

# THE HUMANITARIAN TRAGEDY OF FORCED DISPLACEMENT IN COLOMBIA

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## INTRODUCTION

In Colombia, forced displacement due to the violence is a phenomenon that has affected a significant percentage of the population. Today, the great majority of displaced persons live in poverty or indigence,<sup>2</sup> and may be described as the most vulnerable of the vulnerable. This has given rise to a humanitarian tragedy of unforeseen proportions.

Up to December of 2009, official government figures show that the total number of households registered in the information system on the displaced population (*Sistema de Información de Población Desplazada*) amounted to more than 700,000; a figure that indicates the total number of displaced persons is over 3.6 million, and thus represents 7.9% of the country's population. Nevertheless, it is known that the official figures do not reflect the total number of displaced persons, as there is a perceptible percentage of under-registration among this population. According to studies carried out, this percentage could be around 25%. Under these circumstances, it could then be said that the displaced population may amount to 4.5 million persons, and account for over 10% of the total population.

## Background

In January 2004, the Constitutional Court of Colombia declared, by means of ruling T-025, the existence of an *unconstitutional state of affairs* (*Estado de Cosas Inconstitucional*).<sup>3</sup> This arose from the consideration that a mass violation of human rights against a significant part of the displaced population had become evident. In addition, this was not attributable to a specific entity, but involved several state bodies through action or omission.

Among the orders imposed by the Constitutional Court on the Colombian Government, by means of the ruling T-025, are found, among others: appropriating sufficient

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<sup>1</sup> Respectively, the Director and Coordinator of the National Verification Process of the Monitoring Commission on Public Policy on Forced Displacement. (*Proceso Nacional de Verificación de la Comisión de Seguimiento a la Política Pública sobre Desplazamiento Forzado*)

<sup>2</sup> Poverty and indigence lines (*LP* and *LI*) form one of the two systems commonly used to measure poverty in Colombia. The poverty line is taken as the minimum income required to acquire the set of goods and services necessary for the support and sustenance of household members. The indigence line measures the minimum income needed to feed (satisfy the nutritional needs of) household members.

<sup>3</sup> An *unconstitutional state of affairs* (*Estado de Cosas Inconstitucional*) is brought about by a systematic situation which is contrary to the political constitution. The declaration of an *unconstitutional state of affairs* occurs when two causal elements are verified with regard to a violation of fundamental rights: one is that the said violation is of a general nature, that is, it affects a large number of persons; the other is that the attributable affecting causes are of a structural nature, meaning that their occurrence does not originate exclusively in the action or omission of one entity or specific authority but, on the contrary, involves a group or number of entities. For a more detailed understanding of this concept, the following rulings may be consulted, among others: SU-559 de 1997 M.P. Eduardo Cifuentes Muñoz; T-153 of 1998 M.P. Eduardo Cifuentes Muñoz; T-068 of 1998 M.P. Alejandro Martínez Caballero; T-847 of 2000 M.P. Carlos Gaviria Díaz, T-1291 of 2000 M.P. José Gregorio Hernández and T-1030 of 2003 M.P. Clara Inés Vargas.

resources for the characterization of the needs and rights of the displaced persons; the attention and satisfaction of minimum levels of protection of their fundamental rights; the establishment of conditions to support the effective participation of their representatives; and the definition and quantification of parameters and indicators for the permanent evaluation of public policy in the prevention and attention of displacement.

To date, the Constitutional Court considers that the *unconstitutional state of affairs* has not been superseded, and that the rights of the displaced population have not been re-established. Thus, it maintains its authority in the case, exercising its internal jurisdictional function and continually authorizing scenarios for public audiences and debate with the participation of various social representatives.

The Constitutional Court issued the writs 109 and 233 of 2007 and 116 of 2008, by means of which a system of indicators was adopted to evaluate the degree of compliance with the rights of the displaced population. They have also requested that both the Colombian Government and the Monitoring Commission on Public Policy on Forced Displacement (*Comisión de Seguimiento a la Política Pública sobre Desplazamiento Forzado*) verify the degree of compliance with the said rights.<sup>4</sup>

The Monitoring Commission understands its task as part of a procedure of democratic evaluation of the process of Colombian state accountability in the matter of human rights. It considers that this constitutes an unprecedented and useful exercise in the consolidation of the foundations of a *social state governed by the rule of law* (*Estado Social de Derecho*)<sup>5</sup> in Colombia. The Commission bases its work on the conviction of requiring the effective enjoyment of rights through the implementation of efficient and appropriate public policies. It considers that these policies should respect the different characteristics and identities of communities, as well as state obligations acquired through the signing and ratification of international human rights instruments.

