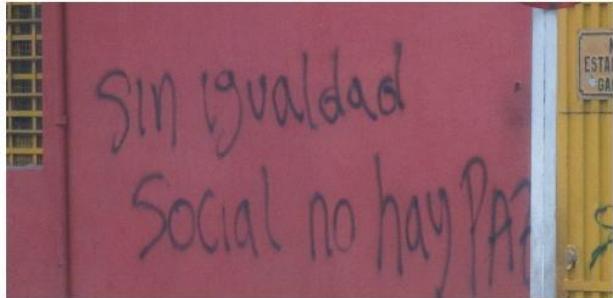


EVALUATION OF POLITICAL PARTICIPATION MECHANISMS FOR THE DISPLACED POPULATION IN SANTIAGO DE CALI, COLOMBIA



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Table of Contents

Executive Summary	1
Introduction	3
Armed conflict and IDPs	3
Justification of Research	5
Political Participation in Colombia	12
Overview of IDP participation and consultation around the world:	15
International Framework.....	15
IDP participation around the world.....	17
Political participation of IDPs in Colombia prior to 2011	19
A. 1997-2004: Disappointments with Law 387	20
B. 2004: Judgment T-025 and the struggle for the implementation of Law 387	22
C. 2004-2011: Institutionalizing IDP political participation	23
1. Prior to 2005: Pre-Institutionalization	23
2. 2005: Establishing the legal basis for the Strengthening Boards	24
3. 2004-2005: Implementation of the Strengthening Boards	25
4. 2005-2011: Expanding and strengthening the Strengthening Boards	26
Political participation of IDPs in Colombia post-2011	29
A. The 2011 Victims' Law and its impact on the Political Participation of IDPs	30
1. From IDPs to "Victims with enfoque diferencial"	30
2. From SNAIPD to SNARIV:	31
3. From Acción Social to Victims Unit:.....	31
4. From the CMAIPD and the Plan Integral Unico (PIU), to the Comité Municipal de Justicia Transicional (CMJT) and the Plan de Acción Territorial (PAT).	32
5. Transition to a pyramidal structure and bottom-up election process	33
6. The Public Advocate as the technical secretary	33
7. Creation of the Monitoring & Evaluation Commission	34
8. Preservation of the RUSICST reporting tool.....	34
Conclusion	34
B. Creation of the Victims' Participation Boards, 2011-2013.....	35
1. Early Problems & Consequences for Policy Planning and Design	35
2. Circular 004 and the creation of the transitory participation mechanisms	36
3. Adopting the Protocol for Participation and Creation of the first Participation Board.....	38

Methodology	41
Limitations	43
Research Findings and Analysis	44
Basic Demographics.....	45
General IDP Dissatisfaction of Government Services	46
Representation.....	47
Procedure.....	51
Information	61
Outcomes.....	67
Conclusion	74
Recommendations	75
ANNEX I	76
ANNEX II	77
ANNEX III	85

“En situaciones donde el Estado y sus representantes no pueden o no quieren cumplir con sus obligaciones frente a los Derechos Humanos, en todas sus generaciones, la Participación es un derecho prioritario y hasta primigenio, ya que a través de su fortalecimiento se permite que la sociedad misma los defienda y garantice.”

- La Defensoría del Pueblo

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Executive Summary

Roughly five million Colombians have been forcibly uprooted and displaced within their home country due to the ongoing armed conflict between the government and paramilitary and rebel groups. These individuals are referred to as internally displaced persons (IDPs), and Colombia remains the country with the highest number of IDPs in the world.

The Colombian government has made considerable headway in providing support and reparations to this highly vulnerable population. An extensive legal and institutional framework has developed over time, and efforts have been made to actively strengthen the IDP organizations that represent the displaced population and serve as government counterparts in policymaking.

The 2011 Victims' Law is the point of departure for this research in that it restructured the preexisting legal and institutional framework by establishing Participation Boards at the municipal, departmental, and national levels.¹ The idea behind this bottom-up network is for IDP leaders to represent IDP voices on the ground to the government and thus play a direct role in how IDP policy is shaped and formed. This report seeks to understand and evaluate how IDPs are involved in the design, implementation, and monitoring of the public policies that affect them. Though the report comments on the national participatory framework, the scope of the research focuses geographically on Cali, Colombia and the Cali municipal Participation Board.

Four graduate students from Columbia University School of International and Public Affairs – with assistance from Fundación Paz y Bien, a grassroots NGO in Cali that provides services to IDPs – conducted desk research in New York City and field research in Cali in January and March 2014. The team surveyed a total of 334 IDPs, conducted four semi-structured focus group discussions, and interviewed representatives from 12 government, IDP, and civil society bodies.

The team's main findings are as follows:

- Colombia's body of legislation pertaining to IDPs is impressive and ambitious, but implementation has proved challenging;
- The IDP population is fragmented, making it difficult to present one common IDP voice to the government;

¹ Under Colombian law, IDPs are included under the term "victim." The exact difference between the two terms is further explained in the main body of the report.

- There are a multitude of institutions established to assist IDPs, generating confusion about roles and responsibilities and creating opportunities for one institution to shift blame to another;
- IDPs are dissatisfied with how the government treats them and do not feel their voices are heard; and
- Surprisingly, many IDPs are unaware of the Participation Board and its functions.

The full report makes a total of ten recommendations, but selected here are what the research team believes to be the five most important ones.

To the **national government**:

1. Centralize government support and budgetary control for the Participation Board by establishing a *ventanilla única* (i.e. a single agency that coordinates and delegates) under the purview of the Victims' Unit. Clearly delineate specific responsibilities – including who provides funding when and for what purpose – for each party involved in assisting the Participation Board.
2. Involve the Participation Board in the monitoring and evaluation process (RUSICST) and make the information stemming from it publicly available.
3. Restructure the balance of power in the Municipal Committee for Transitional Justice to give more weight to IDP voices.

To the **municipal government**:

4. Better disseminate information to the IDP population concerning all issues relevant to them.

To **civil society organizations**:

5. Establish a civil society third party watchdog to oversee the elections and operation of the Participation Board. Provide said entity authority to access documents and meetings that may not be publicly available.

Introduction

Armed conflict and IDPs

The armed conflict in Colombia has lasted over 60 years, making it the longest armed conflict in the western hemisphere.² Since 1985, the armed conflict has generated approximately 4.7 million internally displaced persons (IDPs) according to the United Nations High Commissioner for Refugees (UNHCR), with projections of IDP population growth to reach 5.8 million by December 2015.³ Once displaced, most IDPs generally relocate to nearby urban hubs due to the relative accessibility of government and NGO resources, social networks consisting of family and friends, and/or the availability of income-generating opportunities, among other reasons. Three major cities have served as primary destinations for IDPs: (1) Bogotá, (2) Medellín, and (3) Santiago de Cali.

IDPs who register with the Colombian Government via the Registro Único de Víctimas (RUV) are entitled to receive emergency aid during the first three months of displacement provided by the municipality in which they have arrived.⁴ In the past, international organizations, such as the International Committee of the Red Cross (ICRC) and the World Food Program, have also provided aid to IDPs.⁵

Despite the availability of government and NGO resources and the use of social networks as immediate respite from displacement, the majority of IDPs continue to live in prolonged circumstances of vulnerability. This stems from the fact that much of the displacement has taken place in the countryside, where levels of educational attainment are particularly low.⁶ Moreover, Colombian rural communities heavily rely on agricultural livelihoods - primarily livestock and crop production. Displacement implicates IDPs having to abandon property, assets and a way of life. This loss is coupled with the preclusion of participating in the labor market, as most of their human capital is not transferable in the urban setting. Thus, levels of unemployment and poverty are extremely high within Colombian IDP communities. In particular, women, children, Afro-Colombians, and indigenous communities are disproportionately affected by displacement. According to the Washington Office on Latin America, 36 percent of all displacements in 2012 took place along Colombia's primarily Afrodescendant Pacific

² UCL Institute of Americas. Colombia Toward Ending the Longest Armed Conflict in the Western Hemisphere. Policy Briefing. Nov 2012. p. 1.

³ UNHCR. Colombia Country Operations Profile. 2014. Disparities exist among estimates of Colombian IDPs based on the initial date of data collection and treatment of IDPs who are not officially registered.

⁴ Chapter V. Presidential Decree 4800 of 2011. Diario Oficial. 20 december 2011.

⁵ Carrillo, A. Internal Displacement in Colombia: humanitarian, economic and social consequences in urban setting and current challenges. International Review of the Red Cross, v. 91, n.875. September 2009. p. 536.

⁶ ICRC. Internal Displacement in Colombia: A Joint Needs Assessment by the ICRC and World Food Programme. April 2005. p. 3.

Coast.⁷ In addition to experiencing high levels of poverty and unemployment, IDPs also exhibit lower levels of political participation⁸ compared to the general Colombian population. However, social movements and legal frameworks have been steadily implemented in Colombia, which have encouraged and increased levels of political inclusion of Colombians at large and of IDPs specifically.

A note should be made about the difference between IDPs and refugees. The latter has a universally recognized legal definition stated in the 1951 Refugee Convention, and thus there exists an international system to protect the rights of refugees.⁹ No such system exists for IDPs however, and the treatment of and rights accorded to IDPs varies from state to state. In fact, there is no legal convention for IDPs (only guiding principles) and not even an internationally agreed-upon definition for who an IDP is. Generally speaking, though, an IDP is someone who has fled his home due to conflict and/or natural disaster but has not crossed an international boundary, hence being displaced internally within his home country. Not having crossed an international border, though, “means that the international community is not under the same legal obligation to protect [IDPs], help them to return home, or find them somewhere new to live. Millions are forced to live in utter destitution, without adequate access to food, jobs, healthcare and education.”¹⁰ Colombia, relative to other countries that host a large number of IDPs, has made great progress in protecting IDPs, but there are still major challenges to work through. The legal infrastructure that pertains to IDPs is quite impressive, but as the Consultancy for Human Rights and Displacement (CODHES), a Colombian human rights NGO, states, “They are great laws, but the problem is implementation.”¹¹ This research report will further illustrate that point.

⁷ Washington Office on Latin America. U.S. Moving in Right Direction on Afro-Colombians. June 2013.

⁸ Throughout the paper, the expressions “political participation,” “public participation,” and “civic participation” are used interchangeably.

⁹ According to the 1951 Refugee Convention, a refugee is someone who, “owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country.”

¹⁰ IRIN. “The Long Journey Home: an IRIN In-Depth on the challenge of refugee return and reintegration,” IRIN, February 2005.

¹¹ Anyadike, O. “Colombia's internally displaced people caught in corridor of instability,” The Guardian, 12 August 2013.

Justification of Research

Research Question: How has the new participation system stemming from the 2011 Victims' Law affected the political participation of IDPs in Cali?

The research team found this question important to investigate for the following three reasons: (1) IDPs want and need a voice; (2) the Cali government is in the middle of implementing the Victims' Law at the municipal level, and this research can contribute to that process; and (3) political participation is a cornerstone of the Colombian Constitution.

IDPs are an extremely vulnerable and marginalized population. IDPs in Colombia have been forced out of their homes due to the ongoing conflict and oftentimes they must settle for sub-standard living conditions without knowing if and when they can return to their home. They are oftentimes destitute, with no source of income as they have been uprooted, and thus reliant upon government aid. When the research team initially traveled to Colombia in January 2014 with the aim of fine-tuning the research question, IDPs repeatedly stated that they not only wanted to voice their opinion, but be heard as well. As one man stated,

“We want proper attention and orientation, and we want our voice to be heard, here, and in front of the important people, the people of the State - we want them to give us a priority so that we find ourselves face-to-face with the people of the State, and that they realize that we are vulnerable people, that we had to leave our homes and lost everything, but that we aren't people that they can't just dismiss, that they can't just give us some grains of sand and that's it...”

It is the hope of the research team that this report will serve as one channel to communicate the perspectives of IDPs in Cali, Colombia.

In 2012 and 2013, the Cali municipal government drafted the Territorial Plan of Action for Assistance to Victims of Conflict (*Plan de Acción Territorial Para La Atención a Víctimas del Conflicto Armado*, PAT). The purpose of the PAT is for municipalities to formulate a detailed plan of how they will implement the new policies and institutional structures and programs dictated by the 2011 Victims' Law, and a large part of the PAT addresses participatory mechanisms for victims, including IDPs. The current PAT will be in effect until 2016. This study proves timely and will offer an interim progress report concerning the implementation of these participatory mechanisms.

Political participation is a cornerstone of the 1991 Colombian Constitution. Its very

creation was prompted by a 1988 reform aimed at increasing citizens' political participation, the failure of which led to a grassroots student political movement (*Todavía podemos salvar Colombia*) that was instrumental in the creation of the 1991 Constitution.¹² Further, Article 2 of the Constitution explicitly states that one of the goals of the state is to facilitate the participation of all in the decision that affect them.¹³

Moreover, the research team decided to focus on Santiago de Cali for the following two reasons:

- Cali hosts the third largest IDP population in Colombia and is the largest receiver of IDPs in the southwestern region (Pacific Coast, Cauca, Valle del Cauca, Choco, Antioquia) of the country. As of May 2012, 82,896 IDPs are registered in Cali.¹⁴
- The IDP population in Cali will continue to grow. The number of IDP registrations in Cali has increased by 104% between 2012 and 2013, from 1,793 during the first ten months of 2012 to 3,658 in the same period of 2013.¹⁵ Further, armed hostilities in the southwestern region, including the outskirts of Cali, have continued well into 2014, prompting more individuals to seek refuge in Cali.¹⁶

¹² Terrell, S. "Afro-Colombian and Indigenous Social Movements: International Influences, Framing Tactics, and State Constructed Identity." American University, 2012.

¹³ Constitución Política de Colombia 1991

¹⁴ "Instalan Mesa de Participación de Víctimas del conflicto armado en Cali," El País. 29 June 2012.

¹⁵ Personería Municipal de Santiago de Cali. "Situación de los derechos humanos y el derecho internacional humanitario en Santiago de Cali - 2013."

¹⁶ OCHA. "Colombia: Humanitarian Snapshot - Armed Violence Situation." 24 April 2014

Participatory Mechanisms: Theoretical Framework

Assessing the concept of public participation in the literature

In order to assess IDPs' political participation in Cali, it is important to first provide a short overview of the concept of public participation in the literature. While public participation can be simply defined as people's involvement in decisions that affect them, its practical implementation is often much more complex and entails various mechanisms and processes each with different consequences. Furthermore, the different shapes and forms that public participation can take only make it more difficult to assess within a consistent framework. This section will first provide a definition of public participation according to the literature, before discussing how it can be assessed.

Defining Public participation:

Political participation is a process through which the public is able to become involved in policies and decisions that affect them. It often consists of various activities and mechanisms that enable people to be informed about the alternatives that are being considered and their impact, as well as to directly provide inputs into the decision making process. The ultimate goal is for citizens to influence the process, thus making the final decision acceptable and legitimate in the eyes of those who will be affected. In order to achieve true participation, the process has to go through various steps, each allowing the public to more directly and effectively become involved. As such, the literature defines participation as a spectrum with various degrees, ranging from being informed to becoming empowered.

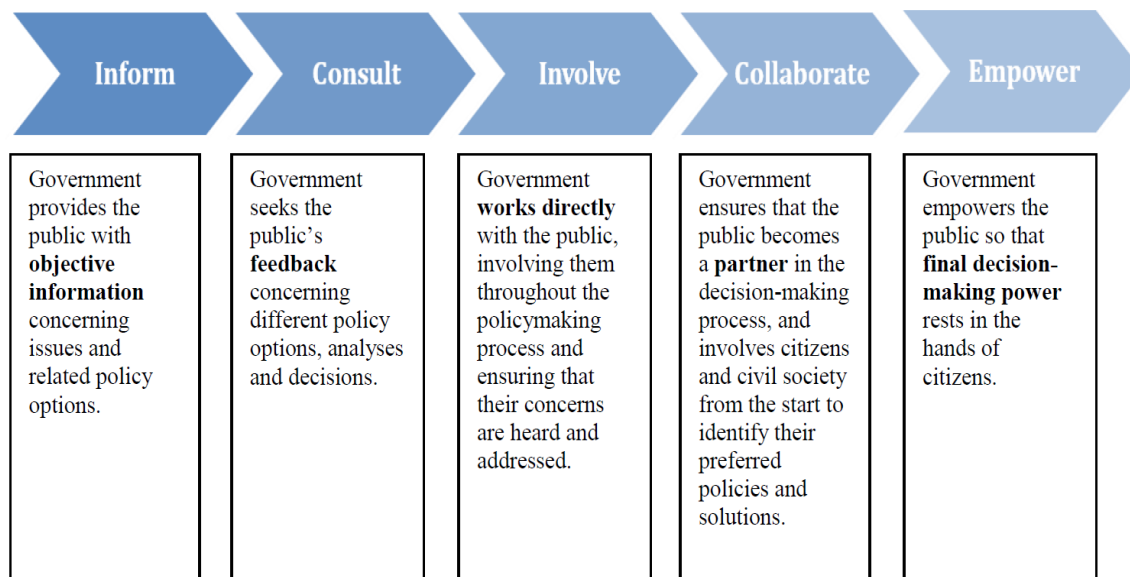
The United Nations Department of Economic and Social Affairs defines three main participation levels according to the public's involvement in the process and its ability to act as a mutual counterpart of the government.¹⁷ In the first step, *information*, the government has a one-way relationship with the people, who are considered to be just a recipient of input and information. At this stage the relationship is by no means mutual and active and the public is not allowed to provide its input. The following level is *consultation*, where citizens are able to express their views and provide inputs in the process. However, despite the initial involvement, the public's role remains passive, and there are no guarantees that the opinions expressed will be taken into consideration. The relationship is a two-way flow, but short of allowing true participation. The last stage is *active participation*, where the government actively seeks to collaborate and consult with

¹⁷ United Nations Department of Economic and Social Affairs. Civic Engagement in Public Policies: A Toolkit. ST/ESA/PAD/SER.E/106. 2007.

the people. Furthermore, the public’s opinion and input are taken into account and incorporated to the final policy.¹⁸

The International Association for Public Participation goes further into defining the various degrees by disaggregating *active participation* into three levels. The first one is *involvement*. It implies that the government works directly with the public throughout the policy making process. In doing so the government ensures the public that its concerns and problems are heard and should be addressed. At this stage, citizens are involved throughout the process. However, they are not considered to be partners. During the next step, *collaboration*, the public is granted the status of partner, which implies a much stronger mutual relationship. The public is brought into the process from the start and it is able to identify and push for preferred policies. The final stage, which to some degree remains more conceptual, is complete *empowerment*, whereby the public is in control of the entire process and it has final decision-making powers.¹⁹

Flow Chart of Public Participation with Various Levels of Participation:



Source: International Association for Public Participation (2007). *IAP2 Spectrum of Public Participation*. Available from http://www.iap2.org/associations/4748/files/IAP2%20Spectrum_vertical.pdf.

It is important to note that while these subtle differences may sound abstract, pedantic and almost superfluous, they are key for understanding how the process might get derailed. For example, it is only through this spectrum that one can grasp the risk of

¹⁸ Economic and Social Commission for Western Asia. “Social Participatory Development Section, Information Kit: Effective Indicators to Measure Public Civic Participation” E/ESCWA/SDD/2013/Technical Paper.6, June 2013. p.2.

