

The humanitarian dimension in the aftermath of a peace agreement: proposals for the international community in Colombia

By **Francisco Rey Marcos**
and **Sophie Duval**¹

■ Executive summary

After more than fifty years of armed conflict, the possibility exists of a peace agreement being reached between the Colombian government and the Revolutionary Armed Forces of Colombia – People’s Army that could result in a real transition that will lead to a sustainable peace.

In the last few years the Colombian government has made significant efforts to acknowledge the conditions of the victims of the conflict and address their needs. Nevertheless, despite improvements in some humanitarian indicators, the humanitarian situation in the country remains severe and thus may be considered central to the transition’s planning process. International experience shows that an early withdrawal of humanitarian assistance may have negative impacts on at-risk groups and the evolution of the peace process, especially when the regions most affected by the conflict face important development gaps and challenges.

This report analyses various international experiences and identifies lessons learnt that may be used in addressing the evolution of the current situation in Colombia. It also examines the possible dynamics of violence after a peace agreement has been signed, as well as their humanitarian consequences. It includes recommendations for the international community and other stakeholders to include humanitarian issues in their peacebuilding initiatives. Key recommendations include developing a single international-community strategy that frames the humanitarian, development, and peacebuilding dimensions, and that considers the protection of human rights and the situation of victims as key elements in any post-conflict peace-agreement scenario; strengthening institutional capacities at the local level; and changing the international community’s approach to relations with the state.

Introduction

The advances in the negotiation process and the partial agreements that have been reached in the negotiations between the government of Colombia and the Revolutionary Armed Forces of Colombia – People’s Army (FARC-EP) over the past two years open up the possibility of a peace agreement being signed in the medium term between the parties. However, during the two years of negotiations the humanitarian situation in some areas of Colombia has remained critical: a bilateral ceasefire was not put in place

and thus the negotiations have taken place while the conflict has continued.

The actions of the National Liberation Army (ELN), post-demobilisation armed groups (PDAG)² and other armed groups should be added to this scenario and are having serious effects on the civilian population. Humanitarian assistance and protection for the affected population – i.e. the victims of the conflict – are still necessary, and despite the progress made by the Colombian authorities in deliver-

1 The Office for the Coordination of Humanitarian Affairs (OCHA) Colombia Country Office and the Institute for Studies on Conflicts and Humanitarian Action assisted with the collection of information and the provision of access to key informants in the field for this report. The contents do not necessarily reflect the position of OCHA. This is the English version of a report originally written in Spanish. The Spanish version is published by IECAH.

2 This term refers to armed groups that emerged following the demobilisation of the paramilitaries between 2003 and 2006.

ing emergency assistance, persistent response gaps remain. Because of this, national and international humanitarian organisations are still playing an essential role.

The possibility of the signing of a peace agreement between the government and the FARC-EP implies new challenges for humanitarian organisations, since they will have to adapt their operational strategies to the new situation in order to pursue sustainable solutions. The international community has to face the major challenges of understanding these changes and being able to foresee and anticipate them, particularly in light of their humanitarian consequences. The legacy of past peace processes and previous peace agreements in Colombia shows that post-agreement scenarios may lead to the deterioration of the humanitarian and human rights situations, which may obstruct the peace process itself.

This report aims to identify lessons learnt from previous post-agreement situations that may be useful in Colombia. Grounded on an evidence-based analysis of the national humanitarian situation, the report makes recommendations to stakeholders and key institutions – the international community in particular – involved in the peacebuilding, humanitarian aid and development processes with the aim of providing them with a set of guidelines for their future operations.

As part of the research undertaken for this report more than a hundred representatives from various public, private, national and international institutions based in Bogotá, Córdoba, Nariño and Valle del Cauca were interviewed during August and September 2014.

International post-war situations: the role of the international community

Since the early 1990s changes in the international context have favoured the launch of peace processes that have put an end to some armed conflicts and the opening up of new post-war scenarios. Post-war rehabilitation and peacebuilding become two important keystones of international involvement in such peace initiatives. These processes should be led by the governments of the affected countries and should have a locally grounded constituency, although the role of the international community is incontestable.

Theoretical approaches and practical implications: transitions³

Theoretical approaches to these types of situations have resulted in conceptual misunderstandings that have, in turn, led to problems in practice. These misunderstandings result from (1) the use of the term “post-conflict”, which does not recognise the persistence of a conflict’s underly-

ing causes after a peace agreement has been signed (Romera, 2003); (2) the emphasis on the economic dimension of the rehabilitation process (Carbonnier, 1998); and (3) the use of the LRRD⁴ approach, which originates from the realm of natural disasters and results in problems when it is used in post-war contexts (Pugh, 1998; Roche, 1998). The use of the term “transition” may help to address these situations from a wider perspective that includes a diversity of instruments of international co-operation:

A transition period spans along a broad spectrum of activities along the path out of conflict and toward sustainable development, greater national ownership and increased state capacity. This includes recovery and reconstruction activities that traditionally fall between the humanitarian and development categories, and security-related and peacebuilding activities (OECD, 2012).

