

Peace in Colombia and solutions for its displaced people

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With the prospect of peace comes the need to find solutions for those displaced during 50 years of fighting. Solutions will not come without comprehensive attention to the factors affecting IDPs and refugees.

Since 2012, the Colombian government has been engaged in peace talks with the country's largest guerrilla group, the Revolutionary Armed Forces of Colombia (FARC), amidst an armed conflict that has dragged on for over 50 years and has displaced more than six million people. The negotiating parties have reached agreements on rural development, drug substitution, political participation, transitional justice and reparations for victims. The remaining points on the agenda are a deal on how the guerrillas will demobilise and disarm, and how to implement the peace accords.

The peace agreement will be just the beginning of a transition period that will encompass a range of measures aimed at reducing the country's risk of relapsing into conflict. Finding comprehensive durable solutions for the country's displaced populations is a key aspect of that process because, among other reasons, the reintegration of internally displaced persons (IDPs) and refugee returnees will validate the post-agreement political order and contribute to the recovery of licit local economies and to participatory development.

The concept of comprehensive solutions is premised on the belief that both the purpose of solutions and the systemic nature of the problem of IDPs and refugees require that the approach taken to achieve a lasting restoration of human rights must build on a full understanding of the interconnected factors around displacement, and must tackle them in an inclusive manner.¹ This contrasts with non-comprehensive approaches to solutions which address displacement factors, population groups of concern and solutions in isolation from each other, or

which expect solutions automatically to result from generic peace-building interventions.

In substantive terms, the concept of comprehensive solutions requires an integrated and multi-sectoral approach to protection and durable solutions that focuses on self-reliance, with displaced populations meaningfully involved in decision-making processes. Mutually reinforcing synergies need to be created between proposed solutions – whether voluntary return, local integration or resettlement – for IDPs, returnees and refugees. The final purpose and outcome must be the full restoration of human rights in line with the IASC Framework on Durable Solutions for Internally Displaced People² and standards defined by Colombia's Constitutional Court in its landmark ruling T-025 from 2004. In terms of processes and structures, the concept requires that the government and the UN draw up a comprehensive solutions strategy in the framework of coordinated multi-stakeholder partnerships.

Still displaced

Since 1985, 6.9 million people have been internally displaced, of whom some 60% have fled to the shantytowns of Colombia's 25 largest cities. In addition, there are around 360,000 Colombian refugees in neighbouring countries and other regions. Most of the latter have not been through formal asylum procedures and thus do not possess a regular migration status, leaving them 'invisible' in the territories of asylum countries.³ The majority of the IDPs and refugees (and refugee returnees) live in situations of protracted displacement.

Although armed hostilities have diminished thanks to the peace process

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and related ceasefires, non-state armed groups such as those rooted in the officially demobilised paramilitaries are estimated to have members in more than 400 municipalities, notably in urban areas. Similarly, some guerrilla fronts heavily involved in illicit economic activities may not be convinced by a peace agreement to lay down arms. Conflicts may also arise in connection with the implementation of the peace agreement, particularly over land. In short, the conflict has been transforming; while the number of armed confrontations between the parties to the conflict has been going down, organised violence has taken new forms and continues to trigger emergencies and displacement.

Government's role

While the government has made significant efforts through policies and measures in areas such as public health, education, income generation and the reparation of victims via land restitution, civil authorities are absent or only marginally present in various parts of the country, notably those areas most affected by forced displacement. Equally, their resources and capacities are often inadequate to prevent, respond to and resolve displacement, particularly in low-income municipalities.

The complexity of displacement-related problems calls for collaborative whole-of-government responses and a human rights-based approach; however, limited coordination between authorities – horizontally among different state institutions and vertically between central and local authorities – frequently leads to inefficiencies when it comes to addressing displacement-related matters. For example, although most IDPs have fled to urban centres, the government has not yet adopted a comprehensive local integration strategy for IDPs in urban contexts. Likewise, the capacity and willingness of state authorities to consistently accompany



This indigenous community of Unión Embera Katio, Bajo Atrato, in the department of Chocó, Colombia, has been displaced on several occasions.

and follow up on voluntary return and relocation movements have been limited.

The Victims and Land Restitution Law adopted in 2011 importantly acknowledges the existence of an armed conflict and the scope of forced displacement, and provides for comprehensive reparations for victims of the armed conflict, including IDPs. Reparation is meant to serve as a bridge towards the sustainable reintegration of IDPs. In practice, however, much of the government's work has focused on short-term assistance and financial compensation rather than long-term reintegration processes and the coordinated and sustained intervention of state institutions.

Rural and urban development plans

The negotiating parties of the peace agreement have committed to boosting economic infrastructure, social services and good governance in rural areas that hitherto had been controlled by the FARC. This makes sense given that persistent poverty and inequality in rural areas have been at the root of the armed conflict.

