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# **Public Policies to Assist Internally Displaced Persons:**

## **The Role of Municipal Authorities**

*by:*

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and  
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# Public Policies to Assist Internally Displaced Persons: The Role of Municipal Authorities

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## List of Acronyms

AS	Acción Social
Conpes	Social and Economic Council / Consejo Económico y Social
CNAIPD	National Council for Integrated Attention to People Displaced by Violence / Consejo Nacional para la Atención Integral a la Población Desplazada por la Violencia
DIH	International Humanitarian Law / Derecho internacional humanitario
DNP	National Department of Planning / Departamento Nacional de Planeación
ECI	Estado de cosas inconstitucional
EHA/AHE	Emergency Humanitarian Assistance / Atención Humanitaria de Emergencia
FNR	National Fundo of Perquisites / Fondo Nacional de Regalías
ICA	Industrial and commercial tax/El impuesto de industria y comercio
ICBF	Colombian Institute of Family Well-Being / Instituto Colombiano de Bienestar Familiar
ICRC/CICR	International Committee of the Red Cross / Comité Internacional de la Cruz Roja
IDP	Internally displaced person
IGAC	Agustin Codazzi Geographical Institute / Instituto Geográfico Agustín Codazzi
IOM	International Organization for Migration / Organización Internacional para las Migraciones
JUNTOS	Network for Overcoming Extreme Poverty / la Red para la Superación de la Pobreza Extrema
MEN	National Ministry of Education / Ministerio de Educación Nacional
MIJ	Ministry of the Interior Justice / Ministerio del Interior y Justicia
NGOs/ONGs	Non-governmental organizations / Organizaciones no gubernamentales

PIU	Unique Integral Plans / Planes Integrales Únicos
RUP	Unique Registration of Abandoned Grounds / Registro Único de Predios Abandonados del Inceder
RUPD	Unique Registration System for Displaced Persons / Registro Único de Población Desplazada
SENA	National Training Service / Servicio Nacional de Aprendizaje
SGPP	General System of Participation / Sistema General de Participaciones
SGSSS	General System of Social Security and Health / Sistema General de la Seguridad Social en Salud
SNAIPD	National System of Integrated Attention to People Displaced by Violence / Sistema Nacional de Atención Integral a la Población Desplazada por la Violencia
UAO	Units of Attention and Orientation / Unidades de Atención y Orientación
UNHCR/ACNUR	United Nations High Commissioner for Refugees / Alto Comisionado de las Naciones Unidas para los Refugiados
USAID	U.S. Agency for International Development
UT	Territorial Units / Unidades Territoriales
UteC	Joint Technical Unit / Unidad Técnica Conjunta
WFP	World Food Programme / Programa Mundial de Alimentos

## Foreword

Assisting internally displaced persons and protecting their rights is a complex challenge that requires vigorous action by all levels of government. While much attention has been directed over the past decade toward encouraging national governments to adopt laws and policies to protect the human rights of internally displaced persons, it is increasingly clear that action at the national level is not enough. National governments can provide the overall normative framework and the necessary financial resources, but it is often up to local governments – both at the provincial and municipal levels – to implement the policies.

In most societies, citizens have more interaction with municipal authorities than with national governmental officials. People expect their local authorities to address the matters of everyday life, from running the schools to organizing trash collection to controlling traffic. And municipal governments are usually closer to the people they serve than their national counterparts. In the ideal system, national and local authorities work together in a complementary and mutually-supportive fashion.

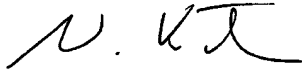
In my capacity as Representative of the UN Secretary General on the Human Rights of Internally Displaced Persons I visited Colombia in 2006. In the report of this mission, I noted that I was “perturbed by the clear gap between the policies decided in the capital Bogotá and what is effectively implemented at the departmental and municipal level.” I concluded that their “lack of consistent and coherent implementation affects the capacities of IDPs to effectively exercise their rights.” At the national level, Colombia’s national legislation on internally displaced persons is impressive. A strong judicial system, in particular a series of Constitutional Court decisions upholding the rights of IDPs, coupled with an engaged network of civil society organizations has created a strong normative framework at the national level. But IDPs arrive in local communities where they pose challenges to municipal authorities who are often burdened with demands from many sources. Understanding the ways in which municipal authorities respond to IDPs is thus central to understanding Colombia’s response to its displacement problem.

I am thus pleased to introduce this study by Ana María Ibañez and Andrea Sánchez which provides an excellent overview of the Colombian political system and analyzes the obstacles to greater involvement by municipal authorities with IDPs. The study examines four cases: Bogotá, Medellín, the department of Antioquia, and Santa Marta, comparing the efforts made by these local governments to address the needs and promote the rights of IDPs. The authors conclude their study with a number of recommendations to improve the ability of local authorities to respond to IDPs in their communities.

This study also served as a resource for a recent meeting of local government representatives in Colombia to consider the possibilities and obstacles to greater involvement of municipalities with IDPs. A report of this meeting, jointly organized by the Brookings-Bern Project on Internal Displacement, Acción Social, the Universidad de los Andes and UNHCR, will soon be available. That meeting, like the background

study, concluded that more support should be provided to municipal authorities to ensure that they are equipped to respond to IDPs arriving in their communities.

I hope that this study will serve to direct attention to the often-overlooked role of municipal governments in preventing displacement, in promoting the rights of IDPs during displacement, and in supporting durable solutions which resolve their displacement.

A handwritten signature in black ink, appearing to read 'W. Kälin', with a stylized, cursive script.

Walter Kälin  
Representative of the UN Secretary-General on the  
Human Rights of Internally Displaced Persons

## Introduction

The intensification of the armed conflict in Colombia during the 1990s provoked the forced displacement of more than 2.4 million people<sup>1</sup>. The displacement phenomenon has extended throughout the national territory; with 97 percent of the municipalities<sup>2</sup> currently losing populations and a similar percentage receiving these internally displaced persons (IDPs). When this data is compared with the total national and municipal population, the importance of the humanitarian emergency created by forced displacement is evident. IDPs account for 5.4 percent of the national population and 21.8 percent of rural inhabitants. Moreover, the “pressure indicators” that are used to calculate the arrival of IDPs coming to a certain municipality in relationship to its total population, indicate the particular difficulties which medium-sized cities face in absorbing these considerable flows of migration. For example, Mocoa has received the equivalent of 33.3 percent of its native population in a space of five years from internal displacement, while Quibdó recorded inflows of 26.4 percent, Sincelejo 24.6 percent, and Florencia 20.3 percent. All of these municipalities, which already had problems providing services to their native citizens, received one additional displaced person for every 5 inhabitants in recent years – indications of a humanitarian emergency that cannot be addressed with the usual resources of a single municipality.

The Colombian State has responded to this emergency with the promulgation of a body of laws, decrees and other legal dispositions that outline assistance activities for IDPs, including prevention and socioeconomic stabilization, with a clear emphasis on emergency humanitarian aid. Although the design of the legislation may be adequate, its implementation has been slow and uneven throughout the different state and municipal institutions. This reality led the Constitutional Court to make a set of declarations and resolutions that oblige state institutions to comply with constitutional decisions.

The Declarations issued by the Constitutional Court, in particular Declaration T-025, and the growing magnitude of the displacement phenomenon have driven the National Government to strengthen its policies toward IDPs, including an increasing allocation of resources and assigning greater responsibilities to particular institutions. However, the design and implementation process for these special public policies designed to service IDPs has been slow because of territorial institutions. Territorial institutions include departments, districts, municipalities and indigenous territories. A number of reasons have been identified for poor implementation on the local front, including: the lack of political will, lack of financial resources, the need to respond to the needs of native inhabitants and few political incentives.

The objective of this study is to analyze the possible causes of slow implementation by local authorities of the special policies designed for IDPs. In order to meet this objective, we conducted a review of the relevant legislation and then examined four case studies. These case studies were based on interviews with relevant officials in each region and on existing documents, in the cities of Bogotá, Medellín, and Santa Marta as well as in the Department of Antioquia.

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<sup>1</sup> [www.accionsocial.gov.co](http://www.accionsocial.gov.co); February 29 2008.

<sup>2</sup> Municipalities are the smallest administrative units in Colombia; departments are similar to states in the United States.



The document is structured in three sections. The first section reviews legislation regarding IDPs and analyzes the particular responsibilities among territorial institutions. The second section describes the conditions of the displaced population in the four case study regions and examines the policies that have been implemented in each of them. In the third section, we present our conclusions based on the results of the interviews and analysis of documents as outlined in the previous sections.

## **1. Colombian Legislation on IDPs**

Before reviewing the case studies, it is important to describe and analyze national legislation directed at meeting the needs of IDPs. The objective of this section is first, to describe the legislation on IDPs in general terms and then to examine the responsibilities that have been assigned to local authorities. Given that the distribution of responsibilities among national and local authorities is based on the decentralized structure created in the 1980s, the effectiveness of the decentralization process as it functions in Colombia is described first.

### *1.1. Decentralization in Colombia*

The process of decentralization of the Colombian state was consolidated through the Constitution of 1991. However, the process originated in the mid-1980s with the objective of improving the availability of local public goods and services and improving municipal democracy. Decentralization was intended to consolidate democracy, develop a direct and participatory democracy, and to increase governability. The first step in the process of decentralization was the popular election of mayors, followed by the fiscal reform of 1986 which mandated that 50 percent of the Value Added Tax should be distributed among local governments in accordance with their population. As a consequence, revenue to the municipalities increased from 0.5 percent of GDP in 1982 to 3.1 percent of GDP in 2002 (Sánchez and Palau, 2006).

With the 1991 Constitution, both fiscal and political decentralization was deepened. In order to support the autonomy of territorial institutions, it was decided that such institutions should receive a share of the national income. According to the 1991 Constitution, the law should determine the minimum percentage that municipal authorities should receive from the national budget, and define, in the same way, the priority areas for social investment that were to be financed with the revenues transferred. The percentage of the transfers from the national level to the territorial institutions was set at 22 percent of current national revenues<sup>3</sup>, of which "60 percent of resources are assigned in direct proportion to the number of inhabitants with unsatisfied basic needs and to the relative level of poverty of the population of the respective municipality; and the remainder of funds are distributed in relation to the population, fiscal and administrative efficiency and the progress demonstrated on indicators of quality of life."

In addition to the transfers of current revenues, the Government formulates the national Fiscal Year Budget and the Law of Appropriations in accord with the National Development Plan. The Law also establishes the distribution of the General

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<sup>3</sup> Current revenues are made up of tributary and non-tributary revenues, with the exception of capital resources.

Participation System, whose resources are to finance services that are the responsibility of the territorial institutions (departments, districts or municipalities), placing a priority on health and education services. Local responsibility for these particular aspects of social investment cannot be decentralized if institutions are not awarded sufficient fiscal resources to handle them. Besides direct transfers and their portion of national revenues, the territorial institutions are financed through the collection of local taxes. The taxes that are collected at municipal level, among others, are property tax, industrial and commercial tax (ICA), road and traffic taxes, and parks and reforestation taxes. The decision to impose and to collect these taxes falls on the municipal mayors and their respective councils.

The territorial institutions are divided into districts, departments, municipalities and indigenous territories. These institutions receive income from the state, but as autonomous institutions they also enjoy certain rights, including the rights: to be governed by their own authority; to exercise their corresponding duties; to administer resources; to establish the necessary obligations for the fulfillment of their functions; and to receive a portion of national revenues. The departments are autonomous in the administration of local matters, but at the same time they must coordinate and complement municipal actions, as well as guarantee reciprocal communication on local and national situations. At the departmental level, a governor and a departmental assembly are elected, whose duty it is to oversee the provision of services under the auspices of the department as well as to support municipalities in whatever is needed for planning, social and economic development, and for financing and credit. These institutions, in coordination with the municipalities, must regulate the provision of services such as recreation, sports, education and health; but it is the mayor who is the authority responsible for assuring the provision of all these services. The governor, however, should review the acts decided by the town councils and those decreed by the mayors and, if necessary, send them to the court to decide their validity. In addition to the functions indicated above, the functions of the governor are to direct and coordinate administrative action of the department and to delegate national services in the territory; to present development programs to the departmental assembly; to promote the development of economic, social, and cultural activities that do not depend on national or municipal administrations; and to administer the collection of revenues derived from departmental and other decentralized institutions.

At the municipal level, the town councils and the mayor are directly responsible for providing public services established by law. In order to comply with the pronouncements of the law, the mayors must prepare a social and economic development plan, outlining the goals of the municipality and the budget pertaining to each project. In fact, mayors, acting as the main civil authorities at the local level, assume more responsibility than the governors. The principal functions of mayors involve preserving law and order in the municipality (the mayor is the prime police authority in the municipality) and managing the administration of the municipality, which means fulfilling all its functions and providing all services. The mayor also represents the municipality in and out of court, and appoints officials responsible to him; he presents all development plans to the council and general progress reports from the administration. Finally, the mayor is the authority responsible for allocating municipal expenses according to the investment and development plan presented to the municipal council.

There are other institutions of governance that exist alongside the mayors and governors which are responsible for managing specific functions at both the national and territorial levels. As far as providing services to IDPs, the functions of the Public Ministry are of primary interest. The Public Ministry is responsible for protecting human rights, protecting the public interest, and monitoring the official conduct of all those who perform civil services. The Solicitor General is the director of the Public Ministry and the Ombudsman is responsible for watching over and ensuring the protection of human rights. The Ombudsman exercises his functions under the direction of the Solicitor General. Local legal representatives are responsible for taking statements from IDPs in order to grant or deny registration in the RUPD. Once a statement is taken it is sent directly to the local headquarters for Acción Social.

## *1.2 Legislation Concerning IDPs*

Colombian legislation designed to meet the needs of people displaced by violence is one of the most complete in international law (See Table A1 of the Annex for a summary of Colombian legislation on IDPs.) But in spite of this comprehensive body of law, its implementation on the ground has been limited. This section will briefly describe Colombian legislation on IDPs and analyze the possible causes for the limited implementation of public programs.

Law 387 of 1997 defines, along with a set of Laws, Decrees and subsequent declarations, the policies set in place for IDPs. The national legislature defines the obligations of the government and territorial institutions in each one of the phases that the Law has identified to manage the displacement phenomenon – prevention, humanitarian aid and socioeconomic stabilization. At the same time, the *Conpes*<sup>4</sup> defines the amount of state funding required by programs for IDPs.

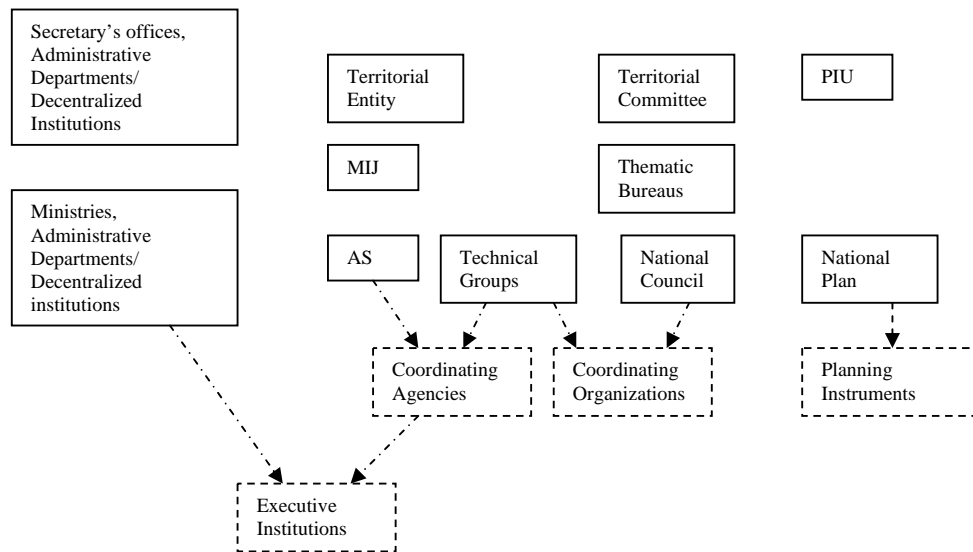
Law 387 of 1997 establishes the functions of State institutions including both national and local institutions, in each of the defined phases of displacement: prevention, humanitarian aid, and socioeconomic stabilization. To coordinate the actions of state entities, Law 387 established the National Council for Integrated Attention to People Displaced by Violence (CNAIPD). The main function of the CNAIPD is to formulate policies relating to IDPs and to provide assistance to local institutions. The institutions responsible for compliance with the law at the local level are the Committees for Integrated Attention to People Displaced by Violence under the prime territorial civil authority, i.e. the local, municipal mayors and/or governors. The local authorities have the responsibility to create territorial committees and to report cases of displacement to the central authorities, ensuring coordination between local and central authorities. Nevertheless, Law 387 of 1997 does not assign specific duties to local institutions, except for the mayor. Article 7 of Law 387 defines the obligation of mayors to call to action local and municipal Committees for Integrated Attention of IDPs whenever cases of forced displacement are identified; and it also defines consequences for misconduct when the Mayors do not comply with this duty.