OCHA sees a transition as a phase in which acute vulnerability starts to decrease more and more – although some problems remain – and humanitarian indicators start to improve. The transition may be the result of decreased risk – resulting from a reduction in the level of violence – or due to increasing resilience and response capacities, i.e. significant improvements to the government’s capacity to respond to the population’s needs at the local level (OCHA, 2010).

Another important issue is the role of humanitarian action in post-war peacebuilding efforts (OCHA, 2011). The tensions between these two approaches – resulting from the risk of compromising humanitarian principles and affecting humanitarian access, given the political nature of peacebuilding – has made humanitarians reluctant to support or become involved in longer-term initiatives that do not necessarily respond to humanitarian needs. Nevertheless, there are also cooperation opportunities that allow humanitarian action to support peacebuilding efforts without compromising its principles. For example, the shared interests between the humanitarian and peacebuilding realms in strengthening community-based and institutional response capacities favour more coordination between the two approaches. Moreover, the dialogue between both realms is essential to prevent eventual gaps caused by the decreased involvement of humanitarian organisations or their departure from specific regions. From the perspective of the international funding available for these transitional contexts, several initiatives have been put in place to fill the gaps between the funding opportunities for humanitarian aid, development and peacebuilding by applying a gradualist approach (Steets, 2011).

3 The theoretical approaches and examples from other countries mentioned in this section seek to illustrate international experiences and lessons learnt. They do not necessarily apply to the Colombian context.

4 Linking relief, rehabilitation and development.

The humanitarian dimension during the transition

Although humanitarian action is an essential part of international support for transitional situations, very often peace agreements do not include explicit references to this issue or are limited to its more visible aspects such as the return of displaced populations or humanitarian demining, which in any case are slow processes that are usually only partially implemented (Lederach, 2014). It should be noted that in the current peace talks with the FARC-EP the rights of the victims are not only an item on the negotiation agenda, but have also become a central axis of all the discussions. It is also positive that the parties to the negotiation have received several victims' delegations and agreed to discuss measures to mitigate the impact of the conflict. Nonetheless, the implementation of eventual humanitarian agreements and specific provisions on victims represent an important challenge, given the magnitude of victimisation in Colombia.

A study of various experiences illustrates that “the societies that emerge after a conflict show high levels of violence” (Steenkamp, 2009). According to a World Bank report, 57% of countries that experienced civil wars between 1945 and 2009 relapsed into armed conflict after a peace agreement had been signed due to the continued presence of the underlying causes that led to violence in the first place (Walter, 2010). This is a major challenge for the national government: instead of seeing the post-agreement period as the end of the conflict, international stakeholders should understand it as a process designed to overcome the structural causes of the conflict that involves national economic recovery measures and reducing the risk of a relapse into a new conflict (Collier, 2008). While it is true that the Havana negotiation agenda addresses the structural causes of the conflict (rural development, political participation, drug trafficking, etc.), the implementation of the agreements reached will be a long-term challenge for Colombia.

This implies the presence of actors to prevent the deterioration of the humanitarian situation and respond to eventual emergencies. Subsequently, the withdrawal of humanitarian organisations from a country or region should be gradual and should be linked to increasing community and institutional local response capacities, and the achievement of indicators of significant improvement in the humanitarian situation after the signing of the peace agreement.

However, past experiences do not always endorse this approach. Very often international humanitarian organisations are subjected to pressures resulting in their anticipated withdrawal from a country that hinder the protection of civilians and open up gaps in the humanitarian response. The premature decrease of humanitarian aid delivery in post-war settings is connected to pressures from three

actors: (1) governments, (2) donors, and (3) the media, examples of which are discussed below:

1. *Governments*. In Sri Lanka, after the election of Mahuda Rajapaksa as president in November 2005 the government began to politicise international humanitarian aid, describing it as neocolonialist and accusing it of backing the Tamil Tigers (Gowrinathan & Zacharia, 2009). Thus, when the government decided to pursue a final military solution to the armed conflict, humanitarian actors received various threats, such as an official statement that the armed forces were unable to guarantee the safety of United Nations (UN) staff in the Wanni region, which led to the evacuation of such staff from this area despite the serious deterioration of local humanitarian conditions (Keenan, 2010; UN, 2012).
2. *Donors*. Between 2007 and 2008 the international community in Somalia was subjected to political pressures from key donor countries that had started to view the country as if it were in a “post-conflict” phase, although the humanitarian situation had clearly worsened. This led to the implementation of transitional assistance and security reform programmes while the conflict was still in progress and while the transitional government was still committing serious human rights violations (Menkhaus, 2009).
3. *The media*. In the Democratic Republic of the Congo between 2007 and 2008 humanitarian assistance focused on the North Kivu region, where the conflict was most intense, while other areas of the country were experiencing serious malnutrition and disease problems, among others. When the international humanitarian community tried to redirect its operations to these areas, it was difficult to persuade donors to support this step due to the media's focus on the situation in North Kivu (Lilly & Bertram, 2008).

