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Forced to flee : contemporary Colombian refugee migration & internal displacement

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Forced to Flee: Contemporary Colombian Refugee Migration & Internal Displacement

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The Major Research Paper is submitted
in partial fulfillment of the requirements for the
MA degree in Immigration and Settlement Studies

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Forced to Flee: Contemporary Colombian Refugee Migration & Internal Displacement

A major research paper presented to Ryerson University in partial fulfillment of the requirement for the degree of Master of Arts in Immigration and Settlement Studies

By: Tracy Vunderink

ABSTRACT

This paper examines the situation of forced migration in Colombia by identifying how profound inequalities, a lack of governmental authority, and a “crisis in national identity” have contributed to the emergence of armed irregular groups and the perpetuation of the civil conflict. The Colombian conflict which has last for more than forty years has perpetuated extreme criminal violence, grave human rights abuses and massive levels of population displacement. Determinants or “push factors” involved in Colombian internal displacement and asylum seeking are analyzed to draw similarities between these two experiences to further question the distinctions maintained between them in international law.

Key Words: Colombia, conflict, internal displacement, asylum seeking

Table of Contents

Introduction	p.1
Defining Forced Migration	p.3
Determinants in Colombian Forced Migration: A Historical Review	p.13
Persecution and Persons in Need of Protection	p.28
Colombian Refugees and Asylum Seekers	p.31
Internally Displaced Persons	p.34
Displaced Indigenous and Afro-Colombians	p.37
Sources of Threat Leading to Internal Displacement	p.40
Regions Affected by Internal Displacement	p.42
Displaced Populations: Assistance Programmes	p.45
Conclusion	p.47
Works Cited	p.49

List of Appendixes

Appendix 1: Armed Conflict-Affected Population	p.55
Appendix 2: CODHES Displacement 1985-2005	p.56
Appendix 3: Map of Colombia by States	p.57
Appendix 4: Asylum Applications Lodged By Colombians 1990-2003	p.58
Appendix 5: Colombian Asylum Claims Lodged in Non-Industrialized Countries 1999-2003	p.59
Appendix 6: Applications and Refugee Status Determination Of Colombians by Country of Asylum 2003	p.60
Appendix 7: Applications and Refugee Status Determination Of Colombians by Country of Asylum 2002	p.62
Appendix 8: Refugee Population from Colombia by Country Of Asylum 1990-2003	p.67

Introduction

There are 25.3 million people internally displaced around the world today. Internal displacement is a growing crisis worldwide. Internal displacement, according to the UNHCR, is “the most serious manifestation of the humanitarian crisis in Colombia” (Mar 2005:21). In fact Colombian internally displaced persons (IDPs) make up the vast majority of all IDPs in the Americas (Norwegian Refugee Council, Mar 2005:11-12). Over ten years ago the U.S Committee for Refugees stated that internal displacement due to political violence in Colombia “demands serious and international action” (1993:1). Colombia’s total population is approximately 45 million inhabitants (UNHCR, Mar 2005:4). Of this total population an estimated 2 to 3 million Colombians have been Internally displaced from 1986 to 2004 due to the armed conflict (UNHCR, Mar 2005:21). The UNHCR has also observed an increase in asylum seekers from Colombia to industrialized countries and other neighbouring countries in Latin America. In the last 5-7 years it is estimated that 300,000 to 1,000,000 Colombian asylum seekers have sought protection in Ecuador, Venezuela, and Panama alone. These figures indicate the growing regional expansion of Colombia’s civil conflict into bordering nations (Gottwald, 2004:544).

The Colombian conflict is producing serious levels of internal and external population displacement in Colombia. There are many determinants causing forced migration in Colombia, explicitly, pervasive persecution and violence employed against the civilian population. However, there is a complex confluence of factors underlying the Colombian conflict which remain unresolved. Several factors concerned are: severe historical inequalities and injustice, lack of state involvement in matters of justice, policing and territorial control in many areas of the country, and the socio-political fragmentation of the population, all of which demonstrate a

“crisis in identity” (Deng). Moreover the Colombian government’s effort to improve the situation of IDPS within its borders remains meager. UNHCR and other humanitarian organizations still play a minor role in aid to this population due to the lack of international mechanisms and law to protect IDPs. In order for the situation of IDPs to improve a host of national and international policies and issues must addressed.

In order to explore the context and process of forced migration in Colombia, this paper will examine the relationship between violence, persecution and population displacement in regards to Colombian asylum seekers and internally displaced persons. This paper will present the situation of Colombian asylum seekers and IDPs along side questions raised by researchers/organizations regarding tradition distinctions made between these two in order to question whether similar forces in Colombia are producing both displacements and indeed are only easily differentiated by international law. The amount of internally displaced persons living in increasingly perilous conditions is of striking significance due to Colombia’s poor socio-economic situation and worsening human rights record. Increasing numbers of persons seeking asylum abroad leads this paper to investigate the conditions which produce both internal displacement and external refugee flows.

While no forced migration researchers have endeavored to draw the conclusion that Colombian refugees could have been internal displaced before seeking asylum this paper presents a brief overview of secondary sources on the literature concerning forced migration and Colombia in an attempt to indicate parallels between in each subclass of forced migration. A brief introduction to forced migration and the Colombian conflict is included at the beginning of this paper to contextualize the subject matter and to identify the gaps in the literature on forced migration which shape this field of study as well as this paper. A historical synopsis of the

emergence of the armed conflict is provided to further examine the root causes of forced migration in Colombia and common factors that produce the forced migration of refugees and internally displaced persons. A more in depth analysis and discussion of why people are being displaced in Colombia, the locations they flee, and where they resettle. Similar aspects will be examined in regards to Colombian asylum seekers to highlight the nexus between violence, persecution, and population displacement which produce both IDPs and refugees. The paper concludes with final observations about forced migration in Colombia and suggestions on how to reduce numbers of persons displaced.

On a general level this essay fluctuates between a case study (focusing upon a particular country/phenomenon) and a secondary data analysis (use of existing data in order to investigate a research area distinct from the original work) (Heaton,1998:1). The secondary data analysis was used to bridge gaps in the literature on forced migration which treats internal displacement and asylum seeking as separate phenomenon. Within these two larger approaches this research essay employed a historical comparative strategy in its structure (Nueman,2004:296). The historical comparative method was the most appropriate approach to employ in order to investigate the contemporary socio-political situation in Colombia, specifically the armed conflict, through the lens of the past. By employing the historical comparative analysis it was possible to recognize how events and actions created specific domestic “push” factors that are involved in the processes of displacement which force individuals to relocate within Colombia or seek asylum abroad.

Defining Forced Migration

Following World War II and the immense refugee crisis in Europe the world began to see an increase in forced migration. The plight of European refugees caught the world’s attention to

such an extent that the UN created their own refugee agency, UNHCR, and drafted the Refugee Convention (Cohen,2000:86). The situation of other forced migrants, such as the internally displaced did not garner attention until the late 1980s. Cohen and Deng argue IDPs are still neglected due to their continued residence within their own country, thus leading Cohen and Deng to call them “the forsaken people” (1998:13). The reasons why they have been forsaken will be discussed later in this paper, what is of significance here is the growing worldwide concern for other types of forced migration in the last two decades.

Forced migration generally is a separate area of study and is differentiated from voluntary migration by researchers in this area (Schmeidl 1997, Loescher 2002, Castles 2003, Moore & Shellman 2004). Forced migration as opposed to “voluntary migration”, involves an element for force or duress which compels one to flee ones home, not to merely relocate for economic, educational or other reasons but from genuine fear of persecution. Turton argues, that forced migration “produces a distinctive experience and distinctive needs” yet it has not been the focus of intensive study as voluntary migration has been (2003:6). Turton’s argument regarding the distinctive experience has merit when we consider the following quotation by Loescher. “As a general rule, individuals and communities do not abandon their homes unless they are confronted with serious threats to their lives or liberty. Flight from one’s country is the ultimate survival strategy; it is employed when all other coping mechanisms have been exhausted.” (2002:46).

Martin defines forced migrants as “persons who flee or are obliged to leave their homes or places of habitual residence because of events threatening their lives or safety” (Turton,2003:12). Turton identifies refugees, forced resettlers, and internally displaced persons as “forced migrants”. Castles includes asylum seeking, internal displacement, development induced displacement, and the trafficking of people as additional forms of forced migration

(2003:15). As the numbers of IDPs and other forced migrants continue to grow, the number of refugees in flight has been decreasing since the 1990s. The global refugee trends demonstrated a clear increase from the 1970s until the 1990s. The number increased from 2.4 million refugees worldwide to 14.9 million by 1990 (Castles,2003:14). The decrease in total refugees worldwide was due to the growth of “internal conflicts and the growing inhospitality of refugee flows” (Cohen,2000:86). This growing inhospitality is reflected in measures enacted by developed countries aimed at the containment of refugees in their home countries or in the developing world. Paralleling such containment measures is a concurrent rise in persons who are internally displaced.

In basic terms, internally displaced persons (IDPs) are persons who have fled their homes due to a variety of factors. They are differentiated from refugees principally because they have not crossed an international border. The number of IDPs has grown from 1.2 million in 1982 to more than 20 million over a 15 year span. Internal displacement now affects over 40 countries worldwide (Cohen,2000:68). The IDP crisis is even graver than the refugee crisis due to “the principles of sovereignty, territorial integrity and non-interference in the internal affairs of states” (Cohen & Deng,1998:12). The majority of the world’s internally displaced persons (IDPs) are located in Africa (13.3 million of total 25.3 m.) however Colombia has the second largest amount of IDPs within its borders after Sudan (6 m.). The number of Colombian IDPs is disturbing because of the sheer volume, yet also because Colombian IDPs are the product of a 40 year old conflict which remains unresolved.

All Colombian IDPs are not product of a single event (i.e. a single massacre, etc.) and do not only represent a specific segment of the population. Colombian IDPs are a result of a long standing conflict that continues to force people to flee their homes everyday for the last twenty

years. When one compares the numbers of Colombian refugees and asylum seekers to other major refugee producing countries around the world such as Afghanistan the numbers are comparable yet have not reached the grave level other nations have (UNHCR, Jan 2002:3). There are 2,136,000 Afghani refugees and in comparison are 1,330,000 Colombian refugees around the world. What is significant about Colombia is the gradual increase in numbers of asylum seekers over the last five years, particularly to countries bordering Colombia. (UNHCR, Jun 2005:3). Why there are not more Colombian refugees and asylum seekers is actually very surprising considering the level and pervasiveness of violence in Colombia as well as the high number of internally displaced. The rise in Colombians seeking asylum appears to demonstrate that there is a growing number of persons fleeing Colombia instead of remaining within. A comparative analysis and discussion of Colombian asylum seekers and internally displaced persons as “sub-classes within a class of related phenomenon” i.e. forced migration, will ensue to determine whether the same factors are forcing people to relocate internally or flee abroad (Turton,2003:1).

The UNHCR cites the main cause of internal displacement in Colombia as “generalized fear among the population due to violence and the presence of irregular armed groups” (2005:22). While the preceding statement identifies a prevailing force that leads to displacement in Colombia it does not address the deeper issues percolating in Colombian society which have given rise and continue to sustain the armed conflict and the presence of irregular armed groups. This paper argues that it is a confluence of many historical socio-political factors which continue to produce the contemporary situation. The multifaceted fragmentation of Colombian society (politically, socially, racially and geographically) and the decreasing ability or unwillingness of

the state to maintain territorial control while maintaining a profound sense of inequality among its citizens coincides with what Francis Deng terms a “crisis of national identity” (Korn,1999:7).

