

**INTER-AGENCY STANDING COMMITTEE WORKING GROUP
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**IDPs-Update on the work of the IDP Unit:
Colombia Mission Report (7-20 august 2002)**

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I. Mission objectives and schedule:

The mission was of a technical nature in support of the GTD¹ (Spanish acronym for Thematic Group on Displacement) in the final process of elaboration of the Humanitarian Plan of Action (HPA). In preparation of the mission, the Unit undertook bilateral discussions with several agencies participating in the GTD and below objectives were agreed upon.

1. Support the UN Country Team (GTD) in the preparation of the HPA with special attention to the areas of prevention of displacement and protection of IDPs.
2. Undertake a field assessment of the new Rapid Response System (RRS) piloted in the Municipality of Quibdo and the Media Atrato region (Department of Choco) and the Pilot Humanitarian Plan of Action for Magdalena Medio.
3. Discuss with the GTD and other concerned actors the ToRs and best timing of a Unit mission to Colombia as a follow-up to the Senior Network mission of 16-24 August 2001.

The Mission attended a plenary meeting of the GTD, held separate meetings with staff of UNHCR, OCHA, OPS-WHO, HCHR, UNICEF, WFP, IOM, ICRC, the Colombian Red Cross (CRC), international and national NGOs, and debriefed the GTD on its findings and recommendations. In addition, the Mission travelled to the Magdalena Medio region and Choco Department (Quibdo and Medio Atrato River) where meetings were held with the local GTDs, grass-root organizations and the Catholic Church, and visited IDP/returnee communities.

II. Context

On 7 August Mr. Alvaro Uribe took office as President of Colombia. For the first time in many years a presidential candidate received strong support winning the elections in the first round by a majority of votes. President Uribe based his campaign on a strong stance vis-à-vis the illegal armed groups. Public order and an efficient public administration have been presented as top government priorities. During the transition period, the then President-elect visited some key countries and the UN Secretary General in NY, giving signs of the importance he concedes to the role of the international community. For the UN system, this poses new challenges but also opportunities.

In a climate of rising polarization between sectors of society and escalating conflict, internal displacement is likely to increase. Yet all actors to the conflict are aware of the anger of large segments of population and increasing discredit of their respective political postulates, as ordinary Colombians are overwhelmed by mounting social, economic and security instability.

¹ The Thematic Group on Displacement is led by UNHCR as coordinating agency with the support of OCHA. This decision was taken at the request of the Resident Coordinator in Colombia and endorsed by the IASC. In addition to UNHCR and OCHA, the following UN Agencies participate in the GTD: FAO, HCHR, UNDCP, UNDP, UNICEF, WFP and WHO/PAHO. WB and IOM are also members and ICRC, ECHO and the Joint Technical Unit (UTC of the Red de Solidaridad Social) participate as standing invitees. Since October 2001, national and international NGOs participate as observers.

In this context, there are increasing expectations on the role the UN can play in the pursuit of a peace dialogue through good offices, human rights monitoring and humanitarian/development support as an independent, impartial and neutral actor. More than ever today there is a need for strong leadership within the UN, thus enabling concerted action for the implementation of a sound strategy in which the aforementioned three spheres of intervention must run simultaneously, but at different paces and through distinct paths all conducive to a long-term and complex conflict resolution process. For the UN to discharge such a sensitive role, it requires a commitment from all concerned UN Departments and agencies on the ground to close coordination.

III. Humanitarian Plan of Action (HPA)

It is worth noting that the HPA process was only initiated in 2002. It is being made possible thanks to coordination efforts of all agencies participating in the GTD that began in September 2000 when UNHCR was appointed by the RC as the coordinating agency for displacement and OCHA deployed two international staff within the HCR office in support of this role. It is therefore the first time ever in the history of the UN in Colombia that a common humanitarian plan is being developed in which displacement is the overarching concern triggering concerted humanitarian action.

The GTD has approached the HPA as a conceptual framework and work methodology for implementation in phases. In early 2002, the GTD issued a comprehensive situation analysis of displacement in Colombia during 2001, including trends in some particular regions of the country, and a review of the impact of conflict and displacement on some of the most affected population groups (indigenous, afro-Colombians, women, children and adolescents, urban displaced and those affected by fumigations). The assessment also reviewed the response of the State and of the UN system: its strengths and flaws. This diagnostic is being updated to cover the period January-August 2002, as well as to include the response of other key humanitarian actors in Colombia, such as the Church, national and international NGOs and the Red Cross Movement.

