

## USAID COUNTRY PROFILE

### PROPERTY RIGHTS AND RESOURCE GOVERNANCE

# COLOMBIA

#### OVERVIEW

Colombia has a history of violent land-takings, beginning in 1948 and culminating in a civil war fueled by conflict between the Revolutionary Armed Forces of Colombia (FARC) and paramilitary militias established by landowners, local elites, and drug traffickers. Colombia has one of the highest rates of internal displacement in the world; 3 million people have fled their land since 1985. This has fueled the country's swift urbanization and resulted in the creation of massive informal settlements in which residents lack tenure security and basic infrastructure. In 2004, 1.3 million households (16% of urban households) lived in informal/illegal urban settlements.

In rural areas, land distribution is inequitable; less than 1% of the population owns more than half of Colombia's best land. Land tenure is insecure, particularly for indigenous peoples and members of women-headed households who have been forcibly displaced at disproportionately high levels. Successive government interventions aimed at fostering land reform have been largely ineffective due to corruption within government institutions responsible for reform, as well as a lack of financial and human-resource capacity. In the early 2000s, the Government of Colombia de-emphasized land reform and shifted focus to rural development through agribusiness.

Colombia holds a wealth of natural resources, including extensive freshwater resources, the sixth-largest area of primary forests in the world, and a variety of mineral resources. In terms of species per land unit, Colombia is the second most biodiverse country in the world.

#### KEY ISSUES AND INTERVENTION CONSTRAINTS

- **Rural Land Rights Interventions.** Well-targeted land-rights interventions can help correct inequitable land distribution, increase agricultural productivity and environmental sustainability, and reduce rural violence. A window of opportunity may have been opened in those rural areas where armed conflicts have eased and the security situation has improved. However, the history of failed reforms in Colombia underlines the critical role of political will in the success of future interventions. *The government and donors could explore avenues for scaling-up pilot land and property rights projects that have proven successful in the formalization and restitution of property rights in rural areas that were previously under conflict. For example, the government could better utilize adverse possession laws to secure the rights of informal tenants and revisit policies to encourage large landholders to sell land or enter into long-term leases to make land available to small-scale farmers and laborers. If successful, such pilots could be replicated in other areas that are stable or relatively stable.*
- **Urban Land Rights Interventions.** To improve land-rights security in urban areas and housing conditions for millions of urban residents, as well as to foster growth and employment in the construction sector, the government and donors should work closely with local authorities and the private sector to support a country-wide regularization effort for informal settlements. *As a first step, the government could promote provisional land-rights security through encouraging local authorities to designate informal settlements as "special social areas." It could further assist in providing primary services such as water and sewerage to these communities, as well as longer-term land-rights security over time. The legal framework for adverse possession could also be explored as a tool for formalizing land rights of urban settlers.*
- **Impediments to Land Market Efficiency.** Tax incentives and government subsidies support large landholdings by the well-off, even if this land is under-utilized. These government interventions create land-market inefficiencies, impeding the distribution of land rights to the most productive users. They also contribute to continued socio-economic disparity in rural areas. *As a preliminary step toward greater land-market efficiency and more balanced land distribution in rural*

areas, the government should be encouraged to remove tax incentives and subsidies that give distorted support to large landholders.

- **Dispute Resolution.** Colombia's land disputes hinder rural development and poverty-reduction. New efforts are needed to mediate and resolve conflicts based on land and natural resources. *The government and donors could launch a comprehensive, expedited land-mediation initiative to resolve tenure security issues and provide restitution to the displaced and victims. Such efforts could involve Colombia's trained community paralegals.*
- **Internally Displaced Persons (IDPs).** Colombia has 3.1 million officially registered IDPs. Providing IDPs with secure tenure and connecting them to government services and employment opportunities should be a priority. *For many IDPs, return to their place of origin is not a feasible or even a desired option. The government could implement a comprehensive urban integration strategy, including the formalization of informal settlements where IDPs live, job training, and technical and legal assistance. In situations where IDPs return, however, it is important to ensure that they receive title to their land. For those who wish to be relocated, targeted rural resettlement schemes should be partnered with credit for agricultural development. Programs for IDPs should include a component focused on women and indigenous and Afro-Colombian communities, who are overrepresented among the displaced.*
- **Gender.** Though the Government of Colombia has enacted legislation favorable to women's rights to land and property, women-headed households are especially susceptible to poverty and forced displacement. *A focus on effective implementation of laws protecting women's rights to land could improve living conditions for women and children in Colombia. The government and donors could institute gender training within land-administration bodies and launch a legal awareness/legal aid campaign that aims to increase awareness of women's rights, and empowers women to exercise them. Programs should have a particular focus on vulnerable women, particularly Afro-Colombian and indigenous women, who are more likely to be displaced.*

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<http://usaidlandtenure.net/colombia>

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## SUMMARY

Land distribution in Colombia is highly inequitable, and upward of 68% of the rural population lives below the poverty level. An estimated 0.4% of the population owns 62% of the country's best land. The Government of Colombia (GOC) has attempted land-reform programs designed to equalize land distribution and protect the rights of tenant farmers, with limited success. Large landholders have evaded reform, while institutions charged with promoting reform suffer from internal corruption and lack the capacity to implement changes. Recently the GOC changed its focus to rural development through agri-business and de-emphasized land reform.

Land tenure insecurity is a widespread problem in Colombia, which has a history of conflict and violent land-takings. The failure of land reform, as well as escalating competition for resources, has fueled conflict between guerilla insurgencies and paramilitary groups, with rural communities caught in the middle. Over time, armed groups have gained territory by displacing smallholders from their land.

Colombia has one of the highest rates of internal displacement in the world. There are over 3 million officially registered Internally Displaced Persons (IDPs), though humanitarian groups estimate the actual number to be as high as 5 million. In some cases, communities have been forcefully displaced by combatants intending to utilize the land for commercial agriculture. In other instances, communities abandon their homes in response to approaching violence from armed groups. Overall, approximately 4 million hectares of land have been abandoned due to forced displacement. Following years of conflict, only 26% of the population is rural. While the number of newly-displaced IDPs has decreased significantly in recent years, the continued displacement of people indicates the persistence of rural violence.

Rural violence has fueled rural-urban migration and the displacement of IDPs to urban areas. Rapid urban growth has been characterized by the development of informal settlements on the periphery of urban areas. Residents of informal settlements largely lack formal tenure as well as access to basic services. Many are threatened by eviction for urban development projects.

