

16 January 2014

## COLOMBIA

# Displacement continues despite hopes for peace

Despite the optimism surrounding the peace process in seeking to end a decades-old war, Colombia continues to suffer one of the world's most dramatic humanitarian emergencies.

Roughly 300,000 people are internally displaced each year. In 2012, people fled from, or arrived to, nearly three quarters of the country's municipalities. Military confrontations between armed groups and the national army as well as direct threats to individuals and communities cause the vast majority of displacements. Widespread abuses, including the recruitment of minors, sexual violence, anti-personnel mines, extortion and the targeting of human rights defenders also force the flight of many Colombians.

While the majority of internally displaced people (IDPs) leave their homes in small numbers, mass displacements have increased in recent years. Intra-urban displacement is also on the rise, though the flight from the rural countryside remains predominant. Upon re-locating to or within urban centers, IDPs encounter less access to basic necessities such as housing and livelihood opportunities than their impoverished neighbours. Armed actors also continue to stigmatise and target community leaders even after displacement. Sadly, ethnic minorities, such as Afro-Colombians and indigenous groups, comprise a disproportionate number of all IDPs.

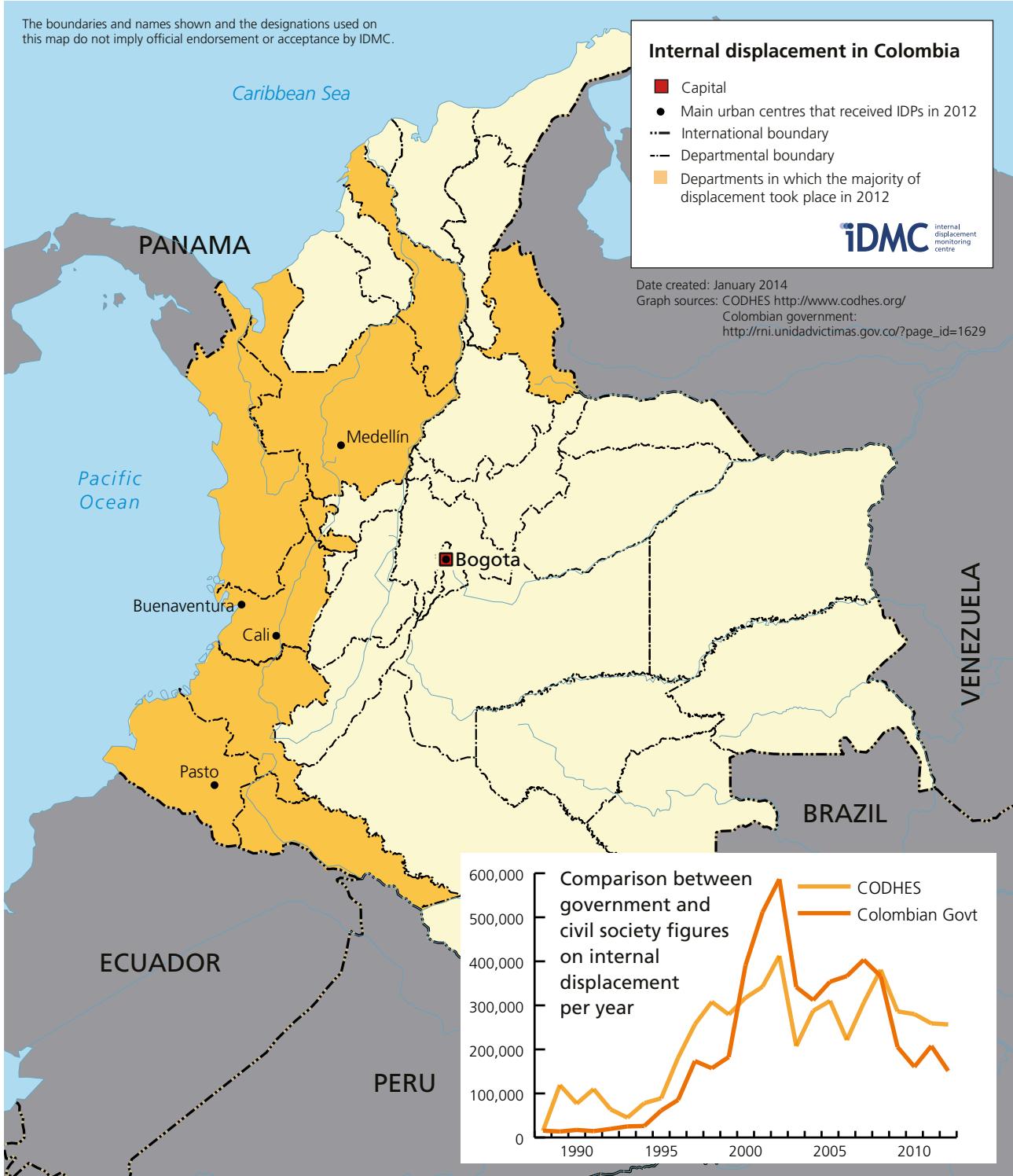
Colombia's current government has undertaken significant efforts to improve assistance and integral reparations for all victims of the armed conflict, including IDPs. A Constitutional Court ruling forced the government to include within official registries victims of organised crime and the new generation of paramilitary groups.