The main objective of the HPA is to contribute to the re-establishment and effective exercise of the human rights and principles of IHL of the displaced people and other populations affected by the conflict. It sets forth some strategic principles that orient the humanitarian action of the UN in support of the national response (State and civil society) on behalf of IDPs, as follows:

1. Uphold the principle of State responsibility and strengthen the rule of law.
2. Subsidiary role to complement the response of the State, civil society and other humanitarian actors in Colombia.
3. Rights approach with an emphasis on the prevention of displacement, protection and social and economic stability of target populations.
4. Differentiated approach to respond to the specific needs of populations based on gender, age, ethnic and geographical location.
5. Participatory and decentralized planning, definition of priorities and implementation of plans, programs and projects ensuring the close involvement of beneficiaries.
6. Focalisation on priority regions through the establishment of regional offices, increasing field presence and enhanced coordination among operational agencies.
7. Close coordination and follow-up of the implementation of the HPA both within the UN system and with national authorities, civil society, international NGOs and the Red Cross Movement.
8. Emphasis on communication/awareness of the phenomenon of displacement and the humanitarian crisis, both at national and international level.
9. UN humanitarian response through the HPA will be flexible, integrated, operational, concrete, visible and impartial.
10. The security of humanitarian staff is a pre-requisite for the viability of the HPA. This requires:
 - a) Presence of operational agencies in the priority regions through personnel and resources.
 - b) Flexibility in relationships required for effective humanitarian action.

- c) Impartiality of staff and humanitarian interventions.
- d) Adequate communications systems and logistics.

In order to ensure complementarities with the emergency relief programs of ICRC and the Colombian Red Cross, the UN system will attend primarily the needs of IDPs and the so-called besieged or isolated populations (communities located in areas with presence of one or more illegal armed actors) during the immediate post-emergency phase. The primary aim will be to create conditions for alternative solutions in a context of conflict for both newly displaced people, preferably through voluntary return in safety and dignity, and besieged populations, thus helping to prevent the need for displacement. The UN system through the HPA, therefore, seeks to facilitate the transit between the emergency and the stabilization phases.

During the period October 2002-2003, the HPA will be implemented in three priority regions based on a vulnerability analysis of territories and populations: Magdalena Medio and the Departments of Choco and Valle del Cauca. In addition, the GTD will continue to refine its recently established Rapid Response System (RRS) to ensure the early presence of the UN system in communities at risk of displacement and municipalities of reception of new IDPs. The RRS aims at ensuring response within 72 hours since the receipt of warning signals to facilitate the provision of emergency relief by the Government and other humanitarian actors, as well as to carry out needs assessments to begin planning to support the stabilization of affected populations.

The HPA is divided up into five main components: Coordination and Institutional Building, Prevention and Protection, Integration and Economic and Social Reconstruction, Health/Education and Family Welfare, and Food Security. For each component, the GTD has set out an overall objective and specific objectives, and has identified the state institutions responsible for action, as well as the relevant international and domestic normative and minimum humanitarian standards.

Findings and Recommendations:

1. Coordination: The coordination role of UNHCR/OCHA is broadly recognized both within the UN system as well among state and civil society institutions. In this regard, UNHCR should consider to update the MOI signed with the previous administration to adequate its content to the coordination role of this agency in Colombia.

In the current polarized context, the GTD will be expected to play a critical task to facilitate communication and a smoother cooperation between grass-root organizations and state institutions in the pursuit that humanitarian and development aid reach the communities in need, thus contributing to their self-sufficiency, political neutrality and economic independence from the armed actors. For the UN system to cover this humanitarian *niche*, it requires a sensitive approach as agencies operate in a conflict environment where illegal armed actors exert local power. Furthermore, the implementation of the HPA will demand enhanced coordination and cooperation among UN agencies and a fluid dialogue and collaboration with the concerned state institutions, ICRC/CRC, the Catholic Church and international and national NGOs operating on the ground.

Therefore, the reinforcement of the coordination structure, both in terms of equipment and human resources, deserves urgent attention. As part of this structure it is recommended to establish a Humanitarian Information Center (HIC) within UNHCR-OCHA to support the RRS, collect information on impending humanitarian crisis, and serve as technical support to track activities and projects implemented under the HPA and provide up-to-date information to all stakeholders. OCHA Bogota will soon send a draft proposal for Headquarters' approval, which will be included as part of the new requirements for coordination within the HPA.

