

Against All Odds: Experiences of IDP Self-Protection Measures in Colombia

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Introduction

After more than four decades of internal armed conflict, large-scale human rights abuses, violence and drug wars, the displacement crisis in Colombia remains one of the worst in the world. Since 1985 more than four million Colombians have been displaced from their homes and most have remained displaced. Colombia has developed some of the most comprehensive laws and policies for addressing the protection and assistance needs of the displaced and the international community has set up innovative internally displaced person (IDP) programs. Despite such efforts, including improved IDP access to humanitarian aid, most IDP needs and rights are far from being met or respected. This led Colombia's Constitutional Court to issue a groundbreaking ruling in April 2004 (T-025) affirming that the state of affairs for IDPs in Colombia was unconstitutional. Since 2004 it has issued several orders to in an attempt to rectify this situation and as of October 2010, the Court has not lifted this state of unconstitutionality.

Of the numerous areas of concern identified in the orders of the Constitutional Court and the non-governmental commission that monitors compliance of these orders, the prevention of new displacement and the physical protection of civilians are two areas that have seen the least compliance or success. While lack of security for IDPs has been a constant concern since 1985, the country underwent some major transformations with the support of billions of dollars of U.S. financing during President Alvaro Uribe's two terms in office, 2002-2010. Starting in 2006, one of the parties to the internal armed conflict, the right-wing Self-Defense Forces of Colombia (AUC) began an extended process of demobilization under what was called the Justice and Peace Framework. Also during his tenure President Uribe instituted a hard line security strategy called the Democratic Security Policy, which led to significant military gains against the left-wing Revolutionary Armed Forces of Colombia (FARC), the dramatic military rescue of French and U.S. hostages held in captivity for years by the guerillas, and the militarization of much of the country.

While President Uribe's security strategy is often lauded as a success¹, it came at a high human cost, with more than 21,000 combat deaths and over two million newly displaced persons. The Colombian armed forces are currently under investigation for having participated in more than 3,000 cases of extrajudicial killings, including cases where army

¹ For further analysis on the human rights costs of the security measures implemented under Uribe's tenure please see *Don't Call it A Model*, by Adam Isacson, WOLA, July 14, 2010. Available at: http://www.wola.org/index.php?option=com_content&task=viewp&id=1134&Itemid=2

units killed civilians and then dressed them as rebels to inflate their body counts. While an estimated 30,000 combatants demobilized within the Justice and Peace Framework, the process was highly flawed in terms of truth, reparations and justice for the victims. The mechanisms of the framework also failed to prevent paramilitary groups from re-forming under different names. In Colombia, there remain an estimated 9,000 FARC and ELN guerillas and a similar number of new paramilitaries with names like the Black Eagles, Gaitanistas and the New Generation (ONG). Lastly, Uribe's presidency was riddled by high level scandals. One of the most prominent was the para-politics scandal, which saw more than 180 officials, mainly from Uribista coalition parties, come under investigations for ties to the AUC. Another stain on the administration was the Department of Administrative Security (DAS) scandal, whereby Colombia's intelligence agency illegally wiretapped and sabotaged the activities of court magistrates, journalists, human rights defenders and others.

Prior to Colombia's Uribe era and to this day, the Colombian state has not adequately protected internally displaced communities. As such, many of these communities were forced to come up with their own ways to shield themselves from violent armed groups and drug traffickers. Colombian internally displaced communities, returnees and communities at high risk of displacement have developed models of self-protection in order to prevent displacement and guarantee respect for civilians residing in the midst of internal armed conflict. This paper describes the experiences of the IDP self-protection measures and civilian led efforts to prevent displacement known in Colombia as "communities in resistance," as well as self-protection efforts put into place by urban IDPs. Included in paper are the experiences of IDPs in the San José de Apartadó Peace community, the humanitarian and biodiversity zones in the Chocó, the Afro-Colombian Yurumanguí River Mingas and the civilian rural campesino zones. The paper then goes on to describe the security challenges faced by such efforts and offers steps that can be taken by international and national entities in order to support these protection efforts.

Communities in Resistance

San José de Apartadó Peace Community

On April 23, 1997, the Community of Peace of San José de Apartadó was born, an initiative supported by religious and political leaders in Antioquia Department. Prominent supporters included the Bishop of Apartadó, Monseñor Isaias Duarte Cancino (who was later assassinated in Cali in 2002) and the Mayor of Apartadó Gloria Cuartas Montoya². The community defines itself as "a non-combatant rural farmer civilian population." It is a community living in the midst of conflict and confronts aggression from armed groups by "protect(ing) itself without distinction against such confrontations."³ In other words, it is a designated area where inhabitants clearly declare themselves to be non-violent and refuse

² For a detailed history of the San Jose de Apartado Peace community please see Father Javier Giraldo's book *Fusil o toga. Toga y fusil*, CINEP, Bogota, Colombia, September 2010.

³ Ibid.

to collaborate with the warring armed groups. In San José, displaced civilians voluntarily agreed to form such a community and to adhere to the following rules⁴:

- Not to carry or own arms, munitions or explosives.
- Abstain from giving any logistical support to any of the parties of the internal armed conflict.
- Abstain from engaging the parties of the internal armed conflict in any way in order to resolve any internal, personal and family conflicts that may arise.
- Commit to participating in community projects.
- Commit to not accepting any form of injustice and impunity of human rights violations that have or will occur.

