# Colombia

### AT A GLANCE



### Country data (2006 figures, unless otherwise noted)

- 2007 Human Development Index: ranked 75th of 177 countries
- · Population: 45.56 million
- GNI per capita (Atlas method, current US\$): US\$3.120
- Population living on less than US\$2 a day (1990–2005): 17.8 percent
- Life expectancy (in years): 73
- Infant mortality rate: 17 per 1.000 live births
- Under five infant mortality rate: 21 per 1,000
- Population undernourished (2002-04): 13 percent
- Population with sustainable access to improved water source (2004): 93 percent
- Adult literacy rate (over 15 yrs of age, 1995-2005): 92.8 percent
- Gender-related development index (2005): ranked 65th of 177 countries
- Official development assistance (ODA): US\$988 million
- 2007 Corruption Perception Index: ranked 68th out of 179 countries

Sources: Transparency International (TI); 2007; UNDP, 2007a and 2007b; World Bank, 2008.

### The crisis

- Despite efforts to demobilise paramilitary groups, 1,070 military incidents were registered in 2007. an increase of more than 30 percent from the previous year; rise of "new armed groups;"
- Second largest number of IDPs in the world, second only to Sudan; OCHA estimates over 270,496 persons newly displaced in 2007; CODHES estimates 305,966 displaced in 2007, compared to 221,638 in 2006;
- Acción Social registered 100,000 displaced for assistance; CODHES claims only 40 to 60 percent of displaced received official recognition or consequently state aid;
- 250,000 Colombian refugees in Ecuador, 200,000 in Venezuela, 17,000 in Brazil, 13,500 in Panama, 6,000 in Costa Rica;
- 54.2 percent of displaced expelled from rural areas; 69.2 percent do not wish or have been unable to return while 76.4 percent wish to remain where they live now;
- 28 of the country's 32 departments suffered floods in May and December 2007, affecting 1.500.000.

Sources: OCHA; CODHES; Acción Social.

### The humanitarian response

- There is no CAP for Colombia:
- US is the main donor: US\$750.5 million in bilateral assistance in 2007. of which US\$145.7 million dedicated to economic and social needs, the remainder (US\$604.7 million), destined for military and police assistance;
- OCHA reports 14 other donors contributed US\$48.4 million in 2007; EC second largest donor (US\$14.6 million); Norway (US\$7.6 million); Netherlands (US\$6.9 million); Germany (US\$5.2 million).
- CERF contributed US\$4 million in 2007 in flood assistance.

Sources: OCHA FTS; Just the Facts.

## Colombia

The Displaced and the Forgotten

FERNANDO ESPADA, Communications Director, DARA

### Introduction<sup>1</sup>

"My grandmother was born during the Thousand Days War, my mother during The Violence. When I was born, at the beginning of the 1960s, the guerrilla army was in the process of rearming itself. Not even the oldest people in Colombia know what it means to live in peace. There have always been killings of peasants, displacement, and war. In Colombia, violence has always been a way of life. Changing this reality is very difficult."<sup>2</sup> The person who said this, a Colombian working for an international NGO, was neither a pessimist, nor an exception among the humanitarian actors working in the worst and longest humanitarian crisis in Latin America. The crisis in Colombia is a complex conflict, in which improvements, if any, are very slow.

Indeed, since the HRI field visit to Colombia in 2007, little has changed.<sup>3</sup> The government remains unwilling to acknowledge that there is a humanitarian crisis in the country, and in the absence of a clear articulation of the crisis, donors seem more and more reticent to fund humanitarian activities, creating huge obstacles for humanitarian agencies who are trying to respond to the needs of millions of people.

If anything, one change has been an oversimplification of the conflict in the media, which undermines the work of humanitarian agencies trying to raise awareness of the crisis. Judging by international (and national) media coverage, one would think that the conflict is simply a battle between the Fuerzas Armadas Revolucionarias de Colombia (FARC) guerrillas and the state, a battle which has forced the terrorists to the brink of military defeat. The impression is also given that, trapped in the middle are approximately 3,000 kidnapped people, awaiting liberation by the Army or through humanitarian arrangements (exchanges often negotiated through the ICRC), which their families vocally demand. In other words, Colombia is made to look like the typical story of heroes and villains.

