Colombia: between the humanitarian crisis and hope of peace

By Francisco Rey Marcos and Luisa Fernanda Pineda Ariza

◼ Executive summary

Colombia has faced an extended humanitarian crisis as result of the internal armed conflict that has ravaged the country for over 50 years. The conflict's profile has changed in terms of stakeholders and their priorities, including their strategies, modes of action and geographical configurations. The start of peace talks between the Colombian government and the FARC-EP guerrilla group presents real possibilities for progress towards ending the conflict.

However, engaging in talks in the middle of a conflict implies risks in the humanitarian field that may be invisible as national and international attention focuses on monitoring the talks and prospects for a peace accord. Perceptions of the Colombian situation are changing, thereby increasing the lack of attention to the situation of victims and vulnerable populations.

This report discusses the humanitarian situation in the areas with the highest impact on vulnerable populations and positions the humanitarian issues in the context of the negotiations and a possible peace accord. It provides a series of scenarios for the short and mid-term and a set of recommendations with regard to humanitarian issues for local and international actors. It is based on more than 50 interviews held with public, private, national and international institutions between January and February 2013.

Introduction

The start of peace talks between the Colombian government and the guerrilla group Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo (Revolutionary Armed Forces of Colombia-People's Army, or FARC-EP), which were formalised in Oslo on October 17th 2012 and are currently continuing in Havana, presents real possibilities of progress towards ending Colombia's long-running internal conflict. Despite the enormous difficulties that have already emerged during the months since the process's inception, the objective circumstances in the country, the seriousness with which both actors have treated the negotiations and the international support that the process has achieved make the prospect of success more realistic than on other occasions.

However, as has happened in other negotiation situations and even in post-war contexts, the humanitarian reality has

not improved during the dialogue process and numerous signs indicate that it may worsen in the coming months and become even more complex in the eventual scenario of a possible peace agreement. This is especially the case in light of the fact that the Colombian government has refused to cease hostilities during the negotiations. In fact, during the FARC-EP's two-month unilateral ceasefire (December 2012-January 2013) the humanitarian situation worsened in the country, with a large increase in mass displacements caused by Grupos Armados Post Desmovilización (Post-demobilisation Armed Groups, or GAPDs),[1] the heirs of the paramilitary groups that were supposed to have been demobilised between 2003 and 2006.

The decision to engage in talks in the middle of the conflict implies a number of risks in the humanitarian sector that may be invisible as national and international attention focuses on monitoring the talks and prospects for a peace

---

1   This terminology will be used to refer to armed groups that emerged from the failed process to demobilise the paramilitaries. This issue and the various problems it raises in the country will be discussed in later sections.

accord. Domestic and international perceptions of the Colombian situation are changing, thereby increasing the lack of attention given to the situation of the victims and vulnerable populations in the country. In fact, this decline in international interest in the Colombian humanitarian reality is causing a significant reduction of international humanitarian funds for Colombia. Colombian public resources for assisting victims of armed conflict are substantial and the legal-administrative framework of the Colombian state has been gaining strength. However, the delay in the implementation of the Victims and Land Restitution Law (Law 1448 of 2011, or Victims Law) and the fact that it does not cover GAPD victims are causing many gaps in assistance and protection.

This report aims to outline the humanitarian situation in the areas with the highest impact on the vulnerable populations in Colombia. The humanitarian crisis is continuing, and every day new victims of the armed conflict and other forms of violence need assistance and protection. Along with this, the report aims to place the humanitarian issues in the context of the negotiations and possible peace accord and thus attempts to provide input for decision-makers in the humanitarian field. It concludes with a series of recommendations for Colombian stakeholders and the international community.

To do this, more than 50 interviews were held with people from various public and private, national and international institutions between January and February 2013.[2]

Context and background

Colombia has faced an extended humanitarian crisis as a result of the internal armed conflict that has ravaged the country for over 50 years. Over this protracted period the profile of violent conflict has changed in terms of stakeholders and their priorities, such as their strategies, modes of action and geographical configurations. Words and phrases such as "reconfiguration", "mutations of the conflict", "changing forms of violence", "constant change", "reinvention", "new conflict profile" and other similar ones were frequently mentioned in the interviews and are present in the literature on the Colombian conflict (ICG, 2012; Ávila, 2013).

The intensification of activity by all illegal armed groups in the late 1990s led to an offensive by the Colombian armed forces and an increase in the number of troops deployed, which in turn spread the armed conflict to remote areas that had a strong presence of and were controlled by illegal groups. The government's military strategy has without a doubt beaten back the two most important guerrilla groups – the FARC-EP and Ejército de Liberación Nacional (National Liberation Army, or ELN) – but has not defeated either group. As a result of this pressure the guerrillas

have retreated to more defensible areas, reorganised their resistance and combat strategies, and increased their attacks on government forces and their use of improvised explosive devices (ONGI, 2012). Ten years of counteringsurgency operations have significantly weakened the guerrillas' strength and have pushed rural hideaways into even more remote areas, which has substantially reduced the impact of the conflict on urban centres. But it still claims lives daily, retards economic development and prevents the consolidation of a truly inclusive democracy (ICG, 2012). As a result of this withdrawal by the guerrillas, currently the armed conflict is staged in three geographical corridors: the northern axis, the Pacific axis, and the eastern axis.

These geographical areas of concentrated armed conflict largely coincide with areas of fertile lands and underground mining potential that are especially attractive to agribusiness and the mining and quarrying industries. Also, to date, these are areas where the economy is linked to drug trafficking, which makes them smuggling corridors. According to a recent report, in 2012 the FARC-EP, which began a restructuring process during the Uribe presidency, carried out just over 2,100 operations and caused 2,500 casualties to government forces, while the ELN increased its activities. Ultimately, the guerrillas are still able to preserve the trend of recent years by maintaining their presence in 241 municipalities. Meanwhile, criminal gangs – the heirs to the paramilitaries – are growing and expanding dramatically. In 2012 they extended their presence from 209 municipalities to 337 municipalities, impacting Cali and Medellín and being responsible for twice as much violence as the guerrillas (Valencia, 2013).

A reconfiguration process followed the controversial demobilisation of paramilitary groups between 2003 and 2006. Many of their members created new GAPDs with a strong presence in some territories, where they effectively enjoy territorial, social and political control. This strongly impacts the humanitarian condition and human rights of the civilian population. Moreover, unlike the FARC-EP and ELN, the presence of these groups is significant in urban settings, particularly in the outlying zones of large cities.

The nature of these armed groups is currently one of the key issues in addressing humanitarian concerns in Colombia. The Colombian government has for some time referred to them as criminal gangs (*bandas criminales*, or BACRIM), emphasising their links with petty crime or drug trafficking and denying their links with the armed conflict and that they are an extension of the paramilitary groups – especially the Autodefensas Unidas de Colombia (United Self-defence Forces of Colombia) – that were theoretically supposed to have been demobilised. However, most international humanitarian organisations and even the

---

International Committee of the Red Cross (ICRC) believe that these groups should be considered as actors in the conflict in terms of their internal characteristics (hierarchical structure, political objectives beyond petty crime, ability to perform ongoing hostile acts, etc.) and, above all, for their humanitarian impact on the civilian population and the de facto control that they have in some areas. For many organisations, "despite the government's insistence on calling those groups that never demobilised and those that emerged after the demobilisation process 'BACRIM' (gangs), it is clear that they are an extension of the paramilitary in new conflict conditions" (CODHES, 2011).

