's figures for new displacement in 2008 are only slightly lower, as it registered over 370,000 new IDPs, but the government's total is significantly lower at just under three million. 2008 thus continues a pattern whereby yearly CODHES's and Government figures follow a similar trend (IDMC, 2009).

The difference in the cumulative figure is accounted for by various reasons. First, CODHES's system has been estimating IDP movements since 1993, while the government's National Registry of Displaced Population (*Registro Único de Población Desplazada* or RUPD) was only launched in 2000. Second, as the government has acknowledged, there is a high rate of under-registration. A recent survey mandated by the Constitutional Court showed that only 65 per cent of IDPs are registered in the RUPD, as some IDPs do not declare their situation of displacement because of lack of information

or their fear of coming forward, and other IDPs who declare are rejected (Comisión de Seguimiento, 2009).

Under-registration may also have been due to the limited registration period: shortly after the RUPD was launched, Decree 2569 of 2000 restricted the time that IDPs had to register to one year from their displacement (Presidente de la República, 2000). In June 2008 the country's highest administrative court (the *Consejo de Estado*) invalidated the Decree, meaning that people displaced before 2000 could finally apply to register as IDPs. The government has since argued that the high displacement figures during 2008 reflected the large number of people who requested registration when the one-year rule was invalidated.

Addressing the problem of under-registration is fundamental to IDP protection, as those IDPs not registered in the RUPD are consistently more vulnerable (Comisión de Seguimiento, 2009). In January 2009, the Constitutional Court ordered the government to make efforts to solve the problem (Constitutional Court of Colombia, 26 January 2009). Government agencies, including local authorities, are due to report back to the Court about progress made on 30 October 2009.

Patterns of displacement

Individual displacement continues to be the dominant pattern of displacement in Colombia, accounting for 89 per cent of displacement (Comisión de Seguimiento, 2009). Only 11 per cent of new IDPs included in the RUPD were displaced in mass incidents in 2008. There were 82 mass displacements in 19 Colombian departments, with the departments of

Nariño (bordering Ecuador to the southwest) and Chocó (on the Pacific coast) most affected (CODHES, 2009, p.4).

Displacement from rural areas to mid-size and large cities is dominant. 92 per cent of the displaced population have been originally displaced from rural areas, and only eight per cent from small and mid-size towns. Of those displaced from rural areas, 93 per cent fled to an urban area and only seven per cent to a rural area (Departamento Nacional de Planeación, 30 June 2008). This pattern is contributing to rapid urbanisation throughout the country. Most displaced people do not remain in their first town of arrival.

86 per cent of IDPs included in the RUPD have been displaced once, while 12 per cent have been displaced twice and only two per cent more than twice (Comisión de Seguimiento, Garantizar la Observancia de los Derechos de la Población Desplazada, 2009, p.45).

Profile of the displaced population

Displacement's impact on indigenous people and Afro-Colombians continues to be particularly intense. About 13,500 indigenous people were displaced in 2008, accounting for 3.5 per cent of the total IDP population (CODHES, 2009, p.4). Currently, between 17 and 23 per cent of the displaced population in Colombia is Afro-Colombian (Comisión de Seguimiento, 2009). For both groups, the rates of displacement have increased steadily over time. In February 2009, 17 members of the Awá indigenous group were brutally assassinated in the department of Nariño (UNHCR, 2009), while a report in May evidenced the precarious situation of the Embera indigenous group

in the department of Chocó (UN OCHA, 2009).

Both indigenous and Afro-Colombian IDPs continue to experience a lower enjoyment of rights than the rest of the displaced population. For instance, only 4.5 per cent of Afro-Colombian IDPs and 2.5 per cent of indigenous IDPs, respectively, live in housing complying with minimum standards (stability of ownership title, materials, services), compared to an already low 5.5 per cent for the rest of the displaced population. Only 11 per cent of the displaced Afro-Colombian population earn the minimum salary. The situation of afro-Colombian women is even more precarious: only 5.3 per cent earn minimum salary. More displaced indigenous people enjoy the right to work than Afro-Colombians; however the rate of displaced indigenous women in employment is 30 per cent lower than of men (Comisión de Seguimiento, 2009).

Women comprise 48 per cent of IDPs, 47 per cent of displaced families are headed by women, 63 per cent of the displaced population are under 25 years of age, and 14 per cent of the displaced cannot read or write. Adding to their vulnerability, internally displaced families had an average of 5.2 children, compared to four for non-displaced families (Comisión de Seguimiento, 2009). 18 per cent of the families registered in the RUPD has a family member with some form of disability, of whom 18 per cent have been disabled by the armed conflict. In January 2009, the Constitutional Court ordered the government to implement specific protection for displaced indigenous, Afro-Colombian, and disabled people; previous decisions in 2008 did the same on behalf of displaced women and children.

