

Local government responses to internal displacement in urban areas: A study of Bogotá and Cali, Colombia

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Executive Summary¹

Forced displacement in Colombia is the result of a prolonged armed conflict that has primarily affected rural populations who have fled in large numbers to cities in search of safety and assistance. This displacement has generated serious demographic and humanitarian pressures for the many cities that have witnessed significant population increases over short periods of time. Entire municipalities have seen their population decrease by half because of displacement, while others have seen their population increase by 20 percent due to the arrival of IDPs.² Internally displaced persons (IDPs) in Colombia are located throughout the country but are concentrated in urban areas marked by extreme poverty, fragile security conditions, and insecure housing and urban services. This study examines the relationships between local governments and internally displaced communities in Bogotá and Santiago de Cali (known as Cali) and highlights the critical role that local authorities play in supporting the human rights of IDPs and in implementing policies to protect them. In cities hosting large numbers of IDPs, such as Medellín, Bogotá and Cali, urban violence by parties to the armed conflict and by organized criminal groups has generated the phenomenon of intra-urban displacement, meaning that IDPs also flee both from and to these cities.³ In this light, policies for the provision of assistance to victims and ending the armed conflict must be focused on cities and involve the coordinated intervention of both local and national authorities.

Protection of and assistance to IDPs in Bogotá and Cali: The role of local authorities

Bogotá, D.C. was selected for this study as it is the capital and the largest city in Colombia, and hosts the majority of the country's internally displaced population. It includes various municipalities integrated in a metropolitan area and constitutes a special territorial unit, the Capital District (Distrito Capital, or D.C., in Spanish). The popularly-elected local authorities are the *alcalde mayor* and the city council. The city is subdivided into *alcaldías locales*, headed by an *alcalde local* appointed by the *alcalde mayor* and a popularly-elected local administrative committee (a *junta administradora local*). Cali, located 250 miles southwest of Bogotá, offers another interesting case of analysis as it is the third largest city in the country, the capital of the Valle del Cauca department, and has been the principal destination since the 1990s for persons displaced in the southwest of the country.

Bogotá stands out as the city most affected by demographic pressure due to its hosting of growing numbers of internally displaced persons. IDP – or ‘victims’ – assistance policies have been incorporated into the city's development plan. As this study reveals, politics makes a difference in assistance to IDPs: in Bogotá, social democratic-leaning local governments over the

¹ The full text of this report is available in Spanish at the Brookings-LSE Project on Internal Displacement website at: <http://www.brookings.edu/research/reports/2013/05/municipal-displacement-colombia-vidal>

² Government of Colombia, Constitutional Court, Order 007 of 2009, available at: www.corteconstitucional.gov.co

³ Intra-urban displacement has occurred in these cities since 1998.

past decade have meant that assistance to victims has become one of the key pillars of Bogotá’s social policy. IDP assistance has been incorporated into development plans in both Bogotá and Cali. In Bogotá, in fact, an important part of the local government agenda, set forth in its 2012-2016 development plan, ‘A More Human Bogotá,’ puts at its core the promotion of human rights of victims of the armed conflict who seek refuge in the city and the implementation of the 2011 Law of Victims and Land Restitution. In the development of national policies, IDPs have begun to be assisted together with victims of the internal armed conflict.

Tensions between national and local authorities in assisting IDPs

In Colombia, municipalities and departments enjoy a degree of political autonomy, resulting in tension between the central government and these ‘territorial units’ when it comes to IDP protection and assistance.⁴ While national authorities hold municipalities responsible for IDPs, local authorities (mayors and governors) insist that it is the national government that is responsible for assistance given that displacement is an effect of armed conflict. With the implementation of transitional justice mechanisms since 2005 for the demobilization of armed groups, the system for assistance to “internally displaced persons” has slowly given way to a system of assistance to “victims.” This present study has been conducted in the context of this institutional transition. Under Colombian law, “victims” include a broad range of people affected by the armed conflict, not only IDPs. Within these policies of assistance to victims/IDPs, constitutional tensions have become evident, between the central government and the administrative and political autonomies that the law attributes to territorial units, primarily municipalities and departments.

Undeniably, Colombia’s Law 387 on internal displacement, passed in 1997, marked a historic shift in the government’s approach – previously *ad hoc* – to internal displacement.⁵ This law officially recognized internal displacement as a serious issue facing the country, identified and defined the rights of IDPs and established a bureaucratic and policy framework for protecting and assisting them. The obligations of local authorities vis-à-vis IDPs were more precisely articulated in Law 1190 of 2008, and between 2009 and 2011, standards setting forth the roles of the national and local authorities were developed. The Constitutional Court has sought to verify compliance with these standards, including the performance of local authorities.⁶ However, major gaps remain in the full implementation of Colombia’s legal and policy framework for IDP protection and assistance, including local-level implementation.