Not surprisingly then, the government's general development plans, the UN Development Assistance Framework which aligns with the government's development priorities, and the UN Peacebuilding

Framework for Colombia all focus on the rural areas. At the same time, most IDPs have fled to urban areas and are unwilling to return to their rural communities of origin. While international actors advocate a holistic approach to development that acknowledges rural-urban linkages, the agreements are virtually silent about the policies needed to integrate the millions of urban IDPs. It is significant that none of the plans proposes a strategic solutions framework for IDPs and refugee returnees.

In a similar vein, the Humanitarian Country Team is focused on meeting humanitarian needs associated with ongoing humanitarian emergencies in the country, and thus ignores longer-term reintegration needs of IDPs and returnees. The absence of structures bridging the humanitarian coordination architecture and the coordination mechanisms set up under the UN Country Team means that development and humanitarian actors are currently not systematically working together to jointly support IDPs and the authorities in finding sustainable solutions for them.

Asylum and repatriation

While the government has started to offer reparations for human rights violations suffered in connection with the armed conflict, it has shied away from elaborating a comprehensive voluntary repatriation and reintegration framework for so-called 'victims abroad'. For example, the government provides repatriation support to Colombians residing abroad who organise their return through consulates in the countries of asylum. Yet refugees who repatriate spontaneously or are forced to return do not receive long-term reintegration support from the state.

Equally, the government has not made efforts to set up tripartite mechanisms with individual countries of asylum and UNHCR for local integration of Colombian refugees who do not want to repatriate. This is despite strong pleas by Colombian NGOs and victims associations abroad to create – in the framework of the peace negotiations – a sub-commission on refugees. Following the example of the CIREFCA

Conference and Process that brought the problem of displacement to the forefront of the peace initiative in Central America and sought to find regional solutions for the uprooted, they also advocate holding a regional conference to promote access to durable solutions for the region's refugees and host communities through an integrated relief and development approach.⁴

The role of UNHCR

UNHCR has so far been the only international actor in the region to draw up comprehensive solutions strategies for Colombia's displaced populations in Colombia and neighbouring countries. In addition to assisting authorities to facilitate displaced communities' return, local integration or relocation where conditions are conducive to solutions, UNHCR works with displaced people and receiving communities at all stages of such processes. It has also helped victims associations in countries of asylum to reconnect to the government.

Under the Transitional Solutions Initiative (TSI)⁵ – a joint project between UNHCR and UNDP, which aimed to bring national authorities together with displaced and host communities and find sustainable solutions – UNHCR selected 17 communities throughout the country, in both rural and urban areas, and pursued three lines of work: improvement in quality of life (land, housing, access to basic services and local economic development), organisational and institutional strengthening, and protection of victims and their rights. TSI encompasses local urban integration projects such as the legalisation of informal settlements and return and relocation projects. UNHCR is now using the lessons learnt from these projects to promote a comprehensive policy on solutions with the national authorities, so that the government may replicate the projects in other areas of the country once a peace agreement has been signed.

In countries such as Ecuador and Costa Rica which host large numbers of Colombian refugees, UNHCR has adopted comprehensive local integration strategies and has also resettled Colombian refugees

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from Ecuador and Costa Rica to other countries in the region. The framework for this has been the Brazil and Mexico Plans of Action and the principles of international solidarity and responsibility sharing between the main countries receiving refugees and the other countries in the region.

Particular attention has also been given to regional migration. For example, in the framework of a transnational labour mobility project, Colombian refugees in Ecuador have access to a two-year residence permit in Brazil without losing their refugee status in Ecuador. The residence permit provides access to rights – notably to work and study – and public services, and can become permanent.⁶

Conclusion

The Colombian government, the UN and donor countries approach the displacement of IDPs and Colombian refugees primarily as a humanitarian issue. This explains why the different peace-building and development frameworks fall short of whole-of-government and whole-of-organisation approaches and thus fail to address displaced populations' reintegration needs in a comprehensive and explicit manner.

If the protracted displacement of 6.9 million IDPs – 14% of Colombia's population – remains unaddressed, it is likely to become a major strain on the peace-building process. At the same time, the search for solutions for

IDPs and refugees may regain momentum once a final peace agreement has been signed. Although the government may not draw up a comprehensive solutions strategy for IDPs and refugees, UNHCR – in collaboration with IDP communities, victims associations and NGOs – may succeed in inserting the topic of solutions into the government's rapid response plan and into local development plans. In line with the 2014 Brazil Plan of Action,⁷ a comprehensive regional solutions strategy uniting Colombia, asylum countries and the international community is also desirable in order to create synergies between the local integration, resettlement and voluntary repatriation of Colombian refugees and other victims of the armed conflict.

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