

Part I: Executive Summary

(a) Context (Beneficiary Populations and Themes)

The outlook in Colombia for the period 2001-2002 is likely to imply often contrasting trends, involving both continuation of the armed conflict and an ongoing peace dialogue. Major patterns of forced displacement, both within Colombia and "cross border" to neighbouring countries (especially Ecuador, Panama and Venezuela) are expected to continue basically unchanged in 2002, implying a humanitarian challenge for UNHCR and the international community. In May 2002 presidential elections will be held in Colombia which not only herald a new phase in the Government's handling of the peace negotiations but could also imply changed institutional arrangements for managing the IDP crisis. This context requires UNHCR to be flexible in responding to changing dynamics and to the opportunities and risks that may arise.

The peace dialogue between the Government and the two main guerrilla groups implies alternating setbacks and advances characteristic of a complex and long-term process. A critical point in the process will shortly be determined by the outcome of plans to establish a "meeting zone" (*zona de encuentro*) in a 4000 square km area of South Bolivar (Magdalena Medio) requested by the ELN to hold talks with the Government as well as a national convention on peace with civil society. With the larger and more powerful guerrilla group - the FARC - the peace dialogue will likely continue to be fraught with difficulty. Acceptance by both guerrilla groups (under different modalities) of a role for the international community in facilitating and verifying the respective processes coincides with increasing concern by States in the region as well as key donors at the implications of the conflict, both within Colombia and beyond.

Despite cautious optimism on the political front, the Colombian domestic scene remains characterised by a deepening sense of public insecurity. Widening public frustration at the ongoing violence has boosted the spread of the paramilitary groups, now the fastest growing armed group in Colombia and responsible for the overwhelming majority of atrocities against civilians. In a worrying trend, many Colombians (between 10-15%) see the paramilitary as the only means to defeat the guerrilla and restore order. In addition, after a decade as one of Latin America's most robust economies, Colombia has experienced a biting economic recession, worsening unemployment rates (at 20%) and loss of investor confidence.

□ *Protection issues*

In Colombia, socio-political violence attains alarming levels. Massacres, extra-judicial executions, torture and enforced disappearances continue to sustain averages recorded in the past 10 years – that is, over 10 politically motivated deaths per day. This situation has led international human rights bodies to qualify human rights and humanitarian law violations as mass, systematic and widespread. Many of the violations are committed in the context of the long-standing conflict between various armed parties: guerrilla groups and paramilitary groups (many of them under the umbrella organisation AUC). Battles for strategic territorial control, including the narcotics economy, is often at the core of the conflict, profoundly impacting the civilian population and causing widespread and systematic forced displacement.

Barring a major breakthrough in the peace dialogue, current high levels of forced displacement will be sustained in 2002, implying at least 500,000 IDPs in need of attention

(average between official and NGO projected figures for 2002). Whilst actual IDP numbers remain a source of contention, there is broad agreement on trends and causes of displacement. Mass displacement (over 50 people) account for over 70% of IDPs; the Main causes of flight are generalised threats (53%), armed combat (19%) and massacre (15%). The salient features of the IDP population are: the overwhelming proportion of minors and women (53%), rural origin and disproportionate numbers of indigenous and Afro-Colombian ethnic minorities, who, although only comprising 10% of the national population, account for almost a third of the IDP population.

Ongoing "cross border" movements to neighbouring countries should also be expected from border zones most affected by struggles for control over illegal drugs, natural resources or strategic interests, as in the case of regions bordering Venezuela (Catatumbo), Ecuador (lower Putumayo) and Panama (Tapon del Darien). Colombians in these regions will most certainly continue to cross borders in search of protection. In 2000, the Colombian Government estimated that at least 15,000 were affected in this manner.