Some lessons and recent good practices

These experiences highlight two important issues affecting post-agreement contexts. Firstly, when attention becomes focused on recovery and rehabilitation operations, it must be acknowledged that the country's humanitarian situation could experience reduced visibility, and it is necessary to find a balance among and coordinate humanitarian actions, development plans and peacebuilding efforts. Secondly, this endeavour has to be carried out in close collaboration with the government to the extent that the latter recognises the humanitarian situation and is open to joint efforts in this regard with the international community.

The comprehensive work of the UN in northern Uganda since 2009 was notable for the implementation of a single strategy in collaboration with local authorities comprising humanitarian actions, early recovery and development. This UN Peacebuilding, Recovery and Assistance Programme was a three-year strategy seeking to redirect the operations of the UN System during the transition from providing humanitarian aid to implementing recovery and development in programmes in the region (Martin, 2010).

Although the two sectors experienced some confidence-building issues, this model addresses the challenge of mainstreaming capacity-building in the humanitarian agenda by transferring knowledge from the humanitarian architecture to state institutions with the aim of creating a more efficient bridge linking this architecture to development actions.

These examples show the importance of appropriate planning of humanitarian operations in post-agreement settings. This does not mean that humanitarian programmes should be continued unnecessarily, but neither does it imply that they should be withdrawn precipitously, since the impact that this could have on the population may be very high, while resuming such operations, should this become necessary, would be very costly.

Colombia: perspectives on the humanitarian situation during the peace talks⁵

While the peace talks between the government and FARC-EP have had an indirect positive effect on some humanitarian indicators since they started – leading to a decrease in mass displacements and anti-personnel mine (APM) accidents, for example – new victims of violence appear in Colombia every day, especially among the indigenous and afro-descendant populations. The continuing armed violence is also due to the ongoing conflict with the ELN, which is currently engaged in exploratory talks with the government, and other sources of violence such as PDAGs. These groups are responsible for a growing part of the humanitarian effects on the population that are not merely residual and could become more prominent in a post-agreement setting. Furthermore, Colombia is also vulnerable to natural disasters. In many cases the regions and populations most affected by such disasters are also the most affected by conflict and violence, thus leading to situations of double vulnerability.

The root causes of the humanitarian crisis in Colombia are very deep and a long-lasting solution will only be found if related problems such as weak state presence in some regions, drug trafficking and other illicit economies, land-tenure rights, the massive dispossession of land and assets suffered by millions of farmers, and the resort to violence to settle land-tenure disputes are also properly addressed. While some of these issues are included in the negotiation agenda, their implementations will be a long-term challenge and could even trigger new conflicts. In addition, the urbanisation of violence and the humanitarian consequences of the activities of the mining and extractive industries represent new challenges for Colombian institutions and their humanitarian counterparts.

Forced displacement

At least 347,286 people were displaced in Colombia between November 2012 and September 2014. This means that while the negotiations with the FARC-EP were taking place in Havana, nearly 15,100 people were forced to leave their homes each month as a consequence of conflict and violence. Nearly half of the displacements during this period (48%) resulted from FARC-EP and ELN actions, while PDAGs (officially “BACRIM” criminal gangs) were the cause of nearly one in every five displacements (19%).⁶

Because the FARC-EP is involved in the majority of displacements – either as a result of fighting against state forces or unilateral actions – it is possible that the number of events and victims of forced displacement would rapidly decrease in a post-agreement setting. However, an increase in the number of declarations of displacement and other events in territories currently controlled by the FARC-EP is also possible.

Restrictions on mobility and constraints on access to basic goods and services

Between January 2013 and November 2014, 1.4 million people were subjected to restrictions on their mobility and constraints on their access to basic goods and services essential for their survival. For one out of every five of these people the restrictions lasted for more than a week and affected their access to at least three basic services, which according to OCHA Colombia (2014) constitutes a situation of confinement.⁷ The more common causes of these restrictions are hostilities, threats and limitations imposed by non-state armed groups; the presence and use of APMs and the presence of unexploded ordnance (UXO); road blockades; and the disturbance of public order by social demonstrations.

During the same period, every month nearly 61,500 people were affected by situations that restricted their mobility and access to humanitarian aid or basic goods and services. The most-affected departments were those of Nariño, Putumayo, Antioquia and Caquetá. Bearing in mind that the FARC-EP is responsible for only 21% of the confinement situations – either because of unilateral actions or due to combat with state forces – the effects of such situations would not decrease significantly after the signing of a peace agreement.

Anti-personnel mines and unexploded ordnance

The use and dissemination of APMs and UXO in Colombia remain a major cause of death, serious injuries and effects on the mental health of victims, their families and communities, and have social and economic consequences that affect many people in rural areas. This is one of the main

⁵ All the figures given in this section, with the exception of restrictions on mobility and constraints on access, were taken from official sources: the Colombian Institute of Family Welfare, the Unit for Assistance and Comprehensive Reparation for Victims, Integrated Mine Action Direction, etc.