Physical security of IDPs and others affected by the conflict

Direct threats, violence including sexual violence, restrictions on free movement including though the deployment of landmines, and forced recruitment continue to threaten the civilian population and to cause new displacement. These violations are perpetrated by the rebel groups and by the new illegal armed groups which emerged after the militias of the United Self-Defense Forces of Colombia (*Autodefensas Unidas de Colombia*, or AUC) were demobilised in 2006. The new groups continue to commit widespread human rights violations, sometimes with the acquiescence of state forces (OHCHR, 2008). Colombian NGO Indepaz estimates that there are at least 9,000 members of 76 groups in 25 departments throughout the country, giving them the same size and reach as the AUC before the formal demobilisation started five years ago (Colombian NGO Platform, 2008). These groups operate in departments that were traditional AUC strongholds, including Norte de Santander, Nariño, the Atlantic Coast, and Medellín.

The government, including officials at the highest levels, has continued to undermine the work of human rights defenders, including IDP representatives. During the Universal Periodic Review conducted by the Human Rights Council at the end of 2008, discrediting of and threats against human rights defenders and union leaders was a major issue of concern raised on several occasions by the members of the working group (UN HRC, January 2009).

IDP leaders and relatives who have received threats have been subsequently assassinated, despite an early warning response system established by the Ombudsman's Office (*Defensoría del Pueblo*). Victims have included a member of the family of a leader of the League of Displaced Women. Furthermore, regional officials of the Ombudsman's Office were themselves threatened in written letters (UNHCR, 2009). These and other attacks recently drove the Constitutional Court to issue a decision calling the government to effectively protect IDP leaders (Constitutional Court of Colombia, January 2009).

Finally, a systematic practice of extra-judicial killings and forced disappearances by government forces, which targeted youth in areas such as Soacha, a slum around Bogotá where many IDPs have settled, was recently exposed and condemned nationally and internationally (UN HRC, 2009; Special Rapporteur on extra-judicial executions, 2009).

Access of IDPs to basic necessities of life

IDPs throughout the country have been unable to meet many of their basic needs. Housing continues to be the most critical problem, and the one in which the government's response has achieved least progress, according to measurements both by the government and the Constitutional Court-mandated Civil Society Monitoring Commission (*Comisión de Seguimiento*). According to the Commission, only 5.5 per cent of the displaced population live in homes complying with standards on construction materials, available space, access to drinking water and sanitation, and stability of tenancy or ownership

(*Comisión de Seguimiento*, 2009), while the figure is even lower at 3.3 per cent according to the government (Departamento Nacional de Planeación, 2009).

The lack of livelihoods for internally displaced families is also one of the most pressing problems. About half of the displaced population have lost agriculture and livestock-based livelihoods. The large majority of families that had stable and reliable forms of livelihoods have been made destitute because of forced displacement: according to the government only six per cent of IDPs are over the poverty line in 2009 (Departamento Nacional de Planeación, 2009). Roughly half had land before they were displaced, and 94 per cent of those families were forced to abandon that land. Likewise, about half had livestock and 92 per cent of them lost it (*Comisión de Seguimiento*, 2009). Up to ten million hectares of land (nine per cent of national territory) have been left behind by the displaced population (*Comisión de Seguimiento*, 2009), and land and livestock left behind have generally been appropriated by the agents of displacement, thus eliminating any option to receive income from it, despite projects to protect land left behind, such as those supported by the World Bank and the International Organization for Migration (World Bank, IOM, 2009). In the face of this, the recent failure to pass a "victims' law" which included an extensive reparations programme dashed the hopes of IDPs and other victims of violence (*El Espectador*, 2009; *Semana*, 2009).

The majority of IDPs do not enjoy food security. In a national survey, 68 per cent of respondents registered in the RUPD and 70 per cent of non-registered IDP re-

spondents reported having experienced at least one of the three symptoms of insufficient food security during the preceding week (Comisión de Seguimiento, 2009, p.151). According to the government, only half of IDPs have sufficient and adequate food, perceive that they have food security, and benefit from food programmes (Departamento Nacional de Planeación, 2009).

