
RI BULLETIN

A POWERFUL VOICE FOR HUMANITARIAN ACTION

February 3, 2005

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*****UPDATE OF FEB. 2 BULLETIN BASED ON CARTAGENA CONFERENCE DISCUSSIONS*****

Colombia: No Incentives to Paramilitary until Victims of Violence Receive Reparations

This week in Cartagena, Colombia, the government of President Alvaro Uribe is meeting with the G24, key donors from international institutions and governments, to discuss programs of cooperation to help address the humanitarian and human rights crisis affecting the country still engulfed in a military conflict.

Demobilizing the paramilitary units still active in the country and raising the funds necessary to make this happen will certainly be high on the agenda.

Demobilization of the paramilitary, a deadly force in Colombia, responsible for countless assassinations, acts of extortion, drug trafficking and forced displacement of hundreds of thousands of Colombians, is a positive step in the process towards peace.

The efforts to demobilize the paramilitary forces are taking place in the context of a government effort to defeat militarily the left-wing guerilla armies, the FARC and the ELN. These armies, which number about 18,000 troops, are part of the dynamic of violence in Colombia, in which all parties to the conflict are motivated, at least in part, by a desire to control their share of the trade in illegal drugs. The guerilla armies continue to fight the Colombian armed forces while targeting civilians in contravention of international humanitarian law and have used kidnapping, selective killings, and massacres to control the population in territories under their direction. In an effort to stimulate renewed peace talks, the United Nations has called for a politically negotiated end to the conflict that includes all sides.

The current demobilization of the paramilitary involves forces in three areas: Uraba, Cordoba, and Catatumbo. They are being brought to a ranch in Cordoba owned by Salvatore Mancuso, the head of the AUC, where they undergo a short training session and are provided with funds for reintegration. The problem is that there is no Colombian legislative framework for this process. Legislation has been proposed calling for alternative punishment of five years for all crimes committed by illegal armed actors, which, if passed, would apply equally to the paramilitary, the FARC, and the ELN.

In the absence of this legislation, however, the proposed demobilization in effect sanctions impunity for illegal acts and rewards one of the perpetrators of violence in Colombia at the expense of the victims. According to statistics available in Colombia and from the World Bank, 50-60% of the two to three million forcibly displaced Colombians were forced from their lands by the paramilitary. Further, the resources to be provided to the demobilizing paramilitary far exceed those available for the over 2 million persons displaced by the conflict. \$186 million is requested for demobilizing the paramilitary, who number up to 16,000 persons, while \$136 million is to be provided for the 1.5 million registered displaced victims of the conflict in Colombia.

For displaced people, very little funding is available after the first three months of displacement, even though many are indigent years later. This has been confirmed to Refugees International by displaced persons in

Cundinamarca, Cordoba and Chocó departments, who related that in response to their requests of assistance, officials from the local responsible institutions lamented the lack of financial resources to provide greater help to them.

Even more important than the discrepancy in resources available to displaced persons in comparison to the paramilitary is the absence of any process for returning the land taken from displaced *campesinos* by the paramilitary. In fact, according to statistics in a Colombian magazine, a counter-agrarian reform has taken place in which the paramilitary have illegally acquired 4 and 5 million hectares of land originally belonging to *campesinos* through intimidation, selective killings and massacres. This is triple the amount of land redistributed 40 years ago in Colombia to ensure agrarian reform.

Many of the displaced *campesinos* whom RI interviewed said they were forced to sell their land to the paramilitary at half the market value or risk being killed. “They told us, you will sell your land to us at this price, or we will negotiate with your widow.” Others were less lucky. “The paramilitary came to my brother’s house in the middle of the night, killed him and then burned everything: the house, the harvest, the animals. They took over the land, and we cannot go back.”

Another woman told RI she was forced from her land because of the violence caused by the paramilitary, and when she went back to reclaim her farm, she found that the paramilitary had falsified the deed to the house. “There were other people living on our farm, who had been put there by the paramilitary. They had a false document drawn up forging my father’s signature as seller of the land.” The paramilitary are now using the land they acquired from this farm and others for large palm oil plantations.

No reparation has been paid to the victims, nor have they been given back the title to their land. Despite legal action, the Colombian government has not redressed this problem. Instead, the paramilitary have been able to develop large territories for commercialized agriculture. An old *campesino*, who was displaced in 1997, returned to his land three years ago and gradually started to cultivate his 150 hectares of land. Suddenly the paramilitary invaded his property and converted more than 115 hectares to palm oil cultivation.

Considering the wealth that the paramilitary have gained by force, leading to access to vast amounts of land and large-scale agricultural production, as well as their illicit enrichment in the trafficking of cocaine, it is imprudent for the Colombian government and foreign donors to offer them further resources for demobilization. Before additional funds are provided as incentives for demobilization, the Colombian government needs to carry out the proper division of illegally begotten wealth and provide reparation for the victims of paramilitary violence.

Therefore Refugees International recommends that:

- The government of Colombia modify its plan for demobilizing the paramilitary to include reparation or the return of lands occupied by the paramilitary to the rightful afro-colombian, indigenous, and *campesino* owners. The government should ensure proper penalties for abusers of human rights and international humanitarian law.
- The government of Colombia, through the office of the Attorney General, urgently respond to the petitions of those original owners whose lands have been occupied or stolen by the paramilitary, and ensure the land is returned with reparation for all damages.
- The governments and institutions of 24 key countries who are considering funding the demobilization process make donations contingent on a proper legal framework for the demobilization, which ensures appropriate punishment for breaches of humanitarian and international human rights and reparations or return of lands unlawfully occupied by the paramilitary.