The State's response to internal displacement is contained in national legislation and related policy measures. Law 387 of July 18, 1997 incorporates measures for the prevention of forced displacement and for the attention, protection and the consolidation of durable solutions. Adequate response to IDP needs by state entities is severely constrained by lack of flexible resources and spending mechanisms, poor decentralisation schemes and shortage of socio-economic alternatives for IDPs in the post relief phase. Despite these critical shortcomings, progress has occurred during the Pastrana administration in certain key areas. Positive measures include designation of the *Red de Solidaridad Social* (RSS) as the co-ordinating entity for IDPs which has helped to clarify institutional roles. Improved response by the government to IDP emergency needs, inter alia, through decentralisation of the response through national NGOs and introduction of a unified and simplified IDP registration system which, despite many technical shortcomings, is resulting in much higher numbers of IDPs registering for state-provided benefits than before.

Recent landmark decisions by the Constitutional Court in Colombia on IDP rights, as well as related evolution in the normative framework, are critical for the strengthening of the national protection regime for IDPs. In its first decision, the Court required that forced displacement be recognised as a social emergency and should be given priority in national spending goals. A series of decrees pertaining to IDP access to health, education and land have now been issued. In relation to IDP registration, the Court ruling (which quoted extensively from refugee law principles) held that the registration procedure was not a condition for entitlement to basic rights and that the principle of "good faith" should operate in the registration procedure.

□ **UNHCR's role**

In line with the Memorandum of Intent (MOI) of January 1999, and UNHCR's Operational Plan for IDPs (endorsed by regional governments and donors in April 1999), overall objectives of UNHCR in Colombia, which remain valid for 2002, are as follows:

(i) in relation to IDPs, to promote an effective and integrated state and civil society capacity to ensure both protection and solutions for IDPs, and to ensure that humanitarian efforts in favour of IDPs and political initiatives in support of the peace dialogue are mutually reinforcing, and (ii) contributing to the strengthening of the regional asylum system, in co-ordination with RO Caracas.

In late 2000, a mid term external valuation of the UNHCR programme in Colombia was carried out by a research team associated with the National University of Bogota. The aim of the exercise was to assess the overall validity of UNHCR's strategy in relation to evolving institutional and political dynamics in Colombia. The evaluation report recognised UNHCR's contribution in generating many of the key advances in the normative, policy and institutional framework on behalf of IDPs which have taken place in Colombia between 1999/2000. It also confirmed the relevance of UNHCR's strategy, as contained in the Operational Plan, and made a number of useful observations on specific aspects of the programme, including, in particular, the importance of "anchoring" IDP policy at the local level, where the beneficiaries are.

By 2001, a marked shift in emphasis occurred with the fully-fledged implementation of the simultaneous, mutually reinforcing national and local level dimensions of the UNHCR programme. This change took place following deployment of UNHCR presence at local level, in the three UNHCR key regions of Uraba (Apartado), Magdalena Medio (Barrancabermeja) and Putumayo (Puerto Asis). Since most national/international attention is focussed on provision of immediate relief - usually only for a three month period, after which IDPs must fend for themselves - UNHCR decided in 2000 to progressively shift operational priorities in favour of the "solutions component" of the programme, whilst still maintaining an integrated approach including activities in all five components of the Operational Plan, i.e.

- *Overall Institutional Framework* (includes main legal, policy and institutional components of Law 387, the national IDP law);
- *Prevention* (includes activities aimed at preventing/mitigating forced displacement);
- *Emergency Response* (includes activities aimed at responding to IDP needs during displacement);
- *Solutions* (includes activities aimed at socio-economic stabilisation, either through return/reintegration, resettlement or local settlement);
- *Advocacy and Dissemination* (includes activities aimed at promoting national and international awareness of IDP plight)

In 2001, the solutions-orientated and community-based component of the programme is being implemented primarily in Magdalena Medio and Uraba, targeting some 55,000 direct beneficiaries, with the dual aim of replicating national policy and inter-institutional coordination at the local level, while at the same time supporting "solutions processes" for IDPs, when conditions permit, thus reinforcing protection, reconciliation as well as provision of a concrete response to critical socio-economic rehabilitation needs. In Putumayo, given the security situation and dispersed nature of the IDP caseload, UNHCR support is primarily directed at advocacy/dissemination of protection principles, monitoring "cross border" refugee flows to Ecuador and strengthening the operational and technical capacity of national institutions, especially for emergency response and contingency planning.

