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## COLOMBIA: TRANSFORMATIONAL CHANGE MUST INCLUDE URBAN IDPS

Colombia is home to the highest number of internally displaced persons (IDPs) in the world, the majority of whom live in urban areas. Armed conflict continues to displace more than 130,000 people annually. Once displaced, these Colombians frequently endure extreme poverty, live in unsafe settlements, and suffer social and economic exclusion. Helping urban IDPs move from conditions of sustained suffering and vulnerability to self-reliance and social inclusion will transform Colombia into a more stable and prosperous nation. The new Victims Law provides an organizing framework for achieving this goal. Although the Colombian government appears to possess the political will necessary to make real progress, coordination problems, excessive decentralization, and weak local capacity threaten to derail the implementation of the new law. Colombia's central government must provide resources and active oversight of local integration programs for urban IDPs. The U.S. government and the United Nations Refugee Agency (UNHCR) must invest the resources necessary to design and pilot local integration initiatives for urban IDPs, as well as deepen their engagement with local authorities and assist local NGOs to advocate for effective IDP programs.

### BACKGROUND

Decades of internal armed conflict have displaced at least 3.9 million people within Colombia since 1997. This is the highest recorded number of IDPs in the world<sup>1</sup>. CODHES, Colombia's premier displacement monitoring NGO, estimates that nearly 5.5 million Colombians have been

displaced since 1985. More than 90 percent of Colombian IDPs live in urban areas.

According to the Internal Displacement Monitoring Centre, 95 percent of Colombia's IDPs live in poverty – 72 percent in extreme poverty. Dispossessed of their belongings and driven from their homes, IDPs are three-times as likely as the aver-

### RECOMMENDATIONS

- ❑ The Government of Colombia must prioritize urban IDP integration as a key pillar of the implementation of the new Victims Law, and devise and fund new, integrated programs that help displaced people in urban areas attain decent housing, formal employment, and self-sufficiency in their local communities.
- ❑ In consultation with the Government of Colombia, and in coordination with selected counterpart municipal authorities, the U.S. Agency for International Development (USAID) should fund urban IDP baseline assessments, as well as design and pilot comprehensive urban IDP local integration programs.
- ❑ USAID must increase the share of funding dedicated to local integration initiatives for urban IDPs within its three-year plan to support the Victims Law, including support to

local NGOs to conduct budget oversight and advocacy for displaced victims at the municipal level.

- ❑ The U.S. Government should immediately fund the first year of the joint UNHCR–UNDP Transitional Solutions Initiative for Colombia, and engage with program implementers to provide ongoing feedback on the initiative and evaluate the lessons learned.

- ❑ The U.S. State Department's Bureau of Population, Refugees, and Migration (PRM) must continue to fund humanitarian relief for IDPs, as well as assess gaps in emergency response and provide technical assistance to central and municipal government officials and local NGOs – particularly in areas that the Government of Colombia cannot access or locations where displacement has increased significantly.

age Colombian to be poor and five-times as likely to live in extreme poverty. Ill-equipped to thrive in an urban economy, they earn nearly 30 percent less than non-displaced in the same city. Moreover, displacement interrupts children's education, making inter-generational poverty far more common.

According to the government figures, 143,116 people were displaced in 2011 – 10,000 more than the prior year. Incidents of mass displacements (10 or more families or 50 or more people) rose by more than 50 percent between 2010 and 2011, with re-organized paramilitary groups and guerrilla armies bearing equal responsibility for the violent expulsions. These trends have continued into 2012.

## **THE VICTIMS REPARATIONS AND LAND RESTITUTION LAW**

In June 2011, Colombia adopted the Victims Reparations and Land Restitution law. The goal of the new law is to rebuild the confidence conflict victims lost in their government, while at the same time remaking Colombia into an inclusive, peaceful, and prosperous nation. It consists of four core objectives: acknowledgement of the state's debt to victims of armed conflict; provision of financial reparations to victims; coordination of public services for victims; and the facilitation of a process for displaced people to return to their land or integrate into the community where they now reside.

The National Plan for Assistance and Comprehensive Reparation to Victims Policy anticipates that more than \$28 billion will be spent over 10 years of implementation. In December 2011, a \$3.5 billion financing plan was approved for 2012, and the law went into force one month later. The Victims Law creates new national institutions – among them the Special Administrative Unit for the Attention and Reparations of Victims (Victims Unit) and the Special Administrative Unit for the Management and Restitution of Dispossessed Land (Land Restitution Unit) – to implement the law. It also creates new mandates for the local authorities, which include requirements to fund victim assistance programs in municipal development plans. The law covers all conflict victims, the largest subset being IDPs, who comprise an estimated 80 to 90 percent of victims.

