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COLOMBIA

Government response improves but still fails to meet needs of growing IDP population

Colombia's long-standing internal armed conflict and the human rights abuses perpetrated by combatants and illegal armed groups had by 2010 caused the displacement of 3.4 million people according to the government, and over 4.9 million people according to the reliable non-governmental Observatory on Human Rights and Displacement (CODHES).

According to CODHES, 280,000 people were newly displaced in 2009. The government registered only 120,000 people as internally displaced people (IDPs) during the year. Addressing the problem of under-registration is fundamental to IDP protection, as it has been shown that non-registered IDPs face a more precarious situation.

Direct threats, sexual violence, restrictions on free movement, and forced recruitment continue to threaten the civilian population's physical security, driving people into displacement. Minority ethnic groups including indigenous people and Afro-Colombians continue to be particularly affected. IDPs have also faced precarious physical security in their areas of displacement: the government reported that in the first six months of 2010, 266 IDPs were killed.

In January 2009, the Constitutional Court ruled that the "unconstitutional state of affairs" engendered by the government's ineffective response to internal displacement still pertained five years after its first ruling to this effect, and ordered the government to measure and report the impact of its response. The government found that its response to the plight of IDPs has continued to improve, but significant gaps remain on emergency humanitarian assistance, housing, land rights, and livelihoods opportunities, where IDPs are in a significantly worse position than the rest of the poor population. In general, indigenous, Afro-Colombians, and women IDPs are worse off than the rest of the displaced population.

The government reported that the country's departments had made progress in responding to internal displacement. However, this progress had yet to filter down to local administrations. As of November 2010, the Court was yet to rule on whether the unconstitutional state of affairs still pertained.

A new president took office in August 2010, whose promotion of "national unity" has reportedly created a new opportunity for possible eventual resolution of the conflict. The government of Juan Manuel Santos signaled its recognition of the rights of internally displaced people (IDPs) by introducing a land restitution bill to Congress in September 2010.

Context and causes of displacement

Colombia's internal armed conflict has continued for four decades and affected 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 and rebel groups including the Revolutionary Armed Forces of Colombia (*Fuerzas Armadas Revolucionarias de Colombia* or FARC) with its 10,000 members, and the National Liberation Army (*Ejército de Liberación Nacional* or ELN), which between them are active in 24 of the 32 departments in the country, but particularly in the departments of Caquetá, Meta, Cauca, Putumayo and Chocó (Nuevo Arco Iris, 2010).

Paramilitary organisations originally created as local self-defence groups also fought alongside government forces as the United Self-Defense Forces of Colombia (*Autodefensas Unidas de Colombia* or AUC) until their demobilisation began in 2006. Since then, new armed groups have emerged, with the Colombian NGO Indepaz estimating 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 (Colombian NGO Platform, 2008). These groups operate in traditional AUC strongholds including Norte de Santander, Nariño, the Atlantic coast, and Medellín, and they are reportedly the same entities as the paramilitary groups which preceded them (CCJ, La Metáfora, 2010). Regardless of their status, they have continued to commit widespread human rights violations, sometimes with the acquiescence of state forces (OHCHR, 2008), and forced large numbers to flee their homes. In 2009 it was reported that direct threats by all illegal armed groups were the greatest cause of internal displacement (Comisión de Seguimiento, 2009).

The government of Alvaro Uribe carried out sustained anti-insurgency and anti-narcotics cam-

paigns between 2003 and 2010. These weakened the rebel groups, but resulted in widespread human rights violations and abuses by all parties involved, and in massive internal and cross-border displacement of the rural civilian population (ICG, March 2009; OHCHR, 2009; IACHR, December 2007; USDoS, 2009).

A new president, Juan Manuel Santos, took office in August 2010. Although Santos had been Uribe's defense minister, his promotion of "national unity" has helped to diminish the sharp polarisation between the State and opposition and civil society groups that was present during the Uribe administration, and has reportedly created a new opportunity for dialogue between the government and FARC, leading to possible resolution of the conflict (Nuevo Arco Iris, 2010; ICG, 2010; BBC, 2010). As of November 2010, the impact of the September killing of FARC commander Mono Jojoy by government forces on negotiations is not clear.