Within the framework of the tasks of verification that observe the degree of compliance with the rights of the displaced population, the Monitoring Commission has carried out three National Verification Surveys with sufficient statistical rigour to extrapolate results for the whole displaced population.

The present document is a synthesis of some of the documents presented by the Monitoring Commission to the Colombian Constitutional Court, principally the Third Verification Report and a document regarding the impact of internal displacement on the assets and the income of displaced population made using the results of the Third National Verification Survey (*III Encuesta Nacional de Verificación-ENV*) carried out during the months of July and August of 2010.

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<sup>4</sup> With the objective of contributing to guaranteeing the rights of the displaced population, the consultancy for human rights and displacement (*Consultoría para los Derechos Humanos y el Desplazamiento-CODHES*), a citizens' organization (*la Corporación Viva la Ciudadanía*), a religious social organization (*el Secretariado Nacional de Pastoral Social*), the law faculty of the Andes university (*Facultad de Derecho de la Universidad de los Andes*), an international NGO focused on protecting children (*Organización Plan Internacional*), and important personalities from Colombian public life formed the Monitoring Commission on Public Policy on Forced Displacement (*Comisión de Seguimiento a la Política Pública Sobre el Desplazamiento Forzado*, abbreviated *Comisión de Seguimiento - Monitoring Commission*).

<sup>5</sup> The first article of the Colombian Constitution of 1991 describes the Colombian State with the words *Estado Social de Derecho*, meaning both that Colombia is a *state governed by the rule of law*, and that the state has a *social function*. Existing short translations such as *Social State of Law* may not convey these two concepts satisfactorily.

## I. SOCIO-DEMOGRAPHIC CHARACTERISTICS OF THE DISPLACED POPULATION

The households of displaced persons are large: 4.9 persons on average for the displaced persons registered in the RUPD (*Registro Único de Población Desplazada*) system and 4.4 persons on average for the unregistered displaced population. Thus on average, they have over one person more than the average Colombian household; which consists of 3.9 persons, according to the population census of 2005

The number of female heads of households is higher among the displaced population than in Colombian households in general: 46,8% versus 29.9, respectively, according to the 2005 census. **A significant proportion of these women carry out this responsibility alone: of the total number of displaced population households registered in the RUPD system with female heads, 67,6% are headed by a woman without a spouse, with the aggravating factor that up to 49.4% of these households contain children under 18 years of age.** The situation is similar for the households not registered in the RUPD system: 38,6% have a woman as their head, of which 75,1% are women without a spouse and 50,7% are women both without a spouse and with children under 18. Two problems are combined here: a greater vulnerability, due to a lone head of household, and the presence of children under 18, which represent a greater burden for the women.

The displaced population pyramid appears more like that of Colombia 20 years ago than that of present day Colombia. The high presence of children and adolescents (56,3% of persons under 20 years of age, in the case of the RUPD registered displaced population and 52,7% in the unregistered population) and the lower proportion of adults means that demographic and economic dependence is greater. This situation is exacerbated by the high rate of pregnancy (3,6% of women between 12 and 50 years of age were pregnant at the time the Third National Verification Survey - *III ENV-2008* - was carried out).

The participation of ethnic groups among the displaced population is greater than the national figure taken in the census, which corroborates the assumption that these groups have suffered the severity of forced displacement to a great degree. In effect, according to the Third National Verification Survey (*III ENV-2010*), 29,7% of displaced persons stated that they belonged to an ethnic group (22,5% stated they were Afro-Colombian, versus a national average of 7.2% according to the census of 2005, and 6.4% stated that they were indigenous, versus a national figure of 3.4%). In addition to the vulnerability brought by displacement and their present socio-economic conditions, this population is also subject to vulnerability caused by the constant discrimination to which they have been historically submitted.

The population in a situation of forced displacement is characterized by a high rate of illiteracy; almost 20% in the case of heads of households of 15 years of age and over. This factor reflects the principally rural origin of the displaced population and the age-old educational backwardness of rural areas (the illiteracy rate for rural areas was 19.5%, over twice the rate for the country as a whole, which is 8.6%, according to the census of 2005). This illiteracy rate is combined with low educational levels, specifically those of heads of households and their spouses, who have studied for less than 4.6 years in formal education. That is 5 years less than the obligatory education anticipated in the constitution.

The demographic structure of the displaced population includes a high percentage of children. Accordingly, the rate of economic dependence - measured as the relation between the whole population and those of working age (12 years and over) who are

occupied -is 3.6 in households with displaced persons registered in the RUPD system, and 3.4 in households with unregistered displaced persons.

In light of the above data, it is clear that the displaced population suffers from an accumulation of adverse socio-demographic factors that increases the vulnerability characteristic of their condition to the point where they face a situation of real humanitarian tragedy.