In fact, from the humanitarian perspective, these GAPDs have continued to cause many of the mass displacements in recent months. Thus, during the FARC-EP's two-month unilateral ceasefire, GAPDs were responsible for 48% (2,548) of displacements (OCHA, 2013a).

From a legal perspective, the ICRC believes that the GAPDs should be considered to be organised, armed groups and since 2010 it has considered them to be "the main source of concern in Colombia". Its concern focuses "on the humanitarian impact of these groups' actions and their confrontations with other actors" (*Revista Semana*, 2011). This concern is shared by most of the humanitarian organisations present in Colombia. Article I of Additional Protocol II to the Geneva Conventions is clear in saying that it

> shall apply to all non-international armed conflicts which take place in the territory of a High Contracting Party between its armed forces and dissident armed forces or other organized armed groups which, under responsible command, exercise such control over a part of its territory as to enable them to carry out sustained and concerted military operations and to implement this Protocol (ICRC, 1977).

Beyond humanitarian considerations, however, the nature of GAPDs has other implications for the issues of security, who should fight them and how. The role of the military in combatting these groups is beginning to generate debates in the country. This discussion has been increased by the government's introduction of a draft of a military jurisdiction law (Ruiz, 2013; León, 2013).

The Colombian government on the conflict: limits and impacts of the Democratic Security Policy and National Consolidation Policy

The Democratic Security Policy (PSD) – the main government priority during the presidency of Álvaro Uribe (2002-10) – was a primarily military response to the armed conflict that sought military victory at all costs and closed the door to negotiation attempts with armed groups that

originated in the previous presidency and to the possibility of combining military pressure and dialogue (ICG, 2012). Although the results of the various phases of the PSD were presented as major advances in the fight against the armed groups, the truth is that the armed conflict continues, which highlights one of the most serious shortcomings of the limited understanding of security present in the PSD: the inability to build state legitimacy in conflict zones by ensuring, at the very least, the presence of state civilian institutions in these areas.

The eventual acknowledgement of this limitation led to the National Consolidation Policy (Política Nacional de Consolidación, or PNC) of 2009. In essence it was meant to lead to a "social recovery of the territory", first with military methods concentrated on certain consolidation zones and later with the presence of the civil institutions of the state. The PNC's progress is still limited, but it has resulted in some risks in terms of its negative impacts on the civilian population. Among them are the use of supposedly humanitarian actions by the armed forces to "win the hearts and minds" of the populations in the consolidation zones, increasing confusion over the difference between the military and the humanitarian activities of the armed forces, and the risk of retaliation by the FARC-EP against the populations involved (Rey Marcos, 2011; ICG, 2012). According to some authors, the PNC has also increased narco-paramilitary activity in these areas (INDEPAZ, 2012; González Posso, 2012).

Neither the PSD nor the PNC have led to an improvement in the presence of state civil institutions in these areas and, in the almost total absence of such institutions, the military component is always pre-eminent (Isacson, 2012). Although the creation of the Special Administrative Unit for Territorial Consolidation in the Department for Social Prosperity in 2011 seems to be aimed at strengthening the civil character of the programmes and providing greater independence from the Ministry of Defence, the results are still minimal and the confusion between "civil-military" actions and humanitarian actions continues.

Together with the implementation of civil-military activities, the PNC has also been used by the government to improve the armed forces' image and legitimacy, which were severely affected by so-called "false positives", i.e. the labelling of extrajudicial executions of youths from marginalised areas as guerrilla deaths in combat. The insistence of the military on presenting its work in certain areas as humanitarian continues, however, causing confusion and impeding the work of state civil organisations and national and international NGOs.

Humanitarian consequences of the armed conflict: making the visible invisible[3]

Over the years, Colombia's armed conflict has resulted in the mass victimisation of rural people, with a special incidence in recent years among the country's indigenous and Afro-Colombian communities. Forced displacement, which continues to occur, is the main reflection of the humanitarian crisis, but other violations of international humanitarian law (IHL) and human rights, like the forced conscription of children, kidnapping, disappearances, the laying of landmines and sexual violence against women, provide daily evidence of the serious humanitarian situation in the country.

Although Colombia has a strong network of public and private institutions involved in research, monitoring, analysis and reflection on these matters, the country's administrative changes over the last two years have resulted in delays in the publication of official figures on certain issues, which hampers analysis efforts.

The humanitarian impact of internal displacement

By May 2011 the Colombian government had registered more than 3.7 million internally displaced people in the country. NGOs believe that the real number since the mid-1980s has been more than five million people (UNHCR, 2012).

Furthermore, forced displacement continues to increase. In spite of the fact that armed confrontations involving the FARC-EP during the two-month ceasefire fell by 73% in comparison with the same period in the previous year, the number of mass displacements during this period displayed the opposite trend: there was a 281% increase in the number of mass displacements, affecting 5,325 people (compared with 1,379 people during the same period the year before) (OCHA, 2013a). To a great extent, recent mass movements are attributed to the actions of GAPDs, especially along the Colombian Pacific Coast, in places like the town of Buenaventura and the departments of Chocó and Cauca.

Meanwhile, during 2012 the Victims Unit reported supporting and monitoring 1,108 humanitarian emergencies, including 95 mass displacements in which 6,295 homes were affected, and deploying 795 humanitarian missions (Victims Unit, 2013).

To date, however, it has not been possible to find detailed official figures on forced displacements in 2012 and to compare these figures with other alternative sources for analysis. The international community and Colombian organisations have repeatedly requested the publication of the official figures. Arrears and delays in the publication of such figures have been common in recent years, but never

for a period of 12 consecutive months (OCHA, 2013a). In any case, the cumulative total of displaced people oscillates between 3.9 million and 5.3 million, representing over 10% of the Colombian population (NRC IDMC, 2012: 8). The delay in the publication of official figures is largely due to changes in the institution responsible for compiling these figures and new methodologies for the registration of such people imposed by the Victims Law in 2011. The Victims Unit must adjust the information received from its predecessor (Social Action) and compile information from local authorities, which are now responsible for updating the National Register of Victims (RUV).[4]

Regarding the RUV, the UN High Commissioner for Human Rights has expressed concern at the dearth of information and simple processes that would facilitate victims' ability to exercise their rights. Some of the mistakes of prior registrations of displaced people continue, including those identified by the Constitutional Court regarding the burden of proof and the conjectures made during evaluations of victims' testimonies. Thus there is a risk that in practice such evaluations do not take into account other violations apart from displacement, like rape or forced disappearance, nor those committed by groups that emerged after the demobilisation of the paramilitary groups. Given that the gateway to service and reparation systems is registration, it seems clear that this must be improved (CDHNU, 2013: 6).