¹⁹ International Association for Public Participation. “IAP2 Spectrum of Public Participation.” 2007.

diverging expectations between the government and the public. If the former is implementing a process of consultation, while the latter expects at least involvement and even collaboration, each actor has a different vision and understanding of the task ahead. Such divergent expectations can lead to a collapse or a failure of the process despite all the good will and efforts of both parties.

Beyond the inherent risk of collapse due to divergent expectations, public participation can actually also be used as a tool to restrain effective involvement. Certain activities can create the illusion of being participative, hence allowing the government to claim that it involves the public while in reality it has no intention of taking their voice into account. Hart, in his theoretical conceptualization of participation as a “ladder of participation,” defines such mechanism as *tokenism*.²⁰ For example, when people are invited to express their opinions without having a say on the agenda or the exact topic, it can be considered as a case of *tokensism*. Moreover, if the public’s representatives are selected by the government or if they can be co-opted by the authorities through bribing, then the outcome of the process will likely not be participative and carries high risk of *tokenism*.

Faced with these risks, the literature has identified that genuine public participation requires specific conditions, which would include personal security, freedom of speech and assembly, a strong civil society, and civic education. Good channels of communication are also crucial to facilitate the process. All actors must also be willing and able to commit considerable amount of time and resources.²¹ While this context should be considered as an ideal situation, the absence of each of these elements hinders the effectiveness of the participatory approach. Similarly, it is important to point out that the concept of public participation assumes that the public has the willingness and ability to participate. In cases where direct participation is not possible, it implies that the citizens are able to have effective representatives participating in the policy making process. When the public is constituted of heterogeneous groups with differing preferences, one can easily conceive how a new layer of difficulty encompasses the entire process.

When taking into account risks such as an inability to participate or tokenism, public participation becomes a complex and intricate process. As such, evaluating the entire process is an intricate task as well. A thorough understanding of each mechanism, of the relationship between all the actors, of the flows of information and of the general context becomes crucial to assess the effectiveness of a participatory approach. Furthermore, a

²⁰ Hart, R. "Innocenti Essays no 4: Children’s Participation. From Tokenism to Citizenship’." *UNICEF International Child Development Centre: Florence*. 1992. p. 9-10. It is important to note that the Colombian literature on participation and IDPs does refer to the Hart’s “Ladder of Participation” as a reference theoretical model; see Garay S., Luis J. "El reto ante la tragedia humanitaria del desplazamiento forzado: aplicar políticas públicas idóneas y eficientes, v. 4." 2009. p.115.

²¹ Hart, V. *Democratic constitution making*. US Institute of Peace, 2003.p. 1.

framework is also necessary to conceptualize the process and to be able to assess each element separately.

Evaluation Participatory methods:

Evaluating public participation implies defining specific criteria or standards against which to compare it. Throughout the years, the literature has provided several evaluation frameworks that can allow us to assess this approach. The initial frameworks used two main criteria, one focusing on procedural questions and the other covering issues related to the representation of the public throughout the process.²² In a systematic review of evaluation frameworks for participatory methods, Abelson et al. build upon the existing literature and proposed two additional criteria to assess participatory approaches. They suggest assessing flows of information as well as the legitimacy of the process's final outcome. As such the four pillars of Abelson et al's evaluation framework are *representation, procedures, information, and outcomes*.²³

Representation: This component refers to issues related to the initial selection process. For a participatory process to be successful it is crucial that from the start the actors involved represent well the community as a whole. A failure to be inclusive at this stage can be a major challenge to the process, undermining its legitimacy and threatening its outcome at the core. This component also refers to different type of representation that can be achieved, for example by emphasizing the role of a marginalized group. Furthermore, it covers issues such as lack of equal access to opportunities or a lack of legitimacy in the selection process.

Procedures: It refers to the intricate procedural mechanisms of the participatory approach, which need to be legitimate, reasonable, responsive and fair in order for the process to succeed. When assessing this aspect one should examine when the public input is being sought, whether it is for crucial decision-makings or just minor details. Furthermore, the nature and the position of the official counterpart, here governmental officials, can be key to the process's legitimacy. If it is only a low ranking official listening and providing a response, then the effectiveness of the public participation can be questioned. Other elements, such as the timeframe, the opportunity to challenge decisions, and mutual respect are important procedural aspects to be taken into account.

²² Webler and Renn define fairness and competence as their criteria ; see Renn, O. Risk communication: Towards a rational discourse with the public. *Journal of Hazardous materials*. n.29. 1992. pp. 465–519; Webler, T. Discourse in Citizen Participation: An evaluative yardstick. In O. Renn, T. Webler, & P. Wiedelmann (Eds.), *Fairness and Competence in Citizen Participation: Evaluating Models for Environmental Discourse*. Boston, MA: Kluwer Academic Press. 1995. pp. 35–86. Rowe and Frewer define acceptance and process as the evaluation criteria; see Rowe, G., Frewer, L., *Public Participation Methods: A framework for Evaluation*. *Science Technology and Human values*. 25:3. 2000. pp.11-17.

²³ Abelson, J., Forest, P-G., Eyles, J., Smith P., Martin, E., Gauvin, F-P., *Deliberations about deliberative methods: issues in the design and evaluation of public participation processes*. *Social Sciences & Medicine*, 57. 2003. p. 244-245.

Information: Within a policy making process, information is a key input since all actors must have a similar level of awareness in order to be able to effectively negotiate. As such, it is crucial that the government provides constant updates about its planning and its activities, as well as its new and on-going policy designs. When assessing this notion, one needs to address questions about which information is selected and presented, and how it is interpreted. Other standards of measurement would include the information's accessibility, and its digestibility. Enough time should be provided for the information to be fully interpreted and considered. Furthermore, flows of information between actors should be thoroughly assessed since they are key to the participatory method. They allow a control of expectations and they ensure the process's accountability and legitimacy.

Outcomes: Assessing the legitimacy, the consensus and the acceptance of the final product of the process provides an effective means of evaluating the approach as a whole. As such, the legitimacy of the final outcome takes precedent over the previous criteria. If the final decision is indeed considered legitimate by all parties, then the process can be considered to have been effective and successful. However, the reverse is also true. If, no matter how many efforts have been made, the final decision is not considered legitimate, then the process as a whole cannot be considered fully participatory. In addition, important questions to keep in mind are the degree to which public input were incorporated in the final decision, how the outcome was communicated to the public at large, and the extent of consensus and satisfaction among the participants in the process.

Table x: Abelson et al.'s Evaluation Framework of the Public Participation Process²⁴

Representation	Procedural rules	Information	Outcomes/decisions
Legitimacy and fairness of selection process	Degree of citizen control/input into agenda setting, establishing rules, selecting experts, information	Characteristics	Legitimacy and accountability of:
Is there a representative sample?	Deliberation	Accessibility Readability Digestibility Selection and presentation	Decision-making Communication of decisions Responses to decision or input More informed citizenry
Geographic Demographic	Amount of time Emphasis on challenging experts, information	Who chooses the information Who chooses the experts	
Political Community	Mutual respect		
Participant selection vs. Self-selection	Credibility/legitimacy of process	Interpretation	Achievement of consensus over the decision
Inclusiveness (broad) vs. Exclusiveness (narrow)	What point in the decision-making process is input being sought? Who is listening? (e.g., Influential decision-makers or junior staff)	Adequacy of time provided to consider, discuss and challenge the information	(I.e., Broad-based understanding and acceptance of final decision) Better (or different) decisions

These four criteria provide a good basis for a comprehensive evaluation of a participatory approach by assessing the main potential issues that can emerge throughout this process. Table x, provides a short summary of the framework with specific elements falling within each criteria.

In order to have a better grasp of the concept of public participation, it is important to step away from the theoretical aspect and consider a real world example. Since the establishment of the 1991 constitution, Colombia provides a real world example of public participation, both in its positive and effective aspects, as well as in its weaknesses.

Political Participation in Colombia

This section will provide a short overview of public participation in Colombia. It will first examine the origins of political participation, inscribed in the Constitution of 1991, which defines the Colombian regime as a participatory democracy rather than a representative democracy.²⁵ The second part will provide examples where public participation was implemented in rural areas in order to fight corruption and improve public service provision. In the context of the ongoing conflict, the participatory approach has also been used as a grassroots tool for peacebuilding.

²⁴ Ibid

²⁵ Rudqvist, Anders. "Popular Participation in Colombia." Collegium for Development Studies, Uppsala University . 2002. p.18.

The Constitution of 1991 and tools for public participation

The rise of political participation in Colombia in the 1990s must be understood within the country's historical context and political culture of the previous decades. Clientelism and authoritarianism were key factors of the Colombian political system, which were almost perceived as legitimate behaviors and policies.²⁶ Leaders were able to maintain their clientelist relations through their access to public resources, as well as a maze of administrative relations within the state. Access to public resources also led to a fragmentation of the political parties, with leaders establishing new factions to strengthen their access to public funds.²⁷ The development and the strengthening of these political practices, in addition to political leaders' inability to meet the needs and the demands of the population, delegitimized the system as a whole and created a conducive context for reforms and a shift towards a more participatory approach.²⁸

The rise of public participation started in the 1980s, in the context of institutional reforms and decentralization. The law of 1986 initiated a decentralization process and reinforced local autonomy by transferring "powers, functions, and resources of the central government to publicly elected bodies and actors at the regional or local level."²⁹ As such, it enabled citizens to intervene for the first time directly in policy making at the local level, by electing the mayors and governors. The decentralization process was further advanced with the Constitution of 1991, which was also a milestone in the rise of public participation in Colombia.

A generous legal framework of political participation was granted by the new national constitution in 1991, which transferred much decision-making authority to local, municipal governments, as well as to all Colombian citizens.³⁰ Said reform intended to create a more inclusive and transparent political process. The first article of the constitution reaffirmed these goals by officially defining the Colombian political system as participatory.³¹ Moreover, an entire section was dedicated to democratic participation, which defined the state as being responsible for contributing, promoting and guiding organizations to become "democratic means of representation."³² The constitution also defined a whole new range of tools and mechanism to ensure effective participation, among which legislative initiatives, popular consultation and *acciones de tutela* also

²⁶ Velásquez, Fabio, and Esperanza González. *¿ Qué ha pasado con la participación ciudadana en Colombia?*. Bogotá: Fundación Corona, 2003. p.17

²⁷ Rudqvist, Anders. "Popular Participation in Colombia." Collegium for Development Studies, Uppsala University . 2002p.15-16.

²⁸ Velásquez, Fabio, and Esperanza González. *¿ Qué ha pasado con la participación ciudadana en Colombia?*. Bogotá: Fundación Corona, 2003..p.18

²⁹ Rudqvist, Anders. "Popular Participation in Colombia." Collegium for Development Studies, Uppsala University . 2002 p.17.

³⁰ Article 40. Title II. Chapter 1. Constitución Política de Colombia 1991

³¹ Article 1. Title I. Chapter 1. Constitución Política de Colombia 1991

³² Article 103. Title IV. Chapter 1. Constitución Política de Colombia 1991

known as tutelage actions.³³ The latter is defined as a juridical instrument for immediate protection of fundamental rights. It allows any citizen to lodge a complaint about a violation of its fundamental rights to due a policy. The judge has to provide an answer within 10 days of the complaint. Though the *tutela* is not a central mechanism of political participation, it enables the people's voice to be heard effectively in cases of violation of fundamental rights. The *tutela* is "considered by Colombian constitutional experts as one of the most significant democratic innovations of the 1991 constitution."³⁴ Furthermore, legislation regarding inclusionary political processes came in 1997 with the provision of *consulta previa* (consultation), which requires government and the private sector to create consultative processes with ethnic communities regarding the actualization of projects or any administrative or legislative initiative that affect these populations or the territories in which they reside.³⁵

Public Participation in Action: Examples from Tarso and Magdalena Medio:

Armed with the 1991 Constitution, the next decades saw several public participation projects being implemented throughout Colombia. For the most part, these projects would take place in rural areas where clientelism was very strong. These projects aimed to stop these practices, but also to promote security in the midst of Colombia's armed conflict.

In January 2001 in the municipality of Tarso in Antioquia, local citizens decided to establish the "Constituent Municipal Assembly of Tarso," in response to bad financial management by local authorities, corruption and a lack of transparency.³⁶ The assembly was based on 150 delegates, including church leaders, and municipal council members, that were selected after more than a year of community trainings and awareness raising campaigns by local leaders. The assembly was able to streamline Tarso's finances and ensure investment in social programs such as 600 affordable housing units, a water treatment plan and the construction of a new hospital. Consequently, these outcomes were able to improve the credibility of the public institutions among the population.

The *Programa de Desarrollo y Paz del Magdalena Medio* (PDPMM) is another example of large-scale public participation. The program was established in 1995 to economically develop the region and as such to provide alternatives to the armed conflict.³⁷ It was

³³ Rudqvist, Anders. "Popular Participation in Colombia." Collegium for Development Studies, Uppsala University . 2002 p.20.

³⁴ Ibid.

³⁵ Convenio 169 de la organizacion internacional del trabajo. Corte Constitucional de Colombia

³⁶ Mitchel C. and Ramirez S. "Local Peace Communities in Colombia : and initial comparison of three cases" in Bouvier, Virginia Marie, ed. *Colombia: building peace in a time of war*. US Institute of Peace Press. 2009. pp.253-254.

³⁷ Henriques, Miguel Barreto. *Peace Laboratory of Magdalena Medio: "a peace laboratory"?*. CERAC Working Paper 6, Centro de Recursos para el Análisis de Conflictos. 2007. p.17

financially backed by the World Bank and the EU.³⁸ The participatory approach was based on *nucleos de pobladores*, which were municipal spaces of participation made up of local social organizations. Their role was to define and execute local development and peace projects.³⁹ Their proposals focused on agricultural development aimed at helping local peasants. However, the program's participatory approach faced major limitations as the landless peasants were not represented and since it lacked funds to tackle the major land problem that prevented agricultural development.⁴⁰

Colombia's historical background provides good evidence of the use of public participation in both an effective and a more problematic way. Furthermore, understanding Colombia's culture of participation sets the context for the use of such approaches for the internally displaced communities. However, before diving into the participatory approach for IDPs in Colombia, it is necessary to quickly assess IDP participation around the world. This provides a basis of comparison in order to fully grasp the nature of IDP participation in Colombia.

Overview of IDP participation and consultation around the world:

In 2012, according to conservative estimates, one out of six IDPs around the world was from Colombia. With more than five million internally displaced individuals, Colombia is amongst the countries with the largest internally displaced communities. Until 2011 and the Syrian civil war, Colombia had the highest number of IDPs, both in absolute and in relative terms. Within Colombia, more than ten percent of the population is internally displaced.

International Framework

The question of consultation and participation by the IDP population is very context-specific and depends strongly on the situation and the political willingness of each country. By definition, IDPs do not cross international borders and as such their situation falls within the responsibility of the state. Their means of participation are defined by legislation and governmental policies, as well as by social mobilization and civil society organizations within the national context.

³⁸ Henriques, Miguel Barreto. *Peace Laboratory of Magdalena Medio: "a peace laboratory"?*. CERAC Working Paper 6, Centro de Recursos para el Análisis de Conflictos. 2007 p.5

³⁹ Henriques, Miguel Barreto. *Peace Laboratory of Magdalena Medio: "a peace laboratory"?*. CERAC Working Paper 6, Centro de Recursos para el Análisis de Conflictos. 2007 p.8

⁴⁰ Henriques, Miguel Barreto. *Peace Laboratory of Magdalena Medio: "a peace laboratory"?*. CERAC Working Paper 6, Centro de Recursos para el Análisis de Conflictos. 2007 p.27

Despite this important national aspect, an international framework concerning IDPs also exists: the 1998 Guiding Principles on Internal Displacement. The elaboration of the principles was motivated by the realization that the previous international legal framework, which includes both human rights and humanitarian law, did not provide an adequate basis for the protection and assistance of IDPs. This international framework was developed by a group of international experts, under the initiative of the representative of the UN Secretary-General on IDPs, Walter Kälin. The finalized document was officially presented at the UN Commission on Human Rights in 1998. Though the guiding principles are not a legally binding document, heads of state and governments have recognized it as an “important international framework for the protection of internally displaced persons” at the World Summit in September 2005.⁴¹ Moreover, the UN’s representative on IDPs has undertaken several workshops in various countries in order to implement the Guiding Principles within the national legislation. Such a workshop took place in Colombia in May 1999.⁴²

The Guiding Principles define a broad range of economic, social, cultural, civil and political rights enjoyed by the IDP population. In addition, it states that IDPs have a right to assistance in order to return safely to their place of origin, to resettle or integrate into the local community where they are currently living. The document also calls for just reparations or compensation when it is not possible to return. On the question of participation, the Guiding Principles define in detail the right for IDPs to participate in political affairs and economic activities. More specifically, Principle 22 provides IDPs with the right to associate freely and participate equally in community affairs, and the

Principle 28

1. Competent authorities have the primary duty and responsibility to establish conditions, as well as provide the means, which allow internally displaced persons to return voluntarily, in safety and with dignity, to their homes. (...)
2. Special efforts should be made to ensure the full participation of internally displaced persons in the planning and management of their return or resettlement and reintegration.

right to vote and participate in governmental and public affairs. Interestingly, it identifies lack of resources as an issue that might hinder IDPs’ capacity to participate in political affairs. As such, it defines a right to have access to the means necessary in order to effectively be able to participate. Through this section, the Guiding Principles highlight that a legal framework on its own is not

sufficient for IDPs to enjoy their rights. Due to their extremely precarious socioeconomic situation, IDPs also need access to resources in order to effectively participate and enjoy their rights.

Moreover, Principle 28 points out the importance of collaboration and consultation with

⁴¹ The Brookings Institution – University of Bern, Moving beyond Rhetoric: Consultation and Participation with Populations Displaced by Conflict or Natural Disaster. October 2008. p.12.

⁴² Bjorn Pettersson, Internal Displacement in Colombia : Workshop on Implementing the Guiding Principles on Internal Displacement. May 1999. The Brookings Institution.

the IDP community in the process of assisting and supporting them. After defining the authorities' responsibilities related to issues of return, resettlement and reintegration, the Principle clearly states that "special efforts should be made to ensure the full participation of internally displaced persons in the planning and management of their return or resettlement and reintegration."⁴³ Through this principle, the international framework goes one step beyond just defining rights, also highlighting the necessity and the importance of consulting with the IDP community in matters concerning them. This provides the framework for a participatory process between authorities and the community, which opposes a top-down system defined by the state when dealing with the IDP community.

IDP participation around the world

There are numerous examples of IDPs organizing themselves and forming associations in order to further their goals through traditional structures, grassroots organization and social mobilization throughout the world. Cases of direct participation with the authorities are less common. Those are either initiated by the government through a specific policy and a national legal framework that promotes participation, or when IDP organizations are able to mobilize well enough to present themselves as a partner. These two options are not exclusive, and it is usually a mixture of both that leads to IDP participation and consultation.