## II. CHARACTERISTICS OF DISPLACEMENT

The principal characteristics of the crime of forced displacement in Colombia can be summarized in the following manner:

1. A significant percentage (approximately 8%) of the family groups have suffered more than one forced displacement. This denotes a reiterated failing on the part of the State in its duty of protection, which generates conditions of enduring humanitarian crisis.

2. Some 62% of family groups of the displaced population included in the RUPD have been driven out of rural zones, 20,9% from small towns and 17,2% from municipal centers, which indicates the predominantly rural origin of the population affected by displacement.

3. During the period 1998-2010, the highest levels of displacement are recorded for the interval 1999-2002, when 41,9% of the total displacement of the period in reference took place. This reflects the worsening of the armed conflict that occurred in that period, due on one hand to the expansion and consolidation of the paramilitary project, and on the other to the breaking off of peace dialogues with the FARC guerrilla group. Nevertheless, it should also be noted that 47,8% of the displacements of families included in the RUPD register of displaced persons occurred in the period between 2003 and 2008, which covers among other events: the supposed demobilization process of the paramilitary groups; an important phase of the counterinsurgency and antinarcotics plans carried out by the Colombian State; and the implementation of the law known as *la Ley de Justicia y Paz* (Justice and Peace Law).

4. Direct threats constitute the principal motive for displacement during the whole period analyzed. These threats have worsened in recent years to the point of affecting almost 60% of those family groups included in the RUPD and have displaced more communities between 2005 and the middle of 2010. For these registered family groups, murder of relatives makes up the second cause of displacement, and massacres the third cause.

5. In terms of the presumed responsibility for the displacements affecting family groups registered in the RUPD system, the paramilitary groups occupy first place with 31,3% and the FARC guerrilla group occupy second place with 26,7%. A similar order is reported for unregistered displaced family groups. However, after 2005, this order is reversed, the FARC guerrilla occupying first place with 32,2%, and the paramilitaries occupying second place with 22,6%. It is noted that the alleged responsibility attributed to the paramilitary groups by families not registered in the RUPD system is proportionally greater than in the case of families registered in the RUPD system, especially in the period 2005 onwards, which coincides with the process of supposed demobilization.

### **III. EFFECTIVE ENJOYMENT OF RIGHTS ON THE PART OF THE DISPLACED POPULATION**

Within the system of the affected rights of the displaced population, different subsystems may be classified according to (a) the stage of the process of displacement, (b) the character of observance of rights in terms of their structural or current/temporal nature, and (c) the permanence of the effective enjoyment of the right. Thus, for example, while some of the rights are oriented toward the generation of conditions for self-sustainability or socio-economic autonomy, others correspond to basic humanitarian principles, which impose obligations on the State for the provision of assets and services.

The system of rights is composed of the following subsystems: Right to Attention, Fundamental Social Rights, Rights to Self-Sustainability, Civil and Political Rights, and Rights to Truth, Justice, Reparation, and the Guarantee of Non Repetition.

For convenience in analysis and public policy, the degree of observance or effective enjoyment of rights may be analysed through this conceptual framework of rights subsystems.

#### **A. Subsystem of Rights to Attention**

The fact that only 0,5% and 0,1% of the displaced family groups received all the components of immediate aid and emergency humanitarian attention leads to the conclusion that there is an urgent need to strengthen and commit greater efforts in the institutional development and adaptation of public policies and measures, with the objective of progressing toward an adequate observance of international and national norms and regulations on these rights.

#### **B. Subsystem of Fundamental Social Rights**

##### **1. Diet**

In general terms, it can be affirmed that the degree of observance of the right to food, which was in itself precarious in the year 2007, deteriorated even more in 2008, improved only slightly in 2010.

By way of illustration, around 28,5% of the population registered in the RUPD system and 33% of those not registered missed at least one breakfast during the week before the survey was carried out; 24% and 23,3% of these populations, respectively, missed at least one lunch in that period, and 19,9% and 23,6% missed at least one dinner.

##### **2. Health**

A high proportion of the displaced population is affiliated to the health care and social security system (*Sistema General de Salud y Seguridad Social - SGSSS*) through a subsidized plan (*régimen subsidiado*) -78% for the RUPD registered population and 69,3% for the unregistered population. This tendency is in accordance with the policies oriented towards universal health insurance coverage set by the Government in recent years. However, around 15,0% of those registered and 20,4% of those unregistered are still not affiliated to the system, and only have access to health care by means of supply subsidies.

However, in spite of acceptable levels of coverage, there are very serious barriers to effective access to quality health services, due to numerous factors. In the first place,

given that the displaced population was obliged to leave a municipality of residence, and that a large proportion of the population belonged to the subsidized plan, a high proportion lost effective access to the services of the system, as affiliation cannot be transferred from one municipality to another.