The inter-agency Thematic Group on Displacement, coordinated by UNHCR, prepared an analysis of displacement in January 2001, and identified those Departments and regions considered as a top priority. The geographic prioritisation was made using combined criteria: a) the impact of the IDP issue in terms of numbers; and b) the impact of displacement in border areas and/or politically sensitive areas. Based on this assessment, the departments and regions that require top priority attention are: Antioquia, Chocó, Bolívar, Santander, Putumayo in Sucre, Cesar, Norte de Santander, Valle, Cauca, Nariño and Caqueta (departments), Uraba, Magdalena Medio and the Atlantic regions.

The presidential elections in May 2002 will lead to a new government which will, in all likelihood, affect continuity in current high level policy management of the IDP issue within the Office of the Presidency. In 2002 UNHCR will play a key role in attempting to ensure that the new administration treats internal displacement as a priority national issue. The efforts of UNHCR will aim at ensuring that there is continuity and coherence in the application of national IDP legislation and that current policies and implementing mechanisms are maintained and developed in key areas such as provision of humanitarian assistance, national registration system, socio-economic stabilization and decentralization of resources and implementation modalities.

UNHCR's programme for IDPs in 2002 will continue to support and strengthen response of national institutions to internal displacement in all priority areas, as well as main urban centres, in a gradual manner. UNHCR's strategy in 2002 to ensure an adequate coverage of priority areas will be to:

- 1) Consolidate its presence and expand coverage by all three FOs in Magdalena Medio, Uraba and Southern Colombia;
- 2) Strengthen UNHCR Bogota's protection team to cover on a regular basis Antioquia (including Medellin and the North West and South municipalities of the Department), Valle del Cauca (including Cali) and Cucuta (Department of Santander) to improve border monitoring with Venezuela; and
- 3) Establish a new FO in the area called Atlántico, which will cover North of Sucre, North of Bolivar, Atlántico Department, and North of Magdalena. This FO will also attend Cartagena and Barranquilla.

Pursuant to the Government's formal request, the opening of a fourth Field Office in the Atlantic region in 2002, will be subject to the outcome of an in-depth assessment and availability of financial resources. By end 2002, the initial three-year time frame of the UNHCR Operational Plan for IDPs (which began implementation in late 1999) will have been completed and an external evaluation will determine the future of the UNHCR presence and role in Colombia.

At the overall programme level, key measures of success for UNHCR in 2002 will be, first, to ensure a smooth transition in national IDP policy and implementing mechanisms, especially on account of the change of government in mid 2002, and, secondly, to promote attention to the IDP issue in the context of the evolving peace dialogue. Subject to these two overriding concerns, key priorities at the operational level for UNHCR in 2002 will include:

- ***Consolidating the mutually reinforcing national/local level dimensions of the programme***, at (i) National level, where UNHCR will seek to enhance the legal/normative framework, to protect IDP rights, and strengthen key national institutions in all phases of displacement (prevention, emergency response and solutions); At (ii) local level, through UNHCR Field Offices, UNHCR will promote co-ordinated application of IDP policy to ensure IDP access to basic rights, especially by strengthening municipal committees, IDP organisations and supporting solutions processes (local settlement/return/resettlement) when conditions permit.
- ***Addressing the specific needs of ethnic minorities (Indigenous and Afro-Colombian)***, owing to their special vulnerability to displacement. In both Uraba and Putumayo (with high density of these populations), UNHCR will promote awareness of IDP rights, empower local organisations and mobilise state presence and response;

