Crisis reports

Colombia
Colombia at a glance

The crisis and the response
- Colombia has the world’s second highest number of IDPs: around five million have been displaced by conflict.
- Denying the existence of an armed conflict, the Colombian government discourages international attention and rejects applicability of international humanitarian law.
- Humanitarian space further diminished in 2009 despite government success retaking territory from insurgents and restoring some services.
- Presidential Decree 001 forces humanitarian actors to coordinate activities through Acción Social, the state IDP agency.
- FTS figures indicate increased funding to Colombia in 2009 but bilateral aid, notably from the US, remains less transparent.
- The Colombian government mobilises greater resources to assist IDPs than external actors, reducing scope for international humanitarian advocacy.
- There is a sense of fatigue among donors and humanitarian actors and lack of consensus on the best way to move forward.

Donor performance
- Donors in Colombia were praised for their capacity for informed decision-making and timeliness of funding.
- High level visits by the heads of ECHO and Swiss Development Cooperation and by the UN ERC helped keep some international attention on the conflict. However, most humanitarians were disappointed by the ERC’s failure to declare the crisis an armed conflict or hold the government accountable.
- Donors tend to be reactive, not taking a long-term approach to the crisis and its root causes.

Key challenges and areas for improvement
- Donors should be aware of the risks involved in the Colombian crisis getting forgotten as the government seeks to convey a perception of stability to encourage foreign investment.
- Donors should seek to forge a coherent international approach to ensure access to vulnerable populations.
- Donors should encourage Acción Social and other actors to systematically include affected populations in planning and decision-making.
However, Uribe’s failure to acknowledge and respond to the consequences of the five-decade long humanitarian crisis of mass displacement leaves a tainted legacy. Colombia continues to have the world’s second-largest population of internally displaced persons (IDPs). Successive Humanitarian Response Index (HRI) missions have noted the steady erosion of humanitarian space and respect for international humanitarian law and human rights (Hidalgo 2007 and Espada 2008 & 2009).

Amnesty International (2009) contests the state’s assertion that the impact of the internal armed conflict is abating. FARC is still a potent armed force, adapting to military pressure through guerrilla warfare tactics, aggressive recruitment among rural populations, broadened involvement in drug trafficking and alliances with other armed groups and drug-trafficking organisations (International Crisis Group 2010). Human Rights Watch argues that the substantial increase in new displacement in the last years of Uribe’s presidency is primarily driven by the emergence of successor groups exploiting natural resources, seizing land and targeting human rights defenders, trade unionists and internally displaced persons (IDPs) who seek to recover property. These proliferating “new illegal armed groups” (NIAGs) are allegedly often tolerated by the security forces (Human Rights Watch 2010) and now have armed members in 29 of Colombia’s 32 departments (Instituto de Estudios para el Desarrollo y la Paz 2010).

Santos, the key enforcer of the Seguridad Democrática strategy, seems unlikely to depart from the course set by Uribe. The crisis of internal displacement was almost completely ignored during the 2010 presidential campaign. The change in leadership may represent the best hope in years to break free from the inertia of the past and engage in dialogue on how to best meet the needs of affected and vulnerable populations. It remains to be seen whether donors will take up the challenge or whether the crisis in Colombia will remain invisible and intractable.

Scale of displacement

For decades there has been controversy about the number of IDPs. It is difficult to differentiate economic reasons for migration to cities from those linked directly to conflict, violence and human rights violations (Albuja & Ceballos 2010). In recent years, increasing numbers have been displaced not by large-scale military campaigns, but by NIAGS seeking to clear land for palm oil, ranching or other agro-pastoral enterprises, mineral and oil exploration or hydro-electric installations. According to the Colombian government in March 2009, there were 2.98 million IDPs registered in the Registry of the Displaced Population (RUPD) – the official IDP register. The leading IDP advocacy agency, the Consultoría para los Derechos Humanos y el Desplazamiento (CODHES), estimates that in the past 25 years the total number displaced is some 4.92 million of whom 286,000 were displaced in 2009 (CODHES 2010). IDPs as a proportion of the total national population are generally believed to be between 5.4 percent (Ibáñez & Velásquez 2008) and 8.6 percent (Carrillo 2009).