Guatemala offers a good example of effective grassroots mobilization which led to direct and effective participation with the authorities. In 1987, Guatemalan refugees and IDPs organized themselves in Permanent Commissions (*Comisiones Permanentes*), in order to achieve collective and organized return. Through the help of the UNHCR, the Permanent Commissions directly negotiated with the Government of Guatemala and finally signed an agreement in October 1992, which guaranteed their rights and included mechanisms for returnees to acquire land.⁴⁴

However Guatemala represents in some ways an exception. In most other cases, the government will enter into a consultation process with IDP organizations but without any concrete results. This is the case of Georgia, where the IDP Women's Network organized roundtables during the development of national policies on the issue. However, the effective impact of the roundtables on the policies seems unclear and very limited. It seems that the Georgian government does not have the political willingness to include and allow the IDP community to directly participate in the policy design process.⁴⁵

⁴³ Principle 28. Guiding Principles on Internal Displacement. 1998.

⁴⁴ The Brookings Institution – University of Bern, Addressing Internal Displacement in Peace Processes, Peace Agreements and Peace-Building . September 2007. p.19.

⁴⁵ The Brookings Institution – University of Bern, Moving beyond Rhetoric: Consultation and Participation

It is important to keep in mind that a lack of participatory and consultative mechanisms does not necessarily mean that the IDP community is not receiving benefits or that it is stripped of its political and civil rights. For example, in Azerbaijan, the government provides a large number of benefits to the community in the form of free accommodation, medical care, education, tax incentives, free public transportation, and social assistance. This has led to a clear improvement of IDPs' living standards in the last decade. Moreover, the IDP community is able to elect representatives to the parliament. Despite these benefits, the UN Special Rapporteur on the Human Rights of IDPs "stressed the need to increase initiatives and promote mechanisms to engage internally displaced persons in consultative and participatory processes on issues affecting them."⁴⁶ This highlights that participation is a crucial element for the IDP community beyond just receiving benefits.

Traditional leaders and mechanisms endorsed by the authorities provide an example of a mixture of grassroots mobilization and national policy framework. Sudan offers such an example by using traditional mechanisms and their national legal framework in order for the IDP community to be represented and participate directly with the authorities. After a long civil war in southern Sudan, the IDP community reverted to using traditional mechanisms as a source of authority and representation. The Government of South Sudan decided to strengthen the role of traditional local administration through the Local Government Framework in 2004. This led to the National Conference of Chiefs and Traditional Leaders in July 2004, which provided IDPs with direct participation, consultation and advocacy with the governmental authorities through the representation of local traditional leaders.⁴⁷

More formal cases of participation through legal systems - similar to Colombia - exist as well. For example, in 2006, the Turkish Government developed a policy named the "Van Provincial Action Plan for Responding to IDP Needs." It included specific mechanisms for engaging with the IDP community in order to consider their views and priorities. The Plan of Action went further by allowing IDPs and NGOs to participate in the planning and the monitoring of the policies. It also contained provisions to ensure and strengthen the participation of IDP women and a mechanism to share information directly with the displaced communities. This type of participation and consultation closely follows Principle 28 of the Guiding Principles, which calls upon a comprehensive approach which takes into account IDPs' perspectives and priorities when designing national

with Populations Displaced by Conflict or Natural Disaster. October 2008. p.27.

⁴⁶ International Crisis Group, Tackling Azerbaijan's IDP Burden, Crisis Group Europe Briefing, n.67, February 2012, p.7.

⁴⁷ The Brookings Institution – University of Bern, Addressing Internal Displacement in Peace Processes, Peace Agreements and Peace-Building . September 2007. p.69.

policies. It is important to note that despite the large and robust participatory scope of the policy's design, it seems that local NGOs were disappointed by its implementation on the ground.⁴⁸ This dichotomy between policy and implementation is a crucial feature which will be shown in the case of Cali.

Other examples of national legal frameworks including a participatory approach with the IDP community include Angola and Uganda. In Uganda, the policy clearly mentions collaborative approaches where the governmental authorities are required to work with IDP representatives. It also specifically emphasizes the role of representatives of displaced women to be consulted and to participate in governmental committees.⁴⁹ The Angolan Norms on Resettlement of the Internally Displaced Populations contains a provision requiring the active participation of the IDP community in matters related to the resettlement and return process. Unfortunately, the norm does not elaborate exactly how such participation should take place.⁵⁰ As such, Angola provides a good example of a country whose policies are promising in that they promote a participatory approach on paper but faces challenges due to a lack of clarity concerning implementation. This gap between the written policy and the implementation on the ground is a major recurring theme in the participatory mechanism of the IDP community in Cali, Colombia.

After having described IDP participation around the world, the following section will focus on the historical evolution of IDP participation Colombia. It will focus on the legal framework created first by the 1997 law and then by the 2011 Victims' Law. This historical background will provide the context of the current participatory process for IDPs.

Political participation of IDPs in Colombia prior to 2011

Over the course of the past two decades, Colombia has gradually designed and built one of (if not the) world's most extensive and comprehensive legal and institutional frameworks for the provision of support and restorative measures to its steadily growing population of IDPs.

The construction of this legal and institutional framework has been a long and difficult process, one defined by constant negotiation and struggle between the Colombian government and an increasingly vocal and restive IDP population. At each step of the way, the political activism and participation of the IDP population has been a critically

⁴⁸ The Brookings Institution – University of Bern, *Moving beyond Rhetoric: Consultation and Participation with Populations Displaced by Conflict or Natural Disaster*. October 2008., p.27.

⁴⁹ The Brookings Institution – University of Bern, *Moving beyond Rhetoric: Consultation and Participation with Populations Displaced by Conflict or Natural Disaster*. October 2008., p.27.

⁵⁰ *Idem*

important factor. While the two elements are both necessary and generally mutually reinforcing, it is very important to differentiate between political mobilization and activism on the one hand, and political participation on the other. Political activism refers to unilateral actions undertaken by IDPs (marches, protests, sit-ins, legal petitions) in order to call attention to their plight and actively demand tangible reactions and concessions from the country's public authorities. Since the late 1990s, IDP organizations in Colombia have consistently resorted to activism to put pressure on a government that has often struggled to actually comply with the numerous promises outlined in its ambitious and growing body of IDP legislation.

However, this type of 'activist' political action presupposes an antagonistic, oppositional relationship between the government and social actors. In contrast, political participation should be understood as the result of processes of organizational capacity-building through which displaced individuals and communities become respected counterparts to the government, partners in governance. Ideally, effective and meaningful participation implies a constructive relationship between the government and social actors, one that relies on inclusion, cooperation, and information-sharing. Ultimately, the goal is for social actors to have an active role in all dimensions of governance – from the design and implementation of policy to monitoring and evaluation.⁵¹

The following section will provide a short historical background of the political participation of Colombia's IDP population prior to the passing of the 2011 Victims' Law. The focus will be on the institutional manifestations of the evolving relationship between the IDP population and the Colombian government. More precisely, the main objective is to better understand the gradual institutional formalization of IDP political participation prior to 2011. In order to do this, a brief historical account of the Board for the Strengthening of IDP Organizations (*Mesas de Fortalecimiento a Organizaciones de Población Desplazada*) will be given. The historical account is important as the Strengthening Boards were the formal participation mechanisms that preceded the Victims' Participation Boards, the main focus of this report.

A. 1997-2004: Disappointments with Law 387

Beginning in the late 1990s, Colombia witnessed a sharp spike in the levels of internal displacement due to the violence and armed conflict metastasizing throughout the country's different regions.

The government's first lasting and significant response to this increasingly urgent issue was the landmark Law 387 of 1997. This law established many of the crucial foundations that have guided the government's long efforts to respond to the IDP crisis since then.

⁵¹ Garay S. Luis J. "El reto ante la tragedia humanitaria del desplazamiento forzado: aplicar políticas públicas idóneas y eficientes." v. 4. 2009. p. 114 .

After first officially recognizing the phenomenon of internal displacement and the violation of Colombian citizens' constitutional and human rights associated with it, the law began designing Colombia's extensive legal and institutional framework for the provision of reparations to the displaced population. In addition to establishing critical national-level structures such as the National System for Integrated Attention to Displaced Population (SNAIPD) and the central entity that would act as its administrative head, *Acción Social*, Law 387 also called for the creation of sub-national governance bodies whose function would be to design, coordinate, and monitor IDP policies at the municipal and departmental levels.⁵² At the municipal level, these were called the Municipal Committees for Comprehensive Attention to Population Displaced by Violence (CMAIPD), and were expected to consist of ten members. In addition to the Mayor, the heads of local security, judiciary and service-delivery agencies, and representatives from the Red Cross and religious institutions, two seats were reserved for representatives of the displaced population. However, no detailed provisions were made to determine how these two representatives would be selected.

Another positive element of Law 387 was an article (Art. 30) requiring the national government to provide all necessary "guarantees" (i.e. support) to IDP organizations and related NGOs to support their work on IDP issues.⁵³ While not explicitly intended to increase their active participation in political processes, the presence of this article does reflect an awareness of the fact that well-organized and well-functioning civil society organizations working on IDP issues can constitute a valuable asset for the government in its efforts to address these same issues. Despite its significant achievement in setting precedents for the government's responsibilities towards IDPs, the impact of the Law 387 was severely limited during the first years following its adoption. The disappointing results came not so much because of the law itself, but rather due to very weak implementation and compliance on behalf of the government. Institutions and governance structures were created, but all too often their achievements and impact were severely constrained by a lack of political will as well as budgetary and staffing limitations.⁵⁴

The lack of implementation and lack of tangible gains following Law 387 pushed the IDP population to become increasingly vocal and politically active in trying to pressure the government to comply with all of the provisions laid out in the law. The number of IDP organizations multiplied rapidly: soon, there were as many as 100 IDP organizations in Cali.⁵⁵ In the years leading up to 2004, these organizations led a very active social movement that combined marches, protests, and sit-ins (*tomas*), along with legal

⁵² Article 7. Law 387 of 1997. Diario Oficial. 24 July 1997

⁵³ Article 30. Law 387 of 1997. Diario Oficial. 24 July 1997.

⁵⁴ *Sentencia T-025/04*, Colombia: Corte Constitucional. 22 January 2004

⁵⁵ Interview with Foro. Cali. March 19, 2014

measures such as *peticiones* and *tutelas* in order to achieve a response from the government.⁵⁶

Over time, though, the government's legal obligation to support IDP organizations has become much more specific and well-defined. The law has evolved from Law 387 and has come to include clear measures designed to guarantee the inclusion of IDP representatives as meaningful participants in policymaking. Reaching this point, however, would take many years, as will be demonstrated in the rest of this section.

B. 2004: Judgment T-025 and the struggle for the implementation of Law 387

Colombia's Constitutional Court reacted to the growing IDP social movement by passing *Sentencia a la Tutela 025* (also known as *Sentencia T-025* or Judgment T-025), a ruling in which it denounced the government's lack of compliance with the responsibilities and duties established by Law 387 of 1997. While the Constitutional Court's action was in large part a reaction to the massive number of *tutelas* filed by the IDP population, it is also important to note that the Court has consistently played an important role in monitoring the government's performance in guaranteeing IDPs' constitutional rights. Since 1997, and especially since 2004, the Constitutional Court has passed numerous judicial rulings intended to force through change when it was found that the government's actions and results were insufficient:

- In 2004, when tensions were high between a deeply dissatisfied IDP population and a largely unresponsive government that had begun to denounce IDP political activism as terrorism, Judgment T-025 declared an "unconstitutional state of affairs." Despite the government's existing policies, the IDP population's living conditions continued to represent a violation of their constitutional rights. The Constitutional Court therefore required that concrete measures be taken to better respect the rights of IDPs as Colombian citizens.⁵⁷
- Between 2004 and 2010, the Constitutional Court continued to maintain a high level of pressure on the government through a succession of *Autos de Seguimiento del cumplimiento a la Sentencia T-025 de 2004* (Court Orders to follow up on compliance with Judgment T-025, hereafter *Autos*), through which the Court conducted in-depth monitoring of the government's compliance with Judgment T-025. In each *Auto*, the Constitutional Court consulted multiple stakeholders – including the government, state monitoring agencies such as the Attorney General

⁵⁶ *Banco de Buenas Prácticas para Superar el Conflicto* - Programa de Naciones Unidas para el Desarrollo (PNUD)- Colombia and meeting with Participation Board. March 23, 2014.

⁵⁷ Rodríguez, J. ¿En qué está la participación de las víctimas? Viva la Cuidania. Ed. 381. December 2013

(*Procuraduría*) and the National Ombudsman Office (*Defensoría del Pueblo*), and IDP organizations – in its attempt to assess whether the government had rectified the “unconstitutional state of affairs” through an improved implementation of Law 387. Of the many *Autos* emitted, all of the following include an important focus on measures taken to improve the political participation of the IDP population.⁵⁸

In this sense, the challenges faced with the implementation of Law 387 offer a good illustration of the pattern through which Colombia’s legal and institutional framework for IDPs has gradually evolved over the years. In 1997, the government under President Samper began by adopting promising legislation and designing ambitious policies. However, the outcomes from these laws and policies were disappointing, as new structures and institutions were undermined by a lack of political will, lack of budget allocations, and a lack of human resources and therefore remained largely powerless and/or ineffective. Faced with these disappointing outcomes and government entities that generally excluded or ignored them, IDPs resorted to political activism and protest to exert influence over government policies. The Constitutional Court, the highest judicial entity in Colombia whose rulings are binding, greatly contributed to the IDP social movement.

C. 2004-2011: Institutionalizing IDP political participation

1. Prior to 2005: Pre-Institutionalization

At both the national and sub-national levels, the Strengthening Boards that were created starting in 2005 did not arise *ex-nihilo*, but was rather a reorganization, consolidation, and formalization of previously existing entities. Prior to 2004, Colombia’s IDP organizations had already initiated the process of building networks between themselves and establishing national representatives that could act as counterparts to the central government and the National System for Integrated Attention to the Displaced Population (SNAIPD) created by Law 387. To a certain extent, these initial efforts have been criticized for being too heavily controlled by the government, with the selection of representatives being too much of a top-down process at the discretion of the government.⁵⁹ Nonetheless, from these efforts emerged a first National Board of IDP Organizations (*Mesa Nacional de Organizaciones de Población Desplazada*) prior to 2004, which was primarily led by three actors on the IDP side – *Coordinación Nacional de Desplazados* (CND),

⁵⁸ **2005:** Autos 176, 177 and 178; **2006:** Autos 218 and 333; **2007:** Auto 109; **2008:** Auto 116; **2009:** Autos 008 and 283; **2010:** Auto 383; 2011: Auto 219. Colombia. Corte Constitucional

⁵⁹ Garay S. Luis J. "El reto ante la tragedia humanitaria del desplazamiento forzado: aplicar políticas públicas idóneas y eficientes." v. 4. 2009. p. 116.

Asociacion Nacional de Desplazados Andescol, and *Advicora*, as well as a few “independents.”⁶⁰ These representatives gradually began to be included in some public policy processes, primarily at the national level, albeit in an ad hoc, uncoordinated, and often more tokenistic way. A government report from late 2006 found that, prior to 2004, the relations between the government and IDP organizations had suffered from:

- lack of trust between the two sides;
- lack of clearly defined rules for cooperation and coordination, in terms of standard operating procedures and minimum obligations for each side;
- lack of established selection and transparency processes to guarantee the representativeness and accountability of the IDP organizations;
- lack of responsiveness on behalf of government institutions;
- lack of information sharing; and
- lack of technical support and capacity-building initiatives for the IDP organizations.⁶¹

Indeed, among a large number of other shortcomings, the Constitutional Court’s Judgment T-025 observed that one of the government’s failures in the design and development of its IDP institutions and policies concerned the insufficient inclusion of IDPs themselves in the process:

- “Various policies targeting the displaced population have remained under-developed. According to the submitted reports, this is particularly the case in the following aspects.... The participation of the IDP population in the design and implementation of public policy has not been sufficiently regulated. Efficient mechanisms intended to allow the real participation of the displaced population have not been designed.”⁶²

The government, under pressure from the Constitutional Court, slowly began the process of strengthening the institutionalized character of the participation process.

2. 2005: Establishing the legal basis for the Strengthening Boards

The national government’s response to Judgment T-025 came the following year, with *Decreto* 250/2005, otherwise known as the National Plan for Comprehensive Attention to the Population Displaced due to Violence (hereafter “National Plan”). In this National Plan, the government outlined a number of measures and initiatives intended to restructure and reinforce the institutional framework that had been built since 1997. One important element of the government’s strategy was to reinforce the

⁶⁰ Ibid.

⁶¹ *Auto de Seguimiento 333 de 2006*, Colombia. Corte Constitucional, 27 November 2006,

⁶² *Sentencia T-025/04*,, Colombia: Corte Constitucional. 22 January 2004

inclusion and participation of IDP organizations at all stages of the political process – the reinforcement of “social participation and control” was chosen as one of the guiding principles of the National Plan.⁶³ The National Plan clearly states that in order to achieve effective and meaningful participation, the government must not only create channels and mechanisms through which IDPs can be given a voice,⁶⁴ but that it also needs to actively support and strengthen the IDP organizations that are expected to serve as representatives of the displaced population and act as the government’s counterparts.⁶⁵

Given these objectives, one of the most concrete measures included in the Plan regarding political participation was the creation of the National Board for the Strengthening of IDP Organizations (MNFOPD – *Mesa Nacional de Fortalecimiento a Organizaciones de la Población Desplazada*). The creation of the national Strengthening Board was then followed by the gradual expansion of the participation mechanism downwards to sub-national (“territorial”) levels of government.⁶⁶ These Strengthening Boards were intended to be constituted, managed, and run autonomously by IDP organizations. This meant that IDP organizations should come together and organize elections to select representatives that would occupy seats on the Board. These representatives would then act as the official counterparts to the government, as the Board was expected to designate delegates that could serve directly on governmental decision-making bodies. At the municipal level, these decision-making bodies were the previously mentioned Municipal Committees for Comprehensive Attention to Population Displaced by Violence (CMAIPD). Once again, the CMAIPD was intended to serve as an institutional point of convergence for all the main stakeholders involved in or concerned by the management of IDP issues at the municipal level. One of the main functions of the CMAIPD was the design of periodic strategic policy plans for municipal-level IDP policies, known as the *Plan Integral Único* (PIU), followed by monitoring and evaluation activities related to the enforcement and execution of the PIU.⁶⁷

3. 2004-2005: Implementation of the Strengthening Boards

Between 2004 and 2005, the government organized a number of consultations with national IDP organizations and leaders from regional IDP organizations, in order to invite their contribution to the development of the National Plan for Comprehensive Attention to the Population Displaced by Violence (which, as mentioned earlier, would be officially adopted within Decree 250 of 2005) and the design of the soon-to-be created National Strengthening Board for IDP organizations. In 2005, the

⁶³Decreto 250 de 2005. Diario Oficial. 8 February 2005.

⁶⁴Article 2. 5.1.2.2. Decreto 250 de 2005. Diario Oficial. 8 February 2005.

⁶⁵ Article 2. 5.3.2.2 Decreto 250 de 2005. Diario Oficial. 8 February 2005.

⁶⁶Rodriguez, J. ¿En qué está la participación de las víctimas? Viva la Cuidania. Ed. 381. December 2013

⁶⁷ Article 2. Decreto 250 de 2005. Diario Oficial. 8 February 2005.

government also began systematically collecting information on IDP organizations and developing a database, which was then consolidated into the National Progressive Directory for IDP Organizations (*Directoria Progresivo Nacional de Organizaciones de Poblacin Desplazada*). The Directory was created with an original registry of 354 organizations and was then shared for the first time in July 2006 with a total of 447 registered organizations.⁶⁸

The first National Strengthening Board was selected during the first National Conference of IDP organizations held on 21-22 April 2005, with the participation of 75 IDP organizations from 26 departments, 116 IDP leaders, and 15 participants from national (e.g. SNAIPD) and international organizations.⁶⁹ Earlier in 2005, the government had made an effort to bring regional perspectives to this national conference by selecting 21 sub-national representatives to attend. These representatives were selected through a process that assembled “independent” IDP organizations from 15 of Colombia’s departments.