While Deng visited IDP camps around the world, he noticed a “common denominator” underlying internal displacement. He identified this as a “crisis of national identity”. This crisis “generates cleavages between the affected population and the controlling authorities, governments, or insurgent groups” (Korn,1999:7). After listening to the experiences of many different IDPs, it became evident to Deng that the majority of the displaced persons he spoke with felt their government did not represent them either racially, linguistically, culturally or religiously; on a myriad of grounds, which led them to feel alienated. Conversely, governments experienced the same feelings of alienation, IDPs were perceived as different and threatening (Korn,1999:7). As Deng and Cohen remark, “Wars within states often reflect a crisis of national identity in a society. This occurs when a state becomes monopolized by and identified with the dominant group or groups to the exclusion or marginalization of other groups, which are thereby denied the protection and assistance that a state owes its citizens. The vacuum of responsibility created by this crisis calls for the involvement of the international community to provide alternative protection and assistance” (Cohen and Deng, 1998,2000:5).

The statement Deng is making regarding a crisis in national identity and feelings of alienation are connected to specific writing on ethnicity and race in Latin America. During colonialism, Kearney notes, Indigenous persons were deemed socially and culturally inferior throughout the Spanish colonies in Latin America. In contemporary Latin America, “they [Indigenous persons] are contained within states that emerged from the colonial context and are now controlled by non-indigenous peoples”. Moreover, “subsequent nation building project of the Latin American states ostensibly sought to create culturally homogenous national societies,

and in this process hundreds of local groups of indigenous peoples were either exterminated outright or assimilated culturally and biologically” (Kearney,1996:7-8). Even the World Bank concurs, stating “The genesis of current structures of inequality lies in Latin Americas colonial past, and in particular in the interactions between European colonists and subordinate populations” (Oct 2003:13)

Deng argues that identity is always a factor in internal displacement; he associates displacement with globally emerging concerns raised by identity politics. In his consideration of the root causes of conflict Deng argues that differences of identity do not cause conflict, it is the “consequences of those differences” which contribute to problems of power sharing, distribution of resources and opportunities, and the function of political leadership (Korn,1999:9). This paper concurs with the argument Deng is making and it further attempts to demonstrate through historical comparative analysis how issues of power sharing, distribution of resources and political leadership have produced the current situation in Colombia.

In this discussion of factors involved in civil conflicts and forced migration, we are led to the question, is there a tangible difference between refugees and internally displaced persons beyond their legal definitions? Richard Hollbrook, US ambassador to the United Nations, made a case in 2000 against the use of “bureaucratic euphemisms and acronyms”, that allow policy makers to overlook the situation of internally displaced persons. Hollbrook contended that “there is no meaningful difference between a refugee and someone who is internally displaced” (UNHCR,2000:282). On the most basic level, both refugees and IDPs have to make the choice to abandon their homes. According to Moore and Shellman, the decision to leave one’s home or country depends on “one’s expectations of victimization and socio-political opportunities”. Individuals choose to either relocate internally or flee to another country, “to make that choice

they must determine the probability of persecution associated with remaining inside their own country” (Moore & Shellman, Jun 2004:6). Both refugees and IDPs are also unable or unwilling to avail themselves of state protection (Turton,2003:12).

Consistent with the 1951 Convention definition, a refugee is “any person who ‘owing to a well founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, is outside the country of his nationality and is unable, or owing to such fear, unwilling to avail himself of the protection of that country’” (my emphasis) (UNHCR,2002:11). Of note within this definition is the requirement that a person be outside of their country of nationality. Hathaway maintains that alienage or “the physical presence of the unprotected persons outside of her [his] country of origin” is not “a constitutive element of her [his] refugeehood, but it is rather a practical condition precedent to placing her [him] within the scope of international protection” (Turton,2003:14). Turton goes onto to dispute the use of the label “internally displaced person” and maintains that the categories used to differentiate between these two forced migrants are “dictated by political and policy concerns rather than scientific ones” (2003:13). IDPs and refugees are not labeled as “internal refugees” and “external refugees” due to these motivations. One reason this differentiation is maintained is due to strong concerns raised by researchers and practioners regarding the dilution of refugee protection to encompass IDPs within international law. However there are no legally binding norms and principles for the internally displaced nor is there an organization that is specifically mandated to assist IDPs (Turton,2003:12-13).

While the abandonment of one’s home or one’s country can be a reaction to something or a preemptive action taken by individuals or communities, it is a serious choice or a decision that one makes. Although forced migrants are under extreme duress to leave, there is always a

logical decision making process involved in deciding to stay or leave. As Moore and Shellman note, “one will leave one’s home when the probability of being a victim of persecution becomes sufficiently high that the expected utility of leaving exceeds the expected utility of staying” (Oct 2002:726). Moore & Shellman contend that people value liberty, physical person, and life; the greater threat to these values the higher the number of forced migrants a country will produce. “Potential sources of threat” are: government forces, dissident forces, the interaction of government and dissident forces, and foreign troops. The greater number of violent dissident activities, the more forced migrations it will create, and likewise for violent government activities etc. (Moore & Shellman, Oct 2002:727).

Turton, Moore & Shellman, as well as Schmeidl use various statistical models to apprehend what are the determinants in forced migration. The exact statistical models used to determine factors involved in influencing forced migration are not as important in our discussion as are their results. Some of their findings are relevant to understand the “push factors” in Colombia, i.e. factors which influence or determine flight. In Schmeidl’s article, “Exploring the Causes of Forced Migration: A Pooled Time-Series Analysis, 1971-1990”, she focuses upon refugee migration to develop a theoretical model “to assess the role played by generalized structural factors in the formation of forced migration”. While her intent is to study the “factors in the formation of forced migration”, she focuses specifically upon refugees neglecting other forced migrants. Her model is of interest because the factors she identifies that are involved in the production of refugee migration are the same factors which this paper identifies as producing internal displacement in Colombia. This is an integral and interesting connection to make in this literature because while it has been demonstrated that refugee containment is rising internal displacement is also on the rise. While making this argument the same sort of idea could be

applied in reverse to Colombia. Increasing numbers of IDPs due to intensifying violence and persecution, coupled with a lack of safe areas to relocate to within Colombia are also “pushing” people to seek asylum abroad. While the surrounding countries are attempting to contain refugees in Colombia, the internal situation is at the same time forcing people to flee.

Although Schmeidl’s findings focus upon solely upon refugees her findings are incorporated into this discussion of Colombia to use as a bridge to further extrapolate on how two subclasses of the same phenomenon are influenced by essentially the same determinants. Schmeidl characterizes three different factors involved in refugee migration: root causes, proximate conditions and intervening factors (which facilitate or block migration). Schmeidl highlights the distinctions made in forced migration literature, she notes that economic factors are often identified as the root causes of forced migration, while political factors are usually considered factors in “proximate conditions”. Schmeidl also contends in her article that, “Conflicts can be promoted by a power struggle between the government and an insurgent groups or two larger groups contending for power in a weak and unstable political environment” moreover “civil conflicts often emerge when there are high levels of inequality and political exclusion” (Schmeidl,1997:288). Another characteristic of civil conflicts, according to Schmeidl, is an external intervening factor. Often other governments manipulate the conflict to suit their own interests, this intervention generally is an “accelerating factor” that “interacts with conflicts, intensifies them, consequently contributes to refugee exodus” (Schmeidl,1997:288-289). The characteristics that Schmeidl lays out describe several causes of forced migration in Colombia such as a power struggle between government and insurgent forces, inequality, etc., all of which are addressed in the following section on the “Determinants in Colombian Forced

Migration”. This section includes information on American intervention in Colombia as evidence of an “accelerating factor”.

While undertaking research for this paper it became evident that there were limitations to the studies/research on forced migration particularly those studying forced migration in Colombia. As Moore and Shellman have noted, the literature on forced migration is predominantly “case studies, advocacy and awareness pieces and policy evaluations” (2004:724). This orientation towards specific case studies which focus on a country as the unit of study, has influenced this essay, which also primarily focuses upon Colombia as the unit of study in the analysis of population displacement. Moore and Shellman also argue forced migration literature largely focuses upon systemic or structural aspects which influence forced migration. (2004:724). The research available on Colombia conformed largely to these observations made by Moore and Shellman. This was not an obstacle or barrier to research on this topic since the theoretical orientation of this essay tends to focus upon systemic and/or institutional forms of inequality and discrimination that perpetuate disadvantage among specific segments of the population which are responsible for their vulnerability and persecution.

Theoretical research on Colombia’s armed conflict is more prevalent than theoretical research relating to Colombian internally displaced persons and even more so for refugees/asylum seekers. In general, non-academic literature pertaining to Colombian internally displaced persons is fairly easy to locate and daily updates are relatively easy to obtain since awareness of the global plight of internally displaced persons (IDPs) has grown since the mid 1990s. Various international refugee and humanitarian organizations such as International Crisis Group (ICG) and the Norwegian Refugee Council, produce information on internal displacement that details trends in displacement, however their studies often lack a lengthy investigation of the

situation in Colombia. Several Colombian sources, both governmental and non-governmental (i.e. CODHES- Consultancy for Human Rights and Displacement and Red Solidaridad Social), maintain statistics and detailed information on areas affected by displacement. This information reflects their practical experience in the field, yet it does not include a more theoretical treatment of the internally displaced.

Research and information on Colombian asylum seekers is limited predominantly to facts related to protection considerations. It identifies people who are potentially “at risk” or “in need of protection”, but it does not detail which individuals or groups within these categories are seeking asylum abroad or how many remain in the region. The process of seeking asylum is not well documented in the case of Colombians, routes used and other comparable information in regards to resettlement is not widely available. This type of information is documented in more detail in regards to IDPs. The most substantial research reports on asylum seekers and refugees are predominantly available from the U.N High Commissioner for Refugees database. The information is reliable and informative, yet the lack of literature on Colombia refugees does pose difficulties for studies like this which seeks information about a specific group of refugees and not merely theories on refugees in general. This gap in research clearly illuminates the need for further theoretical and scholarly research on Colombian forced migration.

Determinants in Colombian Forced Migration: A Historical Review

“Much political violence in the developing world is rooted in gross social inequities. Extrajudicial execution and torture are the most eloquent expressions of the refusal or incapacity of those in power to fulfill the basic needs and aspirations of all of their citizens...Gross inequitable patterns of land ownership... is almost invariable in violent societies, particularly in Latin America” (Summerfield,1999:128).

Dating back over 40 years, an increasingly complex and violent armed conflict has overtaken the Colombia. The Colombian state has been waging a counterinsurgency war against armed guerilla groups and more recently an extensive “war on drugs” to combat narcotrafficking.

Millions are spent on both initiatives which are highly supported by the United States of America making Colombia the third largest recipient of U.S military aid in the world since 1989 (Aviles,2001:39). Human rights abuses are prolific in Colombia; of all Latin American countries it has the highest rate of human rights violations (Sanchez & Aviles, 2001:6).

As the literature on forced migration has demonstrated there are several factors that influence the decision to abandon ones home or country. Sources of threat in forced migration are often conflict or violent interaction between specific actors. In Colombia the “root causes” of the civil conflict reach back far into history to the colonial period, which bear mentioning in this analysis. Similar to many countries around the world, Colombia has experienced armed struggles and conflicts from colonial times onwards (Jimeno 2001,Chernick 2000, Pecault 2000). Yet unlike other countries in the region several key elements come together to produce the present situation.