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What is hidden behind the news reports is the largely untold story of a humanitarian crisis of massive proportions, a story of millions of people displaced by the conflict, torn from their lands, and languishing in poverty awaiting assistance. With the media focussed on kidnappings and the diplomatic disputes between Colombia, Venezuela, and Ecuador, very few media outlets have mentioned the key fact that makes the

Colombian humanitarian crisis one of the most tragic in the world: over 4 million people have been forced from their homes between 1985 and 2007.<sup>4</sup> The majority of these have not yet returned.

The very nature and scale of the crisis, as well as the corresponding humanitarian response, are controversial and paradoxical. Colombia is not a failed state. It is, without doubt, a state with very serious, as yet unresolved, problems, but which, nevertheless, has considerable institutional, political, economic, police, and military capabilities. Colombia is an established democracy with a strong economy. Notwithstanding these realities, the FARC is the largest and oldest functioning guerrilla group in Latin America. And although Colombia has the second largest number of internally displaced people in the world, second only to Sudan, not only is there no UN Consolidated Appeals Process (CAP) for Colombia, but international humanitarian aid is relatively limited.<sup>5</sup> Untangling the political and complex elements of the crisis, while maintaining the focus on the humanitarian needs of the population, is difficult but necessary.

### The conflict: Impact of the Democratic Security doctrine

The conflict in Colombia can be traced back several decades and has undergone numerous changes, including various peace processes and the development of a lucrative war economy based on the illegal drug trade. Today, the principal actors are the state, the leftist guerrilla group FARC, and the Ejercito de Liberación Nacional (ELN), as well as *new armed groups*, which have not engaged in the recent, state-sponsored demobilisation process.<sup>6</sup>

Since coming to power in 2002, President Álvaro Uribe has promoted the doctrine of *Democratic Security*, "the real possibility for any citizen to enjoy, peacefully and without disruptions, his or her right to life, to dignity, to physical and spiritual freedom."<sup>7</sup> More specifically, the objectives of *Democratic Security* are:

- consolidation of state control of Colombian territory;
- protection of the population;
- elimination of illegal drug trafficking in Colombia;
- maintenance of a military deterrent capacity;
- protection of land, sea and river borders;
- efficient and transparent reporting of security issues.8

Uribe's approach is closely linked to that the of the United States and its support for Plan Colombia, which

aims to eradicate cocaine production, eliminate the guerrilla strongholds, and consolidate the central government, while simultaneously promoting economic liberalisation and the free trade agreement between the two countries. This strong security and economic emphasis has coloured the evolution of the humanitarian crisis in the past five years.

The principal characteristic of the Uribe presidency has been to emphasise the positive at the expense of acknowledging that there is a serious humanitarian crisis. In fact, some analysts suggest that Uribe's policies use the civilian population as a means to achieve security aims. By "involving the civilian population, particularly IDPs, in the confrontation, the state denies the principle of distinction [between military and civilian actors] and in fact reaches the level of obligatory cooperation, as there is no alternative behaviour other than supporting government policy against the terrorists. In this way, meeting the needs of the population is not the objective of the state but the means through which to impose itself on its adversaries [...] the processes of return for the displaced population are just one more strategy in the Democratic Security policy."9

While there has been a continuous decrease in the number of armed incidents since the election of President Uribe and, in turn, a weakening of the FARC, the government reports that, despite efforts to demobilise paramilitary groups, 1,070 military incidents were registered in 2007, an increase of more than 30 percent from the previous year.<sup>10</sup> In fact, there is evidence of the emergence of so-called *new armed groups* with "the same structures, the same composition and the same motivations as the former *paramilitary groups*."<sup>11</sup> Although there is no conclusive figure, the Organization of American States believes the number of these groups is on the increase.<sup>12</sup>

Legislation passed in 2005, called The Justice and Peace Law and Decree 128,<sup>13</sup> was supposed to work towards national truth and reconciliation and to provide compensation to the victims of paramilitary violence. But two years after the law came into force, the reality is that the first 3,000 ex-paramilitaries charged have not faced serious penalties, and the victims have received virtually no compensation (on average about US\$3.75 each), and less than 6 percent have seen their cases dealt with by the Public Prosecutor's Office. At this rate, said one critical jurist, "it will take 2,157 years to complete the 'Justice and Peace' judicial process" for all of the victims to have their cases heard by the justice system and receive compensation."<sup>14</sup> Similarly, although there has been progress in recent years regarding respect for human rights and international humanitarian law, as recognised by UNHCR, according to data from the CINEP, the Colombian state is itself responsible for more than half of the violations of human rights, compared to one-third by the paramilitary groups and 10 percent by FARC.<sup>15</sup> Nearly 1,000 extrajudicial killings of civilians by the army were documented between 2002 and 2007, representing a 65 percent increase over the previous period.

