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# Immigration and Refugee Board of Canada

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## Responses to Information Requests

Responses to Information Requests (RIR) respond to focused Requests for Information that are submitted to the Research Directorate in the course of the refugee protection determination process. The database contains a seven-year archive of English and French RIRs. Earlier RIRs may be found on the UNHCR's [Refworld](#) website.

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13 June 2008

#### COL102838.E

Colombia: The situation of Afro-Colombians who have been internally displaced by civil conflict (2006 - June 2008) Research Directorate, Immigration and Refugee Board of Canada, Ottawa

Estimates of the number of Colombians who are of African descent range from 10.3 percent, based on figures from the 2005 census (Colombia 2005), to 18 percent (UK 22 Apr. 2008) to 25 percent (US n.d.) of the total population of Colombia, or from 8 to 11 million people (Murillo-Urrutia 24 April 2007, Sec. 3).

In a 12 May 2008 telephone interview with the Research Directorate, a Senior Associate of the Washington Office on Latin America (WOLA) quoted a figure from the non-governmental organization (NGO) Consultancy for Human Rights and Displacement (Consultoría para los Derechos Humanos y el Desplazamiento, CODHES), which estimates that four million Colombians became internally displaced people (IDP) from 1985 to 2008 (WOLA 12 May 2008). According to a representative of the Colombia Human Rights Committee, a United States (US)-based NGO, the Colombian government estimates that there are from 2.5 to 3 million IDPs, while 1,796,508 are registered in the government's IDP Registry (Registro Único de Población Desplazada, RUPD) (Colombia Human Rights Committee 4 May 2008). According to government statistics, the official number of displaced Afro-Colombians in the government registry is 482,484, or 27 percent of the total number of registered IDPs (Colombia 15 May 2008). However, according to Refugees International, a Washington-based NGO, the Colombian government "systematically undercounts the number of IDPs through its official Registry," which is used as the "definitive list of people eligible for government services" (Refugees International 16 Apr. 2007). According to the US Office on Colombia, over one third of IDPs are Afro-Colombians (US n.d.).

Various sources note that Afro-Colombians are disproportionately vulnerable to displacement and human rights violations (Global IDP Project 27 May 2005; PCN 6 Mar. 2007). In a 2006 report based on information provided by CODHES and Human Rights Watch (HRW), the Inter-American Commission on Human Rights (IACHR) indicates that Afro-Colombians are one of the population groups with the "highest rate of forced displacement" because they face "racism and marginalization" and inhabit "territories with resources appealing to combatants" (OAS 18 Oct. 2006, Para. 113).

#### Legislation

A former governor of the department of Chocó presents the context of the Colombian legislation in regards to Afro-Colombians as the following:

The paradox of, on the one hand, enjoying one of the most advanced constitutional frameworks for the empowerment of citizenship rights in general and ethnic rights in particular; and on the other hand, suffering from the drawn out effects of endemic violence and armed conflict (Murillo-Urrutia 24 April 2007).

During a 12 May 2008 telephone interview, a WOLA senior associate stated that the Colombian government has drafted "progressive" legislation, decrees, and programs concerning IDPs. However, in practice, IDPs' rights are

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the Constitutional Court found the government's system for assisting displaced persons was unconstitutional (HRW 11 Jan. 2007). In 2006, HRW reports, the government committed to increase the share of its budget directed to IDP assistance to two billion US dollars over 5 years (2005-2010) (ibid.).

According to an article on the Office of the United Nations High Commissioner for Refugees (UNHCR) website, newly displaced people are entitled under Colombian law to "emergency assistance for at least three months and the right to receive education and health services" (UN 22 Feb. 2005). However, *Country Reports on Human Rights Practices for 2007* indicates that Afro-Colombians face "significant economic and social discrimination," even though they are entitled to all constitutional rights and protections (US 11 Mar. 2008, Sec. 5). In testimony to the US House Committee on Foreign Affairs, the former governor of Chocó quoted a study from Colombia's Office of the Inspector General and Ombudsman's Office indicating that only "30 percent of households individually displaced between 1997 and 2004 and 8 percent of families displaced in large groups received emergency assistance" (Murillo-Urrutia 24 Apr. 2007, Sec. 1).