Despite enhanced access to regular social welfare programs, however, only a small number of IDPs have received the promised financial reparations outlined in the historic Victims Law of 2011. The government response to assist mass displacements has improved, but immediate assistance provisions to smaller groups is often plagued by lengthy delays due to the over-burdening of local authorities.



Women leaders rest following a return to their river communities in Chocó department (Photo: IDMC/S. Hege)

The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by IDMC.



**Source:** IDMC  
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The restitution of land to IDPs remains the most daunting challenge the government has taken on. Administrative rulings to date represent only a small fraction of the total number of demands submitted to specialised judges. Not surprisingly, many of those fighting for the return of their land face threats and risks of being targeted by the same armed groups and local mafias who originally displaced them.

Colombia's government receives substantial international support in attending to IDPs, though only a small percentage of all development assistance is dedicated to humanitarian needs.

## Background

Colombia's ongoing internal armed conflict is one of the world's longest, stretching back over five decades. In July 2013, the government's National Centre for Historical Memory published a report which estimated that between 1958 and 2012 it had cost more than 220,000 lives. The report attributed most of the deaths to individual killings, but also said that nearly 2,000 massacres had taken place over the same period. ([Center for Historical Memory](#), July 2013).

Since taking office in August 2010, the country's president, Juan Manuel Santos, has maintained military pressure on Colombia's main guerrilla groups, the Revolutionary Armed Forces of Colombia (*Fuerzas Armadas Revolucionarias de Colombia*, FARC) and the National Liberation Army (*Ejército de Liberación Nacional*, ELN). Between 2007 and 2011 a series of targeted airstrikes killed several of the FARC's key commanders, including its overall leader, Alfonso Cano, who had taken over following the death of the group's near mythical founder, Manuel Marulanda, in 2008. The FARC is currently thought to have around 8,000 fighters, down from 16,000 in 2001.

Santos has also endorsed legislation to compensate victims of the conflict and restitute land, known as the Victims' Law, which was passed in 2011. In contrast with his predecessor, Alvaro Uribe, he is credited with fully recognising the extent of the conflict and the harm it has caused. Most observers acknowledge that there have been some improvements in Colombia's human rights situation under his government, but many challenges remain.

Following exploratory talks with the FARC in 2011, the government and the rebels have spent more than a year meeting in Havana, Cuba to negotiating a six-point peace agenda which includes complex issues such as transitional justice, drug trafficking and political participation. ([ICG](#), 25 September 2013). In May and November 2013, the two sides reached initial agreements on agrarian policies and political participation, but no measures will be implemented until all six points on the agenda have been addressed ([El Tiempo](#), 27 May 2013; [El Tiempo](#), 6 November 2013).

Following the release of a kidnapped oil worker in August, the government has indicated that a parallel peace process could begin with the ELN ([El Colombiano](#), 27 August 2013).

In the meantime nationwide strikes and protests took place during August and September against the government's participation in free trade agreements with the EU and US which are deemed detrimental to the country's peasant farmers. The strikes caused food shortages in some areas as protesters blocked main roads, and at least five people were killed in clashes with the security forces ([El Tiempo](#), 4 September 2013).

The peace talks between the government and the FARC are taking place without a ceasefire and there continues to be widespread violations of human rights and international humanitarian law, some of which have caused internal displacement. The Colombian security forces, the rebels

and armed groups that re-emerged from the partial demobilisation of paramilitary organisations between 2003 and 2006 continue to share responsibility for driving Colombians from their homes in both rural areas and increasingly in urban settings.

Legislative and presidential elections will take place in early 2014, and Santos's bid for re-election is likely to hinge on the process of his peace efforts with the rebels. Reaching agreements with both the FARC and the ELN will be an uphill battle, however, and the government has acknowledged that even an end to hostilities with the two groups will not translate into an immediate resolution of the dramatic humanitarian situation the country faces (IDMC interview, September 2013).

## Displacement figures

More than one in ten Colombians have at some point in their lives been forced to flee their homes as a result of violence, or fear of it, related to the armed conflict. The government calculates that there were 5,185,406 victims of forced displacement between 1985 and December 2013 ([RNI](#), 1 December 2013), while the Consultancy for Human Rights and Displacement (*Consultoría para los Derechos Humanos y el Desplazamiento*, CODHES), a national NGO, puts the figure at 5,701,996 ([CODHES](#), 31 May 2013). It should be noted that these statistics are cumulative and so do not take into consideration deaths or those internally displaced people (IDPs) who have managed to achieve a durable solution to their displacement.

Both sets of data indicate that there have been an average of around 300,000 new IDPs each year for the last 15 years. They also agree that the peak year for internal displacement was 2002, when the government put the number of newly displaced at 594,377 and CODHES at 412,553 ([RNI](#), 1 December 2013; [CODHES](#), 31 May 2013).