Officially inaugurated on 23 June 2005, the National Strengthening Board consisted of 20 leaders of the IDP population, and the participants began appointing members who would serve as delegates to the different government bodies that formally required the participation of IDP representatives in policy and decision-making processes.

By the second quarter of 2006, the government was initiating the process of creating Boards at the sub-national level, including by first bringing together local leaders and disseminating a Protocol for the creation of Strengthening Boards. The Protocol was meant to provide organizations with the technical and methodological tools needed to create Boards.

4. 2005-2011: Expanding and strengthening the Strengthening Boards

By December 2010, SNAIPD reported the creation of 21 departmental Strengthening Boards (out of 32 departments) and of 80 municipal Strengthening Boards (out of approximately 1,120 municipalities across the country).⁷⁰ The Victims’ Law (Law 1448), adopted by parliament only six months later in June 2011, would entail a complete institutional restructuring and dismantling of the Strengthening Boards in favor of an entirely new national framework of participation. Before turning to the events that took place post-2011, it is crucial to understand both the successes and failures that shaped the Colombia’s first attempt to establish an institutional participation mechanism for the IDP population.

⁶⁸ Article 2. Decreto 250 de 2005. Diario Oficial. 8 February 2005.

⁶⁹ Article 2. Decreto 250 de 2005. Diario Oficial. 8 February 2005.

⁷⁰ *Auto de Seguimiento 383 de 2010*, Colombia. Corte Constitucional, 10 December 2010

Given the absence of any formal participation mechanisms prior to 2005, the existence of both the national Strengthening Board and the numerous local Boards across the country reflects important progress achieved by the government in the creation of formal structures through which IDP organizations could become participants in the public policy process. Relative to the scenarios from around the world mentioned in Section ---, it is clear that the Colombian state has expended significant effort and resources to seriously address the need to give IDPs a voice and role in governance processes.

Nonetheless, many monitoring and evaluation reports published over the course of this period offer insights into the many significant institutional weaknesses and obstacles that continued to make IDP participation mechanisms and processes far from sufficient and satisfactory. In addition to the Constitutional Court, whose critical role has already been described, another important actor with a leading role in the monitoring process was the Commission for the Monitoring of Public Policy on Forced Displacement (*Comisión de Seguimiento a la Política Pública sobre Desplazamiento Forzado*). This Monitoring Commission was a civil society initiative created in August 2005. Following Judgment T-025, a number of leading organizations, academic bodies, and public figures (including the Consultancy on Human Rights and Displacement (CODHES), the *Viva la Ciudadanía Corporation*, and the *Universidad de los Andes*) came together to create the Commission in order to actively contribute to and support the monitoring of the government's policies and the measurement of their concrete impact on the IDP population. The Monitoring Commission became a close collaborator to the Constitutional Court in the defense of IDP rights. For instance, in 2007 and 2008, the Commission was asked by the Court to support its efforts to formalize and systematize its monitoring by identifying exactly which of the IDP population's fundamental rights were being violated by the country's current state of affairs. After identifying each fundamental right the authorities then defined a set of specific indicators which could be used to measure the government's progress with respect to each right. The result was a list of more than 100 indicators. Finalized and formally adopted in *Auto 116* of 2008, this list of indicators covered very general rights such as the right to life, the right to liberty, and the right to personal integrity (relating to freedom from submission to violent offenses such as kidnapping and torture), as well as more specific rights such as the right to return, the right to proper nutrition, the right to proper accommodation, and the right to family reunification, among many others.⁷¹

Crucially, one of those fundamental rights was the right to participation. In defining this right, the Court formally established that the IDP organizations must be provided with adequate mechanisms ("*escenarios adecuados*"), the adequate conditions

⁷¹ *Auto de Seguimiento 116 de 2008*, Colombia. Corte Constitucional, 31 October 2008

“*condiciones adecuadas*”), and the necessary material support (“*garantias para participar*”) to be able to participate meaningfully in all stages of the public policy process. Moreover, it was also established that all suggestions and observations transmitted to the government must be formally acknowledged and responded to by the latter. The Court then defined six indicators designed to measure progress in these different dimensions of participation, including, for example, the number of IDP organizations provided with capacity-building and training, the number of IDP organizations provided with material support to facilitate their participation as official representatives on the Strengthening Boards, and the number of formal suggestions or observations submitted by IDP representatives to which the government also responded formally.⁷² Despite the very clear and specific way in which all of these indicators were defined in 2008, until 2011 – when the entire legal and institutional framework was restructured by the adoption of the Law 1448 and the associated Decree 4800 – the government never provided the Constitutional Court with the data, results, or measurements that would have been needed to determine progress according to each indicator.⁷³

In a 2009 report concerning the progress achieved by the government in the improvement of its IDP policies, the Monitoring Commission concluded that the existing IDP participation mechanisms, *when* they had in fact actually been created, had only served to make IDP representatives passive witnesses in the public policy processes, with few opportunities to provide their perspective and no concrete means to tangibly influence the design, implementation, monitoring, and evaluation of policies.⁷⁴ These conclusions were supported by the following findings concerning the existing framework of Strengthening Boards, among others:

- Only 18 percent of departments and 15 percent of municipalities actually had developed and adopted a PIU;⁷⁵ of those existing PIUs, an overwhelming majority were characterized by the complete absence of any specific measures to promote or support the political participation of IDPs and IDP organizations.⁷⁶
- The existing system of *Strengthening Boards* was too centralized and often unrepresentative of the broader IDP population due to:

⁷² Ibid.

⁷³ *Auto de Seguimiento 219 de 2011*, Colombia. Corte Constitucional, 13 October 2011

⁷⁴ Garay, L., and Barberi, F. *Proceso Nacional de Verificación. Comisión de Seguimiento de la políticas Públicas Sobre el Desplazamiento Forzado*. 2009. p. 123

⁷⁵ Garay, L., and Barberi, F. *Proceso Nacional de Verificación. Comisión de Seguimiento de la políticas Públicas Sobre el Desplazamiento Forzado*. 2009. p. 121

⁷⁶ Garay, L., and Barberi, F. *Proceso Nacional de Verificación. Comisión de Seguimiento de la políticas Públicas Sobre el Desplazamiento Forzado*. 2009. pp. 118-119

- A lack of cooperation and coordination between the national Strengthening Board and the local-level (departmental and municipal) Boards and IDP organizations, and
- Imbalance caused by the substantially higher amount of government support and resources directed to the national Board compared to the local Boards.⁷⁷
- According to rough approximations:⁷⁸
 - Only one-third of IDP organizations had any channel of communication with the national Strengthening Board;
 - Less than one-half had any type of representation within departmental organizational structures;
 - Only about 32% of IDPs belonged to any type of IDP organization;
 - Those national-level government bodies that integrated delegates from the national Board convened, on average, only twice per year; and
 - A high percentage of departmental Boards had only met between one and four times since their creation.
- Government support remained not only “absolutely insufficient,” but also when delivered it remained inconsistent, uncoordinated, poorly planned, and therefore counter-productive.⁷⁹

In *Auto de Seguimiento 383*, which is dated from December 2010, the Constitutional Court expressed very similar conclusions after having consulted with a large number of state and non-state counterparts. The recurring criticism is that, even when formal structures and mechanisms for political participation had been officially created, these had overwhelmingly not been properly supported, empowered, and integrated in any meaningful.⁸⁰

Political participation of IDPs in Colombia post-2011

The landmark Victims and Land Restitution Law, also referred to as Law 1448 (hereafter the Victims’ Law), was passed in June 2011. This new law was therefore adopted a little less than a year after President Juan-Manuel Santos came to power after two terms under the President Alvaro Uribe administration (2002-2010). According to some accounts,

⁷⁷ Garay, L., and Barberi, F. *Proceso Nacional de Verificación. Comisión de Seguimiento de la políticas Públicas Sobre el Desplazamiento Forzado*. 2009. p116-119

⁷⁸ Garay, L., and Barberi, F. *Proceso Nacional de Verificación. Comisión de Seguimiento de la políticas Públicas Sobre el Desplazamiento Forzado*. 2009. 116-117

⁷⁹ Garay S. Luis J. "El reto ante la tragedia humanitaria del desplazamiento forzado: aplicar políticas públicas idóneas y eficientes." v. 4. 2009. p116-118

⁸⁰ *Auto de Seguimiento 383 de 2010*, Colombia. Corte Constitucional, 10 December 2010

legislators had been trying to pass this legal reform for several years but had faced constant opposition from the government until the change in administration in late 2010. As previously mentioned, this law was intended to engender the most significant change in Colombia's IDP policies since Law 387 of 1997. Fourteen years after Law 387, and following the long and difficult process of institutional development described in the previous section, the central government set off to profoundly restructure its entire legal and institutional framework in an effort to cope with an IDP population that, incredibly, continued to grow year after year. With Decree 4800 of the same year, the government outlined a detailed strategy and instructions for the implementation of the Victims' Law.

A. The 2011 Victims' Law and its impact on the Political Participation of IDPs

Given the breadth and scope of the restructuring since 2011, the following discussion will be limited to an overview of the main changes and continuities that either directly targeted, or were closely related to, the political participation of IDPs.

1. From IDPs to “Victims with *enfoque diferencial*”⁸¹

One of the biggest innovations introduced with the Victims' Law was a change in the scope and definition of the law's target population. First, the overall target population was expanded from a strict focus on IDPs to one that included all victims of the country's armed conflict. As per Article 3, is considered a victim anyone having suffered a violation of human rights related to the armed conflict since 1985, or the direct family members of anyone reported dead or missing. This definition includes victims of sexual violence, torture, or kidnapping, for instance. As a result, this change broadened the segments of the population that would be expected to be actively involved in the Law's new participation mechanisms. Moreover, another crucial dimension of the Victims' Law is the prominent emphasis given to the question of *enfoque diferencial* – as defined in Articles 13 and 205, this emphasis translates to an explicit requirement that all policies must be sensitive to the particularities stemming from gender, age, sexual orientation, physical disability, culture, and race. This last specific point, the importance of guaranteeing the rights and representation of specific minorities under the category of victims, was further established by Decrees 4633 (Indigenous communities), 4634 (Rom & Gypsy communities), and 4635 (Afro-Colombian communities) of 2011.

⁸¹ *Enfoque diferencial* which translates roughly to “differential focus,” refers to a sensitivity to particular circumstances and needs of specific segments of the victim population, whether due to age, gender, sexual orientation, physical disability, culture or race.

Impact on political participation:

As a result of these changes, the previous Strengthening Board, which was designed exclusively for IDP organizations, could no longer fulfill the functions required by the new law. Article 193 of the Victims' Law called for the creation of new Victims' Participation Boards which would be representative of the entire range of victims (by types of act suffered), while also reflecting the diversity of this population (as defined by *enfoque diferencial*).

2. From SNAIPD to SNARIV:

The Victims' Law re-named and expanded the system of institutions with a role in the provision of support and services to victims of the conflict. Previously, under Law 387, SNAIPD was comprised of 19 state actors (as explained earlier); under the Victims' Law, that number increased to 32 and, per Article 160, the institution's name was changed to the National System for Comprehensive Attention and Reparation to Victims (SNARIV).⁸²

Impact on political participation:

The change from the SNAIPD to the SNARIV was only important to the extent that the law specifically established the to-be-created Victims' Participation Board, at all levels of government from municipal up to the national, as members of the SNARIV-with all of the responsibilities and rights that this entails in terms of information sharing and coordination with other members of the system. Incidentally, it is important to note that the significant expansion of the number institutions involved could in all likelihood only be expected to make previously existing challenges of collaboration and coordination more complicated and complex.

3. From Acción Social to Victims Unit:

The second big change was the transformation of the main administrative entity charged with the management of the entirety of the state institutions involved in the execution of IDP policies. As explained above, under the Law 387 this entity was named Acción Social. Now, the new law in articles 166-168 created a new entity called the *Special Administrative Unit for Comprehensive Attention and Reparation to Victims*, referred to as the Victims Unit.

Impact on political participation:

Crucially, in addition to a number of administrative planning and coordination functions, the Victims Unit is charged with "guaranteeing the strategies and mechanisms for the effective participation of victims, with an *enfoque diferencial*, in the design of plans, programs and projects for comprehensive reparation, attention

⁸² There is some confusion concerning who and how many entities make up the SNARIV, as the research team has found different numbers in different locations. The law stipulates that there are 32 entities, but the SNARIV website (as of April 2014) lists 47 entities. Further, in ___ document, it was stated that there were 51 in total, and in practice (?) only 4 or 5 are actively engaged. .

and assistance.” This specific responsibility is re-identified in Article 193 paragraph 2, whereby it is stated that the national government must, through the Victims Unit, ‘guarantee’ the effective participation of victims.

4. From the CMAIPD and the Plan Integral Unico (PIU), to the Comité Municipal de Justicia Transicional (CMJT) and the Plan de Acción Territorial (PAT).

Largely in continuity with the previous law, the 1448 Law maintained the governance bodies at each level of government that are charged with the design, coordination and monitoring of all IDP policies.

As written in article 173, at the municipal level, the previously called CMAIPD is now called the Municipal Committee for Transitional Justice (CMJT).

Along with two delegates from the Participation Board, the CMJT still convenes all the municipal-level heads of government departments and security agencies, as well local heads of the main national institutions providing crucial support to victims of the conflict (such the Victims Unit, the *Instituto Colombiano de Bienestar Familiar* (ICBF), and the *Servicio Nacional de Aprendizaje* (SENA); however representatives of the Red Cross and local religious leaders are no longer included. Again as before, one of the main responsibilities of this governance body is the development of the municipality’s strategic plan for victims’ policies and programs, previously named the *Plan Integral Unico* (PIU) and now called the *Plan de Acción Territorial* (PAT). This plan is intended as the central exercise through which local victims-policy planning takes place, and the main tool for monitoring and evaluation through the definition of clear objectives and targets against which the municipality can then be held accountable.

Impact on political participation:

Because of the important continuities with the previous structures, the creation of the CMJT as the main municipal-level governance body and the establishment of the PAT as the main planning and monitoring tool did not have a great impact on the dynamics of political participation. One important aspect of the CMJT that should be noted is that decisions are made through a system of voting, such that each member has one vote and is therefore technically guaranteed a chance to participate in the decision-making process. Of course, already under the system of Strengthening Boards the Monitoring Commission (*Comisión de Seguimiento*) had observed that this system in fact had the reverse effect: vote-based decision-making guaranteed that the majority of public officials on each body would always overrule the voices of the two IDP representatives. This expected outcome was not only maintained with the

CMJT, but also accentuated by the removal of third-party members such as the local religious leaders and the representative from the International Committee of the Red Cross (ICRC).

5. Transition to a pyramidal structure and bottom-up election process

Along with the previously mentioned changes, there are at least four additional crucial changes in the participation mechanism that need to be mentioned.

First of all, the process of creating the new Boards was designed precisely in an attempt to improve the representativeness of, and coordination between, the Participation Board at all levels of government. As described above, the past system of Strengthening Boards had been constructed haphazardly in a process which started at the top and then expanded downwards as opportunities arose across the country. This process had created an over-centralized system with significant gaps in coordination and representation between the national and the local levels. Therefore, the new system of Participation Boards was to be created through a bottom-up process, and to be structured in a pyramidal manner: first all municipal Boards would be created through local elections; then departmental Boards would be created, with these consisting exclusively of representatives already elected at the municipal level; and so on for the national level.⁸³ The objective was to create a more integrated system, so that even national-level representatives would need to remain connected to the local-level social bases.

6. The Public Advocate as the technical secretary

Unlike the considerable autonomy, which had been given to the Strengthening Boards (for better or for worse) prior to 2011, the new Participation Boards were expected to be directly supported by the state, via what is called a Technical Secretariat (*Secretaría Técnica*). At the municipal level, the local government oversight agency, the Office of the Public Advocate (*Personería*,) was charged with assuming the role of the technical secretary to the Participation Board. As such, the Public Advocate's responsibility (as defined in article 288 of the *Decreto* 4800) was to accompany and support the Participation Board at all stages: starting with registering organizations, and assisting the process of election and creation of the Board, and following with technical support in defining the Board's internal functions and work plan, support in creating ties with the numerous state institutions and ensuring the exchange of information between both sides, and finally supporting the Board's monitoring and evaluation functions.

⁸³ Article 193, Paragraph 1. Law 1448 of 2011. Diario Oficial. 10 June 2011

7. Creation of the Monitoring & Evaluation Commission

The Victims' Law created in Article 201 a mechanism called the Monitoring and Evaluation Commission (Comisión de Seguimiento y Monitoreo) which is required to convene at least once every six months in order to produce a periodic progress report on the government's overall compliance with the requirements of the new Law. This Commission consists of the government's three main oversight agencies, as well as three representatives from the Participation Board (presumably the national Board, although this precision is not given):

- the head of the Attorney General's Office (*Procuraduría General de la Nación*), or a delegate, who presides over the commission;
- the head of the National Ombudsman Office (*Defensoría del Pueblo*), or a delegate, who acts as the technical secretary;
- the head of the General Comptroller's Office (*Contraloría General de la Nación*), or a delegate.

8. Preservation of the RUSICST reporting tool

The Decree 4800 in article 260 announces the preservation of an important tool for monitoring the government's performance in implementing policies for victims of the armed conflict. This tool is a semi-annual reporting mechanism called the Unified Report from the System of Territorial Information, Coordination and Monitoring⁸⁴ through which department-level and municipal-level governments are expected to send back to the Ministry of the Interior and the Victims Unit a very detailed report of their performance in all areas of victims policy design and implementation. An important component of this very large reporting process was the progress achieved in supporting and guaranteeing the participation of victims, with local governments having to answer a battery of detailed questions about what had and hadn't been done to achieve this. The objective is to improve channels of communication and information flows between national and 'territorial' (sub-national) governments; at the same time, another objective is to give these territorial governments a 'certificate' that reflects the quality of their performance depending on the measures reported.

Conclusion

As we have seen, the 1448 Law and Decree 4800 of 2011 already went a long way to creating new rules that were meant to the emergence of the new Victims' Participation Boards. However, the final rules and guidelines for the creation and operationalization of these new participation mechanisms were to be established in a "Protocol for Effective

⁸⁴ Reporte Unificado del Sistema de Información, Coordinación y Seguimiento Territorial en materia de prevención, asistencia, atención y reparación integral a las víctimas (RUSICST)

Participation”. This crucial tool, the functions of which were defined in detail in articles 285 and 286 of Decree 4800, was expected to be written by the Victims Unit, in close consultation with victims’ organizations, rapidly after the Victims Law itself was passed. In fact, as we shall see in the following section, the new Protocol for Effective Participation would not be finally adopted before May 2013 – 21 months after the adoption of the 1448 Law, and 17 months after the Decree 4800 – in the context of a transition to a new system of participation that was not as smooth and rapid as might have been expected.⁸⁵

B. Creation of the Victims’ Participation Boards, 2011-2013

As of October 2013, the government could claim to have successfully supported the creation of 865 municipal Participation Boards, 32 departmental Participation Boards, and 1 National Participation Board.⁸⁶ The creation of these Boards is relatively recent: beginning with the creation of the municipal Boards no earlier than mid-June 2013, the process moved upwards and culminated with the convening of 270 representatives from departmental Boards in October 2013, a congregation which itself resulted in the election of 46 representatives to the first national Victims’ Participation Board.