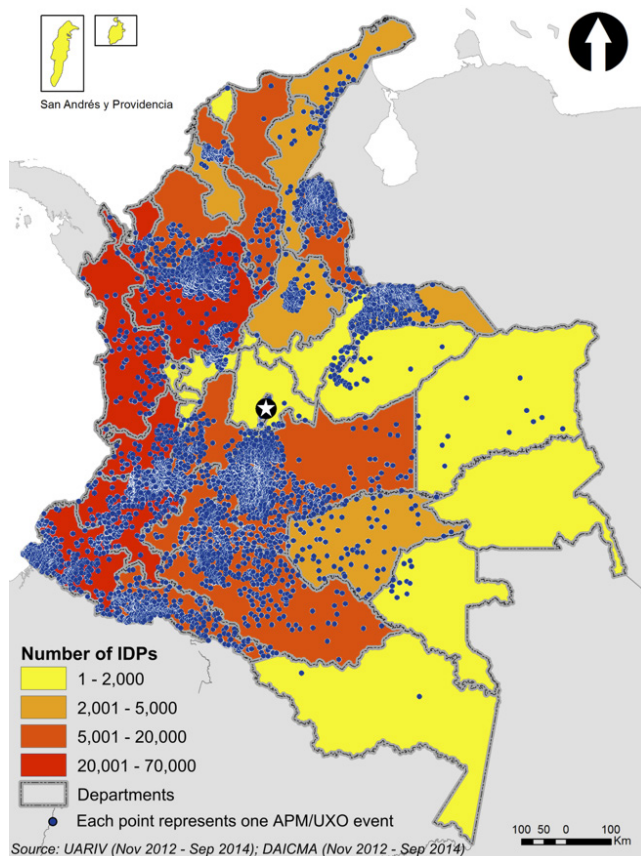
⁶ The level of FARC-EP involvement in mass displacements (events where a minimum of ten families or 50 people are displaced) is similar. Between November 2012 and November 2014, 17% of the internal displacements monitored by OCHA took place as a result of unilateral FARC-EP actions and 37% were a consequence of combat against the armed forces.

⁷ The monitoring of the restrictions on mobility and constraints on access to goods and services poses a challenge for the international community. There is no consensual definition of “confinement” and the available information comes only from areas where local humanitarian teams have an effective presence.

causes of restrictions on mobility and constraints on access to basic services. Colombian non-state armed groups continue to use APMs to protect coca crops and strategic areas and to deter and/or reduce military operations against them. According to official estimates, between November 2012 and September 2014, 644 victims of APMs/UXO were registered (40% of them civilians), which means that every day someone – either a combatant or civilian – is the victim of APMs/UXO (37% of civilian victims are children). During this period, five departments – Antioquia, Caquetá, Nariño, North Santander and Putumayo – contained 67% of victims.

Considering that the guerrillas are primarily responsible for the laying of APMs, it is expected that a peace agreement with the FARC-EP could significantly reduce the use of this type of weapon. However, those already planted in a significant part of the national territory will continue to be a major risk factor for the civilian population for several years after a peace agreement is signed.

Figure 1: Internally displaced people (IDPs) and APM/UXO events in Colombia



Children and armed conflict

The conflict and armed violence in Colombia have a serious and disproportionate impact on children. Although there are no official figures on the number of children associated with non-state armed groups, between January 2013 and October 2014, 570 children left non-state armed groups and entered special programmes of the Colombian Institute of Family Welfare (ICBF). This means that every month 26 children left non-state armed groups.

Despite the under-registration of cases of child rights violation in the Colombian armed conflict, according to the global report of the UN secretary general on children and armed conflicts (UN, 2014), in 2013 the UN was able to verify 81 cases of the recruitment and use of children by armed groups in 25 of the 32 administrative departments in Colombia, which shows the wide geographical dispersion of this practice. The FARC-EP is responsible for 71% of the reported cases, followed by the ELN (21%). These cases add to the 343 cases of children that entered the ICBF programme for children who had separated from non-state armed groups.

Gender-based violence in the armed conflict

Violence against women has become a recurrent, systematic and generalised practice in the armed conflict in Colombia – and simultaneously one of the more invisible ones. In many cases victims do not report their experiences of sexual violence because of fear of reprisals and stigma, lack of trust in the responsible institutions, and high levels of impunity. Due to the lack of information, the scope and magnitude of this problem is difficult to estimate. Between November 2012 and September 2014, 548 victims of sexual and gender-based crimes were registered, 88% of which were women; of these, children represented 27%.

Other humanitarian problems

The problem of disappeared people is still absent in the peace dialogue. According to the ICRC (2014), more than 7,500 new cases of forced disappearance were reported in 2013, which means that at the end of that year the total number of disappeared people in Colombia was 67,195. The increase in the number of attacks by non-state armed groups and in the latter's use and occupation of civilian infrastructure are also issues of concern (with an average of 20 events per month during the peace talks, according to data from the Monitor information system). The threats and violence against land claimants, social leaders, and human rights defenders are also worrying. This type of violence could even increase during the implementation phase of the peace agreement, thus creating significant protection challenges.