The inhabitants of the community of peace proceeded to designate areas where no armed group, legal or illegal, could enter or pass through. These areas were clearly marked with fences and flags so that it was made clear to all the parties to the conflict where they could not trespass. Originally these areas were set up among the hamlets in the Abibe Mountains, which surround the valley of San José de Apartadó. However, due to combat operations in the mountains, many residents of the hamlets fled to the San Jose de Apartadó valley and this became the permanent site and “urban center” for the community. Initially these areas were conceived for “the reception and temporary residence of persons who became forcibly displaced as a consequence of the internal armed conflict.”⁵ Over time, some of these areas became the permanent homes of the IDPs who formed these communities as they built homes, community centers, schools and cultivated crops necessary for their subsistence. Eventually, the IDPs designated San José de Apartadó as their peace community. An internal council was set up to serve as the governing body of the peace community, and members, who are elected democratically every two years, must receive a vote of 80% of community members.⁶ The internal council is given the full authority to make decisions on matters that concern the peace community. The council is also tasked with the community’s administrative and disciplinary duties since no police force (since they carry weapons) is permitted within the perimeter of the community.

The experience of the peace community is a rather violent one. Starting in the 1980s, farmers living in the rural areas of Uraba (Antioquia Department) began to fall victim to human rights violations. For the next two decades, the fight for control of this area by right-wing paramilitary groups acting in concert with Colombia’s armed forces on the one hand and various left wing guerilla groups on the other, led to multiple waves of displacement of rural farmers. The rural areas of Apartadó and Turbo were particularly hard hit by what Jesuit priest Javier Giraldo Moreno characterized as a “policy of the Colombian state”⁷ against civilians in this area. It included massacres, selective assassinations, disappearances and threats against countless civilians. These attacks caused more than 800

⁴ Ibid.

⁵ *Lugares de Paz, Noche y Niebla*, CINEP, marzo 23 de 2005.

⁶ *La Historia Viva*, Comunidad de Paz de San Jose de Apartado, 12 diciembre, 2006.

⁷ “*La persecución a San José de Apartadó es una política de Estado*”: padre Javier Giraldo, *Semana*, 9 septiembre 2010.

displaced farmers from 27 hamlets to take over the local gymnasium in Apartadó and call for an end to the violence being perpetrated against these communities. The take over led to the creation of a verification commission composed of governmental authorities, representatives of local rural farmer associations and the International Committee of the Red Cross (ICRC). This commission conducted an investigation and released a report which found that between May and August 1996, 91 grave human rights abuses were committed against civilians. These included 22 extrajudicial killings, 27 arbitrary detentions, 8 case of torture, one destructive indiscriminate bombing of civilian areas and two mass forced displacements. Despite the Commission's work, the abuses continued to take place⁸.

These displaced rural farmers, many of whom were directly victimized by the armed groups began to seek a way to protect themselves from further attacks and displacement. In 1996, some of these communities started to experiment with the concept of forming "neutral communities."⁹ However, given the lack of confidence in the state authorities to provide protection to civilians due to the high level of collusion between the armed forces and paramilitaries in the area, the idea of "neutrality" was considered by some to be insufficient in terms of guaranteeing protection for the local populace. As such, the community of peace model was born. Unlike the "neutrality" concept, the community of peace model took the idea of civilians exerting themselves against combatants a step further to their taking a stand against all armed groups by declaring themselves agents of non-violence and peace who refuse to engage and cooperate with any of the armed actors.

Since its founding, the peace community of San José de Apartadó has been a "community in resistance." Its original inhabitants and their children have lived in the midst of an internal armed conflict that deepened greatly during the paramilitary takeover of the Uraba region and coincided with the formation of the peace community in 1997. From March to December 1997 paramilitaries set up roadblocks on the only road that exists between the peace community of San José de Apartadó and the city of Apartadó. Another long-duration road block occurred from January to October 2004 and other shorter disruptions to travel have been a regular feature of life in the area. Various community members who left the demarcated peace zones and passed such roadblocks to get supplies or do other business in Apartadó were detained and later killed by the paramilitaries. These include community council member Francisco Tabarquino and another community leader, Gilma Graciano. Illegal armed groups have respected the boundaries to some extent but not always. In April 1999 three community members were murdered and in February 2000 five other community members were murdered.

Internal displacements of rural communities in the areas surrounding the peace community continued to take place. Seven displacements took place from 2003 to 2004 in the hamlets of Mulatos and Resbalosa. Additionally, the peace community had to withstand various economic blockades of food stuffs implemented by paramilitaries *and* the Colombian military. These blockades, which took place in 1997, 2000, 2002, 2003 and

⁸ *Fusil o toga. Toga y fusil*, Father Javier Giraldo, CINEP, Bogota, Colombia, September 2010.

⁹ WOLA interviews with Jesus Emilio Tuberquia, one of the founders of the San Jose de Apartado peace community, October 2010.

2004, meant that community members' food supplies and the freedom of movement were restricted. This dramatically increased food insecurity in the area and isolated the community even further from the outside world.

The democratic security policies and militarization efforts carried out by President Alvaro Uribe Velez's administration (2002-2010) undermined the community's efforts to remain independent from the internal armed conflict. The federal government refused to accept the community's wish that no armed men be present in the designated peace community. In 2003, at the community's request, the Vice President's office designated a person to dialogue directly with the community on its security concerns and crimes committed against its members. Under Uribe, the community of peace and the government were engaged in a perpetual confrontation based on conflicting strategies for maintaining the physical security for rural residents. For a community that had fallen victim to countless crimes committed by the armed forces and paramilitaries, the presence of the armed forces made the community feel as if the perpetrators were living alongside them, and their proximity enhanced the community's fears that more violence could occur at any time. For the Uribe Administration, the notion that a community would not accept the presence of the armed forces or police within its territory was viewed as suspicious and an indication that the community must therefore be sympathizing with the left wing guerillas. The democratic security policies of the government did not permit civilians to be independent of the internal armed conflict. Informant networks that were a manifestation of the policies blurred the lines between combatants and non-combatants and in essence forced civilians to support the armed forces, thereby further increasing their insecurity.