In light of this significant achievement, it is nonetheless important to remark that the progression towards the creation of the new Victims’ Participation Boards over the course of the past two years has been a long and difficult process. These difficulties are understandable, especially within the context of the significant institutional adjustments and re-structuring caused by the broader implementation of the 1448 Law. However one must understand how the process unfolded in order to know how it has impacted not only the final outcome (the current Boards), but also the political participation of IDPs during what has been a critical early period for the planning and implementation of the new institutional framework.

1. Early Problems & Consequences for Policy Planning and Design

The implementation of the new system of participation quickly proved to be problematic, facing significant delays due to the poor design and timeline of the process built in to the Law 1448 and Decree 4800, and a severe lack of inter-institutional coordination and collaboration. On the one hand, the two documents immediately transferred the role of formal participation to as-of-yet uncreated Participation Boards, while the existing Strengthening Boards were no longer recognized as legitimately representative of the broader ‘victims’ population. But at the same time, the creation of the new Boards needed

⁸⁵ Comisión de Seguimiento de los Organismos de Control. “Segundo Informe de Seguimiento y Monitoreo a la Implementación de la Ley de Víctimas y Restitución de Tierras 2012-2013. August 2013. p. 41-42.

⁸⁶ Rodríguez, J. ¿En qué está la participación de las víctimas? *Viva la Cuidanía?* Ed. 381. December 2013

to occur according to specific guidelines that would be defined in a “Protocol for Effective Participation” – and this Protocol itself needed to be developed through a fully participatory process. This last requirement of course became very challenging at a time when the representation of the new ‘victims’ population was not yet defined.⁸⁷ Moreover, these difficulties were exacerbated by the fact that the whole institutional framework was undergoing profound changes. State institutions (sometimes newly created, like the Victims Unit) had a very hard time coordinating between themselves in order to solve emerging problems and finally start moving forward in the process of creating the new Boards.⁸⁸ Finally, these problems were compounded by one additional challenge: as explained above, the new system of participation was intended to be constructed through a ‘bottom-up’ process that therefore required, as a first step, the creation of all municipal Boards many municipalities lacked both clear instructions and the institutional capacity to accomplish the tasks necessary to create a Participation Board, and this created a serious roadblock to passing the very first step of the whole process.⁸⁹

These delays carried very serious implications, because they left the overall institutional framework, at all levels from the national down to the municipal, with no counterpart from the victims population to participate in crucial policy planning and design processes that began in early 2012.

For instance, at the municipal level, new mayors were elected in ‘Regional Elections’ held in October 2011, and they took office in early 2012. These incoming municipal governments immediately began writing the Municipal Development Plans (2012-2015) that would set the strategic policy framework from their entire administration (including the general objectives concerning policies for IDPs and ‘victims of the armed conflict’) – and afterwards, these same municipal governments began working on their *Plan de Acción Territorial*, through which the municipality designs a very detailed strategic plan for their policies targeting victims of the armed conflict. During the whole period that these crucial policy documents were being written, that is during all of 2012 and most of 2013, the government did not have any clear, cohesive and coordinated input for the very actors whose participation had just been recognized as absolutely necessary.

2. Circular 004 and the creation of the transitory participation mechanisms

Faced with these serious challenges, the Victims’ Unit in late June of 2012 passed the Circular 004, which established guidelines for the creation of ‘transitory participation mechanisms’ – these were temporary spaces for political participation, the creation of which would be expedited in order to establish (more or less) legitimate counterparts with which the government could interact. The purpose of these transitory mechanisms was

⁸⁷ Rodriguez, J. ‘El Nuevo marco juridico normative de la participación de las victimas’ Ed. 349. May 2013

⁸⁸ Rodriguez, J. ‘El Nuevo marco juridico normative de la participación de las victimas’ Ed. 349. May 2013

⁸⁹ Comisión de Seguimiento de los Organismos de Control. “Segundo Informe de Seguimiento y Monitoreo a la Implementacion de la Ley de Victimas y Restitucion de Tierras 2012-2013. August 2013. p. 20-21

first and foremost to create some form of participation in the process of creation of the Protocol.⁹⁰ Elections were held in October 2012,⁹¹ and resulted in the creation of 720 transitory Boards at the municipal level, 31 at the departmental level, and 1 transitory national Board.⁹² These transitory mechanisms were intended to last until March 31st, 2013, after which a Protocol would have been adopted and the first new Boards could be elected.⁹³

The accelerated and sometimes poorly managed process of elections, while important in getting the process moving, was criticized by many victims organizations and in some cases exacerbated (often pre-existing) tensions, both between organizations and the government, and between organizations themselves. For instance, even though the previous Strengthening Boards (especially the national one) had lost their formal role in government decision-making processes, they resisted this sudden change and they resented the competition created by the emergence of new representatives throughout the process of transition imposed by the new 1448 Law.

Throughout 2012 and early 2013, the interactions between the government and the victims organizations and their representatives were fraught with tensions due to lack of trust and hostilities, and further problems due to poor planning (logistics) and coordination of events.⁹⁴ On paper, many workshop-seminars were organized in departments around the country, with hundreds of representatives from different types of victims' organizations attending. However, the outcomes were rarely very satisfactory. While these gatherings should technically have been focused on discussions of the drafts of the Protocol, in fact they often adopted an expanded agenda as other issues arose – such as the discussion of the *Planes de Acción Territorial*, even though local governments were generally already close to finalizing them – and therefore became more confused.⁹⁵ Overall, faced with such a contested and uncoordinated process, and seemingly frustrated by its incapacity to influence things, National Ombudsman's Office (the *Defensoría del Pueblo*) at the national and departmental levels (and some Public Advocates at the municipal level) decide to disengage themselves altogether from this transitional process and to wait for the creation of the new Participation Boards.⁹⁶

⁹⁰ Rodríguez, J. 'El Nuevo marco jurídico normative de la participación de las víctimas' Ed. 349. May 2013

⁹¹ Comisión de Seguimiento de los Organismos de Control. "Segundo Informe de Seguimiento y Monitoreo a la Implementación de la Ley de Víctimas y Restitución de Tierras 2012-2013. August 2013. p. 20-21

⁹² Rodríguez, J. 'El Nuevo marco jurídico normative de la participación de las víctimas' Ed. 349. May 2013

⁹³ Circular 004 de 2012, Unidad para la Atención y reparación integral a las de Víctimas. 29 June 2012.

⁹⁴ Comisión de Seguimiento de los Organismos de Control. "Segundo Informe de Seguimiento y Monitoreo a la Implementación de la Ley de Víctimas y Restitución de Tierras 2012-2013. August 2013.

p. 23-24

⁹⁵ Comisión de Seguimiento de los Organismos de Control. "Segundo Informe de Seguimiento y Monitoreo a la Implementación de la Ley de Víctimas y Restitución de Tierras 2012-2013. August 2013. p. 23

⁹⁶ Comisión de Seguimiento de los Organismos de Control. "Segundo Informe de Seguimiento y Monitoreo a la Implementación de la Ley de Víctimas y Restitución de Tierras 2012-2013. August 2013. p. 23

3. Adopting the Protocol for Participation and Creation of the first Participation Board

The Protocol for Effective Participation was finally formally adopted in Resolution 0388 of May 2013, with a slightly modified version adopted later in June as Resolution 0588. As mentioned above, the creation of the permanent Participation Boards would move swiftly after that, with the whole process finalized by October 2013.

However, it is important to note that many victim organizations that were involved in the supposedly participatory process of writing the Protocol were far from satisfied with the participatory processes as they actually occurred. Many complained that their contributions and comments were generally disregarded and not included in the final version. In fact, in a survey conducted by the General Comptroller's office, a government oversight agency, at a conference held in April 2013 for the final presentation and validation of the Protocol:

- Seventy-five percent of respondents from organizations stated they had not been able to participated effectively or meaningfully in the writing of the Protocol, and only 19 percent stated they felt they had been able to
- Forty-seven percent claimed that they had not received any institutional guidance as to how they could offer comments and suggestions in the writing process, while 40 percent claimed that they had received such guidance,
- Sixty-nine percent of respondents were dissatisfied with the performance of the contractor in charge of organizing the event, only 10 percent were satisfied and 21 percent were unsure.⁹⁷

⁹⁷ Comisión de Seguimiento de los Organismos de Control. "Segundo Informe de Seguimiento y Monitoreo a la Implementación de la Ley de Víctimas y Restitución de Tierras 2012-2013. August 2013. pp. 27-28

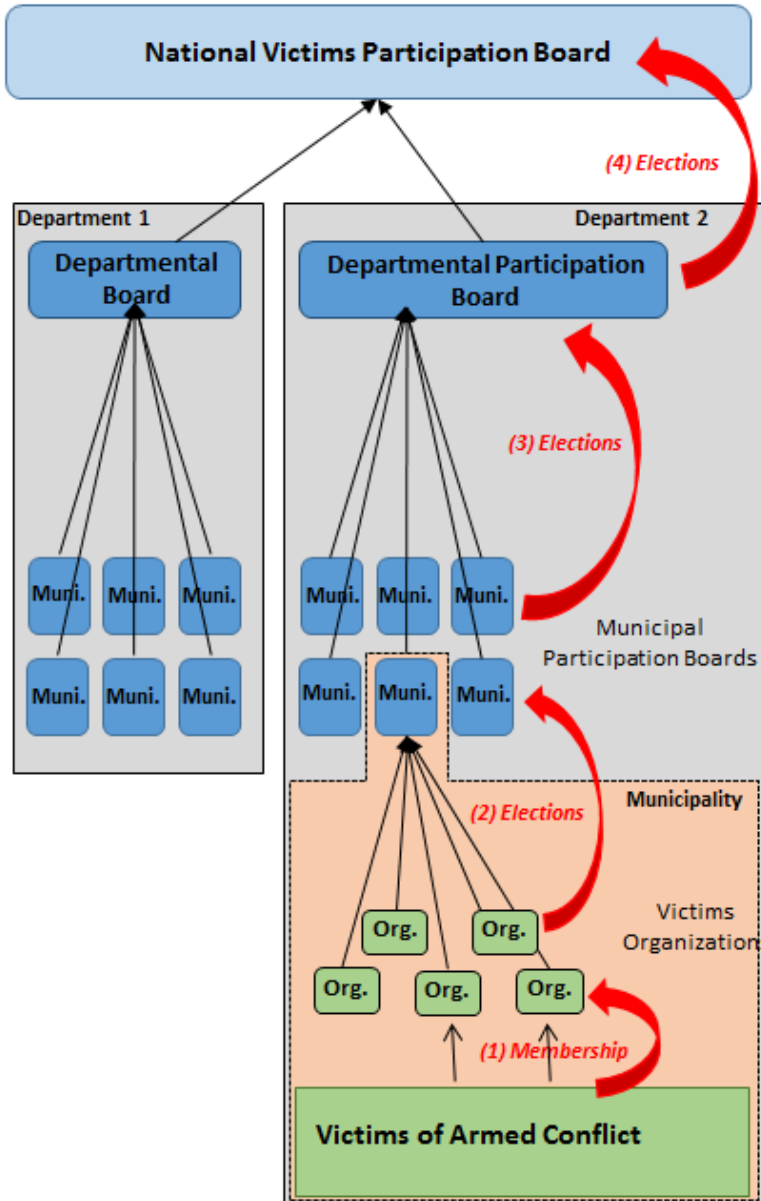
National System of 'Mesas de Participación' under Law 1448 – Pyramidal structure with **bottom-up representation (1-4)**

National *
Designated Support Entity: Victims Unit
Number created: 1 out of 1
Coverage: 100%

Departmental *
Designated Support Entity: Defensoría del Pueblo
Number created: 32 out of 32
Coverage: 100%

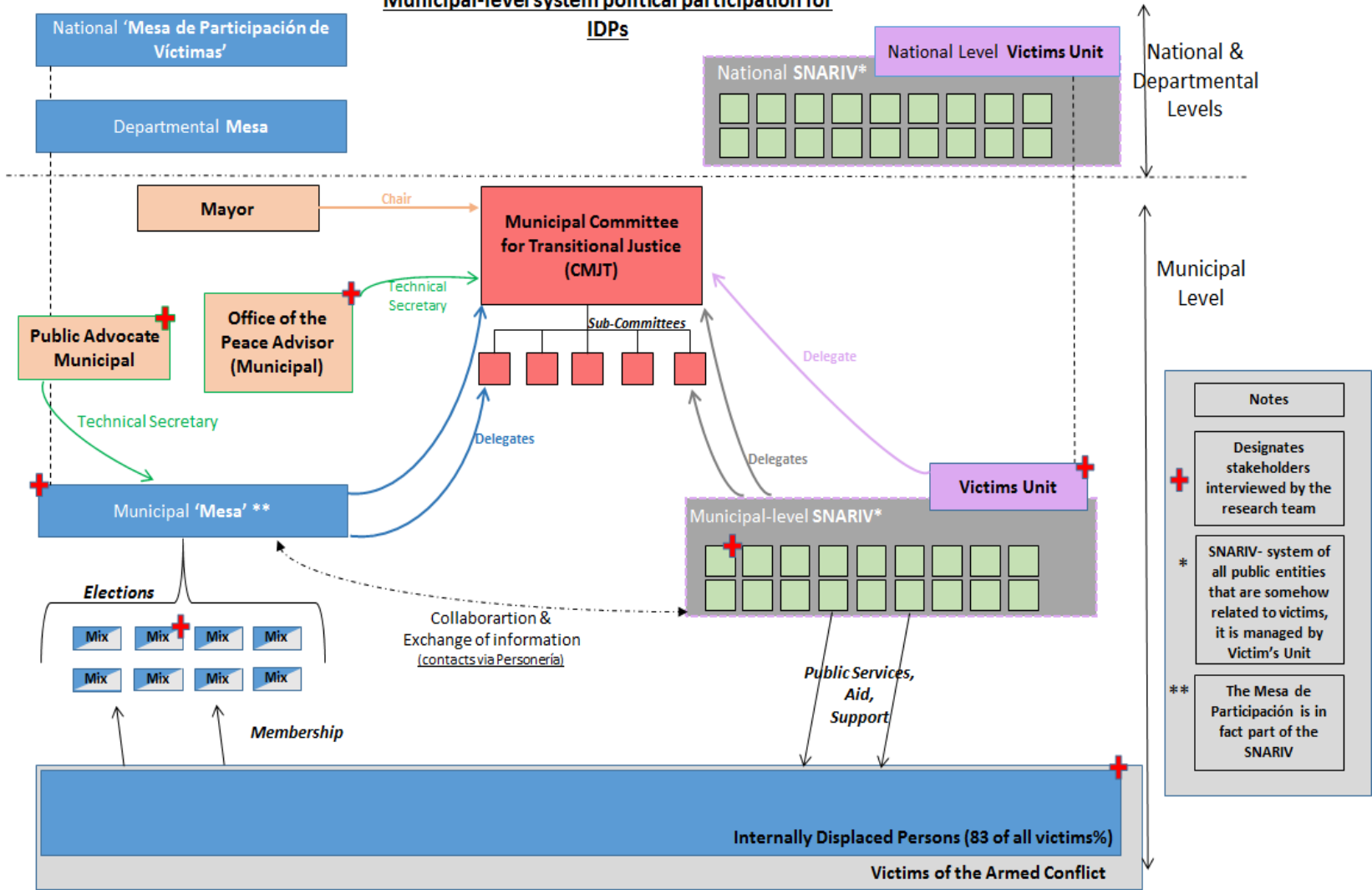
Municipal *
Designated Support Entity: Public Advocate
Number created: 865 out of 1,120
Coverage: 77%

* These stats are as of Dec. 2013, with next election cycle planned in early 2015.



Municipal-level system political participation for

IDPs



Methodology

This research was undertaken by four graduate students from Columbia University in coordination with the client, Fundación Paz y Bien (FPB). The final topics of study and work plan were selected by the Columbia students.

The research was conducted from December 2013 to April 2014. Desk research was undertaken at Columbia University and included the drafting of an initial work plan and literature review. Two members of the research team then traveled to Cali, Colombia for roughly ten days in January 2014 to meet with FPB and get a better sense of the problems faced by IDPs in Cali. This January 2014 field visit also included meetings with government officials and two NGOs.

Once the team returned to New York, the research topic was further refined to the political participation and inclusion of IDPs in policy-making. After conducting more desk research, the entire team traveled to Cali for a second field visit for two weeks in March 2014. Most of the data that is described in this report comes from the March field visit.

During this second visit, surveys, focus group meetings, and semi-structured interviews were utilized to collect data. The survey was reviewed by the research team's faculty advisor and by the client before dissemination. Unfortunately, however, time was limited and a pilot study could not be implemented to pretest the survey; this will be discussed further in the Limitations section. The surveys were conducted in four different areas of Cali: Potrero Grande, Llano Verde, Aguablanca, and Guayaquil. A total of 334 were conducted: 193 in Potrero Grande, 49 in Llano Verde, 17 in Aguablanca, and 75 in Guayaquil. A copy of the survey can be found in Annex II.

- In Aguablanca, the respondents were individuals who stayed after an FPB event, and the surveys were administered at an FPB office. The research team was directly responsible for the collection of survey responses.
- In Guayaquil, the surveys were administered at a government office, and the respondents were individuals who were seeking government services for IDPs. The research team was directly responsible for the collection of survey responses.
- In Llano Verde, the respondents were residents of Llano Verde who were encouraged by a community leader to meet the research team and participate in the research project. The research team was directly responsible for the collection of survey responses.
- In Potrero Grande, the team relied upon approximately 15 FPB staff members to walk door-to-door in the community to collect responses; this was done so that the research team could conduct focus group meetings. Before the FPB staff members collected surveys, the research team gave a brief training explaining the importance of remaining neutral when asking questions and not to unduly influence respondents; a mock role play was also utilized to further illustrate this.

This sample of 334 respondents was then stratified by age and sex to reflect figures more representative of the IDP population as a whole in Cali. It was found that there actually were no significant changes between the stratified and unstratified samples; thus, this report refers to the unstratified sample of 334 respondents.

Four focus group meetings were conducted in Potrero Grande. Two of the meetings were comprised of youth, one was comprised of adults, and another of IDP community leaders. Prior to the focus group meeting, participants were informed of the research mission and purpose; they were also told that some of the questions asked about problems in their community and that responses would remain anonymous in the report. All discussions were conducted in Spanish. A list of discussion questions and prompts can be found in Annex III.

The research team also interviewed seven organizations that serve the IDP population and 13 individuals representing five different government institutions, including the Participation Board, the Municipal Public Advocate of Cali, the Office of the Peace Advisor, the Victims' Unit, and the Department of Health. For some individuals, more than one meeting was held; there was a total of 16 semi-structured interviews. A list of organizations and government officials met can be found in Annex I. FPB helped to arrange some meetings, but the vast majority were planned and arranged by the research team.

