

‘JUST WHAT DO WE HAVE TO DO TO STAY ALIVE?’

Colombia’s internally displaced: dispossessed and exiled in their own land

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Preface

Amnesty International's one million members around the world believe that human rights are for everyone. They lobby governments, work with the news media and campaign locally, nationally and internationally to build the momentum for change. They collaborate with other organizations in the struggle to build a fairer and safer world.

This report, one of five regional reports, is part of a worldwide Amnesty International campaign for the human rights of refugees and the internally displaced. The campaign, launched in March 1997, focuses on three cornerstone issues, which are increasingly threatened, undermined or ignored by governments around the world:

- * Human rights protection in countries of origin -- action to prevent human rights violations, so that people are not forced to leave their homes in search of safety;
- * Human rights protection for refugees in countries of asylum -- action to ensure that those who flee human rights violations are allowed to reach a place of safety, that they are given effective protection against forcible return (*refoulement*), and that their human rights are respected in their host country;
- * Human rights protection at the international level -- action to ensure that human rights considerations are paramount in decisions about refugee protection issues, such as the need for protection of people internally displaced within their own countries, developments in international refugee law and practice, and programs for refugees to return home.

More than 20 million people worldwide have fled from the risk of human rights abuses but have not crossed an international border. Indeed, many people have been prevented from leaving their country as a result of efforts by other governments to restrict access to their countries. While the internally displaced often flee for the same reasons as asylum-seekers who have fled to other countries, only people outside their country of origin can receive international protection as refugees. The lack of protection for those who are internally displaced should receive greater international attention and concern. The issue of the protection and assistance needs of the internally displaced is especially urgent in view of the increased number of such people in many parts of the world and their particular vulnerability to gross human rights abuses

This report describes the causes of forced displacement in Colombia. It points to the failure to give sufficient priority to human rights in addressing this issue and the special vulnerability of internally displaced people.

Amnesty International urges all people concerned with human rights to join this campaign to remind the world's governments that every forcibly displaced person is a human being with rights that must be respected.

INTRODUCTION

“We are a community who live from farming and fishing and we don’t count for much in the Colombian economy. But we love our life and the good people who live around us. Our lives are all we have and that is everything to us. It is worth defending. But how can we defend a village of fishermen and farmers from the superior power and enormous resources of the armed groups that come in and out of our houses as if this was a conquered land?... In Gilgal and our town of Unguía the police and army are present. But there is no justice and no order. They are here night and day. In a single month five people were taken from their homes by the paramilitary. This is not a community where the absence of five ‘disappeared’ people passes unnoticed. Fifteen families have had to flee as the guerrillas and the army fought right here, next to our homes. And the guerrillas have responded by killing three youths from Gilgal and threatening anyone they think is close to the paramilitary.... They can’t go on fighting the war at the expense of the farmers and fisher people who only ask to be allowed the right to work. The authorities don’t give any explanation and the army and the police don’t see anything. Where are they looking when our neighbours and relatives are dragged from their homes? So just who are they defending in Unguía and Gilgal? We say to the guerrillas, to the paramilitary, and those who join them in violence: just what do we have to do to stay alive?”

Letter received from the community of Unguía, Urabá region of Chocó department, June 1996¹.

Hundreds of thousands of Colombians have been forced to flee their homes in search of safety in recent years. They are fleeing human rights abuses committed by all parties to the continuing armed conflict. A few thousand of those fleeing persecution have managed to cross the border to seek asylum in other countries, although even then there is no guarantee of safety; many have been forcibly repatriated to Colombia where some have been killed and others remain in serious danger.

However, the vast majority of Colombians at risk of human rights abuses are not able to cross an international border. They have no choice but to seek refuge in another area of the country less immediately affected by the escalating violence. They are internally displaced within their own country. There is no specific international treaty or organization to provide assistance and protection to the internally displaced; according to international law only those seeking asylum in another country can be recognized as refugees. This lack of international protection and assistance leaves the internally displaced particularly vulnerable to further abuses, often facing the very dangers which they fled, and with no outside authorities to turn to for help.¹

¹ There are gaps in the international community's coverage of the needs of the internally displaced. The International Red Cross (ICRC) is concerned with those civilians who are internally displaced and who face the inhumane consequences. The UNHCR also has a role in assisting the internally displaced as part of its pursuit of the prevention and solution of internal displacement. Generally, the UNHCR will intervene on behalf of the internally displaced when there is a link between the internal and external displacement and where addressing the internal displacement will help to resolve the external refugee problem and the problems for the internally displaced. UNHCR Executive Committee, General Assembly Resolution 48/116 explicitly sets out two mandatory requirements for UNHCR action: they must be explicitly requested by the UN Secretary-General and they must have the consent of the concerned state. The situation in Colombia does not fall within the mandates of the ICRC or of the UNHCR.

The current legal standards are not articulated in a single body of principles and norms to protect the rights of internally displaced persons. The Representative of the UN Secretary-General, Francis Deng, has compiled the existing rules and norms relating to internally displaced persons and there is a call for the codification of legal protections against displacement and remedies for internally displaced persons. It is clear that comprehensive treatment of the situation of those who are internally displaced must embrace the causes of displacement, protection of those who are displaced and solutions to their return. Internally displaced persons, as nationals of their country, require above all respect for, and enforcement of, their rights as full citizens, including the right to

The phenomenon of forced displacement is not new to Colombia. During the civil war known as *La Violencia* ("The Violence") between 1948 and 1958, an estimated two million Colombians were forced to flee from their homes and land. Since then, periodic upsurges in political violence have caused further waves of forced migration.

Since 1987 a severe and continuing deterioration in the human rights situation has caused progressively larger waves of displacement. According to a study produced in September 1994 by the *Sección de Movilidad Humana de la Conferencia Episcopal Colombiana*, Human Mobility Office of the Colombian Episcopal Conference, an estimated 600,000 people were displaced by the political violence between 1985 and 1994. The majority were women and children, peasant farmers from rural areas affected by the armed conflict. Only just over one per cent of the displaced had received any kind of assistance.

The rate of internal displacement has increased significantly during the government of President Ernesto Samper Pizano as a consequence of the continued escalation of the armed conflict. Between August 1994, when his government came to power, and the end of 1996, a further 300,000 people fled their homes. In March 1997 the United Nations Children's Fund (UNICEF) estimated that one in every 40 Colombians had been displaced by the rising tide of violence: "It is a social-demographic event of great significance to the human rights situation".

Political violence

*"We came to Barrancabermeja [in the central Magdalena Medio region of Colombia] in June 1995. We left because of the violence between the armed forces and the guerrillas. They almost killed two of my daughters in an armed confrontation. The girls had gone to wash clothes in the stream and the guerrillas arrived to bathe. Then an army patrol arrived and the girls ran back to the house with the patrol firing at them. They came to the house and beat me and were going to take my 10-year-old son. They wanted to know where my husband was and I told them he had gone to get some yuca but they said he wasn't getting yuca, he was with the guerrillas. That is a big lie. They hit me in front of the children. Because of that and all the violence in the region we decided to leave."*²

Testimony given to Amnesty International in June 1996 by a mother of 10, displaced from her farm in the central Magdalena Medio region.

The causes of displacement are varied: counter-insurgency operations, guerrilla reprisals, land conflict, economic interests. But most of Colombia's internally displaced are fleeing political violence caused by the conflict between left-wing armed opposition groups, the armed forces and right-wing paramilitary groups which operate with the active or tacit support of the armed forces. Some are casual victims caught up in the hostilities, but in many cases displacement is a deliberate strategy routinely used by army-backed paramilitary forces to "cleanse" the civilian population from areas of guerrilla influence.

The areas where the most displacement occurs vary constantly according to the severity of the armed conflict. In fact, the only constant in the violence is the victims: peasants and workers who live in disputed zones and whose neutrality as civilians is not recognized by the forces in conflict. The principal flow of displaced people is from rural areas affected by the armed conflict to the cities where the vast majority end up in marginalized shanty towns where it is difficult to find shelter or work.

Silencing the victims

movement and residence, whether in the place from which they were displaced or elsewhere."

To add to their already overwhelming economic problems, the displaced are frequently stigmatized by local and regional authorities in the reception areas who often label them “guerrillas” or “guerrilla sympathizers”, merely because they have fled from areas of guerrilla presence, and claim the displaced will bring the conflict with them. Fear of persecution leads many not to admit they have been forcibly displaced. As a result, they have no access to what little help is available.

In some cases forcibly displaced people, particularly those who had exercised a leadership role in their communities, have been pursued to the cities and killed. Many others have been threatened. In the words of one of the peasant farmers displaced from the Bellacruz Hacienda (see below):

*“Where are we to go? People are afraid to talk to us. With all the propaganda they have done against us, saying we are guerrilla fighters, no one wants to risk their lives by talking to ‘guerrilla fighters’ or being of some assistance to a ‘guerrilla fighter’. We have lost so much... Who is going to give us back our lost stability...our lost health...all the lives lost?”*³

The United Nations (UN) Secretary General’s Representative for Internally Displaced Persons said in a report of his visit to Colombia in 1994²:

*“The drama of the internally displaced lies in the fact that they more often than not feel compelled to flee in absolute silence, since a displaced person is considered to be a person with a ‘problematic’ past. This is exacerbated by the fact that the most ‘visible’ displaced are those who have some organizational links with a political organization. Others, like many of the displaced, especially in Bogotá, who had a prominent role in local society prior to being displaced, upon arrival actually have to hide their achievements for fear of renewed persecution.”*⁴

In such a climate, internally displaced people are particularly vulnerable to further abuses. In May 1997 paramilitary gunmen killed six members of a family who had recently fled the conflict in the violence-torn Urabá region of north-west Colombia; two other members of the family were seriously wounded. The heavily-armed men broke into the house where the family were staying and opened fire on the victims as they slept. The massacre took place in the community of Morrocoy, near the town of San Pelayo in Córdoba department, an area of the country under the control of the paramilitary group known as the *Autodefensas Campesinas de Córdoba y Urabá* (ACCU), Self-defence Groups of Córdoba and Urabá. Two children were among the dead. A regional police spokesman said that it appeared that paramilitaries had tracked the family from Urabá to Córdoba.

² Profiles in displacement: Colombia. E/CN.4/1995/50/Add.1, Para.57

HUMAN RIGHTS CRISIS

Colombia's long-running armed conflict has been characterized by a blatant disregard for human rights and international humanitarian law. Since 1987, when the human rights situation deteriorated dramatically, over 25,000 people have been victims of politically motivated killings. Every year many hundreds of non-combatant civilians are killed during counter-insurgency operations and scores of people "disappear" after being detained by the armed and security forces or paramilitary forces working with their support or acquiescence. Torture is widespread, particularly in the regions most affected by the armed conflict. People from all sectors of Colombian society have been victims of serious human rights violations, but the vast majority are poor peasant farmers.

Escalation of the armed conflict

During the government of President Samper, the armed conflict has spread and intensified. The escalation in political violence has been particularly marked since the break-down in July 1995 of government proposals to initiate peace talks with the main armed opposition groups -- the *Fuerzas Armadas Revolucionarias de Colombia* (FARC), Revolutionary Armed Forces of Colombia, the *Ejército Popular de Liberación* (EPL), Popular Liberation Army, and the *Ejército de Liberación Nacional* (ELN), National Liberation Army. Since then, the FARC and the ELN have continued and extended their campaigns of armed opposition throughout the country. There is now a significant guerrilla presence in half the municipalities in Colombia.