When the Spanish arrived in Colombia in the early 1500s, there were various Indigenous tribes living across the country. After Colombia was conquered thus beginning its role as a Spanish territory there are several major developments in Colombia which are significant in the creation contemporary inequality (Library of Congress:1988). The Spanish social system implemented in the colonies was highly stratified on the basis of “purity of blood”. The “*pennisulares*” or the Spanish born in Spain were the most pure of blood, slightly less pure were the “*criollos*” persons born in the colonies to *pennisulares*. Next were the “*mestizos*” or “half bloods”, persons of mixed Indigenous and Spanish blood lines. In the lowest position in the hierarchy were full blooded “*indios*” (“Indians”) and Black African slaves, “*zambos*” who were brought to the Americas as a source of labour (Library of Congress,1988). Social stratification infused all realms of society, politics, colonial administration, labour and the land tenure system.

By the 1530s, the Spanish imposed labour and land tenure systems based upon their own models developed in Spain (Adams:1966:43-44). Akin to the feudal system developed in Europe, the *encomienda* system functioned on the basis of patronage with Indigenous persons labouring together for an *encomendero* (landholder) on the land granted to him by the Crown. *Encomenderos* were often wealthy, nobility of Spanish origin, and Indigenous peoples were forced to work on land taken from other Indigenous peoples and given to the *encomendero*. The system also functioned to suppress and pacify the Indigenous population, as well as to acquaint them with a “civilized” Christian-European way of life (Adams:1966:44). Land distribution in and the accompanying system of labour in Colombia that were largely based upon “purity of blood”, or rather ethnic or racial distinctions imposed by the Spanish colonial system.

Conquistadors and other settlers from Spain were granted large tracts of land to entice Spanish settlement in the New World. While the *encomiendas* were phased out by the late 1800s, this remained essentially the principal model as time passed and people began settling in different regions of the country. Until the 1900s, a system largely remained where there was a large landholding class, share-renters (people paying to farm on large owners land), and live on farm workers (Adams,1966:45). As agriculture and farm industry advanced vast banana plantations and cattle ranches developed in the 1900s. The early 1900s were marked by land invasions (incursions and/or settlement on large tracts of land) and conflict by Indigenous peasants, in an attempt to incite government expropriation of large tracts of land held by absentee landlords. Absentee landowners, highly concentrated land ownership, land title insecurity, and labour exploitation are all problems that plagued Colombia’s land tenure system well into the 20th and 21st Centuries (Adams,1966:47).

Sanchez links the origins of violence in Colombia to territorial disputes among armed actors and labour conditions. Political power and territorial control are important issues in the armed conflict. Deeply embedded in these issues is one of the largest problems facing Latin America and many former colonies; land distribution and ownership. The inequitable distribution of land and thus the inequitable distribution of resources, wealth and political power have sparked popular movements for land reform all across the Americas. In Colombia these issues gave rise to the leftist guerilla movements of the 1960s, who originally were fighting for a variety of social justice issues including land reform, poverty, the incorporation of marginalized persons into the political arena, etc. The armed conflict in Colombia reaches back to many of these long unsettled issues, such as land distribution, that were established during colonialism which still continue to plague Latin America. The inequitable distribution of land in Colombia continues to greatly affect many Colombians, particularly low income farmers. Land reform initiatives demanded by Indigenous groups, peasant farmers, and many guerilla groups have been suppressed by wealthy landowners, government officials and more recently, by the paramilitaries. This suppression maintains a highly unequal system of land tenure in Colombia where 61.2% of rural land is owned by 0.4% of the population (Norwegian Refugee Council, 27 May 2005:2). As Cohen and Deng note, "In Colombia, conflict over land has been one of the main causes of generalized violence that has led to large-scale internal displacement over the past decade" (1998,2000:4).

In establishing the history of Spanish colonialism as the starting point for this analysis of determinants in forced migration, it is with the realization that the roots of racial, ethnic, class and gender inequities imposed during colonialism still shape Colombian society and perpetuate the conflict. As Schmeidl's notes an element in the development of conflict can be "high levels

of inequality and political exclusion” (1997:280). “Economic factors” which Schmeidl identifies as the “root causes” in conflict, are found in the grave inequalities present in Colombian society which nurtured the conflict. According to the UNHCR research, Colombia is “the third most unequal country in Latin America with 62.4% of the population living under the poverty line and 31% living in extreme poverty” (UNHCR, Mar 2005:5). The income disparity in Colombia is so great that the most affluent 10% of the population possess 80% more wealth than the poorest 10%. Approximately 28 million Colombians do not possess sufficient income to meet their basic nutritional requirements (UNHCR, Mar 2005:4).

Historically Colombia’s population has been insulated in different areas of the country separated by mountain ranges into demarcated geographical zones. This insulation was perpetuated by Spanish land settlement patterns. As New Granada grew and established itself, many of the locations designated for Spanish settlement were in valleys or plateaus (Library of Congress, 1988). In the interior, the population continues to be separated into East, West, and the Caribbean (Safford & Palacios, 2002:5-7). Historically these different regions developed varied economic features, their populations were racially and culturally diverse, and several managed to politically challenge the sovereignty of the capital city of Bogotá. These cultural, economic, and political divisions coupled with population dispersion created a fragmented society (Safford & Palacios, 2002:7-9).

Since the nation state did not establish a strong presence in many areas of Colombia, in regards to policing and other forms of government control, “local forces” were able to dispute central power, during the 1800s and 1900s. Regions were largely autonomous and developed differently according to their cultural, political and economic needs. There was little to no consideration for working with the state to integrate the country on a national level. These

conditions fostered the growth of clientelism (Vargas,2004:107-109). Clientelism is loosely defined as, when groups of “clients” develop regional protectors and these protectors have varied duties that often fulfill a social function i.e. control or “protection” of the populace (Vargas,2004:107-109).

Guerilla groups and paramilitary organizations moved in to fill the role of “protectors” of different regions in Colombia during the 1960s to 1980s. Their role as “protectors” is questionable due to their use of violence as a means of social control (Vargas,2004:107-109). In a country like Colombia where the state has abandoned areas to guerilla, paramilitary and even narcotraffickers control, violence has become pervasive. Violence in Colombia therefore is “endemic” and “ever more difficult to bring under control” (Pecault,2000:129). Sanchez further contends that *fear* and force have become pervasive in public spheres in Colombian society (2001:14). As a result, there is no institutional protection against violence in Colombia, the state is largely unable or unwilling to provide its citizens sufficient protection against persecution by various armed groups as well as other citizens (Pecault, 2000:137).

La Violencia (“the violence” or “era of violence”) is often cited as the period which the contemporary conflict in Colombia emerged from. The period of *La Violencia* was from 1946 to 1963. During this period as many as 300,000 people were killed, the conflict also caused large scale displacement as people fled the violence (Watson,1990:26). *La Violencia* was a conflict that originated in a partisan dispute between Liberal and Conservative party supporters in rural Colombia. The conflict took place during a period of rising instability in rural areas when Colombia was under control of a military dictatorship. The fighting broke out after the presidential candidate was assassinated and various factions could not agree on who would be the next president (Watson,1990:26). To help abate the violence which continued until the

1960s, the National Front Government was established, whereupon it was decided that both parties, Conservatives and Liberals, would alternate turns in the presidency and government offices. This pact to alternate continued formally until the mid 1970s (Watson, 1990:26).

Even today there has not been a significant third party presence since the National Front period demonstrating political exclusion on an institutional level (Watson, 1990:26). The two party system created a politically exclusive atmosphere where ideological differences between the Liberal and Conservative parties diminished, clientelism flourished and social representation decreased thus creating increasing inequality and injustice (UNHCR, Mar 2005:5). Moreover what is particularly significant about Colombia is that after the National Front governments were established there have been no military dictatorships like in other Latin American countries. The dominance of the Conservative and Liberal governments who were/are supported by business, landholding elites as well as the United States has maintained civilian leadership and control over the state despite growing violence (Aviles,2001:31).

Profound levels of political exclusion and the development of clientelism in reaction to a weak state are the first manifestations of “proximate conditions” or “political factors” in Colombia that Schmeidl identifies as common to situations of conflict which produce refugee migration. During the 1960s, leftist guerrilla groups emerged for many reasons, particularly in reaction to extreme political exclusion. In rural areas, “guerilla groups, such as the precursors to the Fuerzas Armadas Revolucionarias de Colombia (FARC-Armed Revolutionary Forces of Colombia), sprang up as armed campesino protection for Liberal partisans against Conservative violence” during *La Violencia* (Watson,1990:26). After *La Violencia* guerilla groups did not disappear but found a niche in Colombian society due to the socio-economic and political marginalization of peasants, Indigenous and Afro-Colombians as well as the urban poor. The

FARC, Colombia's largest and oldest guerilla group, formally reorganized and established itself in 1966. During *La Violencia*, the FARC functioned as a communist self-defence which reorganized and renamed themselves as they became involved in the struggle for land reform and social equity (UNHCR, Mar 2005:6).

During the 1960s Colombia underwent a phase of modernization which fostered rapid urbanization. While an urban middle class flourished during this period, the poor were not greatly affected, nor did they experience any increase in employment or political power. In many areas where peasants were left to their own devices, the FARC was able to insert themselves into these gaps to provide political and armed forms of clientelism. During the 1960s the lower classes continued to exist in abismal conditions amidst improving economic conditons which improved the situation of middle class Colombians. While a large portion of the population felt they were being left behind as the rest of Colombia was undergoing a period of modernization, guerilla groups questioned oppressive social structures in Colombia and thus appealed to marginalized groups. The FARC was able to insert themselves into areas of Colombia where state institutions were weak or non-existent. In the 1960s they began creating local level connections to society and the economy to establish areas of support (Vargas,2004:109).

The FARC became the sole authority in many departments; they provided protection and maintained order. In exchange for these services they imposed "tax" usually on coca crop earnings which some peasants began to cultivate in the 1970s as a survival mechanism (Pearce,2004:xii). After several decades of existence the FARC currently engage in kidnappings for ransom, murder, massacres of civilian populations, car bombings, and narcotic transportation. All of these acts are perpetrated while attempting to gain political power, control over territory

and control over the civilian population who are manipulated as military objects. The lack of a real third party alternative, the political exclusion of certain segments of the population based on race/ethnicity, class etc., as well as severe poverty in Colombia have contributed to the rise of armed groups and the evolution of the armed conflict. Even in the early stages of the conflict it is possible to see the convergence of both economic and political factors which lay the ground work for subsequent population displacement.

In Colombia there are continual confrontations between the FARC and paramilitary organizations, and the FARC and government forces, etc. and it is in these interactions between “sources of threat” that populations are displaced (Moore & Shellman, 2002:426). The FARC’s territory is largely in southern Colombia, where they currently control 17 departments (states) and possess an estimated 17,000 members (UNCHR, 17 April 2005:1-3). For the most part they have maintained the current area under their control since the 1982, when they took over another 11 more departments to add to the 6 they had previously controlled. According to the UNHCR, the FARC was not involved in drug trafficking and widespread kidnapping prior to the 1990s, when they began to employ these techniques to finance their more sophisticated and vast operations (March 2005:6). Additionally the FARC “has employed indiscriminate violence against the population through the use of improvised explosive devices, terrorist bombings directed at civilians in urban areas, antipersonnel mines, massacres, kidnapping, extortion and forced recruitment” (UNHCR, Mar 2005:7).

Paramilitary groups were created predominantly as a response to armed guerillas such as the FARC and the ELN (Army of National Liberation) another smaller guerilla group.