Though Colombia has legislation favorable to gender equity, women are more susceptible to displacement and the poverty associated with living in informal settlements. Women-headed households constitute 35–50% of all displaced households. Such households have limited access to credit and formal employment opportunities.

### BOX 1. MACRO INDICATORS

	Year	Score
Population, total	2008	44,534,000
Population ages 0-14: 15-64: 65+ (% of total)	2008	29.6: 65.1: 5.4
Population growth (annual %)	2008	1.2
Rural population (% of total population)	2008	25.5
Population density (people per sq. km)	2008	40.1
Literacy rate, adult total (% of people ages 15 and above)	2007	92.7
Land area: Surface area (sq. km)	2008	1,109,500: 1,141,750
Arable land (% of land area)	2005	1.8
Agricultural land (% of land area)	2005	38.4
Permanent cropland (% of land area)	2005	1.5
Irrigated land (% of cropland)	2003	24.0
Forest area (% of land area)	2005	54.7
Nationally protected areas (% of total land area)	2006	25.5
Renewable internal freshwater resources per capita (cubic meters)	2007	48014.2
Annual freshwater withdrawals, agriculture: domestic: industry (% of total freshwater withdrawal)	2007	45.9: 50.3: 3.7
Crop production index (1999-2001 = 100)	2005	114.3
Livestock production index (1999-2001 = 100)	2005	115.4
GDP (current US\$)	2008	242,267,998,868
GDP growth (annual %)	2008	2.5
Agriculture: industry: manufacturing: services, value added (% of GDP)	2008	8.8: 34.3: 16.5: 56.9
Ores and metals exports: imports (% of merchandise exports: imports)	2007	2.3: 3.2
Aid (% of GNI)	2007	0.4

Source: World Bank, 2009

## I. LAND

### LAND USE

Colombia's total land area is 1,109,000 square kilometers. Agricultural land makes up 38% of land area. Of Colombia's cultivated land, 24% is irrigated. The country's diverse topography and climate support a wide variety of cultivation including bananas, coffee, and cereals, as well as forest products and cattle-rearing (World Bank 2009; USDOS 2009a).

In 2008, Colombia had a population of 44.5 million. Over two-thirds of the country's population lives below the national poverty line, including upward of 68% of the rural population. Colombia has one of the highest rates of internal displacement in the world. A large majority of the population has migrated to urban areas over the course of the country's conflict. As a result, only 26% of the population is rural (World Bank 2009; GOC 2005; UN Habitat 2005).

In 2008, Colombia's \$242 billion GDP was composed of 9% agriculture, 34% industry, and 57% services. Of the agricultural component of GDP, 25% was generated by the livestock sector (USDOS 2009a; World Bank 2009; Vera 2001).

Rural land in Colombia is often either under- or overexploited. Nearly one-quarter of land used for grazing is prime agricultural land that could be better used for growing crops, while land that ideally would be conserved or left as forest is overutilized for crops or grazing, resulting in erosion and destruction of forest and water resources. According to the GOC, only 40% of agricultural land is cultivated, due in large part to limited irrigation coverage (Gruszczynski and Jaramillo 2002; Deininger 1999; GOC 2005).

Colombia features coastal lowlands along both the Caribbean Sea and Pacific Ocean. Lowlands along the Caribbean coast are mainly agricultural, while those on the Pacific coast are primarily swamps and dense forests. About one-third of Colombia is covered by the Andes Mountains. Just over one-half of Colombia's territory is forested (55%), and nationally protected areas make up 25% of the total land area. There are 406,000 square kilometers of permanent grazing lands (World Bank 2009; FAO 2009; FAO 2000; Vera 2001).

Land and natural resources are degrading at an increasing rate. Deforestation, erosion, and the silting of waterways negatively impact forests and water resources. Primary forests are cut, and marginal lands such as hillsides are cultivated despite their lack of long-term agricultural potential (Gruszczynski and Jaramillo 2002).

### LAND DISTRIBUTION

Land distribution in Colombia is highly inequitable, with an estimated 0.4% of the population owning 62% of the country's best land. After independence, a dual landholding structure developed in Colombia, with *latifundios* (large landholdings) dependent on large numbers of agricultural laborers and *minifundios* (smallholdings) that made up the peasant subsistence economy. Over time, *latifundios* have grown, and land ownership has become even more concentrated (UN Habitat 2005; Gruszczynski and Jaramillo 2002; Elhawary 2007).

Of rural land registered in cadastre, 22% is state owned, 52% is privately owned, 3% is held by Afro-Colombian communities, and 23% is held by indigenous communities. Of registered land in urban areas, the state owns 64 million hectares, while private owners hold 274 million hectares (UN Habitat 2005).

Unequal land distribution has been further supported by tax incentives and government subsidies that encourage the well-off to retain agricultural land even if they do not utilize it efficiently. Agricultural land is also acquired and held as a means of laundering drug money. Incentives to hold agricultural land have contributed to high land prices unrelated to the land's agricultural value. By impeding land-market efficiency, these interventions also obstruct land from going to the most efficient users, potentially undermining food production and increasing pressure on forests and other sensitive land areas by smallholders or the landless (Deininger et al. 2004; Gruszczynski and Jaramillo 2002).

From the early 1980s to 2000, armed groups acquired approximately 4.5 million hectares of land, or roughly 50% of the country's most fertile land (Elhawary 2007).

Colombia has a large number of internally displaced persons (IDPs), particularly in regions that have important natural resources or have agricultural potential. There are over 3 million officially registered IDPs, though some humanitarian groups estimate the actual number to be closer to 5 million. Overall, approximately 4 million hectares of land have been abandoned due to forced displacement. Newly displaced people in 2009 numbered 286,389 (UNHCR 2010; IRB 2008; Elhawary 2007; IDMC 2009).

