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23 April 2018

COL106085.E

Colombia: The National Liberation Army (Ejército de Liberación Nacional - ELN), including number of combatants and areas of operation; activities, including ability to track victims; state response and protection available to victims (2016-April 2018)
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

1. Overview

Sources describe the ELN as an armed group (Al Jazeera 11 Jan. 2018; UN 3 Jan. 2018, 5) or a left-wing guerilla group (InSight Crime 3 Mar. 2017; *Financial Times* 10 Jan. 2018; Freedom House 15 Mar. 2018). Sources further describe the ELN to be Colombia's biggest guerilla group (*The Guardian* 7 Jan. 2018; *Financial Times* 10 Jan. 2018).

According to sources, the government of Colombia started engaging in peace negotiations with the ELN in February 2017 (Al Jazeera 11 Jan. 2018; *The Guardian* 7 Jan. 2018; InSight Crime 3 Mar. 2017). Sources indicate that the government of Colombia and the ELN agreed on a temporary ceasefire to last between 1 October 2017 (UN 3 Jan. 2018, 10; Colombia 4 Sept. 2017) and 9 January 2018 (UN 3 Jan. 2018, 10), or 12 January 2018 (Colombia 4 Sept. 2017). The website of Colombia's Office of the High Commissioner for Peace (Oficina del Alto Comisionado para la Paz, OACP) states that under the temporary ceasefire, the ELN pledged to renounce the hostage-taking of nationals and foreigners; attacks on Colombia's infrastructure, including pipelines; the recruitment of minors; and installment of anti-personnel devices (Colombia 4 Sept. 2017). Sources report that on 10 January 2018, the government suspended peace negotiations with the ELN after alleged new ELN attacks on that day (AP 10 Jan. 2018; Agencia EFE 15 Mar. 2018), but that negotiations were to resume in March 2018 (Agencia EFE 15 Mar. 2018). Media sources report that in April 2018, Ecuador withdrew its support as a guarantor country for the negotiations between the ELN and the Colombian government, as result of continuous ELN attacks (Al Jazeera 19 Apr. 2018; Reuters 18 Apr. 2018). Further information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

2. Structure and Leadership

According to sources, ELN's current leader is Nicolás Rodríguez Bautista, alias "Gabino" (InSight Crime 3 Mar. 2017; *El País* 1 Jan. 2018). Sources report that the ELN has approximately 1,500 combatants (AP 10 Jan. 2018), 2,000 combatants (*The Guardian* 7 Jan. 2018; WOLA 7 Feb. 2017), or approximately 2,500 combatants (InSight Crime 3 Mar. 2017).

Sources indicate that the ELN is comprised of fronts (*The Guardian* 7 Jan. 2018; Agencia EFE 21 Jan. 2018; *El Heraldo* 30 Jan. 2018). According to *El Espectador*, a Colombian newspaper, ELN's [translation] "military base is divided into five war fronts (east, northeast, Darío Ramírez, southwest and west), which in turn are grouped into fronts [*frentes*], companies [*compañías*], columns [*columnas*], as well as a battalion [*batallón*]" (*El Espectador* 26 Oct. 2016). The same source indicates that two other large war fronts, the central and urban war fronts, [translation] "operate sporadically" (*El Espectador* 26 Oct. 2016). InSight Crime

states that the ELN "operates using columns and so-called 'War Fronts'" (InSight Crime 3 Mar. 2017). InSight Crime adds that the ELN also "has urban militias in some of the major cities and many of the smaller villages where it operates" (InSight Crime 3 Mar. 2017).

In correspondence with the Research Directorate, the Americas Director of Amnesty International stated that "[a]s far as [Amnesty International is] aware, the ELN functions as independent groups loosely united under a central authority" (Amnesty International 17 Apr. 2018).