Guerrilla forces have been responsible for numerous violations of international humanitarian law, including deliberate and arbitrary killings of civilians and the taking and holding of hundreds of hostages. Victims of deliberate and arbitrary killings include people killed while resisting kidnap attempts, deserters from guerrilla organizations, local government officials suspected of corruption, people accused of collaborating with the military, petty thieves and drug dealers in urban areas. The taking and holding of hostages has become increasingly widespread as ransom money has become one of the principal sources of income for guerrilla groups. Other kidnap victims are held hostage to put pressure on the authorities to accede to guerrilla proposals or to demand publicity for their policies. Some victims have been killed when ransom demands were not met.

Paramilitary groups, declared illegal in 1989, have achieved significant territorial gains through military offensives in several areas of guerrilla influence. In the past two years, these offensives have particularly affected the north and north-west of Colombia. Since their creation by the armed forces in the 1980s, paramilitary forces have committed widespread atrocities, including the extrajudicial execution of thousands of civilians, principally in rural areas. Victims include community leaders, teachers, trade unionists, political activists, indigenous leaders and human rights defenders. Despite repeated promises by successive Colombian governments to dismantle paramilitary forces, political killings and other human rights violations by these groups have escalated dramatically in recent years. Strong evidence of continued armed forces' support for paramilitary organizations has emerged in official and independent investigations.

Civilians living in combat zones have increasingly been drawn into the conflict against their will as both the guerrillas and government forces and their paramilitary auxiliaries demand their support and collaboration. Giving support to one side to the hostilities, however unwillingly, is frequently followed by reprisals from the other side. As the paramilitary and guerrilla offensives extend throughout the country, increasing numbers of civilians, mostly poor peasant farmers from remote rural areas, are forced to flee to escape the rising tide of violence.

Displacement -- a deliberate strategy

In the vast majority of cases, displacement of the civilian population is not a casual, sporadic or inevitable by-product of counter-insurgency operations --it is a crucial tool in the armed forces' strategy to combat the insurgent forces. Targeted areas are "cleansed" of the real or potential support

base of the guerrillas and repopulated with peasant farmers who are paramilitary supporters or with the relatives of paramilitary members.

The Procurator General explained the armed forces counter-insurgency strategy in his annual report of 1992⁵:

“The state security and defence agencies are trained to persecute a collective enemy and generally consider that victims form part of that enemy. In a substantial number of cases they act on the premise that prevailed in El Salvador of ‘removing the water from the fish’ which means that they establish a direct link between, for example, the trade unions or peasant organizations, and the guerrilla forces and when they carry out counter-insurgency operations these passive subjects are not identified as ‘independent’ victims but as part of the enemy. In effect, the state security and defence forces assault the human rights of independent passive subjects because they commit the mistake of considering them to be the enemy or allied to the enemy”.

Peasant farmers from the Magdalena Medio region gave Amnesty International detailed descriptions of collaboration between paramilitary forces and the army in counter-insurgency operations in which numerous people have been forcibly displaced.

*“We arrived here a year ago. The paramilitary were pressuring me to collaborate with them: ‘Work with us or leave the area or die’. But to join up with them means working against our neighbours. That’s why we had to leave. The paramilitary work together with the military. On 28 December 1994 I had to decide whether I was going to work with them or not. Then the army arrived while I was out working in the fields. They detained me and took me with them. I spent four days marching with them, tied up all the time. They beat me a lot and put a towel soaked in salty water over my face and a plastic bag over my head. All my body was black with bruises and even now you can see the scars. Finally, the lieutenant ordered them to release me.”*⁶

Many displaced people have described a similar pattern: paramilitaries arrive in a village and summon the local population to meetings at which armed forces personnel are often present. The villagers are told it would be in their interest to collaborate with the army and paramilitary and are assured that, if they co-operate, they will be protected from guerrilla reprisals. They are also told that if they refuse to cooperate they can either leave the village or die. One witness told Amnesty International:

*“When the villagers refused to cooperate they started insulting people and beating and driving them out...the paramilitaries killed one person to force the people to cooperate through fear...so the people left because they were afraid and then the paramilitaries brought their own people into the village, while the main group moved on to the next village”.*⁷

According to the 1994 report of the UN Secretary General’s Representative for Internally Displaced Persons:

*“Numerous testimonies received by the Representative as well as the discussions he had with the Government indicate that the civilian population living in combat zones is the most susceptible to being displaced; in these so-called ‘red zones’ (ie zones controlled or influenced by the guerrillas), the armed forces often resort to air raids, followed by ground searches, which often force the people to move temporarily or permanently. These testimonies indicate further that often the distinction between guerrillas and non-combatants is lost. Allegations were even made that the armed forces have killed peasants just in order to claim guerrilla casualties”.*³⁸

³ Ibid, para. 62

Guerrilla forces have, on occasion, encouraged or actively organized communities to leave their homes and march to local towns in order to protest against paramilitary or military advances in the area. Very often mass displacements organized by the guerrillas lead to extreme hardship for the protesters and serious security risks on their eventual return. In numerous cases documented by Amnesty International, leaders of mass protest movements have later been killed or “disappeared”. However, on many other occasions when communities have spontaneously fled persecution, senior armed forces officials have accused refugees of following guerrilla orders in order to create “political difficulties” for the government. Accusing the displaced of following guerrilla orders is also often a precursor to further repression against them.

According to the UN Secretary General’s Representative for Internally Displaced Persons⁴:
*“In this climate of perpetual violations of international human rights standards which, inter alia, targets those considered ‘useless’ to society, the internally displaced are particularly vulnerable to human rights abuses. Often, fleeing does not result in an end to persecution. The Representative has been told of a number of incidents where displaced persons have been tracked down in their host area and killed. Displacement also causes the curtailment of access to judicial and other authorities and political participation, since it usually requires interaction with the public authorities in the reception area.”*⁹

*“Fleeing from counter-insurgency and other violent activities means that peasants have to abandon everything. Displacement leaves them in a worse economic and social situation; as one church official said, ‘the peasant on his land remains free; in the city he becomes a beggar, his daughter becomes a prostitute, he becomes a parasite, and thus a ‘disposable’.”*¹⁰

⁴ Ibid, paras. 70, 54

URABÁ: A REGION AT WAR

The region most severely affected by the escalating armed conflict is Urabá, in the north-west of Colombia⁵, where a complex spiral of violence has led to a severe and ongoing human rights crisis in recent years.

Urabá, which is the centre of Colombia's lucrative banana industry, has long been the focus of a bitter armed conflict in which many hundreds of people have died. The FARC and the EPL established a strong presence in the region during the 1970s and effectively dominated the region both militarily and politically for a number of years. By the late 1980s most of Urabá's municipalities were in the hands of independents or left-wing backed mayors and councils.

In 1994, in response to what was perceived as the threat of a communist take-over in this strategically important region, business sectors and representatives of the traditional political parties with interests in the area -- in alliance with the armed and security forces -- launched "*Operación Retorno*" (Operation Return), designed to recover political and military power in Urabá by combatting and repressing both illegal and legal opposition organizations. Political violence in the region escalated dramatically following the launch of the joint military/paramilitary offensive. The resulting spiral of violence led to an almost complete break-down of law and order resulting from the government's failure to maintain control in the area or to prevent paramilitary organizations and guerrilla groups from attacking civilians.

The civilian population, including indigenous communities in the region, have been caught between several fires as paramilitary groups and FARC and EPL guerrilla organizations fight for control of territory. Clashes between armed groups are rare. In the majority of cases paramilitary forces and the FARC and EPL have directed their attacks against sectors of the civilian population believed to support rival armed groups. The struggle for control of the region has resulted in the deaths of hundreds of civilians each year; tens of thousands have fled their homes in an attempt to escape the paramilitary onslaught and guerrilla retaliation.

Military and paramilitary forces: a common counter-insurgency strategy

Consistent and compelling reports have been received from the Urabá conflict zone of on-going links between the Colombian armed forces and the dominant paramilitary force active in the region, the ACCU. In 1996 confirmation of complicity between the armed forces and the paramilitary came from a senior army commander. Colonel Carlos Velásquez, second in command of the 17th Army brigade based in Urabá -- the area of Colombia which has produced the highest number of internally displaced people in the last 10 years -- accused his brigade commander, General Rito Alejo del Rio, of deliberately ignoring human rights abuses committed by the ACCU: "The paramilitaries were murdering people and the army wasn't protecting them at all". When the Minister of Defence insisted that the army was in fact combatting the paramilitary, Colonel Velásquez commented that that was the official version but that the reality was quite different. Following an internal investigation by senior army commanders, Colonel Velásquez was dismissed from the army for "insubordination and disloyalty".

In December 1996 the government issued a one million dollar reward for information leading to the capture of ACCU leader Carlos Castaño, who has several outstanding arrest warrants for murder. No attempt has been made, however, to ensure that the armed and security forces fulfil their obligations to capture Carlos Castaño who remains at large and operates freely in the north-west of Colombia.

Army support for paramilitary forces operating in north-west Colombia goes beyond merely tolerating their abuses. Amnesty International continues to receive reports of joint army/paramilitary

⁵ The region of Urabá covers parts of the departments of Antioquia, Chocó and Córdoba.

counter-insurgency operations in which serious human rights violations have been committed against non-combatant civilians.

In March 1997 joint army/paramilitary operations in the north of the department of Chocó and the south of the Urabá region of Antioquia department left several civilians dead; many others were threatened with death unless they left the region. A 30-strong military patrol entered the village of San José de Apartadó, Urabá, on 27 March. After interrogating villagers they left, leaving a warning that they would return to “kill guerrilla informers”¹¹. The same day the same armed group detained farmer José David in the nearby municipality of La Unión. The following day he was killed and his body was taken away in an army helicopter. On 28 March soldiers entered the village of La Unión, forcing their way into homes and threatening inhabitants: “We told you to leave and you didn’t take any notice. Coming right behind us are those who chop up their victims in pieces”¹².

The next day in the nearby community of Las Nieves, near San José, seven people were killed by a joint army/paramilitary patrol. Among those killed were Elías Zapata and his brother, Eliodor Zapata; Alberto Valle and 14-year-old Félix Antonio Valle, two relatives who had gone to look for the brothers; and Carlos Torres, who went to look for Félix Antonio Valle. The mother of the Zapata brothers was also shot at while searching for her sons, but managed to escape. The seven bodies were then dressed in camouflage uniforms, had weapons placed beside them, and were taken away by an army helicopter. Paramilitary gunmen then threatened local inhabitants telling them they had five days to abandon their homes, otherwise they would be killed. In the following days the army/paramilitary patrols killed several more people in the area. Several thousand civilians fled as a direct consequence of the operations which continued in the area for several weeks. On 10 April 1997 a paramilitary group abducted brothers Gilberto and Miguel Ramírez Giraldo, from the village of Altas Arenas, municipality of Apartadó. The paramilitary reportedly used the brothers’ machetes to chop their fingers off, then tied them to stakes. They then cut open the men’s stomachs, stabbed them in different parts of their bodies with the machetes and decapitated them.