⁴ See further, a summary report of a meeting held with Colombian mayors and municipal authorities and jointly organized by the Brookings-Bern Project on Internal Displacement, Acción Social, the Universidad de los Andes and UNHCR, accompanied by a study by Ana María Ibáñez and Andrea Velásquez on the obstacles to greater involvement by municipal authorities with IDPs, “Public Policies to Assist Internally Displaced Persons: The Role of Municipal Authorities” : Brookings-Bern Project on Internal Displacement, *Protecting the Displaced in Colombia: The Role of Municipal Authorities: A Summary Report*, July 2009, www.brookings.edu/reports/2009/07_colombia.aspx

⁵ For full text of the law, in Spanish or English, see Brookings-LSE Project on Internal Displacement, “IDP Laws and Policies Index: Colombia,” www.brookings.edu/about/projects/idp/laws-and-policies/colombia

⁶ See further, for example, Rodolfo Arango Rivadeneira, ed., *Judicial Protection of Internally Displaced Persons: The Colombian Experience* (Washington, D.C.: Brookings-Bern Project on Internal Displacement, November 2009) www.brookings.edu/papers/2009/11_judicial_protection_arango.aspx

While the state has sought, through legislation, to sort out the relationship between the central government and the territorial units, this study shows that this relationship continues to be difficult in both Bogotá and Cali. This is evident in the continuation of conflict that maintains – and, in some cases – increases, IDP flows. The state and municipalities face constant pressure to provide assistance to victims of the conflict, meaning that already scarce resources become completely insufficient. The fact that local authorities have been assigned the primary responsibility for providing emergency humanitarian assistance, with some additional funds from the national authorities, has provoked an intense debate over the division of responsibility between national authorities and municipalities. At the same time, national authorities have been expected to take the lead in supporting longer-term stabilization policies in health, education and housing. Municipal officials in Bogotá noted that they were in ongoing dialogue with national authorities, while officials in Cali noted the lack of adequate inter-institutional coordination. However, in both cities, local officials felt that the central government did not provide sufficient funds to support IDPs. Facing a lack of adequate resources for an appropriate response, the state and municipalities seek to avoid their respective responsibilities vis-à-vis IDPs, to the detriment of one another and, ultimately, to IDPs themselves. Indeed, in this context, it is IDPs who have paid the price, as they have seen their rights restricted, or have remained stuck on waiting lists for future resources.

Key Aspects of and Challenges to IDP Assistance

The number of IDPs and the strength of the economy in the territorial units are the variables that affect the role of local authorities. Bogotá, as the capital of the country and a larger city than Cali, has a certain capacity for economic and administrative maneuvering, and, therefore, a greater ability to respond. In contrast, despite being an important city, Cali is hugely impacted by the ongoing flux of forcibly displaced persons, who exert pressure on less robust public finances, which have also suffered from many management and corruption problems in recent years. Facing these conditions, the response of the authorities is much more precarious and depends on assistance from national authorities.

While the management of the Capital District is known as one of the most efficient in the country, over the past eight years, the administration has focused on the provision of emergency assistance to the growing population of IDPs in the city, on guiding national policies and on the lack of local policies supporting socioeconomic rehabilitation. In contrast, relevant government officials in Cali deem that internal displacement is associated with the armed conflict that occurs outside of the municipality and that, as such, it is not they but, rather, the municipal authorities in the municipalities of origin who bear the economic and administrative responsibility for the IDPs.⁷

With the above points in mind, this report highlights some of the key aspects of and challenges to local government response to IDPs in Bogotá and Cali:

- In Bogotá, the government has developed a new strategy for victims of the armed conflict through the establishment of Regional Centers of Assistance to Victims, called “Centers of Dignity” (*Centros Dignificar*). These are for the implementation of national policies by the full institutional structure for victims – in terms of the national government,

⁷ Interview with officials in the Office of the Mayor of Cali (*la Alcaldía de Cali*), 2012.

departments, districts and municipalities – building on the experience over the past decade of Assistance and Orientation Units for IDPs (*Unidades de Atención y Orientación (UAO) para población desplazada*). This was the system in place until 2011 when the policy shifted to assistance to ‘victims,’ as discussed above. The objective is to have Centers of Dignity in areas hosting the largest numbers of victims.