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<sup>4</sup> Conpes, which was created in 1958, is the acronym for the National Council for Economic and Social Policy. Conpes advises the National Government on all the matters concerning economic and social development. All the institutions from the National Government in charge of economic and social development participate in this advisory board.

Law 387 also establishes the National System of Integrated Attention to People Displaced by Violence (SNAIPD). This System is composed of the institutions responsible for providing services to IDPs. Acción Social (AS) is the coordinating entity of the SNAIPD, and the Ministry of the Interior and Justice (MIJ) plays the role of coordinator between the local and national authorities. Both the Law 387 of 1997 and Decree 250 of 2005 regulate the organization of the SNAIPD and the functions of each one of their constituent institutions. The National Development Plan recognized the weakness of these programs with regard to coordinating between the local institutions and the head offices; as a result it proposed strengthening communication among the National System of Integrated Attention to the People Displaced by Violence (SNAIPD), headed by Acción Social and the territorial companies. Although the recognition of this weakness is a positive step, it does not identify concrete mechanisms to overcome the lack of coordination. A summary of institutional responsibilities under the SNAIPD is presented in Table A2 of the Appendix. The report presented by UNHCR in 2007 summarizes the structure of the SNAIPD in the following graph.

**Graph 1. Structure of the SNAIPD**



Source: UNHCR, 2007

As mentioned above, Law 387 and its subsequent mandates establish that local authorities should be involved in all three phases of assistance for IDPs. During the Prevention phase, the authorities have a duty to evaluate situations that can lead to displacement and to reduce their incidence by establishing working groups to prevent and anticipate displacement risks. Likewise, they have a duty to orient the potential victims of displacement and to request military protection from the national government in zones at risk of violence. It is important to note that the allocation of police or soldiers is the sole responsibility of the national government and local authorities do not have any standing in this matter.

During the Emergency Humanitarian Assistance (EHA) phase, both the local committees and the central institutions of the state, should offer the IDPs food, lodging and medical services, among others, during the first three months of displacement,

which can be extended in accord with the particular needs for housing of the displaced. During this phase, Acción Social is the entity responsible for financing the programs, but it is not accountable for their operation. The implementation of EHA programs is under the authority of a number of different actors as a group, in conjunction with local authorities.

The last phase, Socioeconomic Stabilization, should guarantee that IDPs are able to become responsible for their own economic support whether in their municipality of origin or in some other municipality. Overcoming poverty and the state of vulnerability resulting from lost assets and displacement depends on the capacity of IDPs to generate their own income and not depend on humanitarian aid. The objective of the socioeconomic stabilization phase is to promote the productive capacity of displaced victims, through income-generation programs, provision of credit, technical support, education, and provision of health, shelter, technical training, and land allocation. The National Government Institutions in charge of this phase are INCODER, the Ministry of Agriculture and Rural Development, Acción Social, SENA, the Ministry of Education, the Ministry of Housing and the Environment, and the Social Protection Ministry. The responsibility for executing policies of socioeconomic stabilization, although defined in legislation, are not clear when it comes to local authorities.

Besides the Colombian State Authorities, the United Nations, through the United Nations Office of the High Commissioner for Refugees (UNHCR), supports the Government institutions in charge of assisting the forcefully displaced. The UNHCR office in Colombia was opened in June of 1998 and later three new offices were opened in other regions of Colombia. The activities of this office concentrate on advising government institutions and NGO; provide technical cooperation to assist the displaced population in the different stages; develop activities to promote international cooperation; and coordinate programs and projects for the displaced population

The legislative framework defines the institutional obligation to cover basic needs and to offer shelter and health and education services, and stipulates mechanisms to recover assets that were lost or abandoned during the process of displacement. For example, in the case of abandoned land, the local authorities have the obligation to provide reports on the abandoned land based on the complete land rural registries and available maps, for which the Agustín Codazzi Geographical Institute (IGAC) should supply the necessary information. Additionally, the local authorities have the obligation to protect the goods and property of the IDPs.

For health insurance, the goal is to achieve universal coverage by the year 2010. In this sense, with the support of the General System of Social Security and Health (SGSSS) and departmental institutions, the territorial health organizations should organize days and activities for the promotion of health, prevention of illness, basic sanitation practices and measures to address the main risk factors. They should also develop training programs and organize the people responsible for providing services to IDPs in emergency situations.

Regarding access to education, the Colombian legislation exempts IDPs from the payment of tuition fees. In addition, displaced households registered in the national IDP registration system, the Unique Registration System for Displaced Population (RUPD), have the right to participate in the housing subsidy programs that can be used toward the

purchase of new or used real estate, investment to improve housing accommodation or the construction of new homes on owned or leased property. Finally, the Families in Action program (Familias en Acción) and the Network for Overcoming Extreme Poverty program (JUNTOS) are expected to cover the longer term needs of the IDPs registered in the RUPD. While these are not displacement-specific programs, the objective is to incorporate 300,000 displaced homes (61.78% of the total homes recorded in the RUPD) into the programs of Families in Action and JUNTOS.<sup>5</sup>

Colombian legislation also defines the budgetary obligations of governmental institutions. The CNAIPD must guarantee budgetary allocations to programs for which the institutions are responsible. On the other hand, the Territorial Committees have to prepare contingency plans that should include the necessary budgetary lines for prevention, integrated attention and protection of IDPs. However, a minimum budget amount for IDP assistance has never been defined. This has meant that, in many cases, territorial institutions did not assign a separate budget to programs for the IDPs and so they are serviced as a group along with the vulnerable population. The delivery of resources for EHA is in the hands of Acción Social, which allocates resources to the household in proportion to its size and composition, limited by budgetary considerations.

National authorities and localities responsible for the integrated attention to IDPs have financial obligations and must track their expenses and objectives fulfilled. The institutions responsible for programs designed for IDPs must give priority to assisting IDPs in formulating budgets according to the provisions stated in Declaration T-025 of 2004. The municipal and departmental development plans must designate resources for the economic stabilization phase. On the other hand, national authorities should inform the Department of Housing and Public Credit and the National Department of Planning about the budgetary allocation of resources destined for assistance to IDPs and the CNAIPD should ensure that financial institutions responsible for credit and financial guarantees assigned to productive projects for IDPs offer lines of flexible credit, and that they disseminate the information about credit processes through Income Generation Groups<sup>6</sup>.

The National Development Plan of 2006-2010 complements the legislation designed to protect IDPs and includes necessary institutional adjustments to comply with the mandates of Declaration T-025 of 2004. This Declaration establishes the rights of IDPs, defining them as "subjects of special protection by the State" and stipulates that an inadequate offer of state assistance to the displaced person is unconstitutional. In order to overcome this unconstitutional state of affairs, national institutions and territorial institutions should offer displaced families the necessary special protection they are entitled to as victims of violence and guarantee their constitutional and fundamental rights. This Declaration created the necessary pressure to motivate territorial institutions to improve their welfare programs for IDPs. After Declaration T-025, some territorial institutions designed assistance plans for this segment of the population, with budgets especially designed to assist those displaced by force.

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<sup>5</sup> JUNTOS is the most recent program of Acción Social for overcoming Extreme Poverty. The specific objective of the program is to improve the living conditions of families that live in conditions of extreme poverty and their target population includes all displaced families recorded in the RUPD.

<sup>6</sup> The Decree 250 of 2005 created special groups within the Regional Committees to discuss specific topics, one of them being the Income Generation Groups.

Declaration T-025 and subsequent proceedings can be organized into four topics: the definition and explanation of the condition of forced displacement; the government's obligation to legislate on IDP assistance and to assign all necessary budgetary resources for their protection; the preferential treatment with respect to access to state services for IDPs; and the provision of providing truthful information regarding the rights of the displaced (Ibáñez and Moya, 2007).

The Constitutional Court defines the condition of displacement as the fact of being a victim of either direct or indirect violent acts, and which force the cessation of routine activities in order to flee or protect one's own life. Since it is defined as a condition of fact, displacement victims do not need to declare their status before any public entity in order to be recognized as displaced. As a consequence, those who are direct victims of conditions that cause such displacement must be taken into account by the legislation designed for IDPs. The second and third topics of the Declaration are related to the definition of the laws on the provision of services to IDPs and to the preferential access of this population to certain state services. Declaration T-025 obliges the government to dictate legislation necessary to re-establish the original living conditions of IDPs and to allocate all necessary resources to this end. The State has an obligation to ensure IDPs a minimum standard, comprised of: i) a minimum subsistence diet (including drinking water), a basic dwelling, appropriate clothing, and essential sanitary and medical services; ii) coverage of health expenses in urgent cases, meaning a case where the life or the integrity of a person is threatened; iii) protection against discrimination; iv) coverage of basic education for individuals under 15 years of age; and v) identification of the specific characteristics of IDPs' households to design and implement adequate socioeconomic stabilization programs. Finally, the Constitutional Court, through this Declaration, determines three axes of action to provide information to IDPs. First, the *Defensoría del Pueblo*, or the Public Defender's Office, must publish and disseminate information about existing legal instruments. Second, the institutions responsible for caring for IDPs should offer information on the programs they offer. And third, Acción Social has an obligation to inform IDPs about their rights.

### *1.3 Responsibilities and limitations of local authorities*

In spite of efforts to meet the needs of IDPs by designing public programs and defining a comprehensive legislative framework, the effectiveness of these programs has not been what was expected. There is an unclear division of responsibilities between territorial and national institutions. A lack of coordination between the institutions responsible for assisting IDPs persists and, in some cases, political commitment is lacking on the part of these institutions, at both the national and local levels. Moreover, fiscal constraints at the national and local levels mean that policy makers have to divide scarce resources between IDPs and poor people. These factors translate into insufficient investment of resources into income generation programs and better training for public officials responsible for serving IDPs. The objective of this section is to highlight the weaknesses and limitations of Colombian legislation and of the public programs designed for IDPs, putting emphasis on the responsibilities of local authorities.

Colombian legislation defines three phases for assistance to IDPs: prevention, humanitarian assistance, and socioeconomic stabilization. In order to meet the objectives of the prevention strategy, territorial institutions comprising the SNAPID,

starting with AS, should offer orientation and support to vulnerable populations at risk of becoming victims of the armed conflict. They should analyze legal actions contemplated in legislation to prevent displacement and propose alternative mechanisms when situations call for them. Similarly, local authorities have a responsibility to identify and compile cases at risk of imminent displacement and to create working groups to anticipate and prevent them. In identifying threats, they should inform the National Prevention Taskforce about specific risk factors in the local environment to ensure coordinated action between national and local authorities.

The Unique Integral Plans (PIU) were created to provide a coordinating mechanism between national and territorial institutions. Through the mandate of the National Plan for Integrated Attention to IDPs, the Territorial Committees are tasked with developing a plan for assisting IDPs. These plans are intended not only to design a strategy for assisting IDPs, but also to define the respective budgetary allocations for each of the phases of assistance. The PIU then becomes a collection of strategies, where the necessary resources are mobilized to carry out the activities. They are formulated into Departmental or Municipal Committees of Integrated Attention to IDPs. The Territorial Committees support and work in coordination with the SNAIPD to plan, negotiate, execute, and evaluate plans of assistance for IDPs under the framework of the PIU.

The creation of the PIU was intended to develop a standardized planning mechanism for IDP assistance (UNHCR, 2007). Nevertheless, the obligation of the National Plan to achieve uniformity in the application of the programs is not being carried out. This is not just a problem of implementation; there are even some municipalities that do not have their own PIU and are not aware that they have an obligation to design it. Only 24 percent of the municipalities with IDPs have formulated their PIU and, in cases where they have been formulated, weaknesses in the municipal development plans persist (UNHCR, 2007). To ensure the effectiveness of the PIU, it is necessary to conduct monitoring of their formulation and support from Acción Social, since without adequate monitoring they remain simply strategic plans without any realistic application (UNHCR, 2007).

Acción Social is in charge of the national coordination of the PIU, aided by the support of the Joint Technical Unit (UteC). Data from UteC demonstrates that 253 municipalities from more than the 1,000 Colombian Municipalities had worked on the formulation of the PIU by 2006, of which only 24 percent had an approved PIU and were using it as a planning tool (UNHCR, 2007). Although Decree 250 of 2005 sets out the objectives and the minimum content required of the PIUs, the legislative framework does not regulate the form in which they should be applied or the mechanisms for monitoring proposed actions specified under the PIU. Moreover, the Decree does not mandate any basic minimum standards for the PIU in terms of required budgetary allocation for proposed objectives. Without a counterpart that regulates the operating capacity of the PIU, its impact is minimal and it runs the risk of remaining a project guide without practical application (UNHCR, 2007).

Although efforts to improve operational coordination are reflected in the creation of the Prevention Bureau, adequate coordination between the National Council and the territorial institutions has not been achieved. For example, the National Prevention Bureau carried out the Plan for the Prevention of Displacement, but it is uncertain whether the Bureau took into consideration local experiences in designing the plan,



which may be one cause for the difficulty in its implementation by territorial institutions. It is actually not clear in its design if the objective of the bureau was to offer a guide so that each Department could develop its own plan or rather if the expectation was that local institutions would implement the National Plan. In addition, National Policies for the Defense of Human Rights are not consistent with policies for prevention of forced displacement, since the topic of displacement has not been integrated into the protection policies of International Humanitarian Law (DIH), and the territorial committees<sup>7</sup> have not achieved coordination with departmental planning (UNHCR, 2007).

With regard to the guarantee of security in localities, Article 32 of Decree 2569 of 2000 specifies the responsibility of the Territorial Committees to prevent forced displacement and "to make sure that necessary military and police protection is offered in the zones or to the populations that are being threatened in fact by violent generators of displacement." This objective assigns difficult, if not impossible functions, to the local authorities since the decision about the presence of military and police bodies depends on the national Department of Defense and not on the local authorities. The Territorial Committees, headed by the principal local civil authority, do not make any decisions on military presence. In fact, the only action they can initiate is to call on the national government for protection, without being able to guarantee it.

One of the problems faced in implementing of the National Plan of Attention is related to the protection of the goods and property that belong to IDPs. The prevention phase should not only focus on the prevention of displacement, but also on guaranteeing the protection of the assets of those who have been displaced. To this end, local authorities should adopt active policies to register abandoned assets and formulate laws and mechanisms that prevent external actors from taking advantage of the situation.

The second phase of assistance for the displaced population is emergency humanitarian assistance (EHA). Access to humanitarian assistance depends on the registration of the displaced individuals in the Unique Registration for Displaced Population (RUPD). In the local environment, these services depend on local authorities and social offices from the local authorities in coordination with the Integral Attention Committees for IDPs.

During the EHA phase, some limitations have been identified in terms of the design of the programs. In particular, there are problems with respect to the registration process in the RUPD and with the services provided under EHA. With respect to the registration of the displaced population in the RUPD, although the results to date are not entirely discouraging, a number of aspects still require improvement. A significant percentage of the displaced population, almost 86 percent, has knowledge of the RUPD; around 78 percent provide statements voluntarily; and around 71 percent of displaced families are eventually registered in the RUPD. Another advantage of the process of registration is that there is no specific focus or favoritism toward any particular group of the displaced population (Ibáñez and Velásquez, 2006). However, evidence suggests that the unregistered segment of the population is the most vulnerable and isolated, and more should be done to address their unregistered status.

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<sup>7</sup> The Territorial Committees are the same as the Departmental or Municipal Committees.

Another concern is that since 2002 the divergence between declaration and registration has been increasing such that it reached near 30% of the IDP population. UNHCR (2007) identifies a possible cause of the high percentage of unregistered IDPs as a lack of training of responsible officials. In fact, the statement process depends on the particular territorial institutions and their officials. The main problem during this process is the lack of understanding by the officials of the phenomenon of displacement and of the laws related to the registration of households. Also, the number of officials charged with this task is not sufficient to meet the demand for registration which means that decisions on individual cases are not given sufficient time to make an accurate evaluation. When combined with the lack of training of these officials, the lack of clarity in certain legislative concepts generates a high degree of discretion and subjectivity on the part of those responsible for the registration of the displaced population. However, while poor knowledge about the regulations of the statement process plays an important role, the lack of investment in the local offices where the declaration is received is also an obstacle. Resources are needed to certify the officials and greater infrastructure is required to provide adequate services to the displaced population.