The imminent appointment of a RC is a welcome development that should strengthen the coordination capacity of the UN. As indicated in the second chapter of this report, there is an urgent need to establish clear lines of coordination between the three spheres of action of the UN system in Colombia for which the RC and the UN Special Advisor to the SG would have an important role to

play under the overall direction of the UN in New York. In addition, there is a need to strengthen coordination between humanitarian action as proposed in the HPA and the longer-term socio-economic viability of destitute populations, including the target populations of the HPA. In this connection, the RC would have to determine the role UNDP and other development agencies may play in relation to the restitution of rights and the integration of large numbers of long-term IDPs spontaneously settled in shantytowns located in the outskirts of the main urban centers of Colombia.

2. **Institutional Building:** The new Government is in the process of formulating its Integral Plan of Attention to Displaced People and the National Plan for Social Development. The accumulated experience of the UN system with internal displacement, including the evaluation of its humanitarian work and of the state response to displacement during the Pastrana administration provides a good point of departure to advise the Government in the definition of policy priorities. The GTD platform and the commitment to concerted action via the implementation of the HPA should reinforce the leverage of the UN system vis-à-vis the Government. Building on the humanitarian space gained by the GTD in Colombia, the UN system should strive to ensure a balance approach to institutional building, whereby support is complemented with constructive criticism to governmental action. Likewise, the UN should pursue to enhance its *bridge* role between the State and the civil society in favor of displaced populations and reinforce its capacity building programs in support of local NGOs and beneficiary associations.

3. **Prevention and Protection:** The overall objective of this central component of the HPA is to strengthen national and local mechanisms to prevent displacement and ensure protection of communities at risk of displacement (besieged and isolated) and displaced people in communities of reception. Based on the principles of non-discrimination and state responsibility and following the strategic principles that orient the UN humanitarian action in Colombia, the GTD pursues to implement a three pronged approach aiming at enhancing the protection response of state institutions (Ombudsman, Attorney General and Civil Registry Offices), reinforcing the capacity of civil society and ensuring timely UN presence in crisis-prone areas through the fielding of humanitarian missions. This capacity building program is complemented by promotion and dissemination activities of domestic law, human rights, international humanitarian law, including sensitization campaigns against domestic violence and sexual abuses.

An innovative approach of the GTD is the focalization of humanitarian action on behalf of besieged and isolated populations. The GTD aims at serving as a facilitator to bring protection to these populations by supporting the deployment of mobile teams, and when possible the permanent presence, of officials from civil institutions of the state in charge of monitoring the government response, provide identity cards and other legal documentation to the affected population, and investigate allegations of human rights violations. These protection interventions are complemented with the conduit of needs assessments, which should serve the purpose of drawing the attention of the Red de Solidaridad Social (government institution responsible for coordinating assistance to displaced Colombians) to cover unmet needs, as well as to complement government action with relief support provided by GTD agencies.

Local communities in Colombia with the assistance of the Church and local and international NGOs have throughout the years developed unique coping mechanisms in the search of neutrality and self-sufficiency. Given constraints for access to basic goods and the deficient support so far provided by the State to these communities, the GTD should heighten its advocacy role in the pursuit of improved Government response at the local level, while placing emphasis in supporting the capacities of grass-root organizations, including community associations.

Land rights, including titling, is a major problem for these communities, as often communal or individually owned lands remain in a precarious legal status due to the lack of access to legal aid and government services to legalize their ownership. The GTD should support the provision of legal assistance through the services of local NGOs and legal clinics of Universities, thus ensuring that community lands are protected from spurious acts of inapprehensive groups or individuals that take advantage of the dire situation of these populations.

Registration of IDPs remains a concern, particularly for individuals and family groups, as the criteria set forth in the national legislation is subject to controversial interpretation by officials of the Red de Solidaridad. UNHCR and other agencies with protection expertise should expand their capacity building programs in support of the Red de Solidaridad Social and enhance their monitoring capacity. Another problem is the entitlement of IDPs to assistance, which often is limited de facto to the three-month emergency phase. The lack of sufficient accommodation and prospects for employment and self-sufficiency place IDPs in a situation of social exclusion prompting negative reactions from the communities of reception who regard them more as a burden than as victims entitled to the restoration of rights. This is compounded by insufficient allocation of financial means from the central Government to the municipalities of reception. The formulation of the Integral Plan of Attention to Displaced People and the National Plan for Social Development provide an excellent occasion for the UN to advocate with the Government for the provision of adequate resources to meet the humanitarian needs of IDPs and other communities affected by the conflict.