To date, the government of Colombia has advanced land restitution pilot projects and given some urban IDPs reparation money, but has yet to design and implement a comprehensive local integration strategy for the vast majority of IDPs who prefer to remain where they are. As many as 75 percent of the 4 to 5 million victims will require access to local integration assistance, mainly in urban settings.

The Victims Law seeks to convert similar past attempts and promises into true progress for Colombia's displacement victims. Successful implementation will require the Colombian government to design, pilot, and then take to scale comprehensive programs to help IDPs integrate into their communities and the formal economy. Urban IDPs must be prioritized in Victims Law programming. The U.S. government should support the development of programs for urban IDPs by increasing funds for social and economic development and utilizing the additional resources to design and pilot urban IDP integration programs in several cities.

## **COLOMBIA'S DISPLACED PEOPLE IN URBAN AREAS**

Forced displacement in Colombia largely occurs in the rural sector. Increasingly, victims of the conflict are forced to abandon their agricultural livelihoods, assets, and social networks to take refuge in cities. The majority of these can be found in just 12 cities.

The urban settlements where IDPs reside are often illegal subdivisions comprised of overcrowded homes of poor structural integrity, precariously situated in high-risk areas vulnerable to floods and landslides. In interviews, urban IDPs voiced frustration about high levels of violence and unemployment, streets running with raw sewage, and limited access to public services. Displaced women and girls are vulnerable to sexual abuse, and adolescents face forced recruitment into illegal armed groups that dominate marginalized neighborhoods. Nevertheless, RI did not encounter a single displaced person seeking to return to the place from which they were displaced.

Even when humanitarian assistance is available, its provision does not promote self-sufficiency. Upon registration, a displaced family can receive three months of government-provided emergency assistance, with the assumption that thereafter beneficiaries reach a 'stabilization phase.' This timeframe is unrealistic, and IDPs regularly return to long lines at overwhelmed government offices to request additional assistance. In talking to RI, displaced families consistently raised three priorities: employment, housing, and access to social and health services.

Local officials told RI that displaced people will not work. However, IDPs consistently reported secure jobs and income as their most urgent need. Government-offered vocational training programs are oversubscribed and seldom result in employment, and are criticized by IDPs for often being incompatible with the local economy. Several displaced women cited lack of child care as the greatest impediment to

pursuing full-time work. Apprenticeship programs should be expanded in coordination with large private sector employers to facilitate IDPs' entry into the formal economy and reduce dependency on continued humanitarian support.

Housing subsidies available to urban IDPs seldom result in the acquisition of a home. Indeed, such subsidies do not cover the market value of homes, meaning that IDPs must obtain mortgages to complete the purchase. However, lenders are unwilling to give mortgages to people without jobs, and unused housing subsidies are regularly returned to government. A state-subsided, long-term lending program might prove a better way to promote access to safe housing options.

Urban IDPs who wish to remain where they are have received little attention from the Victims Unit. The focus of the Victims Unit is on returns, even though local integration assistance is what the vast majority of urban IDPs need. The Colombian government should conduct a baseline study of urban IDPs to determine the population that prefers to integrate locally and to identify their needs. The assessment should pay particular attention to gender-specific urban IDP priorities to ensure that local integration programming takes into account the particular needs of displaced women. Baseline data, coupled with an understanding of the needs and priorities of IDPs, would allow the government and its international partners to more effectively design, pilot, and measure the results of urban IDP integration programs.

## IDP ASSISTANCE IN TIMES OF TRANSITION

Registration with the new Victims Unit is the means by which IDPs can access benefits under the new Victims Law. Unfortunately, communication and coordination challenges between the national government in Bogotá and municipal governments – combined with the limited capacity of local authorities – have essentially made this impossible for tens of thousands of IDPs, if not more.

To register, displaced people go to a Unit for the Assistance and Orientation of IDPs (UAO) and make a declaration to either a municipal public attorney (*personeros*), an official from the Ombudsman Offices (*Defensoría del Pueblo*), or an official from the Inspector General Office (*Procuraduría General de la Nación*). The Victims Unit in Bogotá then is responsible for validating the declaration. If successful, the claimant is included in the Single Registry of Victims.

