



# **COUNTRY OPERATIONS PLAN**

**Country: Colombia**

**Planning Year: 2004**

## **Part I: Executive Committee Summary**

### **(a) Context**

The current humanitarian crisis in Colombia poses new and more complex challenges to UNHCR's protection mandate. Both armed actors and Colombian society itself are taking increasingly more radical positions. Perspectives for a negotiated solution with all actors in the conflict are currently quite distant. In this context, not only does the victimisation of civilians and forced displacement continue to worsen but, new and more complex violations of rights are arising.

The new formulations of public policy by the current government also imply a significant need for UNHCR to adapt its role and strategies. The policy of *seguridad democrática* (democratic security) is leading to a firmer position against the illegal actors. The consequent radicalisation of the conflict implies risks to the rights of civilians in conflict areas. Regarding IDPs, the government announced its wish to promote return and its commitment to provide assistance to all those IDPs who return to their place of origin. However, those IDPs who cannot return, or who opt for local integration, would risk not benefiting from any assistance, since no similar commitment in their favour has been made explicit so far.

There are also indications that displaced persons may be included in the category of "vulnerable population" in public policy. Being subsumed in the wider concept of the social policy for vulnerable groups may jeopardise the most important achievement in public policy so far, namely the development of positive discrimination for IDPs in public programmes and institutions. All these elements of context could imply important challenges for UNHCR in 2004, which may be summarised as follows:

- The need to improve our ability to influence policy-making regarding IDPs and the humanitarian crisis, both by the State and by other humanitarian actors;
- The need to facilitate improved compliance with the State's obligations towards IDPs (IDP legislation) and communities at risk;
- To expand and consolidate our geographical coverage, increasing field presence;
- To achieve a wider acknowledgement of, and support for, community-based initiatives to respond to the humanitarian crisis;
- A differential approach which has materialised in concrete policies; programmes for children, mainstreaming of gender and attention to ethnic minorities,
- To find new strategies to increase the viability of solution processes in the middle of the conflict;
- To guarantee basic principles of voluntariness, dignity and security in return movements;
- To advance in the implementation of the UN Humanitarian Action Plan;
- To consolidate the co-ordination of humanitarian aspects of the UN System intervention in Colombia.

UNHCR has also experienced an important growth in activities leading to the opening of new offices. In 2002 and 2003, a permanent staff presence was established in Quibdó (Chocó Department) and Pasto (Nariño Department) and a new Field Office has been opened in Barranquilla, covering the Atlantic Coast. In 2004 the opening of the satellite offices in Pasto and Quibdó will be formalised and new professional staff will join the operation.

The expansion of UNHCR's area of intervention in 2002 allowed the office to reach a greater number of IDPs. However, the area of conflict extended significantly following the suspension of the peace talks. As a consequence, the number of beneficiaries increased dramatically (80%) during last year and UNHCR envisages that, due to the worsening of the conflict, this trend will continue in 2004. UNHCR expects to assist up to 200,000 beneficiaries during 2004.

The salient features of the current displaced population are:

- the large proportion of boys, girls and women;
- its low income level;

## BO Colombia Country Operation Plan 2004 Part I

- its rural origin and the disproportionate numbers of indigenous and Afro Colombian ethnic minorities who, although making up only 11 per cent of Colombia's total population, account for a third of the displaced population (28% of the total IDP);
- according to the Government, from 1995 to 2002 some 960,000 IDPs were recorded; 100,000 new IDPs were recorded during the first half of 2003. NGOs estimate the number at 2,114,000 IDPs for the same period.

So far, UNHCR has achieved a significant impact on the protection and attention of IDPs. Access to protection and assistance mechanisms has been improved through personal documentation campaigns and dramatic improvement of the registry system. The legal and institutional framework has evolved towards a more comprehensive model, incorporating systems of monitoring and follow-up with a rights approach. The Office of the General Procurator (*Procurador General de la Nacion*) and the Ombudsman (*Defensor del Pueblo*), for example, are fully involved in defending the rights of IDPs and presenting their cases both at the national and local level. The technical co-operation provided to the Social Solidarity Network (RSS) through the Joint Technical Unit (JTU) has produced important achievements in the definition and implementation of government policies for humanitarian assistance, the national registration system, socio-economic reestablishment and decentralisation of resources.