There are therefore possible risks of revictimisation in the authorities' demand for excessive and cumbersome procedures for the inclusion of victims in the RUV. In this regard, one respondent stated that "in Colombia the victim not only has to prove that he is a victim, but must also prove that the armed group that victimised him exists". In short, it is necessary to urgently simplify the registration process and to decide what measures to take in terms of GAPD victims. All of this must be seen in the context of a country where currently impunity for the crime of forced displacement is to be found in 98% of cases (CCJ, 2013).

Differential impacts on ethnic communities: indigenous and Afro-Colombian people

Colombia's armed conflict has shifted and intensified in recent years in territories that are mainly inhabited by indigenous people and Afro-Colombians. Because of this, "64 of the 102 indigenous groups in Colombia are in danger of extinction" (Rojas & Ilich, 2012: 4), although the Constitutional Court gives this figure as 34. This is due to forced displacement, the conscription of children, lack of respect for the autonomy of their territories and sacred places (in the case of the indigenous people), and the restriction of access to basic goods by the parties to the conflict. This situation mainly affects the children in these communities, who have high rates of acute malnutrition.

---

3   Given the brevity of the report, this section aims to show only the most relevant data and trends of the humanitarian crisis in recent months. It will not, therefore, analyse each issue in depth.
4   To this we must add that the Colombian government does not recognise intra-urban displacements and those resulting from the fumigation of illegal crops.

Another reason for the significant effect on ethnic communities is the land grabs to obtain control of mining and natural resources. According to the Colombian Mining Workers Union, 87% of all displaced people originate from mining municipalities and areas that produce energy (35% of all municipalities), and 80% of the IHL and human rights violations that have occurred in Colombia in the last ten years were committed in these areas (Vicente et al. 2011: 6). This information is testable with data provided by the UN Office for the Co-ordination of Humanitarian Affairs, which states that in 2012, 39% of victims of mass displacement were from indigenous communities and 13% were Afro-Colombian (OCHA, 2013a).

Meanwhile, between June 2008 and December 2011 the Colombian Commission of Jurists registered at least 246 cases of mass forced displacement. Of the 106 cases in which they could establish the ethnicity of the displaced populations, 59.43% (63 cases) affected indigenous populations, 34.91% (37 cases) affected Afro-Colombian populations, and 5.66% (six cases) affected both populations (CCJ, 2013).

Regarding homicide figures,

> in 2012, 104 homicides were committed against members of indigenous peoples. These were the result of targeted killings, victims of APMs/UXO[5] or fighting between legal and illegal armed groups and the deaths of children due to malnutrition or lack of timely medical attention. Among the most affected indigenous people that year were those found in the towns of Nasa (34), Embera (28) and Awá (13) (ONIC, 2012: 4).

The above data highlights the brutality of the conflict in areas inhabited by these groups. Given that their sense of belonging to the territory makes them more resistant than other communities to displacement, indigenous people and Afro-Colombians submit to displacement only after they have been victims of other atrocities that force them to leave the area and face being uprooted to the outskirts of cities, jeopardising not only their customs and way of life, but also the survival of their communities.

Other specific problems that affect the indigenous and black communities involve methods of consultation with these communities. While prior consultation with these groups is constitutionally mandated, usually ethnic communities find it difficult to assert their interests over those of large multinational companies or mining companies engaged in infrastructure mega-projects that affect and modify the indigenous peoples' traditional forms of organisation and the environment around them, without any kind of agreement or through tricks by large businesses and landowners. In this respect, the Colombian government continues to search for a way of regulating such consultations.

Paradoxically, Decree Laws 4633, 4634 and 4635 of 2011, in addition to Law 1448 (the Victims Law) and laws that define the differential regulatory framework for the care, protection, reparation and restitution of territory for these groups, were only enacted as a desperate measure on the part of the government to avoid people saying that the law was unconstitutional due to the lack of prior consultation with indigenous peoples and Afro-Colombians, among others.

Refugees

The number of Colombian refugees in other countries is approaching 500,000 people and is constantly growing. According to UN High Commissioner for Refugees (UNHCR) estimates, in 2011 there were between 130,000 and 200,000 Colombian refugees in Ecuador, of which 53,342 had been officially registered (Guglielmelli, 2011). In Venezuela an estimated 187,000 people are in need of international protection. Panama and other countries also host Colombian refugees, although in small numbers.

The position of neighbouring countries that have hosted Colombian refugees and given them assistance and protection, as well as the necessary documentation and access to human rights, is very different. In Venezuela it is common for people to cross the border before asking for registration as refugees. However, this hinders the registration of victims of armed conflict and hides the magnitude of the problem facing the refugees and host populations. The distortion of these figures will hinder victims' access to any return and reparation processes that may take place in Colombia in the future.

For its part, Ecuador – which houses 26% of Colombian refugees and receives 1,000 applications for asylum per month – tightened its legislation in 2012. Article 12 of Decree 1182 of May 2012 now stipulates that people seeking refugee status in Ecuador must appear before the relevant authorities within 15 days of entering the country and give a good reason for their illegal entry or stay. Given this change in Ecuadorian legislation, many humanitarian organisations dedicated to working with refugees in border areas have expressed concern, as these types of decrees widely restrict access: victims usually do not have the means, information and guarantees necessary to make a statement on such short notice.

Such measures may be due to the fact that the excessive influx of Colombian refugees in Ecuador is causing severe social problems associated with the overloading of the health and education systems, as well as the competition generated between refugees and the host population for employment opportunities and livelihoods. Moreover, some argue that the security situation has gradually deteriorated due to the free mobility across the Colombian border. This

---

5   Anti-personnel mines/unexploded ordnance.

perception, however, contributes to the stigmatisation and victimisation of Colombians crossing into Ecuador seeking the protection that they cannot find in their home country.

Despite the difficult conditions facing refugees abroad, according to the organisations consulted for this report, the possibilities for those who voluntarily return to Colombia are minimal, despite the advances represented by the Victims Law and the expectations generated by the negotiations between the Colombian government and the FARC-EP.

Restrictions on access, mobility and confinement

The social control of territory by some violent groups restricts the population's mobility in some cases, limiting their access to basic services and preventing access to humanitarian organisations and the state. Hostilities, the presence of anti-personnel mines and unexploded ordnance, and the impositions of non-state armed groups are other causes of restrictions on mobility in Colombia. These restrictions also affect the ability of state agencies and humanitarian actors to assist affected populations. The government denies the existence of "confinement" – the opposite phenomenon of displacement, although linked to it – but humanitarian actors increasingly recognise it. The implications of these situations are particularly serious for food security and access to health and education (DG ECHO, 2012).

Although the phenomenon of confinement has traditionally occurred in remote rural areas, situations of restrictions on mobility and access to basic services are occurring in urban zones. So-called "invisible boundaries" imposed by armed groups on the outskirts of some large cities are causing serious access problems for humanitarian organisations and in many of the interviews were referred to as a rapidly worsening challenge that must be addressed.

Anti-personnel mines (APMs) and unexploded ordnance (UXO)

APMs and UXO remain a serious problem in the Colombian conflict. Between 1990 and January 2013 there was a total of 25,243 APM- and UXO-related events. Of these, 5,888 were accidents and 19,355 incidents, with a total of 10,261 victims. Of these, 38% (3,886) were civilians and 62% (6,315) members of the armed forces. Among the victims, 995 were minors, of whom 22% (216) were girls and 77% (769) children, while there is no information about the remaining 1% (10). Of the minors who were victims, 777 (78%) were injured in accidents and 218 (22%) died.