The research team utilized both qualitative and quantitative analytical methods in preparing this report. Qualitative data is primarily drawn from the four focus group meetings and the 16 interviews with NGOs and government representatives. Participants were asked to share their opinions about the Participation Board and the political participation process, the needs of the IDP community, and the role of the Cali municipal government in meeting IDP needs. This data was coded and sorted into common trends and topics. Quantitative data is drawn from the surveys administered by the research team, and analysis for the quantitative data was performed in Stata.

To summarize, the sources of data that serve as the foundation for the analysis in this report are the following:

- survey data from 334 respondents (with stratified sample n=91);
- four focus group meetings (30 individuals total);
- interviews with Colombian government officials and representatives from Colombian NGOs; and
- publicly available reports and articles.

Limitations

The research team encountered a number of limitations, and the research findings must be viewed with these limitations in mind. One major limitation was difficulty establishing trust with stakeholders on the ground. The IDP community in Colombia has been the subject of numerous research reports from different universities and organizations from around the world, and the IDP population is, as a result, wary of participating in more research projects that seemingly will not change their everyday circumstances. There are a multitude of IDP organizations within Cali, and it seemed that political differences between organizations sometimes stood in the way of data collection. The team attempted to survey the representatives of NGOs serving on the Board, but the team's efforts were blocked because of the Board's distrust of the research aims. The team also heard differing opinions about the functioning of the Participation Board and the involvement of different government institutions; it was sometimes difficult to triangulate sources and corroborate what was being said.

Survey design and collection was somewhat challenging. Because the survey was not pretested, the team identified some questions that were worded unclearly or were ordered in a potentially confusing manner. As a result, these questions have been thrown out of the analysis. Further, respondents skipped some questions and left others blank; there was also a question that asked respondents to rank their needs, but many of the respondents simply ticked off the needs that resonated with them instead of ranking them. Ideally, the surveys should have been filled out independently as certain questions asked about their opinion of the Participation Board and the government; it is possible that a respondent could have withheld or tempered his opinion because someone else was helping him through the survey.

Pure randomization of the IDP population was not possible, and the individuals surveyed (at least within Llano Verde, Aguablanca, and Guayaquil) were the individuals who were willing and able to travel to the office site. This excludes individuals who may not be particularly active or vocal about their needs and individuals who are sick, disabled, or too financially impoverished to travel. Moreover, the respondents in Aguablanca were involved with FPB, and thus individuals who were not associated with FPB were excluded.

Translation was also a concern. Only two of the members were advanced or native-level Spanish speakers, which restricted the team in terms of maximizing the two weeks spent in Cali. Had all four members been fluent, more meetings with IDPs and government officials may have been scheduled.

Despite these limitations, the research yielded interesting findings about the political participation of IDPs and the role of the Participation Board and of different government entities in furthering the rights of IDPs.

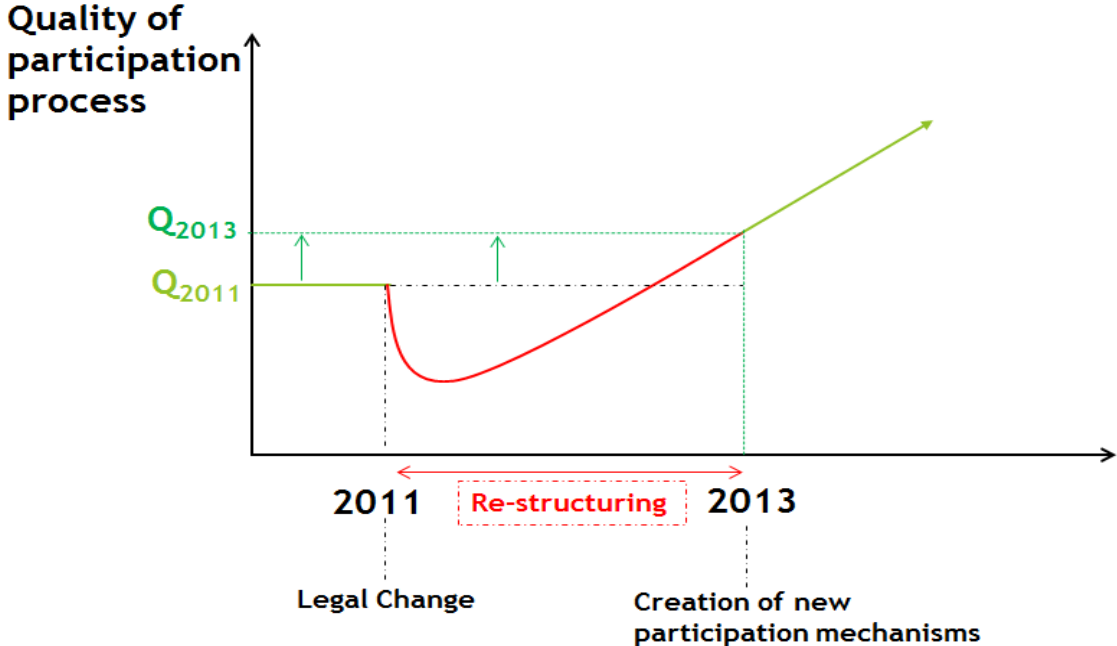
Research Findings and Analysis

Before assessing in detail IDPs’ political participation in Cali, the research team would like to provide a short general overview of the participatory process in the last two years. This description aims at contextualizing the analysis.

With the creation of the 2011 Victims’ Law and the establishment of participatory mechanisms such as the Participation Board, there has been an entire overhaul of the previous system. It included dismantling existing structures in order for new institutions to be created. This radical change faced administrative, procedural, and temporal obstacles. During the initial learning period when the law was first implemented, the protocol was created and the Boards were established; most actors, whether governmental or from the IDP community, were faced with a new setting and new problems. As they learned through trial and error, the overall situation worsened at first before slowly starting to improve as all the institutions and legal frameworks were established.

The research team believes that the learning process can be compared to a J-curve. As seen in Graph 1 below, initially, after 2011, the quality of the participation process declined as the existing Strengthening Boards were dismantled. Following the initial decline, it improved very slowly as designing the Protocol and establishing the Participation Board were timely processes. Despite the shortcomings of the current system, the team believes that the quality of participation should hopefully improve in the following years, now that all the mechanisms have been created.

Graph 1.:J-Curve representing the evolution of the quality of the participation process over time



Basic Demographics

As mentioned earlier, the team surveyed 334 respondents. The following provides more information about demographics:

Characteristics		Respondents (n=344)
Sex	Male	99 (30%)
	Female	231 (70%)
Age	15-24	35 (10.5%)
	25-44	162 (49%)
	45-65	103 (31%)
	>65	32 (9.5%)
Civil Status	Single	104 (31.5%)
	Engaged	3 (1%)
	Married	34 (10%)
	Divorced	3 (1%)
	Separated	35 (11%)
	Widowed	25 (7.5%)
	Cohabitation	125 (38%)
Number of Children	None	29 (9%)
	1	33 (10%)
	2	56 (17.5%)
	3	53 (16.5%)
	>3	152 (47%)
Number of individuals in household	3 or less	69 (21%)
	4	65 (20%)
	5	46 (14%)
	6	53 (16%)
	7	28 (8%)
	8	20 (6%)
	9 or more	50 (15%)
Education	None	42 (13%)
	Some primary	102 (31%)
	Completion of primary	69 (21%)
	Some secondary	50 (15%)
	Completion of secondary	40 (12%)
	Some university	14 (4%)
	Technical/Vocational	13 (4%)
Disabled?	Yes	71 (22.5%)
	No	246 (77.5%)
Top 5 Departments of Origin	Nariño	96 (30%)
	Valle del Cauca	74 (23%)
	Cauca	66 (20%)
	Chocó	44 (14%)
	Antioquia	14 (4%)

The amount of time spent in Cali ranged from just a few months (five individuals had moved to Cali in 2014) to 40 years (one individual was displaced and relocated to Cali in 1974). The average number of years spent in Cali was approximately 8.5 years.

Survey results also showed that 269 respondents (82.5%) earn between 0 and 200,000 pesos, which is approximately 103 USD. This is a stark finding given that the minimum monthly wage in Colombia is 616,000 pesos.⁹⁸ This means that the vast majority of respondents – and arguably the IDP population at large in Cali – earn less than one-third of what is considered to be the national minimum monthly wage. Further, this statistic is even more worrisome as almost half of the respondents (152, 46.5%) stated that they have no source of income.

For those who are employed, the top three categories chosen were construction, domestic work, and street vendor. Forty-four (13.5%) selected domestic work as their main source of income, 35 (11%) selected street vendor, 24 (7%) selected construction, and an additional 20 (6%) identified some combination of these three categories and others as their main sources of income.

General IDP Dissatisfaction of Government Services

In general, the IDP community is dissatisfied for a variety of reasons, and most of that dissatisfaction was directed toward the government for not providing sufficient services. When asked about whether the government has IDPs’ best interests in mind, 255 respondents (78 percent) stated no. In response to the question “Do you feel like the voices of IDPs are heard and considered when the Cali municipal government creates policies that affect IDPs?” 207 individuals (66 percent) said “no, not at all” (Figure 1). At the end of her survey, one woman wrote “En los noticieros dicen una cosa el gobierno, pero hace otra con nosotros,” which roughly translates into “The government says one thing but does another.” Another woman also wrote “No he recibido ninguna ayuda del gobierno y mi situación es precaria,” which translates into “I don’t receive any aid from the government, and my situation is precarious.” Both of these sentiments were echoed by many other IDPs via surveys, interviews, and informal conversations with members of the research team. Generally speaking, IDPs do not seem to think that the government is working in their favor.

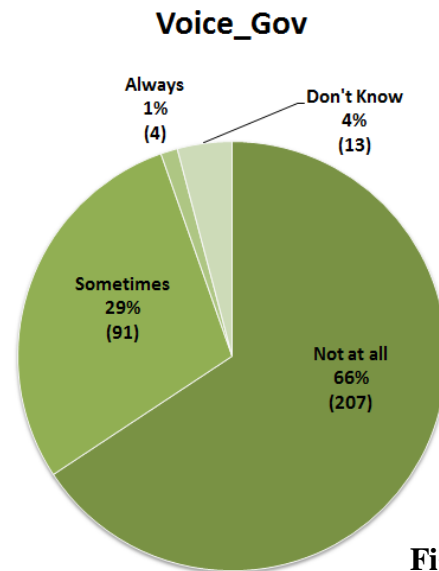


Figure 1

⁹⁸ Juan Fernando Rojas T., “El salario mínimo para 2014 quedó redondeado en \$616.000,” El Colombiano. 31 December 2013,

However, it is important to note that this is not the opinion of every IDP. As shown in Figure 1, 91 (29 percent) respondents said that the government sometimes listens to their needs, and four (1 percent) said that the government always listens to their needs.

Representation

Proper representation of IDPs and Victims in the Board of Participation critically determines the legitimacy of the process of public participation. It is the foundation on which the additional principles rest.

In the context of this analysis, representation pertains to the formation process and management of the Board of Participation – including registration of victims’ organizations, as well as the Board’s elections, monitoring, and convening. Importantly, it captures if the IDP population is truly encapsulated within such an institution.

Article 23 of Resolution 0388, the Participation Protocol for Victims of the Armed Conflict, clearly stipulates the specific components each municipal Board must have. However, some deviations do exist. The research team found that although the Resolution calls for 22 seats, with various seats representing different ‘types of victims’, the Cali Participation Board only consists of 20. Additionally, although the Participation Board is not an institution focused only on IDP needs, the team was informed through interviews with Board members and organization representatives that issues surrounding displacement dominate the discourse within the Board and the community at large.

Registration & Elections: Serving on the Board has several preconditions:

The Board structure restricts membership to those who are registered victims’ of the armed conflict⁹⁹, who make part of and are nominated by a victims’ organization (OV) and to legal representatives of organizations defending rights of victims (*Organizaciones Defensoras de los Derechos de Víctimas*, ODV).¹⁰⁰ While the membership restriction to only IDPs who are registered victims seems logical and coherent from a procedural and administrative perspective, it is important to point out that it already hinders representativeness, by excluding IDPs who were not able to register or who fear too much to register.

OVs and ODVs that wish to be part of the Participation Board, must register with the municipal Public Advocate, who plays the role of the technical secretary of the municipal Board, by submitting the following:

⁹⁹ Article 3. Law 1448 of 2011. Diario Oficial. 10 June 2011

¹⁰⁰ Article 266. Law 1448 of 2011. Diario Oficial. 10 June 2011

The identity of the legal representative or delegate of the organization, a record of organizational or associative will of its members, the certification, communication, record or instrument that guarantees registration and also expresses the will of participation by members of the organization¹⁰¹

According to Article 269 of the Victims' Law, ODVs and OVs can only register with the Public Advocate during the first 90 days of the year – registration opens in January and closes in March. Organizations must submit registration documents every year to be part of the Board. Organizations that do not register during this time period or do not update their information during this time period each year are excluded from the registry. Upon submitting all required documents, no organization can be denied registration.

Using all forms of communication (television, radio, advertisements, etc.), it is the responsibility of the municipal government, primarily through the office of the Public Advocate, to widely distribute information before and during the registration period. As the technical secretary for the Board, it is the responsibility of the Public Advocate to inform the IDP population of the existence of the Board, in addition to providing ongoing logistical support, such as managing and convening the Board, once it is established.

The elections for the induction of the Cali Participation Board were initially scheduled to be held on 14 June 2012, however disagreements among the victims' representatives regarding leader nominations¹⁰² postponed elections until 2 July 2013.¹⁰³ Several news articles, including an online transcript of a radio public service announcement, demonstrate that there was some outreach effort by the Public Advocate to inform the public about such elections.¹⁰⁴

Although the research team found that the Public Advocate put forth some effort in promoting the elections, the team's contact with the IDP population in Cali established that this outreach was largely ineffective. According to a previous staff member of Fundación Paz y Bien, the organization did not participate in the elections since they were not clearly informed of the exact election date.¹⁰⁵ Though this might be explained by a turnover in staff members at that time, that fact that an organization as large and as implicated as FPB was not fully aware does provide evidence about the limits of the outreach campaign.

Community Awareness of the Board:

The team's survey indicates that the IDP community is vastly unaware of the existence of the Board. When asked about whether or not they knew of the Participation Board, only 14 percent

¹⁰¹ Article 270. Law 1448 of 2011. Diario Oficial. 10 June 2011

¹⁰² Mesa Municipal de Victimas No Eligió Representantes. HSB Noticias. Web. 27 April 2014.

¹⁰³ Personeria Municipal de Cali. La peroneria de Cali realizo hoy el proceso de eleccion e instalacion. de la mesa municipal de victimas de cali. 2 July 2013.

¹⁰⁴ RCN La Radio. Convocan a eleccion para representantes en mesa municipal de victimas. 12 June 2013.

¹⁰⁵ Interview Fanny Torres. Cali. March 22, 2014

said they knew the Board existed (Figure 2). Yet, it is important to note that these results vary depending on the area in which the survey was conducted. Figure 3 indicates that a larger percentage of the Llano Verde population is aware of the Board than, for example, the population in Potrero Grande. The team has not been able to clearly identify the reason behind this disparity. One explanation would be that the Cali government and/or the Cali Participation Board may focus more on one community than another. Another explanation might be due to the different characteristics of these two neighborhoods. Llano Verde is a new neighborhood built specifically for victims of the conflict and IDPs, while Potrero Grande is an older area made up of IDPs and vulnerable populations. Moreover, the Board’s coordinator actually lives in Llano Verde. As such, it is possible that the Cali Participation Board is better implemented and more active in Llano Verde.

Area	% know of Participation Board
Llano Verde	32.5
Punto de Atención	20.5
Aguablanca	12.5
Potrero Grande	6.5
All Respondents	14

Figure 2

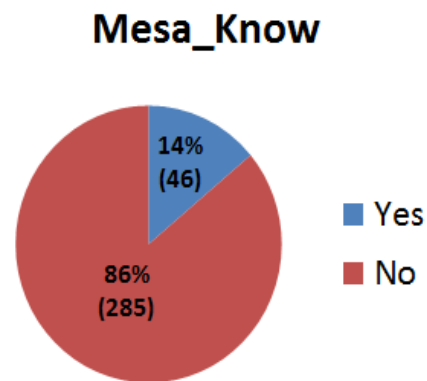


Figure 3

Fragmentation within IDP organizations:

The research team also found that fragmentation is prevalent within the IDP community in Cali as well as within the Participation Board of Cali. There are approximately 80 IDP Organizations registered with Cali’s Public Advocate. The team finds that such a large number of organizations present to assist this population might represent a high level of disintegration and division within the community. Further, based on interactions with organization leaders, the team observed tangible political tensions and distrust amongst IDP leaders of organizations. During interviews with such leaders as well as various stakeholders in the community, it was not rare for participants to imply that other organizations were corrupt or fraudulent. No concrete evidence was provided to support these allegations.

The IDP community as a whole seems to have divergent views about the Board and its work. For instance, one focus group participant (also the leader of an IDP organization) stated that there is no trust for the members of the Board because there is very little tangible effort by the Board to

encourage broader inclusion and participation. This critique about the Board was echoed in many interviews with IDP organization leaders. Other IDP organizations expressed their satisfaction concerning the Board's work and effort to improve the situation.¹⁰⁶

Concerning the question of inclusivity, the team directly observed shortcomings in the Participation Board's efforts to encourage broad inclusion. According to its work plan, the Board is meant to have General Assemblies on a monthly basis. These meetings serve a purpose of accountability, where the Board presents its activities and its progress. Moreover, it is a space where registered IDP organization can interact with the body representing them. During the fieldtrip, a General Assembly took place on March 22. Despite the inclusive aspect of the event, the team was told by a large number of various IDP organizations that they were not aware of the General Assembly and that they were not invited. By observing the first few minutes of the General Assembly, the team noted that most of the organizations present at the event actually had representatives on the Board. The lack of awareness by IDP organizations in general about the event as well as the potential lack of effort by the Board to be inclusive and invite all the registered organizations seem to be relevant of the Boards potential shortcomings as a true representative body, and the presence of divisions within the IDP organizations.

Funding seems to be another source of division between IDP organizations. COPDICONIC, an IDP organization working with the Afro-Colombian community from Nariño, stated that organizations that are contracted by the government to implement programs benefit on the back of the IDP community and restrict the access to resources for other organizations. COPDICONIC described these organizations as *operadores*.¹⁰⁷ This expression and similar comments were also heard during other meetings with similar small organizations that do not have access to governmental funds. This division seems to stem from a scarcity of state resources for IDP organizations as well as the government's institutional preference for larger and better-established organizations to implement projects.

Fragmentation within the Participation Board:

The teams also observed that some fragmentation might also exist within the Participation Board itself. During the short fieldwork period, the team attended several Board sessions, at which only a handful of leaders attended on a consistent basis. The team finds that this limited integration of leaders within the Board may lead to the exclusion of other members regarding key issues that perhaps should be discussed among the entire membership. However, it is possible that this handful of leaders in fact are the only members available to engage so consistently, and in doing they strengthen the legitimacy and progress of the board rather than damage it.