Many IDPs are either unaware of their rights, do not seek registration or are turned down. Those who flee military operations to eradicate illicit crops or whose livelihoods have been destroyed by aerial spraying are unable to get registered. It is thought that only half the IDP population in Bogotá are registered (Albuja & Ceballos 2010). Given the large number not included in the RUPD, some analysts believe that one in ten Colombians is internally displaced. Many organisations interviewed by the HRI team – including donor government representatives – speculated that official IDP figures were deliberately downplayed during the end of the Uribe administration so as to paint a positive picture of its ‘post-conflict’ achievements and enhance Santos’ election prospects.
Plight of the displaced

For many IDPs, access to basic services such as health is irregular. This particularly affects IDP women who bear more children, have less access to contraception and have rates of sexually-transmitted infections greater than those of non-displaced Colombians (Quintero & Culler 2009). There is a high rate of family breakdown in urban places of refuge as unemployed IDP men lose their patriarchal role as family providers (Vélez & Bello 2010). IDPs are victims of crime in environments on the edges of cities with limited police presence and active criminal gangs. Residents of host communities sometimes try to cash in on the assistance received by IDPs, robbing them of cash aid or intimidating them into handing over vouchers and food (Carrillo 2009).

Their low level of education, rural livelihood skills – together with the fact that a significant number are doubly discriminated against as they are Afro-Colombians – make it difficult for IDPs to enter the formal urban economy. If they can find casual employment, male IDPs are often construction labourers, porters, vendors or car washers while women generally work as domestics or street vendors. On average, they earn between a half and two thirds of the legal minimum wage (Carillo 2009). Women, children and older people often beg. IDPs are generally ineligible for government plans to legalise informal settlements and are forced to live in high-risk areas such as unstable hillsides or riverbanks. Many IDPs do not have a financial and credit history and cannot get mortgages to enter the formal land and property market.

There are numerous conflicts between IDPs and the rights of others (Celis 2009). Central and local administrations face the challenge of striking a balance between providing targeted assistance for IDPs and assisting the general urban poor, many of whom resent positive discrimination in favour of IDP incomers. Extreme urban poverty results in many non-displaced people claiming IDP status, thus adding to agencies’ verification burdens. The fact that IDPs are geographically dispersed, frequently move and do not generally participate in local elections – either out of apathy or because of intimidation from armed urban non-state actors – means that few local politicians have any interest in cultivating or supporting them (Ibáñez & Velásquez 2008).

State denies humanitarian crisis

Previous HRI reports have noted the astuteness with which the Uribe administration sought to render the humanitarian crisis invisible (Hidalgo 2007 and Espada 2008 & 2009). The government now asserts that FARC is no longer an organised non-state actor – but simply a remnant band of “narco-terrorists”. Its post-conflict discourse asserts there is no armed conflict, only a security and anti-narcotics situation that the state has the capacity to handle without international intervention, attention or scrutiny. The government cites the example of Provincial Reconstruction Teams (PRTs) in Afghanistan (where the military coordinates and provides “security” for humanitarian and development activities) to argue its approach is in accordance with international norms. The fact that Colombia is a middle-income country with well-functioning public institutions, a judicial system that acts as a counter-weight to the administration and a legislative framework acknowledging IDP rights further reinforces the official position.

The effects of the conflict are largely felt in rural areas – disproportionately affecting Afro-Colombians, indigenous communities and women – and thus, far from the concerns of most urbanites. Though the majority of IDPs are in cities, they often maintain a low profile. Relatively little is known about urban IDPs, making it hard for humanitarian organisations to estimate their numbers, assess their assistance and protection needs or understand whether or how their situation differs from that of the urban poor (Howe 2010). While the legal status of desplazado is a form of positive discrimination (see below) it is also a stigma. Long-term residents of urban areas are often unsure whether to regard IDPs as victims, murderers, criminals or accomplices of armed groups. Invisibility – whether driven by low self-esteem or fear – is often their main survival strategy. As a result, the humanitarian crisis remains largely invisible not only to non-affected Colombians but also to the diplomatic community in Bogotá. This factor – together with Western geo-strategic support for Colombia – regarded as a reliable partner unlike such nearby states as Venezuela, Bolivia and Ecuador – helps explain why in recent years donor governments have been generally reluctant to openly challenge the government on humanitarian issues.