In 2005 the community launched a national and international campaign to urge the government not to install a police base within its community of peace. It argued that the installation of a police post within the community would undermine their physical security since civilians would become military targets for the FARC. Many in the community did not trust the armed forces and police as they had witnessed collusion and human rights abuses committed between these forces and paramilitaries. The community argued that a police post on the community's perimeter in the hills would be just as effective since the police and military could see everything taking place within the valley. The government insisted that it would not accept the community's wishes and maintained plans to install a police post.

On February 21, 2005 members of the 17th Brigade of the Colombian military, with help from paramilitaries, massacred seven members of the peace community and a farmer in the hamlets of Mulatos and Resbalosa¹⁰. Among the persons killed was one of the peace community's founders Luis Eduardo Guerra. The murders were gruesome. Five adults, including two women and three children aged 10, 5 and 18 months were dismembered. Subsequent international outrage provided the Colombian government with its final justification to move ahead with the installation of the police post within the urban area of San José de Apartadó. The massacre, the installation of the police post and other threats

¹⁰ Witnesses interviewed by WOLA. Also see Father Javier Giraldo's book *Fusil o toga. Toga y fusil*, CINEP, Bogota, Colombia, September 2010.

and abuses against community members prompted the displacement of the majority of the people residing in the urban area of San José de Apartadó. The new area was called “San Josecito” and was located a mere twenty minute walk from their previous location. In this new area, the community proceeded to build fences and place flags and signs, designating the area a zone where no armed groups could be present.

Since its founding, the peace community of San José de Apartadó has suffered more than 165 murders with most of them attributed to the Colombian armed forces and paramilitaries and a smaller number to the FARC guerillas.¹¹ According to community members they are victims of 560 human rights abuses and countless other violations of their rights under international humanitarian law. In 2000, the community along with civilian institutions of the State and the office of the UN High Commissioner for Human Rights set up a special commission to investigate abuses that had taken place up until that point against the community. Members of the community presented over 100 testimonies to the authorities. As a result, some community members suffered reprisals. The community saw no justice from this process, only impunity for the perpetrators. Aggression against the community on the part of the military, paramilitaries and the FARC did not cease. The community became more and more disenchanted with the Colombian justice system and the community council eventually decided that it was not worth risking the physical insecurity that comes with collaborating with justice institutions in Colombia.

Over time, the peace community developed self-sufficiency mechanisms to help them remain in the area and withstand the pressures resulting from the economic and other blockades imposed upon them by the armed groups. It has formed 55 working groups tasked with guaranteeing food security for its members. Since rural farmers who cultivate land on their own become targets of the illegal armed groups, the community developed a system wherein cultivation of crops such as plantain, fruits, maize and cacao is done communally in groups of 100-200.¹² These large numbers help to deter attacks and harassment from the armed groups.

The peace community organizes all the food production in a communal manner to guarantee food security for all of its members.¹³ Since some of the local food industries, like banana, are heavily linked to paramilitaries, the peace community began to promote an alternative organic banana that it sold to fair trade markets in Europe. With profits from this effort, the peace community built its own processing plant. Groups within the peace community now process marmalade, *bocadillos* and fruit pulp from community grown maracuyá, piña, mango, lulo and tomate de árbol.¹⁴

Despite the abuses that continue to take place, the community believes that their peace community model has prevented their displacement from the zone.¹⁵ Community members

¹¹ Ibid.

¹² La Historia Viva, Comunidad de Paz de San Jose de Apartado, 12 diciembre, 2006.

¹³ Ibid.

¹⁴ Ibid.

¹⁵ WOLA interviews with Jesus Emilio Tuberquia, one of the founders of the San Jose de Apartado peace community, October 2010.

believe that had it not been for their protection model they would either all be displaced from the area or dead. Given this, it has promoted “humanitarian zones” among various hamlets that surround the community. The purpose of the humanitarian zones in Alto Bonito, Miramar, Arenas, Mulatos, Cristalina y la Linda, Buenos Aires and Bellavista is to prevent displacement.¹⁶ In these areas rural farmers have organized themselves into designated civilian areas with signs indicating that the civilian population is non-violent and this non-violence must be respected. In the humanitarian zones the residents insist that the armed groups do not pass through and that their crops, shelters, animals and freedom of movement are also respected. Each humanitarian zone has a committee coordinator and a system of communication, usually a cell phone meant for emergency security situations. Since the phones do not work in all locations, coordinators have to walk to a spot where they can get a signal from a tower. In addition to organizing humanitarian zones, the peace community formed the Network of Communities in Resistance in 2003 with the purpose of exchanging views with other “resistance communities” set up by Afro-Colombians, indigenous peoples and rural farmers in other parts of Colombia.

Educating displaced and marginalized children is a problem faced by many communities across Colombia. The peace community developed its own alternative to the lack of access to public education for their children. A group of women within the peace community studied to be teachers but were not granted official licenses to teach. These women became the core for a local schooling and training system. The Network of Communities in Resistance has developed a coping mechanism by forming an alternative “university” that teaches residents of communities across Colombia about the non-violent principles and philosophy of peace that sustain them. According to the network, the purpose of the university is to teach “a new reality, an alternative world that seeks to build a new State, a society not based on consumerism or capitalism, a society based on solidarity and human rights for the population.”¹⁷ The university is not physically located in one area but instead moves from place to place.

Humanitarian and Biodiversity Zones

A self-protection method developed by internally displaced persons that have returned home but remain displaced is the creation of “humanitarian” and “biodiversity” zones. Humanitarian zones have been developed in the Chocó Department river basins of Jiguamiandó (3), Curvarado (5) and Cacarica (2) and in Catatumbo (4) and Meta Department (2).¹⁸ There are currently 52 biodiversity zones along the Atrato river areas. These two self-protection models are based on the reality that behind violent forced displacement there are “hidden forces or at times difficult to legitimize” economic and commercial interests.¹⁹ Often the actual displacement of these communities took place during military operations carried out by soldiers and/or paramilitaries with the stated purpose being an anti-insurgency effort. However, in several cases national and

¹⁶ *Lugares de Paz, Noche y Niebla*, CINEP, marzo 23 de 2005.