The Santos government has signalled its intention to support the restitution of land to internally displaced people (IDPs). To this end it introduced a bill to Congress in September 2010, which included elements strengthening the situation of IDPs seeking to recover their land. Even though some aspects of the bill were not in line with international standards on land restitution, this was a welcome initiative (IDMC, November 2010).

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), almost 290,000 people were newly displaced in 2009, swelling the total number of IDPs in the country to 4.9 million.

The government's figures for 2009 differ significantly from those of CODHES, as it registered only 120,000 people as IDPs during the year. Its cumulative total also remained significantly lower: it had registered a total of 3.4 million people to April 2010. 2008 and 2009 government figures did not only include newly-displaced people but also people displaced in previous years, as in 2008 the highest administrative court invalidated Decree 2569 of 2000 which determined that IDPs could register only up to a year after their displacement. The government reported that 36 per cent of those registered in 2008 and 47 per cent in 2009 had been displaced in previous years (GoC, 2010, p.89).

A national survey mandated by the Constitutional Court showed that 35 per cent of IDPs are not registered in the government's registry (*Registro Único de Población Desplazada* or 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 attempt to register are rejected (Comisión de Seguimiento, 2009). Addressing the problem of under-registration is fundamental to IDP protection, as it has been shown that IDPs not registered in the RUPD face a more precarious situation (Comisión de Seguimiento, 2009).

Profile of the displaced population

The government's IDP registry allows for the disaggregation of their numbers according to indicators including age, sex and ethnicity. In 2009, as in previous years, the largest group was made up of children up to 13 years of age, with roughly 60,000 children registered. Children were followed by youth (14 to 26) and adults (27 to 59), with roughly 40,000 of each group registered. Finally, around 5,000 elderly people (over 60) were registered in 2009. In 2009, more women and girls were registered than men and boys: over 52 per cent were women and girls (GoC, 2010).

Minority ethnic groups including indigenous people and Afro-Colombians continued to be particularly affected by displacement: in 2009, roughly 22,000 Afro-Colombians were registered in the RUPD. They were displaced from the Pacific coast departments of Nariño, Valle del Cauca, and Chocó. In 2009, 5,000 indigenous people belonging to various ethnicities were registered. The departments of Cauca, Nariño, and Putumayo in the south-west of the country had the highest numbers of people forced to leave the department. (GoC, 2010).

In general, indigenous, Afro-Colombian, and women IDPs are worse off than the rest of the displaced population. Disaggregated information reflecting these population groups' access to services and enjoyment of rights is described in the "basic necessities of life" section below.

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.

The International Committee of the Red Cross (ICRC) documented 800 violations of international humanitarian law in 2009, and 315 in the first half of 2010 (ICRC, 2010). These violations were perpetrated by the rebel groups and by the new illegal armed groups.

IDPs have also faced insecurity in their areas of displacement. The government reported that 553 IDPs were killed in 2009 and 266 in the first half of 2010 (GoC, 2010). The report did not indicate the cause of these deaths, but stated that they were not necessarily linked to displacement.

The security of human rights defenders and IDP representatives has continued to be threatened. According to a campaign to protect human rights defenders, during the first half of 2010, 64 human rights defenders were victims of attacks (Campaña Defensores Derechos Humanos, 2010), while five IDP leaders were assassinated in the first semester of 2010 (CODHES, 2010).

Access of IDPs to basic necessities of life

Both the government's data and the data provided by the Civil Society Monitoring Commission (*Comisión de Seguimiento de la Sociedad Civil* or CSSC), a group created to support the Constitutional Court's oversight of the government's response to internal displacement, have shown that IDPs have a lower enjoyment of the basic necessities of life than the rest of the population as a whole.

