

MISSION REPORT COLOMBIA

8 – 15 OCTOBER 2016



A OVERVIEW OF MISSION

GPC missions support national and sub-national humanitarian protection actors at the country level to achieve a humanitarian response of the highest quality possible, by strengthening intra-cluster coordination as well as inter-cluster coordination, protection strategic planning, effective protection programming and service delivery methodologies. The main objective of a Global Protection Cluster Support Mission is to enhance and strengthen overall field Protection Cluster performance.

The **GPC Mission to Colombia** aimed to take into consideration the changes that the expected signature of a Peace Agreement might bring to the humanitarian architecture, with a focus on durable solutions, and the role of the Protection Cluster in the design and implementation of a potential Durable Solutions Strategy. In addition to this, the GPC Mission will provide specific support during the Humanitarian Response Plan Workshop to reinforce the importance of centrality of protection in humanitarian action and present the GPC checklist on incorporating Protection and Accountability to Affected Populations in the Humanitarian Programme Cycle.

Global Protection Cluster

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■ THE KEY OBJECTIVES OF THE MISSION WERE TO:

- ✓ Participate in the Humanitarian Response Plan Workshop, to support the National Protection Cluster in mainstreaming protection in the final HRP document.

- ✓ Bring technical support to determine the population based approach required by the IASC guidance and protection indicators for the Protection cluster plan.

- ✓ Present the GPC Checklist on incorporating Protection and Accountability to Affected Populations in the Humanitarian Programme Cycle (HPC) to help OCHA and lead clusters to ensure AAP commitments are fulfilled and protection is made central to the humanitarian response in all stages of the HPC.

- ✓ Support the preparation of the advocacy strategy of the National protection cluster and discuss potential advocacy measures to highlight protection-related issues in a post peace agreement scenario with a particular focus in donors.

- ✓ Advocate to continue with the humanitarian architecture in Colombia and establish a response strategy taking into account the centrality of protection, and aiming at strengthening the protection of and assistance to conflict related displaced persons throughout the existing coordination mechanisms.

- ✓ Discuss with the Protection Cluster possible coordination mechanisms in event of contingency in the Colombian border with Venezuela, and existing actions plan to address the mixed migratory flows crossing the Colombian territory.

- ✓ Discuss the role of the PC regarding involvement with development actors and a potential Durable Solutions Strategy in Colombia.

■ THE EXPECTED OUTPUTS WERE AS FOLLOWS:

- Concrete recommendations regarding the PC role in a post-agreement scenario are in place, and protection needs and gaps, with the different needs and interests of the victims – men, women, children and adolescents of any ethnicity – and the communities at risk are reflected in the HRP 2017.

- Concrete actions on the advocacy measures to be taken at global level are in place. (i.e GPC Alerts, Colombia-specific debriefings).

- Concrete recommendations on the position of the PC in a scenario of transition of the humanitarian architecture and with the UN Mission of verification.

- Concrete recommendation on how to coordinate the response to mixed migratory flows/ mixed situation especially at the border with Venezuela.

- UNHCR coordinating role as Protection Cluster Lead at both national and local level is strengthened. Links with development actors are reinforced in the context of durable solutions.

- Collect best practices and lessons learned to enhance the GPC Community of Practice.

B OPERATIONAL CONTEXT

After the departure of the previous Humanitarian Coordinator in March 2016 and following a letter signed by the HCT and formal requests made by both UN agencies and civil society organisations a new Humanitarian Coordinator, with a one-year mandate was appointed in September 2016. The recently arrived Resident Coordinator will be double hatting until September 2017. After this date, the continuity of the humanitarian architecture in Colombia remains at stake.

Following ten years of work under the cluster system, the Protection Cluster (PC) is one of the most active clusters with a membership of 34 organizations and agencies, including ECHO. The Protection Cluster has focused its prevention and protection work in specific population groups such as IDPS affected by mines, gender based violence, as well as children subjected to forced recruitment, use and exploitation by illegal armed groups. Another of the PC objectives is centered in responding to recurring emergencies, where indigenous communities and afro-descendent populations are the most affected.

The Cluster has two sub-working groups: one focused on Mine Action, led by UNMAS, and one focused on GBV, co-led by UN Women and UNFPA. The Mine Action subgroup is undergoing a transitional period as UNMAS has focused on providing technical support to the national institution in charge of Mine Action (DAICMA in its Spanish acronym) and no meetings of the subgroup were organized in 2016. The GBV subgroup meets regularly, having focused its work in the revision of GBV referral pathways and strengthening its membership and coordination. However, in both cases, there is a lack of capacity to drive the implementation of all activities planned in the working plan.