Apart from recent military gains, the period of *Democratic Security* has resulted in more than half the total number of internal displacements registered since 1999. Once again, the reality is that military operations against guerrilla groups, in particular in the south-east of the country, have not been accompanied by the necessary assistance to the affected population.

Nevertheless, according to several sources, the government is determined to implement a public relations campaign to present Colombia to the world as a prosperous country that is safe for foreign investment.<sup>16</sup> This image does not fit with the fact that it is the country with the second highest number of internally displaced people, the highest number of victims due to anti-personnel mines, the apparent impunity for armed groups, and frequent unfavourable reports regarding human rights.

### The humanitarian crisis: Civilian displacement as a tactic of war

As reported in the 2007 HRI report on Colombia, the interaction between the security objectives of the government and the interests (often economic) of the guerrillas, paramilitary groups, and drug cartels, have led to the forced displacement of thousands of people each year and the expropriation and theft of their land and possessions. The fluid nature of the conflict means that displacements continue at an alarming pace. OCHA estimates that over 270,496 persons were newly displaced in 2007, adding to the already staggering number of 4 million IDPs in a country with only 45.5 million people.

The figures are even higher according to the Colombian NGO CODHES,<sup>17</sup> which estimates that there were 305,966 people displaced in 2007 compared to 221,638 in 2006, confirming a rising trend over the past three years. In 14 departments of the country, the numbers of displaced people exceeded 10,000, and in two of them, Nariño and Antioquia, the figures are clos-

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er to 30,000.<sup>18</sup> Nariño, the department with the highest number of displaced people, has almost all the fundamental elements of the conflict: massive deployment by the Army, the presence of paramilitary and guerrilla groups, coca cultivation, fumigations, and drug and weapon smuggling. Furthermore, Nariño has a high percentage of the most vulnerable indigenous and Afro-Colombian populations, and very high levels of poverty and social marginalisation.

The areas where displacement occurs illustrate the land appropriation and population control strategies employed by the armed actors. Common strategies in the conflict include the control of territory where coca is cultivated - either for exploitation or eradication the fight for control of drug transportation routes, and the use of landmines by the guerrillas to control the advance of the Army or the confinement of the population as a military strategy. Once again, civilians become one more strategic factor and target in the fighting: 54.2 percent of those displaced were expelled from rural areas - where they were the land owners, tenants, or simply waged labourers - of whom 23.7 percent came from village areas and 22 percent from municipal capitals; 69.2 percent do not wish or have been unable to return, due to the persistence of the difficulties which forced them to leave.<sup>19</sup>

According to CODHES, displacements in 2007 were characterised by "the intensification of the recruitment of youth, even en masse, by armed groups;""thousands of families of peasants, settlers, indigenous people, and Afro-Colombian communities facing a situation where the guerrillas, paramilitary, and drug-traffickers impose the cultivation of coca and poppies on their land, which, in turn, are an objective of eradication within the framework of military operations;""the use of anti-personnel mines, particularly by guerrilla groups;" and the "false identification of civilians as terrorists or part of the guerrillas."20 The strategy of confining the civilian population utilised by all the armed actors, together with threats and targeted assassinations of social, trade union, and displaced community leaders, should be added to the above factors.