On 13 April a group of paramilitary gunmen seized José and Jairo Graciano at the bus station in Apartadó. The previous week the two men had fled their homes in the community of Las Nieves following the paramilitary incursion there. The two were forced onto motorcycles at gunpoint; their tortured bodies were later found abandoned in another part of town. The killings followed threats made by the paramilitary against the displaced: “Those displaced from San José de Apartadó will be hunted down and killed”¹³. On 21 April several more villagers were killed by paramilitary forces. Jorge Domico, leader of the Patadó indigenous community from La Playa, municipality of Apartadó, was detained by paramilitary gunmen. He was taken to a paramilitary base situated in the immediate proximity of a Colombian army base in the Policarpa district of Apartadó. On receiving news of the capture of their leader, members of the indigenous community went to the check-point *en masse* and managed to secure his release.

A new pattern of mass displacement -- Ríosucio

The traditional pattern of displacement in Colombia has been for the displaced to move in small groups of a few families or individuals. Little time is given for planning an organized and dignified departure. Villagers gather up what possessions they can carry on their backs and often walk for days through inhospitable terrain in order to reach the nearest urban centre where they hope to find help. They aim for relatives or friends who live in nearby towns or the nearest cities where they mingle with the local population. They leave behind virtual ghost towns; their houses are frequently burned by the army or paramilitary.

Internally displaced people rarely flee in large numbers although in recent months there have been a number of notable exceptions. The town of Ríosucio and surrounding villages in the north of Chocó department, near the border with Panama, has been the centre of a massive displacement of the civilian population since the launch of a major paramilitary offensive in the area at the end of 1996.

Ríosucio is situated in a dense jungle area, only accessible by river, which has long been under the influence of the FARC. It is an area considered strategically important because its access to both the Caribbean and Pacific coasts and to Panama facilitates the importation of weapons and the export of illegal drugs. Moreover, the Colombian Government has recently announced that it has selected the area of the north of Chocó, at the centre of the paramilitary offensive in 1996 and 1997, as the site for the construction of an inter-oceanic canal which could rival the Panama canal in importance for world trade.

Before advancing on Ríosucio, the region's principal town, paramilitary forces penetrating the area set up control points on the rivers, confiscating residents' boats and restricting the amount of food and other supplies which residents could bring into the area. The restrictions on supplies and transport created a climate of fear and tension among the civilian population and was quickly followed by a series of attacks on outlying villages in which local community leaders were rounded up and killed. Bodies of victims were frequently left lying in public places as a means of instilling terror in the population. The first massacres of civilians by paramilitary forces in the area were rapidly followed by reprisal killings by the FARC of people they accused of collaborating with the advancing paramilitary forces.

As the fighting between the army, its paramilitary auxiliaries and the FARC intensified in the north of Chocó in November 1996, many hundreds of civilians fled the area, some by boat, others making their way on foot through the almost impenetrable Darien strait to seek refuge in Panama. Some 200 refugees, mostly women and children, made it through the jungle and crossed the border into Panama only to be forcibly repatriated by the Panamanian Government in clear breach of its international obligations.

Following their deportation from Panama, the refugees were housed by the Colombian authorities in a children's home in Apartadó, Urabá, where conditions were cramped and insanitary. The town of Apartadó and surrounding rural areas were also experiencing a high level of political violence and at least one of the returned refugees was reportedly killed.

Many of the first wave of displaced from Ríosucio made their way to the port town of Turbo in Urabá, Antioquia department, where they were housed in precarious and insanitary conditions in local schools. Regional and national authorities who visited the displaced urged them to return to their homes and, with little assistance forthcoming and the constant threat of persecution by paramilitary forces in Turbo, the displaced from Ríosucio began dispersing and some may have attempted to return to their homes. However, the homecoming was short-lived. In March 1997 paramilitary forces, backed by Colombian police and army personnel, took the town of Ríosucio. At least eight local community leaders, including the treasurer of the local council, were dragged from their homes on the first night of the attack and taken away by boat by the paramilitary. Their whereabouts remain unknown. Others were killed outright. National police based in the town took no action to protect the residents or to confront the paramilitary. Indeed, residents reported that once the paramilitary forces had consolidated their presence in the town, they openly consorted with the national police. Days later FARC guerrillas launched a counter-attack on the town; in a battle which lasted several hours a number of combatants from both sides were killed, including police. The guerrilla action brought swift reprisal from the army which launched an aerial bombardment of the area.

A resident from Ríosucio reported:

“Over there in the jungle we heard shooting and then we saw small planes dropping bombs that left enormous holes in the ground very close to the houses; people were injured by flying shrapnel and decided to run. Seeing the others run, we also ran. There was no time to take anything. We grabbed the rowing boats and headed up the Atrato river; we couldn't find anything to eat except from the trees on the riverbanks and we drank water from the puddles in the ground.”¹⁴

Other residents said they had been ordered by the paramilitary to abandon the area:

*“Those of us who were closest to the river immediately began to leave and they were advancing and surrounding the communities and forcing everyone to flee”.*¹⁵

At least 6,000 people fled on this occasion. The trip through the jungle to relative safety took two weeks or longer for those who headed for the town of Mutatá in Urabá, Antioquia department. Others headed south to Quibdó, the capital of Chocó department. Seven children died during the march through the jungle from exhaustion, hunger and drowning during river crossings.

On reaching the outskirts of Mutatá, the refugees found the Colombian army had set up road-blocks to prevent them from entering the town. Several people were hurt when the villagers desperately tried to break through the army cordon. The army blocked their path on the grounds that the migration of so many people from the area of Ríosucio had been planned and organized by the FARC in order to create difficulties for the national authorities. Over 4,000 villagers were forced into makeshift camps in the locality of Pavarandó Grande on the outskirts of Mutatá.

Despite persistent government efforts to convince them to return to their villages where they promised they would be protected by the armed forces, the weary and frightened villagers refused for several months, fearing for their safety if they were to return home: “We don’t even know who is who because they are all dressed alike”.¹⁶ In June, in a meeting with government authorities, representatives of the UN High Commissioner for Refugees, (UNHCR), and the director of the office of the UN High Commissioner for Human Rights in Colombia, the displaced in Pavarandó Grande agreed to return to their homes in Ríosucio on condition that the area be de-militarized and that the UN accompany the displaced to guarantee their safety on their return. The government, however, refused to accept the de-militarization of the area.

Several hundred people fleeing Ríosucio in March and April 1997 who were not able to leave by river, again opted to cross the Darien jungle into Panama where they were again forcibly returned to Colombia by the Panamanian authorities acting in collusion with the Colombian Government. Although the Panamanian authorities had agreed in a meeting with UNHCR officials not to take precipitous action to expel the refugees and to facilitate the UNHCR access to the refugees in order to assess their situation, these commitments were not honoured. Less than three days after the meeting with UNHCR officials, Panamanian and Colombian authorities forcibly deported almost 300 refugees, including some 170 children. The repatriated refugees were taken to a temporary camp in Cupíca, near Bahía Solano on Chocó’s pacific coast. At the end of April a group of some 200 refugees was interviewed by the Colombian non-governmental organization *Grupo de Apoyo a Organizaciones de Desplazados*, Support Group to Organizations of the Displaced. All refuted claims by the Panamanian and Colombian authorities that they had returned voluntarily and expressed concern for their future safety. Following the repatriation the UNHCR issued a press release stating: “UNHCR regrets that the recommendations it made to the Panamanian Government, in a meeting on 15 April at the Ministry of the Interior and Justice with regard to human rights of the refugees, have not been adopted by the government. In this meeting we were assured that the government would refrain from undertaking precipitous actions”.¹⁷

By forcibly deporting hundreds of Colombian refugees since November 1996, the Government of Panama has violated the 1951 Convention on the Status of Refugees. The Government of Panama forcibly deported hundreds of refugees to Colombia where there is serious concern for their safety, in violation of article 33 of the Convention; they denied the refugees the right to put their case before a competent court, in violation of article 34 of the Convention and by denying the UNHCR access to the refugees, the Government of Panama violated article 35 of the Convention which imposes on governments the obligation of ensuring the UNHCR is granted such access. In May, the UNHCR announced that the Panamanian Government had finally accepted UNHCR intervention in the refugee crisis and UNHCR officials were able to visit remaining refugee communities in the border area in the department of Darién.

Between December 1996 and February 1997 over 10,000 people were believed to have fled their homes in the area surrounding Ríosucio. The tragedy of Ríosucio is mirrored in scores of other remote villages throughout the north-west of Colombia and other areas of the country.

THE CAUSES OF DISPLACEMENT

A generic description of the causes of internal displacement in Colombia is not possible. Factors which lead to displacement are various and causes can vary from region to region. The principal cause of displacement, however, is undoubtedly the armed conflict. The displaced flee because of threats, attacks and indiscriminate military actions by all parties to the conflict; the threat of enforced recruitment; or because they are caught in the crossfire between the armed forces, its paramilitary auxiliaries and armed opposition groups. According to independent studies, persecution by illegal paramilitary organizations is currently the primary cause of displacement: some 35 per cent of internal displacement is caused by paramilitary organizations, 17 per cent by the armed forces and police and 24 per cent by armed opposition groups. In the remaining cases the internally displaced had not been able to identify those responsible.

Paramilitary forces

Army-backed paramilitary organizations have sown terror in rural areas of Colombia for over 15 years. They have employed a strategy of systematic terror, violence and intimidation against the civilian population in areas of guerrilla presence as a means of securing military control of territory through the elimination of the insurgents' real or perceived civilian support base. In addition to the Urabá region, several areas of the country have been particularly affected by a major paramilitary offensive in the last two years, including the departments of Meta in the south, Santander in the centre, and Norte de Santander, Cesar, Sucre, Bolívar, Antioquia and Chocó departments in the north and west.

During the late 1980s and early 1990s army-backed paramilitary organizations employed a strategy of widespread, indiscriminate massacres against civilian communities they considered to be real or potential guerrilla supporters. This practice has given way in recent years to a pattern of selective killings, particularly of community leaders, and the subjugation or displacement of the rest of the community. As one paramilitary commander said: "Eliminating the leader, the rest flee"⁶. Civilians in communities overrun by paramilitary forces are given three stark choices: they are told they can either cooperate with the paramilitaries, or abandon their farms and leave the area, or die. Cooperation involves not only accepting total paramilitary control of the community's life, but also paying "taxes" to equip and arm the paramilitaries. Many peasants are forced to join paramilitary groups and to accompany them on patrols, where they may be compelled to witness or even commit human rights violations against non-combatant civilians. Children as young as 10 have reportedly been "recruited" to patrol with paramilitary units.

