Protection Cluster
Colombia

Colombia: Preparedness and response to recurring emergencies for the consolidation of peace

Abstract: The rights and special needs of internally displaced persons in Colombia must be recognized and guaranteed during and after the peace negotiations. After more than 50 years of armed conflict between the Colombian government and the FARC, and after 4 years of negotiations[1], the parties have made progress in the signing of the peace agreement. However, despite progress in the negotiations, the protection and humanitarian crisis continues to affect the civilian population in some regions of the country.

In Colombia, other organized armed groups that are not part of the peace negotiations, continue to struggle for territorial control and illicit economies. In addition to the struggle for territorial control, the civilian population remains extorted, threatened, abused and displaced. Today there are people who do not have effective protection of the state and economic resources are necessary to address the crisis.

Before the start of the peace negotiations (2008 to 2011) an average of 284,843 displaced persons were registered annually; while during the peace talks (2012-2015) an average of 216,821 displaced persons were registered annually, according to state registration. While there has been a decrease in the number of IDPs, it is worrying that despite the unilateral ceasefire declared by the FARC (2014), the amount of displacements has not decreased significantly.

Evidently, the signing of a peace agreement will be an unprecedented breakthrough in Colombia ; however, members of the Protection Cluster in Colombia agree that the signature does not mean the immediate end of the armed conflict, but the start of peacebuilding and the search for durable solutions for the displaced population.

The impact of the conflict in some areas of the country continues to exceed the local capacity of the state. Historically there are geographical locations that have been more affected by the armed conflict. The Chocó Department is one of them. In Chocó, one out of ten people have been displaced by violence. Indigenous and Afro- descendant communities have been disproportionately affected by this situation. Men, women, young people, children and older adults that are displaced in Chocó have not received an effective humanitarian response, face limited access to rights, suffer from restrictions on free movement, do not hold return conditions and lack effective plans that promote durable solutions. The protection of these populations is urgent.

In March 2016, as a result of military operations against the National Liberation Army (ELN) in Bajo Baudó (Chocó) and the incursion of the Gaitanista Self-Defense Forces of Colombia (AGC), the communities in the regions of Baudó (communities of Alto, Middle and Lower Baudó), Atrato (Lower and Middle Atrato) and San Juan (Litoral del San Juan), were seriously affected by armed clashes. The fighting between the

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[1] The agreement with the points to be addressed during the negotiations, among other issues, is available at
https://www.mesadeconversaciones.com.co/sites/default/files/AcuerdoGeneralTerminacionConflicto.pdf

groups and the armed forces not only limited their ability to perform daily activities but also generated anxiety and fear among the population, particularly among the most vulnerable groups such as children and adolescents; disabled people; older adults; and pregnant or lactating women.

In mid- May 2016, according to official sources, more than 6,000 people were victims of forced displacement and more than 7,000 people faced restrictions on mobility out of their communities. Most of them belonged to afro-descendants and indigenous communities and were forced to move to urban areas in search of protection and shelter.

In the case of indigenous communities, displacements have a profound impact given that their customs are closely linked with their surrounding environment, as their feeding practices and their traditional medical treatments are linked to their habitat. Their presence in unaccustomed urban environments generates negative consequences for their survival. For those communities that have chosen to remain in their territories, humanitarian actors in the field have identified serious protection risks for the population and difficulties in providing them adequate humanitarian assistance due to the remote location of the communities that are confined and the limited financial capabilities to meet all needs.

Given this context, organizations of the Local Protection Cluster of Chocó and Valle del Cauca[2], with the support of the National Protection Cluster, have taken several actions to visualize the situation with local and national institutions. The Protection Cluster members have promoted safe spaces for protection and facilitated the protection analysis with a human rights approach to ensure the delivery of immediate humanitarian aid. In addition, the members have used means of private and public advocacy to promote the response to the humanitarian situation. Press releases promoted by the Norwegian Refugee Council (NRC) or joint communiques as those promoted by the UN Agency for Refugees (UNHCR) and the Office of the United Nations High Commissioner for Human Rights (OHCHR) make clear the growing concern about the human rights violation situation that is suffering the population in the Department of Chocó.