For 2012, the government recognised 171,841 new IDPs, while CODHES put the figure at 256,590. The government's reporting was significantly delayed by its transition from a database exclusive to IDPs to a comprehensive victims' registry, and the switch also explains some of the discrepancy between the two numbers. The government figure will undoubtedly increase once it has addressed a large backlog of IDPs who have up to four years to register following their displacement ([UARIV](#), 22 May 2013). Following a June 2013 Constitutional Court order, the government will also now have to include victims of post-demobilisation armed groups (PDAGs), who were previously excluded from the official registry ([Constitutional Court](#), 24 May 2013). Some analysts believe doing so may result in a government figure higher than that of CODHES, and there are suggestions that the delay in publishing a comprehensive total has served to limit the visibility of Colombia's displacement crisis while the country focused on the peace process with the FARC (IDMC interview, August 2013).

## Affected populations

Internal displacement in Colombia is far from isolated in a few remote regions. CODHES suggests that 75 per cent of the country's 1,119 municipalities were affected by the flight or arrival of IDPs in 2012. The department of Putumayo was worst affected, with a rate of 3,686 IDPs per 100,000 inhabitants, followed by Antioquia, Nariño, Cauca and Valle del Cauca. The cities that received most IDPs were Medellín, Bogotá, Cali, Pasto, Suárez and Buenaventura. ([CODHES](#), 31 May 2013).

Colombia's principal ethnic minorities, namely indigenous groups and Afro-Colombians, have been disproportionately affected by internal displacement in recent years. According to the UN Office of Coordination of Humanitarian Affairs (OCHA), they have made up 73 per cent of mass displacement victims in 2013 ([OCHA](#), 14 August 2013). The Centre for Research and Popular Education (*Centro*

*de Investigación y Educación Popular*, CINEP), a respected national think tank, concluded that the same two groups made up 44 per cent of all new IDPs in 2012 ([CINEP](#), May 2013). The majority of these groups live in the departments along the country's Pacific coast, from where 36 per cent of the country's victims of forced displacement fled in 2012 ([CODHES](#), 31 May 2013).

Indigenous people make up just over 3.4 per cent of the general population, but they account for more than double that figure as a percentage of IDPs. According to CODHES, 18,154 indigenous people were displaced from their traditional territories in 2012, the majority in Cauca and Nariño departments ([CODHES](#), 31 May 2013). OCHA estimates that 36 per cent of mass displacement victims in 2012 and 2013 have been indigenous ([OCHA](#), June 2013), while the National Indigenous Organisation of Colombia ([Organización Nacional Indígena de Colombia](#), ONIC) reported at least 44 cases of mass displacement involving indigenous communities in 2012 ([WOLA](#), 11 April 2013).

Several indigenous groups are at risk of extinction as a result of the armed conflict, and given the cultural significance of their ancestral lands, the psychological impact of displacement is also much worse than for other IDPs. ([Constitutional Court](#), 26 January 2009).

For 2013, OCHA has identified 16,899 victims of mass displacements, that is to say groups of more than 50 people displaced at a time. The departments of Cauca, Nariño, Valle del Cauca and Antioquia have had the worst indices of internal displacement in the last two years, according to both CODHES and OCHA.

According to CODHES, at least 51,938 Afro-Colombians were displaced in 2012, accounting for over 20 per cent of all IDPs that year ([CODHES](#), 31 May 2013). OCHA puts the figure for 2013 at 33 per cent as of August ([OCHA](#), 14 August 2013). and this despite the fact that Afro-Colombians

make up only 10 per cent of the general population, and that they have historically been under-registered as IDPs, the result in part of their tendency to return quickly to their homes, often in unsafe conditions (IDMC interview, August 2013).

## Causes of displacement

Conflict hostilities and direct threats to peoples' lives have consistently been the principal causes of displacement in Colombia. According to CODHES, 58 per cent of displacements in 2012 were caused by military confrontations between the various parties to the conflict, and 21.7 per cent by threats ([CODHES](#), 31 May 2013). A further 12.7 per cent of IDPs fled following homicides. Colombia's homicide rate for the year was above the regional average at 32.9 deaths per 100,000 people, according to official government figures ([Ideas for Peace](#), 11 March 2013). Homicides and death threats are generally linked to armed groups' efforts to exert territorial control in order to expand illicit activities and generalized extortion on the local population. OCHA reported 422 armed actions between January and August 2013 ([OCHA](#), 14 August 2013).

According to CODHES, the FARC and the ELN caused nearly two-thirds of all displacement in 2012. The FARC is estimated to have around 8,000 combatants and the ELN 2,000 ([CODHES](#), 31 May 2013). The FARC has a presence in 262 municipalities, or around a quarter of the national territory, while the ELN operates in just 72 municipalities, mostly in the north-east and south-west of the country ([INDEPAZ](#), 27 August 2013). Cooperation between the two groups in offensives against the security forces is increasing. Joint operations in Arauca department near the border with Venezuela in July and August 2013 left 29 soldiers dead ([El Espectador](#), 25 August 2013).