In November 1995 nearly 300 families fled the villages of Capitán, Astí and El Juancho to Acaandí in Chocó department, after a paramilitary raid on their communities. The paramilitary group was composed of some 70 heavily-armed men, some dressed in military uniforms. Several gunmen were identified by the local residents as former FARC guerrillas who had defected to the paramilitary and were responsible for identifying members of the local population who were guerrilla collaborators. During the day-long incursion in the area, the paramilitary captured and then shot at least six peasant farmers whom they accused of being guerrilla collaborators. Several were reportedly tortured before being killed. In a letter to the Presidential Human Rights Adviser, local community leaders stated:

*"These people were killed with such violence and barbarity as if it were the olden times when people were tortured in order to make them confess committing treason against the king. Because of these events the peasants abandoned their land for fear that these acts would be repeated against them or their families."*¹⁸

Three days later, an army patrol arrived in the same communities; several of the soldiers in the patrol were recognized as members of the paramilitary group responsible for the earlier killings. "The terror

⁶ Interview in *Alternativa*, No. 10

of seeing them again in the village and dressed officially as military was so great that some left the municipality".¹⁹

Paramilitary forces continued to displace thousands of people in Urabá during 1996 as the fight for control of the area escalated. In a document addressed to government authorities, communities in Puerto Rico, Urabá, explained events leading to the displacement of many of the residents:

*"The army has sometimes arrived and all we got was threats... The paramilitary groups were created to fight the guerrilla and that's what they are doing in this area but they are also fighting the peasants and they have threatened they will cleanse the area of Río León and nobody will escape, not even infants and young children... We repeat that we are defenceless people and the only weapon we have are axes and spades which we use to work the land..."*²⁰

In 1996 the ACCU's bloody war against perceived left-wing opponents extended well beyond Urabá; the departments of Sucre, Bolívar, Chocó and Cesar were among the worst hit. A wave of internal displacement followed in the wake of a paramilitary offensive in the department of Cesar throughout the year. Hundreds of civilians were killed and scores "disappeared" following detention by paramilitary forces.

At midnight on 26 October 1996 a group of 60 heavily-armed men wearing army-issue uniforms entered the community of Media Luna, municipality of San Diego, close to the border with Venezuela. By the time the group left several hours later, they had killed six people, including an eight-year-old boy, and abducted seven others, one of whom was later found dead. His tortured body was found on the outskirts of Media Luna. He had been castrated, his eyes gouged out and his fingernails had been pulled out. Two other people, normally resident in Media Luna, were abducted the same night in Valledupar, capital of Cesar department. In a sworn testimony one resident said:

*"At around 3 am about 10 or 15 heavily-armed men wearing [military] uniforms arrived at my house and broke down the door with a sledgehammer. In the midst of our surprise they demanded to know where my son was. I told them he wasn't there, that he was travelling. When I asked for an explanation they told me not to worry that it was an order from Urabá and as they didn't find my son they took my husband, in his underclothes without even allowing him to dress. They left the house in a total mess".*²¹

The paramilitaries told residents of Media Luna that they had a "death list" of 200 people from the area whom they intended to kill. To prevent villagers calling for help, the paramilitaries destroyed the telephone exchange and left graffiti on house walls identifying themselves as members of the ACCU.

Rural Vigilante Associations (CONVIVIR)

The expansion and consolidation of illegal paramilitary groups has notoriously accelerated during the government of President Samper, despite his pledges to dismantle such groups. Indeed, not only has the government failed to fulfil its commitment to eradicate paramilitary organizations, responsible for the majority of human rights violations including forced displacement, but certain policy decisions implemented by the government have undoubtedly encouraged their proliferation.

In December 1994 the Colombian Government launched a new Integrated Rural Security Plan²² which included the creation of *Asociaciones Comunitarias de Vigilancia Rural* (CONVIVIR), Rural Vigilante Associations. The CONVIVIR were to be made up of civilians and would operate primarily at local level to provide intelligence information to the security forces, ostensibly to combat both guerrilla and paramilitary forces. In situations deemed "strictly necessary" by the armed forces the CONVIVIR could be armed. By the end of 1996 there were approximately 400 CONVIVIR groups in operation in the country, many of them armed.

Amnesty International has expressed its concern to the Colombian Government on a number of occasions that these civilian vigilante groups could be used by elements within the armed and

security forces to develop new paramilitary structures in order to perpetuate and expand illegal counter-insurgency practices. There is growing evidence that CONVIVIR groups in some areas of the country are no longer confined to tasks of intelligence gathering but have become offensive structures participating in joint operations with the Colombian army. There is also strong evidence that CONVIVIR groups have been responsible for human rights violations against civilian populations, including their forcible displacement.

More than 200 peasant farmers from the rural areas around Río Blanco, south of Tolima department, abandoned their farms in September 1996 following threats and attacks by the local CONVIVIR group known as ATSER. Members of the ATSER CONVIVIR reportedly killed two peasant farmers in the area and circulated a pamphlet threatening the lives of another 60. The displaced peasants fled to the town of Río Blanco where, after 25 days living in temporary shelters, they reached an agreement with the local authorities and the armed forces enabling them to return to their homes. Under the agreement the army's Caicedo battalion would deploy troops to the area of Maracaibo until February 1997 in order to "guarantee the peasants' safety and to control the activities of the CONVIVIR".²³ Those implicated in the killings were reportedly arrested by the army and handed over to judicial officials. However, no charges were brought.

Scores of families from rural areas surrounding Yondó, Antioquia department, were displaced by a series of attacks on the local population by armed men identifying themselves as members of an army counter-insurgency battalion operating jointly with a CONVIVIR group. Between 29 January and 3 February 1997, a group of about 100 heavily-armed men wearing army-issue clothing raided the villages of San Francisco de Yondó, La Congoja, Puerto Nuevo Ité, El Tamar, El Vietnam, Caño Blanco, Patio Bonito, Sardinata Alta, Porvenir and Barbacoas in the vicinity of Yondó, east Antioquia department. Some of the armed group reportedly wore badges on their uniforms identifying them as soldiers attached to an army counter-insurgency battalion; others wore badges identifying themselves as members of the CONVIVIR. The group stayed in the community of San Francisco de Yondó for two days during which time they detained and interrogated about 25 adults and 15 children and terrorized the population. The detainees were subsequently released and fled the community. At least one was reportedly tortured.

Only days before the raid, inhabitants of Yondó had lodged complaints about paramilitary activity in the municipality directly with the Minister of the Interior. The authorities' failure to take action to protect the civilian population in the area, despite having been warned of the paramilitary presence, is a serious omission. Had the authorities acted on the information they were given, the killing, "disappearance" and displacement of innocent civilians could have been prevented.

Armed opposition groups

*"The guerrilla gives you five days to get out while the paramilitary are ordering 'Get out, get out now!' But in the end it's the same, you have to go..."*²⁴

In May 1996 members of the FARC stopped a bus in the village of Osorio, near Batatá, Urabá, killed the conductor and one passenger and then burned the bus. Shortly afterwards, they brought together the peasant farmers living in the area and told them that they planned to launch an action against the army and paramilitary forces and that they needed to "empty" the region. The rumour of threats by the guerrillas spread around the region like wildfire and triggered the flight of some 2,000 peasants to the town of Batatá. These were among the lucky ones; they were able to return to their homes some weeks later. However, they continue to live with constant uncertainty over their future.

The clearing of areas of civilians in preparation for military attacks is not the only cause of displacement by guerrilla forces. Civilians accused of collaborating with the armed forces or their paramilitary auxiliaries are frequently told to leave the area or face death. In many cases such threats are followed up by killing those who have failed or been unable to leave. Families also flee their homes to avoid the forced conscription of their children, male and female, by guerrilla organizations, a

common practice in areas controlled by guerrilla forces who demand a “volunteer”, some as young as 13, from each family with more than one child. The recruitment of children under 15 is a clear violation of international humanitarian law. Protocol II of the Geneva Conventions, to which Colombia is a party, prohibits both government and armed opposition groups from conscripting children under the age of 15 into their armed forces or permitting them to participate in hostilities.

Other guerrilla attacks against civilian communities have been in apparent reprisal for the community’s perceived support for and collaboration with paramilitary forces. In May 1996, 16 people were killed in the villages of Pueblo Bello and Alto de Mulatos, municipality of Turbo in Urabá, during an attack by the FARC. Victims were dragged out of their beds, bound and then hacked to death with machetes or shot dead; their houses were set alight. The victims were reportedly relatives of members of the ACCU who had been relocated to Pueblo Bello and Alto de Mulatos following the displacement of the original residents after repeated paramilitary attacks which left scores of villagers dead and “disappeared”. Many of the surviving villagers fled following the attack. One who remained told a journalist from the newspaper *El Colombiano*⁷:

*“They all left. Some went to Montería, others to Apartadó. Some went to Cartagena, Dabeiba and Medellín. I’m the only one left, with my family... The guerrillas came in May and said we had to go. They didn’t explain why. Of course one understands: a week earlier they had arrived at the village and opened fire. It was a big fire fight. They killed seven, almost all paramilitary...I was also injured. A fragment of a bullet which hit the counter is stuck in my body. But I’m still here... This was a good village. Everyone always partying, drinking rum. We used to produce everything here: maize, rice, loads! But with this guerrilla attack and then the warning everyone grabbed what they had and left...The town was and is controlled by the paramilitary. That’s why the guerrillas attacked”.*²⁵

Guerrilla forces have also taken reprisal action against civilians who have been forced, under threat of death, to collaborate with the military in counter-insurgency actions. One woman explained:

“The reason I left was that the guerrillas took over my son’s house in November [1995] and spent the day there. At 5pm the army arrived at my son’s house and took the boy away... They took him to the jungle and mountains. They returned at night. Then the army told us to get out. They said ‘You have to leave because the guerrillas will be out to get you’. All the villagers left, no-one stayed. Four young chicks was all we could take. The rest was left behind. We left a horse and two mules.”

Two months later her husband returned to harvest the crops. He was killed by the FARC in reprisal because his son had acted as an army guide during a search for the guerrillas. “He died for my son, because as they couldn’t find my son, it was my husband who had to pay”²⁶.

Land and violence

The fight for possession of land or natural resources is another major cause of displacement. Wealth and land in Colombia are concentrated in the hands of an extremely small percentage of the population whose interests have been protected by successive governments. The removal of poor peasant farmers -- perceived as the guerrillas’ support base -- is seen as a prerequisite for establishing the necessary security conditions to permit the acquisition of land or exploitation of natural resources. There is, therefore, a very clear convergence between the armed forces’ counter-insurgency strategy and the interests of powerful sectors of the economy. This common interest in “cleansing” areas of the country has led would-be landowners to provide economic support for paramilitary organizations which are then employed in land clearance to their benefit.

⁷ *El Colombiano*, 2 December 1996.

Many, probably the vast majority, of peasant farmers do not hold legal title to their lands which they may have been occupying for many years. Lands were originally acquired during a process of colonization and possession was established through occupation. If the peasant farmers abandon their land, they lose their legal rights to ownership and are therefore unable to return. New landowners profit from years of work clearing the forests and cultivating the land.

The few peasant farmers who do hold legal title to the land have no recourse to judicial processes which would allow them to regain their land or to claim compensation from the state. Assisted by the Colombian Intercongregational Commission of Justice and Peace, in 1992 a group of 14 farming families forcibly displaced by paramilitary groups from their homes in the town of Carmen de Chucurí in the central Magdalena Medio region attempted to claim reparation from the state through the judicial system. The legal claim detailed the long history of persecution suffered by the peasant farming community after the army established paramilitary groups in the region in the mid-1980s, including numerous cases of torture, “disappearance” and killings. In 1991 the claimants abandoned their homes when the paramilitary established camps on their properties and demanded they actively collaborate through the payment of “taxes” and participating in “patrol” operations. All the claims were rejected by the courts which argued that the claimants had failed to prove state responsibility.