- **Systematically incorporating gender equity considerations in relation to both** (i) women and girls, by means of empowerment of women's organisations, promoting access by women to their rights, notably through personal documentation, addressing land rights and specific self-reliance strategies for women and targeting gender awareness training at national partners and UNHCR staff; and (ii) men and boys, by addressing specific protection issues affecting IDP males, such as certification of or exemption from military service and forced recruitment of boys by the illegal armed "actors";
- **Emphasizing protection of child rights** through "education for peace" pilot programmes, in co-operation with the Ministry of Education, including specially adapted curricula for schools in conflict zones and formation of parent/teachers associations to respond to the psychosocial trauma faced by IDP children and promote conflict resolution at the local level;

□ **Linkages with other country operations**

In coordination with the UNHCR Regional Office in Caracas (Venezuela), UNHCR presence in Colombia also serves to reinforce the regional asylum framework. Most activities are geared towards protection and solutions for Colombian refugees/asylum seekers in neighbouring countries (mainly Panama, Ecuador and Venezuela). A small, stable caseload (239) of non-Colombian refugees of various nationalities benefits from UNHCR support in terms of legal, material and financial assistance. In the past two years, the Colombian Government has increasingly recognised the "cross border" dimension of forced displacement involving the flight of Colombian refugees to neighbouring countries. The Government has also demonstrated its willingness to cooperate with UNHCR in promoting tripartite modalities, involving both the country of asylum and origin, as well as UNHCR, to address durable solutions, including repatriation alternatives, in line with international standards. A first such Tripartite Commission was established in Y2000 involving the Governments of Ecuador, Colombia and UNHCR, to address durable solutions for Colombian refugees in Ecuador, including voluntary repatriation modalities.

Building on this positive basis, during 2002 UNHCR will continue to promote such tripartite modalities to safeguard access to asylum and reinforce its monitoring capacity from the Colombian side of cross border flows through regular missions to at-risk areas and strengthening of NGO protection networks. Cross border linkages between UNHCR Offices in Puerto Asis (Putumayo) and Lago Agrio (Sucumbios, Ecuador) will be reinforced in light of the "circular" patterns of return of Colombian refugees/migrants from Ecuador back to the adjacent department of Nariño on the Colombian side. Whilst restrictions on asylum in Venezuela do not currently allow similar co-operative arrangements, UNHCR will finance a minimal presence of the main implementing partner - "Opcion Legal" - in Cucuta (Department of Santander) in 2002, as a means of systematically carrying out dissemination of protection principles, strengthening of local capacities and monitoring the fate of Colombians returned involuntarily from Venezuela.

□ **Capacity and presence of implementing partners**

In 2002, the UNHCR programme will continue to be implemented through various national partners, both governmental and non-governmental, i.e. the Red de Solidaridad Social, Opcion Legal, CODHES, CEDAVIDA, Pastoral Social, Casa de la Mujer and ONIC. Although there are large numbers of NGOs in Colombia, most are dedicated to advocacy work with relatively limited technical/operational capacity. Security concerns at the local level

further limit availability of viable partners. Regular training and advice to partners on UNHCR procedures and programming principles is thus provided by the BO.

□ **Presence and roles of other UN agencies and international organisations**

Given the scope and complexity of the IDP crisis in Colombia, a common approach between international agencies, both bilateral and multilateral is indispensable to avoid fragmentation of aid and maximise impact in relation to a vast country with massive humanitarian needs. Thus, UNHCR, with support from OCHA, will continue to lead the UN Thematic Group on Displacement (GTD) and to facilitate co-ordination in the UN system on displacement issues (in line with the IASC decision in this regard). The GTD is comprised of 10 UN agencies and IOM, in addition to participation of ICRC, ECHO and the RSS as observers. Having elaborated a common strategy to deal with the IDP crisis (presented to the international community in January 2000), the main emphasis is now on consolidating operational linkages, especially with the increasing deployment of the UN to the field. In addition, since addressing the displacement crisis is intimately linked to reduction of conflict/violence, an overriding goal is the inclusion of the IDP issue in the agenda of the peace talks.