In January 2013 there were 14 victims – three civilians and 11 soldiers (PAICMA, 2013). Although 98% of the accidents and incidents with landmines are recorded in rural areas, 31 of the 32 departments of the country and the capital district suffered some sort of violence associated with the use of landmines. Similarly, 65% of the country's municipalities recorded an occurrence of this type. The five areas where this occurred most often during the period between 1990 and January 2013 were Antioquia (19%), Meta (14%), Caquetá (8%), Bolivar and Arauca (6% respectively) (PAICMA, 2013).

These figures rank Colombia as one of the countries most affected by landmines in the world, together with Afghanistan, Pakistan and Myanmar (ICRC, 2012). The magnitude of the problem is such that Colombia requested a ten-year extension (until March 2021) on the deadline established by the Ottawa Convention banning landmines for the removal of these devices that continue to claim victims in the country. In this vein, the Colombian minister of agriculture confirmed that "in areas where there was debris from FARC-EP, at least 70% are planted with landmines" (Bermúdez, 2013).

The agenda of the current negotiations, however, does not mention these issues, although according to the experts interviewed, a discussion about APMs will eventually appear in conversations. Although not explicitly mentioned, issues such as the devices' locations or the FARC-EP's commitment to stop the use of APMs, among other questions that are of interest to the parties, the victims and the people of Colombia in general, should be dealt with soon.

It is hoped that in the coming months de-mining operations carried out by civilians, for which various NGOs and international companies have offered their services to the Colombian government (including the British Halo Trust), will begin. Currently they are conducting de-mining training for civilians and some victims of APMs while awaiting government permission to start work in parts of Montes de María, eastern Antioquia, Santander and Boyacá (Quintero, 2013). One of the challenges in the current situation is humanitarian de-mining. While the conflict persists there is no possibility of humanitarian dialogue in this regard – it can only take place in zones that are considered "consolidated" and where the weapons are no longer of strategic value.

The existence of APMs and UXO is one the major obstacles to land restitution measures, although some reports have recently questioned the extent of the problem. Thus, the British NGO Halo Trust, one of those responsible for assessing the problem and carrying out de-mining, has estimated that the number of mined areas might be exaggerated (Buckley, 2013).

Forced recruitment of children

Although all the actors deny it, child recruitment continues to be widely and systematically practised in the conflict. In fact, according to the UN secretary-general's March 2012 report, the situation has been aggravated by GAPDs in both rural and urban areas (UNSC, 2012). The FARC-EP has also intensified its campaign to recruit children because of the pressure to quickly replenish its troops after the government increased its counterinsurgency campaigns in 2002. In addition, the average age of recruitment declined from 13.8 years in 2002 to 11.8 years in 2009 (WatchList, 2012:

16).

The Colombian army does not seem to have recruited children as soldiers, but it has used them as informants or spies to gather intelligence on guerrilla groups. The army has often involved children in the conflict through civil-military campaigns, in which the armed forces include children in educational and recreational activities to gain the trust of their communities. These activities are harmful to children because they expose them to military or police exploitation as informants and to reprisals by armed groups (WatchList, 2012: 4).

In accordance with UN Security Council Resolution 1612 of 2005, a UN-led Monitoring and Reporting Mechanisms Task Force was established in Colombia in January 2009 to monitor and report on grave human rights violations against children in armed conflict. However, the responsiveness of this task force is limited because it is prohibited from contacting non-state armed groups to negotiate action plans aimed at preventing such violations (WatchList, 2012: 5).

Sexual and gender-based violence

More than half of those who have registered as displaced in Colombia are women, including adult women, adolescents and girls (HRW, 2012: 27). This is the group that is most vulnerable to sexual violence because of the precarious conditions in which they live and the need to accept roles that they did not play prior to displacement, e.g. as heads of households and the main providers for their families.

According to the early warning systems of the *defensor del pueblo* (ombudsman), in recent years women have been exposed to situations of sexual violence in 62 municipalities in 14 regions: Chocó, Valle, Cauca, Nariño, Antioquia, Córdoba, Bolívar, Norte de Santander, Arauca, Casanare, Vichada, Guainía, Guaviare, Vaupés and Meta (Defensoría del Pueblo, 2013). Interestingly, target areas are often characterised by the permanent presence of armed actors of all kinds and are populated by Afro-Colombians or indigenous peoples.

Information about cases of sexual violence in and outside the context of armed conflict is limited. The official sources from which such information is available have not specified how many registered cases are related to the armed conflict, let alone provided any details about perpetrators. Thus the magnitude of this problem is still unknown and there are few advances in prevention, care and justice, despite the enactment of Law 1257 in 2008. In this sense, it is clear that there is a gap in protection and access to basic services – such as health or psychosocial care, among others – that respond to the unique needs of women and girls in the conflict, especially when they are victims of sexual violence.

Another important aspect is related to the trust that the victims of conflict have in these institutions and their perception of the security that such institutions are supposed to offer, since many of the affected women and girls do not want to file complaints because of the high levels of impunity that exist. This leads victims to question the effectiveness of talking about and illuminating their experiences in an environment where violence against women is widespread. Moreover, they know the disturbing data on the Colombian justice system's inability to operate effectively. Since 2008, when

> the Constitutional Court of Colombia ordered the attorney general to investigate 183 concrete cases of sexual violence perpetrated against women and girls, only four cases have been brought to justice. Across the country, of the 77 cases being investigated by the regional sections of the Attorney General's Office, 42 arrest warrants were issued and six convictions occurred. Moreover, in the context of the transitional justice mechanism established in Colombia by Law 875, the Justice and Peace Unit of the attorney general announced that on July 31st 2011, of 26,026 admissions made by members of former self-defence militias, only 55 referred to sexual violence (FOKUS, 2012: 6).

In 2008 the Constitutional Court recognised by Order 092 that sexual violence against women is "a habitual, extended, systematic and invisible practice in the context of the Colombian armed conflict … [perpetrated] by all illegal armed groups and in some isolated cases by individual agents of the public security forces" (HRW, 2012: 45). In practice, even though this legal decision requires the Colombian state to guarantee both protection for women and girls affected by the armed conflict, and access to all the necessary services in sufficient quality and quantity, its implementation is still a pending issue. Therefore, the measures that should be taken in the near future should not be directed at supplementing existing Colombian legislation, but rather must focus on the effective implementation of existing laws and strengthening investigative and judicial authorities by "articulating government programmes to protect justice measures that permit the uncovering of enabling structures and those responsible for the violations of human rights" (CCJ, 2013).

Beyond attempts to deal with sexual and gender-based violence, numerous Colombian organisations have conducted advocacy work to promote the participation of women at all stages of the peace process in the framework of UN Resolution 1325 on women, peace and security.

Missing persons

To date the issue of disappearances has remained largely invisible and is linked to kidnappings, assassinations and other such crimes. The National Prosecutorial Unit against Crimes of Disappearance and Forced Displacement was created by Resolution 02596 in 2010. On May 30th 2012 the unit had a staff of 193 and was responsible for 29,899 cases (CCJ, 2013), although all sources say the figures are much higher. All respondents agreed that the issue should be addressed directly and in greater detail in the future.