The Victims' Law and Participation Protocol discuss at length the process by which Participation Boards must be configured. It specifically allocates a certain number of seats to various groups

¹⁰⁶ Interview with ASOFUTURO. Cali, Llano Verde. March 27, 2014

¹⁰⁷ Interview with COPDICONIC. Cali. March 21^s 2014

and minorities in order to promote and ensure representativeness. As such, eight seats are reserved to women and one seat to a member of the LGBTI community. Moreover, the Participation Board must be composed of a representative for the female victims, young victims (between 18 and 28 years), senior, disabled individuals, the Afro-Colombian and the indigenous community.¹⁰⁸ However, the team finds that, though already extensive, this process can still be improved to establish a representative Board that is acknowledged by the community and considered completely legitimate.

Recommendations:

The team recommends that the period for IDP organizations to register with the Public Advocate stay open throughout the year. Considering the resource constraints many IDPs face, the team believes that setting only a 90-day window to register with the Public Advocate is too short of a time period for many organizations to actually register. Extending the registration period to remain open the entire year would allow them to quickly and effectively integrate into the IDP community in Cali and hence be able to participate as soon as possible. Moreover, such an extension would relieve the burden of IDPs having to register within the first 30 days of the year or have to wait until the following year to do so and would aim to maximizing the number of registered organizations.

Given the issues of fragmentation and power struggles among IDP organizations and within the Board itself, the team believes that very serious issues of accountability and transparency currently exist, which are possibly undermining the effectiveness of the Board. The team however believes that these can be addressed by establishing a civil society third party watchdog to oversee the operation of the board. This entity could be similar to the *Comisión de Seguimiento* that existed prior to the 2011 law. Moreover, it would need to be present at the local level in Cali in order to be the most effective. The team believes that it is crucial that the local authorities would not be involved in the creation, design and management of the watch dog, since it needs to be as independent as possible. However, authorities would be responsible to ensure the watchdog's access to meetings and documents as defined under the right to information.

Procedure

For purpose of this research, an analysis of procedure refers to the interactions between the Cali Participation Board and the government, as well as how the Board functions internally, once it has been established.

Internal Issues:

¹⁰⁸ Article 8. Resolution 388 de 2013. (Protocol de Participacion Efectiva) Unidad para la Atención y Reparacion Integral a las Victimas. 10 May 2013.

The research team found that the Participation Board took longer than it should have to develop its work plan and its internal procedures handbook. Furthermore, it seems that the current work plan only extends until April 2014. According to Foro¹⁰⁹, one of the Board's key weaknesses is its delays in establishing these key organizational tools. The work plan is meant to serve as the basis for the Board's work and is necessary to make specific requests from the government, such as for guaranties. Consequences of these delays can be observed in the implementation of the Board's work. According to the work plan, the April General Assembly was supposed to be the seventh edition of this type of event. However, According to a staff member of the Public Advocate's office, this General Assembly was actually the first one to effectively take place. One can imagine that this setback stemmed from the delays in producing the work plan.

The team also observed an overall lack of coordination within the Mesa, which may derive from the setbacks in producing the work plan and handbook. It might also stem from a lack of engagement from all Board members, possibly due to external issues. For instance, the research team observed that certain Board members happened to arrive late to meetings either convened by the Board itself or by government officials. This was also an observation the team heard from government representatives about the Board.

Moreover, each member of the Participation Board has a term limit of one year with the possibility of extension for an additional term, according to Resolution 0388 of 2013.¹¹⁰ However, the delayed elections of the Cali Participation Board compelled the Victims Unit to extend the term limit until April 15, 2015 for this Board only.¹¹¹ Otherwise the current Board would only have been in place for less than one year and would have been unable to produce very little, if any, work. The team believes this extension is positive since it provides more time for the Board to effectively gain some traction with liaising with the government and the IDP community. However, it is important to point out that term limits are very positive in order to ensure effective representativeness of the IDP community.

The team found that these internal issues have a potential negative impact on the effectiveness of the Board. By improving its internal coordination, the Board would be able to more effectively voice its concerns and more strongly affirm its suggestions to its governmental counterparts.

External Issues:

Although the Board's internal functioning plays a critical role in legitimizing its activities, its interactions with external counterparts, such as the authorities, also largely impacts how well and

¹⁰⁹ Interview with Foro. Cali. March 24, 2014. Foro is a Colombian civil society organization dedicated to capacity development and best practices of public institutions. In addition, it provides public political participation advocacy.

¹¹⁰ Resolution 388 de 2013. (Protocol de Participacion Efectiva) Unidad para la Atención y Reparacion Integral a las Victimas. 10 May 2013.

¹¹¹ Resolution 01448 de 2013. Unidad para la Atención y Reparacion Integral a las Victimas. 26 May 2013.

effectively the Board functions. These external factors are set by the law and legal decrees, as well as the political will of government and key decision makers.

The 2011 Victims' Law requires the government to provide incentives and guarantees to facilitate the participation of IDPs in the political process. *Incentives* refer to privileges that participants are to receive such as guaranteed access to university schooling and opportunities for capacity building.¹¹² *Guarantees* refers to material support such as an office space to hold meetings and office equipment and supplies, in addition to funds for Board members' transportation and lunches when meetings are in session.¹¹³ The team found weaknesses and shortcomings in the provision of these incentives and guarantees. One organization leader interviewed by the team specifically stated that he was rejected admission by a university despite his participation as an IDP organization leader; he received no response to his appeal to the university. Additionally, the members of the Board informed the team that although they were provided with a space to meet, the Board members had to purchase the office supplies on their own. Members of the board also emphasized that many organization leaders and/or Board representatives are either unemployed or underemployed; many spend their days working (or seeking work) in the informal sector. Given the precarious economic conditions in which many IDPs live, investing the time to participate in regular meetings convened by the Board is a difficult commitment for many leaders. Foro also affirmed that the Board has a difficult time meeting or producing any tangible result as a result of the lack of government support.¹¹⁴ Members of the Board feel slighted by the government and strongly believed it is the government's lack of political will that prevents the Board to function at its full capacity; one Board member stated that they are made to feel as "beggars" having to request even the simplest form of support from the government and still facing denial.¹¹⁵

When asked about the authorities' inability to provide guarantees and incentives to the Board, a staff member from the Office of Peace Advisor replied that it was due to the Board's incomplete work plan, which did not specifically identify the cost of the requested items. However, the team found that according to the protocol, providing itemized costs is not necessary for receiving guarantees. The deficient *garantías* provided by the government to facilitate and increase the capacity of participation of IDPs in the Board was emphatically indicated to the research team by almost every IDP leader and Board member who participated in an interview. Given the contention around this issue, the team believes it is something that should be urgently addressed by the government of Cali.

¹¹² Article 53. Resolution 388 de 2013. (Protocol de Participacion Efectiva) Unidad para la Atención y Reparacion Integral a las Victimas. 10 May 2013.

¹¹³ Article 49. Resolution 388 de 2013. (Protocol de Participacion Efectiva) Unidad para la Atención y Reparacion Integral a las Victimas. 10 May 2013.

¹¹⁴ Interview with Foro. Cali. March 24, 2014

¹¹⁵ Meeting with Cali Participation Board, Cali, March 20, 2014.

Misgivings About Role of the Public Advocate:

The Public Advocate, as the technical secretary, carries the responsibility of providing technical and administrative assistance, as well as overseeing the implementation and performance of the Participation Board. The research team observed that tensions exist between these two entities, which possibly hinders the full potential impact of the Board. The Public Advocate informed the team that its role is only to monitor the Board and to have very limited involvement in its management. This is aimed to maintain and respect the Board's autonomy. Indeed, in one interview an IDP organization leader mentioned that the structure of the current Participation Board, compared to that of the previous Boards (*Mesas de Fortalecimiento*), has reduced its autonomy and tied it to the government.¹¹⁶ Yet most feedback the team received is that the Public Advocate is not providing enough support to the Board. One member of the Board stated that the role and support of the Public Advocate is practically meaningless – so much so that the Board mentioned thinking about resorting to entirely bypassing the Public Advocate in certain situations when looking to initiate dialogue with other government institutions. Another explained that the Board is seeking to find institutional counterparts that demonstrate political will to cooperate with them. This points out that Board members perceive the Public Advocate's inability to deliver as a lack of political willingness of its behalf.

The office of the Cali Public Advocate indicated to the team that their office simply is not granted sufficient resources by the municipality to meet the needs of the Participation Board as its technical secretary. In June 2013 Cali's Public Advocate, Andrés Santamaria, also the President of the National Federation of Public Advocates, publicly announced that the majority of municipal public advocate offices lack the sufficient resources and personnel to adequately fulfill its function in serving the IDP population.¹¹⁷ He further requested that municipalities be granted additional funds to properly serve the IDP community.

Despite the plea by the Public Advocate for more resources, no additional funds seem to have been allocated. This situation continues to generate feelings of tension and mistrust on behalf of the Board. The government must thoughtfully take these grievances into account if it wishes for the Victims' Law to be effective in enabling meaningful public participation.

M&E Process Lacks Transparency (RUSICST):

The national government has established an internal monitoring and evaluation process for each municipality called the RUSICST (*Reporte Unificado del Sistema de Información, Coordinación y Seguimiento Territorial de la Política Pública de Víctimas*).¹¹⁸ The RUSICST is a nation-wide comprehensive survey sent to all territorial entities such as the Cali municipality. It consists of approximately 900 questions on the implementation of public policies and on the duties of each municipal institution charged with providing support to IDPs. The Colombian National

¹¹⁶ Interview with AFRODES. Cali. March 17, 2014.

¹¹⁷ Lievano, A. Los Personero Ahogados Por la Ley de Víctimas, Piden Ayuda. La Silla Vacilla. 01 August 2013.

¹¹⁸ Article 260 Presidential Decree 4800 of 2011. Diario Oficial. 20 december 2011.

Government then uses the RUSICST to certify each municipality according to their performance. In November 2013, the municipality of Cali was awarded one of the highest level of certification with a 92 percent completion rate.¹¹⁹

The team found however, that this process actually relies on self-monitoring and self-evaluation, whereby each named institution is allowed to fill out whether or not it has fulfilled its public policy duties to serve IDPs. It seems that the RUSICST does not have a third party verification mechanism necessary for any institution to substantiate its claim that services indeed have been provided. Moreover, the document is not publicly available at the municipal level. It is important to note that national oversight entities do produce yearly public reports on the implementation of the Victims' Law.¹²⁰ The report strongly relies on the founding of the RUSICST at the local level in order to draw its conclusions. In addition, members of the National Participation Board participate in the monitoring and evaluation process and the elaboration of this report at the national.¹²¹

Despite the National Board's involvement, the team believes that the absence of input at the municipal and local level is a major shortcoming of the process. The information provided by the RUSICST to the entities at the national level cannot be verified by a few members of the National Participation Board. As such, although the RUSICST is indeed a relevant and useful tool to assess municipalities in their efforts to appropriately serve IDPs according to the 2011 Law, it lacks transparency and accountability at the local level to accurately evaluate the progress of each municipality.

Though the RUSICST is not publicly accessible, the team was granted access to view it. The document is composed of 45 questions divided in 6 sections covering issues such as guaranties and incentives, designing participatory events, implementation, evaluation, and overall participation dynamics. As a standardized bureaucratic tool, most questions need to be answered by yes / no. While this makes sense from an administrative perspective, the team believes that important nuances are lost when using such a design. For example, concerning guaranties, the RUSICST asks, "Has the municipality provided input and resources to ensure the participation of victims?"¹²² Such phrasing allows the authorities to reply by yes even though they have provided the most minimal level of support. The following questions do provide more detail about the type of incentives and guaranties provided. However, then again, the municipality can provide training for one member of the Board for one day and then answer the incentives question positively.

¹¹⁹ Informe Asesoría de Paz. CMJT. 17 December 2013.

¹²⁰ Contraloría de la Nación, Procuraduría General, Defensoría del Pueblo. "Primer Informe de Seguimiento a la Ley 1448 de 2011 de Víctimas y Restitución de Tierras." 21 august 2012

¹²¹ Article 37. Resolution 388 de 2013. (Protocolo de Participación Efectiva) Unidad para la Atención y Reparación Integral a las Víctimas. 10 May 2013.

¹²² Question 3.6. Participación. RUSICST Cali. 2013

Upon the RUSICST's review and due to its general design, the team observed a clear discrepancy between what is reported by the government and what the community perceives as being accomplished. For instance, the municipal government has noted on the RUSICST that support is being provided to the Board. However, as mentioned above, the Board categorically disagrees with this. This disagreement speaks to either to limitations in the survey's design or a lack of transparency and accountability in the process itself to appropriately measure services rendered to the IDP community. The team is aware that a detailed qualitative monitoring process is not feasible for such a project. However, by allowing the Cali Board to review the finalized survey and to provide some inputs, major disagreements might be avoided and the overall participatory process should become more effective.

Cali PAT Lacks IDP Input:

The PAT (*Plan de Acción Territorial*) serves as the official action plan of each municipality concerning how it will address and serve the IDP community within its jurisdiction during the following 4 years, in accordance with the 2011 Law.¹²³ Essential tasks of the municipal government during the development of the PAT are to take the Board into account as a partner in the design, review, and implementation of the PAT. In general, all municipal PATs must contain specifics as to which programs will be offered to IDPs and how they will be implemented, including the budgeting allocated for each program.¹²⁴ The PAT is the primary instrument of implementation of programs, actions and strategies defined at all levels of government.¹²⁵

The Protocol for effective Participation defines specific mechanisms through which the Board can impact the content of the PAT. The Board is tasked to comment on the PAT's draft by including recommendations and observations. The protocol also requires the local authorities to respond to the Board's comment, clearly stating which recommendations were rejected and why.¹²⁶ The protocol actually goes one step further by threatening public officials of a disciplinary investigation if they fail to respond to the Board.¹²⁷ Moreover, in line with the monitoring and evaluation process, the authorities are required to have an updates registry of the all the Board's proposals.¹²⁸ The team believes that the input mechanisms and the follow up system described in the Protocol seem, in theory, extremely well defined and effective.

¹²³ Article 174. Law 1448 of 2011. Diario Oficial. 10 June 2011

¹²⁴ Article 254. Presidential Decree 4800 of 2011. Diario Oficial. 20 december 2011.

¹²⁵ Plan de Acción Territorial Para La Atención de Victimas del Conflicto Armado. 2012-2015. Municipality of Santiago de Cali. p.8

¹²⁶ Paragraph 1, Article 8. Resolution 388 de 2013. (Protocol de Participacion Efectiva) Unidad para la Atención y Reparacion Integral a las Victimas. 10 May 2013.

¹²⁷ Paragraph 2, Article 8. Resolution 388 de 2013. (Protocol de Participacion Efectiva) Unidad para la Atención y Reparacion Integral a las Victimas. 10 May 2013.

¹²⁸ Paragraph 3, Article 8. Resolution 388 de 2013. (Protocol de Participacion Efectiva) Unidad para la Atención y Reparacion Integral a las Victimas. 10 May 2013..

Despite these mechanisms and the Board's involvement in the PAT's design, the research team found that this process did not take place with the Cali Participation Board. By the time the Cali Participation Board was designated, the Cali PAT was largely finalized. The delayed election process of the Board precluded the chosen members to meaningfully participate in the formulation of the Cali PAT. Additionally, members of the Board informed the research team that none of their observations were taken into account in the final design of the PAT. The team has had access to a document from March 2013 containing observations and recommendations formulated by several IDP organizations. The document contains general observations as well as specific comments, mostly inquiring about a lack funds and resources. The team is not aware whether public officials followed up and responded to the Board's inquiries. Due to the problematic timeframe of the Board's late election, and the possible lack of response on behalf of the authorities, the team believes that the Board is not as included in the design of the PAT as it was initially meant to be. This exclusion of the Board in the formulation of the Cali PAT implies that the current PAT of Cali may not be the most effective tool in addressing the need of the IDP population within Cali, which has immediate and long term impacts since it will not expire until 2015.

Power Imbalance within CMJT:

Two members of each municipal Participation Board are selected as representatives to serve on the CMJT (*Comisión Municipales de Justicia Transicional*), municipal commissions for transitional justice. According to Resolution 550 of 2013, each CMJT must consist of the public administration of the respective municipality, including the mayor of the municipality, the public defender (*Defensor del Pueblo*), and the secretaries of the following municipal and national departments: Planning, Education, and Health, as well as the National Police Chief of the municipality, the director of the SENA, among others.¹²⁹ The team was told by the Board's coordinator that he also seats on the CMJT in addition to the two representatives.

The research team found that, given the number of individuals on the CMJT coupled with the high professional positions of many of its participants, it might be a challenge for IDPs to feel comfortable communicating with them in an effective manner. As previously mentioned, many IDPs have not completed high school, and most have not attended a higher education institution. Despite this potentially intimidating environment, the team was told by the Board and IDP organizations that they feel that the CMJT provides a space where their voice is heard.¹³⁰

However, being heard and effectively participating are not the same thing. According to Foro, the Board still lacks the capacity to prepare for negotiations with the CMJT, and to assert its demand in order to have a clear impact.¹³¹ Moreover, it seems that the decision making process in the CMJT is a voting system where each member has one vote. The team believes that with

¹²⁹ Article 165. Law 1448 of 2011. Diario Oficial. 10 June 2011

¹³⁰ Interview with the Board's coordinator. Cali. March 19, 2014

¹³¹ Interview with Foro. Cali. March 19, 2014

only three IDP representatives among many municipal bureaucrats, the Board is not able to effectively impact the CMJT's decision-making process. An imbalanced power dynamics may be at play within the CMJT that potentially acts to the detriment of the Participation Board representatives and the IDP community as a whole. When analyzing the Participation Board system, Berrio came to similar conclusions stating that the "representatives of the Board (...) cannot count upon a delegation which guarantees them to have a decisive impact when the committee is voting to adopt specific policies."¹³²

Board representatives corroborated with such observations. One IDP organization leader expressed some satisfaction that at least the Cali mayor was present at CMJT meetings, however very little action actually occurs afterwards.¹³³ Many Board members feel that despite two representatives attending CMJT meetings, their grievances and opinions are nonetheless disregarded and rarely taken into account. The team believes this illustrates their inability to effectively participate within the current CMJT.

Conflicting Interpretation Regarding Participation:

Both the recent process with the Cali PAT and the experience the Board members seem to be having within the CMJT can be linked to the spectrum of participation discussed above, which can range from information sharing to true empowerment of the community. The team found that discrepancies within the 2011 Victims' Law in fact play a large role in feeding into the tension that the Board members in specific, and the IDP community at large, feel toward the government. The Law refers to two levels of participation: consultation¹³⁴ and effective and meaningful participation.¹³⁵

On the one hand, the law says that the government must acknowledge and respond to comments and observations made by IDPs, however this sets no obligation for the government to actually accept or adopt any of the proposed changes made by IDPs. This type of consultative participation has been demonstrated both in the formulation of the Cali PAT as well as with the ongoing level of disregard within the CMJT felt by IDP representatives.

On the other hand, the law refers to effective and meaningful participation. IDPs interpret this as having the authority to successfully influence public policy by participating in institutions such as the CMJT and by impacting policy formulation at the municipal level. They seem to assume that the government does not only have to listen to them but also implement their inputs and recommendations.

¹³²Berrío, J. "Las mesas de participación de víctimas: ¿ Una frustración más o un mecanismo de transformación social?" Revista de Derecho Publico. n. 31. 2013. p.9. (author's translation)

¹³³ Interview with AFRODES. Cali. March 17, 2014

¹³⁴Article 2. Law 1448 of 2011. Diario Oficial. 10 June 2011.

¹³⁵ Article 149. Law 1448 of 2011. Diario Oficial. 10 June 2011.