According to the government, there were 472 guerrilla attacks in the first ten months of 2012, up

52 per cent from 472 in the same period the previous year ([U.S. State Department](#), 30 May 2013). CINEP's human rights database suggests that the FARC committed 347 violations of international humanitarian law in 2012 and the ELN 48 ([CINEP](#), May 2013).

In reaction to the government's increased military capacity and aggressive counter-insurgency operations over the past ten years, both the FARC and the ELN have resorted to the widespread use of landmines, which are now present in more than two-thirds of the country's municipalities. There were 220 civilian victims of landmines and improvised explosive devices in 2012, according to the government ([PAICMA](#), 30 September 2013). OCHA put the figure for the first half of 2013 at 87 ([OCHA](#), June 2013).

Both groups have recruited minors into their ranks, often causing whole families to flee in the process. The guerillas often seek out children in order to expand their loyalties to parents in areas under their control ([CERAC](#), 14 October 2013). The Colombian Institute for Family Welfare (*El Instituto Colombiano de Bienestar Familiar*, ICBF) has supported the demobilization of more than 5,156 boys and girls between 1999 and April 2013 ([COALICO](#), June 2013). Moreover, civil society organization have denounced recurrent practices by the national army of involving minors in civic-military actions (IDMC interview, August 2013).

The two groups have also perpetrated sexual violence against women in areas they control or contest, but reliable statistics are not available. Fear of reprisals has led to systematic under-reporting of such abuses. In 2012, the government registered 157 cases of sexual crimes committed in the context of armed conflict (IDMC interview, September 2013). The Justice and Peace Unit of the Prosecutor's Office is currently investigating 1,169 cases of sexual violence allegedly committed by the guerrillas and the paramilitaries ([El Espectador](#), 3 December 2013). Nevertheless,

despite these numbers, there continues to be significant under-reporting of sexual violence ([El Tiempo](#), 6 October 2013).

Around 30,000 paramilitary fighters took part in the government's demobilisation process between 2003 and 2006, but many mid-level commanders failed to do so and have since formed new armed groups. The government does not officially recognise these groups as more than criminal gangs (*bandas criminales emergentes*, BACRIM), but human rights defenders refer to them as post-demobilisation armed groups (PDAGs). The *Urabeños*, the *Aguilas Negras*, the *Rastrojos* and the *Oficina del Envigado* maintain a strong presence throughout the department of Antioquia and along the Atlantic and Pacific coasts ([New Rainbow](#), 7 March 2013).

In 2011, the government recognised PDAGs as the principal threat to security in the country. In 2012 they were involved in 43 per cent of all displacements and caused the majority of mass displacements ([CODHES](#), 31 May 2013). Given the government's view of them as criminal gangs, however, the army rarely conducts operations against them. In 2012, only seven per cent of displacement was caused by fighting between the military and PDAGs ([CODHES](#), 31 May 2013).

In many municipalities, PDAGs cause displacement as a result of territorial disputes linked to the control of the drugs trade. They cannot, however, be seen simply as drug traffickers, as they exert significant economic and political influence in many parts of the country ([Semana](#), 22 October 2013). Independent investigations have associated several current departmental governors with PDAGs, and government forces continue to collude with them, though to a lesser degree than with their paramilitary predecessors ([OHCHR](#), 7 January 2013).

PDAGs have committed more abuses and violence against civilians than any other armed groups in recent years. They often employ the same tactics

as their predecessors, eliminating all threats to their absolute dominion and using terror to exert control ([New Rainbow](#), 7 March 2013). Figures from CODHES show that PDAGs committed 565 abuses of human rights and 493 violations of international law in 2012 ([CODHES](#), 31 May 2013). According to government sources, the number of massacres in 2012 rose to 33, the majority of them perpetrated by PDAGs. Massacres have continued in 2013, with OCHA reporting ten in August alone ([OCHA](#), 14 August 2013).

The expansion of PDAGs' operations is also a cause for serious concern. They are currently present in 409 municipalities, or more than 35 per cent of the national territory, compared with 259 in 2008 ([INDEPAZ](#), 27 August 2013). Their presence is particularly strong along the Pacific coast, where they are involved in drug trafficking and illegal mining (IDMC interview, September 2013).

PDAGs continue to target community leaders and human rights workers. Thirty-seven human rights workers were assassinated in the first half of 2013, up significantly from 29 during the same period the previous year. In 2012 as a whole, there were 357 attacks against human rights workers, compared with 239 in 2011 and 174 in 2010 ([Somos Defensores](#), 4 August 2013).

Community leaders from the Pacific coast ports of Tumaco and Buenaventura report PDAGs establishing "invisible borders" between neighbourhoods and extorting anyone from large businesses to market vendors. Displacement is often caused when payments to PDAGs make the economic activity of those targeted unsustainable (IDMC interview, Agosto 2013).