The Colombian state's response to victims

Colombia has a legal and institutional framework that is very advanced in terms of providing assistance and protection to victims of armed conflict. Following the major Judgment T-025 in 2004, which declared a "state of unconstitutionality" in terms of assistance to the displaced population, and the subsequent declarations of the Constitutional Court detailing various aspects of the judgment, the change in government in 2011 boosted the commitment to improve mechanisms for providing services to and compensation for all victims of the armed conflict. The discussion and subsequent approval and enforcement of the Victims and Land Restitution Law (Law 1448 of 2011, or Victims Law) is without doubt a milestone that deserves recognition. On the institutional and administrative level, the conversion of the old Social Action unit at the Department for Social Prosperity to the Unit for Integrated Attention to and Reparation of Victims as an entity to lead and co-ordinate public action regarding victims also represents significant progress.

Some doubts have been raised about whether Law 1448 can be the basis for truly comprehensive care of victims of the conflict. The first and most important doubt is that the law excludes the victims of GAPD violence, who, as discussed briefly above, are numerous and do not qualify for the protection, assistance or reparation provided for in the law. From the perspective of humanitarian organisations, attention to the victims of these groups should be included in the law, on the principle that a victim is a victim and the victimising agent is not the issue, because other administrative measures and the resources of other legal routes are totally inadequate or beyond the reach of victims. Moreover, the law demands not only that victims should demonstrate that they are indeed victims, but that they should also identify the armed group that caused the displacement or victimised them in some way.

By the same token, the fact that Law 1448 encompasses everything from attention and immediate, emergency humanitarian assistance to methods of land restitution and repair of the damage committed during the conflict makes it too complicated for practical application. One respondent stated, "the discussion of reparations and restitution pollutes and causes gaps in assistance and protection".

Another seemingly positive element that is becoming problematic in its implementation is the decentralisation of certain powers to municipalities without transferring the necessary resources, and the power assigned to mayors to interpret the law and make highly discretional decisions. Using the census and other criteria, mayors decide whether the victims need emergency humanitarian assistance or not.[6] In cases like Buenaventura, which has one of the worst humanitarian situations in the country, the mayor refused assistance and was absent when the ombudsman and the Colombian representative of the UN High Commissioner for Human Rights and UNHCR visited the town.[7] In this case, after several mass displacements caused by clashes between two GAPDs ("Los Urabeños" and "La Empresa"), the ombudsman himself, following his visit,

> requested that the National Unit for the Integrated Attention to and Reparation of Victims recognise the displacement, support the victims, and convene various entities to provide effective humanitarian, psychosocial, and health assistance as well as other measures for the victims of current mass displacements. Finally, he recommended that the Ministry of Defence co-ordinate a plan to help mitigate security threats and murders caused by mass displacements.[8]

Examples like this highlight the shortcomings of the law and the high degree of arbitrariness on the part of authorities in their interpretation of it.

From an institutional perspective, the creation of the Victims Unit has resulted in a slowdown of the measures previously provided by Social Action. Many national and international institutions mention the fact that the experience and know-how accumulated by Social Action after many years of work has not been taken advantage of and this has led to the slow implementation of the Victims Unit's activities and considerable delays in the provision of care. Late February 2013 marked the first anniversary of the creation of the unit; the figures recording its achievements remain very modest (Victims Unit, 2013).

The role of the international humanitarian community in Colombia

Despite the growing role of the Colombian state in caring for victims of the humanitarian crisis, the presence of international humanitarian organisations in the country continues to be highly relevant. Since the mid-1990s there has been a major presence of UN humanitarian agencies and a good number of specialised international NGOs.

The profile of international development co-operation in Colombia has changed gradually and over the past decade the country has been both a recipient and a donor of official development assistance (ODA). In addition, Colombia is one of the pioneering countries in the so-called South-South and triangular co-operation. As a middle-income country

---

6   Under Law 1448, local authorities are responsible for providing immediate humanitarian assistance (for three months while deciding on the inclusion of the victims in the registry).

7   The case of Buenaventura is perhaps one the country's most serious and the mayor's absence during the visit by the human rights representatives, UNHCR, and the ombudsman was highly significant. See <http://www.elpais.com.co/elpais/valle/noticias/defensor-molesto-por-ausencia-alcalde-recorrido-por-barrios-buenaventura>.

8   <http://www.defensoria.org.co/red/index.php?_item=0301&_secc=03&ts=2&n=1571>.

with strong economic growth, the volume of ODA received has been reduced and some countries have ended their aid to Colombia, while other donors clearly state that their presence in the country is due to the continuing conflict. In 2012 the Colombian government approved the National Strategy for International Co-operation 2012-2014, which addresses the country's role as a donor and priority areas, such as being an aid recipient. In the latter section there are references to, among others, "Humanitarian assistance for those zones difficult to access, co-ordinating with governmental and territorial entities responsible" (APC, 2012: 44).

During Álvaro Uribe's presidency – which denied the existence of the armed conflict – the difficulties facing the humanitarian work of many agencies were very large and the level of dialogue between them and the government was very low. With the election of Juan Manuel Santos the level of dialogue has improved; however, some workspaces are closing and the government's policy seems to be to reduce them even more, because it is felt that these organisations will no longer be necessary when a peace agreement is reached in Havana. For some of the most representative international NGOs, "space for the co-ordination of efforts with public entities that some international NGOs had practised on the basis of respect for IHL and humanitarian principles has closed progressively as part of a territorial recovery strategy" (ONGI, 2012).

UN agencies play a major role in the country that is widely recognised. However, the UN humanitarian co-ordinator's failure to pass a common humanitarian framework and to more actively influence the government was criticised by many of the international NGOs in the country. This prompted them to write a letter to the UN under-secretary-general for humanitarian affairs, Valerie Amos, in November 2012 inviting her to visit the country and personally acquaint herself with the gravity of the humanitarian situation and the relevance of the international presence (ACF et al., 2012). Amos responded in December of 2012, sharing her concern about the Colombian humanitarian crisis and the need for principled humanitarian action, and pledging to send a high-level mission to fully understand the situation. The imminent arrival of a new humanitarian co-ordinator in the country could boost the UN's role in this regard.

In 2012 Colombia received $54 million in humanitarian financial aid, which is 16% less than in 2011 (OCHA, 2013a). This data is still not definitive and should, therefore, be treated with caution, because some funds have been devoted to natural disasters and are not necessarily related to issues linked with the armed conflict.

International humanitarian actors emphasised the need for principled humanitarian action, recognising that the welfare work of the state is very large, but that it is not always allocated impartially and, much less, neutrally and independently:

> The presence of international organisations that adhere to humanitarian principles are today the only possible assistance and protection for hundreds of thousands of confined people, threatened people, refugees or displaced people. Neutral humanitarian action that is impartial and independent is a need and opportunity that must be respected by the Colombian government and supported by the international community (ONGI, 2012).