Government response to displacement

Colombia has a substantial corpus of IDP legislation, a legacy of years of civil society activism and painstaking marshalling of evidence which has led the Constitutional Court of Colombia to issue a series of judgements setting out IDP rights and entitlements and to assume a role monitoring state progress in adhering to past court rulings. In 2009, a further Constitutional Court report linked displacement with the extinction of indigenous peoples and urged the government to end pervasive discrimination and exclusion. Such judicial activism is not welcomed by many politicians and civil servants (Celis 2009).

The legislative framework defines three phases of assistance to conflict IDPs: prevention, humanitarian assistance and socio-economic stabilisation. Acción Social is the lead IDP agency but does not have a substantial presence in many areas where conflict and displacement is greatest. Interviewees told the HRI team that Acción Social rejects a significant proportion of claimants.

Alongside Acción Social are a wide range of other state actors administering diverse mechanisms for prevention, protection, humanitarian response and stabilisation. The high level of mistrust and poor cooperation between them
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Strategies to eradicate illicit crops have become tools to support the government’s security objectives. The government’s policy of solely viewing coca cultivation as a financial resource for the guerrillas has led to neglect of the social, economic and political problems affecting coca-growing communities (Vargas Meza 2009). During the HRP mission, there were frequent assertions that the government does not recognise the humanitarian consequences of anti-narcotics policies.

Accelerated erosion of humanitarian space

The security forces’ counter-insurgency strategy is largely based on the premise that those living in conflict areas are part of the enemy, simply because of where they live, labelling whole communities as “sympathetic” to guerrilla forces. The tactics used by the government to achieve recent military successes have demonstrated an increasing disrespect for humanitarian principles. The government remains unapologetic about the July 2008 Operation Jaque which freed 15 hostages, including former Colombian presidential candidate Íngrid Betancourt. It succeeded because the Colombian military posed as International Committee of the Red Cross (ICRC) representatives, using the Red Cross emblem on military assets in a flagrant violation of international humanitarian law which puts future access to hostages at risk (Uozumi 2008) and threatens to undo the hard-won reputation for impartiality which has given the ICRC and the Colombian Red Cross unique access to populations of concern in conflict areas (Geremia 2009).

In March 2010, the UN Special Rapporteur on Extrajudicial Executions presented evidence that “security forces have carried out a significant number of premeditated civilian murders and fraudulently presented the civilians as ‘killed in combat’”, also regretting that the government provides incentives to individual soldiers for combat killings (Human Rights Council 2010). The state’s security agenda, “despite using the language of civilian protection and human rights, has in fact undermined respect for International Humanitarian Law and has failed to reduce levels of forced displacement and violence against civilians,” (Elhawary 2009).

“The Colombian government is contributing to increasing displacement, disguising humanitarian needs and making the crisis more invisible.”

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The Plan de Consolidación – a state strategy to restore authority and services in territories liberated from FARC – is bolstered by Presidential Directive 001 which essentially restricts humanitarian access by “requiring” humanitarian actors to “coordinate” activities through the military and Acción Social. The UN Committee on Economic, Social and Cultural Rights has expressed concern that the directive does not allow for genuine consultation with Afro-Colombian and indigenous IDPs (UN Economic and Social Council 2010). Despite its progressive rhetoric, “the government’s policy converts humanitarian action into an instrument for achieving distinct non-humanitarian objectives, without consideration of the impartiality, neutrality or independence of humanitarian organisations” (Marcos 2009). Most humanitarian agencies interviewed by the HRI team contest the government’s assertion of civilian leadership and note that the military is clearly in operational control. They report that soldiers are often present at health clinics and other places where humanitarian or state actors provide services. Many civil society actors are being co-opted by the state and by the armed forces (Marcos 2009), making them acutely vulnerable when the state is unable to ensure security in newly “liberated” areas. Once military personnel withdraw, FARC and other paramilitaries commonly enact reprisals against civilians and humanitarian organisations deemed to be “collaborators”.

There is a climate of mistrust between the state and humanitarian actors. Many organisations interviewed reported instances of intimidation such as theft of sensitive UN and NGO documents, including beneficiary lists and contacts for programmes working with youth at risk from forced recruitment to FARC. Many humanitarians have received written threats from paramilitary groups. Several respondents told the HRI team that these often contain specific operational information which could only have been provided by Colombian government intelligence sources.