At the debriefing of the Mission, the GTD agreed to create a small working group with the participation of UNHCR, OCHA, UNICEF and OHCHR to further develop this component of the HPA and establish protection benchmarks based on the Guiding Principles on Internal Displacement, domestic law with relevance to the affected populations and existing jurisprudence. The working group will also undertake a vulnerability analysis of rights and population groups: women, children adolescents, indigenous and afro-Colombians to refine the HPA protection strategy and prioritize action.

4. Regional HPsA: The pilot project for the Magdalena region is the most advance of all regional programs and as such represents a laboratory for the HPA. This region benefits from the permanent presence of most of the GTD members and consolidated programs of the ICRC, the Church, several international and national NGOs and IDP associations. At the end of 2002 there will be an evaluation of this pilot project and its findings and recommendations will be valuable not only to improve the humanitarian response of the local GTD, but also it will be an important reference for the review of the respective regional HpsA for the Departments of Choco and Valle del Cauca. Likewise, Magdalena Medio is a region where operational coordination, as a complementary step to strategic coordination, will be first tested. Magdalena Medio will likely become the main window where donors and other stakeholders will review impact on the assistance, protection and solution activities provided for under the HPA. Therefore, coordination and information in this region will be priority aspects to be looked after by the GTD. During the last quarter of 2002, the GTD will concentrate on the formulation of the regional HPsA for the Departments of Choco and Valle del Cauca.

5. Operational Capacity: In order to facilitate operational coordination at the regional level, it is recommended that UNHCR consider reinforcing its field presence in the three priority regions through the creation of posts of Head of Office at L-4 level in each region. This would imply the gradual adjustment of UNHCR's IDP program to the territorial extension of the HPA. Furthermore, the implementation of the regional HPsA will require the reinforcement of the local structures of agencies to gear up their operational capacity and ensure a minimum permanent presence to discharge their humanitarian role. Given the context in which humanitarian action takes place in Colombia, the experience and capacity of national counterparts and the increasing operational role of UN agencies in the country, it is recommended that GTD agencies start a process to progressively strengthen their regional offices with senior staff with international experience.

6. Follow-up and Evaluation: In September the GTD will formulate qualitative and quantitative indicators for each of the specific objectives set out for the five components of the HPA. This will facilitate follow-up of the implementation of the HPA and the conduit of an external evaluation to be carried out in the summer of 2003. The findings and recommendations of this evaluation should permit to improve the HPA, identify best practices and verify benchmarks and indicators. The eventual future Humanitarian Information Center will be a key resource for the GTD in this regard.

7. Access and Staff Security: Safe access to besieged and isolated communities necessarily requires informal contact with illegal armed actors. This undertaking should by no means be interpreted as

recognition of any status, but simply as a necessity for humanitarian action in a conflict situation. Given the need to differentiate the role of the UN in the three spheres of action mentioned in the second chapter of this report, the Mission is of the opinion that the RC and UNHCR as coordinating agency for internal displacement should be tasked to handle this sensitive matter. As agencies reinforce their presence and operational capacity, there is a need to revisit existing security protocols and elaborate a common code of conduct under the lead of UNSECOORD. Enhanced visibility through the use of UN owned transportation vehicles (cars and boats) with UN flags and stickers; adequate communication facilities (radio and satellite phones) and strict compliance with security instructions should be part of a package of measures to enhance staff security.

8. Public Information and Awareness: Despite the magnitude of displacement in Colombia, its deep humanitarian consequences are still insufficiently known both internally and internationally. IDPs are still often regarded as a problem and not as the victims of a pervasive conflict that affects mostly innocent civilians. Therefore, the GTD has rightly decided to raise awareness of the plight of IDPs and sensitize local and international actors on the humanitarian needs of displaced and besieged populations trapped in the midst of the longest conflict in the western hemisphere. PI can be a powerful tool for humanitarian action, but also a complicated issue in a polarized society such as the Colombian. In order to ensure that PI and dissemination activities serve the purpose of humanitarian action, it is recommended that the Heads of GTD members together formulate an overall PI strategy. A PI technical group could then elaborate a detailed plan of action with specific objectives, means and implementation arrangements.