Finally, at local and national level UNHCR has supported and strengthened an important number of IDP associations, thus contributing to a stronger participation by IDPs in solution processes. As a consequence, UNHCR is widely recognised as having decisively contributed to a better and more co-ordinated response to the humanitarian crisis in Colombia.

The United Nations System in Colombia has strengthened the co-ordination mechanisms and developed a common framework for assistance to IDPs. UNHCR, with the support of OCHA, led the co-ordination which produced, at the operational level, the Humanitarian Action Plan (HAP). The HAP was drafted by the Thematic Group on Internal Displacement following extensive consultations with the Government, national and international NGOs, the Red Cross movement and donors. From a policy perspective, this effort has led to the creation of a government-UN Working Group (as suggested by the High Commissioner to the President in November 2002), which is leading to agreements on basic principles for dealing with IDP problems in Colombia, emphasizing the importance of achieving security through civilian means.

### UNHCR's role in 2004

Implementation of the UNHCR Operational Plan for IDPs began in the second half of 1999, following endorsement by the donor community and regional Governments. In 2004, UNHCR's response to the humanitarian crisis will continue to be based on a comprehensive regional approach aimed at:

- The promotion of a comprehensive and co-ordinated response to the humanitarian crisis, in order to reinforce the protection of the rights of IDPs and populations at risk as well as to seek solutions, taking into account the special needs of specific groups.
- The promotion of international protection for asylum-seekers and refugees in Colombia and search for durable solutions as well as the strengthening of a regional strategy for Colombians in need of international protection, in co-ordination with RO Caracas.

Regarding the IDP operation, the main strategic lines to achieving the goals for 2004 are:

- **Protection** of the rights of IDPs, developing and consolidating national mechanisms to improve state compliance;
- **Search for solutions**, supporting the voluntary return, relocation and local integration of IDPs;
- **Coordination** of an efficient response to the humanitarian crisis with the UN system and the other main humanitarian actors.

### Protecting the rights of the IDPs

The objective for 2004 is to consolidate existing protection mechanisms and therein reach a full level of efficiency and fulfilment of the rights of the internally displaced, returnees and

communities at risk of displacement. UNHCR's influence on public policy decisions is essential in this respect. The main lines of intervention are:

- To provide follow-up on the situation of internal displacement at both the national and regional levels; to identify the specific situations of risk affecting the population; and to identify the types of solutions and actions for implementation by the State and civil society;
- To strengthen national protection mechanisms, promoting the development of new policies and the adjustment of existing ones with regard to internal displacement, in coordination with UNHCR's main counterparts and the Joint Technical Unit. UNHCR plans to widen and strengthen existing legal services and assistance through the establishment and consolidation of networks between universities (Legal Aid Centre projects and a diploma course on Attention to IDPs), NGO's, and the Public Ministry. The Ombudsman's Office and the General Procurator will implement control systems over actions implemented by state institutions, both with regard to the IDP population as well as for communities in high-risk areas.
- The protection of IDPs and at-risk communities will include the building up of their organizations and other processes implemented by the communities. In this respect, UNHCR continues to accompany and strengthen IDP associations.

### **Searching for solutions**

UNHCR's objective is to promote and facilitate the mechanisms and processes for comprehensive solutions including voluntary return, relocation and local settlement of IDPs. These solutions will aim at stabilizing the socio-economic situation of the IDPs and groups at risk, and must attend to the special needs of specific groups and be in accordance with the guiding principles. The strategy will consist of the following main lines of action:

- Promotion of public policies, and their monitoring and evaluation.
- Community development/participation, through a) the support and consolidation of new and existing IDP organizational initiatives; b) the strengthening of IDP organisations, and c) the promotion of IDPs' participation in the formulation and implementation of policies, programmes and projects, as well as their monitoring and evaluation.
- Socio-economic stabilization, integration and reintegration processes, through a) contribution to local and regional initiatives promoted by community based and IDP associations; b) support of self-reliance initiatives and income-generation projects; c) access to basic services, such as education (particularly with the project of pedagogy and protection of the children), health, water and sanitation.
- The promotion of actions in favour of specific groups of IDPs: gender equity and women's participation, children and youth participation, and the promotion of the rights of ethnic groups and indigenous communities.