In many cases the precise causes of displacement are difficult to determine. A civilian population perceived to be sympathetic to the guerrillas can be used as a pretext for clearing large areas of sought-after land. Control over that land is then consolidated by paramilitary forces and either sold at inflated prices to large landowners or retained by paramilitary leaders for their own economic benefit. Those civilians who are allowed to remain must cooperate fully with the paramilitary which, in turn, makes them potential targets for guerrilla attack.

The strategy of forcible displacement has provoked a *de facto* “agrarian reform” whose main characteristic is the high concentration of land in the hands of large landowners who, in many cases, are linked to drug-trafficking organizations.

The protracted drama of the persecution of hundreds of peasant farmers on the Bellacruz Ranch in northern Colombia clearly illustrates the convergence of interests between counter-insurgency strategy and land ownership, and the government’s abject failure to fulfil its commitments to end paramilitary abuses.

Between February and March 1996 over 280 families -- nearly 2,000 people -- were forcibly expelled from the Hacienda Bellacruz in the northeastern department of Cesar by a paramilitary group operating on behalf of the family which claimed ownership of the land and in complicity with the Colombian armed forces. The peasant farmers’ homes were burned and many were tortured in the operation to expel them. Neither the police nor the military based in the ranch and its vicinity acted to prevent this action or to detain those responsible. One villager described what happened:

“At 8pm on 14 February, a heavily-armed paramilitary group came to each farmstead, kicked the doors down and proceeded to violently force us out of our houses; they stole our money, electrical goods and household items, and set fire to our houses. They beat adults and children with sticks, rifles and rejos (knotted whips). They used machetes to cut short the hair of those who wore it long. They set fire to and destroyed the schools and their furniture and teaching materials.

“They insulted us and forced us to point out to them the people whose names were included on a list in their possession and who are our leaders and representatives. They gave us five days to abandon the land, and told us to keep a distance of at least 100 kilometres, or otherwise they would not answer for our lives.”²⁷

The paramilitary operations to expel the peasant farmers from the lands they had been occupying for over 10 years continued for several weeks. According to the testimony of some of the farmers, army personnel witnessed the attacks and some soldiers were later identified as having been

part of the paramilitary group. Even those families who had been granted legal title to the land in one area of the Hacienda Bellacruz were violently evicted. Forced to abandon their land and homes, the families fled to neighbouring towns.

At least 30 of the peasant farmers were killed or “disappeared” in the months following the evictions and the homeless families remained under threat of death if they attempted to return. The paramilitaries even threatened to pursue and kill the evicted peasant farmers wherever in the country they were relocated, accusing them of being “guerrilla collaborators”, and to punish them for having publicized the evictions nationally and internationally. Despite a number of formal government commitments guaranteeing the safe return of the evicted families, no action was taken by the authorities to remove the paramilitary from the Hacienda Bellacruz. Arrest warrants were issued against 27 members of the paramilitary for serious human rights violations, but only two were arrested. Regional and national military commanders not only blatantly refused to carry out government instructions to confront the paramilitary but accused national human rights and social organizations supporting the displaced families of being “guerrilla collaborators”.

The Hacienda Bellacruz is located in the south of the department of Cesar, a region with much fertile land, suitable for export crops, cattle-ranching and the cultivation of illicit crops such as coca and marihuana. The region is undergoing a process of land concentration as large landowners, cattle-ranchers and drug-traffickers seek to gain and secure possession of large areas of land. This, combined with a high degree of guerrilla presence and activity, has resulted in an increased militarization of the area.

The Hacienda Bellacruz is not only prime agricultural and resource rich land, it is also at the centre of an area of strategic military importance. The strong guerrilla presence in Cesar has contributed to the steady economic decline of large land holdings in the region. The threat of guerrilla kidnapping and extortion has acted as a strong disincentive to large-scale land investment and many powerful sectors have withdrawn from the region in recent years. More recently, however, the creation of army-backed paramilitary forces has enabled powerful landowners to expand and consolidate land holdings and has helped to reduce the risk of guerrilla kidnapping and extortion.

Paramilitary activity has thus given a considerable boost to land prices, attracting increased investment in land in the region which in turn has increased the temptation on the part of would-be landowners to hire paramilitary forces to clear land of peasant farmers on the pretext that they are guerrilla collaborators or supporters. Labelling anyone who dares to challenge the interests of powerful economic sectors as subversive-- political activists, human rights defenders, peasant farmers in conflict zones or those disputing land rights -- and then targeting them for human rights violations provides a means for powerful landowners to protect and extend their interests.

In view of the lack of guarantees for their safety if they were to attempt to return to the Hacienda Bellacruz, many of the displaced families agreed to be relocated, with government help, to another area of the country. Plans to relocate over 100 families to the central department of Cundinamarca were, however, thwarted by the departmental Governor who rejected the displaced families on the grounds that they were “guerrilla sympathizers” who would bring the armed conflict with them. Eventually, some 150 Bellacruz families were relocated in December 1996 to land bought by the government in Tolima department in central Colombia.

In May 1997 the authorities of Cundinamarca, including the Governor who had protested against government plans to relocate the Bellacruz families, and the department’s 115 mayors, were ordered by Colombia’s Constitutional Court to take an intensive course in human rights. The Court’s sentence was based on its consideration of a petition for legal protection (*tutela*⁸) brought by the displaced families against the Governor, who they claimed had violated their rights to dignity and

⁸ Any citizen can bring an action of *tutela* if they consider their constitutional rights have been or are in danger of being violated.

freedom of movement. In addition, the Court ordered the Governor in the future to “abstain from making public statements which compromise the protection which should be provided to people displaced by the violence”²⁸.

In May 1997 -- 15 months after the expulsions -- 70 of the Bellacruz families remained homeless despite repeated government promises to resolve their situation.

VICTIMS OF INTERNAL DISPLACEMENT

Women

*“All I want is that they tell me if my husband is alive or dead, that they take me to him. Five children and I am a woman alone. I would be so grateful if they would just tell me if he is alive or dead...”*²⁹

Tens of thousands of peasant women, many of them recently widowed, have been forced to flee their rural homes with their children, abandon their livestock and possessions, and take precarious refuge in shanty towns surrounding towns and cities. There, they, but particularly their children, may be preyed upon by urban “death squads” or forced into a life of crime or prostitution in order to survive.

Although women are generally not directly involved in the hostilities, they are the most affected by the trauma of displacement. The 1994 report of the Colombian Episcopal Conference showed that 58 per cent of the displaced are women. The majority are heads of families and have fled rural zones affected by the armed conflict.

“On 28 May 1995 at 4 am in the morning, we were woken by loud banging on the door. They shouted for us to open and I did. There was a group of armed men, like paramilitaries. Terrified, my five children and I threw ourselves to the floor. They wanted my husband and when they found him they tied him up and took him out. I threw myself on him. I wanted to protect him and I begged the men to please not kill him. They responded by beating me in front of the children. They beat my husband and then took him away. I went to the police to ask for him, but they said it was the paramilitary. I went to the military base and talked to an army captain. I asked him to help me look for my kidnapped husband. The captain said he knew nothing about it but asked me if I wanted him to arrange for me to talk to the commander of the paramilitary base nearby.

*“I talked to them and told them my husband had nothing to do with the guerrillas, that we had been married 20 years, and that he was a good man not mixed up in anything. Later on, a young paramilitary, the son of a family friend, told me he had seen my husband: ‘The paramilitary took your husband for revenge. He was pressured into collaborating.’ With my five children I moved to Montería where we are staying with another displaced family from our village. After nearly four months here I still don’t know anything of my husband. Is he still alive?”*³⁰

One of the many thousands of women who have fled their homes and farms in search of safety for themselves and their families.

A study produced by the Ministry of Agriculture and Rural Development in 1996 showed that some 245,000 women had been displaced from their rural homes in the preceding 10 years. In 39,000 cases the women’s husbands or one of their sons had been killed. In his 1994 report, the UN Secretary General’s Representative for Internally Displaced Persons stated: “Women in their role as mothers have been particularly affected by the violence and the adverse socio-economic situation in the areas of reception. The situation of a large number of widows was one of particular concern to the Representative”.⁹

One woman, displaced from her home in the Urabá region of Antioquia department, said: *“I came to this neighbourhood because on 19 November [1994] some men dressed in uniforms like the army wear came to our small holding. They asked my husband questions, then they beat him, tied him up and took him away. My daughter was crying desperately and screaming for them not to kill her father. It’s just as well only she and I and the baby were at home and that the other children didn’t have to see it...The next day I found him dead, in a spot about three hours’ walk from our home.”*³¹

⁹ Profiles in displacement: Colombia. E/CN.4/1995/50/Add.1, Para. 56

Another women forced to flee her home said:

*“They told me I couldn’t stay in the house, that I should leave where I lived. They told me: ‘You must leave here’ and I believed they were going to set fire to the house so I told them: ‘My children are inside in the room’ and they said ‘No, you can’t stay here. You no longer live here’. So I had to gather up my rags and go to a neighbour’s house”.*³²

The displaced have to start from scratch in their places of refuge, having lost their homes, possessions, livelihood and, in many cases, the main breadwinner. A displaced woman is confronted by a social and cultural vacuum; she faces not only a loss of security but also of identity. Her land, house, community, friendships, family and traditional role in relation to her community and family are gone. In terms of her personal and social identity, displacement to urban centres can produce acute stress and mental dislocation. Pressure on displaced people often leads to break-downs in relationships; many men leave the families, leaving the women to assume a new role as head of the family.

“The process of displacement begins with the repression. They start to accuse and threaten you...There were constant incursions in the area where we lived. Little by little the families started leaving as the pressure on the population increased. We don’t know what happened to those who stayed behind... There are many differences in our lives...In the country, we did not have to worry about work, we all worked on the farm and had everything. The men worked the land and the women helped them. We did the work in the house, looked after the children and we helped with the men’s work; we also looked after the animals. The truth is that things were not too bad. If we needed something, we could sell or kill an animal. There was always enough to survive. Here it’s different. You need money for everything; work is really difficult to get and the men can’t find any. The women can’t go out to work - they have to look after the children. They are stuck in the house and if they have to go out to work sometimes, they have to leave the house, leave the children. [But] one of the advantages of being here is that you feel calmer, you don’t feel so persecuted.”^{10 33}

Children

Some 75 per cent of internally displaced people are under 25 years old; several thousand are heads of families because of the death of one or both parents. A young boy described the raid in 1995 on his home in Urabá by armed men identifying themselves as army personnel which left him orphaned and homeless:

*“They grabbed me and threw me on the floor. Papi also. Then they made us stand up and tied us up. I told them that this was my Papi and they shouldn’t harm him or me because there were lots of young children and if they killed my Papi, I would be left to care for them alone. They told me I should go home and I started out for the house immediately. They killed Papi soon after.”*³⁴

Along with its emotional impact, displacement often breaks up the nuclear family and cuts off important social and cultural community ties. It not only deprives people of a means of supporting their families, but also severely restricts educational opportunities for the children and access to health care. Four children died in a two week period in May 1997 in the Pavarandó Grande camp in Urabá where more than 4,000 people were concentrated in unhygienic conditions. A statement issued by the *Consejero Presidencial para los desplazados*, Presidential Adviser for the Internally Displaced, said that according to medical reports “in all the cases the children arrived from their places of origin

¹⁰ Interview with Peace Brigades International, March 1995

in a state of chronic malnutrition. Immediate attention was necessary but the families decided to treat the children...according to their beliefs, traditions and culture....this prevented them from receiving prompt attention from the health team in the camps”.³⁵

Indigenous communities -- caught in the crossfire

A wave of killings of members of the Zenú Indigenous community of El Volao, near Necoclí, in Urabá, Antioquia department, culminated in the killing of the community's leader, José Elias Suárez, in March 1995. This led to the exodus of the almost the entire community of 700 people from their lands. José Elias Suárez was taken from his home by EPL guerrillas, tied to a nearby tree and hacked to death with machete blows.