The fact that most of the donors active in Colombia also participate in PRTs in Afghanistan makes it extremely difficult for donor governments to argue for non-intrusion into humanitarian space without appearing hypocritical. It is thus next to impossible to forge a consensus on how to approach humanitarian advocacy. The European Commission Humanitarian Office (ECHO) reported that they had tried unsuccessfully for a month to meet with their United States (US) counterparts. Interviewees also reported that a proposal to establish a donor working group to discuss the implications of the Plan de Consolidación and lessons from the use of PRTs in Afghanistan was not acted upon.

Protection concerns
As a result of mistrust between the government and human rights defenders – and little advocacy from the international community – there is limited dialogue on integrating human rights protection and security in rural areas where the government’s early warning system to prevent human rights violations is judged to be useless (International Crisis Group 2009) and seriously underfunded (Human Rights Watch 2010). Kidnappings, disappearances and crimes of sexual violence often go unreported especially those perpetrated by armed groups. Survivors of sexual violence lack confidence in judicial systems infiltrated at local level by illegal armed groups (Lari & Teff 2009). It is highly dangerous to lead an urban IDP association.

Donors: fatigued and unsure
As a result of acceptance of the government’s campaign to discourage international engagement in the displacement crisis, Colombia does not have a Consolidated Appeal Process (CAP). In 2009, the UN Humanitarian Coordinator acknowledged the limited international presence on the ground and the need to do more to strengthen the protection of civilians (Moro 2009). Very few of those interviewed by the HRI team mentioned the needs of the chronically vulnerable displaced and do not have any long-term vision of how their needs can be addressed. The fact that many of their counterparts came from political affairs or development backgrounds hampered efforts to develop a common stance towards the Uribe government. In the words of one donor representative, “Most of them have little knowledge or understanding of humanitarian action, making it difficult to engage in meaningful conversations with my counterparts in other embassies or agencies.”

The government’s discouragement of humanitarian programming means that donors and humanitarian agencies have had to disguise and repackage humanitarian assistance under different programme and budget lines. Much of the funding that, in other contexts, would be considered humanitarian is packaged in Colombia as post-conflict and development assistance. This has led to a fragmentation of donor funding and makes it next to impossible to fully assess the extent of humanitarian action in Colombia. Figures provided by the Financial Tracking System (FTS) thus present only a partial picture.

Nevertheless, according to reported to FTS, there was an increase in humanitarian funding in 2009 (from US$41.4 million to US$54.8 million). There are relatively few humanitarian donors and most have provided consistent long-term support. ECHO was by far the largest FTS-recorded donor in 2009 (28.5 percent of the total), followed by Norway (12.1 percent), Germany (11 percent), the US, Netherlands, Canada, Switzerland and Sweden. 9.3 percent came from the Central Emergency Response Fund (CERF).

Both donor representatives and humanitarian agencies interviewed said that it was a constant struggle to get publicity and funding. Thus, the fact that key donors have maintained support is somewhat of an achievement. High level visits by the heads of ECHO and the Swiss Agency for Development Cooperation (SDC), as well as a 2009 visit by the UN Emergency Relief Coordinator (ERC) helped to keep some international attention on the conflict.
The US, like many other donor governments, is not primarily focused on humanitarian needs but rather wider geo-political interests. The US is believed to have spent US$400 million in 2009 on military and police assistance and US$240 on economic and social assistance (Center for International Policy 2010). The US Agency for International Development (USAID) acknowledges a policy objective to “strengthen the credibility and legitimacy of the Government of Colombia (GOC) in post-conflict areas…” and “to increase the willingness and capacity of communities to cooperate and interact with the GOC” (2010). FTS figures indicate that only US$5.3 million of US assistance in 2009 was registered as humanitarian assistance (OCHA 2010b).

The fact that Colombian government allocations for humanitarian activities are greater than the total provided by external donors limits possibilities for leverage and advocacy. In 2009, Acción Social’s budget was approximately US$42.7 million. The Santos administration has pledged to double the budget, pushed to do so by a Constitutional Court ruling (Espada 2009).

