



## A BATTLE NOT YET OVER:

DISPLACEMENT AND WOMEN'S NEEDS IN POST-PEACE AGREEMENT COLOMBIA

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*Front cover: Victims of Colombia's conflict protest for reparations in the city of Quibdó, Chocó.  
This page: This woman and her entire riverside community in the Department of Chocó are demanding collective reparations for being displaced by the conflict.*

## Introduction

After 50 years of brutal war, the peace agreement between the Government of Colombia and the Revolutionary Armed Forces of Colombia - People's Army is cause to celebrate. Over the last five decades of the conflict, at least 218,094 Colombians have died, 25,007 individuals have disappeared,<sup>1</sup> and millions have been displaced. Women and girls have long been on the frontlines of this war – as combatant, victim, and peacemaker. What they and all conflict victims stand to gain from peace is monumental, given that entire generations have known nothing but war. However, the challenges to a sustainable peace in Colombia cannot be underestimated as ongoing conflict and violence continue to threaten this population. The disarming of guerillas and the implementation of the peace agreement will not take place in a vacuum. Across the country, the war tore communities apart. Now, those same communities face the difficult and delicate process of implementing the peace plan, while other armed groups remain active. As this process unfolds, the humanitarian community must continue to assist the most vulnerable Colombians, helping to secure what is likely to be a fragile peace.

## Recommendations

- Donor governments should:
  - Direct headquarters-level staff to consult more closely with their peers in the Humanitarian Country Team and the International Humanitarian Donor Working Group in Colombia to better understand evolving protection risks and humanitarian needs;
  - Complement their contributions to the peace agreement implementation plan with humanitarian assistance for the country's conflict-affected zones, in particular for areas where governmental agencies responsible for assisting victims of the armed conflict do not have a presence;
  - Work with the Government of Colombia to undertake a comprehensive review of the Unit for Assistance and Integral Reparation to Victims' (UARIV) organizational management and operational efficacy, with a view to informing how to best address the institution's challenges through its future investments; and
  - Fund programs, alongside the U.S. Department of State's Bureau of Population, Refugees, and Migration (PRM), that provide counsel and orientation to victims on how to access UARIV's registry and humanitarian assistance to which they are legally entitled.
- International humanitarian agencies must maintain financial support and resources for their country and field offices in Colombia through at least 2018, as the country weathers the critical post-agreement phase.
- The Humanitarian Country Team must prioritize protection and gender equality interventions during the development of the 2017 Humanitarian Needs Overview and Humanitarian Response Plan.
- The Gender-Based Violence (GBV) sub-cluster, led by the United Nations Population Fund (UNFPA) and the United Nations Entity for Gender Equality and the Empowerment of Women (UN Women) should:
  - Immediately develop a mapping of all international and civil society actors capable of providing services, with a particular focus on areas hosting FARC concentration zones;
  - Formally open membership for local civil society groups to fully participate in the sub-cluster;
  - Develop and/or revise GBV referral mechanisms and protocols – for areas where there are no services available – in line with government protocols;
  - Work with the United Nations Mission in Colombia (UNMC) to build an information-sharing mechanism to report cases of GBV and sexual exploitation and abuse; and
  - Provide technical assistance to UNMC to prevent and respond to GBV cases.
- UNFPA and UN Women must dedicate resources toward a full-time coordinator and the expansion of the GBV sub-cluster operational presence to the field.
- The United Nations Mission in Colombia must:
  - Work with the Colombian President's Office of the High Commissioner for Peace to ensure that, through its civilian liaison officers, free, full and accurate information is shared with the communities hosting FARC concentration zones on a continuous basis;
  - Recruit and empower an expert in the protection of civilians; and
  - Direct its civilian liaison officers to cooperate with local GBV service providers and participate in the government's local GBV referral networks, where functional, in order to ensure proper care for survivors in their areas of responsibility.



## Background

For more than half a century, the Government of Colombia has been in active armed conflict with the Revolutionary Armed Forces of Colombia - People's Army (hereafter referred to as FARC). As a result of the armed conflict, millions of Colombians have been displaced from their homes. Since the government created the registry of displaced persons in 1997, over seven million internally displaced persons (IDPs) have been registered.<sup>2</sup>

Over the decades, the conflict has disproportionately affected Colombian women, who continue to bear the brunt of ongoing violence. Thousands of women and girls have been subject to sexual violence, including rape, sexual slavery, forced abortions, and sexual exploitation. Between 2000 and 2009 alone, 12,809 women suffered conflict-related rape, 1,575 women were forced into prostitution, 4,415 women had forced pregnancies, and 1,810 had forced abortions.<sup>3</sup> Young girls, ages ten to fourteen, are the group most affected by sexual violence.<sup>4</sup> The rate of sexual violence within this age group is five times higher than for Colombian women in general, and eight times higher than the rate of violence for the population as a whole.<sup>5</sup>

By November 2016, there were 16,824 cases of crimes against sexual freedom and sexual integrity registered under the Unified Victims Registry – the Government of Colombia's national registry of victims. These figures capture only the number of reported cases. As in all conflict settings, it is safe to assume that violence against women is significantly underreported. Further, women who have escaped from armed actors find themselves displaced multiple times, with little access to meaningful livelihood opportunities, which often forces them into transactional sex.<sup>6</sup>

On August 24, 2016, the Government of Colombia and FARC announced that they had reached a peace agreement, the culmination of a negotiation process between the two parties to end decades-long fighting and resulting displacement, as well as to address the long-standing causes and consequences of the conflict. The agreement included provisions on the key issues of land reform, illicit drug trade, victims' reparations, transitional justice, disar-



mament, and the political participation of FARC. The deal came after nearly five years of negotiations in Havana, Cuba – a peace process that was the first in history to comply with several elements of Security Council Resolution 1325 on Women, Peace and Security.<sup>7</sup> Women victims participated at several stages of the peace process, and the agreement included gender considerations throughout.