#### BOX 2. LAND TENURE INDICATORS

	Score
<u>Millennium Challenge Corporation Scorebook, 2009</u>	
- Land Rights and Access (Range 0–1; 1=best)	0.733
<u>International Property Rights Index, 2009</u>	
- Physical Property Rights Score (Range: 0–10; 0=worst)	6
<u>World Economic Forum's Global Competitiveness Index, 2008-2009</u>	
- Property Rights (Range: 1–7; 1=poorly defined/not protected by law)	4.4
<u>World Economic Forum's Global Competitiveness Index</u>	
- Ease of Access to Loans (Range: 1–7; 1=impossible)	3.4
International Fund for Agricultural Development, Rural Poverty Report, 2001	
- Gini Concentration of Holdings, 1981-1990 (Range: 0–1; 0=equal distribution)	0.77
International Fund for Agricultural Development, Rural Sector Performance Assessment, 2007	
- Access to Land, 2007 (Range: 0-10; 0=no access to land)	3.7
<u>Food and Agricultural Organization: Holdings by Tenure of Holdings</u>	
- Total Number of all Agricultural Holdings, Year	1,547,846
- Total Area (hectares) of all Agricultural Holdings, Year	36,033,713
- Total Number of Holdings Owned by Holder; Year	1,201,914
- Total Area (hectares) of Holdings Owned by Holder; Year	30,638,340
- Total Number of Holdings Rented from Another; Year	86,140
- Total Area (hectares) of Holdings Rented from Another; Year	921,364
<u>World Bank Group, Doing Business Survey, 2009</u>	
- Registering Property-Overall World Ranking (Range: 1–181; 1=Best)	53
<u>World Bank Group, World Development Indicators, 2009</u>	
- Registering Property-Number of Procedures	9
- Registering Property-Days Required	23
<u>World Bank Group, World Development Indicators, 1998</u>	
- Percentage of Population with Secure Tenure	94.1
Armenia	94.5
Maranilla	94.5
<u>Heritage Foundation and Wall Street Journal, 2009</u>	
- Index of Economic Freedom-Property Rights (Range 0-100; 0=no private property)	40
<u>Economic Freedom of the World Index, 2008 (2006 data)</u>	
- Legal Structure and Security of Property Rights (Range 0-10; 0=lowest degree of economic freedom)	4.49
- Protection of Property Rights (Range 0-10; 0=lowest degree of protection)	5.89
- Regulatory Restrictions of Sale of Real Property (Range 0-10; 0=highest amount of restrictions)	8.74

Afro-Colombians have one of the highest rates of forced displacement, constituting approximately 30% of displaced persons, despite comprising only 10–25% of the total population (estimates vary). Traditionally located in the coastal areas of the Caribbean and Pacific regions, many have been displaced to urban centers due to conflict and threats of violence. In some cases, combatants have forcefully displaced communities, intending to utilize their land for commercial agricultural projects, such as palm plantations. In other instances, communities abandon their homes in response to approaching violence from armed groups. The majority of displaced Afro-Colombians are women (IRB 2008; USDOS 2009a; UN-Habitat 2005; Phelps Stokes Fund 2007; Monahan 2008; USAID 2008).

Rural-urban migration and the relocation of IDPs to urban areas have fueled rapid urban growth. In 2000, 76% of the population lived in urban areas. Sixteen percent of the urban population lives in informal settlements (2004). Informal urban settlements develop illegally on public and privately owned land, and are characterized by insecure tenure and lack of basic services. The GOC cites a scarcity of developable urban land as the primary impediment to expanding low-income housing in the formal sector. Other impediments include: rigidity of urban norms affecting land-use and construction; legal, technical and operational barriers to opening new areas to

urban housing development; and a lack of access to financing (Everett 2001; Elhawary 2007; UN-Habitat 2005; Albuja and Ceballos 2010; GOC 2005).



## LEGAL FRAMEWORK

The Colombian Civil Code governs property types and means of acquisition, including occupation, transfer, succession and adverse possession. Other laws and decrees of importance include Decree 1250 (1970), which established the current registration system; Law 66 (1968), which governs urban development and housing and regulates purchase and sale contracts, as well as the expropriation of property by the state; and Law 388 on Territorial Development (1997), the country's national planning law (UN-Habitat 2005).

Colombia's National Land Reform System was established by Law 160 (1994) to balance the inequality of land ownership in Colombia and to bring underutilized land into productive use by promoting transfers of land from large to smaller holders (UN-Habitat 2005).

The GOC is increasingly recognizing and legalizing indigenous land rights and reserves. As of 2005, Colombia had legalized 647 indigenous reserves, covering 31 million hectares. Decree 2164 (1995) regulates indigenous reserves. Law 70 (1993) protects the cultural identity and rights of Afro-Colombian communities and secures their rights to land that they have occupied along the riverbanks of the Pacific Basin Rivers. These communities are not permitted to transfer their land rights (UN-Habitat 2005).

The GOC passed a series of laws with the goal of protecting displaced persons and aiding restitution and resettlement efforts. Law 387 (1997) seeks to prevent displacement by violence, and charges responsible institutions with the protection of abandoned land. A supplementary decree (2001) requires these institutions to identify owners, tenants and occupiers from areas of displacement or threatened displacement. Decree 250 (2005) calls for the titling of communal land held by indigenous groups and Afro-Colombian communities. Such laws and decrees have not been well implemented, and it is estimated that only one-third of the displaced receive assistance (Elhawary 2007).

As of mid-2010, the National Planning Department is coordinating the comprehensive reformation of land policy, which will include the formalization of property rights and the restitution and protection of IDPs' lands, among other items (IDMC 2009).

## TENURE TYPES

Land in Colombia is classified as state property owned by the nation; private property owned by individuals; and communal land, which is possessed by indigenous groups, Afro-Colombian communities, and cooperatives or groups of urban dwellers (UN-Habitat 2005).

Land (other than communal land) can be held or acquired through: private ownership (freehold, unconditional, indefinite); possession without legal registration; invasion, if the invader is not promptly evicted from the property; simple tenure; user loans; rent; usufruct; house leasing; transit lots and temporary settlements (for IDP's); assignment contract or provisional tenure; and joint ventures between private interests and the state (UN-Habitat 2005).

Communal land includes four types of holdings: (1) territories of indigenous groups, titled or untitled, which cannot be transferred or mortgaged; (2) territories of Afro-Colombians; (3) associative and/or joint property held by rural workers as cooperatives; and (4) urban community property (UN-Habitat 2005).

Customary land tenure in Colombia differs between lowland and upland areas. In lowland areas, indigenous tenure regimes cover extensive adjacent territories and a broad array of habitats. Collective territorial units enclose smaller units, which correspond to specific access, use, and property rights. In upland areas, the tenure regime is a hybrid of Spanish and indigenous tradition. Indigenous lands in these areas tend to be fragmented. Community members may hold private land individually, while possessing access rights to communal land (Griffiths 2004).

Informal settlements are located on both public and privately owned land. As land values increase, formal title holders are more likely to seek the eviction of squatters in order to sell land for lucrative development projects.