The FARC also extort and coordinate illegal mining throughout the country, but PDAGs are much more heavily involved in financing, protecting and directly running such activities. Drug traffickers and PDAGs have led a boom in illegal gold mining in recent years, finding it an extremely lucrative

way of laundering money in which their return on investment can often as much as ten-fold in under a year (IDMC interview, Agosto 2013).

There is a strong association between mining and displacement in Colombia. According to data cited by the Office of the Comptroller General, 87 per cent of forced displacement takes place in municipalities which receive royalties from mining and oil production ([Comptroller](#), May 2013). In areas where communities have resisted the arrival of mining companies that have purchased concessions on their land without due consultation, PDAGs have repeatedly issued death threats and forced leaders to flee. CINEP reported that PDAGs committed ten mining-related murders in 2012 ([CINEP](#), May 2013). Illegal mining operations often devastate the local environment, making the eventual return of displaced communities far less likely if not impossible. Such activities and the violence associated with them also destroy the social fabric of communities whose cohesion previously helped them resist being forced from their land (IDMC interview, September 2013).

The government is also responsible for causing internal displacement. According to CODHES, more than half of all displacements in 2012 were the result of hostilities between the army and the guerrillas. CINEP reported that the army committed 118 violations of international humanitarian law and the police 72 during the year ([CINEP](#), May 2013).. Extrajudicial killings by the security forces became widespread under the Uribe government, and the Santos administration has made significant efforts to reduce their number. CINEP, however, still identified 52 victims during 2012, down from 85 the previous year ([CINEP](#), May 2013).

The fumigation of coca plantations has also led to significant displacement. Eradication is often accompanied by counter-insurgency operations, and coupled with a failure to prevent wider environmental damage or provide meaningful economic alternatives (IDMC interview, September 2013).

Colombia is prone to natural disasters that often impact rural communities and IDPs already affected by the armed conflict. Such events have significant humanitarian consequences, including displacement. OCHA estimates that 2.2 million people were affected by floods, storms, earthquakes and landslides in 2011, nearly a million in 2012 and more than 500,000 in the first half of 2013 ([NGRD](#), December 2013). There are, however, no comprehensive statistics from which determine the percentage of those affected who were displaced. IDPs living in precarious conditions in urban settings are generally considered to be most vulnerable to the impact of natural disasters.

## Displacement patterns

Most IDPs flee their homes on their own or with their immediate families and make their way, often undetected, from rural to urban areas. That said, the number of mass displacements has risen dramatically in recent years. UNHCR estimates that 137 such incidents led to the displacement of nearly 10,000 families during 2012, with PDAGs responsible for the majority. CODHES reported 148 mass displacements during the same period ([CODHES](#), 31 May 2013) and OCHA 132 affecting nearly 50,000 people ([OCHA](#), June 2013). The figures represent a two-fold increase on 2011.

Between January and August 2013, OCHA recorded 69 mass displacements affecting nearly 17,000 people, of whom more than two-thirds were indigenous or Afro-Colombian ([OCHA](#), June 2013). The Pacific coast departments of Chocó, Nariño and Cauca, and Putumayo on the southern border with Ecuador accounted for 75 per cent of them ([OCHA](#), 14 August 2013). CODHES found that while some of those affected fled to larger urban areas, most sought temporary shelter within their home municipalities ([CODHES](#), 31 May 2013).

The vast majority of Colombia's IDPs flee rural areas, but human rights groups have also observed

a significant increase in intra-urban displacement, principally as a result of violence committed by PDAGs' in their efforts to control neighbourhoods. According to CODHES, around one in five mass displacements now occurs in urban areas. In 2012, 23 mass displacements affecting more than 20,000 people took place in larger cities such as Buenaventura, Medellín, Tumaco and Soacha ([CODHES](#), 2013). OCHA confirmed this trend, tracking nearly 9,000 victims of intra-urban displacement during the year (IDMC interview, September 2013).

The armed conflict has also severely restricted communities' mobility. OCHA reports that between January and August 2013, more than 91,000 people were confined as a result of ongoing hostilities, landmines and restrictions imposed by armed groups. The communities affected face similar vulnerabilities to IDPs, and OCHA estimates that half have lived under such conditions for more than six months ([OCHA](#), June 2013). In August 2013, the agrarian strike, allegedly backed but not led by the FARC, paralysed large areas of the country, leading to significant food shortages and restricted humanitarian access in departments such as Caquetá and Boyacá (IDMC interview, September 2013).

## Displacement-induced vulnerabilities

Colombia's economy has undoubtedly improved in recent years with a gradual increase in employment and education placing it amongst middle-income countries, but poverty and inequality remain endemic. One in every three Colombians reportedly lives below the national poverty line, and 10.4 per cent of the country's 47.7 million people on less than \$1.25 a day. Colombia's Gini coefficient for 2012 was 0.539, one of the highest in Latin America ([UNDP](#), 2012).