Another important limitation in this phase is related to the delivery of humanitarian assistance kits to displaced households. Only 56 percent of the households recorded in the RUPD received some type of aid (Ibáñez and Velásquez, 2006); for 2005 the National Department of Planning (DNP) calculated that the displaced population that was not receiving assistance under EHA varied between two percent for the delivery of basic kits, 65 percent for the delivery of a sanitary kit and 72 percent for temporary accommodation (DNP, 2005). The problems during this phase are due to a lack of commitment and a lack of will from the national institutions and territorial institutions responsible for providing services to this segment of the population, and to the operating overload of the Territorial Units (UT) of Acción Social (Ibáñez and Moya, 2007). This particular situation was caused by the fact that Acción Social had to assume the responsibilities of local authorities and had to finance part of its expenses through cash resources and advances (Ibáñez and Moya, 2007; Acción Social, 2007). From 2005, Acción Social has implemented new strategies to improve the financial security of the programs. Applying a complementary approach, Acción Social provides food and non-food EHA kits and assistance to the most vulnerable groups<sup>8</sup> through a number of institutions: the International Committee of the Red Cross (ICRC), a National Supplier in places where there is no presence of the ICRC, CHF International (an international humanitarian actor), nine petty cash boxes organized in different cities, and, in extremely urgent cases and in areas of difficult access, assistance is delivered monetarily through the Agrarian Bank (Acción Social, 2007).

In terms of delivery of the EHA by territorial institutions, the Units of Attention and Orientation (UAO) continue to play a fundamental role. The UAO helps to facilitate access to the EHA kits for the displaced population and in doing so, supports the Territorial Committees. The UAO are institutions that function as links between local and national institutions; they serve as support for Territorial Committees and are a place of reference for the displaced population. Local authorities are responsible for the UAO, financing their infrastructure, funding their services, and appointing their coordinator. The UAO are not dependent on national institutions, but rather answer

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<sup>8</sup> Assistance to women, children and ethnic groups.

directly to local authorities that provide resources to finance their infrastructure, operations and for the EHA and other complementary programs (Ibáñez and Moya, 2007). The presence of the UAO was strengthened and their responsibilities have been enhanced since 2003, allowing for a greater link between the municipalities and the central government through contributions for the EHA and other programs. In cases in which local authorities do not have sufficient financial resources, Acción Social finances the infrastructure for the UAO and training of its officials (Ibáñez and Moya, 2007; Acción Social, 2007). Despite the expansion of the UAO, the continued participation and support from Acción Social for their adequate operation remains crucial. It is important to note that the UAO are not directly responsible for the provision of services for the displaced population. Rather, the objective of the UAO is to concentrate geographically all the territorial institutions that are responsible for services to the displaced population to prevent IDPs from having to make the rounds of different institutions in search of assistance.

Finally, the EHA programs seem unconnected to the final phase of assistance for IDPs, socioeconomic stabilization. The challenge of national authorities and localities responsible for providing assistance to the displaced population should be to achieve a transition from the phase of EHA to that of socioeconomic stabilization. To achieve this it is important to guarantee close coordination between the final phase of provision of EHA and the initial phase of economic stabilization. It is also important to design programs that allow IDPs to move smoothly toward socioeconomic stabilization and that overcome the focus on assistance of EHA and indeed, of all assistance programs to the displaced population (Ibáñez and Moya, 2007). The current government has made different proposals to meet these objectives by implementing a monitoring strategy via the new program of Acción Social, JUNTOS. The objective is to have social workers accompany families in the program and guide them towards stabilization programs. Starting from a solid base in terms of the services offered by EHA is fundamental in order to guarantee the success of these programs and it thus essential to strengthen the institutions and local authorities responsible for the delivery of assistance during this phase.

Socioeconomic stabilization programs should offer IDPs the tools needed to guarantee their entry into economic and social networks, whether at their place of origin, reception, or relocation (Decree 250 of 2005). To comply with this objective, the legislation provides assistance with asset-restitution programs, health insurance, school enrollment, provision of micro-credit and access to housing subsidies, and other services. The objectives of the land programs are, on the one hand, to protect abandoned lands (in the phase of prevention and protection) and on the other hand, to guarantee access to new land. *Incoder*, along with local authorities and Territorial Committees, should develop programs and special procedures to award lands; to expedite the transfer of free titles by rural institutions; and to accelerate the transfer of rural lands that have been previously expropriated. Finally, there is a defined obligation to carry out an inspection and inventory of lands that will be used for temporary accommodation and to formulate the procedure for the process of the exchange of land. To carry out these programs, local authorities must report the state of rural territories and register such areas in the Unique Registration of Abandoned Grounds (RUP) of *Incoder* (Ibáñez and Moya, 2007).

Limitations of the land rights legislation arise during the implementation of the programs. First, there is a high level of informality related to the property of rights that persists in rural Colombia. Second, there is a lack of knowledge among local officials about these policies on property rights. The lack of knowledge of the officials about the RUP has led national institutions to introduce training processes (Ibáñez and Moya, 2007). The programs' reach is also limited by the breakup of different institutions responsible for the rural sector which overloads other governmental institutions whose competencies do not include attention to rural areas. National authorities have not assumed an active leadership role with the local authorities, which means, in effect, that they are not obliged to comply with legal dispositions concerning abandoned property (UNHCR, 2007). The limitations of land-restitution programs are reflected in their limited results. Between 2002 and November 2006, 63,852 hectares were legally allotted to 4,352 displaced families but, of these, only 26,054 hectares were actually allocated to 1,979 displaced families (Acción Social, 2007).

Housing programs have focused on delivering subsidies to acquire new or used homes, to make improvements to an existing one, or to rent accommodations.<sup>9</sup> These housing programs have concentrated on offering subsidies to acquire real estate in the municipality of relocation or, in the cases of return, in the municipality of origin. The National Government is responsible for distributing the resources among the territorial institutions, based on: the registration of displaced population in the regional RUPD, on the impact of displacement on poverty conditions, and on the demand for subsidy programs for return to the place of origin (Ibáñez and Moya, 2007). Sentence T-025 of 2004 established a special fund to provide subsidies to IDPs in urban areas. As a result, resources assigned to subsidies of urban and rural housing have increased since 2004. To date, approximately 65,043 family housing subsidies for urban and rural areas have been allotted, which means that close to 65,000 displaced households have benefited from them (Acción Social, 2007). Local authorities have considerable responsibilities with respect to housing programs. Decree 951 of 2001 clarifies the obligations of territorial institutions to: i) formulate and adopt housing plans for the displaced population; ii) establish coordinating mechanisms with national institutions to achieve effective delivery of technical support to the displaced population; iii) appropriate resources that complement those originating from the national government; and iv) inform national institutions about demands from the displaced population. Even if responsibilities of local authorities regarding housing are clearly defined in the legislation, their implementation has been quite limited. Few programs have been carried out and, as a consequence, subsidies assigned by the national government for this purpose have been lost (Ibáñez and Moya, 2007).

Income-generation programs are a fundamental component of the phase of economic stabilization. These programs seek to train IDPs and to provide them micro-credit so that they are able to regain their economic independence following displacement. The government has therefore designed vocational training and micro-credit programs. However, in spite of this phase's importance, it is the weakest phase in terms of implementation. The program's vocational training results are limited by the inability of the market to absorb the newly trained workers; once the training is completed, the

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<sup>9</sup> To buy new or used land, the equivalent of 25 current legal minimum salaries (smlmv) is provided for urban areas and up to 18 smlmv in rural areas. For the improvement of households, between 10 and 15 smlmv is provided in rural areas and up to 12.5 smlmv in urban areas. For housing rent 12,5 smlmv is provided (Ibáñez y Moya, 2007).

individuals fail to enter easily into the labor market or to initiate individual productive projects. The impact of training is also limited by the low education levels of the displaced population and, in terms of responsibility of the territorial institutions, to the lack of resources assigned to the regional offices of the SENA, which has had persistent problems in responding to IDPs (Ibáñez and Moya, 2007).

The economic stabilization phase should include programs for income generation, and the government should guarantee adequate access to basic health and education services. The National Ministry of Education (MEN) is the entity responsible for designing programs and policies that guarantee access to education at the national and regional levels through the Offices of Municipal, Local, and Departmental Education. The MEN should promote and coordinate the programs designed to expand the provision of education in the receiving municipalities. The territorial institutions are responsible for the implementation of policies designed by the MEN for displaced children, and the provision of education to the IDP population, guaranteeing their rapid rehabilitation, social articulation, and productive reinsertion into normal life (Law 387 of 1997; Ibáñez and Moya, 2007).

A total of 232,115 displaced children benefited (See Table 1 below) from school enrollment between 2002 and 2006. The MEN's goal is to reach 400,000 children by 2010 (Acción Social, 2007). In addition 315 educational institutions received training programs on educational and pedagogical models in 2005; 110 of these received investment in infrastructure and furniture endowment. The budget available for these programs comes from the General System of Participation (SGPP), of the National Fund of Perquisites (FNR) and of additional resources from the national budget. For 2007, the available budget for the educational sector reached US \$242,090 million, 77 percent of which originated from the SGPP, 17 percent from additional resources of the national budget and six percent from the FNR (Acción Social, 2007). This implies that, even when policies are implemented at the local level, financial resources stem from the National Budget. The fiscal spending of the local governments themselves on IDP education is very low.

**Table 1. IDP School Attendance and yearly goals achieved by the National Education Ministry**

	2002	2003	2004	2005	2006
Number of Students	1,476	29,707	120,651	180,126	232,115
Yearly Goal	NA	NA	NA	278,802	240,000
Percentage achieved Yearly Goal	NA	NA	NA	65%	97%

Source: Acción Social, 2007

Despite the efforts and goals reached in the educational sector, the impact of the programs remains limited for reasons beyond the design of the policies. The main obstacle to the implementation of the policies is in the process of identification and location of the displaced population, and in the difficulty of keeping the children in school (Ibáñez and Moya, 2007). Territorial institutions, especially the Offices of the Secretary of Municipal Education, should improve the process of identifying displaced children to guarantee certainty about educational demand and to assign resources in a more efficient way. Additionally, although it is not a direct responsibility of the MEN and of its regional institutions, nutritional vulnerability of displaced children is directly related to school drop-outs. To avoid drop-outs caused by malnutrition, they are

promoting coordinated activities between regional schools and institutes like the ICBF to offer food for displaced children at the schools, and to promote their participation in the *Familias en Acción* program.

An additional limitation of these programs stems from the Colombian model of decentralized education. This model imposes limits on the capacity of the MEN to supervise activities on the implementation of programs in localities which fall under the responsibility of territorial institutions. The lack of supervision by local authorities, a system of information that allows the identification of the number of people that have received services, or a record of the resources invested by regional offices prevent the programs from being evaluated and subsequent improvements being implemented. Moreover, the lack of political will and lack of knowledge of the officials about the educational programs designed for IDPs present considerable obstacles to the implementation of policies.

The issue of health insurance for the displaced population is addressed by Law 387 of 1997, which created several mechanisms to guarantee access to health services for IDPs. Access is tied to registration in the RUPD which restricts the ability of territorial institutions to apply the IDP policies and to implement the programs. Improvements in the last decade have been significant, but the lack of political will and misinformation among the officials responsible for local programs has become, also in this case, an obstacle to reach the goals designed by the government (Ibáñez and Moya, 2007). Additional issues that delay the availability of health resources for territorial institutions are: bureaucratic obstacles in financing the programs, the need for signature of agreements between the Department of Social Protection and territorial institutions, incorporation and approval of resources in the departmental budgets, and implementation reports (Acción Social, 2007). The resources for health services stem from the SGPP, a decentralized scheme that controls resources for the programs, as the same resources must serve the needs of the displaced and local population of each municipality. In addition to improving budgetary allocations, training for officials is required as much as sufficient staff to provide services, but the high turnover of personnel impose an additional obstacle (Ibáñez and Moya, 2007).

#### *Budgets for IDP programs:*<sup>10</sup>

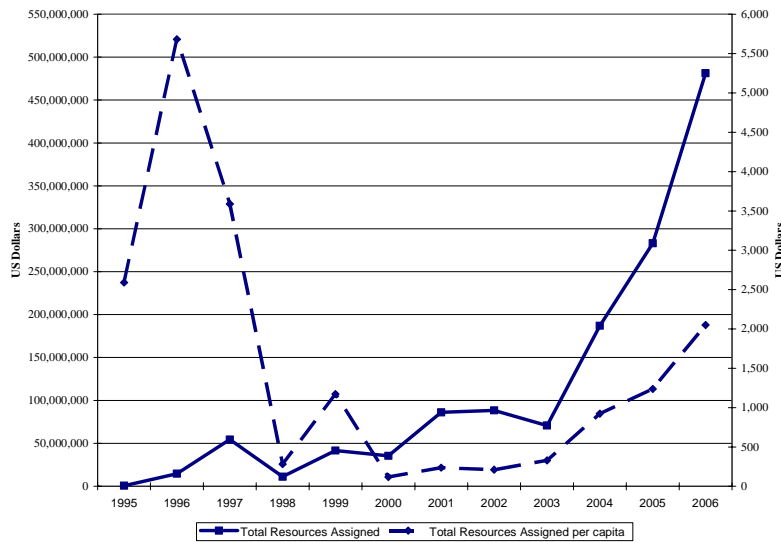
The documents of the Social and Economic Council (Conpes) detail the budgeted expenditures destined to provide services for IDPs. Graph 2 shows the trend of total resources allocated and of resources per capita for IDPs between 1995 and 2004. Although total resources allocated have grown constantly since 1998, experiencing a small decline in 2003, budget per capita does not show the same trend due to the intensification of the phenomenon of displacement. In spite of these declines, in recent years investment per capita has increased by about US\$ 293<sup>11</sup> in 2004 to nearly US\$ 880 in 2005 and reaching US\$ 2,052 per capita in 2006.

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<sup>10</sup> This section is based on chapter 6 of the Paper: “The impact of forced displacement in Colombia: socioeconomic conditions of the displaced population, incorporation into the labor force and public policies”, presented by CEPAL (Ibáñez y Velásquez, 2007).

<sup>11</sup> With an exchange rate of 1.705 pesos to the dollar.

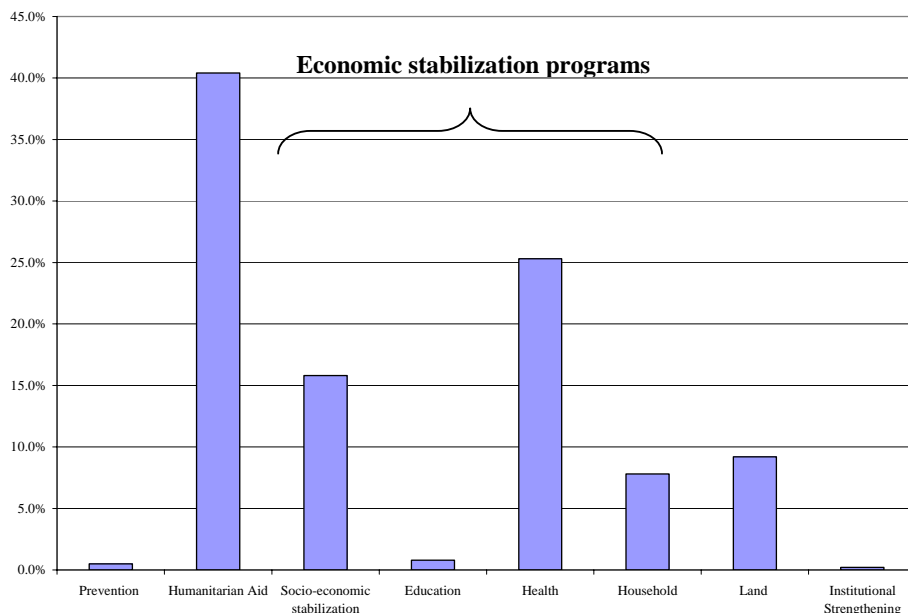
**Graph 2. Resources invested by the national government for IDP assistance: Total and per capita (1995-2006)**



Source: CONPES 3400 of 2005-National Development Plan (2004-2006)-RAS

The results of this spending are reflected in UNHCR’s balance sheet. Between 2004 and 2007 the appropriation of resources has increased by over five times with respect to figures between 2000 and 2003. In 2004 the total national budget allocation for IDPs was at 0.05 percent which increased to 0.78 percent in 2007 (UNHCR, 2007). Allocations for prevention and protection programs are significantly less than resources for other phases (as seen in Graph 3). Allocations for emergency humanitarian assistance account for 40.4 percent of the resources while the socioeconomic stabilization activities receive 59.4 percent -- the greatest proportion of the resources. Prevention and institutional strengthening activities receive barely 0.2 percent of total available resources (Graph 3). It is worth noting that the Department of Defense’s budget for strengthening the presence of police force in the municipalities also requires further investment to effectively prevent displacement.

