

# Year of displaced people's rights in Colombia

by Marco Alberto Romero

**A Campaign for the Rights of Displaced People in Colombia, launched in 2007 by UNHCR, Colombian NGO CODHES and the Catholic Church, has tried to raise awareness in Colombia and the international community about the severity of the country's displacement crisis and its failure to guarantee the rights of displaced people.**

CODHES and the Episcopal Conference of Colombia calculate that over 3.8 million people have been displaced in the last 20 years. Accurate figures are difficult to come by as official records suffer from gross underreporting. Studies indicate levels of underreporting of over 30% and various surveys show that, additionally, around 20% of displaced people have never requested registration as displaced. Furthermore, according to the Constitutional Court, official records do not cover forced displacement within the same town, city or village.

## **Institutional responses: contradictory and deficient**

Colombia's current government refuses to acknowledge the existence of a politically-motivated armed conflict and tends to characterise the situation in Colombia as that of a democratic nation threatened by terrorism. This failure to acknowledge the true situation sidetracks the government from developing programmes for prevention and protection. The Colombian government also displays a profound inability and unwillingness to respond to the needs of those who have been forcibly displaced.

Act 387, passed in 1997, recognises a series of special rights for the displaced population: emergency humanitarian aid, access to health services, education, housing, generation of income and participation in the development of public policies. Similarly, the government is obliged to protect the life, integrity and dignity of all displaced individuals. In 2004, Colombia's Constitutional Court

declared the existence of a State of Unconstitutional Affairs (*Estado de Cosas Inconstitucionales – ECI*) in a bid to highlight the contradiction between the government's formal recognition of these rights and the lack of financial and political resources that would ensure effective access to them. Three years later, the Court has stated that this ECI still exists and that there are serious breaches in provision of access to social services and long-term solutions.

Analysis of the government's response, in light of the official statistics released, indicates that access to emergency humanitarian aid has increased (80%) but that there is still a deficit of over 60% in terms of effective access to health services and education, while only 4% of families have obtained any assistance to buy a home and only 16% have received training grants or microloans to help generate employment and income. Furthermore, the government has acknowledged that close to 40% of displaced people do not have any official means of identification, which makes it even more difficult for them to access assistance.

Act 975 – the Justice and Peace Act (*Ley de Justicia y Paz*) – came into force in 2005 and aimed to facilitate dialogue between the Colombian government and the extreme right-wing paramilitary groups, which have been partially demobilised. This new law establishes major impunity benefits for members of these groups but also formally recognises the rights of victims to truth, justice and reparation. However, no sentences have yet been passed and, in the

meantime, 17 displaced community leaders have been murdered.

According to official calculations, several million hectares of land have been violently expropriated in Colombia, and the inhabitants forced to leave their homes. Without the restoration of land and property, and without proper security in these regions, people will be unable to return to their homes. For the time being, the displaced population continues to live a life of marginality in ever deteriorating living conditions in the country's major cities.

The 2007 Campaign for the Rights of Displaced People in Colombia has been urging the government to face up to these challenges and to its responsibilities. The campaign calls on the international community for support as it struggles to foster a culture of social responsibility to help Colombia resolve the ongoing war that is blighting the country and its people's lives.

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On 29 July 2007, the main square in Bogotá, Colombia's capital city, was transformed by thousands of flowers and plants, left in homage to Colombia's displaced. The event, 'Siembra y canto en la plaza' (planting and singing in the square), attracted some 20,000 people to the Plaza Bolívar to show solidarity with the thousands of Colombians who have been forced to flee the countryside for the cities. The event was part of the 2007 Campaign for the Rights of Displaced People in Colombia, and included music, theatre and dance by both professional artists and displaced persons.