Paramilitary groups arose out of interests from the landed elites, emerald dealers, and cattle-ranchers to defend their excessive livelihoods as well as prevent against guerilla attacks and

extortions (Richani,2000:40-41). Paramilitaries initially were akin to private armies established to defend private property from threats etc., however they evolved into complex organizations with separate and semiautonomous identities (Vargas,2004:111). The research on paramilitaries varies and their origins are still disputed by different researchers.

Paramilitaries or *autodefensas* (“self defense groups”), as they are commonly known in Colombia, are believed to originate with the group *Muerte a los Secuestradores* (MAS- Death to the Kidnappers). The first appearance of paramilitary groups was in the late 1970s to early 1980s in the region of Magdalena Medio. Paramilitaries rather quickly extended their influence southwards (UNHCR,Mar 2005:8). The consolidation of various paramilitary organizations occurred during the 1990s. Alliances were established with a group *Los Perseguidos por Pablo Escobar* (Those Pursued by Pablo Escobar) (who led the Medellin drug cartel) and the competing Cali drug cartel. The ACCU (*Autodefensas Campesinas de Cordoba y Uraba*-Cordoba and Uraba Peasant Self Defense Forces) became the strongest paramilitary group and sought to expand throughout Colombia. The leading members of the ACCU created the AUC (*Autodefensas Unidas de Colombia*-United Self Defense Forces of Colombia) in 1997 which functioned as a “confederation” of paramilitary groups. Prior to their demobilization in 2004, their estimated troop numbers ranged from 10,000 to 20,000 (UNHCR, March 2005:8). Paramilitary groups engage in indiscriminate violence against the civilian population and have made no distinctions between combatants and civilians. They have attempted to “terrorize the population through torture, selective homicide and massacres have been their principles means of combat” (UNHCR,Mar 2005:8).

Although there was several large Marxist “guerilla groups” or insurgents operating and espousing political reform in the 1980s, several groups have demobilized or are in decline.

Conversely the strength of the paramilitaries with connections to the military continued to grow until more recently. Paramilitary targets include(d) the FARC's political wing, the Union Patriótica (U.P) which was composed of demobilized combatants who sought change through the political system. Paramilitary targets also include unionized labour, guerilla sympathizers, and any individuals advocating for systemic change in politics, labour, or land reform. These individuals or groups are often threatened, assassinated or simply "disappear" (Watson,2000:27-30). The increased power of paramilitaries in the 1980s provided another dimension in the conflict over territory, money, power and control. As a result, human rights violations and civilian casualties have grown as the guerillas and paramilitaries continue to fight over many of these issues (Richani,2000:39-40).

Hostilities between the government and regional actors led to a decline in loyalty to the state, which is perceptible in many regions. In the Cordoba region for example, changes in regional political identities in turn created "cleavages" that threatened "the contested configuration of the Colombian national state" (Romero, 2000:67). Cordoba is an example of a state where armed actors, for various reasons, began to act autonomously of the central government of Colombia. Violence and conflict in Colombia have changed regional political identities. It has shifted them away from obedience and belonging in the national collective, to forming their own "imagined political community" through paramilitary political control (as the guerillas have also done in their own territories) (Romero, 2002:52). Of late, a sense of social fragmentation has been produced by the "types of violence which have increased" (Jimeno, 2001:221).

According to Escobar, there are many forces of violence: armed confrontations, intimidation, bombings, massacres, and the threat of forced conscription in Colombia

(2000:108). Moreover violence can be multiple in terms of: origins, objectives, geography, modi operandi, and strategies (Sanchez,2001:3). In Colombia different forms of violence have been perpetrated by various actors for different reasons. “Organized violence has become the context for non-organized violence”. Thus political violence “facilitates the expansion of other forms of violence” (Sanchez, 2001:14). Forcible population displacement is often a by-product of the conflict yet also a strategy of war used by guerillas and paramilitaries to establish control over strategic territory, to cultivate narcotics, etc (Norwegian Refugee Council,2005:3).

Cohen argues that states, such as Colombia, “must direct greater efforts towards defending the physical security and human rights on displaced populations” (2000:87). The Colombian state also must engage in these measures to protect all of its citizens to avoid increasing numbers of internally displaced persons and refugees by ensuring human and civil rights for all. In order to begin working towards these goals the Colombian state must engage in various humanitarian and social programs which address inequality and demonstrate a positive step towards incorporating areas it has traditionally ignored/neglected rather than attempting to solve the problems through military means alone. Violence in Colombia presents a serious impediment to peace and a reduction in population displacement due to its multiple forms, origins, modi operandi etc. which make it difficult for all of these challenges to be addressed.

According to Meertens,

“these characteristic elements of the armed conflict in Colombia- the privatization of territorial control at the expense of state sovereignty, on one hand, and the practice of kidnapping and extortion, on the other, in an interminable spiral of vengeance- tend to explain the use of terror against the civilian population and the forced displacement of civilians in response to the massacres, armed attacks, forced recruitment of young people , and the constant threats by all of the armed actors.”(2001:133).

Historically violence in Colombia was predominantly associated with rural areas of Colombia. Over the past decade, violence has become an urban phenomenon. Urban violence manifests itself in several ways; narcoterrorism, popular militias, and “social cleansing”. The most “direct” form of political violence in Colombia is political assassination, which is commonplace as political parties members, trade unionists, dissenters, journalists and activists have all been assassinated (Sanchez,2001:6). Pecault posits that terror now has “spread to a major portion of the country” (2000:130). This is interesting to note because of the implications violence/conflict have had on the Colombian psyche and the possibility that due to such profound threats more and more IDPs may become refugees (asylum seekers).

As guerilla groups like the FARC have done in the south, the paramilitaries and other illegal private actors (i.e. popular militias in urban areas) exercise their power as a means of social control. Groups continue to use violence and the payment of bribes to establish loyalty among the population to keep them complicit (Vargas,2004:121). As Vargas explains, “the internal war has dramatically reduced institutional capacity to carry out minimal functions” (2004:121). Moreover, as part of their war strategies, the guerillas and paramilitary organizations are constantly seeking to augment their control over rural areas, this also contributes to the “dismemberment of national territory and institutional breakdown” (Persaud & Ortiz,2003:503). The loss of territorial control by the state is an important factor in the state’s inability to provide protection to its citizens against persecution; this issue will be discussed in the following sections.

Internal displacement has escalated of late due to the end of the peace talks between the Colombian government and the FARC in February 2002. The AUC, the FARC and government forces from this time forward have augmented their use of violence to assume control. Preceding

Alvaro were several Colombian presidents who took very specific positions towards insurgents. The current President, Alvaro Uribe was elected in 2002, he committed to a reinforced military strategy in an attempt to bring an end to the armed conflict (UNHCR, July 2003:2). President Belisario Betancur, a moderate reformer, followed the presidency of Julio Cesar Turbay (1978-1982) who advocated a hardline approach to guerilla groups operating in Colombia. President Betancur (1982-1986) initiated the peace process and political reform. Over the following decade various guerilla groups, such as the M-19 (*Movimiento 19- Movement 19*) and the *Union Patriotica* (Patriotic Union- FARC's political wing) were incorporated into the political system. Amidst demobilization and positive steps taken by the government towards incorporating former demobilized combatants into the political system, over 3,000 members of the *Union Patriotica*, were murdered from 1986 to 2003. Their murders were politically motivated assassinations in response to the growing support their party sustained from the Colombian populace on a local and national level (UNHCR, Mar 2005:6). During the 1990s there seemed little hope for peace as violence increased, the paramilitaries grew and became more unified, and as wars between narcotraffickers intensified (Vargas,2004:110).

The armed conflict also has many international dimensions and connections most notoriously evident in the arms trade and drug trafficking. The principal focus of this essay is upon Colombia as the unit of analysis predominantly due to literature available that identifies national factors which lead to population displacement and asylum seeking. Colombia's response to the internal crisis however has been shaped by the current geo-political climate. Its closest neighbours and other international governments, global organizations/businesses all have specific vested interests in Colombia. Most notably the United States of America, who for many reasons has been intervening in Colombia for decades. Pre-September 11th, 2001 the U.S

intervened in the name of their “war on drugs”. Lately the U.S intervenes in their “war on terror”. At the same time, the Colombian government is attempting to stamp out insurgency to keep aid dollars rolling in and to appear politically stable enough to proceed with various free trade agreements etc. (Hoffman, 4 Jul 2005:1).

With economic and military support from the American government, the Colombians are attempting dual objectives: eradicate coca production specifically agricultural production and terminate insurgency leading to loss of territorial control by the State. American “aid” takes the form of Plan Colombia, a controversial aid package which some American foreign policy critics argue is used as an excuse to support militarization in Colombia and the Andean region (Vargas Meza, Chernick, Youngers, Delacour). The proposed amount of aid Colombia was to receive from the U.S in 2004 was \$463 million dollars. Of this amount, \$313million would be assigned to eradication of narcotics and interdiction the other \$150m. would be assigned to alternative development and institutional building (ICG, Apr 2003:6). American intervention in Colombia is the type of external intervention that Schmeidl mentions, which accelerates conflict and causes refugee flows.

American intervention in Colombia however has also caused internal displacement. One of the most controversial aspects of Plan Colombia is the aerial crop spraying intended to destroy coca crops and other narcotics. However, U.S funded and Colombian government sponsored, aerial spraying has led to internal displacement rather than a reduction in cultivation. In Southern Colombia, particularly in the Putumayo region many farmers have been displaced due to the spraying of their legitimate crops and homes. The spraying destroys all vegetation including legal, subsistence crops, and the application of herbicides has detrimental health and environmental affects (NACLA,2004:11).

Thus in Southern Colombia as a result of the Colombia and American government's attempts to decrease narcotic cultivation; they have persecuted Colombian farmers and led to their displacement. To decrease internal displacement due to aerial crop spraying American and Colombian policy makers must find alternative means to reduce narcotic cultivation, such as offering agricultural incentives to farmers to grow other cash crops. Aerial spraying does nothing to address the issues of narcotic cultivation which takes place under duress from irregular armed groups or cultivation as a survival mechanism.

Persecution & Persons in Need of Protection

Gottwald identifies several social and ethnic groups in Colombia who are in need of protection. Indigenous populations are targets of violence in particular at border areas, *Mestizos* (persons of mixed blood), people of African descent in rural areas (particularly women and children) and lastly the urban middle class (those who are professionals/educated experience more individualized persecution by armed groups) (Gottwald, 2004: 533-535). The UNHCR includes the following people as "groups at risk": actual or perceived supporters to the conflict, former members of parties to the conflict, municipal and department authorities, persons involved in the administration of justice, human rights activists, trade union leaders, individuals with a high public/community profile, and journalists (2002:12-16). Homosexuals are also targets of "social cleansing" by paramilitary groups who murder individuals they perceive as "undesirable". (IRB,2004:4). Clearly this is an extensive segment of the population who could face and are presently experiencing persecution in Colombia and therefore are at risk of displacement.