IDPs face even greater challenges than impoverished members of the general population, as they

tend have less access to basic necessities such as housing and livelihood opportunities. A 2010 survey by the civil society-led monitoring commission on internal displacement found that 94 per cent of IDPs were living below the poverty line, and 77 per cent in extreme poverty ([Monitoring Commission](#), December 2010). Their needs have overwhelmed public infrastructure and social services in urban areas, while widespread failure to register and access constraints in rural areas mean that many IDPs receive no humanitarian or social assistance at all. (IDMC interview, September 2013).

Women heads of households displaced in urban settings are disproportionately vulnerable. Those that have suffered sexual violence rarely receive the psychosocial treatment that they need and are entitled to ([HRW](#), November 2012).

IDPs frequently lose the opportunity to participate in elections, either as voters or candidates, as a result of their displacement. CODHES has also reported that the risk of displacement increases both before and after elections. According to electoral monitors, reports of individual threats increased by 124 [per cent](#) after the 2011 legislative elections ([CODHES](#), 31 May 2013).

IDPs living in marginalised city neighbourhoods, which are particularly vulnerable to natural disasters and crime. Exposure often leads to their re-victimisation or “double affectation” (IDMC interview, August 2013).

Displaced community leaders are stigmatised and targeted by those who originally displaced them. Human rights workers criticise the government’s protection policy as focusing too heavily on measures for individuals and neglecting the investigation and prosecution of the sources of threats (IDMC interview, September 2013). Of the 37 human rights leaders assassinated in 2013, 12 had already reported the [threats](#) they faced to the authorities ([Somos Defensores](#), 4 August 2013).

## National response

### *Government policy on IDPs*

The rights of Colombia’s IDPs are protected, in theory at least, by the world’s most thorough legal frameworks on internal displacement. There have, however, been severe shortcomings in their implementation. Law 387 of 1997 defined an IDP and established both a national system for responding to their needs (*Sistema Nacional de Atención Integral a la Población Desplazada por la Violencia*) and the first official database of IDPs (*Registro Único de Población Desplazada*, RUPD).

The database enabled the government to better understand IDPs’ needs and profiles and so to allocate benefits accordingly. At the height of Colombia’s displacement crisis in 2004, however, the Constitutional Court described the government’s lack of assistance for IDPs as an “unconstitutional state of affairs” and demanded more robust action and investment. As a result, the Presidential Agency for Social Action and International Cooperation (*Acción Social*) was established as a coordinating body. The Justice and Peace Law of 2005 was meant to pave the way for the restitution of property and land illegally obtained by paramilitary leaders or the compensation of victims, but to date only a small number have received financial reparations under its provisions.

Law 1448 of 2011, the Victims’ Law, was passed with the aim of expanding government assistance and reparations to all eligible victims of the armed conflict, including IDPs, through more efficient administrative processes. The law also contains the first official acknowledgment of the existence of the armed conflict and the government’s role in it. Similar legislation was blocked under the Uribe government because it would have acknowledged the victims of government forces and provided them with reparations. After its implementation, *Acción Social* was transformed into the Department of Social Prosperity (*Departamento Administrativo para la Prosperidad Social*, DPS) and

made responsible for the oversight of all government social welfare agencies and programmes. Specific processes for providing collective reparations to ethnic groups were also established in 2012 through decrees 4633 and 4635.

#### *The victims' registry*

Once the Victims' Law was passed, the government established the Unit for Integrated Support and Reparation for Victims (*Unidad de Atención y Reparación Integral a las Víctimas*, UARIV), which is tasked with overseeing the registration and assistance of all victims of the armed conflict and reparations for them.

The most challenging part of its work to date has been the transformation of the government's database on IDPs into the Unified Victims Registry (*Registro Único de Víctimas*, RUV), which is to include victims of homicide, assaults, threats, sexual violence and other abuses in addition to internal displacement. The transition has, however, been plagued by delays. The process has also been too centralised and it has failed to overcome the systematic under-registration of previous years ([Control Bodies](#), August 2013).. The Victims' Law stipulates that following submission of their application for inclusion on the registry, victims should be notified of a decision within 60 days, but in some cases they have waited up to six months (IDMC interview, August 2013).

Responsibility for the majority of decisions rests with local government officials called *personeros*, who are already overwhelmed with countless other demands on their time. They reportedly conduct only initial screenings of victims, so as to limit the amount of paperwork they have to process and send to UARIV in Bogotá. In large cities like Medellín, the *personeros* have processed significant numbers of applications, but in more remote areas seriously affected by the armed conflict very few are being dealt with given their comparatively limited resources (IDMC interview, September 2013).

As a result of the delays in setting up the new registry, figures for new IDPs in 2012 were not produced until the second semester of 2013, and an estimated 116,000 declarations from victims of mass displacements in 2012 have not yet been processed. Many IDPs are afraid to make declarations at all for fear of being identified and targeted for reprisals, despite the tangible benefits of inclusion on the registry and the flexible timeframe for applying (IDMC interview, August 2013).