Sources report that ELN's National Directorate (Dirección Nacional) has 23 members (InSight Crime 3 Mar. 2017), or 31 members (WOLA 7 Feb. 2017). According to sources, the ELN's Central Command (Comando Central - COCE) has 5 commanders (InSight Crime 3 Mar. 2017; WOLA 7 Feb. 2017). InSight Crime explains that "[e]ach commander is in charge of a different area: military affairs, political functions, international affairs, financial functions, or communications between the COCE and the 'War Fronts'" (InSight Crime 3 Mar. 2017). Without providing further details, *El Espectador* reports that, according to Fundación Paz y Reconciliación [1], the ELN has maintained a network of collaborators in cities who are responsible for carrying out logistical and political tasks (*El Espectador* 26 Oct. 2016). According to the Washington Office on Latin America (WOLA) [2], the "ELN columns operate with a high degree of regional autonomy" (WOLA 7 Feb. 2017).

3. Areas of Operation

According to WOLA, the ELN "retains an active presence in the country, mostly in northeastern Colombia though their influence also extends to Chocó and other parts of the Pacific coast" (WOLA 7 Feb. 2017). The October 2016 *El Espectador* article reports that, according to research carried out by Fundación Paz y Reconciliación, the ELN has a presence in 109 municipalities in Colombia: it is actively present in 99 municipalities, while it has smaller strongholds in the remaining 10 municipalities (*El Espectador* 26 Oct. 2016). Sources report the following regarding locations of ELN fronts:

- The "Héroes y Mártires" Front operates between the departments of Boyacá and Auraca (Agencia EFE 21 Jan. 2018);

- The "Occidental Ernesto Che Guevara" Front ["Ernesto Che Guevara Front" (*The Guardian* 7 Jan. 2018)] is present in the department of Chocó (*The Guardian* 7 Jan. 2018; Colombia 17 June 2017);
- The "Guerra Urbano" Front has cells in Barranquilla, Cúcuta, Medellín, Barrancabermeja, Bogotá, Ibagué, Cali, Popayán and Neiva (*El Heraldo* 30 Jan. 2018);
- The "Western War Front" is present in the department of Chocó (InSight Crime 28 Apr. 2017);
- The "Southwestern War Front" is present in the department of Nariño (InSight Crime 28 Apr. 2017).

A map, produced by InSight Crime, showing areas in which the ELN is present, is attached to this Response (Attachment 1).

According to sources, the ELN has expanded its areas of operation into areas formerly controlled by the Revolutionary Armed Forces of Colombia (Fuerzas Armadas Revolucionarias de Colombia - FARC) (InSight Crime 31 July 2017; UN 2 Mar. 2018, para. 6; AP 10 Jan. 2018). Another map, produced by Fundación Paz y Reconciliación, showing ELN presence in areas that used to be controlled by the FARC, is attached to this Response (Attachment 2).

4. Activities

In an article dated 1 January 2018, the Spanish newspaper *El País* reports that, according to the Centre of Resources for the Analysis of Conflicts (Centro de Recursos para el Análisis de Conflictos - CERAC) [3], since the beginning of the ceasefire between the ELN and the Colombian government in October 2017, the intensity of the violence in areas where the ELN has a presence has reduced (*El País* 1 Jan. 2018). Similarly, the Associated Press (AP) cites church leaders and the UN as stating that the temporary ceasefire "had reduced violence in a majority of the largely poor, rural areas affected by the conflict" (AP 10 Jan. 2018). However, *El País* signals that compliance with the ceasefire deteriorated in December 2017 (*El País* 1 Jan. 2018).

According to InSight Crime, the "ELN fronts have been consolidating and even expanding their power in key areas" (InSight Crime 31 July 2017). Sources from January to March 2018 report that the ELN has carried out the following activities:

- Kidnapping (*El País* 1 Jan. 2018);

- Launching bomb attacks targeting police officers (Al Jazeera 30 Jan. 2018);
- Attacking government targets (Al Jazeera 30 Jan. 2018; Freedom House 15 Mar. 2018);
- Attacking economic infrastructure (UN 3 Jan. 2018, 13; Al Jazeera 4 Sept. 2017);
- Recruiting children (Human Rights Watch 18 Jan. 2018; UN 2 Mar. 2018, para. 33);
- Using antipersonnel landmines (Human Rights Watch 18 Jan. 2018; Amnesty International 17 Apr. 2018);
- Killing civilians (*El País* 1 Jan. 2018; AP 10 Jan. 2018);
- Displacing civilians (Human Rights Watch 18 Jan. 2018; *The Guardian* 7 Jan. 2018; UN 3 Jan. 2018, 12).