The state's response to the humanitarian situation

Colombia has a highly developed institutional and legislative framework for providing assistance to the victims of conflict. The adoption of the Victims and Land Restitution Law (Law no. 1448 of 2011) and the setting up of the Unit for Assistance and Comprehensive Reparation for Victims as a lead and coordinating body were two major advances in terms of public policy for victims' assistance and protection. Nevertheless, certain weaknesses in the assistance framework linked to the central role of local entities (municipalities) have been repeatedly highlighted. Furthermore, although the resources allocated by the central government for assistance to victims are considerable, they cannot always be labelled as humanitarian assis-

tance, because they do not follow the principles and practices that regulate this sector.

In some of the most affected areas the state's response capacities, resources and/or presence are limited, thus affecting the access of people and communities to assistance. In addition, the law contains a model of assistance based on "demand" that requires victims to submit a complex declaration, which in territories still controlled by non-state armed groups is very difficult to do.

The international humanitarian response: the reality and trends

The presence of international humanitarian organisations is still significant in Colombia. Most UN agencies have been present in the country since the mid-1990s, as well as a large number of international and national non-governmental organisations. Colombia was one of the first countries to pilot humanitarian reform, to set up a Humanitarian Country Team (Rey Marcos & Ariza, 2013) and to establish a cluster system, which has been strengthened.

The profile of development cooperation in the country has been changing, and because Colombia is a middle-income country and a donor of development and humanitarian aid, many donors, some of them traditional humanitarian donors, are reviewing their country strategies and roles, and assessing the possibility of an eventual withdrawal or change of priorities.

Nevertheless, there is consensus among the interviewees for this report on the importance of maintaining – or increasing if needed – the role and presence of the international humanitarian community in a post-peace agreement scenario due to the many short-term risks. The capacity of the international humanitarian community to carry out confidence-building in areas affected by violence, the independence and impartiality of its work, and its rights-based approach to the protection of and support for victims were repeatedly highlighted during the interviews.

There is also agreement regarding the need to change the role of the international humanitarian community, since the signing of a peace agreement implies a review of its relationships with national and local state authorities. The change should be oriented to strengthening the coordination, complementarity and reinforcement of the state's institutional capacities. Nonetheless, various past organisational experiences advise on the use of humanitarian principles as a guideline in order to avoid politicising humanitarian operations.

The dynamics of violence and their humanitarian effects in a post-peace agreement scenario

According to the Monitor information system, 1,400 armed actions affected 25% of Colombia's municipalities between November 2012 and November 2014.⁸ These armed actions, mainly firefights and attacks, were concentrated in northern Cauca, Arauca, the region of Paramillo, the ancient detente area of Caquetá, the Pacific coast and the region of Catatumbo. In urban settings PDAGs and unidentified local armed structures are the protagonists of armed violence.

The FARC-EP remains the actor with the greatest participation in armed actions (52%) associated with both unilateral violence and combat with state public forces. This explains the important reduction in armed actions reported during the three periods of FARC-EP unilateral ceasefires since the beginning of the negotiations. Nonetheless, the involvement of other armed groups in military actions, including the ELN and PDAGs, is close to 48%. This means that armed violence and its humanitarian effects will not largely disappear in a post-agreement scenario, since sources of violence other than the FARC-EP are responsible for nearly half of reported armed actions.

A peace agreement with the FARC-EP would therefore not automatically translate into an end to violence. Despite the expected improvement of some humanitarian indicators at the national level due to the significant reduction of FARC-EP military actions if a peace agreement were signed, other actors still remain active sources of violence, the humanitarian effects of which may vary across regions. On the basis of approaches that address the space variations of violence in armed conflicts (Kalyvas, 2001), four types of regional dynamics are possible in a post-agreement setting:

1. *Territories fully controlled by the state.* The territories where the state has consolidated its territorial control would be the least violent. It is expected that the humanitarian situation may improve significantly in these areas, leading to a transition period.
2. *Territories contested by two or more armed actors.* These areas would be the most violent, characterised by open combat and high levels of indiscriminate and/or selective violence (e.g. between PDAGs, or between these groups and the ELN or remaining FARC-EP factions), which would last until an actor seizes control of the territory or a set of coexistence agreements are achieved among the operational actors. These agreements could be based on the geographical distribution of their operations and actions, or the division of their roles in the management of illegal economies. The more

⁸ OCHA Colombia collects information on, categorises and georeferences armed violence incidents through the Monitor information system. The category "armed actions" includes attacks on military facilities, blockades of roads/illegal roadblocks, firefights, ambushes, armed confrontations between non-state armed groups, friendly-fire events, harassment and military incursions. These military actions can be undertaken by non-state armed groups, PDAGs, the armed forces and unidentified actors.

visible humanitarian effects, such as massive population displacements, would occur in these areas.