The most worrying shortcoming of the new registry, however, has been the automatic exclusion of victims of PDAGs, based on an interpretation of article 3 of the Victims' Law which stipulated that as criminal gangs, they were not parties to the armed conflict. Tens of thousands of applicants had already been rejected on this basis before the Constitutional Court instructed UARIV in June 2013 to disregard the nature of the perpetrator in its determinations ([Constitutional Court](#), 24 June 2013). Despite the creation of an action plan, it is unclear whether the rejected applications will be automatically reviewed on the basis of the court's ruling, or if the onus will be on the victims to re-apply ([UARIV](#), 9 August 2013). Either way, OCHA estimates that it will take up to six months to clarify their situation (IDMC interview, September 2013).

#### *Emergency response*

The humanitarian impact of the armed conflict increased in 2012 compared with 2011. The government's capacity to respond, however, was reduced while the core competencies of *Acción Social* were transferred to UARIV, which has since placed increasing responsibility on local authorities to support new IDPs with immediate assistance, providing they have applied for inclusion on the new registry. Only if their applications are approved will UARIV provide three further months of emergency assistance. IDPs whose displacement took place more than ten years ago are not eligible, on the basis that they must have since overcome the vulnerabilities caused by their displacement ([Vanguardia](#), 23 July 2013).

The ability of local authorities to respond to the immediate needs of new IDPs is severely hampered by their lack of resources and capacity. They can request and generally receive greater support from the humanitarian country team (HCT) and UARIV for cases of mass displacements, but IDPs who are displaced fewer than 50 at a time routinely experience lengthy delays in receiving "immediate" assistance, if they get any at all. Some have waited months even to get a meeting with a personero to lodge their application for inclusion on the new registry, which is a prerequisite. The role of municipalities in providing assistance is often further complicated by local officials' links to armed groups (IDMC interview, September 2013).

#### *Administrative reparations*

All victims included on the new registry are in theory entitled to administrative reparations in the form of a lump sum. However, a new decree reduced the lump sum payable to IDPs from 27 minimum salaries to 17, raising speculation that the government was concerned about the feasibility of making payments to so many victims (IDMC interview, August 2013). Furthermore, the government only started these reparations in the department of Antioquia alone on the month of October ([El Tiempo](#), 7 October 2013).

That said, the government's financial commitment to IDPs has risen substantially since the Constitutional Court ruling in 2004, when it spent only around \$200,000. According to OCHA, that figure rose to \$136 million in the first six months of 2013 alone, and the government's financial plan for the implementation of the Victims' Law allocated \$30.5 billion for 2012 to 2021 ([GHA](#), April 2013). The plan also calls on departmental and municipal authorities to provide additional resources for assistance and reparations out of their own decentralised budgets.

#### *Land restitution*

While most IDPs in Colombia have had to adapt to urban settings after being forced to flee their

rural homes, the government promotes return as its preferred durable solution. For sustainable returns to take place, the restitution of land and livelihood support will be key.

A 2011 survey by the country's monitoring commission on internal displacement, which was established by the Constitutional Court, found that 42.1 per cent of IDPs owned some form of land. It also determined that between January 1980 and July 2010, internally displaced families had been forced to abandon, sell or turn over more than 6,630,000 hectares ([Monitoring Commission](#), February 2012). As a result of this counter-agrarian reform, 78.3 per cent of peasant land owners have been left owning only 6.1 per cent of Colombia's rural land ([Caritas](#), March 2013). The country's land concentration index was put at 0.85 in 2010 ([UNDP](#), 2012).

In order to begin tackling the gargantuan task of returning land to its rightful owners, the Victims' Law established an expedited administrative process managed by the Land Restitution Unit (*Unidad de Restitución de Tierras*, URT) to restore two million hectares. Following authorisation from senior military commanders, URT investigates claims to land in areas where security conditions are deemed to ensure that displacement will not be repeated. In order to re-establish a government presence in remote regions, the Santos administration has also made efforts to concentrate military and civilian resources in areas previously under the control of armed groups (IDMC interview, August 2013).

Through the end of November 2013, specialised land restitution judges had made over 200 rulings benefitting thousands of families. This is, however, only a small proportion of the 46,000 restitution demands it has received ([Dejusticia](#), 27 November 2013). Many demands relate to land in areas where URT is not yet authorised to proceed with its investigations, and as such they are unlikely to be evaluated for several years, if ever, depending

on the evolution of armed conflict (IDMC interview, August 2013).

As was expected, the restitution of land has been fiercely opposed by many of those who benefited from the mass expropriation of land left behind by IDPs, most notably PDAGs. In early 2012, paramilitary groups using the name of “the Anti-Restitution Army” in the departments of Sucre, Antioquia, Meta, Putumayo, Cesar, Magdalena and Bolívar with the specific aim of undermining the process ([HRW](#), 17 Septiembre 2013).