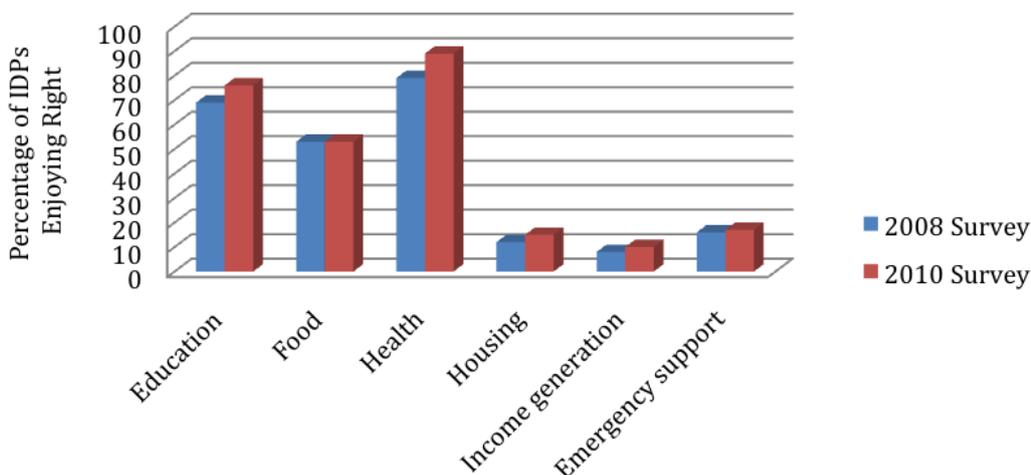
Government assessments carried out in 2008 and subsequently in June 2010 evaluated IDPs' enjoyment of rights including:

- Access to education, measured as the proportion of registered IDPs currently going to school at least 80 per cent of the time.

- Food security, measured as the proportion of internally displaced households who had an adequate amount and diversity of food intake, and have a perception of food security.
- Access to health care, measured as the proportion of IDPs in the registry who were also registered in the national subsidised health scheme (SGSSS).
- Access to emergency humanitarian support, measured as the proportion of internally displaced households which received all components of humanitarian emergency support (shelter, food and healthcare).
- Housing, measured as the proportion of IDPs who lived in conditions of dignity (security of tenure, materials, habitability of housing, accessibility of housing and location of housing).
- Income generation, measured as the proportion of registered internally displaced households whose income is over the poverty line.

As Graph 1 shows, IDPs throughout the country have been unable to enjoy several of their basic rights. The situations regarding housing, income generation, and access to emergency humanitarian support (the three columns on the right) were still critical in 2010: only 15, 10, and 17 per cent of IDPs in the RUPD enjoyed these basic necessities. The levels of food security of IDPs had also re-

Graph 1: IDPs' enjoyment of various rights, government surveys 2008 and 2010. Data source: Government of Colombia.



mained alarmingly low: about half of IDPs did not enjoy food security.

The findings of the CSSC were similar. Beyond adding a second source of data gathered with its own methodology, the CSSC also reported on the situation of IDPs who had not been registered by the government, to show how not being registered affects the living conditions of IDPs. Graph 2 below adds to the previous graph the indicators gathered by the CSSC.

As this graph shows, the CSSC's findings are generally comparable to the government's, with the exception of emergency humanitarian support, where it finds that only 0.4 per cent of IDPs receive all components of humanitarian support (those not registered in the RUPD do not receive any). For all basic necessities of life, IDPs not registered are worse off than those registered, with the exception of income generation and housing, where they are in a slightly better position.