¹⁷ *La Historia Viva*, Comunidad de Paz de San Jose de Apartado, 12 diciembre, 2006.

¹⁸ WOLA interviews with Colombian NGO Justicia y Paz, Fall 2010.

¹⁹ *Zonas Humanitarias y Zonas de Biodiversidad: espacios de dignidad para la poblacion desplazada en Colombia*, Comision Colombiana de Juristas y Comision Intereclesial de Justicia y Paz, 20 de enero de 2009.

international corporations, with the support of the government or paramilitaries, proceeded to take over the lands left behind by the internally displaced for the purpose of implementing large scale infrastructure, development projects or business ventures such as palm oil. For these displaced communities and the NGOs that support their efforts, the implementation of such economic projects, in most cases illegal because they were not agreed to by the Afro-Colombian and indigenous community leaders who by Colombian law are the owners of these territories, is not coincidental. While hard to prove, they assert that there is a link between forced displacement due to violence and the illegal usurpation of territories by armed groups, criminal enterprises and economic interests.

The humanitarian zones and biodiversity zones model is guided by the notion that physical security, self-subsistence and the environment all form part of the returning displaced persons "security." As such, these models employ a very broad approach to providing mechanisms that guarantee that individuals are not displaced again from their territories. Like the peace community model, humanitarian zones are areas specifically demarcated with fences and signs that say that persons carrying weapons are not permitted to enter. They differ from the peace community model in that entire towns are not cordoned off, but just sections of areas where people carry out their daily activities. The signs in these zones specifically indicate that the civilian population has human rights and that they do not wish to be a part of the conflict. The idea is that if no armed persons are present in the community then there is no need for combat operations or violence. As such, the civilian population is shielded from violence and potential displacement. The residents live within the humanitarian zones and their community centers, houses, schools and other activities take place within the zone. The community members do not allow armed groups -- whether from the left, the right or the state -- to enter or pass through the zone.

Biodiversity zones are different than humanitarian zones in that these are specifically demarcated areas where natural resources are protected. These zones are meant to provide food security and self-sustainability to the inhabitants of the humanitarian zones. In some cases, the biodiversity that was destroyed due to the war is re-cultivated and there are re-forestation and preservation efforts. The idea behind these zones is to guarantee food security for the community, preserve Afro-Colombian and indigenous self-sustaining environmental practices and guard the ecology for future generations. Such zones also make it more difficult for outside economic and infrastructure projects and the planting of illicit crops (coca) to be illegally implemented on the IDPs' lands.

These two zone models are based upon principles found within international human rights and humanitarian law (IHL), the UN Guiding Principles on Internal Displacement and Colombia's constitution²⁰ The rights of Colombia's citizens, derived from both national and international law, were used as the basis for the creation of these zones. For example, the two model zones are built on the right of internally displaced persons to participate effectively in decisions that affect their lives and the right to return or resettle voluntarily in safety and with dignity, which is affirmed in the UN *Guiding Principles on Internal Displacement* (18 and 28) and upheld by Colombia's Constitutional Court in its April 2004

²⁰ *Ibid.*

Sentence T-025 and subsequent orders. The humanitarian zones put into practical application the IHL principle of distinction between combatants and non-combatants found in section IV of the additional Protocol II of the Geneva Conventions which is designed to safeguard civilians caught within areas of internal armed conflict. The concept of humanitarian zones received further support from a ruling by the Inter-American Court of Human Rights in March 2005 which ruled that the Colombian state had to guarantee special security to the inhabitants of the humanitarian zones. While there is no formal legal recognition of the zones model, in most cases these zones are located on private property which carries with it the additional requirement that the Colombian armed forces or police are required to have a warrant in order to enter into such an area.

In 1996, over 15,000²¹ mostly Afro-Colombian civilians residing in the northwestern part of Chocó Department became internally displaced due to aerial bombardments and violence resulting from a military operation called “Genesis” commanded by Rito Alejo del Rio of the 17th Brigade of the Colombian Military. Operation Genesis was conducted in collusion with paramilitaries and Rito Alejo del Rio, who is retired from the military, is now on trial for his conduct and those of his troops under Operation Genesis and for other crimes committed against civilians by the 17th Brigade. According to one of the survivors from the Cacarica River region, the assault on their communities was brutal as evidenced in the following account:

“The men under his (Alejo del Rio’s) command worked jointly with hundreds of paramilitaries and burned our homes, robbed our stores, took our livestock and burned our crops. They ordered us to displace while they dropped bombs on us from their planes. One of our brothers named Marino Lopez was cut up into pieces by paramilitaries in full view of our community. The paramilitaries then proceeded to play soccer with his head. This act of barbarism sowed terror in all of us and we got the message that we had to flee. These men felt no compassion for the girls and boys of our black communities or for our grandfathers and grandmothers. In the area where this happened, there never were any combat operations because the guerilla is not present in our communities. The guerillas were not there fighting the military and paramilitaries in the days these displacements took place. Prior to the combat operations, the guerillas would utilize the waterways near our communities as transport routes. We did not pay attention to them since we were only concerned with our daily activities.”²²

An estimated 3,800 displaced Afro-Colombians fled to the closest urban center, Turbo. This group of displaced included Afro-Colombians from the Cacarica River basin whose communities had experienced 82 forced disappearances and various assassinations linked to Operation Genesis. Many of the displaced found refuge in Turbo’s coliseum and El

²¹ Resisting Displacement By Combatants and Developers: Humanitarian Zones in North-west Colombia, Norwegian Refugee Council and IDMC, October 2007.

²² Testimony of CAVIDA member at US House of Representatives Donald Payne briefing, WOLA, Nov. 20, 2005.