The death of José Elias Suárez was the latest in a long line of killings of members of the community since a paramilitary offensive to “reclaim” Urabá from guerrilla organizations was launched by the ACCU in 1994. A characteristic of the conflict in Urabá, as elsewhere in the country, is that clashes between armed groups are extremely rare. In the majority of cases paramilitary forces and the guerrillas have directed their attacks against sections of the civilian population believed to support rival armed groups. Both the ACCU and the EPL accused the Zenú community in El Volao of collaborating with their enemies and proceeded to assassinate several members of the community. The El Volao community protested that it had no political allegiance to any party in the conflict and explained that it was impossible for the community to deny food and passage through their lands to armed groups who demanded such assistance.

*“The Zenú communities are hard pressed, because the armed forces, paramilitary and guerrillas treat us as informants... They are ignorant of indigenous policy and of our customs of which violence is not a part; simply, what we want is that they allow us to live, that they allow us to die of old age... It is the guerrillas who are harassing us most. We are victims of all the groups”.*³⁶

Rather than dispersing quietly to other indigenous settlements, the Zenú of El Volao marched to the town of Necoclí and demanded action from the authorities. This was one of the rare occasions where the safe return of a displaced community was successfully negotiated. After weeks camped in a park in Necoclí, the Zenú received assurances from the government and the parties to the conflict for their safe return to El Volao and recognition of their neutrality. In a letter sent to the Zenú in August 1995, Francisco Caraballo, commander of the EPL, said:

*“The Popular Liberation Army undertakes to unconditionally respect and help the voluntary decision of the uprooted people belonging to this area to return to their lands which are their properties or places of work. This decision is based on the indeclinable position of the EPL to respect the life and the dignity of the people”.*³⁷

For their part the ACCU command said:

*“We want to inform the natives of the community of El Volao that we are pleased they want to return to their lands. We guarantee to respect them and allow them to live in peace.”*³⁸

The long-term future of the Zenú community in Urabá, however, is far from certain. The ACCU are establishing territorial control in all areas around the community, surrounding and isolating the indigenous community in an area controlled by paramilitary forces. Although the region of Urabá is heavily militarized -- three army brigades are stationed in the area -- little or no action is taken by the armed and security forces to protect the civilian population or to combat the paramilitary and armed opposition groups. Indeed, consistent reports have been received that the regular armed forces have not only tolerated paramilitary activity in the region but have, on numerous occasions, directly supported them and have co-operated in joint actions.

In May 1996 the *Organización Indígena de Antioquia* (OIA) Regional Indigenous Organization of Antioquia, issued a statement on behalf of the Embera, Zenúes, Tules and Chamies communities living in Antioquia department:

*“We the Embera, the Zenúes, the Tules and the Chamies, 16,000 indigenous people who live in 25 municipalities, including all those in Urabá and some in the west of the department, under siege from a wave of violence and death only comparable to that suffered by our ancestors during the Spanish conquest, and under pressure from the different armed groups that pass through our territories, occupy our homes and demand that we take part supporting one or the other of the groups in conflict, have no choice but to declare ... the neutrality of the indigenous communities in the armed conflict and of the different parties to the conflict. This means that we do not accept the recruitment by any armed forces -- whether guerrillas, self-defence [paramilitary] groups or the army. It means we will not act as informants for any of the combatants, that we will not act as guides, or porters, or guards.”*³⁹

The statement went on to urge the parties to the conflict to declare a cease-fire and open talks to end the conflict. This declaration of neutrality did not, however, protect the indigenous communities in Urabá from further human rights violations; during the last three months of 1996 at least 15 indigenous people were killed by the ACCU.

Indigenous communities have been displaced by the armed conflict throughout Colombia. In March 1996 the *Consejo Regional Indígena de Tolima* (CRIT), Regional Indigenous Council of Tolima, publicly criticized the displacement of several indigenous families following the murder of their leaders, military harassment, paramilitary actions and guerrilla attacks. According to the CRIT, some 100 people abandoned the community of Vuelta del Río, Ortega municipality, and fled to the regional capital, Ibagué. In May 1996 more than 2,000 indigenous people from 20 communities around the towns of Nutibara and Murri in the municipality of Frontino, Antioquia, fled a paramilitary onslaught in the area.

GOVERNMENT INACTION

*“Internally displaced persons remain within their national territory, which means that their own government bears primary responsibility for meeting their protection and assistance needs.”*¹¹

During the 1980s and early 1990s successive Colombian governments attempted to ignore the growing crisis or even to deny the existence of the swelling numbers of internally displaced people. However, in September 1994, one month after assuming the presidency, Ernesto Samper went some way towards recognizing the gravity of the problem and accepting official responsibility¹²:

*“The national government recognizes the existence of the phenomenon of forced displacement of the population in the interior of the country as a result of political violence. This phenomenon has not been studied sufficiently and we lack reliable estimates indicating the dimensions of the problem. There are diverse causal factors, including guerrilla actions. However, clearly the state has responsibility in the face of forced displacement”.*⁴⁰

In the same document, President Samper outlined steps his government would take to address the problem, including emergency assistance plans, the promotion and financing of productive projects, the generation of employment, the fulfilment of the basic needs of the displaced population and the rapid establishment of legal norms to make displaced peasants beneficiaries of agricultural reform measures. Nearly three years later, however, little progress has been made in meeting the emergency needs of the displaced and even less in tackling the causes of displacement.

In September 1995 the government issued its plan of action for the internally displaced. The *Programa Nacional de Atención a la Población Desplazada por Violencia*, National Program of Integral Attention to the Population Displaced by Violence,¹³ was divided into four main areas of action:

- < prevention: the establishment of a system of information and early warning in order to detect situations of risk;
- < immediate attention;
- < consolidation and socio-economic stabilization; and
- < communication, information and investigation.

Initially it was announced that the Program would not be put into operation until late 1996 for financial reasons. However, since then, little progress has been made towards effective implementation and it looks increasingly as though the Program is little more than a statement of good intentions. The Program itself is also flawed and would severely restrict the number of internally displaced people who could benefit from it even when fully operational. The criteria for granting aid are not clear; neither are the mechanisms and procedures for assessing entitlement. For example, some form of official certification by local authorities from the area of displacement is required in order to receive government support. However, in order to satisfy this requirement the displaced person would have to return to the area of danger.

In December 1996, the government presented a draft bill to Congress to establish a “special program for the acquisition of lands to benefit the peasant population displaced from their lands because of violence, those deported from neighbouring countries and those affected by natural disasters.” The draft bill was approved by Congress in June 1997.

¹¹UNHCR: International Legal Standards Applicable to the Protection of Internally Displaced Persons, 1996.

¹²President Samper’s Address to the Nation on National Human Rights Day.

¹³ Known as CONPES document No 2804.

Despite this bill's evident intention of finding long-term solutions to the problems faced by those forcibly displaced, practical obstacles remain. The program would again require proof that the beneficiaries were forced to flee; something which is very often impossible to demonstrate without incurring further risks. Despite apparent progress in developing assistance plans, government programs have been plagued with inefficiency and lack of coordination between government departments. Although an inter-institutional committee was established in January 1997 in order to coordinate government assistance to the displaced, the vast majority of internally displaced people still receive no official assistance of any sort.

The failure of the government to tackle the causes of displacement or provide adequate assistance to those forcibly displaced has meant that for many years the full burden of support has fallen on Colombian church bodies and national and international non-governmental organizations. The poverty and insecurity faced by growing numbers of internally displaced people and the almost total absence of state assistance have led to a number of national and international non-governmental organizations establishing programs of emergency help and humanitarian assistance for the displaced. Recently, the international community, aware of the growing crisis in Colombia, has begun to offer some assistance: the governments of Japan, Belgium, the United Kingdom, the Netherlands and Spain, and the European Union have all contributed towards programs for emergency assistance for the internally displaced. However, although vital, this aid can never fully meet the ever-growing demand for emergency assistance, let alone provide long-term solutions to the problem. In June 1997, the Colombian Government formally requested the UNHCR to establish an office in Colombia in order to provide assistance and protection to the internally displaced. **[Check accuracy of report with UNHCR]**

CONCLUSIONS AND RECOMMENDATIONS

Widespread and systematic disregard for human rights in Colombia over many years has caused a crisis of internal displacement of alarming proportions and sometimes refugee movements; close to one million people have fled their homes in the last 10 years. The principal areas of displacement coincide with areas most severely affected by the armed conflict. The vast majority of the displaced are peasant farmers forced to flee their homes as a result of threats, intimidation and other human rights abuses committed by the Colombian armed and security forces, their paramilitary allies and armed opposition groups. An unknown number of Colombians have been forced to leave the country because of the escalating conflict. The majority have sought refuge in neighbouring countries such as Ecuador, Venezuela and Panama but few have been granted protection and many hundreds have been forcibly repatriated to Colombia where they are at risk of further human rights violations.

Colombia's internally displaced and refugees abroad will not be able to return to their homes in safety until the underlying human rights issues are addressed. The crisis of Colombia's internally displaced requires an immediate and effective response from both the Colombian Government and the international community.

The Colombian Government

The Colombian Government has a responsibility under national and international law to guarantee the fundamental human rights of all Colombians. It should, therefore, take urgent steps to tackle the causes of displacement and to establish effective mechanisms of protection and assistance to those affected. The government should:

- 1) **Tackle the causes of forcible displacement:**
 - C End counter-insurgency practices and techniques by the armed forces which cause displacement, in particular human rights violations such as torture, "disappearance" and extrajudicial execution;
 - C Fulfil its repeated promises to take action to dismantle illegal paramilitary organizations;

- C End impunity for those responsible for human rights abuses -- an essential element in restoring respect for human rights. The perpetrators of human rights violations and violations of international humanitarian law should be brought to justice;
- C Ensure human rights violations such as extrajudicial executions, “disappearances” and torture are investigated and tried in civilian courts;
- C Take steps to end harassment, threats and intimidation against human rights defenders, including public statements by armed forces commanders seeking to discredit their work;
- C Implement promptly outstanding recommendations made by the UN thematic mechanisms who have visited Colombia and the Inter-American Commission on Human Rights of the Organization of American States.