The added value of international humanitarian organisations is their ability to gain access to zones that state organisations cannot reach. Additionally, these organisations have a clear humanitarian focus based on principles that include a differential approach (in terms of gender, ethnicity and age) to comply with international standards, but also a multisectoral approach that contributes to the strengthening of national capacities. In addition, in some cases international actors have acted as a bridge between Colombian institutions and populations. The NGOs stress that this has been made possible by their "adherence to humanitarian norms, their logistical capacity to access affected populations and the support for them provided by international actors" (ONGI, 2012).

The current situation would seem to require a change in views on the best way to cover the gaps in humanitarian assistance and protection affecting the activities of both the Colombian government and international agencies.

Humanitarian issues on the Havana negotiation table and debates within the country

The decision to hold peace talks between the Colombian government and the FARC-EP in the middle of the conflict is legitimate and possible, but it holds numerous risks, many of them in the humanitarian field, that should be acknowledged and, if necessary, minimised, because they could significantly affect the peace process. The failures of previous peace processes and, above all, the "giant ghost of Caguán"[9] (as one interviewee graphically expressed it) weigh heavily on the government and Colombian public opinion and affect any negotiations.

The General Agreement for the Termination of Conflict and the Construction of a Stable and Lasting Peace signed on August 26th 2012 – the document that serves as the basis for the peace process – does not include on its six-point agenda any sort of consideration of humanitarian questions. Only the fifth point, dedicated to the victims, includes two subsections on human rights and truth, but without

---

9   The Caguán area was where failed dialogues took place in 2002.

further elaboration. The people and institutions interviewed saw various reasons for this absence. Many think that humanitarian issues are "coming eventually", and whether directly or indirectly, issues like anti-personnel mines, child recruitment and forced displacement will be discussed at some stage at the negotiation table. For them, the omission of these issues from the agenda is not that significant.

On the other hand, another group believe that the lack of humanitarian issues is deliberate, intended to not directly introduce aspects that could generate confrontations and accusations during the discussions. For them, it is a matter of convenience and image, since humanitarian problems must be tackled sooner or later. Some of this group were even more radical and expressed the view that it would be very inconvenient to include humanitarian issues that would lengthen the talks and prevent the "Peace Express" or the expeditious negotiations that many claim are under way.

Finally, an important group believes that from now on the humanitarian consequences of the conflict must be addressed and that the negotiation table should adopt some measures to mitigate the effects of the conflict and show signs of commitment by the parties to the victims and real peace. One respondent graphically stated that "we must visualise humanitarianism at its maximum, even if the process comes crashing down".

As in other negotiation and dialogue processes, the parties do not want to talk directly about victims, since in one way or another it would mean speaking of offenders and, soon or later, admitting responsibility:

> For many, it would involve, in fact, a recognition that both the FARC-EP and the government authorities and armed forces have contributed, and in some ways continue to contribute, to a conflict of great cruelty, with numerous violations of IHL and human rights, which have huge consequences for the population (Rey Marcos, 2013).

Beyond that which is included or not at the negotiation table, the debate on humanitarian issues in Colombia has receded and Colombian civil society and its organisations are not given priority. Even some of the limited proposals, such as those made by former president Samper on the "humanisation of the conflict", in reality are little more than reminders of respect for IHL that have had little success and have been criticised for lengthening the conflict (Samper, 2012).[10]

Neither has the proposed de-escalation of the conflict made by the opposite end of the political spectrum garnered much success:

The FARC-EP proposed a bilateral truce, the government did not agree and there are many reasons to see how complicated this path would be, e.g. the need for verification, giving ammunition to those who oppose negotiating and the little credibility that the FARC-EP has in many sectors. This formula does not seem feasible, but it would also be difficult to maintain a negotiation table if parties were seeking to advance with the noise of bullets and spilled blood, which could end this important effort (Celis, 2013).

Many of the interviewees recommended restraint in the conduct of hostilities and some say that it is in fact already happening.

Colombian humanitarian action challenges and issues: the complexity of any scenario

The data and analysis of the previous sections lead us to conclude that any of the possible scenarios in the short and medium term would aggravate the humanitarian impact on certain populations and have serious implications for humanitarian organisations.

The following scenarios are possible.

Scenario 1: rapid signing of a peace agreement with the FARC-EP

Although this is the most desirable scenario for most Colombians and the international community, it raises issues that aggravate the humanitarian situation:

- The quality of the disarmament, demobilisation and reintegration process would be an issue. Some FARC-EP fronts might not demobilise and more weapons would be in circulation.
- Return processes might be more or less orderly, but returning populations would have unmet needs. There would be a need to address humanitarian de-mining.
- Armed attacks by groups outside the process might increase, including the ELN especially, but also GAPDs.
- "Gaps" left by the FARC-EP might be filled by other armed groups. There might be a struggle for territorial and political control, but violence would increase in any case. Displacement might be caused by GAPDs or similar groups.
- There might be increased selective violence against demobilised leaders, human rights defenders, indigenous peoples, etc. New groups might become exposed to violence and the restitution process might be affected.
- Humanitarian funding might decrease.
- Groups that fall outside Law 1448 would not be protected.

---

10 Former president Samper made a proposal before the start of the negotiations that stressed some "minimal" humanitarian issues like the commitment to not lay landmines, the elimination of the forced recruitment of children and kidnappings, and respect for IHL.

Scenario 2: a protracted negotiation process

This seems unlikely due to the pressures of the 2014 elections and the government's own position. For the FARC-EP, however, the urgency to generate a "Peace Express" is minimal:

- The conflict might continue, but there would be a predictable worsening of the violence as a method of obtaining leverage at the negotiation table, including increased displacement, attacks, etc.
- There would be increased pressure from other armed groups.
- The GAPD presence would continue, as would fighting between armed groups.
- There would be a continued lack of care for groups that fall outside Law 1448.

Scenario 3: failure of the process

This is the worst-case scenario, with grave humanitarian consequences:

- Violent actions by the FARC-EP would increase.
- The military presence and military actions would increase.
- There would be grave consequences in terms of displacement, attacks, the laying of landmines, child recruitment, etc.
- Clashes between GAPDs, the FARC or ELN for territorial control would increase.

As the ICRC president noted on his visit to Colombia in February 2013,

> even if peace is signed, there will be much work to do in Colombia. We are here because we are committed to facing the humanitarian consequences of the use of violence. Part of this violence may be reduced with a peace process, but other violence could continue, at least for a time (OCHA, 2013b).

A new kind of humanitarian crisis?

Changes in the conflict dynamic and the emergence of new variables like those discussed above indicate that we are witnessing both some changes in the causes of the humanitarian crisis and a continuation of what has gone before. Forced displacements, especially in indigenous and Afro-Colombian communities, continue with no solution in sight. Some sectors argue that the new displacements are no longer part of the conflict and should be attributed to other variables associated with crime, drug trafficking, mining, etc. For them, this would be a post-conflict situation that has arisen in which public order problems should be addressed by the state with conventional tools for interior security.

It is unrealistic to speak of a post-conflict situation or of the end of the various types of violence affecting the country. There are "two Colombias", as one respondent put it: the developing, dynamic, vibrant, and modern Colombia, and the Colombia with armed conflict, zones controlled by groups outside the law, ongoing victimisation, alarming levels of poverty and lingering violence. This second Colombia continues to suffer the humanitarian consequences of old and new conflicts in a way that is perhaps much more complex.