Cacique Ranch located in Bahía Cupica.²³ While displaced they experienced constant harassment from paramilitaries and the displaced situation made IDP women and girls even more vulnerable to harm. After living in poor, unsustainable and insecure conditions for three years, a large part of the community decided to organize itself in an effort to create solutions to its problems. They formed the Community of Self-Determination, Life and Dignity of Cacarica (Chocó) (CAVIDA). In 1999, CAVIDA received the collective land titles to the territories they had fled. This is significant because it granted them recognition of ownership of their ancestral lands and as such the legal authority to determine how the land should be managed. It also means that for any economic activity to take place in those territories that the government and/or companies are required by law to follow a previous consultation process with community councils' elected leaders.

Further south along Chocó's Atrato River, more humanitarian zones were established by Afro-Colombian IDPs returning to the communities of Jiguamiandó and Curvaradó, and by mestizo civilians displaced from nearby departments. The humanitarian zone strategies that developed over time enabled the bulk of the communities to remain in their territories despite being located in the midst of the internal armed conflict and the paramilitarization of the Bajo Atrato area. Unfortunately, these resistance efforts did not prevent the loss of life and abuses at the hands of the warring parties. Community leader Enrique Petro stated to the U.S. Congress in late 2005 that between October 1996 and 2006 they suffered at least 113 crimes within their territories including murders, disappearances and fifteen displacements.²⁴ As the resistance efforts became stronger, so too did the international support for these communities. This led to increased protection for its members. Peace Brigades International that provides accompaniment to the NGO Justicia y Paz that supports this community called upon its network of individuals and organizations to take political actions in the U.S. and Europe to protect these communities.

Despite international support and U.S. Congressional involvement on behalf of these communities, several of its leaders were killed. On October 2005, Afro-Colombian Orlando Valencia was killed by paramilitaries shortly after a public debate with the Vice President of Colombia on the issue of palm oil. This crime and subsequent U.S. advocacy on Orlando's murder led U.S. Ambassador William Wood to publicly condemn this murder²⁵. One of the witnesses in Orlando's case, Walberto Hoyos Rivas, who was present when Orlando was abducted, received numerous death threats and was later killed by paramilitaries due to his efforts to seek justice in Orlando's case. Other leaders have paid the ultimate price, including Argenito Diaz, who was killed in January 2010.

When these internally displaced communities returned to their lands they discovered that much of it had been illegally usurped by oil palm plantations that were heavily guarded by

²³ Colombian Ombudsman requests an end to the stigmatization of displaced communities of Cacarica River basin in Chocó, Colombian Human Rights Ombudsman Office, Press Release #869, Bogota, Colombia, August 21, 2003.

²⁴ Testimony of Enrique Petro at US House of Representatives Donald Payne briefing, WOLA, Nov. 20, 2005.

²⁵ Ambassador Wood is right, Center for International Policy, December 19, 2005.

paramilitaries. What has ensued, with the support of Colombian NGOs, is a legal battle by these communities to get their lands back from various palm oil companies. These efforts have led to various legal resolutions in favor of the communities. Despite such efforts, palm oil companies in collusion with paramilitaries have refused to turn over to the communities the occupied areas where there are oil palm plantations and cattle ranches. In May 2010, Colombia's Constitutional Court intervened on behalf of these communities and ordered the government to conduct a survey to address the land ownership issue.²⁶ International pressure also prompted the Prosecutor General to issue arrest warrants for 24 palm oil industrialists for links to paramilitaries, forced displacement and other crimes perpetrated from 1997-2001. The large scale environmental damage caused by the palm plantations and cattle ranching served another impetus for these communities to create biodiversity zones in addition to humanitarian zones.

In the past year, new tactics were put in place to discredit the persons residing in the humanitarian and biodiversity zones and the human rights defenders that support their protection and legal efforts.²⁷ A group called *La Diaspora* launched a global disinformation campaign that falsely accused community members in these zones, and the Colombian NGO Justicia y Paz, of having ties to the FARC. They also accused the international NGO Peace Brigades International, who provides these groups with protection, of drug trafficking. A member of this campaign provided WOLA with documents and videos that were widely disseminated that contain these allegations. In March 2010 a member of Justicia y Paz presented on impunity in the Chocó at an event hosted by U.S. NGOs. Prior to this event, *La Diaspora* sent a communication out in Colombia and the U.S. stating that Justicia y Paz is the political, communication and legal representative of FARC terrorists. In May of this same year, graffiti stating "Justicia y Paz are terrorists" and calling for national action against "Marxist Priest" Father Javier Giraldo were found in different parts of Bogotá. Such statements and graffiti become, in effect, death threats against Justicia y Paz and the communities they support in the Chocó.

Rural Farmers' Campesino Reservation Zones

Another self-protection model employed by rural farmers attempting to prevent displacement is the Campesino Reservation Zone (CRZ).²⁸ Rural farmers hard hit by violence, displacement, loss of access to land and the imposition of large scale development projects that excluded their communities, developed these zones as a way to promote protection and self-sustainability for their communities. The concept of a CRZ is founded upon Colombian law 160 of 1994, which allows for the regulation and occupation of unoccupied territories. The CRZ was seen as a way to distance the rural farmers from the armed conflict and guarantee their food security, while at the same time making unused lands agriculturally productive. One of the most well known examples of a CRZ is the Association of Rural Farmers, which began its implementation in late 2002 in the valley of the River Cimitarra, in Magdalena Medio. The Uribe Administration decreed that 550,000

²⁶ May 24, 2010 memo to the State Department, CBC and US Embassy, by WOLA and NASGACC, see http://www.wola.org/index.php?option=com_content&task=viewp&id=1108&Itemid=8

²⁷ Ibid.

²⁸ PBI documents and WOLA interviews with ACVC leaders, 2010.

hectares of land could be used for this purpose.²⁹ A year later, the Uribe Administration reversed its decision and the ACVC has been fighting for recognition of their right to use these territories ever since.