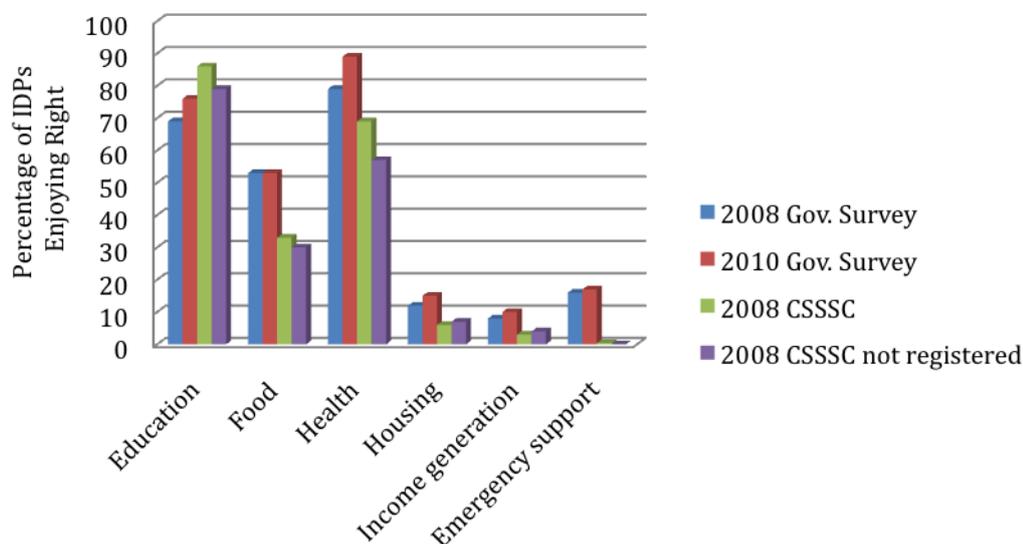
Disaggregation of data by sex, age and ethnicity
According to the last census, women's illiteracy rates are higher than men's, and displaced women

have higher rates of illiteracy than non-displaced women. Internally displaced girls also have slightly higher rates of school attendance than boys, particularly in high school. When it comes to health care, women and men have similar rates of affiliation in the subsidised health system. But women perceive their health as being worse than men: 27 per cent of surveyed women said they had been sick in the 30 days before the survey, compared to 24 per cent of men.

Women are significantly worse off than men when it comes to access to work and livelihood opportunities: 60 per cent of internally displaced women do not work, compared to 35 per cent of internally displaced men. Of those women who work, 60 per cent work in the informal labour market, and 20 per cent in domestic service, with lower pay and longer working hours. The situation of internally displaced Afro-Colombian women is even more precarious: only about five per cent earn the minimum salary (Comisión de Seguimiento, 2009).

A comparison between the school attendance of internally displaced and non-displaced children reveals that internally displaced pre-school chil-

Graph 2: IDPs' enjoyment of various rights, government and CSSC surveys. Data sources: Government of Colombia, CSSC.



dren and adolescents enjoy lower access to education. About half of internally displaced children attend secondary school, compared to 63 per cent of non-displaced children. Additionally, 35 per cent of internally displaced children between 12 and 15 years of age are still in grade school, compared to 17 per cent of their non-displaced peers.

Only 4.5 per cent of Afro-Colombian IDPs and 2.5 per cent of indigenous IDPs live in housing complying with minimum standards (in terms of security 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.

Government response

The government's response to internal displacement in Colombia may be considered in two phases: before and since 2004. In 2004, the Constitutional Court of Colombia ruled that the situation of IDPs in the country amounted to an "unconstitutional state of affairs." In this decision, the Court found that there were two main problems that made the response for IDPs inadequate: institutional impediments and a lack of financial resources.

The institutional impediments included lack of assignment of responsibilities and insufficient human resources; insufficient participation in the response by local authorities; lack of goals and timelines; lack of action plans; lack of procedures to assure participation from IDPs; inadequate design of interventions to reflect contextual conditions; lack of monitoring and evaluation; certain measures that caused harm in their implementation; and lack of information systems.

The second main issue was that the financial allocations to fund the IDP response were insufficient to meet the actual needs of the internally displaced population.

The Constitutional Court called on the government to adjust its response by developing a comprehensive policy for IDPs and increasing financial allocations, and also to show how these changes actually contribute to the enjoyment of rights of the displaced population. The Court continued to guide the process through follow-up decisions on specific issues, including the participation of local authorities and the protection of vulnerable groups within the internally displaced population.