On October 2, 2016, the peace agreement was put to a national vote for endorsement. By a slim margin of less than one percent, the agreement was rejected by the Colombian people, much to the chagrin of the government and to the shock of the international community.<sup>8</sup> In a bid to salvage the fragile peace, Colombia's President Juan Manuel Santos extended the government's ceasefire with FARC to December 31, 2016, and both parties returned to the negotiating table in Havana to entertain new proposals presented by the detractors of the agreement – most prominent among them former President Alvaro Uribe. A new agreement was signed on November 24, 2016, and it was ratified by Colombia's Congress on November 30, 2016. The final peace agreement<sup>9</sup> is now approved and FARC will transition from armed rebellion to the political arena in earnest.

Following the terms of the final agreement, the United Nations (UN) will play a critical role by monitoring the cessation of hostilities. As stipulated in Security Council Resolutions 2261 and 2307,<sup>10</sup> the new UN Mission in Colombia (UNMC) is mandated to monitor the cessation of hostilities as part of a tripartite mechanism with the Government of Colombia and FARC, and will verify the disarmament of FARC combatants.

In September 2016, Refugees International (RI) conducted a mission in Colombia to research the perceptions and expectations of the peace process among Colombians in conflict-affected communities. The RI mission focused specifically on the needs and concerns of conflict-affected women, gathering their stories and perspectives with the ultimate goal of informing the humanitarian community's next steps in post-peace agreement Colombia. The RI team met with national and local authorities, the United Nations, international non-governmental organizations (INGOs), community-based organizations, human rights defenders, members of the donor and diplomatic communities, and IDPs in Cundinamarca, Putumayo, Norte de Santander, and Chocó. These administrative departments (Colombian states) are some of the most conflict-affected areas in the country, with the latter two experiencing ongoing violence and displacement. Further, RI visited and consulted with residents of multiple villages where FARC, Colombian, and UN forces will be stationed during disarmament. RI sought to understand residents' comprehension of the disarmament process and what risks to civilians, if any, need to be mitigated.

Finally, the process leading up to the national adoption of the peace agreement was marred by uncertainty, and the context for its implementation continues to be fluid. Even so, RI believes the UN and the humanitarian community can take steps now to protect Colombia's conflict-affected civilians to help secure and protect a very fragile peace.

## **Conflict and Displacement: A Continued Threat**

This is a historic moment for Colombia, as the government and FARC finally achieved and signed a peace agreement, which will provide hope to Colombia's millions of

IDPs – some of whom have been displaced for decades. It is critical to note, however, that this peace agreement does not signal the complete cessation of either armed conflict or internal displacement. Other active armed groups, such as the Ejército de Liberación Nacional (ELN), Ejército Popular de Liberación (EPL) and demobilized paramilitaries-turned criminal gangs – such as the Auto-defensas Gaitanistas de Colombia (AGC) and the Pelusos – continue to fight both the state and each other for control of land, drug trafficking networks, and illegal mines, among other illicit activities.<sup>11</sup> This competition exacts a devastating humanitarian toll on the civilians caught in the line of fire.

Further, the disarmament process will pose important risks that could increase displacement. As widely documented, if Colombia's armed forces do not take swift control of the territories vacated by FARC, multiple armed groups are prepared to fill that power vacuum.<sup>12</sup> Colombian observers and humanitarians alike believe these groups' violent activities could actually increase in the wake of the final peace agreement, resulting in an uptick in internal displacement.

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**In the days since the signing of the final peace agreement, there has been a dramatic increase in threats and violence directed toward human rights defenders in Colombia, many of whom are women.**

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In fact, in the days since the signing of the final peace agreement, there has been a dramatic increase in threats and violence directed toward human rights defenders in Colombia, many of whom are women. Between November 17 and 26, 2016, there were nine assassination attempts of civil society leaders and human rights defenders in several municipalities. In addition, fliers, allegedly signed by ex-paramilitary groups, have been circulated declaring civil society leaders and “guerrilla supporters” targets, and offering roughly \$700 per civil society leader murdered.<sup>13</sup> These events could foreshadow an increase in violence in



the wake of the peace agreement, as paramilitaries and other armed actors move to take over the space left by FARC.

## “FARC has franchised the conflict to the ELN.”

— *NGO representative,  
Department of Norte de Santander*

The fragility of the situation was evident across all the departments that RI visited. Displaced persons and members of conflict-affected communities told RI that at best, they were only cautiously optimistic that the agreement would cease violations committed against them, namely forced displacement, extortion, and sexual violence. In fact, during the first ten months of 2016 (after FARC had initiated their ceasefire),<sup>14</sup> more than 2.8 million people suffered restrictions on movement and access to basic goods and services due to armed violence.

Former paramilitary and other demobilized groups were responsible for eighty percent of victims registered during this period, compared to only one percent in 2015.<sup>15</sup>

Individuals in some communities RI visited stated that the peace agreement, even if implemented, would have absolutely no bearing on their lives. For example, members of displaced indigenous communities in the south and southwest of the country told RI that should the agreement come to fruition, they would not be able to return to their villages of origin, as those communities are now besieged by other armed groups that had been previously demobilized.