Despite such obstacles, the CRZ model has been replicated in other parts of the country including Calamar (Guaviare), Cabrera (Cundinamarca) and Bolivar. In August 2010, more than 300 rural farmers from different parts of the country came together to share lessons learned about their CRZs.³⁰ The declarations made by the farmers at this meeting clearly indicate that there is a land access crisis for rural farmers in Colombia. This includes a lack of access to productive lands for rural farmers in areas hard hit by violence and for displaced persons who wish to return to their lands. The CRZ is seen as way of solving the physical and food security issues facing these farmers so they do not become displaced.

Yurumanguí River Mingas to Eradicate Coca³¹

“The coca leaf is a girl that is born innocent. As she grows she becomes a pain in all of her body, killing our ancestral traditions of autonomy, destroying our natural resources at a massive scale and our food security....Coca you are very mean to us....when you (grow up and) turn “white.”

-Afro-Colombian proverb

In the Afro-Colombian Yurumanguí River region, communities have experienced a high level of violence, combat operations, militarization and pressure from armed groups. Since the late 1990s these factors have led to mass and individual displacements of residents to the port of Buenaventura, Cali and elsewhere. For the leaders who remain in the collective territories, coca cultivation and U.S. financed aerial fumigation efforts have been identified as one of the main causes of displacement and a major threat to Afro-Colombians’ security, culture and livelihoods. According to these communities, the encroachment of illicit cultivation of coca makes their territories attractive to guerillas, paramilitaries, delinquent groups and the police. The presence of armed groups increases the residents’ risk of disappearances, massacres and displacement. The advance of coca cultivation within their territories also places the community councils at risk of having their collective territories expropriated since according to law if territories are used for illicit purposes the owners’ rights to that property are forfeited.

With the coca cultivation, the communities have also seen an increase of non-Afro-Colombians in their territory, which they refer to as *paisas*. The *paisas* are viewed as a threat to their culture because they bring with them outside practices that are then adopted by some residents. Also, the Afro-Colombian leaders have found that outsiders

²⁹ Ibid.

³⁰ I Encuentro Nacional de Zonas Reservas Campesina en Colombia, 29-31 agosto, 2010, Barrancabermeja, Santander.

³¹ The information on Yurumanguí comes from WOLA interviews with Carlos Rosero (2009-2010) and Naka Mandinga of the Black Communities Process (PCN) (2007) and the assembly of community councils’ own internal documents.

have also brought with them prostitution, sexually transmitted diseases such as HIV and that these are a threat to the health of their community. Lastly, the Yurumanguí leadership is concerned that their livelihoods and culture are at stake because in order to stem coca cultivation the government promotes alternative development projects that include monocultures such as palm oil plantations that destroy the environment's biodiversity, an essential component of Afro-Colombian culture and self-sustenance.

Fumigation efforts directly and indirectly cause displacement of rural farmers. Persons are directly displaced when their food crops are destroyed by the herbicide spray or their water sources are contaminated. They become indirectly displaced by fumigation when the coca cultivation is moved to new areas once an area is sprayed and planting in that area is no longer viable. Afro-Colombians call this "la coca anda," which can be translated as "the coca leaf walks." In other words, due to fumigation efforts coca plants become dispersed as growers move and this dispersal brings with it illegal armed groups and narco-traffickers. In order for such groups to maintain control over a new area of plantation they often exert force, violence, social pressure and forcibly recruit civilians in the new area to grow on their behalf. The activities of these groups and armed conflict among the illegal armed groups when establishing control over a new area of coca cultivation often lead to displacements. As such, coca cultivation and the aerial spraying are viewed as a major threat to the residents' ability to remain in their territories.

The Assembly of the Yurumanguí community councils also found manual eradication of coca by the Colombian army has resulted in increased insecurity for Afro-Colombian leaders and communities. For example, after the manual eradication of 109,500 coca bushes in the Afrodescendant communities of Bajo Calima (Valle del Cauca), Timbiquí (Cauca) and la Tola (Nariño) several members of Community Councils were threatened by armed groups. After assessing the options they developed a campaign called *Soy Yurumanguireño de Respeto, no consumo ni cultivo coca* (I am a respectable Yurumanguireño, I do not consume nor do I cultivate coca). Their strategy included the following components:

- 1) Strengthening Afro-Colombian autonomy and the Community Councils' capacity to govern their territories by formulating and implementing land management plans and internal administrative structures.
- 2) Strengthening productive projects that guarantee food security, self-subsistence and a local economy so that the communities' overall food needs are met.
- 3) Strengthening Afro-Colombian cultural identity and social cohesion by recovering and empowering traditional practices and knowledge.
- 4) Strengthening self-protection initiatives of the communities that include security risk plans and contingency plans for autonomous eradication efforts.

In 2000, the Afro-Colombian Assembly of the Community Council of Yurumanguí announced its decision to not permit the planting or consumption of coca in its territories. In 2007, it developed a series of activities to prevent further planting of coca crops in their territories and put in place community eradication efforts. These efforts consisted of identifying the areas where coca is planted, figuring out who was responsible for those

plants and meeting with those individuals and telling them they had to destroy the plants. If the persons did not do so, the community organized a large group of residents to go into the area and destroy the plants.

On November 9-11, 2007, Yurumanguireños destroyed a significant number of acres of coca plants. They also organized meetings with residents in the territories to raise awareness of how coca cultivation is linked to violence and displacement, and held meetings with governmental institutions to ask that they support these efforts. While some government officials supported the effort in private, there was no official support for this effort. After the eradication effort, members of the community council received threats from coca cultivators. These threats were reported to the Attorney General's office in Buenaventura. These efforts also led to tensions and conflict with the guerillas operating in the area who buy the coca from coca growers to turn it into cocaine. However, the guerillas did not violently stop the Afro-Colombians from eradicating the coca and were forced to accept their decision to prevent coca growing in these areas. The tensions generated by this effort between the guerillas and the community members continue and the potential of reprisals or other acts of violence against the community for this campaign remains a concern. The community members view this effort as a success and are planning another large-scale eradication effort for early 2011. In the meantime they are trying to garner as much visibility and political support for this effort as possible to ensure greater protection for its members.