Persecution according to the UNHCR, "generally refers to any severe violation of human rights. In the refugee context 'persecution' refers to any act which fundamental rights are

severely violated for reasons of race, religion, nationality, political opinion or membership of a particular social group” (2001:131). While “persecution is normally related to actions by the authorities of a country”, according to paragraph 65 of the Handbook on Criteria and Procedure for Determining Refugee Status, persecution “can also emanate from sections of the population that do not respect the standards established by the laws of the country concerned” (UNHCR, Mar 2005:24). If the authorities knowingly tolerate “refuge, or prove unable, to offer protection” against “serious discriminatory or other offensive acts” perpetrated by the “local populace” the acts then can be considered as persecution (UNHCR, Mar 2005:24). It has been demonstrated that in the case of Colombia various armed groups are committing gross human rights violations including massacres and the Colombian state is visibly unable to provide protection against them. State agents also persecute the population by its sheer ability or unwillingness to provide protection against acts committed by other armed groups. The UNHCR further notes,

“in the context of Colombia, asylum claims referring to generalized violence and insecurity are often lodged by individuals who have survived deliberate attacks, often linked to Convention grounds or indiscriminate violence against civil populations by one of the armed groups, or armed clashes between armed actors. Many of the asylum applications made by Colombians that refer to a threat to life, safety or freedom because of generalized violence or massive human rights violations might therefore well fall under the 1951 Convention” (2002:13).

Colombians are persecuted across different races, social, ethnic, economic, or political divisions. The legitimacy of a particular refugee claim is not undermined by the size of the group that is persecuted. The UNHCR notes, “Any group which holds substantial power in country can persecute” (2000:163). In Colombia it is both state and non-State agents involved in persecution of the civilian population. Additionally, often there is no place to relocate in the country where one can not be found or face some kind of threat in that area as well (Pecault,2000:135). The INS reported that the networks and connections guerillas and paramilitaries possess to find

individuals, are extensive throughout Colombia. Therefore, “the idea of someone at risk from violations by either of these groups [guerilla groups or paramilitaries] safely relocating in Colombia is not feasible” (INS,2002:1). This places IDPs in a grave predicament and further complicates the ability of people to avoid involvement in the conflict. Often when they are forced to comply with a particular armed group they are also putting their lives in danger because they will be viewed by other groups as collaborators. Thus there is also “no space for neutrality”, Escobar notes (2004:114).

“War and violence are often used as instruments of persecution: they are frequently the means chosen by the persecutors to repress or eliminate specific groups...” (UNHCR, Mar 2005:24). Persons who are already living in marginalized communities which have not traditionally received very much assistance from the state are increasingly vulnerable. It is often Indigenous persons and Afro-Colombians in these circumstances, who are additionally vulnerable to persecution and violence due to racism and intolerance in Colombian society as well as the strategic location and economic value of their lands for armed actors (UNHCR, Mar 2005:20).

The UNHCR also notes that “impunity for violations of human rights and international humanitarian law continues to plague Colombia” (Mar 2005:19). Corruption of state organs is also prevalent, areas of particular concern are the Prosecutor General’s office and the armed forces (Mar 2005:20). Accompanying high levels of corruption and impunity are high levels of violence, particularly murder. During 1994 to 2004 there were approximately 273,600 murders in Colombia, while this number decreased by 15% from 2003, the number is still staggering. Massacres have also decreased from 1,403 in 2000 to 403 in 2003. The decrease in massacres is believed be due to the change in military tactics, armed actors engage in “selective” homicides

and social cleansings instead of massacres to avert their “high political costs” (UNHCR, Mar 2005:16). State organs which are established to protect citizens and their rights, such as the *Defensoria del Pueblo* (Ombudsman’s Office), the judicial system, military/police must be rid of corrupt individuals and empowered to protect civilians and their rights otherwise the impunity for human rights violators will continue.

The increase in “selective homicides” and social cleaning tend to point towards more selective and targeted acts of persecution. Coinciding with these incidents is the rise in forced disappearances from 3,255 in 2002 to 3,886 in 2003, which involve planning and executing the kidnapping and possible murder of specific individuals or groups. Also sexual and gender based violence targeted specifically at women by all insurgent groups, in order to enslave, rape or forcibly conceive children is of growing concern in relation to gender based persecution (UNHCR, Mar 2005:16).

Colombian Refugees and Asylum Seekers

Asylum is “the grant, by a State, of protection on its territory to persons from another State who are fleeing persecution or serious danger. A person who is granted asylum is a refugee.” Therefore an asylum seeker is “a person whose request or application for asylum has not been finally decided on by a prospective country of refuge.” (UNHCR,2001:125). A refugee is, according to Article 1 A(2) of the 1951 Convention Relating to the Status of Refugees, “any person who ‘owing to a well founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, is outside the country of his nationality and is unable, or owing to such fear, unwilling to avail himself of the protection of that country’” (UNHCR,2002:11).

In 1984 various Latin American countries convened in Cartagena, Colombia to draft a document concerning refugees and asylum seekers. The 1984 Cartagena Declaration on Refugees outlined refugee criteria that could be considered a more comprehensive definition of a refugee which incorporates elements of the 1951 Convention and the 1967 Protocol. Ecuador, Peru, Brazil incorporated the following definition of a refugee, as newly outlined by the Cartagena Declaration, into their national refugee legislations. “Persons who have fled their country because their lives, safety or freedom have been threatened by generalized violence, foreign aggression, internal conflicts, massive violation of human rights or other circumstances seriously disturbing public order” (Gottwald,2004:523).

With the exception of alienage both above mentioned definitions of a refugee indicate similar factors that influence or determine flight. These factors that determine flight are also identified in the definition of an IDP (not including man made/natural disasters inducing displacement). The definition of an IDP and the Cartagena definition of a refugee both identify armed conflict, civil war (internal strife), and human rights violations as factors leading to population displacement. In Colombia the same determinants appear to be affecting both forms of forced migration. The difference between these two forms of forced migration is where people seek shelter or protection; either in another part of the country or abroad. These similarities further indicate how contemporary forced migration have evolved to a point where binding international protection considerations must also be given to IDPs as factors leading to refugee migration and internal displacement (Korn,1999:13-14).

The *refoulement* of refugees further indicates the quagmire of refugee protection in the region, equally so for IDPs. If asylum seekers (who are formally recognized and protected according to binding international humanitarian law) are being returned to they country where

they are persecuted, what then can be done to assist IDPs who are within the sovereign borders of their country of citizenship or residence? This question has provoked researchers, like Cohen to argue for international community to become involved in the aid and protection of the internally displaced if their native country is not capable, or unwilling to realize their responsibility towards their citizens. In order to attend to the deficiencies in the international protection system which disregards the internally displaced, she believes “sovereignty can no longer serve as an acceptable justification for the denial of protection and assistance to endangered populations” (2000:86). Cohen and Deng argue for the implementation of internationally binding legislation to protect internally displaced persons (2000:86). These suggestions are positive first steps in the protection of vulnerable populations yet as the example of Colombian asylum seekers demonstrates is even where there is internationally binding legislation to protect refugees and countries have signed onto various conventions regarding refugees they still find ways to evade their responsibilities.

Violence is pervasive in Colombian society and there are many people in need of protection in Colombia as demonstrated by UNHCR’s list of “people in need of protection”. The armed conflict affects many different types of people and Colombian asylum seekers and refugees are quite internally heterogeneous, even considering economic factors which may constrain some asylum seekers ability to flee to another country. Data concerning the number of Colombian asylum seekers and refugees is available by country of asylum, however the data does not identify from which “group at risk”, the claimant comes from (i.e. is a trade unionist, an indigenous person etc.) and the basis of their persecution. Information on refugee claimants in Canada is available online at the Immigration and Refugee Board’s website. The site details

approximately 30 Colombia refugee claims of note and their outcome.¹ In Latin America however, where many countries are still struggling with establishing their refugee determination systems, this information does not appear to be available or to have been the basis of comprehensive research. The lack of more in-depth and comprehensive information regarding Colombian asylum seekers and refugees is further compounded with the issue of their international “invisibility” .

Internally Displaced Persons

Internally displaced persons (IDPs) were originally defined as: “persons who have been forced to flee their homes suddenly or unexpectedly in large numbers, as a result of armed conflict, internal strife, systematic violations of human rights or natural or man-made disasters, and who are within the territory of their own country” (Korn,1999:11). This definition like the definition of a refugee has proven to be too narrow to define such a large and heterogeneous group of people. In some countries like Iraq, the population was forcibly moved, and in Colombia the internally displaced are increasingly fleeing their homes as individuals or small groups.

When Francis Deng was appointed as Representative of the Secretary General on Internally Displaced Persons, he worked towards developing a definition of IDPs that was more encompassing of the varied situations and factors comprising forced displacement. The definition Deng formulated for IDPs is:

“Persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence in particular as a result of, or in order to avoid the effects of, armed conflict, due to civil war, situations of generalized violence, violations of human rights or natural or human made disasters, and who have not crossed an internationally recognized state border” (Korn,1999:13-14).

¹ Canada’s Immigration and Refugee Board Website, <http://www.irb-cisr.gc.ca/>

This broader definition of internally displaced persons is important to recognize in the case of Colombia since it is increasingly small groups of Colombians that are fleeing their homes to avoid the effects of the armed conflict, including situations of generalized violence (general threats) and violations of human rights. IDPs in some research and literature are also labeled as “internal refugees”, as other researchers have elucidated.

In Latin America, the internally displaced are disproportionately comprised of ethnic minorities, i.e. non Spanish speaking Indigenous people from rural areas, many are women and children (Korn,1999:14). While estimates vary on the exact numbers of the internally displaced, the Colombian non-governmental organization CODHES, estimates that approximately 2,900,000 persons were displaced during 1985 to 2003 (ICG,2003:2). In Colombia, Afro-Caribbean’s comprise 11% of the total displaced and indigenous persons comprise 8% (UNHCR,2003:2). Indigenous people in Colombia are disproportionably affected by conflict, they comprise 2-3% of the total population yet they are 8% of the total displaced. Women and children are the overwhelming victims of displacement, they comprise 74% of the internally displaced (UNHCR, 2005:1-3).

Meertens identifies the period of 1988-1989 when “internal displacement due to violence... began to make itself felt in full force” due to the “multiple actors and forms of violence” in Colombia (2001:132-133). Since 2000, internal displacement has been on the rise. By 2002, 320,000 persons had left their home and fled to another area of Colombia (ICG,2003:1). According to CODHES, the internal displacement in Colombia registered an increased 38.5% from 2003 to 2004. In 2003, 207,607 people were displaced while that number increased to 287,581 by early 2004 (2004:1).

The International Committee of the Red Cross (ICRC) is the only organization with official capabilities to enter into “clearly recognized situations of armed conflict” to protect civilians as accorded to them under the Geneva Conventions and Protocols. In fact, 80% of the ICRC’s budget was allocated to the protection and aid of civilians trapped in internal conflicts (Korn,1999:45). This would make the ICRC an ideal international organization to be involved with IDPs yet how much of their budget they currently allocate or could allocate to IDPs specifically, Korn does not indicate. The UNHCR of all the UN agencies has taken the most extensive responsibility for the internally displaced although it is not mandated to do so. In countries like the former Yugoslavia the UNHCR was very actively involved in working with internally displaced persons. In Colombia however, the UNHCR has taken “little or no part in aiding IDPs” maintains Korn (even while the government has requested their assistance) (1999:35). Their neglect of Colombia seems contradictory since as the UNHCR stated, countless IDPs among other “uprooted peoples have the same humanitarian needs as refugees” (2000:280-281).

The absence of an organization that is specifically mandated to assist IDPs perpetuates the vulnerable and neglected state many IDPs live in since many states do not or cannot provide assistance or protection. The situation of IDPs must be seriously addressed by Colombia policy makers, practioners, and researchers as well as their international counterparts. We cannot be complacent or continue to differentiate levels of concern for IDPs and refugees based on categories or labels that deny millions of people aid (Turton,2003:13). Moreover, in Colombia, the government only offers three months assistance to IDPs; this could be due to a number of factors. ICG maintains most of Colombia’s aid from the U.S is allocated to militarization and not social programs (2003:1).