Similarly, members of other communities in the department of Putumayo shared with RI that the peace agreement would not change much in their lives since, with the absence of state authorities, they would continue to live under de facto FARC social control. In fact, in areas where FARC relocated to await the disarmament process, community members repeatedly stated that many FARC combatants had simply “changed uniforms” to ELN



uniforms, or simply changed their identifying arm patches. Further, one NGO leader affirmed that “FARC has franchised the conflict to the ELN.” Several community leaders were in agreement with this statement.

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**“We have seen how, in different areas of the country, illegal armed groups are seeking to fill spaces FARC are leaving behind as they move to the zones where they’re concentrating.”**

— Colombian President Juan Manuel Santos

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In the urban slums of Quibdó, Chocó, which are populated nearly exclusively by IDPs, residents were terrified of increasing criminality and social control exercised by gangs, whose affiliation to armed groups is in question. To be clear, most of the people RI interviewed demonstrated support for the peace agreement – at times enthusiastically – but simply lacked faith that they would reap any benefits.

In a testament to the volatility of the current situation, the Colombian Ombudsman’s Office (*Defensoría del Pueblo*) issued an early warning report, in April 2016, indicating that thousands of persons in Chocó are at risk of forced displacement.<sup>16</sup> The report stated that the ELN and AGC are attempting to gain control over FARC territory. As a result, the report warns that 38,840 people are at risk of suffering massive human rights violations, including forced displacement, sexual assault, and forced disappearances, among others.

Finally, on November 18, 2016, Roberto Menendez, head of the Organization of American States’ Support Mission to Colombia, reported that the mission had observed signs that other armed groups were moving into FARC territory. The same was confirmed by the UN Office of the High Commissioner for Human Rights (OHCHR), as well as by President Santos on November 19, 2016.<sup>17</sup>

## **Women Victims of Conflict: Barriers to Accessing Colombia’s Humanitarian Assistance**

While the country moves toward implementation of the peace agreement, both the Government of Colombia’s institutions and its international stakeholders must be mindful of the continuing crisis and ensure that humanitarian capacity is maintained to respond to the needs of the affected. The primary responsibility for humanitarian assistance for victims of the armed conflict rests in Colombia’s Unit for Assistance and Integral Reparations to Victims (UARIV), for which the government has been lauded.<sup>18</sup> RI, however, found that victims face major obstacles in navigating UARIV’s system in order to get the assistance they need.

The origins of the Government of Colombia’s integral response to IDPs date back to 2004 when the Constitutional Court of Colombia ruled that IDPs were living in an unconstitutional situation. The court concluded that the government had completely abandoned IDPs and that their human rights had been violated; it mandated that until the rights of IDPs are restored, state authorities needed to develop a coordinated response to provide IDPs with humanitarian assistance and other basic services.<sup>19</sup> Colombia’s Congress therefore put forth a series of laws, including Law 1448 of 2011 (commonly known as the Victims’ Law), to address the court’s ruling.

Under the Victims’ Law, persons affected by the armed conflict are entitled to receive identity documents, food and shelter, legal counsel, education, psychosocial support, health services, and support for relocation or return if they are forcibly displaced. They are also entitled to certain forms of reparations, including land restitution, damages, housing subsidies, professional training, and access to credit, among others. Additionally, the law created the National System for Assistance and Reparations to Victims of armed conflict (SNARIV), which would house UARIV. The mandate of UARIV is to register victims of conflict, coordinate and providing state humanitarian assistance, and distribute reparations.

The process of receiving assistance and reparations has multiple steps, with different types of aid available to different groups of victims. For those newly-displaced in need of life-saving assistance, the municipality to which the displaced have arrived is responsible for providing them with “immediate assistance.” But for longer-term aid or reparations, victims must apply to the national Unified Victims Registry. This is followed by a comprehensive needs assessment called a Plan for Attention, Assistance and Integral Reparation (PAARI),<sup>20</sup> which can lead to two types of aid: emergency humanitarian assistance, which is delivered once the person is listed in the registry as an IDP; and transition assistance, which is for less vulnerable IDPs.<sup>21</sup>

RI’s team interviewed nearly 100 displaced and/or conflict-affected women who all encountered tremendous difficulties in registering with UARIV and/or suffered systematic delays and failures to receive assistance legally due to them. The following are recurrent themes from women across all the departments which RI visited, as they relate to UARIV’s main areas of humanitarian responsibility:

- **Registration** – Applicants are entitled to learn whether they are accepted into the victims’ registry within 60 working days from the date of request; however, many women encountered inordinate delays, sometimes amounting to six months or more. Some applicants were denied because UARIV determined that they were victims of a former paramilitary group, no longer formally recognized as a party to the conflict.<sup>22</sup> Other registration requests were denied because the abuse reported did not qualify as a “victimizing act,” despite the acts fitting descriptions under Colombian law (often the abuse referenced in UARIV’s letters back to registry applicants did not match the applicants’ original testimony provided to the registry officers). Finally, some women simply did not attempt to register either out of lack of knowledge of the system or because they feared further persecution at the hands of their original victimizers.
- **Plan for Attention, Assistance, and Integral Reparation** – Victims’ needs-assessments are supposed to be undertaken quickly, but interviewees reported waiting

several months, and in some cases, several years, for them to take place. Interviewees also reported calling or visiting UARIV offices to request assistance, but they were often told that no information could be given until a PAARI is carried out. In many cases, the assessment was so delayed that the displaced family had already overcome some of the hardships that led to their application for assistance – they had already secured part-time employment, goods or shelter, leading the PAARI evaluator to reduce their level of need and/or disqualify them from aid entirely.