Self-protection mechanisms of Urban IDPs

In addition to the self-protection mechanisms described in the previous section that mainly apply to rural settings where returnees are attempting to prevent further displacement, it is important to highlight some of the self-protection discussions that are taking place among urban internally displaced persons. While Colombia has a highly organized IDP population containing many groups, the organization that represents the majority of Afro-Colombian internally displaced persons is the National Association for Displaced Afro-Colombians (AFRODES). AFRODES serves as the national coordinating office for sixty Afro-Colombian IDP organizations in Bogotá/Soacha and has regional offices in Cartagena, Buenaventura, Quibdó and Tumaco. According to the Consultancy for Human Rights and Displacement (CODHES), since 2002 at least 37 internally displaced persons, mostly leaders, have been assassinated. A significant number of these leaders were of African ancestry and were actively advocating for justice in land cases. The high number of killings of IDP leaders, and the constant threats that many such leaders confront in their daily work, led IDP groups like AFRODES to develop self-protection mechanisms for IDP leaders and their organizations, not just in rural settings but also for those residing in urban areas.

The urban areas and marginalized neighborhoods where most IDPs reside tend to be areas with serious security problems. Many of the territorial disputes among the illegal armed groups in rural areas are also found in urban neighborhoods. In many cases, the armed forces and police have very tenuous control over these areas or may not be present at all. The illegal armed groups primarily control the populations in these neighborhoods through fear but in some cases employ a gentler approach by constructing soccer fields, throwing

parties and supporting the local beauty queen to attend competitions. They see these urban settings as a base for their criminal operations and drug trafficking, so forced recruitment of youths is a common practice. In some of the harder hit areas, they even replicate policing functions of the state by solving conflicts among the residents and laying down “laws” that they force residents to obey.

As the internally displaced begin to organize within these urban settings the illegal armed groups, from the left and the right, see them as a major obstacle to their social control of the local residents. IDP leaders and organizations are seen as suspicious because they come from an outside area that was controlled by “another group.” Residents who organize within their areas of control are viewed as a direct threat to their illicit activities. In addition to illegal armed groups, IDPs must face the phenomenon of *sicariato*, paid killers, who are used for drug related operations and for resolving disputes. Afro-Colombian and indigenous internally displaced face the added obstacles that come with being a different race in settings such as Medellín, Cali and Bogotá where the predominant ethnicity is that of *mestizaje*. Racism, prejudices and discrimination against minorities are additional tools used by illegal groups against the internally displaced.

Urban IDPs have particular protection concerns due to several factors. First, women headed households generally no longer have their male partners, brothers or fathers to help them prevent their children from being recruited by the illegal armed groups or into illegal activities. Second, displacement breaks up the social and communal networks that many civilians tap into for both physical protection and food security. In rural areas Afro-Colombians elect their community leaders and the community council mechanism serves as a set of authority figures within the community that can assist with problems that arise for the residents. Rural Afro-Colombians also have large extended families that help each other and collectively protect and assist the most vulnerable members of the clan. IDPs must fend for themselves in new and complex urban environments without the necessary skills or networks needed to survive.

Most IDPs have found that bulletproof vests and other modern, technical security measures do not work as well as when IDP groups build what they refer to as a “blindaje social” or social protection.³² This type of collective protection comes from displaced organizations establishing good relationships with other IDP and community organizations at the regional and national level. This entails the construction of networks that allow for groups to help each other in times of crisis. For this to work, an IDP organization must maintain fluid communication with local and regional networks on their security situation. These contacts allow groups to raise awareness of the ongoing threats and violence faced by the IDP organization and act as a platform for rapid mobilization of leaders to/from the area should the situation reach a critical point. While all IDP organizations lack sufficient resources, when they work together they are able to gather a minimum amount of funds to transfer a leader who just suffered an assassination attempt and place him or her in the homes of IDP leaders in another part of the country, either temporarily or permanently. In

³²WOLA interviews with AFRODES leaders 2008-2010 and review of AFRODES internal security assessment documents.

situations where it is too delicate to raise the security concern locally due to the fear of reprisal, the collective strategy enables IDPs to raise it as a regional issue and diffuse the culpability of the specific targeted by the threat.

Another avenue for self-protection practiced by IDP organizations is to develop a network of “political protection.”³³ Organizations have noted that it has been effective when international human rights agencies or NGOs announce their awareness of a threat or dangerous security situation faced by an individual or organization. IDP groups have found that getting this type of response is the most direct way of getting a Colombian institution to act on their behalf. An international intervention in such a situation usually generates attention to the problem and it deters the armed group concerned from acting on its threat. A related practice is to develop good relationships with local institutions and to maintaining open and frequent dialogue with them. In areas of the country where such institutions are not infiltrated or under the control of illegal armed groups, this has proven to enhance protection for IDPs.

IDP leaders also teach themselves how to act and adjust their lives in a manner that maximizes their physical security. In some cases, IDP leaders are required to discuss all public actions and speeches beforehand with the core members of their organization so that their statements do not lead to increased insecurity for the community. In other cases, IDP leaders sleep in different homes or change their residences to a nearby neighborhood to guarantee their safety. It is not uncommon to see some of the offices of IDP organizations serving as temporary protection shelters for leaders and recently arrived displaced persons from the rural areas. At times, this has meant that IDP organizations have passed information to third parties such as NGOs who make the information public. This of course places a responsibility on NGOs to ensure the reliability of the information and to determine how best to disseminate it in a manner that generates greater protection for the individuals concerned.