Secondly, it should be pointed out that, 24% suffered illness at some time during the 30 days prior to the application of the Third National Verification Survey (*III ENV-2010*).

Additionally, of those minors belonging to RUPD registered displaced households brought to growth and development monitoring, 34% were diagnosed as being underweight and, of these, only 51,9% received treatment. Higher percentages were observed for minors from displaced households not registered in the RUPD system. Thus, whether their households are registered in the RUPD system or not, the high percentages of general malnutrition and the low percentage that receive treatment stand out among the under 5 year olds from displaced households.

Thirdly, the scarcity of effective psychological support offered to the displaced population in general should be emphasized. This is the case in spite of the fact that this group has suffered the kind of trauma characteristic of victims of crimes against their humanity. In effect, the state-run system only offers this type of service on demand and the displaced population seems reluctant to solicit it. It has been established that the demand for psychological attention is limited, as only 4,1% of the RUPD registered displaced population and 1,7% of those not registered solicited it. Of those who did, only 79,8% of the RUPD registered population, and 80,5% of those unregistered, received it.

### **3. Education**

Although 87,1% of displaced children and adolescents between the ages of 5 and 17 years of age registered in the RUPD system attend a formal educational establishment, which corroborates the degree of progress in terms of nominal coverage, it should be pointed out that an appreciable number of these students abandon studies at some time during the school year. In practice, this counteracts part of what has been achieved through the increase in the number of school enrollments.

In effect, of the total number of displaced minors who enrolled for the 2010 school year, 2,4% had retired by June of the same year. By age groups, the greater percentage of abandonment was in the 16 -17 age group, both in the displaced population registered in the RUPD system and those not registered in this system. Broken down according to sex, it is seen that boys abandon studies more than girls.

The proportion of the total number of minors who leave school is similar in the case of displaced minors not registered in the RUPD system, but in this case girls abandon studies more than boys.

There are improvements with the indicator for free education and support with expenses. Of the total displaced population in education, 10,5% have to pay the total amount of registration fees and a similar percentage of students have to pay at least a part of the fees. Around 78% of the student population has access to free registration. Only 9% of students receive at least part of the books, uniforms, school transport, pens, pencils, rulers etc., and other materials necessary for attending the educational establishment. None receive all components.

Without doubt, greater efforts should be made in public policies on education, not only as regards coverage, but also, and in a complementary manner, in free education, support with expenses, and educational quality for the displaced population.

## **C. Subsystem of the Right to Self-Sustainability**

### **1 . Housing**

Barely 10,5% of displaced households inhabit housing which duly satisfies the conditions required to be considered decent. Although this situation in 2010 is better than in 2008, it still denotes the conditions of extreme vulnerability that characterizes the displaced population in Colombia. Among the group of indicators on housing conditions, some relatively less critical degrees of fulfillment are observed in the case of certain components of housing, such as privacy (91.0%) suitable materials (76.4%), and location (75.5%). In contrast, there are other fundamental indicators for which unacceptable deficits are observed, such as the fact that only 21,6% of households have guaranteed possession or tenancy of the property, and 33.4% live in overcrowded conditions.

Although some living conditions in households that have received housing subsidies have improved relatively (32,9% of these households inhabit dwellings that can be considered decent), there are still high levels of overcrowding (31%). This, along with the low use of subsidies by displaced households, is a perturbing demonstration of important systemic failings in the policy of using partial subsidies as an endeavour to effectively solve the problem of decent housing for a population as vulnerable as the displaced in Colombia.

### **2. Income generation**

The situation of the displaced population with regard to work and income generation is worryingly critical. Access to the labor market for a population with their demographic characteristics becomes a crucial factor in achieving economic stability. It has been established that the levels of economic activity of the displaced population of working age (43,4% state they are occupied and 3,9% unoccupied) are lower than those of the population of Colombian municipal centers (55,5% occupied and 8,4% unoccupied). This low level of economic activity substantially worsens the difficulties of these households in obtaining income compatible with levels of decent livelihoods when combined with the socio-demographic vulnerability characteristic of the displaced population, which has a high proportion of children, adolescents, and young people (60% of the population is under 20), high dependency (3,6), and low levels of average education of the heads of households -20% of heads of household are illiterate, and their average number of years in education is 4,6.

Two indicators summarize the precarious employment and income situation of displaced workers and their households. The first is the high rate of informality in employment, which reaches 96,5% for displaced workers registered in the RUPD and 95.9% for those not registered. The second is related to the low level of earned income of this population. Only 11.0% received an earned monthly income higher than the statutory minimum for the year 2010 of 515.000 COP or about 270 USD. In these circumstances, when only earned monetary income is taken into account, 97,6% of displaced households registered in the RUPD have an income below the poverty line, and 78,8% below the indigence line. When all types of income are included, these percentages decrease only slightly to 97,4% and 77,2% respectively, in relation to July 2008 (according to II ENV-2008).