RI was told that the new declaration forms created under the Victims Law take several hours to complete. Among the UAO sites visited, the best organized registration process was in Cali, where three officials took declarations and psychosocial

assistance was available onsite. Still severely understaffed and overwhelmed by dozens of people seeking to register daily, the office started requiring appointments earlier this year. The Cali UAO has seven declaration slots available per day, and reserves an additional three slots daily for emergency cases. All appointments are booked through November 2012, and the office was no longer taking new non-emergency appointments when RI visited in late July.

In Cartagena, the local UAO was shuttered for relocation. The director of the UAO was unfamiliar with the declaration process and could provide no figures regarding how many declarations they can process daily. RI was told of instances of *personeros* using outdated forms by mistake, running out of the new forms, or not having sufficient funds to mail paper forms to Bogotá. RI was also alerted to cases where local officials would not accept a declaration because they did not believe the case would be validated.

Several local officials responsible for documenting declarations have received no feedback on the quality of the declarations or the rationale for a positive or negative validation. To its credit, the Victims Unit provides trainings on filling in declarations, but additional human resource capacity should be offered to unclog the declaration bottleneck and provide onsite training and quality control of the declaration process. The Unit should also design a system to provide regular, timely feedback on the quality of declarations. The U.S. Agency for International Development (USAID) should expand its coordination with the National *Personero* Association to provide *personero* offices with technical assistance grants and resources to hire additional personnel.

Once a declaration is mailed to Bogotá, the validation process should take no longer than 60 days. If validated, the central government assumes the cost of providing humanitarian assistance. However, between January and June of this year, with nearly 100,000 declarations submitted, not a single case was validated and local officials had received no responses. By August, some progress was being made on the backlog.

The Victims Unit told RI that the validation process was slowed by challenges associated with a new informational technology system, and that the remaining declarations would be processed by the end of September. In the meantime, the cost of providing humanitarian assistance is being covered by municipal budgets. In each of the municipalities RI visited, the team was told that local humanitarian resources were either nearly or entirely exhausted, and that assistance was being rationed to only the most vulnerable cases. The Victims Unit should supplement municipal funding of IDP aid so that local governments continue to provide assistance.

## TRANSFORMATIONAL CHANGE: A ROLE FOR INTERNATIONAL ASSISTANCE

Over the past dozen years, the U.S. invested billions of dollars in Colombia to strengthen its military and counter-narcotics institutions, while USAID largely supported Colombia's counterinsurgency strategy. The underlying drivers of Colombia's internal conflict and the ramifications of intensifying the conflict received little attention. USAID funded programs to establish civilian government presence after military offenses cleared areas of guerrilla forces, creating so-called "consolidation zones." Directed by the U.S. Congress, USAID invested small sums of money for Afro-Colombians, indigenous groups, IDPs, women, and in support of human rights, but poverty reduction and social inclusion remained a low priority for the Colombia mission.

In the last two years, however, the election of President Juan Manuel Santos, the passage of the Victims Law, and the arrival of new USAID personnel have galvanized a redesign of U.S. development programs. In July this year, USAID Colombia announced a three-year, \$50 million agreement with the International Organization for Migration (IOM) to support the implementation of Colombia's Victims Law by strengthening institutional capacity, providing physical and psychological assistance to victims, providing assistance tailored to ethnic groups and women more severely affected by the conflict, and supporting the Transitional Justice Committees. While this is a substantial investment, more of the \$170 million of Economic Support Funds directed to Colombia in this year should support the Victims Law. Specifically, consistent with the "USAID Forward" reform agenda to strengthen partner country capacity, USAID Colombia should increase direct assistance to municipalities with the highest concentrations of urban IDPs.

Creative programming across USAID Colombia sectors can support the Victims Unit as it designs and pilots programs to lift millions of urban IDPs out of poverty through self-sufficiency. While the Colombian government is investing heavily in high-profile return programs, most urban IDPs need assistance to thrive where they currently reside. The Victims Unit has not yet designed nor implemented comprehensive integration strategies as are called for under the new Victims Law. USAID Colombia should contribute the Victims Unit effort to assist urban IDPs by designing and piloting scalable local integration programming in selected cities that are among the country's top 25 urban IDP receptors. Investments in pilot projects that focus on job creation, housing development, and education and health care access for IDPs should include results analysis in their program design to determine the most effective programming.

In tandem with these programs, USAID Colombia should invest in civil society organizations that can undertake budget oversight initiatives at the municipal level. With adequate training and funding, these local NGOs can provide quality control of programming for urban IDPs and ensure the funds included in mandated local action plans are spent effectively in support of displaced victims.