The strategy will emphasise the local and regional (sub-national) level, covering the municipalities and regions where UNHCR has a field presence.

### **Coordinating with others**

The coordination role of UNHCR/OCHA is widely recognized both within the UN system as well as among State and civil society institutions. Although the start-up of coordination faced some initial difficulties, the clarification of the cooperation terms have proved that UNHCR-OCHA have contributed to building a UN approach to respond more effectively to the humanitarian crisis in Colombia. Since 2 April 2003 the coordination of the UN system has been the responsibility of the Resident Coordinator, while UNHCR continues to be the agency responsible for the co-ordination of the Thematic Group on Internal Displacement with OCHA support.

The challenge will be to support the Resident Coordinator in reinforcing and developing new structures and areas for co-ordination, especially at the local level. Also at the local level, co-ordination will be enhanced with IDP groups and in Municipal/Departmental Committees, as well as with other actors, such as the Church, NGOs, etc., through the establishment of local Thematic Groups on Internal Displacement. At present, one of the main tasks of UNHCR-OCHA is to provide information on the humanitarian situation in Colombia, as well as the consolidation of the Humanitarian Situation Room.

## **BO Colombia Country Operation Plan 2004 Part I**

The Local Thematic Group on Internal Displacement and Humanitarian Action Plan will, at the local level, be consolidated and increased in areas where UNHCR has a presence. Specific attention will be devoted to the definition of a co-ordination strategy aimed at involving the private sector in IDP programmes. Working groups aimed at the establishment of inter-institutional networks will be promoted and/or consolidated. UNHCR will continue consolidating other co-ordination spaces based on its experiences in recent years. To achieve concrete results, human and financial resources have to be increased.

### **Policy Priorities**

The policy priorities of UNHCR are being developed within the conceptual framework of the differential approach which recognizes and takes into consideration the specific rights and concrete needs of different population groups, determined by gender, age and ethnic origin. This approach has been led by UNHCR, with other UN agencies, within the framework of interagency coordination and the development of the Humanitarian Action Plan. Each population category has specific rights that are in one way or another violated by the armed conflict; it is a priority for UNHCR in Colombia to focus on the specific needs of each group and to strengthen a differentiated rights approach.

### **Advocacy and Dissemination**

UNHCR will continue to develop its strategy of advocacy and dissemination of internal displacement to establish and consolidate lines of communication and co-operation with representatives of the private sector, donor countries, the media, NGOs, UN agencies and academic institutions, through formal and informal contacts and briefings, the organisation of campaigns and events and the regular and timely sharing of relevant information. The dissemination of the progress and achievements of the Humanitarian Action Plan will continue to be done in close co-ordination with the other agencies of the United Nations System.

### **Core Mandate Activities**

UNHCR aims to work on the status of refugees in Colombia and the application of the legal framework of international protection for refugees by the local institutions. In addition, the office will continue to collect and provide country of origin information, containing both factual and analytical information, as part of the regional UNHCR strategy to assist Colombian refugees in the neighbouring countries.

The work of the office in 2004 will seek to strengthen the legal framework for the treatment of asylum-seekers and refugees and other persons of concern, taking into account the differentiated protection needs of men, women and children. In addition, the office will offer advice to the government to reinforce the asylum framework through sound asylum practices, and ensure access to a safe environment as well as to refugee status determination procedures in Colombia. A matter of concern is still the omission of the Cartagena declaration in the new refugee decree issued in 2002. Protection concerns in relation to local integration will centre on the issue of guaranteeing access to adequate documentation (long-term residence or naturalisation) and as a complement, access to state services in conditions comparable to those of the local population.