Conclusion

As we have seen, IDP communities, organizations and leaders must go to great lengths and employ creative strategies to survive in a hostile environment. I believe that several generalizations can be made about the IDP self-protection mechanisms described in this paper. First, all of these mechanisms faced an increased number and variety of attacks from illegal armed actors during periods in Colombian history when there were few options to interact with the international community or when domestic peace processes that enabled dialogue with armed groups because negotiations with armed groups were either stalled or non-existent. Second, these self-protection mechanisms are more effective when State entities, both local institutions and the executive, support them. During the Administrations of Samper and Pastrana, Colombian officials respected and even supported the peace community and humanitarian/biodiversity zones. Authorities viewed these efforts as local peace building models that should be replicated elsewhere in the country. There were attempts to try and figure out how such efforts could be integrated into a

³³ Ibid.

national peace process. During the Pastrana Administration/FARC peace negotiations, representatives of these communities were able to communicate with the office of the Colombian High Commissioner for Peace about security concerns they had with the FARC and the Colombian armed forces. This led to enhanced political protection for these communities.

The attitude towards these communities and civilians in general changed dramatically when President Uribe began to implement his democratic security policy. The government of Colombia's hard-line approach to security, and refusal to initiate peace negotiations with the FARC increased insecurity for many civilians in the country, particularly those in IDP communities. After the government broke off peace negotiations, the avenue by which the representatives of peace communities and humanitarian zones could dialogue with authorities on security matters no longer existed. Further, false statements made by high level officials of the government against members of such communities increased their insecurity. The Uribe Administration sought to win the war against the FARC by expanding combat operations against the FARC and militarizing the country. While this dealt many heavy and crippling blows to the FARC, many rural communities came under increased threat by illegal armed groups as the Colombian armed forces installed its battalions and stations in rural areas, including in some cases within community centers, schools and civilians' homes. IDP protection mechanisms had a more difficult time convincing the Colombian armed forces and police to respect their designated civilian areas. The government also made many humanitarian initiatives subordinate to military efforts. If civilians wanted to accept assistance from the state they had to do so within the framework of a military presence or soldiers' involvement in those efforts.

The militarization of much of the country also included intelligence initiatives like the formation of *campesino* (civilian) soldiers and informant networks. These intelligence efforts blurred the lines between civilians and combatants. They led to increased suspicion and paranoia against civilians on the part of all of the armed groups and to false judicial claims against many persons, including members of peace communities and the inhabitants of humanitarian zones. These unfounded allegations have led to increased insecurity for the leaders of these communities, their inhabitants and the national and international groups that accompany them.

The demobilization of the Self-Defense Forces of Colombia (AUC) during Uribe's tenure also changed the tactics of the paramilitaries in rural areas and towards such communities. During the AUC period, paramilitaries committed atrocities and massacres, terrorizing the civilian population. During and after their demobilization, paramilitaries that did not fully demobilize or later regrouped lowered their profiles by conducting selective assassinations and forced disappearances. Demobilized paramilitaries and guerillas involved themselves in many intelligence gathering efforts and provided unreliable information against members of these communities, either for monetary gain, because they were tortured into doing so or to seek revenge against individual members of such communities.

On the other hand, it is important to note some of the positive aspects of these self-protection initiatives. IDP and civilian led initiatives strive to put into practice the rights

found in international humanitarian law and the UN *Guiding Principles on Internal Displacement*. In all of the cases, these efforts have prevented civilians from becoming displaced from the general area in where the self-protection models were implemented. These initiatives have employed non-violent strategies in areas of Colombia where violence is used to resolve both social and political conflicts. As such, these experiences have shown non-violence to be a viable alternative in some of the most conflict-affected areas of the country. Additionally, these mechanisms enabled rural communities to maintain their food security in the midst of armed conflict and blockades.

These mechanisms, along with the support of national and international groups, have managed to raise a high level of international visibility to security problems faced by the internally displaced in Colombia. The visibility of these communities has in turn helped to raise overall awareness of the internal displacement crisis and the myriad violations of international humanitarian and human rights law faced by the displaced. Finally, the relative success and visibility of these mechanisms have led to international efforts to pursue justice for many of the crimes committed against these communities. For example, United States' intervention in the 2005 massacre in San Jose de Apartadó has led to an investigation and trial against the perpetrators.

Recommendations

The following recommendations are made to strengthen community-based protection mechanisms:

- 1) Support from UN agencies (OHCHR, OCHA and UNHCR) and special mechanisms (internally displaced persons, ethnic minorities, human rights defenders, etc.). This includes media campaigns that promote international humanitarian and human rights law, the *UN Guiding Principles on Internal Displacement*, and the rights of civilians caught within the internal armed conflict and their self-protection mechanisms as models that need to be respected by all of the armed groups. Public condemnation of any governmental actors linking members of these communities with illegal armed groups without sufficient evidence is also called for. Further, UN agencies should carry out regular visits to these areas to provide protection by presence, as well as independent reports on the security and human rights violations faced by the communities.
- 2) Institutional support for these mechanisms by the civilian and independent agencies of the Colombian government including the offices of the Attorney General, the Inspector General and the Human Rights Ombudsman. This includes re-establishment of multi-stakeholder committees to evaluate security questions and justice in cases of violations committed against the members of communities employing these or other protection models.
- 3) International and national accompaniment for communities that do not currently have them such as Yurumanguí.
- 4) Increased international financing for the national and international organizations such as the Intereclesial Commission for Justice and Peace and the international

accompaniment organizations Peace Brigades International (PBI) and the Fellowship of Reconciliation (FOR) that support these models.

- 5) International monitoring of the threats, attacks and violations committed by armed groups in terms of these models. Such monitoring needs to be done within the framework of agreements previously agreed to with the communities' leaders to guarantee that actions taken lead to increased safety for community members. International organizations should also monitor the status of legal cases in which these communities are involved and agreements made between these communities and the Colombian government.