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## Colombia: Flaws in Registering Displaced People Leads to Denial of Services

The government of Colombia systematically undercounts the number of internally displaced persons (IDPs) through its official Registry --- the Sistema Unico de Registro --- and thereby denies services to thousands of vulnerable people.

The government of Colombia should take immediate steps to ensure that people displaced as the result of the internal conflict are included in the Registry and provided the services guaranteed by law.

Colombian Law 387, which defines the government's obligations to IDPs, sets forth the following criteria for inclusion in the Registry: a person must be displaced because of violence or the threat of violence due to internal conflict, generalized violence, massive violations of human rights, or violations of International Humanitarian Law. Once people are forcibly displaced they must declare what happened to the Public Ministry, which then remits the declarations to the Presidential Agency for Social Action and International Cooperation (known as Acción Social) for review.

The Colombian non-governmental organization Consultoria para los Derechos Humanos y el Desplazamiento (CODHES) and the Catholic Church keep independent databases of displaced people. The CODHES figures suggest that the government is greatly under-estimating the scale of displacement in the country. It gives a figure of 2.9 million people internally displaced from 1995 to 2006, while the government of Colombia cites 1.9 million for the same time period. Differences over cumulative statistic-keeping aside, displacement continues throughout Colombia on a massive scale; government figures indicate that more than 200,000 people are still displaced annually.

Refugees International is concerned that a very narrow interpretation of the law governing IDP registration results in the failure to recognize many of the causes of displacement, leading directly to undercounting and lack of response to the needs of the displaced. The restrictiveness of the law is evident in 2006 statistics from Nariño, where only 43% of applications were accepted into the Register. In speaking with IDPs,

RI identified a number of problems with the criteria used to add individuals to the Register:

- ❑ Displacement must be caused by conflict, but operations conducted by the army or police against civilian populations that do not involve other armed actors are not defined as conflict. For example, people displaced by police suppression of demonstrations in Remolino, Nariño in June of 2006 have not been included in the Register.
- ❑ Civilians displaced by anti-narcotic fumigations, which are often preceded by military operations, and the subsequent ruining of crops, are not eligible.
- ❑ Displaced households traumatized by violence often fail to identify perpetrators and detail the circumstances that forced them to flee due to fear of reprisals. These applications are often rejected because they are considered incomplete.
- ❑ Despite legal clarifications that allow IDPs to register after the first year of displacement and forgo emergency aid, found in Decree 2569/2000, the government continues to reject people who did not register within one year of their displacement.

The Register is used as the definitive list of people eligible for government services. Failure to be included on the Register denies the displaced a long list of services, including access to emergency assistance immediately after displacement, access to health, education and housing services, participation in training and income generation programs, and other forms of social support.

The government claims that once registered every individual remains on the list, but Refugees International documented dozens of cases in which the displaced have found themselves removed from the Register with no explanation. In town hall

meetings with IDP communities in the departments of Cordoba, Chocó, and Nariño, RI found that as many as a third of the meeting's participants were told that their names could no longer be found on the registry by service providers. "Even when I presented the letter the government gave me saying I am in the Register, I was told that if I didn't show up in the computer, my letter was worthless," said one Afro-Colombian person displaced in Chocó.

The director of Acción Social in Cordoba told RI that these problems are due to the transfer of data in the Register from one database to another in the course of attempts to improve the system. Every time the data get transferred, names are dropped off by accident. But officials are either unable or unwilling to correct the resulting errors. A community leader from the Tierra Alta region of Cordoba told RI, "We gathered up all of the documentation from families in our community that had been dropped off the Register. We took these papers to the capital and presented them to Acción Social. That was six months ago, and no one has been put back on the list yet."

Additional problems with database management have the effect of excluding children and spouses from the Register, leaving some with access to services and others without. Currently, an entire family is put on the Register under the name of the head of household, but sometimes other family members are not included in the documentation. Acción Social staff explained these problems to RI as data entry errors, and maintained that these people could quickly get their family members reinstated. Despite this claim, the families RI spoke with had not succeeded in getting their loved ones on the Register.

Although Acción Social maintains the master Registry of all internally displaced people eligible for social services, this is not necessarily the database used for their actual provision. The database informs all agencies that participate in the Sistema Nacional de Atención Integral a la Población Desplazada (SNAIPD) or the National System for Unified Attention to the Displaced Population. Many of the agencies that participate in the SNAIPD maintain their own databases to determine who is actually eligible. RI received repeated complaints from displaced people that despite their inclusion on the Acción Social Register, they were not in the database for specific services.

The majority of complaints focused on the health care system. One man recently displaced to Pasto, Nariño told RI, "I am registered as an IDP and received my emergency food aid. But I am losing vision in one eye. I have not been able to get any treatment or medicine because I am told that I do not appear in the health system's database. I am afraid I will go blind."

Failure to be registered with Acción Social does not just impede access to government-provided services. Many international service provision agencies are working in partnership with Acción Social to target and implement their projects. Most notable in this category are contractors that use U.S.

government funds, such as the Pan-American Development Foundation (PADF). Staff from a local partner of PADF in Chocó told RI of a project under development to improve or rebuild 200 houses for IDP and other local poor households. In the selection of displaced recipients, they were required to limit eligibility only to people included on the Register. In the first round of applications for participation in the project, almost half of the families had to be turned away because they were not on the Register, despite valid claims of need. Similarly, in Monteria, Cordoba, a community-based organization that received funds from the Cooperative Housing Foundation (CHF), which in turn received its funding from the U.S. government, had to limit its emergency assistance to individuals that were referred by Acción Social.

## REFUGEES INTERNATIONAL RECOMMENDS:

### The Government of Colombia

- ❑ Amend regulatory Decree 2567/2000 of Law 387 in order to expand the eligibility criteria for IDP status.

### Accion Social

- ❑ Instruct regional offices to validate incomplete declarations from displaced people whenever there is a lack of contradictory information regarding the cause of displacement.
- ❑ Instruct regional offices to allow IDPs who did not register within the first year of their displacement to be included in the Register and provide them access to the full range of services offered to long-term IDPs.
- ❑ Fix database problems that cause people to be deleted from the Register, and choose one final database program that can manage Acción Social's needs.
- ❑ Institute a transparent process to allow individuals who have been dropped from the Register to apply for reinstatement. Implement reasonable deadlines for placing a dropped individual back into the system.
- ❑ Revise the operating procedures of the SNAIPD to require that all governmental service provision agencies have access to the Acción Social Register, and that the Register be the only database used to determine eligibility for services.

### Donor governments:

- ❑ Use independent means of determining IDP eligibility other than the Acción Social Register when providing services to displaced beneficiaries.

*Sean Mariano Garcia and Andrea Lari assessed the internal displacement situation in Colombia in February*