**Graph 3. Percentage distribution by program components (1995-2004)**



Source: CONPES 3400 of 2005

The limitations are partly related to a lack of supervision of budgetary allocations for territorial institutions. In fact, public programs available are mostly unknown to the displaced population and sometimes even to the local authorities responsible for their implementation (UNHCR, 2007). One of the problems is that programs for IDPs continue to be designed by national institutions which do not include local authorities in the process. National authorities design the programs for the displaced population and then issue Decrees and Resolutions that detail the different programs and assign them to the relevant institutions responsible for executing them. Many of these programs assign local institutions as the main authorities in charge of executing the programs or sharing responsibilities of execution with the national authorities. However, despite assigning responsibilities to local authorities, these programs are never discussed with them. Only in specific cases are the programs discussed with the National Council for the Displaced Population, but even then representatives of local authorities are not invited to attend. A consequence for this lack of coordination is the gap that exists between the Unique Integral Plans (PIU) and the plans created by national institutions (UNHCR, 2007).

The fact that information about programs for the displaced population is unclear makes it difficult to evaluate their effectiveness. The inclusion of IDPs in general programs for vulnerable groups makes it difficult to quantify budgets assigned for IDPs, and as well, to differentiate the services offered specifically to this population. Lack of clarity and an absence of continuity through the three phases of the program further complicate the evaluation of program results (UNHCR, 2007).



## 2. Assistance programs for IDPs: Four case studies

Providing effective assistance for IDPs should be more highly prioritized for territorial institutions. In cities like Bogotá and Medellín, and the department of Antioquia, the response of local authorities must improve its effectiveness due to the growing demand of programs for IDPs. In fact Bogotá, Medellín and Antioquia have created special public policies for the displaced population and PIUs to implement such policies. In a joint effort they designed what is currently known as the Goodwill Agreement. The objective of this chapter is to describe the attention that is provided to IDPs in Bogotá, Medellín, Antioquia and Santa Marta. Its purpose is to identify particularities of the cities (Bogotá, Medellín and Santa Marta) and region (Antioquia) that determine the effectiveness of IDP policies. We have based our evaluation on the existing literature on the topic and in-depth interviews carried out with officials and organizations in charge of IDPs in the four regions<sup>12</sup>.

### 2.1. Characteristics of IDPs in the four regions

The increasing displacement in Colombia is reflected in Bogotá, Medellín and Santa Marta as receptor or host cities and in the department of Antioquia as a department of origin for a large number of IDPs. This reality has obliged local authorities to develop programs for IDPs with the clear objective of restoring the rights of the displaced population that have been violated.

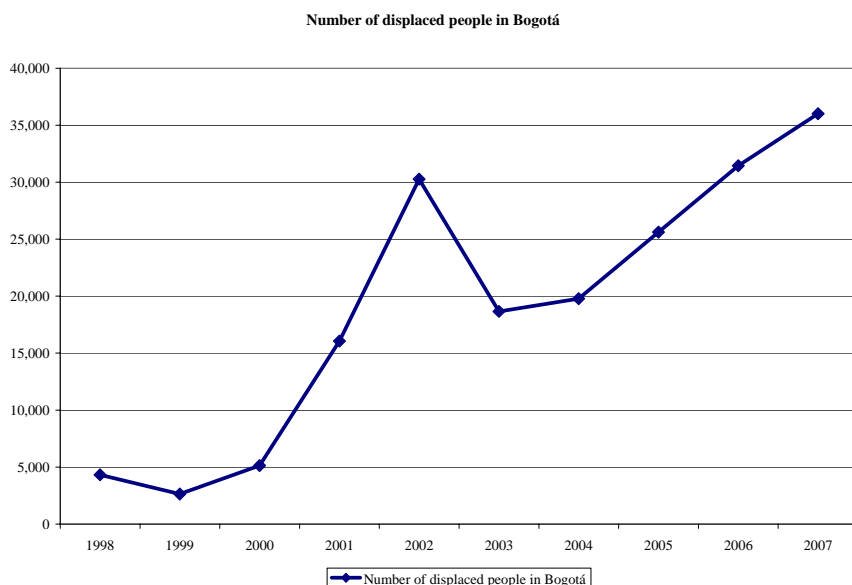
In 2004, the Capital District of Bogotá received between seven and eight percent of the total displaced population in the country (Unique Integral Plan of Bogotá, 2004) and the latest official figures<sup>13</sup> report that Bogotá has received 8.25 percent of the total displaced population. The graph below illustrates the significant growth in the numbers of IDPs arriving in Bogotá (Graph 4).

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<sup>12</sup> Javier Aguilar (Acción Social, Medellín), Eduardo Barros (Acción Social, Magdalena), Andrés Camelo (Unidad Técnica Conjunta), Emilia Casas (Acción Social, Bogotá), Nicolás Castrillón (ACA, Medellín), Edgar Forero (Unidad Técnica Conjunta), Luz Dary Giraldo (Gobernación de Antioquia), Mardory Llanos (Secretaría de Gobierno, Bogotá), Nicolás Morales (Procuraduría Magdalena), Javier Moscarella (Alcaldía Santa Marta), Luz Ángela Rodríguez (Unidad Técnica Conjunta), Alba Lucía Varela (Fundeomac), Beatriz White (Secretaría Bienestar Social, Bogotá).

<sup>13</sup> Acción Social: January 31, 2008

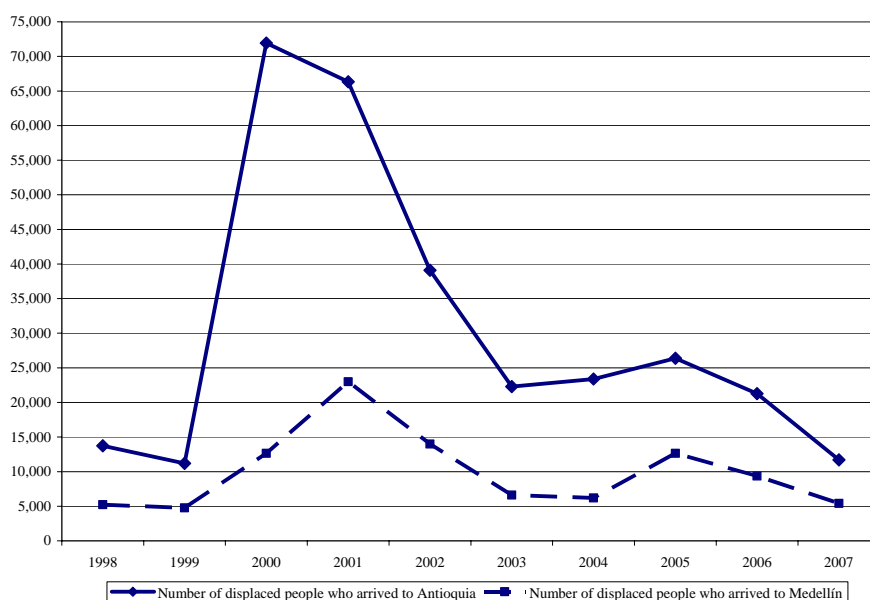
**Graph 4. Number of IDPs arriving in Bogotá**



Source: Acción Social

The department of Antioquia has also experienced both high inflows and outflows of IDPs. In fact, forced displacement in Antioquia is one of the most complicated dynamics in the country, as it is simultaneously the main department of origin – or *expulsor* -- of IDPs (16.6% of the population of the department) and the principal receiver (14.32%) of IDPs. Of the expelled population, 66.2 percent emigrate individually, and 85 percent originate from Antioquia. One of the reasons for the intensity of the dynamics of displacement in Antioquia is the existence of strategic territories. In fact, the regions with higher rates of expulsion or displacement are those that have the best infrastructure and whose geographical position is strategic for armed groups. On the other hand, the most attractive centers in terms of reception are those with greater economic development and available public services. However, the arrival of IDPs increases the demand for services and the situation of the historically vulnerable population worsens (PIU of Antioquia, 2006). Despite being the Department with the highest indices of forced displacement, the tendency seems to have changed in recent years as the number of people arriving in Medellín and in other municipalities of the department (Graph 5) has decreased over the last two years.

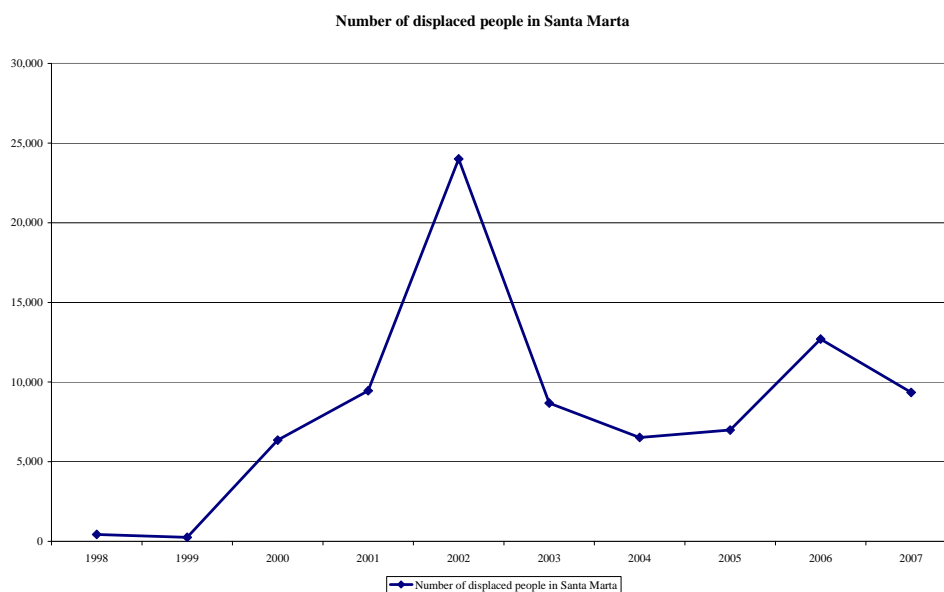
**Graph 5. Number of IDPs arriving in Antioquia and Medellín**



Source: Acción Social

The case of Santa Marta deserves similar attention. Santa Marta is one of the main IDP receiving cities in the country, with 70,000 displaced families registered in the RUPD through February 2007, equal to 19 percent of the total native population in Santa Marta (the pressure index, according to UNHCR figures for 2005 is around 15.5%). In addition, 74 percent of IDP households are below the minimum living conditions and 65 percent of them live under the poverty line (ICRC and WFP, 2007). The highest peak of IDP reception in Santa Marta was observed in 2002; since then, the arrival of IDPs has generally declined although there was an increase in 2005 (Graph 6).

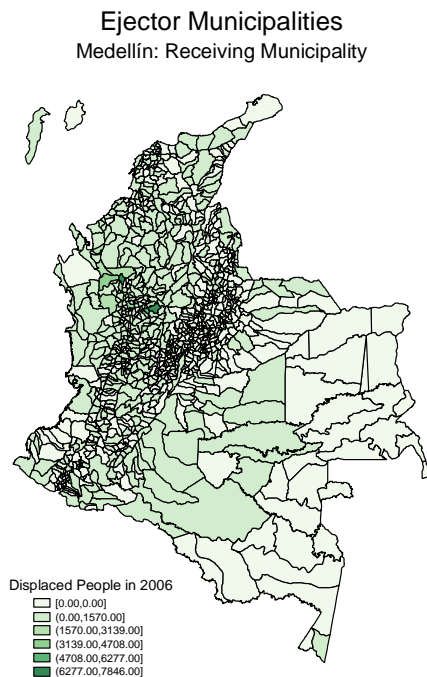
**Graph 6. Number of IDPs arriving in Santa Marta**



Source: Acción Social

Antioquia and Santa Marta are substantially affected by the fact that they are both regions which receive IDPs and from which IDPs originate. In Antioquia every municipality has been affected by this phenomenon. Displacement seems to be concentrated within the department (85% of the cases are intradepartmental displacements). Map 1 shows that, although Medellín receives the most IDPS relative to other municipalities within Antioquia, there are still significant concentrations among other municipalities of the department.

**Map 1. Ejector Municipalities– IDPs arriving to the Department of Antioquia**

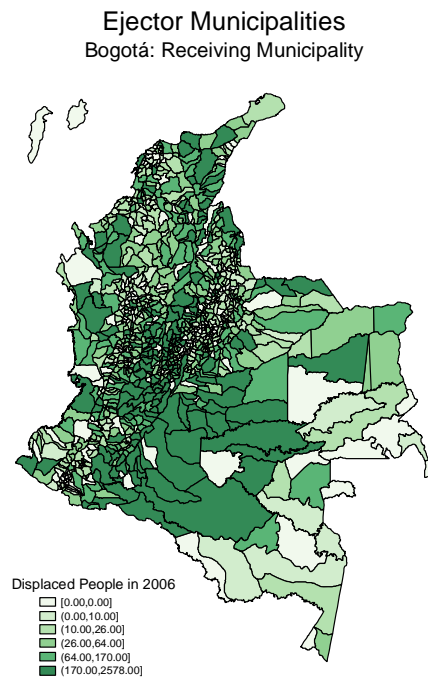


Source: Calculations made by the authors based on data from Acción Social

Reception indicators are equally high. Antioquia occupies the first place in the country as a receiver of IDPs. The most affected municipalities are Medellín, Turbo, Bello and Apartadó. However, as was observed in previous graphs, the numbers of the displaced population arriving in Antioquia and Medellín has recently decreased, and data from the PIU shows that this is also true for the other receiver municipalities. The PIU data demonstrate that the main municipalities affected receive 86 percent of the displaced population in Antioquia, while Medellín receives almost 32 percent of the total displaced population in the department.

The displacement dynamics in Bogotá have different characteristics from those of Antioquia. Bogotá is one of the main IDP receptor cities, but due to its urban characteristics, it does not present high indices of expulsion. Since 2004 the displaced population arriving in Bogotá has grown. As a percentage of the total population, the IDP population in Bogotá reached 17 percent in 2007. Since the beginning of 2008, Bogotá has received almost 41 percent of the newly displaced IDPs in the country. It is important to highlight the fact that Bogotá receives IDPs from almost all the municipalities of Colombia (Refer to Map 2).

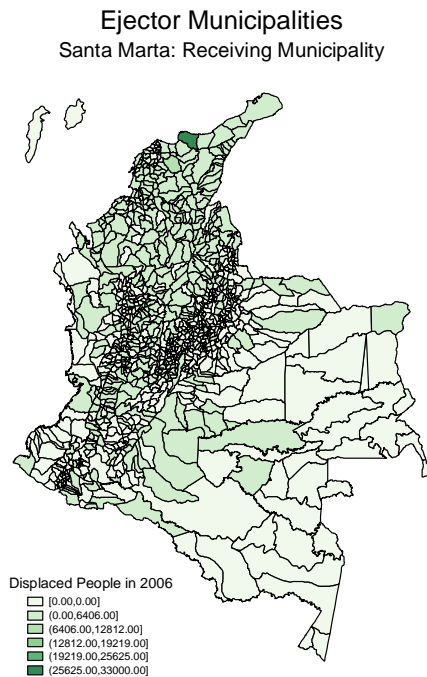
## Map 2. Ejector Municipalities of IDPs arriving to Bogotá



Source: Calculation of the authors based on data from Acción Social

Map 3 illustrates the case of Santa Marta. The city is one of the main receptors of IDPs in the country. While most of the displaced individuals come from the Department of Magdalena, Santa Marta continues to receive IDPs from distant municipalities in spite of the poor living conditions there.

### Map 3. Ejector Municipalities of IDPs Arriving in Santa Marta



Source: Calculation of the authors based on data from Acción Social

In addition to the magnitude of displacement, it is also important to note the demographic characteristics of IDPs. In Bogotá, 83 percent of displaced families come from rural areas, a characteristic that complicates their assimilation into the urban labor market<sup>14</sup> and the living conditions of the city. The great majority of IDP households include a significant number of under-aged children, who represent 50 percent of the displaced population. Youth between 18 and 35 years of age represent 29 percent of the total displaced population (PIU of Bogotá) and women represent 50 percent of the displaced population. In Antioquia, on the other hand, of the total population received through 2006, only 34.3 percent were women and 20.1 percent were children between 0 and 13 years. The above data allows us to say that more than 50 percent of the population corresponds to women and under-aged children, typically the groups that are most vulnerable (PIU of Antioquia, 2006). In the specific case of Santa Marta, in 2007 women represented just over 49 percent of the total displaced population.