One of the most relevant consequences of displacement is that the levels of income of the displaced family groups have deteriorated radically, and consequently have condemned a broad sector of Colombian families to poverty and indigence.

It is evident that fulfillment of the Constitutional Court's indications on achieving income that would guarantee adequate levels of subsistence for the displaced population is a long way away.

#### **D. Subsystem of Civil and Political Rights**

Given the character of civil and political rights, the only one that can be approximated by means of a survey such as the Third National Verification Survey (*III ENV-2010*) is that of identity. With regard to its observance, the high percentage of men of 18-50 without both an identity document (4,8%) and military service record (around 83% on average) is worrying, as it implies a very large proportion of these men do not fulfill the minimum requirements to gain access to formal employment and to exercise their civil and employment rights. This produces critical consequences in terms of the precariousness of employment conditions and earned income, with serious detriment to the living conditions of their households.

#### **E. Subsystem of Rights to the Truth, Justice and Reparation**

In regards to this subsystem of rights, the efforts made by governments appear to be practically null. Although there have been some isolated initiatives in the matter of reparation, these cannot yet be properly considered as reparative action.

Thus, for example, if the adjudication of lands to the displaced population is interpreted as a move toward compensation for the lands lost, it should be affirmed that the efforts made by governments are of an essentially marginal nature. In effect, based on the adjudication of lands carried out from 2002-2007, and making some assumptions, it can be affirmed that between the years 1997 and 2007 more than 13,000 displaced families may have benefited from the land adjudication program (the number of beneficiaries of previously unused lands is not known), and these would have received a total of 180,275 hectares.<sup>6</sup> This figure indicates that government efforts in this matter

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<sup>6</sup> These figures are based on the assumption that the annual averages of displaced families benefiting from adjudication of lands and the annual number of hectares adjudicated to them in the years 2002-2007 were identical to those registered between the years 1994 and 2001, without considering titles to virgin or previously unused lands and to those confiscated by the state in connection with illegal activities. These annual averages were of 876 families and 10,554 hectares. The averages were calculated based in part on data from the Colombian Institute for Rural Development, *Incoder*, for the period between January of 2002 and January of 2007, and in another part based on figures from this same Institute for the period August 2002 and December 2007. To determine the average for the period, it was assumed in the first place that during the month of January 2007 no land was handed over to the displaced population. With this, based on the information from *Incoder* included in the reply from the National Planning Department (*Planeación Nacional*) to the request from the Monitoring Commission (*Comisión de Seguimiento*), figures corresponding to the period between January 2002 and December 2006 (2,797 families and 38,411 hectares) were obtained. To these figures were added the displaced families that benefited and the number of hectares handed over in 2007, according to agricultural statistics (2,460 families and 24,914 hectares). Thus, it is held that from 2002 through 2007, 5,257 families benefited and 63,325 hectares were handed over. In these circumstances, the average annual number of families benefited by adjudication of land amounted to 867, and the number of hectares amounted to 10,554. Thus in a lapse of 14 years, 12,264 families benefited and received 147,756 hectares. If, to these figures, are added the families benefited through the confiscation and forfeiture of land in connection with illegal activities, and of previously unused land, it is found that the population in a situation of forced displacement has benefited with 180,275 hectares, handed over to a little over 13,000 families. It is worth pointing out that the assumption that, during the period 1994-2001, the number of families that benefited and the number of hectares handed over were identical to those of the period 2002-2007 overestimates the accomplishments

have been very poor, since, according to the results of the third National Verification Survey carried out by the Monitoring Commission, the crime of forced displacement has brought the dispossession and forced abandonment of almost 6,6 million hectares in the past thirty years.

Also, it should be taken into account that the victims of displacement were forced to stop cultivating around 1,5 million hectares, and that 72% of the displaced population belonging to the official register and 63% of those not belonging to this register lost animals.

The resulting damage, consisting of the lost assets of the displaced population (land, non-rural properties, cattle and horses, furniture, and other assets such as machinery and vehicles, etc.) at prices of 2010, would have amounted to the sum of 19,9 billion COP, or 10,121 million USD, equivalent to 3,9% of Colombian GDP at current prices for 2009. The lost earnings, made up solely of the income that would have been received by the displaced population from the cultivation of lost hectares, and the income that would have derived from non-rural properties, at prices of 2010, would have totaled 59,8 billion COP or 30,413 million USD, equivalent to 12% of the Colombian GDP at current prices of 2009.

Finally, and in spite of the above, it is important to note that the Congress of Colombia is discussing a law project that establishes a framework of regulations for the restitution and reparation of victims, such as the displaced population, for the illegal dispossession of their lands and properties.