(b) Selected Programme Goals and Objectives

<p>Name of Beneficiary Population / Theme: IDPs in Colombia. In 2002, direct beneficiaries are estimated at 60,000 (in the 3 UNHCR priority regions); indirect beneficiaries will be the total IDP population throughout the country benefiting from UNHCR's support to national institutions. By 2002, the total number of IDPs actually requiring attention is estimated to be some 528,000 (average between official and NGO figures). Unofficial estimates of the cumulative total of IDPs between 1995 and 2001 are over 2 million.</p>	
<p>Main Goal(s):</p> <ul style="list-style-type: none"> • Goal 1: To promote the creation of an effective and integrated state and civil society capacity to ensure both protection and solutions for IDPs. • Goal 2: To ensure that the humanitarian efforts in favour of IDPs and political initiatives in relation to the peace dialogue are mutually reinforcing. 	
<p>Principal Objectives: 1. Strengthening Overall Institutional Framework</p>	<p>Related Outputs</p>
<ul style="list-style-type: none"> • To support the GOC and State entities to develop an effective, integral and comprehensive response to the IDP problem. • To support the effort of the National Registry to document displaced population with particular emphasis on special groups such as children women and ethnic communities. • To strengthen the response capacity of the Ombudsman's Office (particularly of the newly establish IDP Unit) to IDP needs in terms of protection and prevention of further displacement. 	<ul style="list-style-type: none"> • Documentation campaigns are implemented in the regions with highest presence of IDPs and training workshops held throughout the country for National Registry officers, local authorities and IDP organisations to review documentation procedures and organise documentation campaigns. • Training for the Ombudsman officers, "Personeros" municipales, and local authorities on issues related to the national system of attention to displaced peoples in eight priority departments are implemented.

<ul style="list-style-type: none"> To strengthen the capacity of local entities dealing with IDPs by creating and consolidating co-ordination and co-operation mechanisms between state institutions, local NGOs and IDP organisations 	<ul style="list-style-type: none"> The WEB page of the Ombudsman's Office has been designed and updated and a CD-ROM containing all legislation and laws on displacement has been produced. In priority regions, the local committees for attention to IDPs receive training and punctual support for the implementation of humanitarian attention and reintegration programmes in favour of IDPs. In Magdalena Medio, training on IDP legislation and policies, project management and administration and negotiations skills have been provided to IDP organisations.
<p>Objectives: 2. Prevention</p>	<p>Outputs</p>
<ul style="list-style-type: none"> To promote and support the elaboration of preventive strategies by the Colombian government in relation to potential situations of forced displacement; To enhance the role of the Military and the Police in situations of internal forced displacement To obtain a comprehensive knowledge of the situation at the borders with Venezuela, Panama and Ecuador in order to take preventive measures and to deliver protection and assistance to possible refugees. 	<ul style="list-style-type: none"> CODHES border team produced systematically reports on the situation in border areas with Venezuela, Panama and Equator As a result of an agreement between UNHCR and the Ministry of Defence, training programmes for military and police on their preventive role and attention to displacement have been carried out in priority regions. As a result of the collaboration between UNHCR, the Ombudsman Office and UNHCHR proposals for the establishment of "Casas de Justicia" system in high risk zones have been formulated.
<p>Objectives: 3. Emergency Response</p>	<p>Outputs</p>
<ul style="list-style-type: none"> To ensure that the emergency response mechanism set up by the RSS is effectively implemented at local level. To ensure that humanitarian aid is conceived, planned and implemented as an emergency and from a protection and rights perspective, including a full gender analysis of IDP needs, capacities and resources. To enhance the capacity of municipal committees to prepare contingency plans and to establish co-ordination mechanisms for emergency response. 	<ul style="list-style-type: none"> Training programmes for RSS delegations and RSS-contracted NGOs for the delivery of humanitarian assistance based on established standards have been organised by the JTU and held in all departments affected by displacement. In priority areas, workshops with municipal committees have been organised to prepare contingency plans and to establish co-ordination mechanisms for the distribution of humanitarian assistance. The JTU has carried out an evaluation of the functioning of the UAO (Unidad de Atencion y Orientacion) and the