The uncertainty of tenure in some squatter settlements impedes investment from both residents and government institutions (Everett 2001).

### SECURING LANDED PROPERTY RIGHTS

Land tenure insecurity is a widespread problem in Colombia, which has a history of conflict and violent land-takings. Since 1985, 3.1 million people have abandoned their land due to conflict, or fled after their land was forcibly seized. IDPs have abandoned an estimated 4 million hectares (UN-Habitat 2005).

Ownership rights acquired through purchase require registration of the transfer deed (UN-Habitat 2005). In some urban areas, it is relatively common to obtain ownership rights through adverse possession. Under the National Police Code, invaders may become possessors of private property in urban areas if not evicted within 30 days. In rural areas, invaders become possessors after 15 days. Per the Civil Code (Article 673), possessors of property may acquire property ownership through adverse possession if they meet the following conditions: a) the possessor holds the property as an owner, e.g. pays taxes and installs services in his/her name; b) the possessor holds the land for 10 years in urban areas, or five years in rural areas; and c) a judge declares adverse possession. Invaders can also gain occupation rights for certain classifications of state property. Adverse possession is regularly used in Colombia, and landowners may lose their land if they do not utilize their property. However, the poorest people – those who are most likely to live on invaded land – lack the resources to prove ownership or tenure (UN-Habitat 2005).

Rural-urban migrants and IDPs often gravitate toward informal settlements with the intention of staying permanently. Some settlements have been subject to mass evictions, while others have been gradually annexed into the city. Local authorities may provisionally secure tenure rights for residents in informal settlements by designating these settlements “special social areas.” This designation is a binding declaration of intent by authorities to legitimize the settlement, legalize tenure claims, and implement infrastructure-improvement projects. Such a designation protects residents from eviction (Albuja and Ceballos 2010; Mertins et al. 1998; Macedo 2000).

In rural areas, land may be obtained through the country’s land reform program. Law 160 (1994) established subsidies for farmers to acquire land, with a preference for female-headed households. The subsidy covered 70% of the land cost. Law 812 (2003) modified this program to create an integrated subsidy for the development of productive projects including marketing and land improvement (UN-Habitat 2005).

Formal documentation, such as a deed, ruling, or a resolution of assignment, is necessary to register land. This creates a hurdle to registration for smallholders or IDPs who may have only oral evidence of their land rights. Registration varies by geographic area. In some areas, smallholders remain unregistered, while in others, the majority of smallholders hold titles (which may or may not be registered) due to government registration programs. Large estate holdings are usually registered (UN-Habitat 2005; Gruszczynski and Jaramillo 2002).

Agrarian reform programs prioritized joint titling and the inclusion of female-headed households, resulting in improved rights for women in these programs. However, there is no requirement for joint titling in both spouses’ names when registering private land (UN-Habitat 2005).

### INTRA-HOUSEHOLD RIGHTS TO LAND AND GENDER DIFFERENCES

Colombia has legislation favorable to gender equity. Women can legally own land. Further, men and women have equal land rights. Legislation also provides for the opportunity, though not the requirement, to adjudicate jointly and/or to title land to couples (Deere and Leon 2001).

The Law on Rural Women, Law 731 (2002), specifically recognizes the rights of women (whether married or in stable co-habitation) to agricultural reform parcels and calls for the

<b>BOX 3. LAND AND GENDER INDICATORS</b>		<b>Score</b>
<u>OECD: Measuring Gender In(Equality)—Ownership Rights, 2006</u>		
- Women’s Access to Land (to acquire and own land) (Range: 0-1; 0=no discrimination)		
- Women’s Access to Property other than Land (Range: 0-1; 0=no discrimination)		0
- Women’s Access to Bank Loans (Range: 0-1; 0=no discrimination)		0
		0
<u>FAO: Holders of Land Classified by Sex, 1993</u>		
- Percentage of Female Holders of Agricultural Land		..
OECD: Measuring Gender In(Equality)—Ownership Rights, 2006		

participation of women in the allocation of parcels (UN Habitat 2005).

Married women and those who have been in a stable union for at least two years hold marital property as community property. In the event of divorce, separation, or death of a spouse, community property entitles each spouse to 50% of property acquired during the marriage. Under the Civil Code, when a spouse dies intestate the surviving spouse has the right to 50% of the community property. The remaining 50% is divided equally between all children, regardless of gender or legitimacy. Individuals can bequeath up to 25% of their property through a will. The rules of succession in the Civil Code govern the inheritance of the remaining property (UN-Habitat 2005).

In addition to community property protections, property used as the family home is considered “homestead property,” regardless of when it was purchased or by whom. Such property can only be transferred or mortgaged with the consent of both spouses (Martindale-Hubbell 2008).

Despite legislation protecting women’s rights to land, these rights are repeatedly violated. Women are the most susceptible to forced displacement by armed groups. The percentage of women-headed households in Colombia increased from 26% to 31% between 1997 and 2003. Women-headed households constitute 35–50% of all displaced households. Women-headed households and Afro-Colombian women suffer disproportionately from displacement and more frequently live in informal settlements. Women are also more restricted in their access to subsidies, credit, and adequate basic services, and have limited access to formal employment (UNIFEM 2004; Meertens 2003; UN-Habitat 2005).

#### **LAND ADMINISTRATION AND INSTITUTIONS**

The Colombian Rural Development Institute (INCODER) is responsible for devising and executing agricultural policies, rural development, and some aspects of land registration. INCODER replaced the Colombian Institute for Agrarian Reform (INCORA), a subsidiary of the Ministry of Agriculture and Rural Development, which was in charge of land titling and adjudication prior to 2003. INCORA was dissolved after it failed to achieve its land-reform objectives (UN-Habitat 2005; Elhawary 2007).

Other important bodies include: (1) the Ministry of Environment, Housing and Territorial Development, which is responsible for urban land-use planning and the creation and implementation of national housing policy; (2) the Ministry of Interior and Justice, which oversees Afro-Colombian and indigenous groups’ communal lands and is responsible for protecting the territorial, cultural and traditional rights of indigenous people; (3) the Geographic Institute (IGAC), which oversees the country’s decentralized cadastre system; (4) the National Planning Department, which is in charge of formulating and assessing national policy and is leading interagency policy coordination on land; and (5) the Ministry of Agriculture and Rural Development, which oversees rural development and land policy. Private land, held outside of agrarian reform programs, is registered with (6) the Superintendency of Notaries and Registry, a national body with municipal branches (UN-Habitat 2005; Gruszczynski and Jaramillo 2002; USDOS 2009b).