2) Ensure that internally displaced people are protected:

- C Fully guarantee the fundamental human rights of internally displaced persons including their right to freedom of movement within a state, freedom to choose their own residence, and especially the right not to be forcibly removed, relocated or otherwise forcibly displaced. Those particularly vulnerable, such as children and the elderly, should receive special protection measures;
- C Take steps to stop internally displaced people being stigmatized which can lead to further persecution and human rights violations;
- C Pursue return projects acceptable to the internally displaced, ensuring that adequate security guarantees and developmental elements are built in;
- C Ensure that human rights defenders and members of community and social organizations working with the displaced population receive the full protection of the law so that they can carry out their vital work. All instances of human rights violations directed against staff of such organizations must be fully investigated and the perpetrators brought to justice.

Armed Opposition Groups:

- C Armed opposition groups should publicly commit themselves to respect international humanitarian standards and to prevent their members from committing any abuses. They should ensure that the fundamental rights of non-combatant civilians, including their right not to be forcibly displaced from their homes, are respected.

The international community

It is time for the international community to face directly the challenge of protecting the internally displaced in Colombia. There is no international organization with a specific mandate to secure the protection of the internally displaced and international interest has been largely focused on relief, not protection. Colombia’s internally displaced often flee for the same reasons as asylum-seekers who have fled to other countries. Yet only people outside their country of origin can receive international protection as refugees. The discrepancy between the protection accorded to refugees outside their country and the lack of protection for those who are internally displaced should receive greater international attention and concern. The issue of the protection and assistance needs of the internally displaced is especially urgent in view of their particular vulnerability to gross human rights abuses.

The international community should work towards ensuring that the Colombian Government and armed opposition groups abide by fundamental human rights and humanitarian principles in their treatment of the internally displaced.

- C The international community should take concrete measures to ensure that internally displaced people are protected. The Representative for Internally Displaced Persons of the UN Secretary-General should develop guidelines for the protection of internally displaced people,

based on the full range of existing human rights and humanitarian law, addressing any current gaps in the protection of internally displaced people.

C The Representative of the UN Secretary-General should urgently carry out a follow-up visit to Colombia in order to assess the worsening situation of internal displacement and to monitor the implementation by the Colombian authorities of the recommendations made in the report of his 1994 visit.

C All states should support the work of the Representative for Internally Displaced Persons of the UN Secretary-General. The role of the Representative should be strengthened to enable the Representative to identify perpetrators of human rights abuses against internally displaced people so as to ensure that they are held to account.

C The UNHCR and other international agencies should ensure that sufficient resources are directed to the protection of the internally displaced in Colombia.

C The Office of the UN High Commissioner for Human Rights in Colombia should monitor the protection of the internally displaced in close coordination with the UNHCR and other inter-governmental and non-governmental agencies.

C Governments in countries where Colombian refugees seek asylum should provide effective protection. Because of the on-going risk of serious human rights violations such as torture, “disappearance” or execution, governments should not forcibly repatriate refugees.

C Colombia’s armed conflict has been fuelled by outside powers that supply arms to protagonists known to disregard human rights. AI calls on all governments to end transfers of equipment and training for military, security or police forces that are used to commit or facilitate human rights abuses.

1. “Somos un pueblo de agricultores y pescadores y pesamos poco en la economía de Colombia. Pero amamos nuestra vida y la de la gente buena que nos rodea. No tenemos más que la vida y para nosotros es todo. Y vale la pena defenderla. Pero cómo se puede defender un pueblo de pescadores y agricultores frente la prepotencia y los enormes recursos de las gentes armadas que entran y salen de nuestras casas como si fueran tierra de conquista?...En Gilgal y en nuestra población de Unguía están el Ejército y la Policía. Pero no están ni la justicia ni el orden. Están día y noche. Pero en un solo mes, de día y de noche, los paramilitares sacaron a sus casas a cinco personas. Esta no es una ciudad en donde la ausencia de cinco desaparecidos no se sienta. ..Quince familias han tenido que huir mientras que en las últimas semanas la guerrilla y el ejército se han enfrentado aquí mismo, al lado de nuestras casas. Y la guerrilla responde asesinando a tres muchachos en Gilgal y amenazando a quien esté cerca de los paramilitares. No pueden seguir haciendo la guerra a costa de agricultores y pescadores que solo reclaman el derecho a trabajar. Las autoridades no dan razón de nada y el Ejército y la Policía no ven nada. Para donde están mirando cuando sacan a nuestros vecinos y familiares de sus casas? A quién, entonces, están protegiendo en Unguía y Gilgal?. Señores guerrilleros, señores paramilitares, señores cómplices de la violence: Qué debemos hacer para seguir viviendo?”

2. Nos venimos a Barrancabermeja en junio de 1995. Salimos por la violencia entre las fuerzas armadas y la guerrilla. Hubo enfrentamientos y casi me matan a 2 hijas. Las peladas iban a lavar ropa en la quebrada y llegó la guerrilla bañándose y despues vino una patrulla y las peladas fueron huyendo a la casa, la patrulla echandolas plomo y llegaron a la casa y pegaron a mi y se me iban a llevar a un hijo de 10 años de edad. Preguntaron por mi esposo y respondí que estaban trayendo yuca pero ellos dijeron que no, que no estaba trayendo la yuca sino estaba con la guerrilla. Esa es una gran mentira. A mi me pegaron delante de los niños. En base a esto y por toda la violencia en la región, decidimos irnos y nos venimos a Barrancabermeja.” (AI 2.4)

3. “ A dónde vamos a ir? A la gente le da miedo hablarnos, porque con tanta propaganda que han hecho en nuestra contra diciendo que somos guerrilleros, nadie quiere exponer su vida hablando con “guerrilleros” o prestándole un servicio a un “guerrillero”. Cuánto hemos perdido nosotros? Quién nos restablecerá la estabilidad perdida... la salud perdida...las vidas perdidas?

4. El drama de los desplazados internos reside también en que suelen sentirse obligados a huir en silencio absoluto, ya que a las personas desplazadas se las considera como personas con un pasado “problemático”. El problema se agrava porque los desplazados más “visibles” son aquellos que tienen algún vínculo institucional con una organización política. Otros, como muchos de los desplazados, especialment en Bogotá, que desempeñaban una función destacada en la sociedad local antes de desplazarse, tienen incluso que ocultar su historial al llegar a su destino ante el temor de que se reanude la persecución.

5. Los organismos de seguridad y defensa del Estado están entrenados para perseguir a un enemigo colectivo y por lo general consideran que las víctimas forman parte de él. En buena parte de los casos actúan bajo la premisa que hizo carrera en la guerra en El Salvador de “quitarle el agua al pez”, lo que significa que se establece una relación directa entre, por ejemplo, los movimientos sindicales o de reivindicación campesina, con los efectivos de la subversión, y cuando se llevan a cabo acciones contra guerrilleras estos sujetos pasivos no son identificados como víctimas “independientes” sino como parte del enemigo. En efecto, los organismos de seguridad y defensa del Estado agreden los derechos humanos de sujetos pasivos independientes porque cometen el error de considerarlos o

enemigos o aliados del enemigo”. Procurador General de la Nación, Informe sobre Derechos Humanos, 1992.

6. Hace un año que nos vinimos aquí. Los paramilitares dijeron que nosotros les colaboramos. “Trabaja con nosotros, se va o se muere”. Pero entrarles a ellos, es trabajar en contra de los vecinos. A nosotros nos tocó salir por eso. Los paramilitares trabajan en conjunto con los militares. El 28 de diciembre de 1994 tuve que decidir de si o no trabajar con ellos. Vino el ejército, yo estaba trabajando. Me llevaron y me detuvieron. Fui cuatro días andando y amarrado con ellos. Me pegaron muchísimo, me pusieron una toalla empapada de agua salada sobre la cara y una bolsa de plástico sobre toda la cabeza. Todo el cuerpo era negro de los palos y aun se ven las cicatrices. Finalmente, le teniente dió la orden de soltarme.

7. Cuando los pobladores se negaron a cooperar, empezaron a insultarlos, a pegarles y a expulsarlos. Los paramilitares mataron a una persona para obligar a los demás a cooperar mediante la intimidación. Así que la gente abandonó, presa del miedo, la población, que fue ocupada por simpatizantes de los paramilitares, cuyo grupo principal se trasladó al pueblo siguiente.

8. Los numerosos testimonios recibidos por el Representante, así como las conversaciones que sostuvo con el Gobierno, indican que la población civil residente en zonas de combate es la más expuesta a desplazamientos: en las denominadas “zonas rojas” (es decir, zonas controladas por las guerrillas o donde éstas ejercen su influencia), las fuerzas armadas recurren con frecuencia a ataques aéreos, seguidos por rastreos en tierra, que suelen obligar a las personas a desplazarse temporal o permanentemente. Estos testimonios indican además que con frecuencia se pierde la distinción entre guerrilleros y no combatientes. Incluso se ha denunciado que las fuerzas armadas han dado muerte a campesinos con el único fin de atribuir bajas a los guerrilleros”.

9.

En este clima de violaciones perpetuas de las normas internacionales de los derechos humanos, de que son víctimas especialmente los considerados “inútiles” para la sociedad, los desplazados internos son especialmente vulnerables a los abusos de los derechos humanos. Con frecuencia, la huida no pone fin a la persecución. El representante supo de varios incidentes en que se había dado perseguido y dado muerte a personas desplazadas en las zonas de acogida. El desplazamiento también limita el acceso a las autoridades judiciales y de otra índole y la participación política, ya que exige normalmente una interacción con las autoridades públicas en la zona de acogida.

10. La huida de la contrainsurgencia y de otras actividades violentas significa que los campesinos tienen que abandonarlo todo. El desplazamiento los deja en peor situación económica y social: en palabras de un representante de la Iglesia, “el campesino es libre en su propia tierra; en la ciudad se transforma en mendigo, su hija se prostituye; se convierte en parásito, y, por lo tanto, es “eliminable”.

11. “a los sapos de la guerrilla los vamos a matar”

12. Les dijimos que se fueran y no han hecho caso. Detrás de nosotros vienen los que cortan por pedacitos”.

13.

“Los desplazados de San José de Apartadó serían buscados y asesinados”

14. “Por allá por los montes oíamos disparos y luego vimos unos aviones pequeños tirar bombas que dejaban un hueco enorme en la tierra, muy cerca de las casas; hubo gente a la que le cayeron hierros en la espalda y decidieron irse de allí. Entonces de ver correr a los otros, nosotros también corrimos. No hubo tiempo de sacar nada, cogimos las champas (embarcaciones de remo) y nos metimos por el río Atrato; no hallábamos que comer sino solamente de los árboles del camino y bebíamos agua de los pocitos que se hacían en el suelo”.

15. “Los que estábamos más cerca del río inmediatamente empezamos a salir y ellos iban avanzando y rodeando las comunidades obligando a desplazarse a todo el mundo”.

16. “Ni sabemos quien es quien porque todos se visten igual”

17. “El ACNUR lamenta que las propuestas que hizo al gobierno de Panamá, en una reunión sostenida el pasado 15 de abril en el Ministerio de Gobierno y Justicia respecto a los derechos humanos de esta población, no hayan sido acogidas por el gobierno. En dicha reunión se nos aseguró que el gobierno no iba a emprender acciones precipitadas”.