### Situation of the displaced

The WOLA Senior Associate stated that the *modus operandi* of the rebel and illegal groups has changed from the mass killings of the 1990s to more selective killings and specific threats, which has changed the circumstances surrounding IDPs from large groups or communities fleeing indiscriminate violence to individuals and their families fleeing specific threats (WOLA 12 May 2008). However, some areas, notably the Valle del Cauca and Nariño regions, are still affected by large scale conflict and human rights violations as communities are caught in the crossfire of fighting among the rebels, the illegal groups and the military (ibid.; US n.d.). *Country Reports 2007* indicates that the intensity of fighting in some areas of the departments of Nariño, Valle del Cauca, Arauca, Antioquia, Chocó, and Norte de Santander prevents national or international humanitarian assistance organizations, from accessing the newly displaced populations (US 11 Mar. 2008, Sec. 2.d).

A 1 March 2008 article published in the journal *Americas* indicates that according to the Presidential Agency for Social Action and International Cooperation in Colombia (Agencia Presidencial para la Acción Social y la Cooperación Internacional, Acción Social), "more than 49,000 people who have fled towns and settlements along the Caribbean coast and other parts of the country have ended up in Cartagena," a reality that is reflected "in the shantytowns that have sprung up along the outskirts of the barrios of the city" (Rojas 1 March 2008). Quoting studies by the International Committee of the Red Cross, the Catholic Church, and the University of the Andes, HRW reports that two-thirds of IDPs live in inadequate housing with no access to basic sanitation (HRW 11 Jan. 2007).

According to the WOLA Senior Associate, IDPs, Afro-Colombians or other, generally do not have the financial means to obtain adequate shelter (WOLA 12 May 2008). Very few are able to access the formal economy, and most end up in the shantytowns (ibid.). The majority of internally displaced Afro-Colombians are women, and in particular housewives from rural areas, who lack marketable skills and have the added burden of raising a family (ibid.). In 4 May 2008 correspondence with the Research Directorate, a representative of the Colombia Human Rights Committee stated the following:

[translation]

Displaced people lose everything; they leave their homes, possessions and livelihood and are in constant danger of being the target of retaliation, or of being forced to move again because of renewed violence.

Afro-Colombians, as well as indigenous people, farmers and other groups who are victims of forced displacement, do not have access to appropriate employment. Some work at traffic lights or on the streets, selling small things or cleaning cars, while others resort to begging.

### Government response

In 15 May 2008 correspondence with the Research Directorate, the Deputy Director of the Displaced Persons Services Branch (Subdirección de Atención Integral a la Población Desplazada) of Acción Social described the current actions of the government regarding IDPs, including emergency food aid and psychological assistance for the children of displaced families (Colombia 15 May 2008).

One of the programs described, Families in Action (*Familias en Acción*), aims to help registered displaced families identified as vulnerable by providing them with financial support, on the condition that the funds be used to ensure the nutritional needs of children under 6 years of age and access to education for children 7 to 17 years old (Colombia 15 May 2008). A total of 31,890 Afro-Colombian families, including 66,804 minors, are reportedly benefiting from this program as of May 2008 (ibid.).

Another program, Emergency Humanitarian Assistance (*Atención Humanitaria de Emergencia*), had supplied, as of January 2008, provisions, emergency kits and other assistance to a total of 11,791 displaced Afro-Colombian families in their first days as IDPs (ibid.). The Extended Assistance and Relocation Program (Operación Prolongada de Socorro y Reubicación) provided 14,689,555 rations of emergency food aid to 284,364 people (ibid.).

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region of origin helped 12,472 Afro-Colombian families return between 2002 and 2008, while a housing assistance program, Hábitat, has reportedly helped [translation] "create adequate living conditions" for 18,340 Afro-Colombian families in 80 municipalities (Colombia 15 May 2008). However, HRW reported that in 2006 the Colombian government was backing away from the policy of promoting the return of IDPs to their communities as the principal solution to the displacement problem; this policy had brought criticism from local and international observers (HRW 11 Jan. 2007).

A 30 January 2008 report from Refugees International reports that there has been increased funding and planning by the government, but Refugees International indicates that these advances have not translated to concrete results at the local level (30 Jan. 2008).

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 sources consulted in researching this Information Request.

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Oral Sources: Representatives of Refugee International, the Association of Internally Displaced Afro-Colombians (AFRODES), and Colombia Vive did not provide information within the time constraints for this Response. Attempts to contact the National Movement for the Human Rights of Black Communities in Colombia (Cimarron) were unsuccessful.

**Internet sources, including:** Derechos.org.

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