The movement of the combat frontline from the centre of the country to its borders, in particular towards the south, has caused the flight of several hundred thousand Colombians to neighbouring countries over the past decade. At present, and according to figures from UNHCR, there are some 250,000 Colombian refugees in Ecuador, 200,000 in Venezuela, 17,000 in Brazil, 13,500 in Panama, and 6,000 in Costa Rica. Of -he

the neighbouring countries, Ecuador has proven to be the most active in addressing the humanitarian needs of Colombian refugees. In 2007, the Government of Rafael Correa announced Plan Ecuador, "a response for peace, equality and development to the militarist, violent Plan Colombia," with which it intends to meet the needs of refugees and of the Ecuadorian population in the north of the country. On the other hand, UNHCR, with three offices in Ecuador, claimed that of the more than two-thirds of Colombian refugees living below the poverty line, only 10 percent have access to decent housing and one-third are working.

Clearly, one of the key issues in the Colombian situation, as in any other armed conflict, is the protection of the civilian population (Principle 3 of the GHD). However, neither the advance and seizure of territory by the Army, nor the available resources and capacity of the government agencies seem to effectively guarantee this protection. In fact, the two main governmental initiatives for protection: the Threatened Person Protection programme and the Communities at Risk programme are clearly insufficient to address the problems. And none of the humanitarian actors interviewed highlighted any international donor engagement or concern with this critical issue.

The displaced are threatened not only by insecurity, but by the risks of volcanic eruptions, earthquakes, floods, and landslides, all of which severely test not only the endurance of the affected population, but the response of the Colombian authorities and the national and international non-governmental humanitarian actors. Of the country's 32 departments, 28 suffered floods in May and December 2007, affecting 1,500,000 Colombians. The northern region of La Mojana was most damaged, with a total of 160,000 people affected. In response to the May floods and landslides, the UN Central Emergency Response Fund (CERF) provided approximately US\$2.3 million in humanitarian aid and the EC US\$1.4 million. CERF provided a further US\$1.8 million in December.

### Government response: The letter of the law vs. its implementation

### The National Assistance System

The Colombian government is the main provider of humanitarian assistance, with a budget for the 2007–2010 period of US\$2.2 million. Acción Social (Social Action) is the main state agency for assisting the

displaced population and for coordinating the National System for Comprehensive Attention to the Displaced Population. In spite of the relatively abundant funds at their disposal for assisting the displaced, Acción Social is still far from meeting its mission to offer "comprehensive assistance and lasting solutions for the displaced population, with a humanitarian approach based on dignity and the restitution of the rights of displaced families and seeking their social and economic integration in their places of origin or in those where they have been relocated."21 In 2007, Acción Social had registered a little over 100,000 displaced persons (roughly one-third of the total) for assistance. According to CODHES, that number represents less than one-third of the number of newly displaced people in need. In fact, CODHES has claimed that only between 40 to 60 percent of displaced people received official recognition and, therefore, the state aid to which they are entitled.

The low level of those registered and the numbers excluded from Acción Social's registration process are significant, owing to the fact that field presence of Acción Social is dependant on the actions of the Army. Many of the displaced – in particular indigenous people and those in Afro-Colombian communities - cannot, or dare not, register, and many others lose their official state support as soon as they receive any other form of subsidy. Almost 70 percent of those displaced live in the outskirts of large cities and in medium-size towns, where they establish themselves among the poorest of the population, putting pressure on resources and increasing social tensions. The incidence of displacement is higher among women and girls, who frequently suffer sexual abuse or exploitation.

During his visit to Colombia in 2007, the United Nations High Commissioner for Refugees, António Guterres, praised the country's unique legislation, which explicitly recognises the rights of displaced persons. This *legal* peculiarity contrasts with the situation of other countries with high numbers of displaced people. However good the legislation may be on paper, its application in practice is uneven and problematic, as noted in a 2004 ruling by the Colombian Constitutional Court. The ruling, covering over 100 individual claims of violation of the basic rights of thousands of displaced people, states that: "the displaced are an extremely vulnerable sector of the population, due to the lack of appropriate and effective protection by the authorities. Repeated violations of their rights occur on a prolonged and massive scale, attributable to both the armed conflict and to the structure of the policy for assisting displaced people,

while the resources of the latter, like its institutional capacity, are insufficient, and in violation of the existing regulations."22 The court demanded that the government ensure the protection of the displaced, guarantee sufficient resources to meet their needs, and enforce full compliance by authorities of all policies and legislation.

