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## Colombia Fails to Provide Adequate Assistance to Displaced Population

Ten years ago, Colombia enacted a progressive law for internally displaced persons (IDPs), but the government is not living up to the law. Known as Law 387, it requires the government to provide a wide range of short and long-term services to people fleeing violence due to internal conflict.

Despite this legal framework, the nation's Constitutional Court has released several decisions finding that the government has not met its legal obligations under the law, and must do more to assist the country's displaced population. In February 2007, Refugees International (RI) visited the Colombian departments of Sucre, Cordoba, Chocó, and Nariño, and found that the government continues to fail in meeting its obligation to IDPs in all but the most basic of services.

### Humanitarian Emergency Assistance

According to Law 387, the Colombian government must provide food assistance; proper sanitation; adequate water supplies; cooking implements; medical and psychological attention; emergency transportation; and dignified housing conditions when people are newly displaced. This assistance is provided for the first 90 days of displacement, and can be extended in cases of extreme need for an additional 90 days. The Presidential Agency for Social Action and International Cooperation (known as Acción Social), which coordinates the services, works with the International Committee of the Red Cross (ICRC) to provide services to IDPs that have been displaced en masse (more than 50 people), and other non-governmental organizations in cases of individual displacement (any displacement of less than 50 people). While local authorities are required to provide emergency services to massive groups of IDPs for 3 days (and to individual IDPs for two weeks), this responsibility is transferred to Acción Social after that period of time expires.

Reports from IDP communities regarding assistance provided by the ICRC are uniformly positive and indicate that the services they provide – limited to food and cooking implements – are being delivered efficiently. Organizations that provide assistance to individual IDPs use a series of contractors and sub-contractors to provide food assistance and cooking implements to newly displaced people, and reviews there are mixed. Oversight from Acción Social is insufficient; In one meeting, when discussing an observed, two-month delay by a sub-contractor in extending emergency humanitarian services to vulnerable families, an Acción Social official said, “Those extensions have been approved on paper. I’m sure they should be receiving their aid any day now.”

Response from local authorities is sporadic, and largely dependent on the political will of officials in the receiving communities. RI visited newly displaced communities in Chocó and Nariño, and found only one case where housing was provided by local officials. In all other cases, displaced people relied on the goodwill of extended families to provide housing and other basic services – a practice that extends vulnerability to already poor families.

### Long-Term Socio-Economic Assistance

Law 387 obligates the government of Colombia to provide income generation projects; access to rural development and agrarian reform projects; micro-enterprise opportunities; training courses; health, education, and housing access; programs focused on children, women and the elderly; and

rural and urban employment projects for IDPs, with the aim of integrating people who choose not to return to their communities of origin into their current communities of residence. RI saw little evidence of government-sponsored projects to address these needs, and when such services were provided they were often of poor quality.

RI spoke with hundreds of individual long-term IDPs in multiple communities in the Colombian departments of Sucre, Córdoba, Chocó and Nariño during its February 2007 mission. We were not able to identify one single beneficiary of income-generating, micro-credit, rural development, or employment programs sponsored by the Colombian government. When discussing micro-credit programs with IDPs, RI was told, “we can’t qualify for loans we don’t have any collateral, and we don’t have fiduciary guarantors.” No IDPs interviewed by RI had been offered farmland through rural development or agrarian reform projects. With regards to training programs, RI spoke to many IDPs who had participated in such courses, but indicated that the skills they were being taught were incompatible with local job markets, and therefore left them with few real opportunities for employment.

Housing projects did not fare better. The Colombian government provides IDPs with two different housing opportunities – cash grants towards the purchase of a home, or construction of new housing. While many people that RI spoke with indicated an interest in participating in the grant program, they told RI, “the amount of the grants only cover 50-60% of the real cost of housing where I live” - most people we spoke with were unable to produce the matching funds. RI visited three government-sponsored (either local or national) housing projects designed for IDPs. RI witnessed sub-standard construction, houses that were constructed smaller than originally promised, and houses that were turned over to occupants before being completed.

IDPs are often turned away from medical services due to problems with the official government registry of IDPs (read more info here) and lack of proper medication was also a recurrent problem. RI is particularly concerned about denial of medical services to indigenous communities based on racial bias and language difficulties – leaders in one community told RI, “our people only go to hospitals to die.”

Access to education was fairly widespread in IDP communities, but families often indicated that, despite legal guarantees that they do not have to pay to enroll their children in schools, they were charged repeatedly for a variety of

services. Multiple government officials explained this frankly as a problem of local corruption. Many families also participated in the government-sponsored Family Well-Being program (Bienestar Familiar), which provides cash subsidies for keeping children in school. However, participants indicated that the US\$7-US\$23 per child subsidy was often less than the fees they had to pay to enroll their children in school.

## Accountability Mechanisms

The Colombian Attorney General’s Office (Procuraduría General de la Nación) has responsibility for investigating and sanctioning the failure of governmental agencies to provide legally mandated services to IDPs. RI asked regional procuradores throughout Colombia about their work in this area and found serious efforts to hold local ministries of health and education, as well as mayors, governors and other regional officials accountable for the failure to provide both emergency humanitarian aid and long-term socio-economic assistance to displaced people. However, procuradores also objected to the heavy caseloads; one regional procurador said, “For every complaint filed with my office, I receive ten complaints from IDPs that they cannot get access to medical care – we do not have the staff to process these cases.”

## International Response

RI observed a number of effective, well run international projects targeted at the IDP community that should serve as models for future aid programs. The most effective of these programs, which were many times European-run, put resources directly into the hands of displaced people, and involved them in all phases of project planning and implementation.

RI also talked to a large network of grassroots-based IDP organizations that expressed growing interest in managing services for the communities they represent. Despite detailed workplans, many of these organizations had problems securing international financing for their work. In many cases, RI witnessed internationally financed projects, mainly US-funded, in these same communities that side-stepped local NGO networks. While these efforts were often sound, many times they did not address the top concerns of IDP communities.

As noted earlier, internationally run projects to provide emergency humanitarian aid were well received in most cases.

**ON THE BASIS OF THESE OBSERVATIONS,  
REFUGEES INTERNATIONAL RECOMMENDS  
THAT:**

**THE GOVERNMENT OF COLOMBIA**

- ❑ Recognize its inability to meet its legally mandated responsibility to displaced people in the short-term, and invite greater participation from the international community in providing these services until it has adequately developed the capacity to do so;
- ❑ Strengthen the capacity of regional attorney general's offices in regions with large IDP populations to process complaints regarding failure to provide legally mandated services. At least one to two dedicated staff should be provided to these offices to handle only IDP claims;
- ❑ Increase Acción Social's monitoring capacity over contractors, and conduct routine evaluation visits to affected communities
- ❑ Redouble efforts to ensure that all agencies responsible for providing services to IDPs work off of one, unified database to prevent errors in transferring data from Acción Social to its counterparts.

**INTERNATIONAL DONORS**

- ❑ Encourage the government of Colombia to allow international actors, through the variety of United Nations agencies that are operational there, to take a greater role in coordinating and providing direct assistance to displaced people;
- ❑ Expand their direct work with IDP community organizations and leaders to assess and identify needs, use the results as a baseline for aid planning and implement projects. ;
- ❑ Avoid, to the greatest extent possible, projects that channel money through local government actors for emergency humanitarian aid. However, long-term socio-economic integration projects that work in cooperation with government agencies should maintain active participation and monitoring from international actors.

*Refugees International's Senior Advocate Andrea Lari and Advocate Sean Mariano Garcia assessed the situation in Colombia during the months of February and March, 2007.*