3. *Territories characterised by a state of “coexistence” between two or more armed actors.* In areas where two or more armed groups (national armed forces, the FARC-EP’s remaining factions, etc.) have established relationships of coexistence, based on mutual benefits as a result of the division of roles in informal and illicit economies, the violence will be limited while the balance of power that has been agreed is respected. The violence used by armed groups to maintain their control over territories and resources would be selective (homicides, threats, disappearances, individual displacements, the use and recruitment of children) or massive, but less visible (limitations on mobility and the use of extortion). The absence of open and direct confrontations would avoid the more visible humanitarian consequences, which does not necessarily imply a lack of humanitarian and protection needs.
4. *Territories controlled by a non-state armed group.* Violence would be reduced and become less visible, and would be used to maintain social control through threats, restrictions on mobility, selective homicides, extortion, individual displacements, and the use and recruitment of children. Here the population’s needs would be mainly linked to protection.

The dynamics of violence and its humanitarian effects in a post-agreement setting will depend on the presence or absence of certain conditions for peace (political and economic stability, the rule of law, institutional capacity, etc.) and inherited factors or those associated with the conflict’s termination (Aguirre, 2013).

In light of the interviews carried out for this research, the critical factors that will determine the levels of violence and humanitarian trends in a post-agreement scenario in areas with a strong FARC-EP presence would be as follows:

1. *The existence of illicit economies and previous active involvement of the FARC-EP in their control and management.* It is possible that members of the FARC-EP will decide not to stop their participation in illegal activities, which may lead them to join other armed groups with a presence in the same areas or to the emergence of new armed structures.
2. *The state’s capacity to seize control of areas abandoned by the FARC-EP, combat PDAGs and avoid their expansion.* If the gaps left by the demobilisation of the FARC-EP are not filled by the state, other actors will take the lead, particularly in areas considered to be strategic for the control of illegal economies.
3. *Internal divisions in the FARC-EP and its Secretariat’s capacity to implement the peace agreement.* In some areas, internal tensions and differences within the FARC-EP itself have been reported, which may lead to partial demobilisations and the persistence of FARC-EP factions in a post-agreement setting.

4. *The disarmament model agreed with the FARC-EP.* Depending on the agreements reached on timelines, regions and the final dispositions of the arms that are surrendered, there could be major or minor risks of the proliferation of small arms and light weapons that could end up in the hands of other armed groups.
5. *The militarisation of the territory and the role of the armed forces in the post-agreement scenario.* Although an increased military presence in areas formerly controlled by the FARC-EP is certainly expected, its impact will depend on the roles the military performs and the relationships it establishes with local institutions and communities.
6. *Violent opposition to the signing of a peace agreement.* In some regions the implementation of a peace agreement with the FARC-EP will have to contend with the opposition of “de facto” local powers.
7. *Institutional response and socioeconomic opportunities.* The state’s capacity to rapidly improve the quality of life of the most affected communities and respond to the expectations generated by the signing of a peace agreement (for example, by improving access to basic services) will be a key factor in the credibility and sustainability of the agreement on the ground. Likewise, if the institutional response and security conditions are not sufficient, the demobilised members of non-state armed groups may be coopted by other still-active armed groups or become part of urban gangs and organised criminal networks, which poses a further risk.
8. *Capacities of local institutions.* A post-agreement scenario will probably require new responsibilities and roles for local institutions, some of which lack the capacity and resources to fulfil their current responsibilities/ roles.
9. *Institutional mechanisms for conflict management.* A number of social conflicts may arise in a post-conflict setting as the product of either the implementation of a peace agreement or an already existing effect of the armed conflict.

Conclusion

International experiences of post-war scenarios show that it is necessary to focus on humanitarian issues during the transitional period after a peace agreement is signed.

After two years of peace dialogue the humanitarian situation in Colombia remains complex. While some indicators show improvement, others such as restrictions on mobility, strict social control measures and pressures on communities are more frequent as a result of the changing strategies of armed groups. The period following a peace agreement could be characterised by complexities that affect the ability to deal with humanitarian and human rights issues.

Although the Colombian state’s capacity to offer assistance to victims has been reinforced during this period, there are still gaps caused by constraints on access to areas with a strong presence of non-state armed groups and the

reduced presence of state institutions in these areas. The gaps in humanitarian assistance and protection are clear in some areas.

This reality justifies and legitimates an international humanitarian presence that could offer added value not only in terms of humanitarian access, but also by providing principled-based assistance and protection without political bias. The presence on the ground, experience and expertise of humanitarian organisations are strengths that will enrich the transition process, widen the scope of cooperation with public and private Colombian institutions, and underpin their capacities.