#### **IV. THE DISPLACED POPULATION: THE MOST VULNERABLE OF THE VULNERABLE**

Based on the results of the First National Verification Survey (*I ENV-2007*), carried out in November of 2007, in statistical terms, there are significant differences that demonstrate the precarious living conditions of displaced households included in the RUPD system in comparison to the rest of the Colombian population living in poverty, and specifically in relation to the non displaced neighboring households of the same economic stratum.<sup>7</sup>

In the first place, the socio-demographic conditions of displaced households registered in the RUPD show their greater systemic vulnerability. This situation may decisively limit the possibilities of progress toward an effective realization of household members' rights.

The following differences between displaced and neighboring non-displaced households stand out: the displaced households are of a greater size (5,1 persons versus 4.2); have a greater proportion of children (54,2% versus 45,3%) and of children between the ages of 5 and 14 (29,1% versus 22,5%); a greater proportion of households with some member suffering from disability (17.7% versus 12.1%); a

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of the land adjudication program, since, as has been shown, in recent years the budget destined for this program has increased substantially.

<sup>7</sup> Colombia has a system of socio-economic stratification, which is a classification of dwellings or housing in six groups or strata based on physical characteristics and environment. Poorer and less developed neighborhoods or parts may fall within stratum 1 or 2. Among other socially oriented benefits, inhabitants of the lower strata benefit from subsidies on utilities and services, such as electricity, water and other costs. These services or items cost stratum 3 dwellers nearer to the real cost, while the higher strata, 4, 5 and 6 pay more for them, subsidizing the lower strata.

greater illiteracy rate among the population over 15 years of age (13,9% versus 8,0%); and less schooling (4,1 years, on average, versus 5,7).

Secondly, although there are similar levels of coverage in affiliation to the health-care system, there is an important difference in the type of affiliation, as access for the RUPD population is primarily concentrated in the subsidized plan (89,6%), while the share of affiliation to the subsidized plan is much lower (66,5%) for the reference population of non-displaced neighbors. This is another example of the greater vulnerability of the displaced population.

Third, in access to education, the displaced and non-displaced populations have similar rates of coverage. However, there are important differences in the net rates of schooling at secondary and middle level (middle level comprises the last two years of secondary schooling before university level), with lower coverage in the case of the displaced population included in the RUPD system in comparison to the neighboring population (51,0% as compared to 63,2% in secondary education, and 16,5% versus 32,6% in middle education).

However, it is worth pointing out that the area of free education is the only one in which the situation of the RUPD registered displaced population is relatively better than that of their neighbors, given that 66.4% of children and young people of school age are covered, in comparison with 23,7% of non-displaced neighbors.

Fourthly, a greater proportion of symptoms of dietary insufficiency are recorded for the displaced population included in the RUPD system, as 59,0% of these indicated having suffered some symptom of insufficient diet during the week prior to the first survey, in comparison with 32,1% in the case of the non-displaced neighbors.

Fifth, of the total number of households that reside in either houses or apartments, only 7,5% of displaced households registered in the RUPD system inhabit dwellings that can be classified as decent, while in the case of non-displaced neighboring households this percentage is 28,8%.

Sixth, a possible determining factor of the other very precarious living conditions of this population is their situation regarding the generation of income. Of the employed displaced population registered in the RUPD, only 7.5% are affiliated to occupational risk insurance, health care, and pension schemes, whereas for the neighboring population this percentage is equivalent to 28,8%. Only in 11,4% of cases, the occupied displaced population received an income equal to or above the legal minimum, in contrast to 28% of the non-displaced occupied population. The above indicates that, if earned income is considered on its own, then levels of poverty and indigence are higher for the displaced population registered in the RUPD system than for the reference group of their non-displaced neighbors (98,6% versus 88,5% in poverty, and 74,4% versus 40,5% in indigence, respectively).

The above is a confirmation of the situation of greater vulnerability and obvious weakness that characterizes the population displaced by violence.

## **V. SOME FINAL THOUGHTS**

As a result of the observations made here, it may be affirmed that only in the subsystem of fundamental social rights, in particular those of health care and

education, are advances observed in nominal coverage for the displaced Colombian population. Yet, although nominal coverage is comparable with that of the rest of the population, effective and opportune access to these social services, as well as support and quality, are not as good for the displaced population. This, on occasion, may counteract at least part of the achievements made in coverage. In the case of diet, reverses were noted in 2008, in a large part due to the rise in food prices resulting from the world situation and the persistent precariousness of employment among the displaced population. Although the situation improved slightly in 2010 is still less favourable if it is compared with the 2007 standards. The indicator of worthy house showed an improvement in 2010 in comparison with 2008, but its level is still very low. As a matter of fact only 10% of the displaced population belonging to the official register lives in a worthy house

In the other subsystems, improvements in the degree of observance of rights were not generally corroborated, at least with regard to the findings established through the Second Verification Survey (*II ENV-2008*) carried out by the Monitoring Commission in the year 2008 in the exercise of verification of the fulfillment of the rights of the displaced population.