9. HPA Launch and Resource Mobilization: In early September a final draft of the HPA will be sent for approval to the respective headquarters of all GTD members. The second half of the month will be devoted to formal consultations with the Government. It is worth noting that the GTD already held several meetings with the transition team prior to the inauguration of the new Government. The GTD favors a local HPA launch in Bogota in early October for which the presence of some key senior UN officials should be considered. The UN system should take advantage of this occasion to explain the objectives of the HPA and the main strategic principles that orient the UN humanitarian action on behalf of IDPs and other populations of concern, thus clearly stating the rules of engagement and cooperation with the Government under the principle of state responsibility. The HPA should also be presented at the November CAP launch as a special humanitarian plan of action. In 2002, agencies participating in the GTD (please note that the program of the HCHR is not included in the HPA for funding purposes) received funds from donors and the Government of Colombia in the amount of US\$ 32.908 millions; a breakdown by component and by agency is included in the draft HPA as annex I. For 2003 the proposed budget totals US\$ 82.056 millions. While the Government of Colombia will be expected to cover for a significant percentage of the financial costs of humanitarian assistance, the UN system should convey to key donors and other concerned governments the importance of international support to the plight of IDPs in Colombia and to role of the GTD on their behalf both in terms of financial assistance and political support.

10. HPA (2003): For 2003 the GTD aims at progressing from strategic coordination to operational coordination and from concerted action to joint planning. Next year, the GTD will benefit from the findings of the evaluation of the HPA and hopefully will count on a consolidated presence in the three priority regions, allowing for an improved HPA for implementation in 2004.

IV. Rapid Response System (RRS)

The Mission visited Quibdo, capital of the Choco Department, and communities along the Medio Atrato River, including Bella Vista where on May 2 an incursion of the FARC resulted in the massacre of 119 civilians. This prompted the displacement of large numbers of IDPs who sought safe haven in Quibdo. At the time of the mission, most IDPs from Bella Vista and other neighbouring communities were making preparations for their return in September.

Whereas the RRS has been successful in ensuring UN presence throughout the period May-August 2002 and emergency relief was at the beginning of the crisis provided in an effective manner, both

UN agencies and grass-root organizations are critical about the lack of sustained material support from the Red de Solidaridad in the IDP centers in Quibdo and the capacity of the State to attend the needs of the communities of origin to create conditions for a return in safety and dignity. This has heightened tensions between grass-roots organizations supported by the Church and the departmental and local authorities. The members of this field visit (UNICEF, WFP, HCHR, IOM, UNHCR and OCHA) held separate meetings with concerned institutions and organizations to promote understanding and cooperation between civil society and local authorities in support to a return in safety and dignity. This local intervention was complemented by an urgent meeting of the GTD with the new Director of the Red de Solidaridad Social in Bogota who committed full government support for the return.

Despite shortcomings in the current early stage of the RRS, this mechanism deserves praise and sustained support for its further development. However, a note of caution is conveyed, as there is a risk for the GTD to spread too thin if attempting to cover all crises that may demand to trigger this mechanism. The GTD may have no choice but to concentrate efforts in the three priority regions, at least until the RRS has been further tested and in depth review is undertaken on occasion of the 2003 evaluation of the HPA.

At the end of the field visit, the UN team held a meeting in the local joint UN premises in Quibdo and the following actions were agreed:

- To immediately undertake an evaluation of the RRS in the Medio Atrato River, including the response of state institutions and of the GTD, as well as security arrangements.
- To prepare a plan in support of the imminent return of IDPs sheltered in centers in Quibdo. This plan will be closely coordinated with the beneficiaries, the return communities, grass-root organizations, the Church and the national, departmental and local authorities.
- To undertake ASAP a workshop in preparation of the regional HPA for the Choco Department to elaborate a situation analysis, a diagnostic of needs and strategies for intervention.

V. Follow-up Mission of the Unit on Internal Displacement

The Mission consulted with the GTD, international and national NGOs on the best timing for a mission of the Unit as a follow-up of the mission of the Senior Interagency Network that took place in August last year. Counterparts suggested end October-beginning of November 2002 as suitable dates for the mission. Otherwise, the mission may take place during the first quarter of 2003. Also, it was proposed that the mission be of an inter-agency nature. The following tentative objectives for the mission were also discussed:

- Re-assess the situation of internal displacement in Colombia in light of latest developments.
- Review the national and international response to the protection, assistance and solutions needs of IDPs as proposed in the HPA, including coordination arrangements.
- Resource mobilization and promotion for increasing national and international attention to the plight of Colombian IDPs.
- In addition, the mission may wish to analyse the convenience and best timing to initiate a CAP process in Colombia.