Recommendations

To mitigate the consequences of negotiations amid armed conflict and improve the protection and assistance given to people who are still being victimised, all stakeholders should take some minimum steps.

The Colombian government and FARC-EP negotiators in Havana should:

- move as quickly as possible towards a bilateral ceasefire to minimise the humanitarian impact on the ground and reduce the risk of failure of the dialogue for this reason;
- address the humanitarian situation at the negotiation table and the effects of the conflict on the most vulnerable populations in the country, especially the displacement in indigenous and Afro-Colombian communities;
- establish some minimum agreements relating to humanitarian issues:
  - ensure the access of humanitarian organisations to areas where fighting is occurring and generating victims;
  - respect basic IHL on the conduct of hostilities, taking precautions to protect the civilian population and proportionality, including restricting bombing, aerial spraying, the planting of explosive devices and preventing the free movement of people;
  - ensure strict compliance with the principle of distinction;
  - commit to respecting the rights of children;
  - respect the rights of women and fight against the use of sexual violence based on gender; and
  - release illegally detained people; and
- improve the information provided to Colombian civil society on the advances and debates at the negotiation table. The understandable discretion and prudence needed in such processes must nonetheless permit the communication of key aspects of the negotiations. Discussion of humanitarian issues should be included in this communication.

The Colombian government should:

- accelerate the implementation of Law 1448 nationwide and establish special measures to protect community leaders and human rights defenders;
- strengthen the presence of the institutions responsible for the implementation of the Victims Law and the promotion of rights throughout the country;
- include people affected by GAPD violence as victims under Law 1448;
- refocus the government's territorial presence in consolidated zones and limit actions that in the medium term could make communities vulnerable;

- end civil-military actions that confuse humanitarian action, especially those that expose children to reprisals;
- increase efforts to combat GAPDs in a comprehensive manner;
- recognise the existence of situations that continue to generate displacement and other forms of suffering among the civilian population that should be addressed;
- recognise the differential role and added value of the international humanitarian presence;
- respect the independence, neutrality and impartiality of humanitarian organisations; and
- improve the co-ordination mechanisms of international aid on the basis of respect for institutional mandates.

The FARC-EP should:
- end forced recruitment and release children under the age of 18;
- reduce the impact of APMs and UXO by providing for their removal, providing maps of mined areas and informing the public of their locations;
- ensure the access of humanitarian organisations to areas under its control; and
- affirm an unconditional commitment to respect IHL.

The international community, especially humanitarian aid donors, should:
- recognise the existence of a humanitarian crisis in Colombia, although it has a new profile, which continues to need international humanitarian aid;
- draw international attention to the humanitarian situation in Colombia;
- increase financial support to humanitarian organisations that are aware that the situation on the ground is complex and still needs international support for the added value it provides;
- assist the Colombian government in the development of humanitarian policies consistent with international standards in this area;
- assist Colombian civil society organisations in their work, such as advocacy, victims support and other activities;
- conduct ongoing monitoring of developments with an emphasis on respect for IHL and human rights, and compliance with international commitments undertaken by Colombia; and
- take advantage of the arrival of a new UN humanitarian co-ordinator to:
  – establish and maintain a political dialogue at the highest level to address sensitive issues on the humanitarian agenda (e.g. GAPD victims) and advocate for an effective and timely response to the needs of the most vulnerable populations;
  – advocate that the donor community should maintain a level of humanitarian financing that meets the needs on the ground; and
  – advocate that issues such as the recruitment of children and adolescents, gender-based sexual violence, and other humanitarian issues be placed on the negotiation agenda.

The UN Humanitarian Country Team and humanitarian organisations should:
- draw attention at both the national and international level to the humanitarian situation in the country and its risks;
- increase work with local organisations in terms of support and training in the area of humanitarian action;
- focus the work of international organisations on zones and areas in which they will provide the most value added and cover gaps in assistance and protection;
- develop a humanitarian strategy in light of the current situation that focuses efforts on specific areas/issues to complement the national response capacity; and
- develop information exchanges and work with public entities, especially the Victims Unit, to develop synergies to help victims.

Colombian civil society and its organisations should:
- be aware of, recognise and call attention to a humanitarian situation that continues to cause the suffering of tens of thousands of people;
- support the efforts of all national and international humanitarian actors;
- convey their concerns to the negotiation table and thus reduce the remoteness of the negotiators from the realities of the country; and
- require all actors in the conflict, especially those present at the negotiation table in Havana, to commit to respecting humanitarian norms.

References

ACF (Action against Hunger) et al. 2012. "Letter to Valerie Amos: Under-Secretary General for Humanitarian Affairs and Emergency Relief Coordinator." Letter of the international NGOs in Colombia. Bogotá, November 22nd.

APC (Agencia Presidencial de Cooperación Internacional de Colombia). 2012. *Estrategia Nacional de Cooperación Internacional 2012-2014*. Bogotá.

Ávila, Ariel Martínez Fernando. 2013. *Del Caguán a La Habana*. Informe sin publicar. Bogotá: Corporación Nuevo Arco Iris. March.

Bermúdez, Andrés. 2013. "Las minas antipersonal amenazan con dejar coja la restitución de tierras." *La Silla Vacía*, January 12th. <http://www.lasillavacia.com/historia/las-minas-antipersonal-amenazan-con-dejar-coja-la-restitucion-de-tierras-40888>

Buckley, Narayan. 2013. "Number of landmines in Colombia greatly exaggerated: NGO." *Colombia Reports*, February 19th. <http://colombiareports.com/colombia-news/news/28234-number-of-land-mines-in-colombia-greatly-exaggerated-ngo.html>

CCJ (Comisión Colombiana de Juristas). 2013. "Notas sobre las conversaciones de paz entre el gobierno de Colombia y el grupo guerrillero FARC." Documento entregado durante la entrevista realizada entre la CCJ y los investigadores. Bogotá, February 21st.

CDHNU (Consejo de Derechos Humanos de las Naciones Unidas). 2013. *Informe de la Alta Comisionada para los Derechos Humanos sobre la situación de los derechos humanos en Colombia*. A/HRC/22/17/Add.3. January.

Celis, Luis Eduardo. 2013. "Bajarle el volumen a la guerra." *Revista Semana*, February 27th. <http://www.semana.com/opinion/articulo/bajarle-volumen-guerra/334842-3>

CODHES (Consultoría para los Derechos Humanos y el Desplazamiento). 2011. "La continuidad de la crisis humanitaria." September 23rd. <http://www.codhes.org/index.php?option=com_content&task=view&id=1101>

Defensoría del Pueblo. 2013. "Violencia contra las mujeres, la más extendida violación a los DDHH: Defensoría del Pueblo." March 7th. <http://www.defensoria.org.co/red/index.php?_item=0301&_secc=03&ts=2&n=1641>

DG ECHO (Dirección General de Ayuda Humanitaria de la Comisión Europea). 2012. *Humanitarian Implementation Plan (HIP) 2012*. Colombia: DG ECHO.

FOKUS (Foro de Mujeres y Desarrollo). 2012. *Violencia sexual relacionada con los conflictos*. Programa FOKUS 1325 no. 2012:1.