- **Immediate, Humanitarian, and Transition Assistance** – Immediate assistance is not the responsibility of UARIV but that of the municipality to where conflict-affected have been displaced. But municipal officials with whom RI met stated that they had limited to no budget to provide immediate assistance. IDPs have thus increasingly gone to UARIV to register and request access to humanitarian aid. Most interviewees recounted stories of waiting one or two days in line just to secure a ‘ficha’ (a token) that would allow them to seek an appointment. Because UARIV’s presence is limited to non-existent outside major cities, women recounted of how they had to spend money and time away from work and childcare to travel to a UARIV office to queue up at the crack of dawn. Those who did not have the resources to do so waited for UARIV to send a team to their village. RI met with several who had been waiting for over a year for a UARIV visit. Nearly everyone with whom RI spoke, no matter the length of displacement, had yet to receive humanitarian or transition assistance.

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**“Our rights are still being violated, yet it is FARC who will get benefits.”**

— *Displaced woman, Department of Chocó*

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Overall, women were disappointed and angry, particularly in light of their understanding that, under the terms of the peace agreement, demobilized FARC combatants would be entitled to a reintegration package. They communicated squarely that they felt the system failed them, while demo-



Marta\* was kidnapped by an armed group in Colombia when she was 24-years-old. Over the next 11 months, she was subjected to rape, mutilation, forced labor, and trafficking. As she was being sold to another armed group, Marta escaped. She fled to Bogotá, where she learned she was pregnant – the result of one of the multiple rapes.

In 2012, when her baby was two-months-old, Marta went to the Colombian government's Unit for Assistance and Integral Reparation to Victims (UARIV) to seek assistance, but had to wait for five months before she was accepted into the victims' registry. When RI interviewed her four years later in September 2016, she had only been given one lump-sum payment for damages, but Marta was still not receiving any other assistance or services to which she was potentially entitled. The reason was that UARIV had failed to undertake the Plan for Attention, Assistance and Integral Reparation (PAARI) – a needs assessment which defines the humanitarian assistance and reparations to which conflict victims are legally entitled.

Homeless and out of options, Marta resorted to prostitution to take care of her son. This decision placed her, once again, under the control of armed groups that run some of the brothels in Bogotá's so-called "tolerance area" – an area where prostitution is legal and authorities are absent. While working as a sex worker, Marta has witnessed constant abuses and violence. She told RI, "...it's no man's land, where you see murder, rape, and slaughter happening in front of everyone and nobody can say a word...This is the world of prostitution, much more cruel than any war, but it's my daily life and it's what feeds my son."

Marta's situation is not unique. Armed groups often prey on vulnerable women. A civil society group assisting sex workers in Bogotá told RI that armed groups go to hospitals and other centers intended to serve conflict victims, and recruit desperate women and girls into prostitution.

Despite her grim situation, Marta has not given up. She still attempts to navigate UARIV's system, spending entire days waiting in endless lines attempting to get assistance. However, the response is always the same: she must wait for the PAARI to be conducted. While awaiting for the PAARI, she managed to finish high school and has worked tirelessly to provide for her son.

*\*Name has been changed to protect identity.*







Many women victims support their families by participating in micro-enterprise projects, such as this sewing collective in Quibdó, Chocó.

bilized FARC combatants would receive benefits for which they had long waited. Many of these women stated, “We suffered as victims, as displaced; we have shouldered the burden when our husbands and fathers were murdered, and our children recruited.” Strikingly, RI team members were asked a number of times for assistance in reading and understanding UARIV paperwork and for legal assistance.

Several challenges have hampered UARIV’s attempts to serve victims of conflict. First, UARIV is a relatively new institution that has been handed a herculean task, while it has not been given authority over other institutions that it is mandated to coordinate. When registered victims seek services that are part of the humanitarian and reparations package, they are meant to be referred to other branches of the system that are responsible for services such as mental health and employment support. This does not always occur; further, when victims are dissatisfied with services, UARIV has no enforcement authority over those institutions.

Second, from its onset, UARIV was handicapped by the Government of Colombia’s gross underestimation of the number of conflict victims. The original budget, in 2011, allocated to implement the Victims’ Law was \$27.6



This woman, sewing a remembrance quilt for the victims of the 2002 Bojayá massacre in the Department of Chocó, has been waiting years to receive assistance from UARIV.

**“Help simply doesn’t come. Where is the integral help they promise – the aid, the psychological assistance, the means with which to help our orphaned children?”**

— Displaced woman, Department of Putumayo

billion, to be used between 2012 and 2021. The budget was based on an estimated of 830,000 victims.<sup>23</sup> However, the number of registered victims has now surged to 8,230,860 Colombian citizens, more than 6 million of whom are entitled to assistance and reparation.

Third, UARIV is centralized to a detriment, which undermines its ability to serve its constituents. Absolutely every decision is made by the central UARIV office in Bogotá. Its field offices must sometimes wait weeks to receive authorization to deploy a mobile team to register victims or conduct PAARIs, to adjudicate appeals, or even to simply secure office supplies. In fact, UARIV field representatives with whom RI met were uninformed of their own annual budgets, and thus could not plan assistance distribution accordingly. A 2012 Harvard study of the Victims’ Law described UARIV as “excessively complex”



and notes that it has been “criticized for failing to assign clear lines of authority and responsibility.”<sup>24</sup>

Finally, UARIV still has a limited presence relative to the size of the territories and number of victims it is mandated to cover. While UARIV has thirty-one offices,<sup>25</sup> one in the capital of each administrative department, they cover expansive territories with challenging topography. Moreover, there are many areas where UARIV – as a governmental actor – cannot enter for security reasons; they are seen by various armed groups as a government entity, and therefore as a legitimate target. International organizations play a crucial role both in the delivery of aid, where UARIV lacks presence, and in providing protection by presence.