Efforts by local authorities and funding

Local authorities play a crucial role in the response to internal displacement. Colombia is a decentralised state, so departmental and municipal authorities have an important role implementing government policy locally, and attention to newly-displaced people depends on these authorities as the entry point into the national system. Despite this, they continue to lack capacity, and this has been a key impediment in the IDP response (Brookings, 2009). The new National Plan for Assistance to the Displaced Population, which the government adopted in 2005 in response to the Constitutional Court's ruling, included as a central element the development of programmes by departmental authorities, taking into account each department's situation and scale of displacement (GoC, Decree 250).

In its 2010 report to the Constitutional Court, the government declared that progress had been made by the country's departments and municipalities in a number of activities: creation of departmental committees for IDP protection; earmarking of budgets for IDP response; creation and implementation of an integrated plan (*Plan Integral Unico* or PIU) to guide the displacement response throughout its phases; and building of technical capacity. The government reported that all departmental administrations in the country now had a committee for IDP protection, all of which, in turn, were organised in thematic divisions. Similarly, all departments except Casanare had a PIU; 24 out of 31 departments had earmarked funds for IDP protection.

However, progress has been more uneven among more local administrations: only 16 municipalities had a fully designed and implemented PIU; and financial allocations were still extremely low, even for some municipalities with a large internally displaced population: all municipalities had allocated less than two per cent of their budgets to their response to internal displacement. The number of municipalities with committees for the protection of IDPs was not reported.

A 2010 report by the CSSC found that the capacity of local authorities was still lacking and varies considerably from one locality to the next (CSSC, 2010).

Regarding financial allocations at the central government level, the government reported in July 2010 that they had increased tenfold (or around sixfold in real terms) between 2002 and 2010, from 543 million Colombian pesos to 5.3 billion Colombian pesos.

From interventions to outcomes

Because of the Court's orders, the government has taken steps to evaluate the impact of its response to internal displacement. It has developed indicators to measure IDPs' enjoyment of rights and gathered data to measure progress. It conducted a first survey of the access of internally displaced households to the basic necessities of life in 2008. The results of that survey were brought to the Constitutional Court, who ruled in January 2009 that the situation of IDPs was still precarious, and that the unconstitutional state of affairs declared in 2004 still pertained. The Court called on the government to take further steps to improve the situation of IDPs, and to continue evaluating their impact.

The government conducted a second survey in 2009 and 2010. The Court is due to rule in coming months on whether the situation has improved enough to warrant lifting the unconstitutional state of affairs.

Both government surveys included only IDPs registered in the RUPD. This information comple-

ments information already existing on government databases and social protection systems, such as *Red Juntos*, a programme to fight extreme poverty, in which roughly half a million households are included (GoC, 2010).

In parallel to the government's data gathering efforts, and as part of the participatory process led by the Court, the CSSC has also made efforts to assess the situation of IDPs. It conducted two surveys in 2007 and 2008, which included both registered and non-registered IDPs. This resulting dialogue between CSSC researchers and the government has proved a very useful means to compare and validate methodologies.

The Court has required that the government seek participation in its policy development, inviting IDPs themselves, civil society organisations and international agencies to gather data on the situation of IDPs.

Humanitarian access and international response

The new armed groups have directly threatened various humanitarian agencies, including UN agencies and international NGOs. These threats have resulted in increased security measures and in reduced access (Pastoral Social, UNDSS, 2010). At the same time, greater field presence by international agencies has been identified as needed (Moro, 2009).

Emergency humanitarian assistance is provided mainly by the government in coordination with ICRC and the World Food Programme. UNHCR has supported the efforts of government institutions to improve the response from Bogota and 12 field offices. The UN has implemented the cluster approach to improve coordination of the humanitarian response in Colombia.

International NGOs and governments have continued to call attention to the situation of internal

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displacement in Colombia. The Inter-American Commission on Human Rights' 2009 annual report referred to Colombia, as in previous years, as one of the countries in the region whose situation required its special attention (IACHR, December 2010).

Note: This is a summary of IDMC's internal displacement profile on Colombia. 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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