Child protection is a cross-cutting issue throughout the work of the PC but no AoR is in place. In spite of the importance of land issues, no sub-working group in Housing, Land and Property is in place.

C PROTECTION CONTEXT

Since 2012, the Government and delegates from the guerrilla group FARC-EP have worked towards a final agreement to end the armed conflict. In August 2016, both parties announced consensus on the measures and actions defined by the final agreement, and a definitive bilateral *cessez-le-feu* was agreed. In September 2016, the formal signature of the agreement took place in Cartagena de Indias, Colombia, with the attendance of more than 2,000 delegates around the world. The agreement was subjected to a plebiscite, scheduled for October 2, 2016. The majority of the population did reject the agreement and as a result, the peace process was put in standby, awaiting for the revision of amendments suggested by the no partisans.

During the above process, the PC has highlighted the acute protection risks that would persist despite the signature of the peace agreement where the country would face a post-agreement scenario, -not a post-conflict scenario- whereby protection actors would remain vigilant of the re-accommodation of illegal armed actors.

As an example, during the peace negotiations, several departments such as Choco and Nariño suffered from severe human rights violations, producing a steady number of displacements, among other events.

Choco

Choco continuous to be gravely hit by the armed conflict, witnessing not only the expansion of post-demobilization armed groups such as the Autodefensas Gaitanistas de Colombia, but also the arrival of the guerrilla group (the National Freedom Army, Ejército de Liberación Nacional - ELN) which did not take part of the Peace Agreement. As a result, combats between these illegal armed groups, and fighting between them and the regular army have generated the displacement of more than 9000 people in 2016. Others protection risks have also increased such as forced recruitment and presence of landmines/UXOs.

In a post agreement situation, the Protection Cluster of Quibdo is focusing on giving visibility to the above protection risks and humanitarian needs however, they are no longer seen as a priority. Most

organizations are prioritizing peace building and development projects over humanitarian ones, which may have severe consequences in the current context of ongoing armed conflict, since key actors such as ethnics authorities are not consulted on their protection needs.

Nariño

Another example of a critical protection situation is about the Awa Indigenous people in the department of Nariño. The Awá indigenous people- with a population of 40,070 people, of which 35,270 live in Colombia- have been disproportionately affected by the internal armed conflict. The Colombian Constitutional Court¹ have declared them in risk of physical and cultural extermination due to forced displacement and other violations of human rights and international humanitarian law. The conflict have affected their individual and collective rights.

Despite the Peace agreement, protection risks remain acute for this population because illegal Armed actors (ELN, AGC)² are strengthening their positions in indigenous territories disputing over strategic corridors and illicit crop areas to pursue drug and weapons trafficking. Landmines are currently used to constraint and control the Awas and other civilian population.

This, coupled with the geographical isolation of many of these communities, limits humanitarian access and institutional presence. Additionally, the continued armed conflict have weakened the role of indigenous authorities in their own territories significantly affecting restitution process such as the land one.

Finally, due to the deterioration of the political and socio-economic situation in Venezuela, mixed migratory flows continue to arrive in Colombia. Among the profiles, a considerable number of Colombian persons of concern returning to their home country and a limited but constant number of Venezuelan persons in need of international protection are suffering from protection risks which need to be addressed.

¹ Constitutional Court Sentences 004 Of 2009 and 174 of 2011.

¹ ELN (Ejercito de Liberacion Nacional) is the other most important guerrilla group in the Country, already present in Nariño. AGC (Autodefensa Gaitanista de Colombia) is an armed groups derived from the paramilitary groups demobilization in 2005.

KEY ACHIEVEMENTS AGAINST MISSION TORS

- ✔ Delivered a presentation during the HRP workshop on protection risks and on Accountability to Affected Populations and the importance of mainstreaming protection in all areas of the humanitarian response.
- ✔ Reviewed data and categories of population included within the People in Need in the HPC 2017 to ensure an adequate representation of persons affected by the armed conflict and in light of the official figures on IDPs. In this line:
 - ✔ Agreed the breakdown of persons affected by natural disasters into two different categories: persons affected solely by natural disasters and persons affected by armed conflict and natural disasters (double affectation);
 - ✔ Adjusted the projected number of IDPs, up to 571.000 persons;
 - ✔ Provide technical support to ensure the centrality of protection and the protection lens throughout the 2017 HNO and the HRP narratives.
- ✔ Assessed with both co-leads of the Protection Cluster and the leading agencies of the existing two Subgroups (Mine Action and GBV), the functioning and work carried out in 2016 and the possible post-agreement scenarios to:
 - ✔ Respond to immediate protection needs (the so-called recurring emergencies);
 - ✔ Prevent, mitigate and respond to protection risks, in particular related to Mine Action and GBV and advocate for stabilising and efficient identification, referral and adequate response to individual cases with the national authorities;
 - ✔ Foster strategies and actions supporting durable solutions processes with a human rights approach.
- ✔ Meet with UNICEF to explore the possibility of creating a Child Protection AoR.