While IDPs and the poor urban populations share many unfavorable characteristics, the condition of IDPs as victims of the conflict only worsens their situation. Data from the PIU, based on data of the UAID, reveal that the main causes of displacement in Bogotá are: direct threats (62%), followed by forced recruitment (9%), situations of murders and situations of fear (9%) and situations of tension (8%). In Antioquia, there are prominent cases of displacement connected with land ownership and the presence of illicit crops. According to RUT data, as cited in the PIU of Antioquia, from 1997 to 2003, 89 percent of the displaced population had some relationship to the land at the

<sup>14</sup> Of the homes registered in the UAID of Bogotá, almost 68 per cent was unemployed, two per cent had daily jobs, 16 per cent was working for sectors such as construction, informal sales, domestic services, among others, and 6 per cent worked as home labor.

time of their displacement and the average land possession was around 79 percent, a figure that increased to 90 percent between 2001 and 2003. There are two principal problems related to land possession in Antioquia. First, the concentration of land is very high, with the Gini coefficient of inequality reaching 0.83. Second, 70 percent of the rural population lack formal titles to their land (PIU of Antioquia, 2006). The presence of illicit crops also increases the intensity of the conflict because demand for land to grow coca and poppy seed has increased, as a result of the strategic importance of drug running at the same time that farmers growing legal crops have been damaged by the fumigation of illicit crops.

With respect to the causes of displacement in Bogotá and Antioquia the main actor responsible for forced migration are the guerrillas, followed by the paramilitary groups. It is important to keep in mind that in some cases there is more than one actor involved in the displacement of an individual. For this reason, data on reasons for displacement may not be significant, as a considerable percentage of the displaced population does not provide this information (PIU of Antioquia, 2006).

The lack of a PIU for Santa Marta limits the analysis of the population data and the programs designed for the displaced population in the municipality. Fortunately, a study carried out by the International Committee of the Red Cross (ICRC) and the World Food Programme (WFP) in eight cities of Colombia does allow us to compare the situation of displacement in the three case studies chosen for this paper: Bogotá, Medellín and Santa Marta. The study, which was carried out between November 2006 and June 2007, analyzed IDP needs and the institutional services available in the eight main Colombian cities. In order to analyze the living conditions of the displaced population, surveys were carried out on displaced homes and residents of the lowest income quintiles located in the areas of greatest IDP concentration. To complement these findings, further interviews with institutional agencies were conducted.

The study evaluates existing policies for IDPs, beginning with the registration process. In general terms the findings show that, although the rates of registration are satisfactory, the process of taking statements and registration could be improved in various ways. The results of the ICRC and WFP report for Santa Marta show that while almost 78 percent of the displaced population were declared, only about 67 percent were formally registered in the RUPD, yielding higher rates than in Medellín and Bogotá (Table 2). The study found that an aspect that negatively influences the decision to declare displaced status is the location of the UAO. The long distance separating the UAO and the areas of highest IDP concentration means that IDPs face high transportation costs which discourages their statements and in turn leads to an extended period of displacement for IDPs. In terms of the time required for the statement and registration, from the moment of displacement to the moment the statement occurs, nearly 65 calendar days have generally passed, and the time delay between the statement and the registration is around 33 calendar days. In addition to the distances, the impacts of the programs are also limited by the lack of a specific budget for strengthening of the institutions which handle the statement and registration process.

Although humanitarian assistance is one of the strongest components of the program, there is still a considerable waiting time for this assistance. From the moment there is a record of the statement, IDPs in Santa Marta wait an average of five weeks to receive their first humanitarian assistance kit. This means that an average of nine weeks can

elapse from the moment that displacement occurs to the time when displaced persons receive their first humanitarian assistance. In spite of the long waiting times, 90 percent of the households that received the assistance maintain that the aid received was timely, adequate, and necessary (ICRC and WFP, 2007). Unfortunately, in Santa Marta the coverage rate of EHA is considerably lower than in Medellín and Bogotá (Table 2). Additionally, the coverage offered by psychological programs is not sufficient. In spite of the fact that almost 65 percent of the displaced population has suffered from psychological problems, only 17 percent seek special assistance and, of these, only 10 percent receive it.

Once Emergency Humanitarian Assistance is offered, the Socioeconomic Stabilization program assists displaced households to overcome their condition and recover their original economic status. One of the fundamental programs in this sense is the provision of accommodation. However, displaced population settlements are usually characterized by high indices of overcrowding and low quality of living conditions. In Santa Marta, for example, 37 percent of IDP homes consider that their housing conditions are subject to some type of geological risk, or risk of sinking, flood, avalanche or collapse (ICRC and WFP, 2007). To improve living conditions, national assistance has begun offering subsidies, based on Decree 951 of 2001. However, only 35 percent of the households<sup>15</sup> have requested subsidies to improve their dwellings, and of these, only 16 percent have received them (of 45% of the households that apply for the subsidies, only 61% receives them). The low subsidies request rate in Santa Marta is a consequence of a lack of information (28%) about the subsidies, ignorance about the procedures (27%), lack of will to request it (14%) and noncompliance with the requirements (10%). Waiting times are also considerable. On average IDPs will wait 39.8 months for an answer (compared with 31.6 months expected by the residents), more than double the time necessary in Bogotá and Medellín. The low quantity of available social interest housing combined with the high demand for this housing compared to other housing options (due to the lower level of indebtedness social interest housing would require), have been some of the limitations of the program.

Once the emergency phase is over, food security and access to health care must be ensured. In terms of food security, for the three case studies in this paper, 90 percent of the households received food; nonetheless food consumption consists of low-priced, high calorie foods with little nutritional value. According to the ICBF the coverage of these food security programs remains low. In Bogotá, around 64 percent of the homes received food supplies. For homes with children aged 5 years or less, or including nursing women, the percentage grows to 94 percent, significantly decreasing the food insecurity of these homes. In Medellín, 59 percent of the total displaced population received attention, a percentage that grows to 64 percent in the case of households with children 5 years or less, or with nursing women. In Santa Marta, barely 32.8 percent of the homes are covered by this program, which is clearly reflected in their low level of food security: in just over 66 percent of the homes, adults eat less than three daily

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<sup>15</sup> The low rate in the request for subsidies could be tied to different factors, as cited by a study made by the ICRC: “the opening of calls for subsidies, the existence of an ongoing project, the existence of territorial resources, and the complementary of resources held by the homes. Additionally, being able to benefit from the subsidies has important costs associated with the request, such as transport to the places where the request is made, and in the case of used real estate, the payment of the home’s appraisal. On the other hand, the access to subsidies to improve living arrangements has barriers related to the legalization of the ownership of the estate.” (ICRC and WFP, 2007; Pág. 27).



meals. In more than 45 percent of the homes with under-aged children there are less than three meals per day. In none of the three case studies do the food security programs offer sufficient assistance to allow the homes to redistribute their incomes (ICRC and WFP, 2007).

In Santa Marta around 50 percent of the registered IDP population, close to 38,000 individuals, received health care in 2007. Of these, 21 percent that were either hospitalized or sought care were dissatisfied with the waiting time required for service, 10 percent were dissatisfied with the quality of attention received and 17 percent with the procedures required to access care. Results of the surveys carried out by the ICRC and WFP indicate that, in general terms, there is a negative perception of officials in charge and the procedures necessary to demonstrate that an IDP is in fact displaced and eligible for care. Another weakness identified by the IDPs is the shortage of medicines available, an issue that has also been identified by the Health Department.

In Santa Marta education coverage is encouraging. Attendance in grade school by IDPs is 96 percent and, although it decreases substantially for secondary school to 74 percent, this is a tendency also observed at the national level. Educational costs and the participation of under aged children in the labor market are the main reasons why children abandon their studies. In the case of Santa Marta, an additional problem is that the database of the RUPD has not been brought up to date, limiting the ability of the Education Department to act. However, again this is a national problem, not specific to the municipality of Santa Marta. The ICRC and WFP Study interviews reveal that, from January to March 2007, Acción Social had only once supplied updated information to the Education Department. In spite of the problems, important achievements in the educational sector have been made, including efforts directed at IDPs. For example, there are programs of accelerated learning for grade school and secondary levels, compression of grade school into a single year for the illiterate population from 9 to 15 years and a program especially designed for youth over fifteen years old (ICRC and WFP, 2007). The Norwegian Refugee Council has played a part in the development of educational projects designed to expand educational coverage and, in 40 percent of the cases, educational coverage has been complemented with support for transportation, psychosocial attention, parental education, sports and music education, and the purchase of uniforms, school supplies and shoes, all financed with state funds; in 77 percent of cases, additional nutritional support is also provided.

Finally, income-generation and asset protection programs are the weakest, which is consistent throughout the country. These programs should be strengthened to ensure that IDPs overcome the condition of displacement and poverty in the receiving municipality, or in cases of relocation or return as necessary. The economic situation of IDPs in Santa Marta merits the importance of emphasizing the socioeconomic stabilization programs. As was mentioned at the beginning of this chapter, 65 percent of IDP homes are living below the poverty line, 74 percent under the minimum standard of living of the ICV, the average monthly income is around US\$ 158 (equivalent to 62% of the legal minimum wage) and the average value of their assets is US\$ 2,991. Furthermore, the economic situation is worse for female-headed IDP households, as they receive 34 percent lower salaries in relation to those received by males.

The SENA is in charge of workforce development and includes programs focused on employment orientation, vocational training and technical assistance for productive

projects. Data on the coverage of these programs are disappointing, since only 17 percent of displaced households have one member who has received some sort of training. In the programs designed for the vulnerable population, that also include IDPs, the impact is a little better: 13 percent of IDP households has some member in Youth in Action program and as of March 2007, 71 percent of registered IDP homes were eligible for Families in Action, of which 65 percent of the homes are beneficiaries (ICRC and WFP, 2007). The reasons for not taking part in the Families in Action program are: ignorance on the part of some leaders regarding the dates of the meetings and the short time given families to provide the necessary documentation which means many are not able to organize all the documents required.

**Table 2. Comparative Table of Three Cities in Colombia: Bogotá, Medellín and Santa Marta**

	<b>Bogotá</b>	<b>Medellín</b>	<b>Santa Marta</b>
<i>Status of the displaced person</i>			
Rate of registry	25%	58.80%	67%
Declaration/Statement Rate	55%	73.50%	78%
Time between statement and registry (in calendar days)	60	61	33
<i>EHA</i>			
EHA Coverage	72-82%	70-78%	60-63%
% of households with psychological needs seeking help	25%	26%	17%
% of households with psychological needs seeking and receiving help	6.50%	20%	10%
<i>Housing Assistance</i>			
% of households that request housing subsidies	14.90%	33%	35%
% of households that request housing subsidies and receive it	28%	7%	16%
Waiting time to receive housing subsidies (in months)	18.2	10.9	39.8
<i>Food Security and Assistance</i>			
% of homes with nutritional assistance	64%	59%	32.80%
<i>Health</i>			
Health coverage	61%	91%	87%
<i>Education</i>			
School enrollment for children between 12-18 years	3.68	4.47	3.73
School enrollment for children between 5-11 years	8.13	6.8	8.31
<i>Income Generation</i>			
% of households below the poverty line	66%	81%	65%
% of households with ICV level below the minimum level	38%	63%o	74%
% of displaced households with a member that has received vocational training	17.30%	11%	17%

Source: CICR y PMA, 2007

## 2.2 Public Policies for IDPs

Due to the growing demand of services for IDPs and to their conditions of vulnerability, the local authorities in Bogotá, Medellín and Antioquia have made important efforts to improve coverage of the programs designed for IDPs. Bogotá, Medellín and Antioquia are ahead of the obligations stipulated by Decree 250 of 2005 for local governments. In the case of Bogotá its first achievement following Agreement 2 of 1998 and Agreement 119 of 2004 was its Unique Integral Plan of 2004 developed under Major Garzón. Medellín and Antioquia had been working since 1996 on action plans for assistance to the displaced population and before Decree 250 of 2005 was established, they had incorporated public policies for the displaced population into their development plans. Even when the Decree simply required a plan of action (PIU) to assist the displaced population, the three territorial institutions<sup>16</sup> designed policies that went beyond mere plans of action for the next six years. These achievements have been shown in diverse agreements, decrees, ordinances and programs as well as in the allocation of specific funds to attend to the needs of the displaced population. On the other hand, the public policies for the displaced population in Santa Marta are quite incipient: there is no Unique Integral Plan, no assessment of the population has been carried out for the displaced residents of the municipality, and responsibilities for their attention seem to fall with the local Acción Social office.

In Bogotá, legal achievements related to IDP assistance were initially developed in 1998, with Agreement 2 of 1998 of the Council of Bogotá which established the norms for “Integrated Attention” to the displaced population. It determined specific ways in which the Local Council for the Integrated Attention to Populations Displaced by Violence<sup>17</sup> should function. Agreement 2 also created the Local Plan for the Integrated Attention to Populations Displaced by Violence.<sup>18</sup> Decree 624 of 1998 subsequently regulated the operation of the Council and of the Plan for Integrated Attention. The Plan created the Units for Integrated Attention to IDPs.

In spite of the effort, this first phase displayed some weaknesses. First, it was based on welfare from the State. Second, in spite of the need to positively distinguish the IDPs, they were instead integrated into assistance programs designed for the general vulnerable population (PIU of Bogotá, 2004). Fortunately, through the creation of the Unique Integral Plan, a different focus was assumed in 2004. Since that time, the achievements have been considerable. The Mayor’s Plans included the policies related to the treatment of IDPs in the district, a budget allocation for the following five years was determined, and the Unique Integral Plan was designed. Agreement 119 of 2004 stipulates the creation of the city’s 2004-2007 development plan, *Bogotá Without Indifference*. This plan establishes as one of the key reconciliation programs the “attention to populations in conditions of forced displacement, demobilization or vulnerability as a result of the violence, as based on human rights and international

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<sup>16</sup> In the case of Santa Marta, there is still no finalized version of the PIU.

<sup>17</sup> This Council must elaborate and implement the policies and programs designed for IDPs; promote awareness raising campaigns towards IDPs; support the SNAIPD; manage and promote the procurement of resources to implement IDP programs: offer legal help to the IDPs; collaborate with IDPs regarding the relocation and return processes; develop a Local Plan for Attention to IDPs, and monitor that plan.

<sup>18</sup> The objectives of the Local Plan, on the other hand, are: the development of a diagnosis of the displaced population and the design of an information tracking system; ensure the protection of IDPs and prevent the causes of displacement; guarantee access to services during the protection, humanitarian assistance, and socioeconomic stabilization phases of the program(Agreement 2 of 1998).

humanitarian law." In addition, the district government office has acted as an organizing entity during the Local Council sessions which bring together various institutions and IDP representatives. They then adopted a new strategy with less emphasis on welfare and more focused on the re-establishment of the rights of IDPs.

Bogotá's PIU established as policy priorities the integrated or holistic nature of the programs, support of institutions from the territories of origin, and the active participation of the IDPs. With the creation of the Local Council for Integrated IDP Attention, a space was created within the district administration for the participation, not only of the institutions responsible for IDPs, but of IDPs themselves. The Local Council meets between eight and ten times a year and in each of those meetings 105 IDP organizations participate. IDPs were also active in the development of the PIU for Bogotá. Interestingly, the district government's office called upon the leaders of these IDP organization to participate in the development of the PIU.

Two fundamental aspects of the Local Plan for Integrated Attention are the shift in focus away from welfare aid and the establishment of the right of IDPs to settle in Bogotá when they do not want to or cannot return to their place of origin. Table 3 summarizes the main objectives of the programs in each one of the phases. The shift in focus of the policies can be seen in the growing demand of services on the part of IDPs, and also in the fact that approximately 60 percent of IDPs arriving in Bogotá have no intention of ever returning to their place of origin (PIU of Bogotá, 2004).

IDPs have the right to access programs that are especially designed to alleviate the impact of displacement. They also have the right to access programs for the poor population in general. The public health and education sectors, for example, have been strengthened and expanded to provide services to IDPs. In the education sector 15,147 under-aged children were registered between 1999 and 2004; during the same period 4,000 food subsidies were delivered. Regarding the health sector, there are important efforts in place to expand coverage. In 2004, 100,000 health subsidies were delivered to IDPs, and the Department of Health adopted a focus of affirmative action towards the displaced population, emphasizing prevention activities and encouraging the participation of IDPs (PIU of Bogotá, 2004). The local government has also made significant efforts in the area of social integration, and some institutions have been strengthened to assist IDPs.