Since many states around the world do not or cannot provide protection for their citizens against persecution, nor assist them after they are displaced, there is a great need for an international organization mandated to provide assistance and advocate for the world's IDPs. As of 2004 there were 9.2 million refugees around the world, while there are over 25 million internally displaced, certainly there are sufficient numbers of IDPs to cause international concern (UNHCR, Jun 2005:3). Many people who are in need of protection and assistance will continue to be overlooked if organizations as well as policy and legislation do not catch up with the current reality of forced migration. Solutions that do not compromise state sovereignty must be found or neutral intervention by humanitarian agencies to assist IDPs (as they assist refugees in areas of conflict) must be conceived of and implemented otherwise forced migration will only continue.

Displaced Indigenous & Afro-Colombians

As mentioned Indigenous peoples and Afro-Colombians are disproportionately affected by internal displacement. Their disproportionate levels of victimization demonstrate not only their vulnerability and neglect by the state but the continued of their oppression in a state which does not protect or represent them. One documented example of the high levels of Indigenous internal displacement occurred in 2004 when 400 to 500 indigenous Wayuu were displaced and fled to Venezuela. The Wayuu's sought refuge in the north-western state of Zulia, Venezuela. The Wayuu's fled after approximately 130 paramilitaries entered their village in Colombia and began systematically torturing and murdering any individuals who had not already fled, including women and children (UNHCR, 21 May 2004:1). Many Wayuu women and children were able to escape and enter into Venezuela to stay with family and friends due to the constitutional right in Venezuela that recognizes the concept of indigenous bi-nationality. Many Colombian Wayuu

have families or ethnic ties to other Wayuu living in Venezuela, and due to bi-nationality rights are able to move across the border freely (UNHCR, 21 May 2004:2). This is an interesting example of how population displacement in Colombia is not always straightforward. The Wayuu appear to be taking refuge in Venezuela but are not considered refugees possibly due in part to their bi-national status yet also due to the Chavez government's continual dismissal of Colombians seeking asylum in Venezuela.

The western state of Choco has been experiencing increased violence and armed confrontations since March 2005. An estimated 2,000 people have been displaced surrounding Bellavista, the municipal capital of Bojaya. Several years prior, in 2002, 119 people were killed in Bellavista while they sought refuge in a local church from the FARC and AUC fighting. Several years after the May 2002 massacre, the Bojaya region is experiencing increased instability (UNHCR, 4 Apr 2005:1). On April 2nd, 2005, after being in the middle of crossfire between armed groups for several weeks, 250 of 350 Afro-Colombian inhabitants of Pogue fled to Bellavista. They were accompanied by community associations and authorities from the Colombian Ombudsman and General Procurator offices (UNHCR, 4 Apr 2005:1).

The UNCHR believes 4,000 Embera and Wounaan Indigenous communities living in the area of the Cuia and Bojaya rivers, could experience imminent internal displacement because of worsening living conditions caused by armed groups in the area (UNHCR, 4 Apr 2005:1). Large scale displacements have persisted in the Bojaya area since the May 2002 massacre. Violent confrontations between various armed actors, have caused eight large scale displacements, displacing thousands of residents, many of whom have not returned (UNHCR, 4 Apr 2005:2). While insurgents continue to clash with each other and the state, violence will continue to

displace many Indigenous and Afro-Colombian communities until the government is able to negotiate peace talks or a cease fire leading to the demobilization of FARC combatants.

The UNHCR has documented increased attacks on Indigenous communities and Indigenous leaders in the early part of 2005. Fighting between the FARC and the Colombian army has caused displacement in the village of Toribio in the state of Cauca. Approximately 3,500 Indigenous Nasa people, who belong to one of the biggest Indigenous groups in Colombia have been displaced (UNHCR, 27 Apr 2005:1). To have such a large number of displaced in one single incident indicates that the level of violent activities in the region have been high and should be of increasing concern. In the state of Nariño, the Awa Indigenous people have been victims of much of the conflict. The Awa have experienced many of the regular effects of the conflict, including threats, economic blockades, forced displacement and the execution of their leaders. Other Indigenous groups in this area who are at risk of displacement include the Eperara-Siapidaara, the Pasto, the Quillacinga, the Inga and the Kofan. The Eperara-Siapidaara in particular have been subjected to forced recruitment by armed groups in the Pacific coast area (UNHCR, 27 Apr 2005:2).

In the department of Cauca, 3,500 Nasa Indigenous people were displaced due to fighting between the FARC and the Colombian military in April 2005 (UNHCR, 2005:1-3). The targeting of Indigenous leaders and their communities indicates a clear intention to suppress Indigenous organizing and leadership. Internal displacement in Colombia appears to be ever changing; different groups/individuals are affected in different parts of the country at various times. Internal displacement by state or municipality can change quickly, within a year. Another interesting trend of note is the growing incidents of intra-urban or intra-municipal displacement caused by the armed conflict in Colombia (ICG,2003:4).

Sources of Threat Leading to Internal Displacement

Internal displacement occurs for several reasons. As mentioned, in the section on “Determinants in Colombian Forced Migration: A Historical Review”, there are many causes for the emergence of the Colombian conflict and forms of population displacement. This section attempts to identify the tangible factors that lead to internal displacement. “Sources of threat” are identified in order to comprehend how many different factors compound and force people to assess the probability of “being a victim of persecution” which leads to their decision to flee. Upon examination of the sources of threat, it is possible to see how persecution, violence and displacement perpetuate one another and are cyclical.

As Korn remarks, Colombia also “offers an extraordinary example of internal displacement as a phenomenon of a society unable to contain a crisis of criminality” (Korn,1999:31-32). Some of the tangible manifestations of Colombia’s deep seated crisis are frequent upsurges in political murders and civilian massacres, as well as violent confrontations between various armed actors over territory. Confrontations take place between paramilitaries and guerrillas, the military and the guerillas, and/or when drug traffickers try to buy land in other group’s territory (Meertens,2001:134).

International Crisis Group notes that in their bid for control over strategic corridors, for transportation of drugs and arms, various armed groups have completely disregarded the safety of civilians leading to their death and injury (2003:1). Drug cartels forcibly displace peasants in order to seize their land to increase their narcotic cultivation; wealthy landowners and cattle ranchers also forcibly displace Colombians for their own economic interests. Persons who work with the displaced including leaders of displaced communities and clergy members are also in

danger in Colombia. All of these factors and many more, force people to flee whereby internal displacement becomes a “mode of escape” (Korn,1999:32-33).

In 2000, there were 317,375 persons displaced, this number grew to 341,325 displaced persons in 2001 (CODHES,2005). According to a study undertaken by the Red de Solidaridad Social, the principal causes of displacement that occurred between January 2000 and June 2001 were: generalized threats (44%), armed confrontations (15%), massacres (9%), specific threats (5%), and municipal takeovers (3%). This leaves 24% of displacement without a documented cause, this is not unique since the situation in Colombia is rather complicated and not easily documented (Red de Solidaridad Social,2001:1). These figures however do not demonstrate a direct connection between many manifestations of violence and its effect on population displacement in Colombia.

As indicated by the Red de Solidaridad Social, the presumed architects of internal displacement in 2000-2001 (due to the armed conflict) were the paramilitaries who were responsible for 46% of the overall internal displacement. Guerilla groups caused 12%, armed state agents caused 0.65%, and 19% of displacement was caused by more than one armed actor, the remainder is unaccounted for (2001:1). Often it is not easy to identify the specific actors who cause population exodus or displacement. During the period of January 2000 to June 2001, displacement by actors changed from state to state or various areas of the Colombian territory. The source of threat likely has changed in different areas over the last decade since the conflict is continually evolving and changing.

Interestingly, the paramilitaries were responsible for 90% of the displacement that occurred in the states of: Caldas, Sucre, Magdalena and Cauca. The guerillas were responsible for, on average, 65% in the states of: Huila, Risaralda and Cundinamarca (Red de Solidaridad

Social,2001:2). It is difficult to identify one clear perpetrator of violence and displacement because the conflict in Colombia is complicated by various confrontations over territory and new areas of expansion by one group into the territory of another all across the country; this is further compounded by the presence of many insurgent groups.

Regions Affected by Internal Displacement

Internal displacement occurs under different circumstances. There are organized displacements, when individuals move to a neighbouring community often under the control of an armed group, while other displacements take place due to threats or assassinations, and inhabitants have to leave quickly. Large scale displacements take place when an entire village abandons the area, individual displacements can take place slowly over time but also depopulate various villages or towns (Pecault:2000:100-101). ICG states that individual or small group displacements are the most customary pattern of internal displacement. According to the statistics collected by Red Solidaridad Social (RSS) only 210,313 of the 1,079,080 (the total number of IDPs they have counted) IDPs displaced since 1985, were displaced in large groups and the remaining 868,767 IDPs fled individually or in small groups (ICG,2003:3). The number of displaced reported by the Red Solidaridad Social is particularly low in comparison to figures maintained by other organizations. It is interesting to note that the Red Solidaridad Social is a Colombian governmental agency, their reasons for maintaining a lower number of IDPs may be influenced by the Colombian government's position on IDPs. Figures vary on the number of IDPs in Colombia. Please refer to Appendix 2, a CODHES document which illustrates the level of internal displacement from 1985 until early 2005, and shows very different picture of internal displacement in Colombia.

In 1995, “three out of four families with rural ties were displaced” (Osorio-Perez,1997:34), and as noted, the rate of internal displacement continues to increase today. As of 2001, large numbers of displaced fled from: Uraba and Cordoba on the Atlantic coast, Magdalena Medio in the interior, and the Llanos Orientales region in the east of Colombia (Meertens,2001:134). Meertens also noted in 2001, that “new regions have joined the phenomenon [of displacement], among them Choco on the Pacific coast, which produced a temporary movement of international refugees to Panama (which returned them) (2001:134). By 2002, all 32 departments (i.e. states) had experienced population expulsions. In the same year, the areas most affected by expulsions were Antioquia, Caldas, Caqueta, Choco, Magdalena, Norte de Santander, and Putumayo (ICG,2003:3). The Atlantic coast by 2002 continued to be one of the regions most affected by internal displacement, departments bordering Venezuela and the former demilitarized zone (Caqueta, Cundinamarca, Guaviare, Huila, Meta, Putumayo and Tolima) were also greatly affected (ICG,2003:3). Please refer to Appendix 1 for a map of the populations affected by conflict as of March 2005.

ICG also found that forced internal displacement continued to rise from the period of 2000 to 2002. In 2000 480 municipalities often had their populations forcibly expelled, received IDPs, or both. By 2001, 547 municipalities were affected by population movements a year later in 2002 the number increased to 955 municipalities (of a total 1,100 municipalities) (ICG,2003:3). Internal displacement is multidimensional, multilayered and highly dynamic and for these particular reasons it is difficult to assign or attribute “blame” or responsibility to a specific armed group when almost the entire country is experiencing sporadic violent events or continual confrontations. The same area that produces displacement, will be the same place

another internally displaced persons resettles. This clearly complicates simplistic analysis of internal displacement in Colombia as well as the analysis of persecution.