In order to prevent these affectations of civilians, the UN Agency for Refugees (UNHCR) and the Office of the United Nations High Commissioner for Human Rights (OHCHR) indicated that "It is essential that the parties to the conflict comply with all their obligations under International Humanitarian Law and in particular those that prohibits the establishment of bases near civilian settlements and the carrying out of bombings that endanger this population. The response of local and national authorities has been activated, however in many cases the situation has been such that it has exceeded its ability to meet the needs of the displaced population. Given the limited response, many communities have returned without the necessary guarantees of security and dignity, keeping them in a situation of risk ".

The Multi Cluster/sector Initial Rapid Assessment Report (MIRA), coordinated by OCHA at the end of May 2016[3], reported the difficult conditions of the displaced indigenous communities in Playa Sivirú and Docordó, and identified the following main needs: Water and Sanitation, owing to the lack of potable water and structures to recycle rainwater; Food Security and Nutrition, particularly taking into account the presence of children, adolescents and lactating women; Shelters, due to the existence of makeshift shelters that end up overcrowded without adequate resources; and Health, given the limited medical

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[2] Organizations from local clusters are: UNHCR , NRC , WFP, UNDP ,LWF, UNFPA, UN WOMEN, ICRC , Save The Children, Alliance for Solidarity, Diakonie, Plan International and Mercy Corps

[3] MIRA Report available at:
https://www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/assessments/11.06.2016.mira-final-litoral-sanjuan-bajobaudo.pdf

services in the region. The institutional response was hampered by the lack of capacity of municipalities and by the Governorate to provide an adequate response to ensure access of displaced populations to the aforementioned needs. After funding was evaluated by the Protection Cluster in order to quantify the intersectoral response of the Humanitarian Country Team, it was agreed to request $ 4 million to respond to the emergency. However, so far only 25% of the funds needed to cover emergencies in Chocó have been achieved.

Given the above, from the National Protection Cluster they have identified two key actions in response to the emergency in Chocó. On the one hand, strengthening institutional and organizational capacities in the region. It is vital to support and strengthen territorial ethnic organizations to present and support their communities and to incorporate them in the implementation of humanitarian projects or development. Likewise, the capabilities of the municipal ombudsman's office (*Personería*) should be strengthened to assist and advice victims of the area during emergencies. Assistance has been offered to the Unit for Comprehensive Care and Reparation to Victims (UARIV), in case it requires additional help in the humanitarian emergency assistance to affected communities that are in line with the differential approach of age and gender. Additionally, it is essential to have a prevention and protection plan at the departmental level, as a basis for defining actions at local level, with the support of the Governorate.

Further actions include: conducting advocacy and improving visibility, locally, nationally and internationally, on international standards and national legislation to ensure the protection of communities and in particular to ensure respect of the principle of distinction and of the directives regarding the respect and protection of ethnic territories by avoiding confrontations and attacks near communities and the stigmatization of the civilian population; monitor the returns of displaced communities to make sure they are in condition of voluntariness, dignity and security;[4] establish mechanisms for prevention against forced recruitment of youth, women and men by Non-State armed Groups; ensure freedom of movement of communities affected by armed clashes; and share instructions on identifying unexploded ordnance, inform communities about the existence of said objects and how to self-protect, and finally show how to refer to the authorities responsible for demining.

In conclusion, five key aspects are highlighted to enable the response to recurring emergencies like the one presented in Chocó: 1) presence and coordination among the actors in the field, taking into account the area of expertise in the case of humanitarian organizations, human resources and materials available according to the identified needs, 2) needs assessment and definition of responses: While the humanitarian architecture has the MIRA tool for this task, it is appropriate to have a tool that allows a more detailed assessment of protection needs, taking into account the complexity of risk situations that occur, 3) design, approval and implementation of contingency plans, that include preparatory and response actions in case of crisis, which are led by the State, with the support of the international community aiming to join efforts and resources. Regarding this, it is important to notice that in many regions where there has been weak State presence, there have been organizations that have been present for many years in the communities thus creating strong spaces of trust allowing for risk identification, 4) If the authorities at the local level continue to express that the humanitarian situation exceeds its financial and operational capacity, more resources to address the humanitarian crisis will be necessary, and 5) it is necessary for the international community surrounding the peace process to always promote protection of civilians, respect for human rights and the strict compliance with International Humanitarian Law.

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[4] See OCHA Flash Report about the massive displacement in the Middle Baudó, April 2016 :
http://reliefweb.int/report/colombia/colombia-desplazamiento-masivo-en-medio-baud-choc-flash-update-no-1-24042016