The National Commission for Reparation and Reconciliation (CNRR) is responsible for following up on the process of reincorporation and on work done by national and local authorities. CNRR also evaluates reparations and restitution for victims of conflict in Colombia. CNRR is composed of one delegate from the office of the Vice President of the Republic, five representatives of civil society, two representatives of victims’ organizations, and five representatives of different state agencies, including the Prosecutor General’s Office, the Ministry of the Interior and Justice, the Ministry of Finance and Public Credit, the People’s Ombudsman, and the Presidential Agency for Social Action and International Cooperation. CNRR has established regional commissions for restitution in six regions: Medellín, Cartagena, Bogotá, Bucaramanga, Cali and Sincelejo. It also has piloted restitution projects in Turbo (Antioquia) and Mampuján (Bolívar), and plans to open commissions in five additional regions in 2010. (CNRR 2009; Leongómez 2010; Alfonso n.d.).

The Colombian Constitution recognizes 82 communities as indigenous territorial entities (ETIs) with councils that exercise jurisdiction in accordance with their own customs. Councils can set internal policy as long as they do not violate the Constitution or laws (UN-Habitat 2005).



## LAND MARKETS AND INVESTMENTS

As of 2007, land values were increasing in conjunction with increased rural security and foreign investment. The land market is very active, although it is non-transparent and highly segmented. Large holders generally purchase from large sellers while smallholders generally purchase from other smallholders (Farzad 2007; Gruszczynski and Jaramillo 2002).

All land transfers must be conducted by deed and must be prepared before a Notary Public. Land transfers must also be registered locally at the Superintendency of Notaries and Registry. Similarly, mortgages must be recorded in the mortgage registry. While transfers of large holdings are usually registered, transfers of smallholdings often are not (Martindale-Hubbell 2008; Gruszczynski and Jaramillo 2002).

Registering a land transaction in Colombia is straightforward, compared to procedures used by the country's larger neighbors including Mexico, Argentina, and Brazil. Registering property in Colombia requires nine procedures, takes 23 days, and costs 2.4% of property value (World Bank 2008b).

## COMPULSORY ACQUISITION OF PRIVATE PROPERTY RIGHTS BY GOVERNMENT

Illegal land-expropriation has been common over the course of the country's history of conflict. The GOC is responsible for 1% of total population displacement through land expropriation. In order to address this problem, Legislative Decree 1 (1999) amended the Constitution to prohibit extrajudicial expropriation of private property. The decree further stipulates that compensation must be paid prior to expropriation (Reynolds and Flores 2008; Elhawary 2007).

Residents of informal settlements are sometimes subject to mass evictions. These evictions frequently relate to urban development; as urban land increases in value, residents of informal settlements are forced further and further to the periphery of the city. This is particularly true in Bogota, where neighborhoods on the periphery of the city are increasingly valued by developers. When evicted, residents are rarely offered compensation or resettlement opportunities (Albuja and Ceballos 2010; Everett 2001; UN-Habitat 2005).

## LAND DISPUTES AND CONFLICTS

Colombia has a history of violent conflict over land. The persistent failure of land reform fueled the emergence of guerilla insurgencies, such as the Armed Revolutionary Forces (FARC) and National Liberation Army (ELN). In response, large landowners formed their own self-defense groups. As these paramilitary groups grew in power, they transitioned from defending large landholders to controlling territory. Paramilitary groups have gained territory by displacing smallholders from their land. This process has led to an estimated 2 to 4 million IDPs (Elhawary 2007).

The civil court system and customary dispute-resolution institutions generally handle land disputes. Indigenous Territorial Entities (ETIs) are allowed to exercise jurisdiction within their communities in accordance with their own customs, rules, and procedures. Neither the court system nor the customary dispute-resolutions are adequately equipped, however, to handle issues related to restitution following mass displacement (UN-Habitat 2005; Elhawary 2007).

## KEY LAND ISSUES AND GOVERNMENT INTERVENTIONS

Inequitable land distribution has long been a concern for the GOC. Successive Colombian governments have attempted agrarian reform with limited success. Large landholders have evaded reform, while institutions charged with promoting reform suffer from internal corruption and lack the capacity to implement changes (Elhawary 2007).

The first land reform law, Law 200 (1936), sought to redistribute idle land and protect tenant farmers' rights; however, landowners responded by evicting tenant farmers en masse. Owners quickly changed farming techniques to convert their idle land, and minimal land was expropriated. These reforms and their futility resulted in the long period of rural conflict known as *La Violencia* (1948–1964) (Gruszczynski and Jaramillo 2002).

Law 135 (1961) sought to establish a new wave of reform. The law established INCORA, which was given authority to expropriate and redistribute unproductive holdings. INCORA did not bring about a more equitable

distribution of rural land. When redistribution did occur, a lack of capital forced many beneficiaries to rent out all or part of their land, sometimes to the original landowner. Between 1960 and 1990, the Gini coefficient for land distribution fell only three points, from 0.87 to 0.84 (Grusczyński and Jaramillo 2002; Elhawary 2007).

In 1994, Colombia passed Law 160 (1994). The Law supports market-assisted land reform in which small buyers are supported by a 70% government subsidy to negotiate directly with sellers for land purchase. Institutions charged with implementing Law 160 have been plagued with corruption, limiting the success of the legislation (Grusczyński and Jaramillo 2002; Elhawary 2007).

In the early 2000s, the GOC began to focus on rural development through agribusiness and de-emphasized land reform. This policy change was reconfirmed by the 2006–2010 National Development Plan (Grusczyński and Jaramillo 2002; Elhawary 2007).

In 2003, the GOC implemented institutional reforms that established INCODER and reduced staffing and financial resources committed to land administration. INCODER has been largely ineffective due to limited financial and staff capacity. The organization has been fraught with corruption. Since 2002, ten directors have lost their positions due to corruption charges (Elhawary 2007).

In its 2006–2010 National Development Plan, the GOC proposed to design and implement a plan to honor certain claims to land by indigenous Afro-Colombian communities. It also stated its intention to title 70,000 hectares of traditional ancestral lands located near rivers in the Pacific Basin to the benefit of 3500 Afro-Colombian families. This land is not suitable for agricultural use. The current state of progress on these goals is not clear (GOC 2005).