Similarly, beginning in 1996 the displacement dynamics in Antioquia prompted the development of active public policies from the government of Antioquia, such as the inclusion of programs for attention to the displaced population in the development plan, the formulation of public policies in Medellín and the design of the PIUs for Antioquia and Medellín. The departmental development plans for the periods 2001-2003 and 2004-2007 consolidated the local policies to assist IDPs. Since 2001 the objective of the programs has been directed toward overcoming welfare policies and design of programs that seek to support the independence of the individual and that guarantee coverage and quality of services for the IDP population. Likewise, a departmental PIU for Antioquia was designed in 2006, under the framework of Ordinance 06 of 2006. The purpose of this PIU is to specify objectives, strategies, resources and indicators to assist displaced population, as well as to coordinate a plan of action between private entities and community institutions at the local, departmental, national and international levels. The PIU is valid for six years and is the instrument used by local authorities to provide

services for IDPs efficiently and effectively (PIU of Antioquia, 2006). The strategic goals of the PIUs are explained in Table 3.

**Table 3. Phases of IDP Assistance**

	BOGOTÁ	ANTIOQUIA
<i>Stages of Attention to the Displaced Population</i>		
<i>Investment in Protection and Prevention</i>	i) Coordination meetings with central authorities with the goal of preventing displacement to the District Capital; ii) Coordinate follow-up to the actions of the territorial entities who have received the displaced population who have signed the Acuerdo de Voluntades; iii) Prevent possible massive violations of human rights through the use of the Early Warning System; iv) Carry out biannual meetings with the Ministry of the Interior and the National Police to adapt the protection and assessment system to account for the risks faced by leaders of the displaced population; v) Carry out an awareness-raising campaign on the issue of forced displacement for the residents of the District Capital	i) Humanitarian protection of the population at risk of forced displacement; ii) Promotion of the exercise of fundamental rights; iii) Encourage settling and opportunities for local development
<i>Investment in Emergency Humanitarian Assistance (EHA)</i>	i) EHA to households enrolled in the RUPD; ii) Strengthening community kitchens; iii) installation of UAOs; iv) food coupons and provisions of emergency assistance	i) Emergency humanitarian assistance; ii) ICBF program for those older than 65 and younger than 6 years old; iii) Psychosocial assistance offered by the same institution
<i>Investment in socioeconomic stabilization</i>	Pedagogical and community strategies; social and economic rehabilitation of the displaced population	Activities directed toward restitution and reparation for the victims of forced displacement and towards the reintegration and reconciliation of the communities
<i>Investment in reparation</i>		"to bring about and strengthen the effective participation of the affected population in the community, political, social, and humanitarian settings and in the public discourse" (PIU de Antioquia Page 238); i) community strengthening and organization of the displaced population, with a differential focus; and ii) support the strengthening and organization of IDP organization networks
<i>Investment in institution building</i>		Institution building and organization: i) institutional formation and adaptation; and ii) creation of an observatory on forced internal displacement

In the case of Santa Marta, there are no public policies designed for IDP assistance, and there is still no proposal for a Unique Integral Plan. Nevertheless, the reports from the municipality highlight the achievements that have been reached.<sup>19</sup> One of the most important advances occurred in 2006, when private and public institutions and NGOs gathered and agreed on the monitoring of the Social Policy. This was followed by the meeting of the Committee of Displaced Persons in the Office of the Mayor in order to design the Unique Integral Plan (PIU) for IDPs. Additionally, they have made efforts to incorporate IDPs into programs designed for the general vulnerable population. Looking at the productive projects for IDPs in the area, they have created some "humanitarian

<sup>19</sup> Information from: <http://www.santamarta.gov.co/>

jobs.” For example an agreement with the local NGO, *Minuto de Dios*, was signed to implement business initiatives and social actions in the areas inhabited by IDPs. In terms of education, efforts have been made to increase the amount of subsidies for children and to strengthen agreements with schools and universities. As well, talks have been held with the Coffee Grower Committee to improve the program run by *Escuela Nueva*. In terms of health, in 2006 24,561 beneficiaries were IDPs. An agreement with the Red Cross for delivery of Emergency Humanitarian Assistance was implemented, with special arrangements designed for the families of displaced indigenous people.

### 2.3 Budget Allocated for Assistance to IDPs

The design of specific public policies for IDPs has been accompanied by the allocation of specific budgets for each of the programs. The budget of the development plan of the former mayor of Bogotá, Mayor Garzón, for the period 2004-2008 rose to over US\$12.8 billion, of which, 70 percent was financed by the Central Government in Bogotá, a little less than 14 percent by Public Establishments and 16 percent by resources from Commercial and Industrial Businesses (from Bogotá’s Development Plan, *Bogotá Without Indifference*). For this period the plan allocated a budget for each one of the phases of assistance to IDPs (Table 4). From the reconciliation component of the plan, US\$20.23 million was allocated to assist those in conditions of forced displacement, demobilization, or vulnerable due to the violence, equal to 4.5 percent of the total reconciliation budget, or 0.26 percent of the resources allocated for social investment.

**Table 4. Resources by Program Component**

Component	Financial Resources 2004-2008	Rate of participation
	(US\$ Billions)	
Social Component	7.66	59.5%
Urban Regional Component	4.32	34%
Reconciliation Component	0.45	3.5%
Public Administration	0.41	3%
Total Development Plan	12.84	100%

Source: Development Plan, *Bogotá without Indifference*

In the case of Antioquia, one of the most important achievements of the PIU is the allocation of specific funds for each one of the strategic goals for the period 2007-2012. For the first strategic goal, Prevention and Protection, a total of US\$27.46 million is allocated for this period. For the Emergency Humanitarian Assistance goal, US\$9.12 million will be invested during this same period. However, if the debt from 1995-2006 is taken into account, this investment increases to US\$38.44 million. The budget for the Socioeconomic Stabilization goal was increased to US\$56.53 million for the period 2007-2012 and, considering debts from previous periods, the total sum for this goal reaches a total of US\$459.3 million. For each one of the eight programs that comprise the Re-establishment goal, 75 percent of the resources come from the national budget, 12.5 percent from municipal contributions, and the remaining 12.5 percent from departmental contributions. Under the Reparations goal, funds budgeted increased for the 2007-2012 period to US\$1.7 million. The goal that seeks to strengthen organizations representing IDPs has US\$3.34 million budgeted for this period. And, finally, US\$3.4 million have been budgeted for Institutional Strengthening for organizations providing services to IDPs. The total investment budgeted for IDPs for these years, corresponds to approximately 8.7 percent of the total budget allocated for social development for this

same period. The costs for each one of the strategic phases in Antioquia, for the period 2007-2012, are summarized in Table 5.

**Table 5. Budget Summary – Antioquia PIU for 2007-2012**

Lines	Total Costs for 2007-2012 (US\$ Dollars)
Prevention and Protection	27,466,276
EHA	38,447,540
Re-establishment	410,090,933
Reparations	1,759,531
Strengthening IDP Orgs	3,343,109
Institutional Strengthening and Displacement Observatory	3,407,625
<b>TOTAL PIU Budget</b>	<b>484,515,013</b>

Source: PIU of Antioquia, 2006

Table 6 details the budgets for policies and programs designed for IDPs in Bogotá and Medellín. Even though Medellín has made a strong commitment toward IDPs, the total funds allocated by Bogotá are almost four times greater in absolute terms. On the other hand, taken as a percentage of the total budget, the allocation by Bogotá is only slightly higher when compared to Medellín (0.158% vs. 0.11%). In both cases, the budget allocation compared to the total budget is somewhat smaller than the allocation set by the National Government whose percentage is closer to 0.8 percent.

**Table 6. Budget Allocations in Bogotá and Medellín**

Category	BOGOTÁ	MEDELLÍN
	Annual Estimated Budget	Annual Estimated Budget
(US\$ Dollars)		
Local Social Investment	1,123,239	191,692
Social Welfare		30,800
Social Development		18,139
<b>Investment in IDP assistance programs</b>	2,968	843
<i>Protection and Prevention</i>	43.00	
<i>Emergency Humanitarian Assistance</i>	1,122	
<i>Socioeconomic stabilization</i>	1,919	
% of investment in IDP programs within the local budget	0.16%	0.11%

Source: PIU of Bogotá, 2004; PIU of Antioquia, 2006

In the case of Santa Marta, there is no specific budgetary allocation for IDP assistance. The population is covered by the same programs that assist vulnerable people. Therefore, there is no specific allocation from city hall for this program.



### **3. Conclusions. Local Public Policies for IDPs: An Analysis of the Case Studies**

The difficulties of designing and implementing public policy for IDPs at the local level are diverse. They include structural problems within the Colombian State, lack of political will among both the National Government and the territorial institutions, poor design of some of the components of the policies, inadequate implementation of the policies, and incomplete information as a result of problems in the Unique Registration System for IDPs. Additional difficulties include the interference of armed groups in some regions, the diversity of the local contexts, and the weakness of social organizations, which are identified and analyzed in the following paragraphs. It is important to note that the conclusions that are presented below are based on case studies from four regions. Consequently, they cannot be generalized to all regions of the country. Nevertheless, it is possible that many of the conclusions also apply to other regions.

*Structural problems within the Colombian State.* The analysis of Colombia's IDP policies should begin with an analysis of the structural problems of the State in Colombia, which has a system that results from an incomplete decentralization process, which consequently leaves weak Colombian institutions and a limited availability of state services. All these aspects are simultaneously related to the conflict, meaning they are both cause and consequence of the conflict that Colombia has lived through over the past 40 years. IDP policies are linked to the structure of the Colombian state and are not immune to its usual problems. First, decentralization in Colombia was based on a mere breaking-up of administrative tasks and assigning administrative functions that had previously been carried out by the national government to the territorial institutions. Administrative functions such as the establishment of education and health services were transferred to the territorial institutions along with their corresponding budgetary allocations. Furthermore, territorial institutions were not to execute their administrative functions unless they were accompanied by corresponding budgetary allocations. On the other hand, the priorities for investment of these funds and the percentage of allocation for each area of investment are defined by the national government through laws approved by the Congress of the Republic. This means that the municipalities lack any room to maneuver or rearrange investment priorities for resources transferred by the national government, which leaves them to simply implement policies designed by the national government.

The previous problems are aggravated by the fact that, in the case of IDP programs, no additional resources are transferred to comply with the new provisions. The policies and programs for IDPs are defined by various national government institutions and are discussed and approved in the National Council of Integrated Attention for IDPs. The territorial institutions do not participate in the National Council and are not consulted on the political, technical or budgetary viability of the programs designed. This means that the national government defines the policies for IDPs, delegates responsibility to the territorial institutions and orders their compliance. However, as opposed to health and education programs which are carried out by the territorial institutions, the policies for IDPs are never accompanied by additional funds to execute them. Therefore, the national government designs policies and, in some way, alters the spending priorities for the territorial institutions, without adding budgetary resources. This situation directly implies a sacrifice of policies and priorities for the native population in favor of IDPs.

IDP policies are thus structured within a process of incomplete decentralization where the role of the national government predominates and the discretion of the territorial institutions remains scarce. The previous problems require, therefore, a modification of the structure of decentralization that would be very difficult to redesign in regard to IDP policies.

In addition to this incomplete decentralization, inadequate services available from institutions in many municipalities of the country limit the effectiveness of policies for IDPs. Again, the difficulty of implementing a policy designed by the national government given the inadequacies of municipal institutional services is not exclusive to IDP policies. It is true for all state policies. In the case of IDPs, this means that registration in the RUPD is only a first step in having access to public social services that are already of limited availability and low quality, services that are also available at the same level of quality and quantity to the poor population in the municipalities. As with the decentralized structure, the low level of institutional services is a structural problem of the Colombian state that IDP policies cannot address in the short to medium term.

*Lack of political will by the national government and the territorial institutions.*

The lack of political will of some national and local institutions is one of the main obstacles to the adoption of a special public policy to assist IDPs. Noteworthy also is the lack of political will among many national institutions to do so. Although the national government has developed complete legislation on this topic, its implementation has been slow and has concentrated on certain types of assistance, leaving aside other assistance that is fundamental to reaching durable solutions. Given that Acción Social is the institution responsible only for coordinating but not implementing IDP policies, the application of these policies by the national government has been slow and dependent on the political will of each one of its ministries. As a consequence, institutions that do not require any additional capacity or a re-designing of special programs for IDPs have achieved high rates of coverage among their programs as has been demonstrated with educational assistance, health services and the recent expansion of the *Familias En Acción* program. Despite the importance of these three programs, none of the three constitutes a lasting solution that would allow IDPs to return to the level of productive capacity they had attained before displacement. On the contrary, the marked emphasis on these three programs is generating a high level of IDP dependence on public assistance.

On the other hand, programs for asset restitution, land allocation, income generation, housing subsidies, and the reparation and compensation processes under the Justice and Peace Law all display low coverage indices and very slow pace of implementation. All of these programs require additional financial resources, improved capacity and/or the design of specialized programs. In general, they require greater effort and commitment on the part of the national government, effort and commitment that up to now have been quite weak. By expanding programs designed for poor populations to cover IDPs and citing some statistics indicating relatively acceptable levels of coverage for IDPs, the national government has managed to hide its lack of political will for adopting lasting structural solutions that will significantly mitigate the impacts of displacement. It is noteworthy, furthermore, that this lack of structural solutions springs from the national government and not from the territorial institutions whose functions, according to the

design of the legislation, are concentrated in greater measure on short term social assistance.

The political will on the part of territorial institutions is, likewise, fundamental to the design and adoption of policies for IDPs at the local level. The incentives established by the national government and pressures from the Constitutional Court are not sufficient to oblige municipal mayors to assume their responsibilities related to IDPs, if they do not have the solid political will to adopt them. Given that there is not a consolidated state policy to assist IDPs, the services are thus at the discretion of the mayor. Even worse, the Ministry of Justice and the Interior, the national institutions responsible for the coordination and monitoring of local authorities regarding displacement, reflect little commitment *vis-à-vis* the issue of forced displacement; only after much pressure from the Constitutional Court, did they create a support and monitoring group in order to oversee these local authorities.

There are few political incentives for local leaders to assist IDPs, which is clearly linked to the low political will that exists. On the one hand, IDP organizations are weak and are permeated by the corruption and interests of their leaders (discussed below). Furthermore, IDPs are not organized to participate in national politics because they have high geographical mobility and their interest in participating in local elections is quite low. These characteristics imply that IDPs are not an attractive group for local politicians, and do not generate votes in the electoral process. Politicians prefer, therefore, to concentrate on their potential electorate, i.e. on the native population, and not to dedicate their efforts to a population with little potential for political participation.

On the other hand, in many municipalities with high level reception of IDPs, there is also a high penetration of illegally armed groups into local authorities and great interference in the electoral process. Contaminating the electoral process and distorting political competition, the presence of these armed groups eliminates the traditional incentives of politicians to win votes from their potential electorate, since illegal armed groups buy votes and intimidate the population so that they will support their preferred candidate.

While the national government has designed programs with co-financing as a strategy to encourage participation of the local authorities, these incentives do not seem to be sufficient to attract the participation of municipalities when the mayor lacks political will to co-finance or cannot procure sufficient resources to complement those from the national government. Although legislation stipulates that three quarters of the resources for programs for IDPs should originate from the national government, in reality this rarely happens, or the resources of the National Government are not allocated through the municipal authorities but through agreements with private implementing agencies (for example, CHF, PHR, IOM, and different NGOs). Therefore, these resources constitute no political incentive for Municipal Mayors.

As a result, IDP policies and programs depend on the political will of the government at the municipal level and their implementation hinges on the will of the local mayor. This means that elections and changes in local authorities cause timing gaps in the implementation of IDP programs or, worse yet, interruptions of programs during the tenure of a particular mayor. Nevertheless, in the cases of Bogotá, Medellín, and the

department of Antioquia, it was found that, once an official public policy is defined and regulated in the local legislative process, policies for IDPs take on a life of their own and become policies of State that transcend the elected local official.

*Poor design of certain components of the IDP policy.*

The conception and design of IDP policies have left gaps and weaknesses that create obstacles to their effective implementation at the local level. First, displacement is a humanitarian emergency, not only for the direct victims of the phenomenon, but also for those municipalities that have provided refuge to what now amounts to one fifth of their population over the past five years. Given that it is a humanitarian emergency, municipalities should not be expected to provide assistance for IDPs from their regular budgets. These budgets are in many cases already too meager to cover the regular needs of the community, have funds previously allocated to ongoing programs in municipalities and are clearly insufficient to cover the massive influxes of IDPs that municipalities are currently receiving. It is important for the national government to consider the possibility of designing a compensation fund to allocate resources to municipalities with high indices of displacement pressures.

Despite the existence of legislation for assisting IDPs that is quite comprehensive in Colombia, its mandates are in some ways unrealistic given the limited budgetary and institutional capacity of certain municipalities. It is thus worth asking, if municipalities are tasked with responsibilities that they cannot achieve, is this not in a way a tacit acknowledgement of the impossibility of designing effective policies.