- ✓ Meet with NRC to explore the possibility of creating a HLP AoR to address accessing land and housing.
- ✓ Exchanged views with the GenCap and its support to gender-related actions within the humanitarian architecture.
- ✓ Briefed the Protection Cluster and UNHCR on advocacy measures that could be taken at global Level (i.e GPC Alerts, Colombia-specific debriefings).
- ✓ Participated in a mission to Choco to deliver a training on Protection mainstreaming and discuss protection concerns.
- ✓ Advocate with the Humanitarian Coordinator for:
 - ✓ The continuity of the humanitarian architecture in Colombia and the adoption of a HCT Protection Strategy to strengthen preventive, responsive, and remedial capacity of authorities, communities and humanitarian actors, especially national ones, to deliver protection in line with international standards.
 - ✓ The safe and dignified returns of IDPS and other Durable Solutions measures and helping vulnerable returnee families where return areas are secure.
 - ✓ Protection of and assistance to conflict related displaced persons, through advocacy and the strengthening of existing coordination mechanisms.
 - ✓ The Protection Cluster possible coordination mechanisms in event of contingency in the Colombian border with Venezuela, and existing actions plan to address the mixed migratory flows crossing the Colombian territory (identification of the affected populations, across age, gender and diversity groups).
 - ✓ Strengthen the protection capacities of the UN Mission and key development actors to mitigate threats and risks to the civilian population.

C FINAL CONCLUSIONS AND KEY RECOMMENDATIONS

- Placing protection on the HC agenda:
 - The Protection Cluster needs to proactively include protection as a standing item on the HC agenda by providing regular briefings and notes focusing on the most critical protection priorities and recommendations to be brought to the attention of the HC/HCT;
 - The need for a HCT Protection Strategy to guide the work of the HCT was identified as a priority action for the early quarter of 2017. It is recommended to request the deployment of a ProCap to support the design of the Strategy;
 - Maintain a protection working group to continue the visibility of protection risks in case the humanitarian architecture ends up after September 2017;
- **Protection Cluster leadership:** The PC will continue to consider strategic methods of engagement that would influence the HCT in a scenario of transition. It is suggested that the PC will:
 - Strengthen UNHCR leadership at local level and UNHCR active participation in the NPC, to define local protection strategies and concrete actions to ensure a stronger protection response;
 - Define together with the Norwegian Refugee Council a stream of work on Housing, Land and property. Create a Sub-Cluster working group if applicable;
 - Discuss with UNICEF, the possibility of creating a CP working group, or create a formal link between the existing Child Protection National WG and the Protection Cluster to ensure that children affected by conflict are protected from grave human rights violations, and identified and referred to specialized protection assistance;
 - Review of the ToRs of the Mine Action Subgroup in light of the active role of the national institution in charge of Mine Action, the evolving scenario with regards to Mine Action and upcoming challenges, and the absence of meetings during 2016;

- Suggest the appointment of a full-time coordinator for the GBV subgroup to facilitate meetings, produce working documents and support the design and monitoring of the subgroup Work Plan;
- Update the PC Strategy in light of the current political situation, including the use of the PC as a platform to discuss (i) the transition of the humanitarian architecture and (ii) the response to mixed migratory flows/mixed situation at the border with Venezuela to bring greater clarity and focus on key concerns and priority actions prioritizing a number of areas requiring urgent protection interventions;
- Request support from the Cash Advisor to provide orientation on cash management for institutions and victims receiving cash reparation Mapping of protection-related actors, both at national and local level, to reinforce interactions and knowledge transfer on actions and results achieved by interagency groups, as well as challenges ahead.

🔗 Engaging with non-protection actors:

- Continue working closely with the other sectors and local authorities to build protection mainstreaming capacity with the objective of incorporating protection principles into sector-wide humanitarian programming and assistance delivery;
- Distribute the GPC Protection Package to key stakeholders;
- Analyse the protection capacity of key development/peacebuilding actors in areas where the HRP is being implemented together with the UNDAF throughout the ELP and deliver targeted training on identified gaps;
- Define a protocol of collaboration with the UN verification mission.