Obviously, a more sustainable opinion in the medium term should be complemented by an analysis of institutional changes and reform in public policies on attention for the displaced population, and their possible impact on the degree of effective observance of the rights of this population in terms of effectiveness, timeliness, and sustainability.

Two things are made clear: first, the magnitude of the crisis suffered by displaced people in Colombia, and secondly the need to expedite the processes of seizure and forfeiture of the perpetrators' assets, as well as the need to make a medium-term social and fiscal pact to guarantee fulfillment of rights for the displaced population.

## ANNEX

### Degree of Fulfillment of the Effective Enjoyment of Rights Comparison between the displaced population registered in the RUPD system , 2008 y 2010

#### I. Right to Humanitarian Attention

##### 1. Assistance or immediate aid

Component	Displaced population registered in the RUPD 2008	Displaced population registered in the RUPD 2010
Medical evaluation	8,0	9,7
Psychosocial evaluation	4,1	6,7
Temporary accommodation shelter	6,2	5,8
Emergency medical attention	6,1	7,2
Medicines	6,8	8,2
Food	23,5	26,4
Cleaning/toilet materials	15,1	19,9
Kitchen utensils	13,7	18,1
Beds/mattresses	14,2	18,3
Clothes	3,8	3,3
Received some	30,6	33,8
Received all	0,4	0,5
Received none	69,4	66,2

##### 2. Emergency Humanitarian Attention

Component	Displaced population registered in the RUPD 2008	Displaced population registered in the RUPD 2010
Help with rent	52,2	43,7
School places	23,8	22,2
Identity documents	8,5	11,0
Training	24,2	23,6
Enlistment on productive projects	19,4	21,6
Juridical assistance and orientation	5,1	5,7
Protection	3,9	5,0
Affiliation to health care	48,1	47,9
Groceries or food vouchers	63,1	51,9
Cleaning/toilet materials	46,6	37,4
Kitchen elements	44,8	33,0
Beds/ mattresses	46,6	31,6
Received some	83,2	74,3
Received all	0,2	0,1
Received none	16,8	25,7
		37,7

## II. Right to Identity

### Possession of documents by age ranges

	Displaced population registered in the RUPD 2008	Displaced population registered in the RUPD 2010
Indicator 1: persons between 0 and 6 years old with Civil Register	96,4	98,2
Indicator 2: persons between 7 and 17 with Identity Document	62,4	86,8
Indicator 3: Women of 18 or over with identity card (cédula)	96,2	97,0
Indicator 4: men of 18- or over (in 2008) and of 18-50 (2010) with identity card and without military service record	79,6	84,7
Indicator 5: men of 18- or over (in 2008) and of 18-50 (2010) with military service record and without identity card	0,2	0,2
Indicator 6: men of 18- or over (in 2008) and of 18-50 (2010) with identity card and military service record	16,0	11,1
Indicator 7: total persons with complete identification documents (indicators from 1 to 3 and 6)	69,0	75,8

## III. Right to Health Care

### 1. Access to the general system of social security in health care

	Displaced population registered in the RUPD 2008	Displaced population registered in the RUPD 2010
Contributive or special	5,8	7,0
Subsidized	69,4	78,0
N. A.	0,1	0,0
Subtotal affiliates	75,3	85,0
Associated with card	19,3	10,4
Associated without card	5,6	4,6

### 2. Psychosocial attention

	Displaced population registered in the RUPD 2008	Displaced population registered in the RUPD 2010
Solicited attention	4,9	4,1
Received solicited attention	81,6	80,0

### 3. Vaccination: application of first dose of triple viral vaccine to persons from 1 to under five years of age

	Displaced population registered in the RUPD 2008	Displaced population registered in the RUPD 2010
Had first dose according to card	63,3	56,5
Had first dose but not verified on card	22,7	10,1
Have not had first dose	7,6	3,4
Cannot state if child had first dose	6,3	10,6

## IV: Right to Education

*For persons between the ages of 5 and 17*

	Displaced population registered in the RUPD 2008	Displaced population registered in the RUPD 2010
Percentage of persons who attend a formal educational establishment	86,2	87,0
Percentage of displaced persons who don't receive all or part of books, writing materials, uniforms, school transport, and other materials	83,9	86,0
Percentage of displaced persons who don't have to pay school registration fees	65,4	76,4