Access to health care has prevented the equitable access of IDPs. The majority of the displaced population is eligible for free public health care under a subsidised scheme for those without purchasing power, including IDPs, but their access to these services is limited. Firstly, IDPs can often not access to health care services as the affiliation to the system is linked to the place of residence and is not movable. Secondly, agencies continue to have difficulties in sharing the information needed to enable IDPs to access care: for example, health care providers sometimes lack access to the RUPD and so cannot quickly determine if a person is included (ICRC/WFP, 2007, p.50). Likewise, members of the subsidised scheme have had more difficulty obtaining services or have received services of lower quality than members of the contributive scheme (World Bank, 2008).

Furthermore, aerial fumigations with glyphosate for coca eradication in some departments have had a negative impact on health (Special Rapporteur on the right to health, 2008).

Government response

The 2004 ruling by the Constitutional Court that the widespread violation of IDPs' rights amounted to an "unconstitu-

tional state of affairs" led to gradual improvements in the multi-level, inter-agency National System for the Integral Attention to the Displaced Population (*Sistema Nacional de Atención Integral a la Población Desplazada* or SNAIPD) including a national plan for IDPs, launched in 2005 and ongoing. The government's financial allocation for the SNAIPD has increased steadily from \$177 million (363 billion Colombian pesos) in 2004 to \$525 million (1,080 billion pesos) in 2008 (Departamento Nacional de Planeación, 2008).

Despite this significant increase in funding, the situation of IDPs has not changed significantly and in January 2009 the Constitutional Court declared that the "unconstitutional state of affairs" continued. One cause seems to be the failure of coordination between the different agencies and levels implementing the SNAIPD (Brookings/Ibáñez, 2008). The national plan for IDPs, together with the national development plan for the period from 2006 to 2010, set forth a comprehensive response to internal displacement, including prevention, humanitarian support and post-conflict integration, to be implemented by a complex network of national and local bodies. As a result, it is not always evident where the responsibility to act lies, or the extent of that responsibility. For example, during the emergency response phase, both local committees and national institutions are charged with providing humanitarian assistance (Brookings/Ibáñez, 2008, p.5). To overcome these barriers, municipalities have been charged with developing plans to improve coordination and assure a standard response. Nevertheless, to date, not all municipalities have drafted their plans, because of lack of capacity or

of will (UNHCR, 2007; Brookings/Ibáñez, 2008, p.9).

Humanitarian access and international response

Access is generally satisfactory in the towns and cities to which most IDPs have fled, as conflict zones are generally away from urban areas. Nevertheless, illegal armed groups in urban areas have directly threatened humanitarian agencies and human rights supporters including the Ombudsman's Office. Furthermore, it was recently revealed that the government's intelligence service has systematically wiretapped judges, human rights defenders, academics, and journalists (OHCHR, 2009).

For the rural conflict hotspots, access is generally obstructed by the intensity of the fighting. National and international aid organisations in 2008 could not access many newly displaced populations in the departments of Nariño, Valle de Cauca, Arauca, Antioquia, Chocó, and Norte de Santander (USDoS, 2008). The remote location of conflict areas has also presented major logistical challenges to humanitarian efforts to reach affected populations and to humanitarian aid (Diálogo Inter-Agencial Colombia, 2008).

International NGOs and governments have continued to call attention to the situation in Colombia. The Inter-American Commission on Human Rights' annual report included Colombia as one of the countries in the region whose situation required special attention (IACHR, December 2008). Colombia is one of the countries in which the UN has implemented the cluster approach, and protection, early recovery, and assistance clusters have been rolled out as of July 2009. UNHCR is present in Bogotá and in 12 field offices, and has been supporting the efforts of government institutions to improve the response to comply with Constitutional Court rulings.

Note: This is a summary of IDMC's Internal Displacement profile. The full profile is available online [here](#).

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About the Internal Displacement Monitoring Centre

The Internal Displacement Monitoring Centre, established in 1998 by the Norwegian Refugee Council, is the leading international body monitoring conflict-induced internal displacement worldwide.

Through its work, the Centre contributes to improving national and international capacities to protect and assist the millions of people around the globe who have been displaced within their own country as a result of conflicts or human rights violations.

At the request of the United Nations, the Geneva-based Centre runs an online database providing comprehensive information and analysis on internal displacement in some 50 countries.

Based on its monitoring and data collection activities, the Centre advocates for durable solutions to the plight of the internally displaced in line with international standards.

The Internal Displacement Monitoring Centre also carries out training activities to enhance the capacity of local actors to respond to the needs of internally displaced people. In its work, the Centre cooperates with and provides support to local and national civil society initiatives.

For more information, visit the Internal Displacement Monitoring Centre website and the database at www.internal-displacement.org.

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