Conflict victims’ frustrations with UARIV’s systematic troubles have even led to judicial action. In the last four years, more than 576,000 judicial actions have been filed against UARIV by victims, with the majority of the cases relating to IDPs’ rights to humanitarian assistance. Petitioners were successful in 85 percent of the cases.<sup>26</sup>

UARIV is the recipient of substantial direct aid and technical expertise from the United States Agency for International Development (USAID), the International Organization for Migration, and the United Nations Entity for Gender Equality and the Empowerment of Women (UN Women), among others. USAID alone has been responsible for \$65 million in funding over the past five years, which has helped build the institution and create tools and policies to render it more effective. Meanwhile,

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**Since 2012, legal action against UARIV has increased 172 percent, which explains “the overload of UARIV’s operational and institutional capacity and its inability to effectively respond to the claims made by the petitioners,” according to former UARIV Director, Paula Gaviria.**

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the U.S. State Department’s Bureau of Population, Refugees and Migration (PRM) dedicated \$20 million in 2016 to Colombia, of which a portion goes to four INGOs that help conflict victims navigate the complex UARIV system, and file appeals to have their needs met.

Despite these shortcomings, donor governments should continue their support of UARIV because it plays a fundamental role, and without strong international support, it cannot succeed. Donor governments and PRM must also fund INGOs providing support to overcome UARIV’s barriers and access assistance. To ensure these funds are used as effectively as possible, donor governments should work with the Government of Colombia to undertake a comprehensive review of UARIV’s organizational management and operational efficacy, with a view to informing how to best address the institution’s challenges through future investments.

## **International Humanitarian Aid As a Necessary Complement**

The Government of Colombia has benefited from an average of \$550 million in foreign aid per year over the past five years and is courting donors to fund the peace agreement’s implementation. The Colombian Agency for International Cooperation, which sits in the Executive Branch, requested a 30 percent increase in aid to support peace implementation over the next four years. International donors have responded with substantial pledges to support Colombia.<sup>27</sup>

These funds are being targeted for components of the peace agreement, such as rural development, and transitional justice efforts, but not humanitarian aid. While the new funding is welcomed, the shift comes at a great risk – the inability to provide humanitarian assistance and protection when and where necessary. For example, the European Commission’s Humanitarian Aid and Civil Protection department’s budget for Colombia plummeted from €13 million in 2015 to €2.5 million in 2017.

International donors who shift assistance exclusively toward peace process implementation fail to acknowledge the many challenges that will likely emerge in the early

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stages of the peace agreement implementation. Further, this shift is premature and misguided because Colombian institutions that provide assistance to the millions of displaced Colombians depend on international humanitarian aid. Rather, Colombia's stakeholders should not let their enthusiasm for the peace agreement divert their focus from ongoing humanitarian needs and potential new displacement, which must be tackled in tandem with the peace process, not overshadowed by it. Successful implementation of the peace agreement requires the right conditions of protection and humanitarian assistance; otherwise, resentment among the various parties to the peace agreement can undermine and imperil the agreement, ultimately placing women and children at further risk.

The need for reserve capacity for protection and humanitarian assistance in Colombia is imperative. Colombia's international donors should, therefore, direct their headquarters-level staff to consult more closely with their peers in the Humanitarian Country Team and the International Humanitarian Donor Working Group in Colombia in order to understand evolving protection risks and humanitarian needs. International donors must also consider complementing their contributions to the peace agreement implementation plan with humanitarian assistance for the country's conflict-affected zones; in particular, for areas where governmental agencies responsible for assisting victims of the armed conflict do not have a presence.

Humanitarian agencies' headquarters are also deprioritizing their Colombia operations, as evidenced by the UN Office for Coordination of Humanitarian Assistance (OCHA) headquarters' decision in August 2016 not to designate the incoming Resident Coordinator as a Human-

itarian Coordinator. This decision was only reversed once several UN agencies and INGOs in Colombia penned an advocacy letter to OCHA's Emergency Relief Coordinator (ERC) in New York. In the letter, they strongly requested that humanitarian leadership be safeguarded, given ongoing clashes and the anticipated increase in violence in the wake of the agreement. In mid-September, the ERC, after consulting with the Inter-Agency Standing Committee,<sup>28</sup> decided to appoint the new Resident Coordinator a Humanitarian Coordinator as well, but only for an initial period of one year.

Further, humanitarian agencies' offices in Colombia are operating on razor-thin budgets, which, thus far in 2016, has allowed them to reach less than one million of the targeted two million Colombians. As of November, only \$54.3 million of the \$136 million proposed for the UN Humanitarian Response Plan – just 40 percent – has been met.<sup>29</sup> The UN Refugee Agency (UNHCR) Colombia program suffered a 12 percent budget cut in 2016; the OCHA Colombia office's budget was reduced by 60 percent over the past four years, with a further cut of 31 percent expected in 2017.