The Colombian government, consistent with its tendency to deny the reality of the humanitarian crisis and its own responsibilities, has produced more than Colombian crisis in 2007, according to OCHA FTS. 20,000 pages of documentation, in an effort to overturn The European Commission was the main donor with the court's ruling. However, an examination of this documentation by the Revision Chamber of the Constitutional Court left no doubt that, "the basic conthe Netherlands with US\$6.9 million (16.8 percent), stitutional rights of the forcibly displaced population and Germany with US\$5.2 million (12.6 percent). continue to be ignored in a systematic and massive CERF contributed US\$6.3 million to Colombia in manner, (and) ... national and territorial entities respon-2007, with US\$4 million for assistance to those affected sible ... must take urgent and immediate corrective by floods, mainly in the region of La Mojana, and the measures to guarantee advances in order to overcome remainder earmarked for assisting the displaced populathis unconstitutional state of affairs."23 tions in Chocó and Nariño.

As a result of the ruling, the government created the National Plan for Comprehensive Attention to the Displaced Population (2005),<sup>24</sup> and committed US\$3.3 million (1 percent of GDP) to assist displaced people between 2006 and 2010. According to UNHCR, "the Colombian state has taken on its primary obligation to assist and protect the population that is victim of the violence."25 But the agency goes on to conclude that, in spite of these institutional efforts, "the results are not yet felt by either the displaced population or by those working in support of this population as a general improvement in well-being nor in achieving lasting solutions."<sup>26</sup> In the words of a local NGO, "there is a gap between the central government and the local authorities, which are overburdened with work and whose civil servants, in many cases, are under-qualified and lack motivation."27 Several other agencies in interviews with the HRI team highlighted persistent corruption and a lack of capacity as the other reasons behind the lack of progress in this area.

### The international humanitarian response: Supply and demand

The United States is the main international actor in Colombia - although the most controversial, given its support for Plan Colombia. Bilateral assistance from the United States to Colombia reached US\$750.5 million in 2007. Of this, only US\$145.7 million was dedicated to the rather vague area of economic and social assisCrisis Report: Color

tance, theoretically including support for humanitarian needs, and requiring respect for human rights. The remaining funds, US\$604.7 million, were destined for military and police assistance – a clear indication of the priorities of the donor.<sup>28</sup>

Aside from the United States, with its unique approach to aid in Colombia, 14 other donor countries contributed US\$48.4 million in humanitarian aid to the US\$14.6 million (35.7 percent of total humanitarian aid), followed by Norway with US\$7.6 million (18.5 percent),

The complexity of the conflict in Colombia and the presence of a strong state have combined to create an international response largely determined by nonhumanitarian factors. According to many of the agencies and organisations interviewed, there is wide recognition that although the Uribe government has, indeed, taken the lead role in providing aid, and "has proven it has the financial resources to assist the displaced," the general view is that the government agencies responsible for assistance are "overwhelmed and under-qualified," and "only interested in concealing the conflict and its consequences."<sup>29</sup> Some suggested that, in fact, the crisis is "overfunded" and "has great external support and a very low level of requirements," suggesting that this is perhaps because "no donor dares to criticise Uribe. Not because they trust him, but because they are afraid of (Hugo) Chávez (President of Venezuela) and wish to clip his wings."<sup>30</sup> Nevertheless, according to the same sources, the government "wishes to conceal the humanitarian crisis,"31 and in order to do so, it must either get the humanitarian actors out of the country in the medium term, or, at the very least, control their activities.

There is no UN Consolidated Appeal Process for Colombia, partly due to the opposition of the Colombian government to any indication of the existence of a humanitarian crisis.<sup>32</sup> Nevertheless, OCHA has had an office in Colombia since 2003, to which three field offices and three satellite offices were later added. Their humanitarian coordination mission, mainly via the Inter-Agency Standing Committee (IASC), is conditioned directly by the Colombian government's

attitude of denying and concealing the humanitarian crisis. This is a situation that inevitably affects most of the humanitarian actors in the country, among which are UNHCR, UNICEF, and UNIFEM, and some 40 international NGOs, the ICRC, and several national Red Cross societies.