General recommendations

- **A single international community strategy should be developed**, in coordination with the government, to frame peacebuilding, recovery and assistance efforts. A joint planning process involving humanitarian and development-oriented organisations could contribute to the clarification of future roles and responsibilities in order to achieve strategic and operational coherence. This process should respond to specific regional dynamics, which may vary significantly.
- **Humanitarian actors should continue to call for the inclusion of humanitarian considerations in a peace agreement and support the government in the implementation of relevant humanitarian provisions.** The Humanitarian Country Team, the humanitarian coordinator, donor countries and civil society should continue with their advocacy efforts in order to include explicit humanitarian considerations in any agreement reached with the FARC-EP, particularly in terms of the use and recruitment of children, disappeared people, UXO and the use of APMs, and gender-based violence, among other important issues. Furthermore, humanitarian actors should accompany and provide technical support to national institutions during the implementation of agreements reached on humanitarian issues.
- **Local institutional capacities should be strengthened.** It is necessary to make additional efforts to strengthen the capacities of local institutions through the allocation of human, technical and financial resources, especially in areas where the FARC-EP has a strong presence.

Recommendations for international organisations in Colombia

Recommendations for the inclusion of humanitarian considerations in post-peace agreement work plans

International organisations should:

- Work with the government in the early implementation of agreements reached on humanitarian issues and ensure that human rights protection, humanitarian considerations and the victims of the conflict are

considered as central pillars of all international cooperation in a post-agreement setting.

- promote greater coherence and coordination among all international cooperation actions (sharing the assessment and analysis documents produced by the various humanitarian, development and peacebuilding organisations would help to avoid overlapping);
- encourage the elaboration of a joint document like a post-conflict needs assessment and present it in a transitional results matrix or similar framework;⁹
- strengthen initiatives to support the recovery of people's livelihoods in areas historically controlled by the FARC-EP, where livelihoods largely depend on illegal activities related to the presence of this armed group;
- reinforce disaster-preparedness work, including the setting up of early warning systems and contingency planning for a potential escalation of violence in certain areas, and the fostering of resilience;
- encourage the use of evidence-based knowledge generated by humanitarian organisations on the ground in the design of development and peacebuilding programmes aimed at fostering appropriate hand-over processes and avoiding potential negative impacts ("do no harm"); and
- provide technical assistance and support for development organisations and national institutions to adapt their programme cycle so as to enable them to address residual humanitarian needs and be prepared in case of potential setbacks.

Recommendations for supporting and establishing relationships with the government and local institutions

International organisations should:

- strengthen coordination with state institutions;
- explore models of collaboration with local institutions in order to strengthen and facilitate the transfer of knowledge and standards to national and local institutions and increase the capacities of the local humanitarian community;
- consider how to transfer the knowledge and experience of the humanitarian architecture to national/local institutions and actors and adapt this architecture to the new situation;
- offer technical assistance to state bodies through joint training and support during the processes of IDP return/relocation and humanitarian demining;
- reinforce coordination between the Humanitarian Country Team agenda and local priorities as part of providing assistance to victims;
- promote the involvement of national bodies in existing coordination mechanisms (clusters, local humanitarian teams, etc.);
- organise rapid-response teams that can act quickly if the humanitarian situation deteriorates;

⁹ These are standardised planning documents aimed at facilitating the implementation and monitoring of specific actions.

- support the presence of state institutions responsible for providing assistance and protection in areas where access by state authorities has been limited in order to guarantee the application of humanitarian principles;
- strengthen civil-military coordination from a humanitarian perspective by applying international guidelines and standards, in light of the potentially leading role that the armed forces could play in a post-agreement setting; and
- support humanitarian innovation in light of the fact that Colombia is a middle-income country with significant capacity in place.

Recommendations for monitoring the performance of humanitarian indicators

International organisations should:

- design and develop a set of information management tools that can be shared with actors and the authorities to better monitor the humanitarian situation, particularly dynamics such as restrictions on mobility and humanitarian access, social control, etc. that cannot be properly measured currently. The clusters and humanitarian country teams – at both the country and local levels – should support this process;
- raise awareness of situations of risk and increases in humanitarian and protection needs, as well as existing gaps;
- measure declines in the population's vulnerabilities, which – together with strengthened institutional capacities – may constitute a useful indicator to decide whether to reduce or withdraw the humanitarian presence from a given region;
- better analyse the evolution of armed conflict/violence in urban settings and its humanitarian impact;
- monitor new forms of violence and the role of new armed groups and structures; and
- identify the capacities of national institutions and international organisations in order to foster synergies and prevent overlapping in their roles and functions.

Recommendations for supporting civil society organisations

International organisations should:

- assist and support the victims, their organisations, and communities in the exercise of their rights and in obtaining access to assistance and protection;
- support population groups with special protection needs (returnees, demobilised combatants, community leaders, victims' representatives, human rights defenders, etc.);
- strengthen local response capacities in the most affected areas and transfer knowledge from international humanitarian actors to community-based organisations;
- support capacity-building initiatives for community-based organisations and promote community participation in project planning, implementation and monitoring at the local level; and

- support the processes of creating and strengthening local capacities (needs assessment, project management, etc.), focusing on social and community partner organisations that receive humanitarian funding.

Recommendations for humanitarian funding

- Emergency response funds should be maintained or increased in order to fill response gaps during the transition stage.
- Humanitarian considerations should be included in the possible funding mechanisms developed for the post-conflict period (multi-partner trust funds, peacebuilding funds, etc.).