As Colombia weathers the critical post-agreement phase, the head offices of humanitarian agencies must maintain financial support and resources to their country and field offices in Colombia through at least 2018. Humanitarian agencies in Colombia must be equipped to provide protection by presence, monitor risks and new patterns of violence, and provide needed humanitarian assistance.

## **Managing Risk in FARC Concentration Zones**

With the approval of Colombia's peace agreement, 5,765 FARC combatants<sup>30</sup> and roughly 10,000<sup>31</sup> FARC-aligned militia fighters are expected to relocate by the end of December to 27 "transitional local zones for normalization" (hereafter referred to as concentration zones) across the country. These zones are encircled by one-kilometer buffer zones, separating FARC combatants from nearby Colombian military units. FARC combatants are required to surrender their arms and prepare for demobilization and reintegration within 150 days. This process will be





Many community members raised fears about the demobilization process that will take place in their villages.

carried out over 180 days, and will be overseen by a tripartite Monitoring and Verification Mechanism (MVM), which includes representatives of the Government of Colombia, FARC, and UNMC.

UNMC will be responsible for settling disputes between the parties, for reporting independently on compliance with the commitments made by the parties, and for interacting with communities and local authorities to further these ends.<sup>32</sup> Its roughly 400 military observers, along with civilian staff, will carry out these tasks from 40 bases around the country - one in each zone, eight in regional hubs, and one at the national level. As of late October, only 150 military observers were deployed,<sup>33</sup> of which an unknown number are female. The MVM's work, and the UN's support of it, will be critical for the peace process, as any real or perceived violation of the ceasefire or disarmament phase could lead to violence and derail any gains made.

### *Participatory Consultation and Transparency*

Almost universally, individuals living near disarmament camps told RI that they had little or no understanding of how the disarmament process or the MVM were meant to



Women and girls living in or near concentration zones are at particular risk for sexual exploitation and abuse.

work; what role they would play, if any; and how they as civilians would be protected. In one area selected to host a disarmament camp, no formal communication between local leadership and the MVM had been established. Residents were not even sure if they were indeed living in one of the selected areas. In another area, residents learned that their village had been selected to host a disarmament camp through TV Caracol, a national television network. In yet another, the leader of the community had received a visit from a high-level delegation that described the concentration zone by placing a plastic bottle on a table to represent the camp and then leaned three pens against it to represent the Colombian army, FARC, and UNMC. This was the extent of the community leader's knowledge, and he had difficulty responding to queries and concerns posed to him by his constituents.

RI found this lack of consultation and information deeply troubling because it is having an adverse impact on the population. Village leaders and community members told RI they were panicked at the prospect of living in or adjacent to these areas. Some villages have found themselves within the designated buffer zones, with homes as little as a few hundred meters from the proposed FARC encampments. Residents also questioned whether they would be

displaced from their properties in order to accommodate both FARC and government soldiers.

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**“The main risk here, and in all the places where demobilization is happening, is rape.”**

— *Women’s rights defender, Department of Putumayo*

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Ultimately, the Colombian President’s Office of the High Commissioner for Peace bears the responsibility to educate and consult the population about the ceasefire and disarmament process, and the office has received financial support from donor governments for this purpose. However, RI’s discussions with communities indicate that even now, with the process already underway, these efforts are falling short of expectations. Civil society groups also told RI they were willing to help educate the population, but had received scarcely any support for this effort from the government. The lack of information and transparency poses a grave protection risk, as some community leaders have already flagged to RI their intention of fleeing in the absence of clear and verifiable information.

Without further delay, UNMC must work with the Colombian President’s Office of the High Commissioner for Peace to ensure that they are jointly sharing information that is free, full, and accurate with the designated communities, on a continuous basis.

### ***Protection of Women and Girls***

In areas where FARC soldiers are meant to demobilize, residents told RI that they are worried about their personal safety, with particular concern for women and girls, because both FARC and Colombian forces stand accused of committing sexual violence and forced displacement during wartime. Women, with whom RI consulted, did not believe those violations could simply cease after a peace deal was signed. In the words of one woman RI spoke to, “The main risk here, and in all the places where demobilization is happening, is rape.” Her views were echoed by many others. Residents saw all three forces – FARC, Colombian, and UNMC – as possible perpetrators.

For example, in one village, residents said that the recent arrival of Colombian soldiers, to protect an oil pipeline, had coincided with a rise in pregnancies among local girls, compelling the girls to abandon their education and thereby putting their futures at risk.

Consequently, the prospect of living alongside armed actors is causing severe anxiety in the communities RI visited. A women’s leader in one community told RI that women were considering displacing to Ecuador as a preventive measure because they fear reliving sexual violence and exploitation themselves, or seeing their daughters subjected to it. Another women’s leader told RI that no one had “come here to lay out plans with us, the women and the peasants” and demanded that the UN “guarantee their protection.”

A June 2016 report by a coalition of prominent Colombian women’s civil society organizations provides a number of valuable ideas for ensuring that GBV, including sexual violence, is addressed in concentration zones.<sup>34</sup> The report stressed that each member of the tripartite MVM should have female members, that all personnel should be trained in women’s rights and protection, and that the MVM monitor and analyze GBV as an indicator of adherence to the cessation of hostilities. As one civil society leader told RI, “The term ‘hostilities’ can mean anything, but we believe sexual violence is a form of hostility and should be included.” The report also rightly emphasizes that MVM members must regularly consult with women and women’s organizations in the areas where they are deployed.