From 1999 to 2005, the GOC implemented Plan Colombia with the goal of ending armed conflict, eliminating drug trafficking, and promoting social and economic development. Through Plan Colombia, the GOC entered into peace agreements with several armed groups. Between 2001 and 2005, attacks by illegally armed groups against rural towns decreased by 91%. Between 2002 and 2008, kidnappings decreased by 88%, terrorist attacks decreased by 79%, and attacks on Colombia's infrastructure decreased by 60%. Critics of Plan Colombia have expressed concern over alleged human rights violations associated with implementing the plan (Veillette 2005; USDOS 2010).

In August 2006 the GOC launched *Mesa de Tierras*, or the Inter-institutional Land Commission to help formulate national policy on reparations and restitution of real estate – and particularly land – to displaced peoples. *Mesa de Tierras* brings together 25 representatives from institutions such as the Ministry of Agriculture and Rural Development, the National Planning Department, the Institute for Rural Development (INCODER) and *Acción Social*, as well as members of academia and social organizations (GOC 2006; Alfonso n.d.).

The National Consolidation Plan, the successor of Plan Colombia, was launched in 2009. The Plan is focused on consolidating GOC presence in strategically important parts of the country to increase socioeconomic development and reduce the ability of illegally armed groups to operate with impunity. The Plan also focuses on resolving land issues. In the Montes de Maria consolidation zone, the Plan centers on implementing a project to aid IDPs in returning to their lands (USAID 2010b).

In 2009, the Constitutional Court of Colombia upheld a 2004 decision declaring the government response to the IDP situation an “unconstitutional state of affairs.” The Court also ruled that the GOC must take measurable action in addressing the plight of IDPs. In response to this decision, the National Planning Department is coordinating the comprehensive reformation of land policy, to be discussed in 2010. The reformed policy includes the formalization of property rights and the restitution and protection of IDPs' lands, among other items (IDMC 2009).

## **DONOR INTERVENTIONS**

Beginning in 2010, USAID began assisting with implementation of the US Government's Colombia Strategic Development Initiative (CSDI) and the National Consolidation Plan. USAID support is regionally focused on areas affected by conflict and the illicit economy. USAID interventions seek to strengthen GOC presence in such areas by meeting urgent social and economic needs, although the focus will change to long-term interventions as the regions become more consolidated. These long-term interventions include sustainable economic opportunities, the stabilization and reintegration of ex-combatants and IDPs, improved governance and increased access to

justice. USAID supports vulnerable populations through the provision of housing, employment opportunities, and the expansion of social services (USAID 2010c).

As of June 2009, USAID/Colombia had allocated \$289 million for alternative development programs, including MIDAS (*Más Inversión Para El Desarrollo Alternativo Sostenible*/Additional Investment for Alternative Sustainable Development) and ADAM (Areas for Municipal Alternative Development). These programs have the ultimate goal of curtailing the production of illicit crops (USAID 2010a; Guttman et al. 2007).

MIDAS, a US \$166 million project, works with small and medium farmers to promote investment and job creation through high-value agriculture, commercial forestry, and small and medium enterprises (SMEs). MIDAS supports the development of licit crops such as palm, cacao, and specialty coffee, through education, credit, and marketing support. In addition, the project is working on an expanded Land Reform Program that will focus on: (1) reformulating the country's Land Policy to support displaced populations; (2) implementing land restitution programs at the regional level; (3) reforming laws and regulations to encourage land formalization; (4) improving land-use policies for nature reserves, parks and surrounding areas, including the formalization of community properties or relocation of communities when necessary to meet conservation standards; and (5) improving capacity to rapidly assess land conflicts in Colombia (ARD 2009; USAID 2010a).

The ADAM Program (2005–2010), a US \$190 million project, provides incentives to encourage residents to remain part of or reenter the licit economy. The project supports employment-generation, local governance, dairying and the production of alternative crops. The project assists IDPs through housing, water and sanitation and other infrastructure projects (ARD 2008; USAID 2010a).

The World Bank, the GOC, and national stakeholders support the Protection of Patrimonial Assets of IDPs Project. Phase I of the project (2003–2005) was designed to protect the land rights of IDPs. The project resulted in the protection of 6629 rights to land, covering 69,887 hectares. Phase II (2005–2008) focused on scaling-up the results of Phase I, and strengthening institutional and community capacity to protect the land rights of IDPs. Phase III of the project (2008–2012) is focused on the reparation and restitution process, as well as titling of informal land rights of groups affected by displacement (Acción Social 2010).

In 2001, the Inter-American Development Bank (IDB) loaned Colombia funds to support the titling of vacant rural land and modernize the registry and cadastre (UN-Habitat 2005).

Various donors have provided assistance to IDPs and ex-combatants. USAID and the International Organization for Migration (IOM) have both established projects to provide economic opportunities to ex-combatants and the displaced. Such projects have been controversial, with some claiming that the projects have been used by those with links to paramilitary groups to legitimize illegal occupations and access government subsidies and international aid (Elhawary 2007).

*Acción Social*, a Colombian government institution, established a pilot project to protect, properly adjudicate, and register land abandoned by IDPs. This project is supported by the World Bank, IOM, USAID, the United Nations High Commissioner for Refugees (UNHCR) and the Swedish International Development Cooperation Agency (SIDA) (Elhawary 2007).

The United Nations Development Programme (UNDP) has supported an alternative development program to encourage local communities to engage in licit crop cultivation. Christian Aid, in partnership with various national NGOs, supports Afro-Colombian communities in efforts to resecure their land rights. A group of local NGOs are attempting to create an alternative cadastre to quantify and register illegally appropriated land (Elhawary 2007).

## **2. FRESHWATER (LAKES, RIVERS, GROUNDWATER)**

### **RESOURCE QUANTITY, QUALITY, USE AND DISTRIBUTION**

Colombia has extensive freshwater resources. The basin of the Magdalena River, the country's most important river system, covers one-quarter of Colombia. Most of the country's economic activity and three-quarters of its population is found within this basin. The average annual rainfall is 3000 millimeters, though this varies widely

across the country. Along the Pacific coast, rainfall is up to 8000 millimeters per year (Vera 200; ITTO 2006; FAO 2009).

By sector, water withdrawals are 46% for agriculture, 3% for industry, and 50% for domestic use. As of 1998, 900,000 hectares were under irrigation. Two-thirds of these were privately developed. The GOC relates under-utilization of agricultural lands to poor irrigation coverage (EarthTrends 2003; FAO 2000).