The research executed by the International Crisis Group (ICG) also states, “there are many reported cases of IDPs who had to flee more than once because ‘the war had followed them’” (ICG,2003:4). Thus people are displaced for a second or third time due to “renewed threats from an irregular armed group”. This begs the question, are people deciding to flee across an international border after being displaced several times? Also does the general lack of state protection against persecution encourage IDPs to seeking asylum? There is no concrete data indicating this, which could be due to the hesitation by organizations to make such connections because of their distinction in international law etc. as mentioned. Also to complicate the matter further, ICG maintains that “it would be more accurate to describe them [asylum seekers] as Colombians who seek refuge, temporary or permanent, from the direct impacts of the armed conflict, regardless of their eligibility for refugee status” (Apr 2003:3-4). These issues and questions are significant to the situation in Colombia and the Americas because of the implications increased numbers of asylum seekers would have on neighbouring countries. This is an area of research that would merit more investigation.

The internally displaced often flee to medium to large sized cities to escape the violence (Pecault:2000:103). IDPs have fled to large and medium sized cities such as Cartagena, Quibdo and Soacha, and to Tumaco and Viota which are smaller in size. In 2002, the departments of Caqueta, Choco, Cesar, Magdalena, Norte de Santander, Putumayo and Sucre received the largest numbers of IDPs (ICG,2003:3). As of March 2005 there were undetermined numbers of displaced in the departments of Bolivar, Sucre, Norte de Santander, Valle de Cuaca, and an estimated 1,700 in Choco. (Appendix 1). According to UNHCR, of the 700 individuals

(registered) seeking asylum in Caracas in 2003, 85% were Colombians. Many Colombian asylum seekers and refugees continue to flee to isolated border communities, however there is an increasing trend to settle in urban Venezuela due to “security concerns and economic difficulties” (UNHCR, March 2005:1).

Displaced Populations: Assistance Programmes

It is apparent from the research undertaken by several international non-governmental organizations as well as several Colombian government organizations, that IDPs and asylum seekers face many obstacles to re-integration after they are displaced. The internally displaced and asylum seekers experience great difficulty accessing many basic yet essential services such as social services, health care, sanitation, housing and education. Many IDPs continue to live in precarious conditions after their initial displacement and are often unable to obtain food and other basic provisions. As a result they experience malnutrition and illness. Furthermore, many indigenous peoples relocate within rural areas of the country where unemployment and poverty are high (ICG, 2003:2). Many indigenous communities still remain deeply attached to their ancestral land thus relocation breaks their connection to traditional way of life and subsistence which can have profound socio-cultural as well as psychological affects (UNHCR, Apr 2005:3).

While the Colombian government provides support to internally displaced persons, they must register and declare their status within a year to obtain assistance. IDPs receive basic assistance for three months. The assistance provided is not for long enough, nor does it address other complex psychological trauma or other employment support that individuals and families may need. Moreover, in 2002, approximately 50% of IDPs did not register with the government to receive assistance (ICG, 2003:1-2). Even though the government legislation to assist IDPs is labeled as progressive by some observers, other substantive solutions to resolve the conflict must

be taken because displacement continues. After government support has been withdrawn, the nutritional status of IDPs rapidly deteriorates. The ability of IDPs to access regular work with decent pay is constrained. On average internally displaced persons “earn only about 61% of the Colombian minimum wage” (Norwegian Refugee Council,2005:7). These inadequacies are also noted by the UNHCR, who state “state programmes do not provide an adequate transition between the emergency phase of displacement and the post emergency socio-economic stabilization phase” (Jul 2003:3).

The Colombian government has been unable to properly respond to internal displacement due to the scale of the crisis, the inadequacy of funding earmarked for social programs (most funding goes to militarization), and the gap between the contemporary situation and current policy (ICG,2003:1). According to the UNHCR there also is “no comprehensive prevention policy on the part of the [Colombian] Government”, moreover “IDPs still face difficulties in exercising their economic, social and cultural rights” (UNHCR, Jul 2003:3). The UNHCR’s “response to the humanitarian crisis in Colombia is based on a comprehensive regional approach aimed at both protection and solutions for IDPs, and at strengthening international protection of Colombians in neighbouring countries” (UNHCR Jul 2003:4). This response includes liaising with government counterparts in Colombia (Red de Solidaridad Social, Ombudsman’s Office) and other implementing partners which include NGOs (CODHES), other United Nations agencies, etc in areas of protection and assistance. These areas include monitoring the displacement (by CODHES), providing legal assistance, training and support, as well projects to prevent displacement (UNHCR, Jul 2003:5).

While these programmes are of assistance to IDPs, there is also no international organization that is mandated to assist them and as a result aid has been unreliable or patchy at

best. Many groups and individuals now have a stake in the maintenance of the conflict, for either economic or political reasons, which makes it incredibly difficult to arrive at viable solutions. The circumstances of Colombia's internally displaced is further complicated because they remain within Colombia thus other states cannot intervene without permission from the Colombian government. Many of the key elements or factors that were mentioned in this paper which continue to perpetuate the Colombian conflict must be addressed alongside programmes such as those mentioned above in order to achieve viable and sustainable peace in Colombia.

Conclusion

Colombia's current population is 45 million people, over the last 20 years approximately 2.5 million people have been displaced and 1.3 million are refugees (UNHCR, Mar 2005:4,21). Forced migration in Colombia continues to be one of the largest humanitarian crises in the Americas today. After forty years of civil conflict the situation in Colombia does not demonstrate great improvements. While there have been attempts at peace talks with the FARC and demobilization of the AUC, the root causes of the Colombian conflict persist. As the World Bank comments, "Latin American inequality is pervasive, characterizing every aspect of life including access to education, health, public services, access to land, ... political voice and influence... high inequality is rooted in the exclusionary institutions that have been perpetuated since colonial times (Oct 1993:1). Such inequality is pervasive in Colombia and has continued to manifest itself in such key issues as the unequal distribution of land, political and economic resources as well as oppressive living conditions for many segments of the population. As this essay has demonstrated both asylum seeking and internal displacement are symptoms "of a far deeper problem within a society" (Cohen,2000:86).

This “far deeper problem” is what Deng call a “crisis of national identity” (Cohen & Deng, 1998,2000:5). The marginalization of specific groups of the population coupled with profound societal inequality, geographic isolation and the absence of any strong central authority made it possible for emergence and dominance of irregular armed groups in many areas of the territory (Schmeidl,1997:288). Thus the “state monopolization by the dominant group” in Colombia has had dramatic implications in Colombia, predominantly being the denial of “the protection and assistance that a state owes its citizens” (Cohen & Deng, 1998,2000:5). The denial of protection by the state has resulted in continued conflict, massive human rights violations, and the displacement of millions both inside and outside of Colombia’s borders.

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Appendix 1

II. ARMED CONFLICT - AFFECTED POPULATION

A) Population movements

B) Other Impact

- At-risk communities: El Carmen de Viboral and San Francisco (Antioquia), Santa Rosa del Sur (Bolívar), Pensilvania (Caldas), Montañita (Caquetá), Bojayá (Chocó), Tibú (Norte de Santander), El Cairo and Riofrío (Valle del Cauca).
- Returns: Urrao (Antioquia).

Source: Norwegian Refugee Council. Global IDP Project.
[http://www.reliefweb.int/rw/fullMaps_Am.nsf/luFullMap/BF4EC04209C768198525700B005BCC39/\\$File/unct-IDP-col310305.pdf?OpenElement](http://www.reliefweb.int/rw/fullMaps_Am.nsf/luFullMap/BF4EC04209C768198525700B005BCC39/$File/unct-IDP-col310305.pdf?OpenElement)
 March 2005.

Appendix 2

Source: CODHES.

http://www.codhes.org.co/cifra/GraficoTendencias1985_2005.jpg

Appendix 3

Map of Colombia by States

Source: CODHES.
<http://www.codhes.org.co/mapas.php>. July 31, 2005.

**Appendix 4: Asylum Applications Lodged
By Colombians 1990-2003**

Source: UNHCR. "International Protection Considerations Regarding Colombian Asylum Seekers and Refugees." <http://www.unhcr.ch/cgi-bin/texis/vtx/home/opendoc.pdf?tbl=RSDLEGAL&id=422c832e4>. (Mar 2005).

**Appendix 5: Colombian Asylum Claims Lodged in
Non-Industrialized Countries
1999-2003**

Source: UNHCR. "International Protection Considerations Regarding Colombian Asylum Seekers and Refugees." <http://www.unhcr.ch/cgi-bin/texis/vtx/home/openssl.pdf?tbl=RSDLEGAL&id=422c832e4>. (Mar 2005)

Appendix 6: Applications and Refugee Status Determination Of Colombians by Country of Asylum 2003

Table 5. Applications and refugee status determination of Colombians by country of asylum, 2003
Figures between 1 and 4 have been replaced with an asterisk

Country or territory of asylum (asylum seekers)	T ¹	L ²	Cases pending at the beginning of the year	Applied since 1 Jan	Decisions since 1 January					Cases pending at the end of the year	Indicators		
					Recognized	Humanitarian	Rejected	Others closed	Total		Recognition rates		Change in pending cases
											Ref status ³	Total ⁴	
Argentina	G		49	7	*	*	*	10	12	44	50%	50%	-10%
Australia	G	AR	38	7	12	*	21	5	38	7	36%	36%	-82%
Australia	G	FI	10	22	*	*	17	*	21	9	19%	19%	-10%
Austria	G		*	10	*	*	*	*	*	*	0%	0%	*
Belgium	G	AR	10	42	*	*	13	*	18	34	13%	13%	240%
Belgium	G	FI	*	31	*	*	25	9	46	*	9%	9%	*
Bolivia	G		9	*	*	*	8	*	12	*	20%	20%	-100%
Brasil	G		42	45	27	*	27	7	61	38	50%	50%	-38%
Bulgaria	G		*	*	*	*	*	*	*	*	*	*	0%
Canada	G		3,148	2,131	1,960	*	302	150	2,412	2,822	87%	87%	-10%
Chile	G		*	56	21	*	*	*	22	38	100%	100%	650%
Costa Rica	G		*	1,545	773	667	327	24	2,011	*	36%	34%	*
Cuba	U		*	*	*	*	*	*	*	*	0%	0%	*
Denmark	G	AR	*	*	*	*	*	*	*	*	0%	0%	-100%
Denmark	G	FI	*	*	*	*	*	*	*	*	0%	0%	0%
Ecuador	G		2,618	11,368	3,282	*	4,356	3,642	11,480	2,528	43%	43%	-4%
Finland	G	FI	*	*	*	*	*	*	*	*	*	*	*
France	G	FI	*	156	33	*	84	*	117	*	28%	28%	*
France	G	RA	*	*	13	*	*	*	13	*	100%	100%	*
United Kingdom	G	AR	*	*	160	*	495	25	670	*	22%	22%	*
United Kingdom	G	FI	*	224	18	5	270	45	338	*	6%	8%	*
Germany	G	RA	*	*	*	*	*	*	*	*	*	*	0%
Germany	G	NA	73	24	*	10	75	7	92	8	0%	12%	-89%
Guatemala	G		7	*	*	*	*	7	7	*	*	*	-100%
Honduras	G		*	8	*	*	6	*	8	*	0%	0%	*
Ireland	G	AR	*	*	*	*	*	*	*	*	100%	100%	*
Ireland	G	FI	*	*	*	*	*	*	*	*	*	*	*
Italy	G		*	59	11	*	32	*	43	*	26%	26%	*
Japan	G	AR	*	*	*	*	*	*	*	*	0%	33%	*
Japan	G	FI	*	*	*	*	*	*	*	11	0%	0%	*
Luxembourg	G		*	*	*	*	*	*	*	*	*	*	*
Mexico	G		20	38	13	*	20	16	49	9	36%	36%	-65%
Netherlands	G	AR	8	*	*	5	6	*	11	*	0%	45%	-75%
Netherlands	G	FI	17	34	5	6	15	13	36	15	19%	43%	-12%
Netherlands	G	JR	19	*	*	*	*	*	*	13	*	*	-32%
Nicaragua	G		6	7	*	*	*	6	6	9	*	*	12%
Norway	G	FI	*	*	*	*	5	*	8	*	0%	38%	*
New Zealand	G	AR	*	*	*	*	*	*	*	7	75%	75%	*
New Zealand	G	FI	*	*	*	*	7	*	8	*	13%	13%	*
Panama	V		54	18	*	*	*	5	5	67	*	*	24%
Paraguay	U		*	*	*	*	*	*	*	*	*	*	*
Peru	G		92	105	19	*	*	53	72	125	100%	100%	36%
Portugal	G		*	5	*	*	*	*	6	*	0%	100%	*
Romania	G		*	*	*	*	*	*	*	*	*	*	*
El Salvador	V		*	8	*	*	*	*	4	*	100%	100%	0%
Spain	G		*	577	79	65	1,293	310	1,747	*	9%	10%	*
Slovakia	G		*	*	*	*	*	*	*	*	*	*	*
Sweden	G	AR	21	*	*	7	12	*	21	13	0%	37%	-38%
Sweden	G	FI	93	40	*	*	32	11	68	62	4%	9%	-33%
Sweden	G	JR	28	*	*	*	*	*	*	57	*	*	104%
Switzerland	G	FI	34	38	36	5	24	10	75	8	55%	63%	-76%
Switzerland	G	CA	*	*	*	13	*	*	13	*	0%	100%	*
Uruguay	U		*	*	*	*	*	*	*	*	*	*	*
United States	G	EO	10,005	8,635	1,589	*	3,062	1,769	6,490	10,388	34%	34%	4%
United States	G	IN	4,487	4,661	1,661	*	2,905	278	4,674	4,370	36%	36%	-3%
Venezuela	G		1,008	1,245	*	*	*	83	83	2,270	*	*	122%
Total			21,911	28,462	9,733	1,014	13,504	6,734	30,565	22,940	40%	44%	9%