- Health services are in principle universal in Colombia, but in fact remain a lacuna in government response, with serious deficiencies in quality and coverage for the entire population. In Bogotá, while IDPs themselves have a special system for accessing health services, managed by the District, the assistance they receive is inadequate despite their enrollment in the General System of Social Security in Health (*Sistema General de Seguridad Social en Salud, SGSSS*).
- In Cali, there have been significant advances in IDP assistance in terms of health, education, civil registration, and in the provision of some public services such as electricity and sewage, with the exception of new, substandard or informal settlements where there are conflicts with the surrounding communities for access to public services.⁸
- While Bogotá and Cali have tried to form links with municipalities of origin in order to facilitate the return of IDPs, these programs have not been possible due to the ongoing armed conflict which makes returns unsustainable. In fact, IDPs do not tend to return to their place of origin, but, rather tend to resettle in urban areas, resulting in an urbanization of internal displacement.
- In Cali, the municipal administration offers IDPs, in conjunction with the national government, housing and livelihoods programs, and, to a lesser extent, with the assistance of the US Agency for International Development (USAID) through the International Organization for Migration (IOM) and the Government of Valle del Cauca.⁹ However, these programs are insufficient as they neither provide the minimum coverage needed nor enable the self-sufficiency of IDPs.
- In Bogotá and Cali, the implementation of Law 1448 on Victims and Land Restitution of 2011 resulted in the institutional transformation of the system of assistance to IDPs through the National System for Assistance and Comprehensive Reparation to Victims of Displacement.¹⁰ In Cali, as in the other municipalities and districts in Colombia, this is manifested in the framework of the Municipal Committees of Transitional Justice. In Cali, the municipal mayor established the transitional justice committee in March 2012 and has since presided over it, with the participation of national government entities including the Victims’ Unit of the President of the Republic.¹¹
- In Cali, there is a lack of adequate administrative and bureaucratic structure in the Peace Advisory Office, the body designated by the mayor for the coordination of reparations to IDPs. This limits the municipality’s ability to manage the issue and also reveals the low profile that the local government assigns to it.¹²
- Host communities comprised of IDPs themselves, in the outskirts of Bogotá, have been strained by the arrival of more newly displaced IDPs. In the context of marginalization

⁸ Interview with *Personería* officials in Cali, 2012.

⁹ Interview with officials in the Office of the Mayor of Cali (*la Alcaldía de Cali*), 2012.

¹⁰ For full text of the law, in Spanish, see Brookings-LSE Project on Internal Displacement, “IDP Laws and Policies Index: Colombia,” www.brookings.edu/about/projects/idp/laws-and-policies/colombia

¹¹ Interview with officials in the Office of the Mayor of Cali, 2012.

¹² Interview with officials in the Office of the Mayor of Cali, 2012.

and lack of subsistence measures, the relationships between these hosts and IDPs have become tense and exacerbate the country's existing social and racial discrimination.¹³ To overcome this situation, Bogotá, D.C. has endeavored to ensure that programs targeting IDPs also benefit host communities. Notwithstanding, some host communities have protested to prevent the implementation of these policies.¹⁴

- Plans, programs and projects targeting IDPs include consultations with leaders of organizations assisting IDPs. However, it is recognized that this participation focuses on the provision of information, as IDP leaders do not have a significant influence on public policies that are shaped by the law and depend on the political will of officials in terms of assigning resources and setting priorities. IDP leaders and host community organizations are not consulted in these policies. Rather, consultation is effected at the level of project implementation.¹⁵ Officials recognize that IDP organizations and their leaders are well informed about their rights, while the main challenge lies in the high levels of fragmentation within the IDP community and the fact that their organizations may not be representative of the vast numbers of existing IDPs.¹⁶
- One of the best practices to emerge from both past and present experience with IDPs in Colombia is the critical role of the business sector in the sustainable stabilization of IDPs. For example, under the framework of “Strategic Regional Alliances,” for which the national government received resources from the Government of Japan administered by the World Bank, businesses were actively involved in solutions, with the participation of the Office of the Local Mayor (*Alcaldía Local*). On the one hand, the Office of the Local Mayor ensured that IDPs could work as subcontractors and providers. At the same time, productive sectors, such as printers, textile companies, and recycling plants, among others, opened their supply chains and labor markets to IDPs. The role of the national government included the financing of the technical, finance and psychosocial training of the victims, and the provision of seed money and jobs. IOM, the Pan-American Foundation for Development (FUPAD), CHF and World Vision co-funded training and the provision of seed money and work.
- Incentives for local governments to provide IDP assistance exist in the case of Cali, in terms of the possible sanctions that officials would face for avoiding legal responsibility that they have for IDPs, including the disciplinary sanctions of the Constitutional Court in its Sentence T-025 of 2004, the mechanisms for control and the follow-up tools that Law 1448 of 2011 and the Court granted to the national government as head of the Victims' Unit, to issue a type of certificate for the fulfillment of territorial authorities and other entities of the system.

¹³ Roberto Carlos Vidal López, Clara Inés Atehortúa Arredondo and Jorge Salcedo, *The Effects of Internal Displacement on Host Communities: A Case Study of Suba and Ciudad Bolívar Localities in Bogotá, Colombia* (Washington, DC: Brookings-LSE Project on Internal Displacement International Committee for the Red Cross, 2011), www.brookings.edu/research/reports/2011/10/host-communities-colombia-idp

¹⁴ Roberto Carlos Vidal López, Clara Inés Atehortúa Arredondo and Jorge Salcedo, *The Effects of Internal Displacement on Host Communities: A Case Study of Suba and Ciudad Bolívar Localities in Bogotá, Colombia*, 2011.

¹⁵ Interview with officials in the Office of the Mayor of Cali, 2012.

¹⁶ Interview with officials in the Office of the Mayor of Cali, 2012.