UNMC cannot directly control the actions of Colombian soldiers or FARC combatants in the areas where it is deployed because of its limited mandate. But UNMC must ensure it has the appropriate capacities to fulfill its monitoring and verification mission, and that its personnel do not harm the communities in which they work. The fact that UNMC is technically a UN special political mission, reporting to the UN Department of Political Affairs – rather than a peacekeeping operation, reporting to the Department of Peacekeeping Operations – means the mission does not necessarily benefit from certain institutional protection structures, such as Women’s Protection Advisers or Child Protection Officers. Nevertheless,



according to UN officials who spoke to RI, UNMC's small civilian staff will include an expert in conduct and discipline, who has already been deployed, and an expert in gender seconded by UN Women, whose status is currently unknown. Civilian liaison officers will be responsible for contact with UN agencies and INGOs, as well as local authorities and civil society.

These staffing commitments are important, but not sufficient to ensure a protective approach. Last year, Secretary-General Ban Ki-moon declared that "All UN peace operations today have the obligation to advocate the protection of civilians...I have directed that mission-wide strategies and coherent monitoring and reporting arrangements be put in place to reinforce the collective impact of critical protection activities."<sup>35</sup> Accordingly, UNMC must recruit an expert in the protection of civilians, and empower that individual to substantially shape the mission's activities.

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**"All UN peace operations today  
have the obligation to advocate the  
protection of civilians."**

*— United Nations Secretary-General Ban Ki-moon*

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With respect to women and girls, cooperation between UNMC and the Humanitarian Country Team's GBV sub-cluster is critical as a stop-gap measure, because neither can entirely rely on the government-led referral mechanism for GBV prevention and response. The Government of Colombia has a strong referral pathway enshrined in national law for GBV cases.<sup>36</sup> However, the reality is that many Colombian municipalities lack the infrastructure and the institutional presence required to provide an adequate response to GBV cases. This system, as created by law, was not functional in any of the departments that RI visited. In Chocó, for example, where one concentration zone is located, there are no prosecutor's offices or hospitals outside the largest municipality. The region's transport infrastructure is very precarious, which makes it almost impossible for government workers to properly follow the referral pathway for GBV cases in isolated areas. In sum, the current legal framework does

not mitigate the heightened risk of sexual violence that will come with the concentration zones.

Given these circumstances, it is vital that the GBV sub-cluster and UNMC cooperate. They need to build an information-sharing mechanism such that cases of GBV and sexual exploitation and abuse may be reported. The sub-cluster must provide technical assistance to UNMC to prevent and respond to GBV cases, in addition to developing and/or revising GBV referral mechanisms and protocols – for areas where there are no services available – in line with government protocols.

To its tremendous credit, UNMC's conduct and discipline officer has already been in contact with the GBV sub-cluster<sup>37</sup> to request information on sexual violence in the concentration zones. For its part, the GBV sub-cluster drafted a proposal of support to and coordination with UNMC.<sup>38</sup> The draft states that the sub-cluster's objective is to "develop preliminary proposals for cooperation with the Mission that helps it strengthen its role in Colombia and in the concentration zones, especially in relation to the prevention and mitigation of GBV risks, and assistance to survivors of GBV that may occur in the concentration zones." The draft further details how the GBV sub-cluster would like to cooperate with UNMC by means of training the MVM observers, working together to establish a GBV information-sharing mechanism, and providing ongoing assistance and counsel on how to respond to cases of GBV in the disarmament zones. The proposal was drafted in September 2016; however, to date, the GBV sub-cluster has yet to submit it to UNMC for its consideration.

Meaningful and effective technical assistance to UNMC for the protection of women and girls is only possible if the GBV sub-cluster is empowered with dedicated staffing and resources. At present, the GBV sub-cluster, which was only created in late 2015, is jointly coordinated by the United Nations Population Fund (UNFPA) and UN Women. Neither of these agencies dedicate a full-time staff member to the GBV sub-cluster's activities, as is directed by the GBV Area of Responsibility Field-Level Coordination Guidance.<sup>39</sup> This, alongside a lack of resources to move outside Bogotá, has led to what some UN and INGO staff interviewed by RI called a "non-functioning cluster" that took close to a year to complete its terms of reference.

Meanwhile, humanitarians working on gender and GBV matters lamented to RI that the post-agreement phase is the moment in which the GBV sub-cluster should be most active and operational, ensuring that protective measures are established to protect women and girls from the anticipated violence in the wake of the peace agreement, and that services be available to respond adequately.

UNFPA and UN Women, with the support of donors, must dedicate resources to maximize the cooperation between UNMC and the GBV sub-cluster and ensure its efficacy in protecting and responding to the needs of women and girls in the concentration zones and beyond. These resources should include a full-time coordinator and expansion of the GBV sub-cluster operational presence to the field, where it can provide technical assistance.

RI found that while civil society groups are present, informed, active, and desperate to contribute positively to the protection of their communities, they have not been contacted by the GBV sub-cluster. The GBV sub-cluster has, shockingly, not opened its membership to any civil society members. These civil society groups understand the risks to women and girls, tend to their needs to the best of their ability, and are in the best position to communicate protection concerns to both the GBV sub-cluster and UNMC. Therefore, the GBV sub-cluster, led by UN Women and UNFPA, must immediately develop a mapping of all international and civil society actors capable of providing services, with a particular focus on areas hosting FARC concentration zones. It must further formally invite local civil society groups to participate, and fully include them in sub-cluster membership and activities.