González Posso, Camilo. 2012. "Consolidación territorial y resurgimiento de paras y guerrilla." <http://www.setianworks.net/indepazHome/attachments/732_CONSOLIDACION%20TERRITORIAL%20Y%20RESURGUIMIENTO%20DE%20PARAS%20Y%20GUERRILLA.pdf>

Guglielmelli, Ana. 2011. *En los zapatos de los refugiados: ofrecer protección y soluciones a los desplazados colombianos en Ecuador*. Investigación no. 217. Washington, DC: UNHCR.

HRW (Human Rights Watch). 2012. *Derechos fuera del alcance: obstáculos a la salud, la justicia y la protección para mujeres desplazadas víctimas de violencia de género en Colombia*. November 8th. <http://www.hrw.org/.../colombia1112sp_sumandrecs_0.pdf>

ICG (International Crisis Group). 2012. "Colombia: ¿Por fin la paz?" *Informe sobre América Latina* no. 2012:45.

ICRC (International Committee of the Red Cross). 1977. Additional Protocol II to the Geneva Conventions. Adopted June 8th. <http://www.icrc.org/eng/resources/documents/.../additional-protocols-1977.htm>

ICRC (International Committee of the Red Cross). 2011. *Convención sobre la prohibición de las minas antipersonas: avances y retos en su segundo decenio*. November.

ICRC (International Committee of the Red Cross). 2012. "Minas antipersonal." November 15th. <http://www.icrc.org/spa/war-and-law/weapons/anti-personnel-landmines/overview-anti-personnel-landmines.htm>

INDEPAZ (Instituto de Estudios para el Desarrollo y la Paz). 2012. "VII Estudio sobre la presencia de grupos paramilitares en 2011." <http://www.indepaz.org.co/wp-content/uploads/2012/03/722_VII-Informe-presencia-narcoparamilitarismo-2011-INDEPAZ.pdf>

Isacson, Adam. 2012. *Consolidating "Consolidation": Colombia´s "Security and Development" Zones Await a Civilian Handoff, while Washington Backs away from the Concept*. WOLA Report. Washington, DC: Washington Office on Latin America.

León, Juanita. 2013. "Los diez puntos más polémicos de la ley de fuero militar." *La Silla Vacía*, March. <http://www.lasillavacia.com/historia/los-diez-puntos-mas-polemicos-de-la-ley-de-fuero-militar-42490>

NRC IDMC (Norwegian Refugee Council Internal Displacement Monitoring Centre). 2012. "Global overview 2011: people internally displaced by conflict and violence." April. <http://www.internal-displacement.org/>

OCHA (United Nations Office for the Co-ordination of Humanitarian Affairs). 2013a. *Boletín Humanitario Mensual Colombia* no. 12:2013.

OCHA (United Nations Office for the Co-ordination of Humanitarian Affairs). 2013b. *Boletín Humanitario Mensual Colombia* no. 13:2013.

ONGI (ONG Internacionales). 2012. "La crisis humanitaria en Colombia por el conflicto armado interno." Documento de organizaciones internacionales humanitarias con presencia permanente en Colombia. July.

ONIC (Organización Nacional Indígena de Colombia). 2012. "Por la defensa, respeto y exigibilidad de los derechos de los Pueblos Indígenas en Colombia." Boletín no. 5:2012. Bogotá: ONIC.

PAICMA (Programa Presidencial para la Acción Integral contra Minas Antipersonal). 2013. *Víctimas de minas antipersonal*. Presidency of the Republic of Colombia, February 28th. <http://www.accioncontraminas.gov.co/Paginas/victimas.aspx>

Quintero, Jorge. 2013. "Desminado con civiles empieza en tres meses en el país." *El Tiempo*, January 19th. <http://www.eltiempo.com/justicia/ARTICULO-WEB-NEW_NOTA_INTERIOR-12530725.html>

Revista Semana. 2011. "CICR admite que las 'bacrim' son su mayor preocupación en Colombia." April 14th. <http://www.semana.com/nacion/articulo/la-cicr-admite-bacrim-su-mayor-preocupacion-colombia/238403-3>

Rey Marcos, Francisco. 2011. "La participación militar en la acción humanitaria: reflexiones sobre el caso colombiano." Humanitarian Practice Network. <http://www.odihpn.org/translated-content/la-participacion-militar-en-la-accion-humanitaria-reflexiones-sobre-el-caso-colombiano>

Rey Marcos, Francisco. 2013. "Colombia: fin de la tregua, el diálogo sigue: la crisis humanitaria, también." Instituto de Estudios sobre Conflictos y Acción Humanitaria. January. <http://www.iecah.org/web/index.php?option=com_content&view=article&id=2161:colombia-fin-de-la-tregua-el-dialogo-sigue-la-crisis-humanitaria-tambien&catid=15:articulos&Itemid=9>

Rojas, Natalia & Paulo Ilich. 2012. *Genocidio y crímenes de lesa humanidad en eurso: el caso de los pueblos indígenas en Colombia*. Report. Bogotá: ONIC.

Ruiz, Marta. 2013. "La invención del enemigo." *Revista Semana*, March 29th. <http://www.semana.com/opinion/articulo/la-invencion-del-enemigo/338379-3>

Samper, Ernesto. 2012. "Se puede humanizar la guerra mientras llega la paz." *Periódico El Tiempo*, October 6th. <http://www.eltiempo.com/politica/ARTICULO-WEB-NEW_NOTA_INTERIOR-12286757.html>

UNHCR (United Nations High Commissioner for Refugees). 2012. *Situación Colombia: desplazamiento interno en Colombia*. <http://www.acnur.org/t3/operaciones/situacion-colombia/desplazamiento-interno-en-colombia/>

UNSC (United Nations Security Council). 2012. *Informe del Secretario General sobre los niños y el conflicto armado en Colombia*. S/2012/171. March.

Valencia, León. 2013. "¿Paz duradera o un nuevo ciclo de violencias?" *Revista Semana*, March 16th. <http://www.semana.com//opinion/articulo/paz-duradera-nuevo-ciclo-violencias/336872-3>

Vicente, Martin et al. 2011. *Mining in Colombia: At What Cost?* Newsletter no. 2011:18. Peace Brigades International.

Victims Unit (Unidad para la Atención y Reparación Integral a las Víctimas). 2013. "Un año de resultados." Departamento para la Prosperidad Social. February 28th. <http://www.unidadvictimas.gov.co/index.php/79-noticias/279-un-ano-de-resultados>

Watchlist. 2012. *Nadie en quien confiar: los niños y el conflicto armado en Colombia*. April.

■ THE AUTHORS

Francisco Rey Marcos is co-director of the Institute of Studies on Conflict and Humanitarian Action (IECAH) based in Madrid. He has worked for various NGOs, the Red Red Cross Movement, and academic and public institutions, and has more than 25 years of experience in the fields of humanitarian action and peacebuilding.

Luisa Fernanda Pineda Ariza is an economist at the University of Santo Tomás, Colombia and a specialist in international co-operation at the Universities of San Buenaventura de Cartagena, Colombia and Pavia, Italy. She works as a consultant with IECAH and other Colombian and international organisations.