Despite Colombia's extensive freshwater resources, water availability is limited in areas of high population density, specifically the Magdalena and Cauca River basins where 80% of the population is concentrated. Urban water systems, which lack the capacity to meet demand posed by increasing informal urban populations, are also strained (FAO 2000; UN-Habitat 2005).

## **LEGAL FRAMEWORK**

Under the Constitution (1991), the GOC is responsible for the management and use of natural resources to ensure the sustainable development and conservation of those resources (GOC Constitution 1991).

Prior to 1991, Colombia's water-service delivery sector was controlled by the State. Constitutional reforms in 1991 allowed for private participation in the sector. Important laws defining the parameters of privatization include the Privatization Law (Law 226 of 1995) and the Public Services Law (Law 142 of 1994) (Barrera-Osorio and Olivera 2006).

Law 611 (2000) details norms for the sustainable management of water and forest resources (Reynolds and Flores 2008).

The Constitution provides that indigenous groups must participate in decisions regarding the exploitation of natural resources located within their territories (UN-Habitat 2005).

## **TENURE ISSUES**

Water is considered a public resource, but private service-delivery is permitted based on 1991 constitutional changes (Barrera-Osorio and Olivera 2006).

## **GOVERNMENT ADMINISTRATION AND INSTITUTIONS**

Institutions engaged in administration of the water sector include the Ministry of Agriculture and Rural Development, which manages some of the irrigation districts; the Ministry of Environment, the lead agency responsible for managing renewable resources; and the Ministry of Economic Development which is responsible for drinking water and basic sanitation (FAO 2000).

The Colombian Rural Development Institute (INCODER) is responsible for financing and constructing public irrigation networks. Irrigation systems are administered by their users. Users of large irrigation systems have created administrative entities, but there has been a lack of administrative oversight of small irrigation systems. As a result, many small irrigation systems have fallen into disrepair (Blanco 2008).

There is no government agency responsible for overseeing the administration and development of private irrigation systems, many of which are developed by private individuals with government assistance. The user is responsible for the maintenance of these systems, which are generally effectively managed and utilize sophisticated technology (Plusquellec 1989).

The Water and Sanitation Commission is the public regulatory commission in charge of water utility services. In many urban locations, water delivery has been privatized and is overseen by private operators (Barrera-Osorio and Olivera 2006).

## **GOVERNMENT REFORMS, INTERVENTIONS AND INVESTMENTS**

Colombia's water sector has undergone two major reforms in recent decades. First, municipal governments have been charged with service delivery. Second, Constitutional reforms in 1991 permitted private participation in water service delivery. Though unpopular, privatization has positively affected welfare, especially in urban areas where access to safe water has increased (Barrera-Osorio and Olivera 2006).

The National Environmental System (SINA) is composed of 33 autonomous regional corporations which manage Colombia's forests. Through the system of regional corporations, the country emphasizes watershed reforestation projects and protection (ITTO 2005).

The 2006–2010 National Development Plan calls for improved management of water resources, as well as territorial environmental planning and the prevention/control of environmental degradation (World Bank 2008a).

#### **DONOR INTERVENTIONS AND INVESTMENTS**

USAID has worked with the Colombian Ministry of Health to develop community enterprises to manage the delivery and distribution of water services (USAID 2006).

A component of USAID's ADAM project supports the creation of improved water and sanitation facilities for IDPs. The World Bank, the United Nations Children's Fund (UNICEF), the Inter-American Development Bank, and the Spanish government fund water supply and sanitation projects. As of 2008, the International Bank for Reconstruction and Development (IBRD) and the GOC were finalizing a national water sector management modernization project (ARD 2008; AiDA 2009; World Bank 2008a).

### **3. TREES AND FORESTS**

#### **RESOURCE QUANTITY, QUALITY, USE AND DISTRIBUTION**

Fifty-nine percent of Colombia's land area is forested. Eighty-seven percent of the country's forests are primary forests, which gives Colombia one of the largest areas of primary forest in the world. The country also has cloud forests, a moist and humid environment that is home to low trees, mosses, and ferns that capture moisture from clouds and provide a unique habitat for rare and endangered species (FAO 2009; FAO 2005; Bubb et al. 2004).

As a result of complex variations in climate, topography, and soil, Colombia has globally significant plant biodiversities. Colombia holds 10% of the world's biodiversity, making it the second most biodiverse country in the world (Vera 2001; FAO 2005; Hagan n.d.; FAO 2009).

Deforestation in Colombia threatens the country's vast biodiversity, primarily in the Amazon forest. The annual rate of deforestation is estimated to be between 0.1% and 0.9%. The government is unable to safeguard designated protected areas and, as a result, original forests are harvested along Colombia's frontiers. Deforestation is caused by agricultural expansion, indiscriminate logging, and the collection of fuelwood. Persons who settle within protected areas are often able to obtain formal title eventually, encouraging continuing forestland encroachment and clearing (GOC 2007; FAO 2009; Gruszczynski and Jaramillo 2002).

#### **LEGAL FRAMEWORK**

A new General Forest Law was adopted in 2006 (Law 1021). Major goals of this law include encouraging the development of plantations and natural forests, as well as the protection of the territorial rights of Afro-Colombian and indigenous communities over their forests. It also regulates forest concessions. The Constitutional Court of Colombia has challenged this law. As of September 2010, it is not currently being enforced (Reynolds and Flores 2008; USAID 2006; ITTO 2006).

Under the Constitution, indigenous groups are able to participate in decisions about the exploitation of natural resources within their territories (UN-Habitat 2005).

#### **TENURE TYPES AND SECURITY**

Forest ownership is both private and public. Private forest land is composed of private property and collective property, which includes indigenous land and the land of Afro-Colombian communities. Indigenous and Afro-Colombian communities own 22.1 million hectares and 5.4 million hectares of forest land, respectively (ITTO 2006).

Timber harvesting is permitted via permits, concessions and authorizations. No concession has been allocated since 1985. Cutting permits are widely used to harvest timber in natural forests (ITTO 2006).



Afro-Colombian communities are traditionally linked to forests through shifting cultivation and the collection of forest resources. Their customary rights to forest resources are supported by the Constitution (1991) (ITTO 2005).

Indigenous forest-dwelling communities in Colombia continually adapt to the ecosystem around them to ensure the sustainability of resources. Concepts of forest tenure within these communities are fluid (Davis and Wali 2006).