Switzerland and Spain were singled out by many humanitarian organisations interviewed for not accepting the government’s stance and for explicitly framing their humanitarian assistance as a response to armed conflict. Other donors preferred not to openly disagree with the government. In the words of one donor representative, “What’s the point of arguing over the terminology? Is this an armed conflict or not? At the end of the day, our aim is to meet humanitarian needs, and antagonising the government puts that at risk. So it’s better to keep a low profile rather than jeopardise our programming.”

This stance is deeply disappointing for the overwhelming majority of the humanitarian organisations interviewed. There is a near universal demand for more action from donors. One non-governmental organisation (NGO) representative summed up the prevailing mood: “We need them to stand up to the government and let them know that Presidential Directive 001 is unacceptable as it is compromising our work!” The HR1 team was told by UN and international non-governmental organisation (NGO) representatives of great disappointment at the failure of the ERC during his visit to publicly declare the crisis an armed conflict and to hold the government to account for its role in continuing it.

Donors that were mentioned for taking a stronger advocacy role included Spain, Switzerland and Sweden. ECHO, Canada and Sweden were also praised by many of their partners for carrying out monitoring visits in the field and accompanying humanitarian actors and affected populations. “We need them with us in the field to let the government and military know we have political support from donor governments,” said one NGO representative. “It also helps them to counter-balance the arguments presented by Acción Social and others.”

**Poor coordination of humanitarian response**

All the actors interviewed by the HR1 team expressed concern about the lack of effective coordination. Government insistence on trying to channel and coordinate humanitarian assistance through Acción Social and the military is the major impediment for coordination. The few humanitarian actors interviewed during the HR1 mission who had accepted government conditions were extremely negative about working through Acción Social and complained of constant political interference.

The UN Resident Coordinator (RC) is “double-hatted”, also serving as Humanitarian Coordinator (HC). Most organisations interviewed by the HR1 team report the RC/HC is far too diplomatic and fails to vigorously pursue advocacy or coordination opportunities. Others, however, do credit him with some discreet advocacy successes. Given the weak position of OCHA and the disincentives for coordination amongst actors, ECHO attempted to facilitate “underground coordination” by sponsoring technical roundtable discussions with their partners on specific programming issues, such as water and sanitation and tried to share information and analysis. OCHA and other actors, including donors, were often invited. This was well appreciated by ECHO’s partners. But even ECHO recognised this as an inadequate and improvised mechanism for coordination, and called for more coordination. UNHCR and the ICRC used briefing meetings with donor government embassies as another informal mechanism for information sharing. The Inter-Agency Standing Committee (IASC) has also established technical working groups (not clusters) in different regions of Colombia.

Considering that some actors have had an operational presence for many years – in the case of OCHA and ECHO for over a decade – there is surprisingly little evidence of mid – to long-term planning or incorporation of lessons learned into donor strategies or plans. ECHO’s planning and financing is still done on a one-year cycle, despite the obvious need for continuity in programming in order to meet the recovery needs of the long-term displaced. This position is partly the result of EC policies. To its credit, according to its partners, the ECHO office in Bogotá has tried to maintain maximum flexibility.

Switzerland was one of the few donors reported to have a clear strategy of linking its other programming under a humanitarian umbrella (and not the other way around). It stands out for having a mid-term plan, two to three year funding commitments and plans to develop exit strategies and to sustainably build local capacity to continue interventions it supports. Switzerland was also one of the few donors to reference more recent developments in programme quality and humanitarian accountability, integrating “Do No Harm” into its policies and actively attempting to integrate mid-term reviews and evaluations.

OCHA has steadily cemented its position as a focal point for the multiple UN agencies present in the country. However, OCHA has to walk a delicate tightrope. Most UN agencies work directly with the government on longer-term development programmes. They are – with the exception of UNHCR and the UN Children’s Fund (UNICEF) – reluctant to accept OCHA’s lead role in coordination and wary of assertive UN advocacy on humanitarian issues.
Learning from experience:

There is an urgent need for: causes of the crisis. Populations and addressing the root to ensuring access to vulnerable coherent international approach. The end result is that there is no needs of vulnerable populations. Easier to acquiesce – without regard to government agenda. For many, it is about how to challenge the humanitarian actors and division among donors and humanitarian actors need to work together to understand and address them.

Coordination: The UN and donor governments must assume leadership and create a unified form to bring humanitarian issues to the forefront of political life. Coordination must meaningfully engage with government agencies such as Acción Social, but on the basis of respect for humanitarian principles.

References


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