Notes
¹ Type of procedure: G=Government; U=UNHCR; V=Various/unknown.
² Level in the procedure: FI=First instance; AR=Administrative Review; JR=Judicial Review; CA=Cartorial regulations; EO=Executive Office of Immigration Review; IN=Immigration and Naturalization Service; NA=New applications; RA=Repeat applications.
³ Number of cases recognized divided by the total number of cases recognized, granted humanitarian status and rejected.
⁴ Number of cases recognized and granted humanitarian status divided by the total number of cases recognized, granted humanitarian status and rejected.

Source: UNHCR. "International Protection Considerations Regarding Colombian Asylum Seekers and Refugees." <http://www.unhcr.ch/cgi-bin/texis/vtx/home/opendoc.pdf?tbl=RSDLEGAL&id=422c832e4>. (Mar 2005).

Appendix 7: Applications and Refugee Status Determination Of Colombians by Country of Asylum 2002

Table 5. Applications and refugee status determination of Colombians by country of asylum, 2003
Figures between 1 and 4 have been replaced with an asterisk

Country or territory of asylum (residence)	T ¹	L ²	Cases pending at the beginning of the year	Applied since 1 Jan	Decisions since 1 January					Cases pending at the end of the year	Indicators		Change in pending cases
					Recognized	Humanitarian	Rejected	Others closed	Total		Recognition rates		
											Ref status ³	Total ⁴	
Argentina	G		49	7	*	-	*	10	12	44	90%	50%	-10%
Australia	G	AR	36	7	12	-	21	5	36	7	36%	36%	-62%
Australia	G	FI	10	22	*	-	17	*	21	9	18%	18%	-10%
Austria	G		-	10	-	-	*	-	*	*	0%	0%	*
Belgium	G	AR	10	42	*	-	13	-	18	34	13%	13%	240%
Belgium	G	FI	-	31	*	-	35	9	46	-	5%	5%	*
Bolivia	G		9	*	*	-	6	*	12	-	20%	20%	-100%
Brazil	G		42	45	27	-	27	7	61	26	62%	50%	-38%
Bulgaria	G		*	-	-	-	-	-	*	*	*	*	0%
Canada	G		3 148	2 131	1 660	-	302	150	2 412	2 822	87%	87%	-10%
Chile	G		*	56	21	-	-	-	22	36	100%	100%	860%
Costa Rica	G		-	1 545	773	887	327	24	2 011	-	39%	64%	*
Cuba	U		-	*	-	-	*	-	*	-	0%	0%	*
Denmark	G	AR	-	-	-	-	*	-	*	-	0%	0%	-100%
Denmark	G	FI	-	-	-	-	*	-	*	-	0%	0%	*
Ecuador	G		2 616	11 368	3 262	-	4 396	3 342	11 460	2 526	43%	43%	-4%
Finland	G	FI	-	-	-	-	-	-	-	-	*	*	*
France	G	FI	-	139	33	-	34	-	117	-	28%	28%	*
France	G	RA	-	*	13	-	-	-	13	-	100%	100%	*
United Kingdom	G	AR	-	-	160	-	493	25	670	-	23%	23%	*
United Kingdom	G	FI	-	224	18	5	270	45	336	-	6%	6%	*
Germany	G	RA	*	*	*	-	-	*	*	*	*	*	0%
Germany	G	NA	73	24	-	10	75	7	62	6	0%	12%	-66%
Guatemala	G		7	-	-	-	-	7	7	-	*	*	-100%
Honduras	G		8	-	-	-	6	*	6	-	0%	0%	*
Ireland	G	AR	-	-	*	-	-	-	*	-	100%	100%	*
Ireland	G	FI	-	-	-	-	-	-	-	-	*	*	*
Italy	G		-	56	11	-	32	-	43	-	26%	22%	*
Japan	G	AR	-	*	-	-	*	-	*	-	0%	33%	*
Japan	G	FI	-	*	-	-	*	-	*	11	0%	0%	*
Luxembourg	G		-	-	-	-	-	-	-	-	*	*	*
Mexico	G		20	36	13	-	20	16	49	6	36%	36%	-59%
Netherlands	G	AR	8	-	-	5	6	-	11	-	0%	45%	-75%
Netherlands	G	FI	17	34	5	6	15	13	39	15	16%	42%	-12%
Netherlands	G	JR	19	-	-	-	-	-	-	13	-	*	-32%
Nicaragua	G		6	7	-	-	-	6	6	9	*	*	12%
Norway	G	FI	-	*	-	*	5	-	8	-	0%	38%	*
New Zealand	G	AR	-	-	*	-	*	-	*	7	75%	75%	*
New Zealand	G	FI	-	-	*	-	7	-	8	-	13%	13%	*
Panama	V		54	16	-	-	-	5	5	67	-	*	24%
Paraguay	U		-	-	-	-	-	-	-	-	*	*	*
Peru	G		92	105	19	-	-	53	72	125	100%	100%	36%
Portugal	G		-	5	-	-	*	-	6	-	0%	100%	*
Romania	G		-	-	-	-	-	-	-	-	*	*	*
El Salvador	V		-	6	-	-	-	-	6	-	100%	100%	0%
Spain	G		-	577	79	65	1 293	310	1 747	-	5%	10%	*
Storravia	G		-	-	-	-	-	-	-	-	*	*	*
Sweden	G	AR	21	-	-	7	12	-	21	13	0%	37%	-38%
Sweden	G	FI	93	40	*	*	52	11	66	62	4%	6%	-33%
Sweden	G	JR	26	-	-	-	-	-	-	57	-	13%	104%
Switzerland	G	FI	34	36	36	5	24	10	75	6	95%	63%	-76%
Switzerland	G	CA	-	-	-	12	-	-	12	-	0%	100%	*
Uruguay	U		-	-	-	-	-	-	-	-	*	*	*
United States	G	EO	10 005	6 835	1 560	-	3 052	1 796	6 450	10 269	24%	34%	4%
United States	G	IN	4 487	4 661	1 661	-	2 935	278	4 874	4 370	36%	36%	-3%
Venezuela's	G		1 028	1 245	-	-	-	82	82	2 270	-	*	122%
Total			21 911	29 462	9 733	1 014	13 504	6 734	30 565	22 940	40%	44%	9%

Notes

¹ Type of procedure: G=Government, U=UNHCR, V=Various/Unknown.

² Level in the procedure: FI=First instance, AR=Administrative Review, JR=Judicial Review, CA=Cantonal regulations, EO=Executive Office of Immigration Review, IN=Immigration and Naturalization Service, NA=New applications, RA=Repeat applications.

³ Number of cases recognized divided by the total number of cases recognized, granted humanitarian status and rejected.

⁴ Number of cases recognized and granted humanitarian status divided by the total number of cases recognized, granted humanitarian status and rejected.

Source: UNHCR. "International Protection Considerations Regarding Colombian Asylum Seekers and Refugees." <http://www.unhcr.ch/cgi-bin/texis/vtx/home/opendoc.pdf?tbl=RSDLEGAL&id=422c832e4>. (Mar 2005).

Appendix 8: Refugee Population from Colombia by Country Of Asylum 1990-2003

Table 1. Refugee population from Colombia by country of asylum, 1990-2003														
Data for 2003 is provisional and subject to change. All figures as of 31 December of each given year.														
The original table had the total number of refugees as 100 at year end 2003.														
Country	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003
Australia*	-	-	-	-	-	-	13	37	54	137	195	235	251	212
Canada*	-	-	-	-	101	112	132	151	235	450	1,377	2,339	4,061	4,559
Costa Rica	-	-	-	-	-	34	92	-	-	64	5*5	3,095	7,329	4,269
Ecuador	73	120	80	92	112	92	93	154	123	159	1,274	1,414	3,122	4,248
France	-	-	-	-	-	312	324	318	295	265	245	253	284	262
Germany	-	-	-	-	-	-	-	-	-	-	-	-	238	214
Italy**	1	2	2	2	2	4	4	4	5	11	23	69	103	114
Norway**	-	-	-	-	-	-	-	43	44	54	194	233	210	205
Panama	-	-	-	-	-	-	7	10	564	733	711	881	569	860
Spain**	-	35	35	36	43	45	65	73	85	160	349	400	537	640
Sweden**	311	441	548	578	846	711	749	800	773	711	622	606	563	572
Switzerland	-	-	-	-	-	-	-	-	121	122	157	186	201	220
United Kingdom*	63	123	133	141	156	159	189	293	425	336	870	915	1,130	1,217
United States*	19	19	35	71	140	250	407	488	534	852	2,814	4,661	11,135	11,550
Various	-	-	12	122	123	143	159	146	218	270	347	400	497	549
Total	494	740	843	1,042	1,363	1,562	2,148	2,177	3,434	4,413	9,279	17,038	30,625	37,905
<p>Notes:</p> <p>* UNHCR estimates based on five years of resettlement arrivals and asylum-seeker recognition.</p> <p>** UNHCR estimates based on ten years of resettlement arrivals and asylum-seeker recognition.</p> <p>Source: UNHCR.</p>														

Source: UNHCR. "International Protection Considerations Regarding Colombian Asylum Seekers and Refugees." <http://www.unhcr.ch/cgi-bin/texis/vtx/home/opendoc.pdf?tbl=RSDLEGAL&id=422c832e4> (Mar 2005).