The Americas Director at Amnesty International similarly stated that

[d]espite the signing of the Peace Agreement [between the government and the FARC in November 2016], collective forced displacements, deaths or injuries due to antipersonnel mines, kidnappings, forced recruitment and targeted killings have continued following the FARC's demobilization from the territory and as a result of the strong incursion of the ELN in many areas around the country as well as other armed groups such as the paramilitaries and dissident FARC groups. ... The [Indigenous Peoples and Afro-descendant and *campesino* (farmers/those living in rural areas)] communities reported through their grassroots organizations that, after the withdrawal of FARC units from their territories, the ELN has planted mines around their territories in order to impede the advance of paramilitary groups. This has put the lives and physical integrity of the civilian population, especially children and adolescents, at risk and effectively confined communities who find themselves forced to remain isolated and makes it difficult for them to access food and health care in conflict zones. (Amnesty International 17 Apr. 2018)

According to the UN Office for the Coordination of Humanitarian Affairs (OCHA), there was a "[m]ass displacement of 206 people in Nariño due to clashes between the ELN and unidentified armed groups" in June 2017 (UN 3 Jan. 2018, 17).

According to the same source,

[i]n the first 10 months of 2017, ELN [was] responsible for 45% of the total mass displaced persons due to its participation in confrontations with post-demobilization armed groups, unilateral actions and, to a lesser extent, due to confrontations with the [p]ublic [f]orce, [FARC] dissidence and other armed groups. (UN 3 Jan. 2018, 12)

The same source indicates that, according to OCHA monitoring, "between January 2015 and October 2017, indigenous and Afro-Colombian communities represented 79% of the displaced population in mass events" (UN 3 Jan. 2018, 12).

According to the UN Office of the High Commissioner for Human Rights (OHCHR), the ELN is among the organized armed groups that are "taking advantage of the weak [s]tate presence in former areas of [FARC] influence" (UN 2 Mar. 2018, para. 39). According to sources, the ELN has expanded its role in the drug trade since the demobilization of the FARC (*The Guardian* 7 Jan. 2018; InSight Crime 31 July 2017). For further information on the FARC, see Response to Information Request COL106084 of April 2018.

According to sources, the ELN is in conflict with the Urabeños [also known as Gaitanista Self-Defence Forces (Autodefensas Gaitanistas de Colombia - AGC), the Gulf Clan, Úsugas] (Human Rights Watch 18 Jan. 2018; *The Guardian* 7 Jan. 2018) and is fighting with the Urabeños for control in the southern delta of the San Juan River (*The Guardian* 7 Jan. 2018). *The Guardian* indicates that the San Juan river communities face threats by the ELN and explains, based on an interview with a resident, that "if you talk to the ELN or the paramilitaries [Urabeños], the other accuses you of being an informant" (*The Guardian* 7 Jan. 2018). *The Guardian* reports that in March 2017, five people were killed in Carra "by men with ELN armbands" after the ELN accused them of "collaborating with the paramilitaries [Urabeños]" (*The Guardian* 7 Jan. 2018). For further information about the Urabeños, see Response to Information Request COL105773.E of April 2017 and COL106086.E of April 2018.

4.1 Ability to Track Victims

Information on ELN's ability to track victims was scarce among the sources consulted by the Research Directorate within the time constraints of this Response.

According to the Americas Director at Amnesty International, all [independent ELN] groups are in constant dialogue, especially now that the peace negotiation with the government is still underway. Thus, it is feasible to say that, under this expanding structure that has now increased their presence in several parts of the country, it is possible that [the ELN] can monitor a target across Colombia. (Amnesty International 17 Apr. 2018)

According to *The Guardian*, the

ELN murdered the indigenous community leader Aulio Ismará [on 25 October 2017], causing 309 members of his community to flee their homes. The [ELN] claim Ismará had links to military intelligence and they had planned to interrogate him, but he ran away. (*The Guardian* 7 Jan. 2018)

Without mentioning the name, other sources similarly indicate that the ELN killed an indigenous leader (Human Rights Watch 18 Jan. 2018; AP 10 Jan. 2018) in October 2017 in Chocó (Human Rights Watch 18 Jan. 2018).