More than 700 leaders claiming land rights have received death threats to date (IDMC interview, August 2013), and according to CODHES 55 were killed in 2012 ([CODHES](#), 31 May 2013). Human Rights Watch has documented 30 cases in which families have had to flee from once again following threats linked to their restitution requests ([HRW](#), 17 September 2013). The violent opposition of PDAGs to the restitution process has led to a decrease in the number of restitution demands, as many IDPs have decided to prioritise their physical security over the recovery of their land (IDMC interview, August 2013).

Despite URT's commitment to assist returnees in the process of re-establishing their agricultural livelihoods through preferential access to credit, questions remain about the long-term sustainability of the return process. Beneficiaries may also decide simply to sell their land after a statutory two-year period expires. The August 2013 agrarian strikes highlighted the extent to which small-scale agriculture in Colombia remains in a state of profound crisis (IDMC interview, August 2013).

#### *Natural disasters*

Flooding across large parts of the country affected an estimated 3.9 million people in 2010 and 2011, but the government's response was hampered by the lack a comprehensive policy for natural disasters ([Refugees International](#), 19 May 2011). In an effort to improve future responses, Santos

promulgated Law 1523 in April 2012, establishing a national system for the management and mitigation of disaster risks at all levels of government ([Presidency](#), 24 April 2013).

## **International response**

There is a robust international humanitarian presence in Colombia. The HCT is made up of 11 UN agencies and 17 international NGOs. In addition to seven national-level clusters, the HCT oversees nine local humanitarian teams (LHTs) in regions most affected by the armed conflict. ICRC is also a vital humanitarian role in its own right, supporting the government in the provision of emergency assistance to victims of mass displacements when access for other agencies is limited. OCHA plays a prominent role in humanitarian coordination with seven offices and sub-offices spread throughout the country to help integrate local-level response and assistance to IDPs.

The international humanitarian effort has, however, been consistently underfunded, hampering a comprehensive response to the impact of the armed conflict. According to OCHA, Colombia received \$57.8 million in humanitarian assistance in 2013, a very significant drop from the \$96.2 million it received in 2012 (IDMC interview, August 2013). Humanitarian assistance made up only nine per cent of all the development assistance the country received between 2007 and 2011. The US has been the largest donor of humanitarian assistance in recent years, but the \$220 million it gave between 2001 and 2010 is dwarfed by the estimated \$3.5 billion it allocated to narcotics control over a similar period of time ([GHA](#), April 2013).

The biggest challenge facing humanitarians in Colombia is the lack of access to remote communities affected by the armed conflict. Only ICRC is authorised by the government to interact with armed groups, and access constraints and restrictions of movement in the field continue to

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hamper the delivery of humanitarian assistance and the population's access to basic services. ICRC itself reported 97 incidents of its medical missions being obstructed in the first semester of 2013, a stark increase on the 88 it experienced during the whole of 2012 ([W Radio](#), 31 July 2013).

Despite the persistent human rights challenges Colombia faces, Santos indicated in July 2013 that the role and presence of the Office of UN High Commissioner for Human Rights was under review when he extended its mandate by only a year ([El Espectador](#), 3 December 2013).

## About the Internal Displacement Monitoring Centre

The Internal Displacement Monitoring Centre (IDMC) is a world leader in the monitoring and analysis of the causes, effects and responses to internal displacement. IDMC advocates for better responses to the needs of the millions of people worldwide who are displaced within their own countries as a consequence of conflict, generalised violence, human rights violations, and natural or man-made disasters. It is also at the forefront of efforts to promote greater respect for the basic rights of internally displaced people (IDPs). IDMC is part of the Norwegian Refugee Council (NRC).

### *What we do:*

- Promote appropriate responses to internal displacement through targeted advocacy
- Provide timely, accessible and relevant information on internal displacement worldwide
- Develop research and analysis to help shape policies and practices that have positive outcomes for IDPs
- Provide training and support to country-based policy-makers and practitioners with a responsibility to protect IDPs

### *Who do we target?*

IDMC is best placed to effect positive change for IDPs through advocacy to influence the decisions and practices of duty bearers and all those with a responsibility or capacity to promote or fulfil the rights of IDPs.

### *How do we operate?*

As information on internal displacement is often controversial and politically sensitive, IDMC must continue to operate and be seen to operate as an independent and effective global monitor of this widespread phenomenon.

IDMC has become an indispensable resource for anyone seeking impartial data and analysis on internal displacement, independent of political or operational considerations. [www.internal-displacement.org](http://www.internal-displacement.org)

## Contact:

### **Sebastián Albuja**

Head of Africa and Americas department

Tel.: +41 22 799 07 08

Mobile: +41 78 806 83 08

Email: [sebastian.albuja@nrc.ch](mailto:sebastian.albuja@nrc.ch)

### **Steve Hege**

Country Analyst

Central and South America

Tel: +1 347 831 1051

Email: [steve.hege@nrc.ch](mailto:steve.hege@nrc.ch)

### **IDMC**

Norwegian Refugee Council

Chemin de Balexert 7-9

1219 Geneva, Switzerland

[www.internal-displacement.org](http://www.internal-displacement.org)

Tel: +41 (0)22 799 0700

Fax: +41 (0)22 799 0701