Second, the responsibilities of the territorial institutions, as defined in Colombian legislation such as Declaration T-025 and the subsequent resolutions are quite diffuse. Although the constitutional principles are clearly defined, the details of how to apply them, the policy mechanisms necessary to attain them, the minimum funds that will be required, the assistance goals, the monitoring indicators, as well as the compliance mechanisms are not contemplated or stipulated in the legislation. This means that territorial institutions can comply with the legislation for IDPs with a minimum effort, since that compliance is not measured by any minimum assistance objectives. As such the Unique Integral Plans, the main planning tool for local authorities, have become in some cases a list of good intentions that do not translate into real budgetary allocations and do not incorporate minimum objectives for assistance or monitoring indicators. Furthermore, by not incorporating the PIU into the Municipal Development Plan, which is the main strategic and spending plan for the municipalities, the PIU remains completely untied to broader social policies for the municipalities. The multiple responsibilities of the local authorities as laid out in the legislative framework allow mayors to neglect the needs of IDPs and to concentrate their attention on the needs of the native inhabitants without major consequences.

Third, preferential treatment of IDPs generates incentives for the poor population, in certain municipalities, to try to register as IDPs. Particularly, in the municipalities with higher poverty rates and with limited institutional services, the incentives to register as an IDP are high. In Santa Marta, for example, it was predicted that there would be clashes between the IDP and poor populations due to the concentration of resources being provided for the former group. Nevertheless, the clashes never came about and now poor populations try to copy IDPs and to register in the RUPD to receive its benefits. Given the emphasis on welfare assistance, these incentives will continue. This

creates a problem for local authorities as it generates a growing flow of people in need of such special programs and the decision to register a household in the RUPD is at the discretion of the national authorities.

Fourth, some mayors are afraid that the incentives generated by IDP policies may attract new IDPs to the municipality. This fear is in certain cases groundless, since it depends on the context and local dynamics of the municipality. In Medellín and the department of Antioquia, regions where a relatively solid IDP policy have been implemented, the local authorities do not perceive that this has attracted any more displaced persons. On the other hand, in Santa Marta, a municipality lacking a well-functioning IDP policy and with serious structural problems to support its overall population, they have witnessed fake displaced persons, arriving from neighboring municipalities.

Fifth, the national government does not have the mechanisms to enforce compliance with the national IDP legislation. On the one hand, Acción Social, head of the National System of Integral Attention for IDPs, does not have the ability to give orders regarding implementation or to allocate budgets accordingly. On the other hand, the Ministry of Justice and the Interior, responsible for relations with the territorial institutions, has shown little commitment on IDPs. Although as a consequence of the pressure from the Constitutional Court it created a group to monitor compliance, the group is small, has limited decision making power, and does not have sufficient knowledge on the topic of forced displacement. As well, the Interior Ministry is not responsible for arranging formal coordination opportunities between local and national institutions. Finally, although Declaration T-025 has become an important coercive mechanism to oblige the national institutions to design special policies for IDPs and to commit, this commitment can be transitory, since it depends on the will of the current Constitutional Court where some of its members may be quickly replaced with people connected with the Government, thereby diminishing current pressure to respond to internal displacement.

*Deficient implementation of the policies at the local and national levels.*

Beside the problems in the design of IDP policies described above, their implementation by national institutions and local authorities presents deficiencies that are another obstacle to providing proper assistance to IDPs. As discussed in previous paragraphs, some programs that have been designed directly by the national government have not been implemented or have been implemented in an incomplete manner. The programs with the lowest coverage are those that are fundamental for IDPs to be able to return to a productive state and to live on their own, without the need to resort to public assistance. That is to say, these are the programs needed to guarantee the rights and the dignity of IDPs. Land restitution, the provision of credit, income generation projects and improved security conditions are some of these important programs. Concentrating efforts exclusively on assistance programs and not on programs to overcome poverty, the national government is generating a high level of dependence on the state among the IDP population and creating a poor population with a high probability of remaining in poverty. In the long run this causes problems for the receiving municipalities that may have a high percentage of its population already facing systemic poverty.

Welfare-based assistance has also created incentives for the rise of negative leadership among IDPs. Given that formal requests must be handed to state institutions in order to receive assistance, corrupt leaders are misinforming IDPs and requesting resources to

handle assistance that has no cost and that could be requested directly by IDP households.

The role of Acción Social in the municipalities is contradictory. On the one hand, Acción Social should support the municipalities in carrying out the PIU as well as to prompt cooperation agreements with local authorities. On the other hand, it should implement certain components of the policies for IDPs itself, such as providing emergency humanitarian assistance and other programs. There has been a partial or complete transfer of municipal responsibilities to Acción Social, which has created a vicious circle because the local authorities, seeing that Acción Social is replacing them in their duties, do not assume their responsibilities and defer the programs they should be implementing. This problem is aggravated by the lack of a systematic coordination policy with municipalities or any compliance mechanisms which allow Acción Social to oblige territorial institutions to assume their functions. Owing to the lack of formal coordination or compliance mechanisms, the local Acción Social offices depend on the good will of local politicians, their political affinity, the persuasive capacity of the Acción Social coordinators or the co-financing of projects. On the other hand, the local authorities perceive that the local Acción Social offices are significantly limited by a lack of resources and limited decision making capability. Furthermore, in the larger municipalities which have their own fiscal resources, the co-financing of projects is not attractive, as it represents only a small percentage of their regular investments in social programs.

*The problems of the Unique Registry for IDPs.*

The Unique Registration System for the Displaced Population (RUPD) is a fundamental planning tool for state institutions both at national and local levels. The registration quantifies the demand for state assistance on the part of IDPs and should transmit information about all of the assistance received by each displaced household, as well as whether the displacement condition has ended. The registration process, as designed, begins with the public statement which is received by Public Ministry officials and is then certified by national government officials. As a result, inclusion in the RUPD is at the discretion of the national government, but still has implications for subsequent budgetary distributions on the part of the local authorities. In addition, it is the national government which defines the indicators used to identify the point at which IDP households cease to be considered displaced. Therefore, the Government decides who is registered as an IDP in the RUPD and also who leaves the system.

Despite the importance of the RUPD as a planning tool, the registration process presents some significant deficiencies. On the one hand, the rate of under-registration in many municipalities is high. This means that the municipalities face a high level of uncertainty about the number of IDPs needing assistance and that they have a significant percentage of the population in conditions of extreme vulnerability without any type of public assistance. In addition, the national government has not designed a system to manage registration or participation in programs assisting IDPs. Consequently, the municipalities are identifying groups of households which receive multiple types of IDP assistance while other households have not even been registered and remain extremely vulnerable. Finally, the Government has not defined the criteria or indicators needed to establish when the condition of displacement ends. This implies that there are some households that continue to receive benefits from the state when they no longer require them, thereby overloading both local and national institutions.

Additionally, some cases of corruption have been noted among certain governmental officials who accept gifts to include IDPs or even to include poor non-IDPs in the RUPD. This implies that the municipalities are also assisting poor people who are not displaced, generating additional pressures on limited financial resources.

*High interference of armed groups in certain regions.*

As noted in previous paragraphs, many municipalities that receive large numbers of IDPs are located in high conflict zones and are permeated by violence, which complicates the implementation of IDP policies and contaminates the traditional electoral process. In some municipalities, the armed groups cooperate with the local authorities, which has two important implications. First, the electoral process is affected by the influence of weapons and intimidation, which reduces the importance of winning votes in the election based on public policies being proposed that might benefit both the poor and the IDPs. Second, IDPs are victims of the conflict and are in many cases, displaced by the same armed groups that exercise hegemony in the region. It is very likely as a result that the armed groups would remain opposed to policies and programs directed toward IDPs.

*Diversity of local contexts.*

Colombian legislation for IDPs is based on the premise that the conditions in the municipalities are homogeneous and, therefore, public policies should be equal in all regions. This situation is aggravated by the limited discretion granted to the regions in the design of the policies, with uniform policies at the national level and little room to maneuver or modify policies according to regional realities. Nevertheless, knowing the local context and being able to incorporate it in the design of policies for each municipality is fundamental to increasing the effectiveness of the policy. For example, some municipalities have received a high number of IDPs in comparison with their native population. This overwhelms their financial and institutional capacity. It is important to design a reimbursement fund for the municipalities with very high indices of displacement pressures.

Likewise, the technical and institutional capacity of the municipalities plays an extremely important role in the decision to design a public policy to assist IDPs and in the quality of implementation of such a policy. In certain municipalities, officials are assigned to work with IDPs even when they have little capacity and, especially, when they have little or even no decision making power. Furthermore, a high rotation of local officials persists, which affects the efficiency of IDP policies since few people know about the issue of displacement, the obligations of territorial institutions, or how they should assist the victims of the conflict. Though the national government says it carries out frequent training, capacity is usually lost due to personnel turnover. This delays the delivery of assistance to IDPs. In Medellín it turned out that it was more efficient to assign the responsibility for IDP assistance to a department that was already related to the issue of IDPs. Assigning this responsibility contributed to redefining the local public policy for IDPs, helping to transcend changes in local authorities, that is to say, it contributed to creating an independent governmental policy, free from political influence.

*Importance of social organizations.*

The importance of social organizations, non-governmental organizations, and organizations for IDPs, should not be ignored. In Bogotá, Medellín, and Antioquia, social organizations were fundamental to exerting pressure for the design of special policies for IDPs, contributing to their design, and providing the necessary information and legitimacy that the process required.

Despite the importance of the social organizations in this process, problems have arisen from the lack of knowledge among IDPs about their rights as a result of corruption of certain IDP leaders and of co-optation by some organizations. IDPs and not generally politically active or have little, if any knowledge of their rights. This means that in some regions the pressure on local authorities to carry out their work is minimal. This facilitates the rise of corrupt leaders within the IDP community who take advantage of their vulnerability. The corruption of certain displaced leaders, driven by the reasons mentioned in previous paragraphs, has weakened IDP social organizations, has reduced their credibility with local authorities, and has increased the distrust of public officials towards IDPs. The situation has been made worse by the growing number of poor people trying to register themselves as IDPs. Besides the corruption IDP organizations have faced, some organizations have been co-opted by weak projects. Likewise, assassinations of leaders and the violence to which they have been exposed have diminished their ability to act.

It is necessary to strengthen good IDP organizations, to promote the positive role they have played in many municipalities and in the roundtables promoted by the national government. Despite their importance, there is no explicit program to strengthen social organizations for IDPs. An interesting example has arisen with the new leadership promoted by the *Familias en Acción* program. The program, by requiring the appointment of female leaders (mothers) to carry out administrative issues, has generated new leadership that has transcended their administrative functions.

In synthesis, the weak implementation of special policies for IDPs in the local environment is more complex than a simple lack of political will. The design of the current legislation on this front is deficient and often ignores the structural inefficiencies of the Colombian state, as well as regional realities. To promote better policies from municipal governments, it is necessary to design a national policy that starts with the recognition of forced displacement as a humanitarian emergency and recognizes differing regional contexts. It would imply a deviation from the traditional programs of administrative decentralization, in which functions are delegated, a budget is allocated, and little room is left for local governments to maneuver. The policies should create a Reimbursement Fund that assigns resources to municipalities according to the total influx of IDPs and to its relative effect as compared to the native population. Such reimbursement funds should be accompanied by coverage objectives and monitoring indicators.

On the other hand, there is a pressing need for the national government to assume its responsibility to foster programs that provide lasting solutions for IDPs. If it continues to concentrate its policies on welfare assistance, little will change regarding the conditions of IDPs. This means that the pressure on municipalities from the growing magnitude of their poor population will perpetuate itself in the long run.



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## Annex 1

Table A1

### Laws and Decrees related to forced displacement

Legislation	Disposition
<b>Law 1152 of 2007</b> Rural Development Statute	<ul style="list-style-type: none"> <li>a) Establishes the redistribution and transfer of land entered into the patrimony of the state</li> <li>b) Orients the allocation of land for the peasants without land, to IDPs, or to ethnic groups among others.</li> <li>c) Coordinates access to land subsidies for beneficiaries of social programs in favor of the IDP population</li> <li>d) Establishes and operates a program that receives rural IDP land, in exchange for the delivery of other land of similar characteristics in other areas of the country</li> </ul>
<b>Law 812 of 2003</b>	<ul style="list-style-type: none"> <li>a) The Early Warning System(SAT) is strengthened</li> <li>b) Orders the implementation of a pilot program with the purpose of promoting the return of nearly 30 thousand rural families to their homes.</li> </ul>
<b>Law 589 of 2000</b>	Characterizes the crimes of genocide, forced disappearance, forced displacement and torture.
<b>Ley 387 de 1997</b>	<ul style="list-style-type: none"> <li>a) Establishes the definition of the displaced population and identifies their rights.</li> <li>b) Defines the responsibilities of the state to IDPs.</li> <li>c) Creates the SNAIPD and establishes its functions and composition.</li> <li>d) Creates the National Council for Integrated Attention to the Population Displaced by Violence.</li> <li>e) Creates departmental, local, and municipal Committees for the Integrated Attention to the Population Displaced by Violence.</li> <li>f) Designs a National Plan for the Integrated Attention to the Population Displaced by Violence.</li> <li>g) Assigns the RSS (later to become Acción Social) as head of the SNAIPD.</li> <li>h) Creates the Internal Displacement Observatory .</li> <li>i) Defines policies for the prevention of displacement.</li> <li>j) Defines policies for Emergency Humanitarian Assistance (EHA) (for 3 months extendable for an additional 3 months).</li> <li>k) Defines the conditions for return and of socio-economic stability.</li> <li>l) Assigns to Incora the alienation, adjudication and deeding of lands, in the zones of expulsion and of reception for the affected population.</li> <li>m) Establishes that the General System of Social</li> </ul>

	<p>Security in Health will implement prompt mechanisms so that the IDP can access complete medical, surgical, dental, psychological, hospitalization and rehabilitation support according to the Law 100 of 1993.</p> <p>n) Details the institutions responsible for the different assistance programs IDPs.</p> <p>o) Establishes the National Fund for Integrated Attention to the Population Displaced by the Violence whose budget should come from the national government and should be handled by the RSS.</p>
<b>Decree 1660 of 2007</b>	<p>a) Regulates article 19 of the Law 387 of 1997, in relation to the exchange of IDP lands</p> <p>b) When a displaced person with rural property chooses to be relocated to another zone, the Colombian Institute of Rural Development, Incoder, receives his land in title of exchange, and delivers the IDP a piece of land located in the rural sector which complies with security requirements. The rules established for this process are:</p> <ul style="list-style-type: none"> <li>a. When the rural property abandoned constitutes a “Family Agricultural Unit,” UAF, Incoder will receive it and another UAF will deliver it.</li> <li>b. When the rural property abandoned constitutes more than one “Family Agricultural Unit,” Incoder will deliver a UAF as a title of exchange and above the surplus will be able to advance the process of land acquisition</li> <li>c. When the abandoned rural property constitutes less than a Family Agricultural Unit, they will be eligible for an integrated subsidy</li> <li>d. In none of the previous cases, will Incoder deliver less than one UAF</li> </ul>
<b>Decree 4760 of 2005</b>	<p>a) Regulates the Law 975 of 2005.</p> <p>b) In order to exercise rights as victim of the armed conflict the displacement condition should be certified as such; this will be recognized by the judicial authority.</p>

<p><b>Decree 250 of 2005</b> National Plan for Integrated attention for the population displaced by violence</p>	<p>a) The institutions of the SNAIPD should assign specific resources for assistance for IDPs.  b) Defines the governmental policies for each one of the phases of service:  i) Prevention and protection.  ii) Humanitarian Assistance for IDPs in emergency situations.  iv) Socioeconomic Stabilization.  c) The RSS and the DNP will define sector indicators of needs satisfaction to establish if the displaced family has reached socioeconomic stabilization and consequently ceases the condition of displacement.  d) National Bureaus for each intervention phase are established as well as a Bureaus for strengthening the organizing process.  e) The National Council of Attention to IDPs should meet twice a year to evaluate the results and coverage of the Plan. To facilitate the evaluation, the SNAIPD has designed monitoring protocols.</p>
<p><b>Decree 2284 of 2003</b> Health Care (modifies Decree 2131 of 2003)</p>	<p>The initial Emergency Services should be provided for IDPs, independent of their capacity to pay, as an obligation on the part of public or private institutions that provide health services, even when the person has not completed his/her inscription in the Unique Registration System Displaced Population</p>
<p><b>Decree 2131 of 2003</b> Health Services</p>	<p>a) The IDP affiliated with the contributory system, whether subsidized or exceptional, will be serviced according to the rules, coverage, limitations, and benefits established for the respective state to which they belong.  b) To receive health services under the legally established coverage, IDPs should be registered in the SUR.  c) Initial urgent care will be underwritten for the IDP whether or not it has been recorded in the SUR.  d) The health services lent by the receiving territorial entity will be financed by resources from the General Health Participation System assigned to provide health services to the poor population, and it should not cover it with demand subsidies and/or with their own discretionary resources.</p>
<p><b>Decree 2007 of 2001</b> Protection of patrimonial goods</p>	<p>a) Stipulates that the Municipal, Local or Departmental Committee of Integrated Attention to the IDP should declare the likelihood or risk level of displacement in an area as a result of violence, so as to identify and protect the owners, possessors, holders and occupants, located within the respective displacement zone.</p>