#### **GOVERNMENT ADMINISTRATION AND INSTITUTIONS**

Forest management is part of the National Environmental System (SINA), which is made up of 33 autonomous regional corporations. These are responsible for the management of all natural resources within their jurisdiction. Management activities include granting concessions and authorizations for forest harvesting (ITTO 2006).

The Ministry of Environment, Housing and Territorial Development (MAVDT) creates policies for renewable natural resources and the environment, including forestry. The Department of National Planning, the Ministry of Agriculture and Rural Development, and the Ministry of Commerce, Industry and Tourism are responsible for different aspects of forest management (ITTO 2006).

#### **GOVERNMENT REFORMS, INTERVENTIONS AND INVESTMENTS**

The 2006–2010 National Development Plan calls for territorial environmental planning, the prevention/control of environmental degradation, and a program to strengthen national systems for the promotion of environmental governance (World Bank 2008a).

Under the Tropical Forest Conservation Act, in 2004 a debt-for-nature swap was signed by the United States, the Government of Colombia, and NGOs including the Nature Conservancy, World Wildlife Fund, and Conservation International. The debt-for-nature swap will provide direct funding for conservation activities (50%) and an endowment fund for nine protected areas (50%) (USAID 2006).

#### **DONOR INTERVENTIONS AND INVESTMENTS**

USAID's MIDAS project supports forestry plantations and improved natural forest management, as well as the creation of sustainable business opportunities through Payment for Environmental Services programs. The MIDAS Commercial Forestry Component promotes development of forestry plantations as a means of creating employment and improving licit income opportunities (ARD 2009; USAID 2007).

USAID collaborates with the U.S. Department of Interior to assist the Colombian National Parks Unit. The partnership is focused on improving the management of the Colombian Park System, especially the conservation of natural resources (USAID 2009).

A \$4 billion World Bank grant funds the San Nicolas Carbon Sequestration Project. The project is working to develop carbon sinks in Colombia through reforestation. The project also includes work with small landowners to develop sustainable agroforestry activities, as well as training and capacity-building on sustainable forestry and biodiversity protection (AiDA 2009).

The European Development Fund, Germany, and JICA fund smaller forestry projects (AiDA 2009).

## **4. MINERALS**

#### **RESOURCE QUANTITY, QUALITY, USE AND DISTRIBUTION**

Colombia has considerable mineral resources, including iron ore, nickel, gold, silver, copper, platinum, emeralds and mineral fuels, such as coal, natural gas, and petroleum. Investments in mining have increased in conjunction with rising oil and energy prices (USGS 2008; USDOS 2009a).

Mineral production in Colombia is dominated by mineral fuels, primarily coal and crude petroleum. The country is Latin America's largest coal exporter and is the region's fifth-largest producer of crude petroleum.

Indigenous groups have claimed that they have been forced off their mineral-rich land by powerful groups interested in exploiting the resources (USGS 2008; AI Canada 2009).

The expansion of mining in Colombia is generating conflict and negative environmental impacts. In some regions, the expansion of mining has resulted in the dislocation of local communities, particularly indigenous and Afro-Colombian groups. In areas that have seen an expansion of gold mining, such as northwest Antioquia state, mercury-related illnesses have increased among both miners and the general population (*Science Daily* 2007; Delgado 2010).

## **LEGAL FRAMEWORK**

Mining and minerals are governed by Colombia's Constitution, Articles 332 and 360, which provides for state ownership of the subsoil and natural and nonrenewable resources, as well as the right to determine conditions for the exploitation of nonrenewable resources; the Mining Code (Law 685 (2001)), which governs all activities related to mining; and the Petroleum Code (Decree 1056 (1953)), which provides for special concessions contracts for the exploration and exploitation of petroleum (GOC Constitution 1991; Martindale-Hubbell 2008).

The Constitution supports the participation of indigenous groups in decisions about the exploitation of natural resources within their territories. In Afro-Colombian collective communities, the Ministry of Mines and Energy must coordinate with local communities when making decisions regarding the exploitation of nonrenewable resources (UN-Habitat 2005).

## **TENURE TYPES AND SECURITY**

All nonrenewable natural resources belong to the state, which can undertake exploration and exploitation on its own or grant concession rights to private parties to undertake exploration and exploitation (Martindale-Hubbell 2008).

Domestic and foreign individuals and companies can apply for mineral concessions. Concession contracts are granted for 30-year renewable terms and are transferrable and heritable (Martindale-Hubbell 2008).

Special concession contracts must be made with the state for petroleum exploration and exploitation (Martindale-Hubbell 2008).

Some communities in Colombia have a long history of artisanal mining. This includes a significant number of children, particularly in the country's coal mines. Throughout Colombia, women involved in mineral extraction primarily practice subsistence mining. Along the Pacific Coast, women outnumber men in small mining activities (MMSD 2002; Hinton et al. 2003).

## **GOVERNMENT ADMINISTRATION AND INSTITUTIONS**

The Ministry of Mines and Energy (MME) oversees the mineral and energy sectors and executes mining concession contracts. Several agencies report to the MME, including the Energy and Gas Regulatory Commission, the Energy Division, the Gas Division, the Hydrocarbon Division, the Mining Division, Ecopetrol S.A., Empresa Colombiana de Gas, the Colombian Institute of Geology and Mining (*Ingeominas*), and the Energy Mining Planning Unit (UPME) (USGS 2008; Martindale-Hubbell 2008).

The National Hydrocarbon Agency (ANH) is in charge of the administration of hydrocarbon reserves owned by the government and carries out exploration and exploitation either on its own or through contractors or joint ventures (Martindale-Hubbell 2008).

## **GOVERNMENT REFORMS, INTERVENTIONS AND INVESTMENTS**

The liberalization of the petroleum sector in recent years has spurred increased investment and exploration. The MME designed revisions to the Mining Code (2001) to better capture high mineral commodity prices and attract greater private investment to the mining sector (USDOS 2009a; USGS 2008).

The World Bank lists Colombia as a "pipeline" country for adopting the Extractive Industries Transparency Initiative (EITI). Although Colombia has not yet become a formal candidate, it has made announcements

suggesting that it will join the Initiative, becoming the second Latin American country (after Peru) to do so (World Bank 2008c).

## **DONOR INTERVENTIONS AND INVESTMENTS**

In the mid-2000s, the International Finance Corporation (IFC) provided technical assistance to improve the use of oil and gas royalties by local municipalities and to encourage oil and gas exploitation companies to adopt environmental and social best practices (World Bank 2008a).

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