	overall humanitarian assistance system to IDPs.
Objectives: 4. Solutions	Outputs
<ul style="list-style-type: none"> • To contribute to the application of the domestic legislation on IDPs as well as to the formulation of policies and concrete intervention strategies by the relevant national institutions in crucial themes for IDPs such as health, education, housing, land and socio-economic integration. • To mainstream the gender perspective in policies in favour of IDPs and to empower IDP women's organisations and improve awareness among IDP women of their rights. • To strengthen the capacity of indigenous organisations to defend the rights of the indigenous communities affected by displacement and to gain access to state protection and assistance. • To support IDP organisations and communities in the implementation of reintegration and/or integration programmes. 	<ul style="list-style-type: none"> • Joint Technical Unit (JTU), provides studies and recommendations for the formulation of specific policies in health, education, housing, land and socio-economic reintegration. • Specific normative part and regulation concerning protection of private goods and land, specific mechanisms for personal protection, incentives to municipalities, decentralisation of resources, funding mechanisms have been included in the Law 387. • IDP women's organisations throughout the country have obtained legal recognition and workshops with NGOs and IDP organisations in order to facilitate the design of projects with a gender perspective are implemented. • A team of the ONIC on displacement has been established and is addressing specific displacement problems of indigenous peoples. • In priority regions, IDP local associations, groups of organised IDP women and indigenous communities of IDPs have designed reintegration projects and obtained support from national and international agencies. • In priority regions, workshops on gender issues with entities involved in the attention to IDPs (municipal committees, IDP organisations) are held. • In priority regions, training courses and psychosocial workshops for teachers, educational authorities and parents have been carried out in the communities most affected by conflict and displacement; teachers and children targeted in the educational project have received educational kits.
Objectives: 5. Advocacy and Dissemination	Outputs
<ul style="list-style-type: none"> • To place forced displacement on the agenda of pertinent actors in Colombia, national and international, governmental as well as non-governmental. 	<ul style="list-style-type: none"> • Regional fora on displacement with local authorities are implemented. • Workshops for journalists are organised at national and regional level.

<ul style="list-style-type: none"> • To increase IDPs knowledge on their rights and on the legal protection instruments. • To promote an adequate media coverage of displacement issues. 	<ul style="list-style-type: none"> • Publications on displaced children are disseminated. • Agreements with main Universities in different departments have been reached to organise diploma courses on displacement and courses have started.
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<p>Name of Beneficiary Population / Theme: Refugees and Asylum Seekers in Colombia - some 239 refugees/asylum seekers of various nationalities, including some 2.5% new arrivals.</p>	
<p>Goal 1: to provide international protection to refugees in Colombia</p>	
<p>Objectives</p>	<p>Outputs</p>
<ul style="list-style-type: none"> • To ensure refugee status determination by the government in accordance with international protection standards. • To provide legal assistance to asylum seekers. 	<ul style="list-style-type: none"> • Frequent contacts and continuing open dialogue with government counterparts. • Asylum seekers have access to UNHCR and government RSD procedures.
<p>Name of Beneficiary Population / Theme: Refugees and Asylum Seekers in Colombia</p>	
<p>Goal 2: To find durable solutions for refugees in Colombia, in line with parameters set in Action 2</p>	
<p>Objectives</p>	<p>Outputs</p>
<ul style="list-style-type: none"> • To support naturalisation of recognised refugees. • To ensure access of refugees to national facilities (health, education, housing etc.) in accordance with national legislation and national standards. • To promote voluntary repatriation • To apply cessation clause for refugees from Nicaragua. 	<ul style="list-style-type: none"> • Scale down UNHCR funded material assistance to urban refugees, for a maximum period of 12 months, in line with parameters set in Action 2, • The 80 refugees from Nicaragua are long-stayers well integrated in the country, and gvts concerned agree that cessation clause is to be applied.