	<p>b) Incoder will initiate the programs and special procedures of delineation, adjudication and deeding of lands, in the zones of eventual expulsion, within 30 subsequent days to the date on which the Committees communicate the act that declares the likelihood of displacement risk in any specific region, as a strategic form of prevention.</p> <p>c) Other actions of Incoder are established for stabilization and socio-economic consolidation of IDPs. For example, they will designate land in receiving municipalities for provisional use by displaced groups. In the same way, they will be able to provisionally deliver to the IDP, land received by Incoder as a result of the processes of termination of ownership.</p> <p>d) In the event of IDP return to an uncultivated piece of land he/she will automatically accumulate the time of displacement along with the real time of occupation and cultivation of the land.</p> <p>e) When the IDPs opt for rural relocation, Incoder will receive the real estate that they abandoned as a result of violence, applying its value to the total or partial payment of UAF that is deemed fair. Incoder will receive the land and will provide them a UAF(with different alternatives depending on the value of the UAF owned) located in a zone with the conditions necessary for the relocation of the IDP.</p>
<p><b>Decree 2562 of 2001</b> Education</p>	<p>a) Education at the preschool, elementary and middle school levels is guaranteed, wherever the IDP is located, whether in the humanitarian assistance or return/relocation phase.</p> <p>b) Assistance provided will be recorded in the SUR.</p> <p>c) The Social Solidarity Network (RSS) and the Municipal, Local, and Departmental Education Offices, will initiate the creation of cooperatives that provide educational services to IDPs.</p> <p>d) Temporary facilities will be created wherever possible to develop emergency educational programs for the school aged population, where security and healthy conditions will be guaranteed.</p>
<p><b>Decree 951 of 2001</b> Housing subsidies</p>	<p>a) The IDP (recorded in the SUR) has the right to family housing subsidies</p> <p>b) Subsidies will be offered by the Inurbe (urban) and the Agrarian Bank (rural).</p> <p>c) The state will promote the voluntary return of families to the municipality of origin, whenever the conditions of law and order permit, according to the pronouncement of the Committee for the Integrated Attention for IDPs.</p> <p>d) When the conditions of security do not permit safe</p>

	<p>and voluntary return, the relocation of IDP homes to different municipalities will be facilitated.</p> <p>e) Formulation of a Zonal Action Plan (PAZ) with the participation of the displaced population. This would define a strategy for the application of the Family Housing Subsidy.</p>
<p><b>Decree 2569 of 2000</b> Regulation of Law 387 of 1997</p>	<p>This decree regulates (3 years later) the majority of the dispositions of Law 387:</p> <ul style="list-style-type: none"> <li>a) Decrees that the RSS is the coordinating body of the SNAIPD and explains its obligations.</li> <li>b) Defines the condition of the displaced person.</li> <li>c) Explains the cessation of the condition of displacement</li> <li>d) Creates the SUR and gives responsibility to the RSS for the program.</li> <li>e) Regulates the EHA and constrains it depending on availability of funds.</li> <li>f) Establishes socioeconomic stabilization programs, especially access to education, health, nutrition, housing and land.</li> <li>g) Provides support from the government for the process of voluntary return.</li> <li>h) Creates the departmental, local, and municipal Committees for integrated assistance to IDPs. Notes their characteristics and functions.</li> </ul>
<p><b>Decree 489 of 1999</b> Assigns functions to the RSS</p>	<p>Assigns the RSS the activities and functions that were previously the responsibility of the Presidential Council for Assistance to <i>IDPs</i>.</p>
<p><b>Decree 290 of 1999</b> IDP Documentation</p>	<p>Establishes the right of inscription into the Civil Registry and the right of the IDP to documentation.</p>
<p><b>Decree 501 of 1998</b> Creation of the National Fund for Integrated Attention</p>	<ul style="list-style-type: none"> <li>a) Creates the National Fund for Integrated Attention to the Population Displaced by Violence.</li> <li>b) The objectives of the Fund are: <ul style="list-style-type: none"> <li>i. to finance programs to neutralize and mitigate the effects of displacement;</li> <li>ii. to promote and protect human rights; and</li> <li>iii. to consolidate the National Information Network.</li> </ul> </li> </ul>
<p><b>Decree 173 of 1998</b> Creation of a National Plan of Integrated Services for <i>IDPs</i></p>	<p>Creates the National Plan of Integrated Attention for IDPs.</p>
<p><b>Decree 2231 of 1989</b> Education</p>	<p>Establishes educational benefits to support the families of victims of violence; for example, they are given priority in matriculation and total exoneration from payment of fees and tuition.</p>

## Annex 2

Table A2

### Responsibilities of the institutions providing assistance to IDPs

Governmental Body	Responsibility
<b>Incoder</b>	<p>1. Adopting programs and special procedures for the delineation, adjudication and deeding of land, in the zones of expulsion and reception for the affected population.</p> <p>2. Adopting special lines of credit, giving priority to IDPs.</p> <p>3. Handling registration of rural lands abandoned by populations displaced by violence.</p> <p>4. Informing the pertinent authorities so that they proceed to impede any action to appropriate or transfer title of these properties.</p> <p>5. Establishing a program that permits exchange of lands formerly owned by IDPs for other lands of similar characteristics in other areas of the country.</p> <p>6. Promoting, facilitating and developing programs to promote income generation in the rural environment that envisage pre-investment, investment and post-investment activities.</p> <p><b>With assistance from the Agricultural and Rural Development Ministry and Acción Social (RSS):</b></p> <p>1. Providing the make-up, expansion and clean-up of ethnic territories in favor of the black and native communities and promoting the goal of the ownership process for black communities.</p> <p>2. Carrying out an inventory and analysis of the “transitional” lands to verify their state and to rearrange quotas.</p> <p>3. Promoting development that makes it improper to terminate ownership of real estate property that has been abandoned due to forced displacement.</p> <p>4. Providing disclosure and training activities to communities, officials and IDP Assistance Committees in the application of the Decree 2007 of 2001.</p>
<b>Farming &amp; Ranching Guarantee Fund</b>	<p>1. Provide a guarantee of 100% to all credits for productive enterprises for IDPs.</p>
<b>Agricultural Ministry and Rural Development</b>	<p>1. Designing and executing programs for services and consolidation of socioeconomic stabilization for IDPs.</p> <p>2. Offering technical support to the territorial bodies, for the formulation, presentation and implementation of social interest housing projects.</p>



<b>Bancoldex</b>	<ol style="list-style-type: none"> <li>1. Offering special lines of credit with grace periods, interest rates, guarantees and repayment periods for the development of IDP micro-businesses and productive enterprises.</li> <li>2. Promoting, facilitating and developing the fostering of programs for income generation in the urban environment, that contemplate: <ol style="list-style-type: none"> <li>a. Pre-investment activities</li> <li>b. Investment Activities</li> <li>c. Post-Investment Activities</li> </ol> </li> <li>3. Initiating income generation programs and encouraging financing through public and private financial institutions, with the support of the local authorities.</li> </ol>
<b>Social Security and Health System</b>	<ol style="list-style-type: none"> <li>1. Implementing expedited mechanisms so that IDPs can access integrated medical support, surgical or dental care, psychological care, hospitalization and/or rehabilitation.</li> </ol>
<b>Acción Social (previously RSS)</b>	<ol style="list-style-type: none"> <li>1. Coordinating the SNAIPD.</li> <li>2. Orienting and training the members of the System on the declaration and statement procedures.</li> <li>3. Establishing, inputting data, and maintaining the RUPD.</li> <li>4. Promoting among the state bodies that compose the SNAIPD the design and the elaboration of programs and projects for IDPs.</li> <li>5. Designing and executing the strategic plan for the management of internal displacement.</li> <li>6. Determining the economic and social indicators that permit monitoring and evaluation of IDP assistance programs and the performance of the institutions that are a part of the SNAIPD.</li> <li>7. Promoting and coordinating willingness on the part of the national authorities to offer prompt EHA, protection, and conditions of stabilization and consolidation for IDPs.</li> <li>8. Promoting the creation of departmental, local, and municipal Committees for Integrated Attention to the Population Displaced by the Violence and to attend the sessions of the Committees to coordinate implementation of activities and/or to lend technical support.</li> <li>9. Aid the coordination among local, departmental, national authorities and the police for the implementation of the political, legal, economic, social, and security measures that are adopted by the National Government to prevent and overcome displacement.</li> <li>10. Coordinating the adoption of measures to</li> </ol>

	<p>enable the voluntary return to the zone of origin or the relocation of IDPs.</p> <p>11. Promoting the establishment of a national network for integrated emergency humanitarian assistance with private and public institutions, to be made up of mobile units for emergency lodging, transitory lodging and assistance and orientation centers in medium and large cities.</p> <p>12. Offering basic nutritional support, for the purpose of alleviating the food needs of the affected population.</p> <p>13. Adopting measures to reduce the vulnerability of the at-risk population, to expand the coverage of basic services and to include IDPs in health, education, and shelter programs.</p> <p>14. Prioritizing the implementation of the Eating Safety Net Program (RESA) to prompt projects of food production for personal use, in order to stimulate their permanence in rural areas.</p> <p>15. Coordinating the National Bureau of Emergency Humanitarian Assistance</p> <p>16. Food and non-food support:</p> <ul style="list-style-type: none"> <li>a) Food support and temporary shelter to homes in situations of extreme urgency, and assistance in cases of massive displacement.</li> <li>b) Humanitarian Assistance for IDPs included in the Unique Registration System for the Displaced Population.</li> </ul> <p>17. Strengthening the territorial capacity to respond to emergencies with the aid of the ICBF and the Department of Social Protection. Support for this phase will come from the Public Defender and Ministry of Defense.</p> <p>18. Attention to the welfare of the family, with the aid from the Department of Social Protection, ICBF, Department of Education, and respective authorities: Promoting programs for the most vulnerable population, offering special attention to the most affected children and promoting participation in artistic activities that contribute to their psychological development.</p> <p>19. Implement habitat preparation programs through rapid impact interventions.</p>
<p><b>Colombian Institute for Family Welfare</b></p>	<ul style="list-style-type: none"> <li>1. Prioritizing programs for nursing children, under age children, especially orphans, and to the family groups, linking them to the family social assistance project in IDP settlement areas.</li> <li>2. Food and non-food support</li> </ul>

<b>National System of Cofinancing</b>	<ol style="list-style-type: none"> <li>1. Giving preferential attention to the territorial institutions that request co-financing for various projects to assist IDPs.</li> </ol>
<b>Territorial Institutions</b>	<ol style="list-style-type: none"> <li>1. Developing special educational assistance programs for IDPs</li> <li>2. Using program resources to subsidize the continued basic education provision in the Social Investment Fund (FIS)</li> <li>3. Carrying out assessment trips in order to coordinate and to apply efficient solutions to the needs of populations in high-risk zones.</li> <li>4. Food and non-food support</li> <li>5. Benefiting IDPs giving priority to interventions included in the Plan of Basic Attention (PAB)</li> <li>6. Improving the infrastructure of public health institutions located in places of return or relocation.</li> </ol>
<b>Ministry of National Education and Departmental, Municipal, and District Secretaries of Education</b>	<ol style="list-style-type: none"> <li>1. They will adopt special educational programs for the victims of displacement caused by violence.</li> <li>2. Expanding coverage of education by allocating more quotas in the educational institutions.</li> <li>3. Implementing flexible educational models for youngest displaced children.</li> <li>4. Strengthening educational services in areas of IDP return and relocation.</li> <li>5. Improving the quality of education through the development of educational training plans and programs.</li> <li>6. Promoting the construction, repair and adaptation of physical infrastructure and increase in educational staff that service younger displaced children.</li> </ol>
<b>SENA</b>	<ol style="list-style-type: none"> <li>1. Giving priority and facilitating access for youth and young adults displaced by violence, to educational and technical training programs.</li> <li>2. Creating groupings according to vocation, experience, expectations and abilities of the population in order to adapt and develop training and re-qualification in rural or urban environments.</li> <li>3. Promoting training processes in the economy directed for the returning or relocating IDP population that wishes to engage in productive activities.</li> </ol>
<b>Public Defender's Office</b>	<ol style="list-style-type: none"> <li>1. Designing and executing communication and promotion programs on the norms of International Humanitarian Law.</li> <li>2. Coordinating the Early Warning System</li> </ol>

	<p>(SAT)..</p> <ol style="list-style-type: none"> <li>3. Distributing existing legal instruments.</li> <li>4. Observing whether the process of return complies with the principles of voluntariness, dignity and security.</li> </ol>
<b>National Television Commission</b>	<ol style="list-style-type: none"> <li>5. Designing and executing awareness-raising campaigns to prevent forced displacement on national television stations.</li> </ol>
<b>Fonvienda</b>	<ol style="list-style-type: none"> <li>1. Will develop special housing programs to meet the needs of the IDP population.</li> </ol>
<b>Public Ministry</b>	<ol style="list-style-type: none"> <li>1. Protecting and promoting Human Rights and International Humanitarian Law regarding IDPs.</li> <li>2. Ensuring strict compliance of the obligations assigned to each institution under the National Plan for Integrated Attention to IDPs.</li> <li>3. Recording the sworn statements of IDPs.</li> </ol>
<b>National Planning Department</b>	<ol style="list-style-type: none"> <li>1. Determining economic and social indicators that allow for monitoring and evaluation of IDP assistance programs and the performance of the institutions that make up the SNAIPD.</li> <li>2. Standardizing indicators for the monitoring of goals and commitments among the institutions of the SNAIPD.</li> <li>3. Ensuring an adequate allocation of resources from the national budget and through international cooperation mechanisms</li> </ol>
<b>Ministry of Defense, Interior and Justice Ministry, Vicepresidency of the Republic, Ministry of External Relations</b>	<ol style="list-style-type: none"> <li>1. Fortifying civil administration, promoting the exercise of human rights and legitimate governance of national and local authorities.</li> <li>2. Increasing the protection of Human Rights for communities at high risk of displacement, through the following components: <ul style="list-style-type: none"> <li>○ Special Presence of the State in focus zones</li> <li>○ Development of educational activities to prevent land mine accidents.</li> <li>○ Protection by means of civil or humanitarian actions to provide endorsement and visibility of the populations affected or at risk of displacement.</li> <li>○ Special protection actions for communities at risk.</li> </ul> </li> </ol>
<b>Ministry of Communications</b>	<ol style="list-style-type: none"> <li>1. Improving the processes, infrastructure and connectivity of rural areas for the institutions involved in emitting risk and response alerts to communities potentially affected by violence.</li> </ol>

<b>Inter Institutional Early Alert Committee (CIAT)</b>	<ol style="list-style-type: none"> <li>1. Designing protocols and action routes to coordinate preventive and protective measures according to institutional competence among the different governmental premises, of the state and the local administrations.</li> <li>2. Set mechanisms in motion to monitor the responses to situations of risk and vulnerability in the high risk zones.</li> </ol>
<b>National Bureau for Prevention</b>	<ol style="list-style-type: none"> <li>1. Carrying out actions to strengthen and legitimize the state and generate confidence between the community and the state.</li> <li>2. Supporting the development, coordination and monitoring of policies.</li> </ol>
<b>Ministry of Defense</b>	<ol style="list-style-type: none"> <li>1. Participating in inter-institutional activities during the voluntary processes of return or relocation, in order to protect the rights of the affected population.</li> </ol>
<b>Social Protection Ministry, and Health Department</b>	<ol style="list-style-type: none"> <li>1. Development of public health actions, basic sanitation practices and vigilance of public health in places of massive IDP settlement in order to prevent illnesses and to diminish risk factors.</li> </ol>
<b>National Information Network</b>	<ol style="list-style-type: none"> <li>1. Support monitoring strategies that take account of: development of and achievements made in regards to policy, plans and activities carried out by the SNAIPD; of the impact and coverage of attention to the IDP population; of the evolution of the vulnerable status of the homes during the assistance cycle; and of the effective exercise of their rights.</li> <li>2. Reporting statistics on the conduct of care offered by the institutions of SNAIPD.</li> </ol>