References

- Aguirre, K. 2014. "Disentangling violence after conflict: the case of Guatemala in a subnational analysis." Documento de trabajo CERAC no. 2014:22. Bogotá: CERAC.
- Carbonnier, G. 1998. "Conflict, postwar rebuilding and the economy: a critical review of the literature." War-torn Societies Project Occasional Paper no. 1998:2. Geneva: UN Research Institute for Social Development.
- Collier, P. et al. 2008. "Post-conflict risks." *Journal of Peace Research*, 45(4), July: 461-78.
- Gowrinatha, N. & M. Zacharia. 2009. "Aid and access in Sri Lanka." *Humanitarian Exchange*, 43, June: 2-4.
- ICRC (International Committee of the Red Cross). 2014. *Colombia: situación humanitaria: acción 2013 y perspectivas 2014*. Bogotá: ICRC.
- Kalyvas, S. 2001. "La violencia en medio de la guerra civil: esbozo de una teoría." *Análisis Político*, 42, January-April: 3-25.
- Keenan, A. 2010. "Human rights in Sri Lanka in the post-conflict period." International Crisis Group. Paper presented to the Subcommittee on Human Rights of the European Parliament, Strasbourg, December 6th.
- Lederach, J. P. 2014. *Procesos de paz comparados: claves para construir la paz en Colombia*. Barcelona: Relatoría del Seminario Escenarios Posconflicto en Colombia.
- Lilly, D. & A. Bertram. 2008. "Targeting humanitarian assistance in post-conflict DRC." *Humanitarian Exchange*, 41, December: 35-38.
- Martin, E. 2010. "Capacity-building and partnership in northern Uganda." *Humanitarian Exchange*, 46, March: 41-43.
- Menkhaus, K. 2009. "Somalia: 'They created a desert and called it peace(building)'." *Review of African Political Economy*, 36(120), June: 223-33.

OCHA (Office for the Coordination of Humanitarian Affairs). 2010. "OCHA on Message: transition." OCHANet, August. <http://ochanet.unocha.org/p/Documents/OOM_Transition_English.pdf>

OCHA. 2011. "Peacebuilding and linkages with humanitarian action: key emerging trends and challenges." OCHA Occasional Briefing Series no. 2011:07. OCHA Policy Development and Studies Branch. <<https://ochanet.unocha.org/p/Documents/Occasional%20paper%20Peacebuilding.pdf>>

OCHA Colombia. 2014. "Acceso humanitario, limitaciones de movilidad y confinamiento." Nota conceptual de OCHA Colombia. Salahumanitaria.co, November. <<http://www.salahumanitaria.co/es/document/nota-conceptual-acceso-humanitario-limitaciones-de-movilidad-y-confinamiento>>

OECD (Organisation for Economic Cooperation and Development). 2012. *International Support to Post-conflict Transition: Rethinking Policy, Changing Practice*. DAC Guidelines and Reference Series. Paris: OECD. March.

Pugh, Michael. 1998. *Post-conflict Rehabilitation: The Humanitarian Dimension*. Rehabilitation of War-torn Societies Project. Geneva: Centre for Applied Studies in International Negotiations.

Rey Marcos, F. & L. F. P. Ariza. 2013. *Colombia: Between the Humanitarian Crisis and Hope of Peace*. NOREF Report no. 2013. Oslo: NOREF.

Roche, C. 1998. "Operacionalidad en la turbulencia: la necesidad de un cambio." In S. Commins, ed. *Desarrollo en estados de guerra*. Madrid: Oxfam-GB.

Romeva, R. 2003. *Guerra, posguerra y paz: pautas para el análisis y la intervención en contextos posbélicos o postacuerdo*. Barcelona: Icaria.

Steenkamp, C. 2009. "Post-agreement violence and reconstruction." In C. Steenkamp, ed. *Violence and Post-war Reconstruction: Managing Insecurity in the Aftermaths of Peace Accords*. London: I. B. Tauris.

Steets, J. 2011. *Donor Strategies for Addressing the Transition Gap and Linking Humanitarian and Development Assistance: A Contribution to the International Debate*. Final Report no. 2011:06. Berlin: Global Public Policy Institute.

UN (United Nations). 2012. *Report of the Secretary General's Internal Review Panel on United Nations Action in Sri Lanka*. New York: UN. November.

UN. 2014. *Los niños y los conflictos armados: informe del Secretario General*. A/68/878-S/2014/339. New York: UN. May.

Walter, B. F. 2011. *Conflict Relapse and the Sustainability of Post-conflict Peace*. World Bank World Development Report. San Diego: Graduate School of International Relations and Pacific Studies University of California.

THE AUTHORS

Francisco Rey Marcos is co-director of the Institute of Studies on Conflicts and Humanitarian Action, Spain, and has over 25 years of experience in the humanitarian field and academia. **Sophie Duval** has a degree in political science from the Political Studies Institute at Bordeaux University, France, and is currently studying for a dual MA in international relations at Rosario University, Colombia.

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