To undertake these activities, USAID Colombia must enhance its capacity to manage development programs. A combination of inconsistent leadership, understaffing, and inexperienced personnel has plagued USAID Colombia for a decade and threatens USAID Colombia's ability to partner effectively with the Colombian government as it implements the Victims Law. The office has had several short-term mission directors over the past five years, and for more than a year has operated under an acting mission director. Staff tends to arrive in Bogotá with limited regional knowledge and experience. Supporting the implementation of the Victims Law requires that USAID Colombia has the capacity to conduct independent analysis and identify creative solutions for local integration of urban IDPs. In order to build capacity at the mission to design and pilot effective programs, USAID Colombia should hire additional staff, ideally with regional experience, and make Bogotá a four-year posting.

USAID Colombia's support for local integration could be complemented by other efforts, like the new UNHCR–United Nations Development Programme (UNDP) Transitional Solutions Initiative program. The initiative seeks to design and pilot local integration programs for urban IDPs in three communities, as well as rural returns in two others. Helping urban IDPs integrate into their communities will be an incredibly challenging task. Pursuing multiple efforts to design and pilot policy responses in the early stages of implementation of the Victims Law will greatly aid the Victims Unit as it develops a national local integration strategy. As of May 2012, the three-year, \$26 million initiative was less than 10 percent funded. The U.S. State Department's Bureau for Population, Refugees and Migration (PRM) should fully fund its work in Colombia.

## RESPONDING TO HUMANITARIAN EMERGENCIES

The Victims Law replaces *Acción Social* – the national entity formerly responsible for providing emergency assistance to IDPs – with the Emergency Humanitarian Response subunit. However, the previous system's response mechanisms have been largely maintained. Local authorities, local groups, and international NGOs remain the first responders,

responsible for providing displacement victims with emergency assistance until the central government assumes responsibility.

Municipal officials told RI that emergency response coordination remains a major challenge. Blaming inexperienced national officials and the new system for the slow handover of responsibility to the national subunit, local responders reported cases where individuals have waited months to receive assistance from the national government. As a result, local governments must operate a triage system whereby the direst cases receive attention, while most IDPs do not. Furthermore, RI was told that local authorities understand displacement to be a national responsibility, and purposely limit the provision of assistance to IDPs so as to not attract IDPs from neighboring towns or rural areas.

The International Committee of the Red Cross (ICRC), other international organizations, and international NGOs play a central role in providing assistance in many municipalities. For example, in the southwestern department of Valle de Cauca, a recent surge in conflict has driven displacement up 200 percent. The department's capital city, Cali, receives an estimated 200 IDPs every month – overwhelming its capacity. The local authorities are able to assist roughly 50 per month, and local officials say that they cannot increase their response capacity. It is left to the ICRC to provide emergency assistance to the remaining three-quarters of the new arrivals. ICRC and international NGOs must remain engaged in this emergency response for the foreseeable future.

ICRC has plans to limit its emergency response role to cases of mass displacement or incidents where the Colombian government faces access issues due to security concerns. It is important to recognize that the Colombian government does not have access to all parts of the country, making international organizations such as the ICRC indispensable to an adequate response. Continued concern over the Colombian government's capacity to provide emergency assistance will require ICRC to extend its emergency response role through December 2012. Given the lack of clarity regarding who will take on new responsibilities for emergency assistance and whether they have adequate capacity to do so, ICRC should plan to provide emergency assistance to IDPs through 2013, and PRM must provide the essential resources needed to fill gaps in emergency humanitarian response until it has verified that the well-being of displacement victims is not jeopardized by the transition to the new system.

## CONCLUSION

Providing emergency humanitarian assistance to Colombians who are displaced by armed conflict in large numbers must remain a priority. However, the Victims Law presents an important opportunity to develop new and innovative strategies to help urban IDPs build new lives in their new communities. The Colombian government and its international partners – particularly the United States – must work to improve local capacity to register displacement victims, while also helping urban IDPs attain decent housing, find employment, and integrate into their local communities and the formal economy.

*Marc Hanson traveled to Colombia to assess the situation of urban refugees and the implementation of the new Victims Law in July 2012.*

<sup>1</sup> It should be noted that official government figures tend to undercount actual displacement due to registration problems such as the government's denial of registration, fear on the part of IDPs of retribution for approaching state institutions, limited capacity of local authorities to conduct declaration in-takes, and lack of access to registration process. The statistics in this field report draw exclusively from official documentation except where otherwise stated.