Finally, in many concentration zones, RI found that neither UN agencies nor INGOs are present. Where there is an international humanitarian presence, RI learned that local civil society groups are not invited to coordination or technical meetings, such as the UN-led local coordination teams; and as previously described, contact with UNMC has been limited, if not entirely absent in some areas. To correct this, UNMC should direct its civilian liaison officers to cooperate with local GBV service providers and participate in the government's local GBV referral network, to ensure proper care for survivors in their areas of responsibility.

## Conclusion

In just over a decade, Colombia has made great strides forward in providing protection and assistance to IDPs – from 2004, when the Constitutional Court determined IDPs were living in an unconstitutional situation to 2016, when Colombia is widely lauded for a robust legal framework designed to protect and provide assistance to IDPs. However, not everyone in Colombia has felt the effects of the robust framework. Donors must understand the gap between the legal framework to protect and provide assistance to IDPs and the realities that displaced and other conflict-affected populations face, and they must position themselves to address this gap.

Currently, donors are reorienting their funds away from humanitarian assistance and toward the peace agreement's implementation. This reorientation of funds weakens the humanitarian community's capacity to respond to current needs and to future violence that could emerge in the wake of the peace agreement, as is already materializing.

To achieve lasting peace in Colombia, the humanitarian needs of women and girls must be addressed. Thus, the humanitarian community must ensure that all interventions mitigate GBV risks in the current- and post-agreement phase. They must also address gender inequalities and discrimination as an integral component of the humanitarian response and peacebuilding processes.

Colombia still faces many challenges that should not be understated. As such, the humanitarian community must remain present and engaged, with dedicated and adequate resources, to help the displaced weather these challenges.

*Senior Advocate for Women and Girls Francisca Vigaud-Walsh and Press and Information Officer Alyssa Eisenstein traveled to Colombia in August and September 2016 to assess displaced women's perceptions of the challenges in the wake of the peace agreement with FARC.*

*Research Assistants María Adelaida Vélez and Gabriela M. Dehesa-Azuara contributed to this report.*



Fatima Muriel Muriel de Florez, leader of a Colombian women's rights group, leads a training for women's activists in the Department of Putumayo. Colombian women have been at the forefront of the struggle for peace and justice.

## Endnotes

1. "Estadísticas del conflicto armado en Colombia," Centro Nacional de Memorial Histórica, <http://www.centrodememoriahistorica.gov.co/micrositios/informeGeneral/estadisticas.html>. These official statistics cannot be attributed exclusively to the conflict between the Government of Colombia and FARC-EP. It is nearly impossible to disaggregate data on the human toll of the multiples conflicts in Colombia, in which perpetrators include FARC-EP, paramilitaries, other guerrilla groups and criminal gangs.
2. The exact number of Colombian IDPs is disputed. As of November 2016, UARIV reported 7,011,027; UNHCR reported 6,939,067; and the Internal Displacement Monitoring Center reported 6,360,000. However, the numbers reported by the various organizations do not capture the total number of IDPs. Many individuals do not register themselves as IDPs for fear of retaliation from perpetrators, or lack of knowledge of the registry itself. An additional complication is that the registry does not reflect those individuals that were displaced but have already returned to their place of origin or those that have integrated themselves into their new communities and have no desire to return to their place of origin. For more information regarding the individual organization, see: <http://rni.unidadvictimas.gov.co/RUV> for UARIV; <http://popstats.unhcr.org/en/overview> for UNHCR; and <http://www.internal-displacement.org/database/> for IDMC.
3. Campaign 'Rape and Other Violence: Leave my Body out of the War', First Survey of Prevalence, Sexual Violence Against Women in the Context of the Colombian Armed Conflict, Colombia 2001 2009, page 16.
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6. For more information please see "Unseen Millions: The Catastrophe of Internal Displacement in Colombia," Women's Commission for Refugee Women and Children, March 2002, <http://www.eldis.org/vfile/upload/1/docu->



7. Security Council Council Resolution 1325 (2000) reaffirms the important role of women in the prevention and resolution of conflicts, peace negotiations, peace-building, peacekeeping, humanitarian response and in post-conflict reconstruction. It also calls on all parties to conflict to take special measures to protect women and girls from gender-based violence, particularly rape and other forms of sexual abuse, in situations of armed conflict. The full text of the resolution can be found here: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N00/720/18/PDF/N0072018.pdf?OpenElement>
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9. The peace agreement (Spanish only): <https://www.mesadeconversaciones.com.co/sites/default/files/12-1479102292.11-1479102292.2016nuevoacuerdofinal-1479102292.pdf>
10. United Nations Security Council Resolution 2261 (2016) and 2307 (2016), [http://www.securitycouncilreport.org/atf/cf/%7B65BFCE9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s\\_res\\_2261.pdf](http://www.securitycouncilreport.org/atf/cf/%7B65BFCE9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_res_2261.pdf); [http://www.securitycouncilreport.org/atf/cf/%7B65BFCE9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s\\_res\\_2307.pdf](http://www.securitycouncilreport.org/atf/cf/%7B65BFCE9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_res_2307.pdf)
11. In 2005, several paramilitaries groups demobilized as a result of a negotiation process with the government and the passing of the Justice and Peace Law (Law 975 of 2005), which provided the mechanisms necessary for their demobilization. However, several members of these demobilized paramilitaries became parts of or formed their own criminal gangs, and continue to exert social and territorial control over vulnerable populations. These criminal gangs are referred to as “post-demobilization groups” by Colombia experts but are referenced as “demobilized paramilitaries” in this report.
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21. Articles 62, 63 and 64 of Law 1448 of 2011 regulate the three types of humanitarian assistance.
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