18. “Estas personas aparecen muertas en forma tan violentas y con tanta barbarie como en la época antigua cuando se torturaba a la gente para que confesara porque había traicionado al rey. Por tales actuaciones los campesinos emigraron de sus parcelas por temor a que se repitieran esos mismos actos en su contra o de su familia.”

19. “Era tanto el temor de verlos de nuevo en el pueblo y vestidos oficialmente como militares que algunos se fueron del municipio”.

20. “El Ejército ha llegado a veces y lo que hemos recibido han sido amenazas”. “Los grupos paramilitares, que se crearon para acabar con la guerrilla y que en estos lugares están acabando pero con los campesinos y amenazan con que van a limpiar la zona del Río León y no van a escaparse ni los niños de seno o niños de brazo.” “Reiteramos que somos gentes indefensas que lo único que poseemos como arma es una hacha y una pala para labrar la tierra”.

21. “A mi casa llegaron aproximadamente de 10 a 15 hombres fuertemente armados vestidos con ropas de uso militar y con un martillo grande tumbaron las puertas de mi residencia aproximadamente a las 3 y media de la madrugada; en medio de nuestras sorpresas preguntaban por mi hijo,,yo le respondí: Que mi hijo no estaban, que se encontraban viajando como así era. Yo les pedí explicación de sus actos, ellos me decían que no me preocupara que eso se trataba de una orden del Urabá. Al no encontrar a mi hijo se llevaron a mis esposo... en ropa interior sin dejarlo siquiera de ponerse la ropa. La casa me la dejaron en completo desorden”.

22. Plan Integral de Seguridad Rural

23. “Garantizar su seguridad y controlar las actividades de la CONVIVIR mediante su presencia en Maracaibo hasta el mes de febrero”.

24. “La guerrilla da cinco días de plazo para que salieron mientras que los paramilitares están mandando Salganse, salganse rapidos! Pero finalmente es lo mismo, tienen que irse...”

25. “Los guerrilleros vinieron en mayo y dijeron ‘se van’. No explicaron por qué. Claro que uno entiende. Una semana antes habían llegado al pueblo a dar bala. Fue un cadeleo bravo. Mataron 7, casi todos paramilitares”. “A mi también me tocó candela. Una esquirla de una bala que pegó en el mostrador se me metió al cuerpo, pero aquí sigo”. “El pueblo era bueno. Todo el mundo parrandiaba,

tomaba aguardiente. De aquí salían todas las cosas del campo; maíz, arroz. Cargas! Pero con ese ataque de la guerrilla y después con el aviso todo el mundo cogió lo que tenía y agarró camino.” El Colombiano, 2 December 1996.

26. “El motivo de mi salida fue que los subversivos se apoderaron de la casa de mi hijo en noviembre [1995] - pasaron el lunes ahí donde El. A las cinco de la tarde vino el ejército y se metió a la casa del hijo mio y se llevaron al muchacho...Se lo llevó el ejército para el monte y para la montaña. A la noche regresaron. Entonces, el ejército nos mandó a desocupar y dijeron: ‘Ustedes tienen que desocupar. Porque están quemados con la guerrilla’. Todo el campesinado salió, porque no se puede decir que se quedó alguien. Cuatro pollitos fueron lo que pudimos sacar. El resto se quedó todo. Se quedó un caballo, dos burros.” “Es decir, quedo muerto el por el hijo mio, pero como al hijo mio no encontraron, le tocó pagar el plato roto a mi esposo”.

27. El día 14 de febrero, a las 8 de la noche, un grupo fuertemente armado de paramilitares hicieron presencia en cada una de las parcelas, levantaron las puertas a patadas y procedieron a sacarnos violentamente de las casas, robaron plata, electrodomésticos y enseres y quemaron nuestras casas. Golpearon a adultos y niños con palos, fusiles y reja (látigo) con nudos. A las personas que tenían el cabello largo se lo cortaban con machete. Quemaron y destruyeron las escuelas, sus muebles y material didáctico.

Nos insultaban y nos obligaban a que señaláramos a las personas que llevaban en una lista, que correspondía a nuestros líderes y dirigentes. Nos pusieron un plazo de cinco días para abandonar la tierra, dijeron que nos alejáramos por lo menos 100 kilómetros de distancia porque de lo contrario no responderían por nuestra vida”.

28. “para que en el futuro se abstenga de expresiones públicas que comprometan la protección debida a las personas desplazadas por la violencia”.

29. “Yo lo que quiero es que me digan si el compañero mio está vivo o está muerto. Que me lleven a donde está el. Cinco hijos y yo soy una mujer sola. Estaría muy agradecida de que me dijeran está vivo, está muerto...”

30. El 28 de mayo del 1995 a las cuatro de la mañana, nos despertamos por unos golpes en la puerta, fuertes. Gritaron: Abren y yo abrí. Fueron unos hombres fuertemente armados, tipo paramilitar. Aterrorizados, mis cinco niños y yo no tiramos al piso. Preguntaron por mi marido (MJ) y lo encontraron. Lo amarraron y se lo llevaron para fuera. Yo me eché sobre él, quería protegerle y pedí a los hombres de que, por favor, se les respetara su vida. Respondieron golpeandome delante de los niños. Maltrataron a mi marido y se lo llevaron. Fue a la policía y pregunté por el, pero dijeron que fueron los paramilitares. Fui a la base militar hablando con un capitán del ejército. Le pedí que me ayudara en la búsqueda de mi marido secuestrado. El capitán dijo no saber nada pero preguntó si yo quería hablar con el comandante paramilitar. Hablé con él y le dije que mi marido no tenía nada que ver con la guerrilla, que estábamos casados 20 años, que era gente sana y no estuvo metido en nada. Más tarde, un joven paramilitar, hijo de una familia amiga, me contó haber visto a mi marido ‘Los paramilitares se lo llevaron a tu marido por venganza. Le presionaron para que les colaborara’. Con mis cinco hijos fui a Montería y vivimos con una familia también desplazada del mismo pueblo. Después de casi 4 meses no sé nada de mi marido. Estará con vida?”.

31. Yo me vine para este barrio porque el 19 de noviembre [1994] unos hombres vestidos con uniformes como los que usa el Ejército se nos presentaron a la finquita, le hicieron unas preguntas a mi

esposo, lo aporrearon, se lo llevaron amarrado. Mi hija, desesperada, gritaba y lloraba como una loca que no le fueran a matar a su papá. Menos mal que no estábamos sino la niña menor, ella y yo. El otro día lo encontré muerto, en un lugar que quedaba por ahí, a tres horas de camino.

32. “Ellos me dijeron a mi que no me quedara en casa, que me fuera de ahí donde yo vivía. Me dijeron: ‘Señora, usted de aquí se va’, entonces yo creía que me iban a prender la casa entonces yo les dije: ‘allá en aquella pieza tengo unas niñas’. Ellos me dijeron: ‘No, aquí no se queda, Usted aquí no vive más’, entonces yo tuve que recoger mis trapitos yirme para otra casa vecina”.

(1.10)

33. Del proceso de desplazamiento, uno se da cuenta cuando comienza. Empieza la represión, empiezan a acusar y a amenazar a uno...Nos dimos cuenta por las llegadas constantes por la parte donde nosotros estábamos. Las familias poco a poco fueron saliendo conforme se iban endureciendo los rigores a la población, de las que quedaron no sabemos qué ha sido de ellas... Las diferencias con la vida de allá son muchas; en el campo uno no tenía que preocuparse por trabajo, en la finca trabajábamos y había todo. El hombre salía a trabajar la tierra y nosotras les ayudamos. Sacamos el trabajo del hogar, el trabajo con los niños y les colaboramos en el trabajo a ellos, también nos dedicamos a criar animales. La verdad que uno no se ve “a gatas” como decimos, si hace falta algo se vende o se mata un animalito, siempre hay recursos para sobrevivir. Mientras aquí no, para todo tiene uno que tener plata; el trabajo es la cosa más tremenda para conseguir y el hombre no lo consigue y así la mujer no puede salir tiene que cuidar los hijos, está más amarrada a la casa; si en algún caso tienen que salir a trabajar, tiene que dejar la casa, dejar los hijos. Una de las ventajas que tienen uno aquí es que se siente como más tranquilo, que ya no siente tanto esa persecución.

34.

“Me cogieron y me tiraron al suelo. A papi también y de ahí nos pararon y nos amarraron y yo les dije que ese era mi papá y que lo le fueran hacer nada a mi papá ni a mi tampoco porque eran muchos niños chiquitos y si mataban a mi papá quedaba yo para levantar los niños. Entonces me dijeron que me fuera para la casa y yo me fui para la casa enseguida. A mi papá se lo mataron más adelantico.”

35. “en todos los casos los menores llegaron de sus lugares de origen con desnutrición crónica. Era necesaria la atención inmediata de los pacientes”, sin embargo, “por voluntad de sus familiares, el tratamiento inicial de todos los menores fue empírico ...acorde con sus creencias, tradiciones y entorno cultural ... no permitió una oportuna atención por el equipo de salud responsable de estos menores en los campamentos”.

36. La población Zenú estamos muy acosados, porque los militares, paramilitares y guerrilleros nos tratan como informantes”. “Hay desconocimiento de una política indigenista y por tanto de nuestras costumbres en las cuales no está la violencia, pues lo que queremos simplemente es que nos dejen vivir, es decir que no dejen morirnos de viejos”. “Es que la guerrilla es la que nos tiene mas acosados”. “Nosotros somos víctimas de todos los grupos”.

37.El Ejército Popular de Liberación asume sin condiciones el compromiso de respetar y respaldar la decisión voluntaria de las personas desplazadas de esta zona, de regresar a las tierras que son de su propiedad o de su ámbito de trabajo. Esta decisión se fundamenta en la posición indeclinable del EPL de respetar la vida, la dignidad de las personas...”

38. “Queremos hacerle saber a los indígenas de la comunidad de El Volao que es satisfactorio para nosotros saber que tienen la intención de regresar a sus antiguas parcelas; garantizándoles nosotros respetarlos y permitir que continuaron viviendo en paz.”

39.

“Nosotros, los Embera, los Zenues, los Tules y los Chamies, diez y seis mil indígenas que habitamos en veinticinco Municipios entre ellos todos los de Urabá y algunos del Occidente, acorralados por una ola de violencia y muerte, solo comparable a la vivida por nuestros antepasados durante la conquista Española, ante la presión que estamos sufriendo de los distintos grupos armados que transitan por nuestros territorios, ocupan nuestros techos y nos exigen tomar partido por uno de los bandos en conflicto, nos vemos obligados a declarar ... nuestra neutralidad frente al conflicto armado y las distintas fuerzas que lo protagonizan. Esto quiere decir que no aceptamos el reclutamiento de ninguna fuerza armada, llámese guerrilla, autodefensas[paramilitares] o ejército. Quiere decir que no seremos informantes de ninguno de los combatientes, que no seremos guías, ni cargadores, ni postas, ni centinelas.”

40. El Gobierno Nacional reconoce la existencia de un fenómeno de desplazamiento forzado de población en el interior del país a causa de la violencia. Este fenómeno no ha sido estudiado debidamente y se carece de estimaciones fidedignas de su dimensión. En su configuración concurren diversos factores de perturbación, incluida la acción de la guerrilla. Coorresponden, no obstante, al Estado claras responsabilidades frente al desplazamiento forzado de personas.”