## V. Right to Food

### 1. Indicators of dietary insufficiency

	Displaced population registered in the RUPD 2008	Displaced population registered in the RUPD 2010
Consumed less than they wanted	63,0	61,6
Complained of hunger	45,6	47,9
Missed at least one main meal	50,1	46,5
One of the former	67,6	65,2
All the former	37,3	37,5
None of the former	32,4	34,8

### 2. Care of children under 5

	Displaced population registered in the RUPD 2008	Displaced population registered in the RUPD 2010
Attend a home, kindergarten or other pre-school service provided by the <i>ICBF</i> welfare institute	16,9	24,5
Attend other home, kindergarten or pre-school service	2,8	4,4
Stay at home with mother or father	68,3	61,2
Stay with other adult	11,3	9,1
Subtotal under adult supervision	99,3	99,2
Alone or with other minors	0,7	0,8

### **3. Access to programs that provide groceries, food vouchers or food baskets**

	<b>Displaced population registered in the RUPD 2008</b>	<b>Displaced population registered in the RUPD 2010</b>
Emergency humanitarian aid	4.6	3,3
Food in exchange for work	1.1	0,4
Other program	3.7	0,4
At least one program	7.9	3,9
None	92.1	96,1

### **4. Percentage of displaced persons who receive food from some program or institution**

	<b>Displaced population registered in the RUPD 2008</b>	<b>Displaced population registered in the RUPD 2010</b>
Total	15.9	16,8
Under 6 years	28.9	31,1
From 6 to 11	36.7	40,1
From 12 to 17	18.0	20,8
From 18 to 59	1.0	1,1
From 60 to 64	9.1	7,5
65 and over	13.5	11,6

## **VI: Right to Decent Housing**

### **1. Indicators of decent housing**

	<b>Displaced population registered in the RUPD 2008</b>	<b>Displaced population registered in the RUPD 2010</b>
Own property with registered title deeds or rented with written contract	13.7	21,6
With one household in the dwelling	89.4	91,0
Suitable construction materials	73.8	76,4
With all domestic services (water, electricity, sewage, garbage collection)	49.2	54,9
In zones which have not been declared high risk or affected by high risk events	77.5	75,5
Without overcrowding	57.0	64,6
All the former indicators	5.5	10,5

## 2. Access to housing subsidies

	Displaced population registered in the RUPD 2008	Displaced population registered in the RUPD 2010
Solicited subsidy from National Government	56.4	46,6
Government assigned the solicited subsidy	24.8	34,1
Solicited complementary subsidy	29.5	27,5
Complementary subsidy was assigned	61.4	74,0
Solicited both subsidies	4.1	4,4
Those who solicited both the Government subsidy and the complementary and were assigned both	4.5	7,0

## 3. Use given to the housing subsidy

	Displaced population registered in the RUPD 2008	Displaced population registered in the RUPD 2010
Bought new housing	42.1	49,8
Bought used housing	26.7	22,3
Improved housing	6.0	3,4
Constructed on own plot	8.1	7,7
Paid rent	0.9	1,3
Has not been used	16.2	15,5

## VII. Right to Generation of Income

### 1. Income of household includes at least one source of autonomous income and is above the poverty or indigence line

	Displaced population registered in the RUPD 2008	Displaced population registered in the RUPD 2010
% of displaced households whose total income is above the poverty line	3,1	2,6
% of displaced households whose total income is above the indigence line	22,0	22,8

### 2. Working week: percentage of the displaced population working within the legal norms for a working week

	Displaced population registered in the RUPD 2008	Displaced population registered in the RUPD 2010
Work between 40 and 48 hours per week	25,9	27,7

### 3. Employment relationship: percentage of the employed occupied population having a written contract of employment

	Displaced population registered in the RUPD 2008	Displaced population registered in the RUPD 2010
Have a written contract of employment	12,0	11,7

**4. Affiliation to social security and occupational risk plan: percentage of the displaced population occupied and having affiliation to health care, pension and occupational risk plan**

	Displaced population registered in the RUPD 2008	Displaced population registered in the RUPD 2010
Workers, employees and day laborers affiliated to health care, pension fund and occupational risk plans	8.4	9,5
Workers, employees and day laborers without affiliation to health care, pension fund or occupational risk plans	80.6	83,1

**5. Minimum remuneration: percentage of the displaced population that receive earned income equal to or above the legal minimum salary**

	Displaced population registered in the RUPD 2008	Displaced population registered in the RUPD 2010
Income equal to or above the current legal minimum salary ( <i>SMMLV</i> )	11,0	14,0

Source: Calculations of the Monitoring Commission and the National University Center for Development Research based on the Second National Verification Survey (*II ENV-2008*) and Third National Verification Survey (*III ENV.2010*)