It is in this highly politicised context that donors find themselves making decisions about how to allocate funds for the crisis. On the one hand, the state has demonstrated that it has a degree of response capacity and resources, but refuses to acknowledge the extent of the crisis; on the other, humanitarian agencies find it difficult to attract attention to the real extent of humanitarian needs, and face serious obstacles in their work. In some cases, donors have focused on longer-term development assistance, which tends to favour the consolidation the state and macro-economic issues at the expense of humanitarian assistance. Several donors are now considering directly financing the Colombian state via budgetary support, creating a scenario of "greater political influence of donors, but less independence for humanitarian actors,"33

There is also evidence of donor fatigue, as donor and humanitarian agencies are finding it difficult to justify a continued presence and funding in a middleincome country, one which apparently has sufficient capacity and resources to meet the needs of its population. The fatigue is exacerbated by the political pressure exerted by Uribe government on the United Nations and donor countries, and the slow pace of change.<sup>34</sup>

Overall, the neutrality and impartiality of the humanitarian response, as enshrined in Principle 2 of Good Humanitarian Donorship, appears to be seriously compromised in Colombia. Despite a few grey areas in which there is movement in the international response, the majority of the humanitarian actors interviewed question the real reasons for decisions taken by donor countries, particularly the United States, with regard to their presence in Colombia.

### Conclusion

The magnitude and characteristics of the humanitarian crisis in Colombia should be sufficient reason for the international community to give priority to the humanitarian response. The reality is different, both in terms of the amount of funds contributed and the media coverage of the country. The bulk of reports by different actors and the information collected by the HRI in

the field (in both 2007 and in 2008) suggest that the Colombian crisis is being deliberately concealed from the eyes of the world, in part to satisfy the government's own domestic priorities, and to present the image of a strong, competent state.

There is no doubt that Colombia shows laudable signs of being capable of progress, and this is reflected in the impressive figures regarding economic growth. However, it is even more important to consider the future of millions of Colombians who each year die, are forced to leave their homes, live under threat, are deprived of the most basic rights, or are used as weapons of war by all armed actors, without exception.

Perhaps the key to the future international response regarding the humanitarian crisis in Colombia lies in this statement by a local worker of an international NGO: "A lot is rotten, but no one says anything. There is a great deal of international support, but very few demands are made of the government. The partners should be more critical."<sup>35</sup> The Colombian state has proven that it has the financial resources to meet the needs of the displaced population, but there is still a long way to go before it proves its real commitment to assist the most vulnerable populations and ensures the effective protection of human rights. Donor countries can play a constructive role in supporting the government, but at the same time, must demand better support for the millions of people affected by the crisis.

#### Notes

- 1 The HRI team, composed of Fernando Espada, Marybeth Redheffer, and Nacho Wilhelmi, visited Colombia in April 2008. The opinions expressed here are those of the author and do not necessarily reflect those of DARA
- 2 HRI field interview.
- 3 Hidalgo, 2008.
- Consultoría para los Derechos Humanos y el Desplazamiento (CODHES), 2007
- 5 Internal Displacement Monitoring Centre and Norwegian Refugee Council, 2008
- International Crisis Group, 2006, 2007a, and 2007b.
- 7 Uribe, 2002.
- 8 Republic of Colombia, Office of the President, 2003.
- Piedad Caicedo et al., 2006.
- 10 OCHA, 2008.
- 11 HRI field interview.
- 12 Organisation of American States, 2006.
- 13 Amnesty International, 2008.

- 14 Center for International Policy, 2008.
- 15 Centro de Investigación y Educación Popular (CINEP), 2008.
- 16 The signing of the Free Trade Treaty with the United States, postponed by the American Congress from April 2008, is one of the first priorities of the Uribe Government.
- 17 Consultoría para los Derechos Humanos y el Desplazamiento [Consultancy for Human Rights and Displacement].
- 18 CODHES, 2008a.
- 19 CODHES, 2008b.
- 20 Ibid.
- 21 Acción Social, 2008.
- 22 La Sala Tercera de Revisión de la Corte Constitucional, 2004
- 23 Sala Tercera..., 2006.
- 24 República de Colombia. 2005.
- 25 UNHCR, 2007.
- 26 Ibid.
- 27 HRI field interview. 28 Just the Facts, 2008
- 29 HRI field interview
- 30 Ibid.
- 31 Ibid.
- 32 Hidalgo, 2008.
- 33 HRI field interview
- 34 Ibid.
- 35 Ibid.

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