5. State Response and Protection Available to Victims

Information on state response and protection available to victims was scarce among the sources consulted by the Research Directorate within the time constraints of this Response.

The AP reports that, following the temporary halt on peace negotiations with the ELN on 10 January 2018, the Colombian government ordered Colombia's military to respond to the attacks carried out by the ELN "with force" (AP 10 Jan. 2018). Media sources report that the Colombian military and police killed the leader of the Héroes y Mártires Front in January 2018 (Agencia EFE 21 Jan. 2018; *Semana* 20 Jan. 2018). TeleSUR, a Venezuela-based "Latin American multimedia platform" (TeleSUR n.d.), reports that in January 2018, the Colombian military killed [translation] "at least" 5 ELN combatants in Valdivia, Antioquia (TeleSUR 24 Jan. 2018). Media sources report that in March 2018, the Colombian military killed 10 ELN combatants in Cáceres, Antioquia (RT 6 Mar. 2018; TeleSUR 6 Mar. 2018).

The following information was provided by the Americas Director at Amnesty International:

Protection measures for victims are very limited. National, regional and local state and governmental bodies that have a role to play in terms of victims' support [are part of] the National System for the Attention and Full Reparation of Victims (Sistema Nacional de Atención y Reparación Integral a las Víctimas - SNARIV), created under Law 1448 of 2011, which is coordinated by the Victim's Unit [Unidad para las Víctimas]. Under this mechanism, registered victims [can] access an array of

government services which should include protection, but it is mostly limited to reparation measures, humanitarian emergency aid, and applies to all victims of the armed conflict, including ELN and FARC dissident victims.

For victims who, "given their position or activities, may be subjected to extraordinary or extreme risk," the National Protection Unit [Unidad Nacional de Protección - UNP] has a mandate to provide protection measures that depend on their risk evaluation. These measures are mostly police measures and directed to individuals. At present, the burden for requesting protection measures from the state falls on the people who have received threats, who often live in remote parts of the country and have to deal with a centralized system removed from their contexts. The measures in place do not yet meet the needs on the ground and are not adapted to living conditions in the areas where most violence has been reported since the signing of the Peace Agreement.

Current protection measures only provide protection for individuals and not the communities to which they belong. There is a need to create a system of collective protection measures with input from the communities themselves to determine the type of protection needed. (Amnesty International 17 Apr. 2018)

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

Notes

[1] Fundación Paz y Reconciliación is a non-for-profit NGO dedicated to the study and analysis of the armed conflict, criminality, governance and human rights in Colombia (Fundación Paz y Reconciliación n.d.).

[2] Based in Washington DC, WOLA is a "research and advocacy organization advancing human rights in the Americas" (WOLA n.d.).

[3] CERAC is a Bogotá-based [translation] "private and independent research center specialized in the study and research of armed violence, the analysis of armed conflicts and the study of their impact on the socioeconomic development and the wellbeing of persons" (CERAC n.d.).

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Oral sources: Centro de Investigación y Educación Popular; Conflict Analysis Resource Center; Coordinación Colombia Europa Estados Unidos; Fundación Ideas para la Paz; Fundación Paz y Reconciliación; Human Rights Watch; Instituto de Estudios para el Desarrollo y la Paz; InSight Crime; International Crisis Group; Latin America Working Group; UN – High Commissioner for Human Rights Colombia; Washington Office on Latin America.

Internet sites, including: Colombia – Sistema Nacional de Atención y Reparación Integral a las Víctimas, Unidad Nacional de Protección; Conflict Analysis Resource Center; eoi.net; Instituto de Estudios para el Desarrollo y la Paz; Latin America Working Group, Stanford University; Reuters; UN – High Commissioner for Human Rights Colombia, Refworld.

Attachments

1. InSight Crime. 31 July 2017. Mimi Yagoub. "Despite Peace Talks, Colombia's ELN Guerillas Continue Expansion." [Accessed 12 Apr. 2018]
2. Fundación Paz y Reconciliación. 15 January 2018. "Municipios donde hoy está el ELN y antes estaban las Farc." [Accessed 12 Apr. 2018]

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