In major report on civic participation in Colombia, the authors summarized the risk created by the growing misconceptions on the definition of participation and consultation between the authorities and the IDP community. The authors argue that it can only increase the frustrations of all the parties and especially the IDP community and lead to a de-legitimization of the entire participatory process as an effective and democratic solution to the condition of the IDP community.¹³⁶

Insufficient Protection:

The Victims' Law discusses the protection of victims throughout the text. Article 32 of the 2011 law names the following several entities responsible for the revision, design, and implementation of comprehensive protection programs: National Defense and the Police Force (Fuerza Publica) in collaboration with Ministry of the Interior and Justice, Ministry of Agriculture and Rural Development. However, issues of lacking security are frequent not only to IDPs (specifically those who seek to reclaim their land) but also to leaders and advocates of IDPs who seek justice. Viva la Ciudadanía has urged the Colombian government to strengthen its protection of IDP leaders who have suffered stigmatization due to their leadership.¹³⁷ As recently as April 2014, the Cali Participation Board has pleaded to the Public Advocate regarding the insufficient security, specifically stating that its members have received threatening phone-calls and letters due to their advocacy on behalf of IDPs. The Public Advocate officially responded by requesting judicial authorities and the National Unit of Protection to provide urgent and immediate attention to the threatened leaders.

During several meetings, IDP organizations reaffirmed protection and security were a major issue for the IDP community.¹³⁸ A staff member from the Office of the Public Advocate provided an example of a community leader very active in issues related to the IDP community, who unable to receive protection from the state due to procedural issues since he is not an IDP himself. The research team finds that this continued sense of danger and lack of security for IDP leaders inhibits effective recruitment of IDPs to participate as IDP leaders thus serves to entirely undermine the public participation process.

Subcommittees Building a Solid Foundation for Participation:

Subcommittees are formed out of the CMJT in order to have more targeted progress on specific issues, such as education and psychosocial attention to IDPs. The research team found that such subcommittees in Cali are forming and developing well. The Cali RUSICST indicates that subcommittee meetings are being held on a regular basis, including two members of the Board.

¹³⁶ Velásquez, Fabio, and Esperanza González. *¿Qué ha pasado con la participación ciudadana en Colombia?*. Bogotá: Fundación Corona, 2003. p. 364.

¹³⁷ Viva La Ciudadanía. "La Población Desplazada: Víctima de la Ley de Víctimas". Ed. 00315. August 2012.

¹³⁷

¹³⁸ Interview with AFRODES. Cali. March 17, 2014, Interview with Foro. Cali. March 21, 2014, and youth focus group. Potrero Grande. March 24, 2014.

In addition, members of the Board spoke positively of the progress. Such a constructive space and experience on behalf of all entities involved will not only build rapport and collaboration among participants but will facilitate the establishment of a solid foundational process from which to build effective programs and plans for IDPs.

Ambiguity of the Roles Undermines Effective Support:

The team found that the roles of government support for the Participation Board are unclear and overlapping in the Victims' Law, namely the municipal offices of the Public Advocate and the Peace Advisor, as well as the Victims' Unit.¹³⁹ Paragraph two and four of Article 193 name the Victims' Unit to assist with guaranteeing effective political participation of the Board and establishing proper procedures within the Board to guarantee participation and organization of IDPs within the Board. Further, Decree 4802 assigns the Victims' Unit to assist in the management of the Participation Board. Similarly, as the technical secretary, the Public Advocate is also charged with management of the Board and assisting with guaranteeing the Board's effective political participation. This overlap has created confusion with regard to responsibility of management of the Board.

Further, both the Victims' Law and the associated Participation Protocol (Resolution 388) discuss in general terms about how resources will be provided, mainly in reference to the Victims' Unit and each municipality. Such vagueness in the Law has created uncertainty between the municipality, specifically the municipality's Office of the Peace Advisor, and the Victims Unit about which entity holds the primary responsibility to provide support. In addition, delays in providing non-emergency support for IDPs by the national government (support past 60 days of registration with the RUV) seem to put additional pressure on Cali's Office of the Peace Advisor to provide sufficient resources to attend incoming IDPs. Both the confusion caused by the ambiguity in the law, as well as the delays by the national government to provide timely support to IDPs has created tension, and thus a lack of productive collaboration, between the Office of the Peace Advisor and the Victims Unit.

This lack of clarity within the 2011 Victims' Law and the Participation Protocol has caused not only deficient coordination, but also a lack of accountability on behalf of government entities named in the Victims' Law to provide government support to the Board. Members of the Board incessantly protested that government support is insufficient. When asked by the research team regarding who is responsible for providing support to the Participation Board, each government entity we interviewed explained that this responsibility belonged to another agency. The team observed that the ambiguity of the law enables agencies to evade whatever responsibility the law may have entrusted them with.

¹³⁹ Article 193. Law 1448 of 2011. Diario Oficial. 10 June 2011

Recommendations:

Given the lack of coordination among government agencies to provide support to the Board in a harmonized manner, the research team finds that the Board would be better served if government support were delegated to a single agency. This would centralize institutional processes between the Board and the public administration and would address the issues of lack of coordination among entities. The Colombian government has applied this concept, referring to it as the *ventanilla única*, or “one-stop-shop,” to facilitate prior administrative processes. In addition, this system is already implemented in Cali’s municipal council.

The IDP community had already suggested such a system of *ventanilla única* to make the allocation of resources more efficient, but also to prevent the authorities from having an excuse for not delivering necessary funds. The IDP community suggested that this role of *ventanilla única* be taken by the Victims’ Unit. This will be discussed in more details below.

The team views the lack of proper security for IDP advocates as subverting the entire political participation process. The national government need to meet its obligations delineated by the Victims’ Law by providing meaningful security for IDP leaders that have been threatened.

The research team believes that the monitoring and evaluating system can be improved by allowing the Cali Board to have access to the municipality’s assessment of its own work and to provide its own input to the assessment. Having a more open and participatory evaluation process might potentially enable a cycle of improvement and better understanding, since it will force the Board and the municipality to interact more and agree upon the definitions and expectations of the guarantees and the incentives.

Information

No political participation process is effective or legitimate without meaningful systems of information exchange. The team incorporates the information characteristic of the participation framework by assessing processes of information flow and dialogue among the IDP community, the Participation Board and government entities.

Promising Information Sharing with SNARIV

The team found that the Board of Participation is developing a solid foundation of information exchange with the SNARIV.¹⁴⁰ With the assistance of the Public Advocate, Board members have been consistently having individual meetings with agencies that make up the SNARIV in order to better understand what programs and plans such agencies have to serve the IDP community.

¹⁴⁰ Sistema Nacional de Atención y Reparación Integral a las Víctimas: A network composed of government entities that have responsibility to provide services to IDPs. Approximately 40 agencies are a part of this network.

Foro informed the team that this interaction should not only be the Board receiving information from these agencies, but also acting as a partner by contributing information to improve the effectiveness of their programs.¹⁴¹ Indeed, the team finds that the current relationship between the Board and the SNARIV is a strong starting point and, if sustained and well managed, one that looks promising to develop into a partnership with robust information exchange.

CMJT as Forum for Punctual Dialogue

The relationship between the Board and the CMJT consists of addressing punctual issues via a formal forum. This setting is one in which the Board members should effectually inform public policy through an open dialogue with decision makers. However, the team received conflicting information about the extent to which the input of Board members is truly being incorporated in public policy. The Victims Unit and some Board members informed the team that the Board members were significant partners within the CMJT. Yet other Board members and stakeholders indicated that inclusion of Board members within the CMJT is, at the moment, more symbolic than seeking true participation from them; some noted that suggestions made by Board members at CMJT meetings have been disregarded. One member of the Board specifically stated that policies are only shared with the Board once they have already been finalized. This thereby excludes Board members from the opportunity to inform policy decisions.

The team finds that in order for the CMJT to be a genuine space of public participation for all parties involved, it must not only encourage all members to contribute information, but also take the Board's input into serious consideration when making decisions. Moreover, the Board should be given enough time to prepare in advance for CMJT meetings. The Public Advocate should inform the Board in advance about the agenda and potentially provide support if the Board need to research a specific topic.

Puntos de Información y Atención

The Cali Action Plan (PAT) delegates to the Office of the Peace Advisor the creation of information and attention centers in three distinct locations around Cali (in Ladera, Aguablanca, the Terminal de Transporte). Their role is specifically to be available in order to assist and orient the IDP community, within the scope of improving the services provided to this population.¹⁴² According to the PAT, the required/expected completion year of these centers was in 2013. However, while the Attention Center are up and running, the team did not hear about or encounter such information centers during its time in Cali. On the contrary, the team observed through interviews with stakeholders and surveys that the majority of IDPs feel isolated and ignored by the government. Many IDPs the team interacted with noted that the government does absolutely no outreach to the communities. Furthermore, in the survey, the team asked respondents if they thought their voice was taken into consideration by the government when

¹⁴¹ Interview with Foro. Cali. March 24, 2014.

¹⁴² Plan de Acción Territorial Para La Atención Víctimas del Conflicto Armado. Santiago de Cali. 2012-2016. p. 85

designing public policies. As **Figure 4** points out, 66 percent of IDPs surveyed believe that the government does not consider their voice when creating policy. The team believes that the perceived lack of consideration by the government contributes to a feeling of distrust and potentially animosity on behalf of the IDP community.

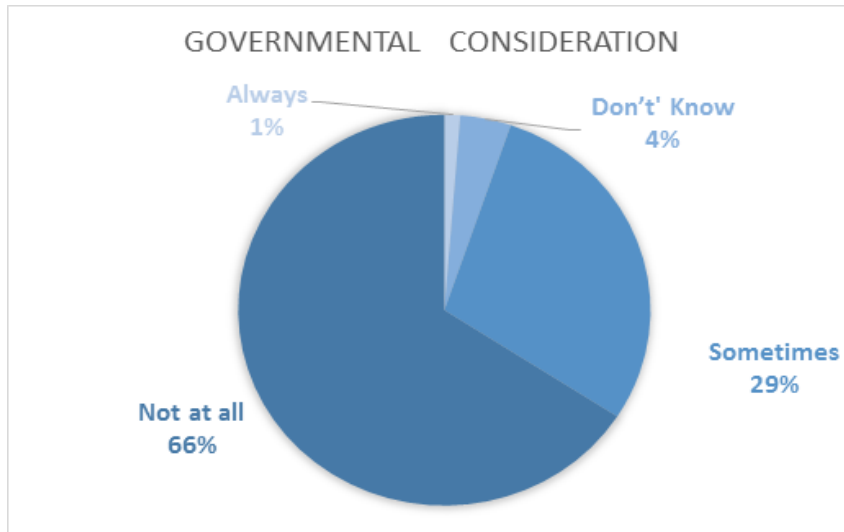


Figure 4

Thus, the team finds that indeed there is a great need for such information centers to be established within the community as soon as possible in order to improve the relationship between the community and the authorities as well as to improve the flow of information within the participatory process. The Cali municipal government should enforce what is already stipulated in the PAT to create such centers. In doing so, the municipality would be providing necessary information of services it offers to the IDP community, such as the existence and role of the Participation Board, as well as mending its ties and reinforcing trust with the community.

Complex and Misunderstood Aid System

IDPs also expressed frustration over the complicated system of benefits and the difficulties faced when trying to access government institutions or service providers. The buildings of government entities are often located far from the neighborhoods where most IDPs reside, forcing people with very limited resources and means to pay for transportation. Moreover, scheduling a meeting can be a serious challenge. Some entities require that appointments be made ahead of time by phone, while others accept unscheduled walk-in appointments.

However, for those that require appointments made over the phone, this can often be very hard to achieve. For example the Victims' Unit requires appointments, but offers a very short window of time (7:30-8am) during which IDPs can call to set up appointments. Not surprisingly, the telephone lines are often busy during that brief time period. In one focus group meeting, two women stated there may be a long wait time, but an appointment is not necessary. In contrast,

the Victims' Unit was extremely difficult to access. Overall, respondents expressed feelings of frustration and powerlessness because it was so difficult to reach a government representative.

IDPs also complained about the unreliable and intermittent delivery of aid. For example, a high number of IDPs expressed frustration at the fact that they were supposed to receive humanitarian financial aid (*humanitarian aid*) three to four times per year from the government, but that the frequency had decreased to just once per year, if at all. However, when the research team met with the head of the Victims' Unit, she made a very important clarification: while IDPs are allowed to request humanitarian aid as much as four times per year, this form of financial aid is actually not guaranteed by the government. Here the government official drew a distinction between a subsidy, the delivery of which is guaranteed (though in actuality subsidies have also been said to be inconsistent), and emergency humanitarian financial aid, the delivery of which is contingent upon certain factors, such as the IDP's level of need as well as the availability of funds in the government's budget. The head of the Victims' Unit stated that, for these reasons, only 12 percent of IDPs registered to receive emergency humanitarian aid actually receive it more than once per year. Moreover, as much as 75-80 percent of the Victims' Unit's consultations with IDPs deal with issues pertaining to humanitarian aid.¹⁴³

Many IDPs expect humanitarian assistance and interpret its absence as the government being apathetic; it seems that they are unaware of the conditions attached to this specific type of aid. In order for the government to improve its reputation and also for the IDPs to better understand what aid they are entitled to, the research team believes there needs to be clarity about the different types of aid (financial, medical, vocational, etc.), when they are made available, and to which IDP group (i.e. youth, adults, elderly, male, female) it is available.

The Office of the Peace Advisor has published a pamphlet that discusses the services offered by the Attention Center and their hours of operation. However, the conditions related to the humanitarian aid, for example, are not clearly explained; perhaps the government can update the pamphlet to reflect this information. Beyond designing pamphlets, the authorities should focus on how to effectively distribute them throughout the community. Further, for those who are illiterate, perhaps info-graphics could be posted in the MIO buses and at stations and/or public service announcements could be made via radio to better explain the conditions associated with different types of aid. The duty rests with the government to clearly convey relevant information to the target population, in this case IDPs. This information should also be disseminated at the Information Center mentioned above.

Health Department as a Dynamic Liaison

Despite the problems concerning information dissemination and communication between different institutions, the research team found that the municipal Health Department was

¹⁴³ Meeting with Victim's Unit. Cali. March 28, 2014

communicating effectively with the IDP population. Their work was also praised by other entities, like the Participation Board; the Municipal Peace Advisor did not mention the Health Department specifically, but stated that a system that provides individualized follow-up, which is what the Health Department has adopted, would be ideal. Stressing that every individual's health needs are unique, the Health Department makes great efforts to personalize the type of care – both urgent and long-term – they provide. They have health workers who specifically liaise with indigenous, Afro-Colombian, and disabled communities to better understand their needs. Further, they also provide psychosocial care, acknowledging the intangible negative effects of the armed conflict; they have even launched the Program of Integrated Care and Psychosocial Health (*Programa de Atención Psicosocial y Salud Integral A Víctimas*, PAPSIVI) to determine and address each individual's psychosocial needs.

The Health Department has divided Cali into five geographic zones and has created Boards (not to be confused with the Participation Board that addresses political participation) within sub-zones to understand IDPs' health needs at a micro level. The Health Department realized that addressing basic health needs during IDP registration was not sufficient, and the goal behind these Boards was to better understand the community and track their needs in a more systematized way. There are also health centers scattered throughout the sub-zones, which offers another channel through which the Department can communicate with IDPs and document their individual needs. The Health Department also manages its own IT database called EPSICO to track IDPs; the research team was unfortunately not granted access to this, and thus the specific types of information collected is unclear.

To liaise and better communicate with the IDP population, the Health Department published approximately 3,000 copies of a handbook (*Ruta de Acceso al Programa de Atención Psicosocial y Salud Integral a Personas Víctimas del Conflicto Armado*) describing access points and how to navigate through the health system in Cali. Included in these handbooks was a large foldout poster that provided a flowchart, visually describing the different steps within the system. These handbooks were then distributed among IDP leaders, who then further distributed them to IDPs within the community. The health representative interviewed provided an example of an IDP shopkeeper who hung the poster in front of his store to educate the community about how to navigate the health system. This is an excellent example of an institution like the Health Department, which also serves on the SNARIV, directly and effectively communicating with the IDP population.

Through the network of Boards and local health care centers in the various sub-zones of Cali, the Health Department is well-informed of IDPs' health needs and enjoys a good reputation. However, the Health Department's success with communicating with the IDP population may rely in part on how the Health Department is oftentimes IDPs' first point of contact with the government. During the interview, the health representative stated that every IDP needs access to health care and that consequently, the Health Department will inevitably

have contact with every member of the IDP population. In contrast, the Participation Board (as it relates to political participation) may not enjoy as wide a reach as the Health Department because not every IDP will necessarily be interested in political representation.

Civil Society as Neutral Agents of Information Exchange

The team encountered various civil society organizations that are dedicated to capacity building and best practices within public institutions, as well as the promotion of democratic processes. One such organization was Fundación Foro, based in Bogota and operating with regional offices throughout the country. By creating tools intended for the government to improve their practices and by encouraging democratic practices, this organization works well with both the government and the community to strengthen each individually, as well as to reinforce a working relationship between the two, thereby facilitating the political process. The team finds that this neutral position of such organizations can be further leveraged to improve the relationship between the IDP community, the Participation Board, and the government, as well as to facilitate the flow of information between these entities.

Inadequate Outreach about Participation Board

As mentioned in the Representation section, surveys conducted by the research team indicate that there is very little awareness regarding the Participation Board within the IDP community. Perhaps due to lack of capacity and/or resources, the Public Advocate, as the Board's technical secretary, and the Board itself seem to have very little strategic outreach scheme to inform the community of the Board's existence and role. Thus, information exchange between the Board and the IDP community seems to be rather poor. For instance, when asked about the means of communicating grievances to the government, there was not a single focus group respondent who named the Participation Board as a means to liaise with the government regarding their needs. This denotes that demands from within the community might never be communicated to the government if the Participation Board is not formally made aware of them. Further, efforts on behalf of the Board are not being properly represented to the community, since the community feels there is no entity that can effectively represent their needs to the government.

While the team acknowledges that the Board is still a relatively new entity within Cali, the team believes the Board must further develop its strategic outreach plan to inform the community of the Board's existence and role. Doing so would legitimize the Board's role as representative of the IDP community and encourage community political participation. It is crucial to note that an effective outreach program is tied to governmental authorities allocating the necessary funds. As such, the team believes that governmental authorities both from the municipality and from national entities need to agree on a clear plan on how to allocate resources to the Board for its outreach activities.

Recommendations:

Given the shortcomings in the information flow between the IDP community and the governmental entities as well as the Board, the team believes that a clear outreach campaign should be designed and implemented by the Board with specific resources allocated by the public authorities. Techniques such as public billboards, radio campaigns and bus advertising could be used to effectively reach the IDP community which might not be able to access social media (YouTube and Facebook) as easily.

The team also believes that proposals in the PAT to improve outreach such as the Information center should be implemented as soon as possible. Furthermore, authorities and the Board could examine the methodology and the system used by the Health department as an effective alternative system of information gathering and outreach.

Last, the team finds that there is a potential power imbalance within the CMJT that inhibits the full potential of participation on behalf of the Board members. The team finds that this could possibly be resolved by restructuring the CMJT to give more weight to Board members. This, for instance could be done by granting IDPs veto power, granting more weight to their votes, or by adding additional IDP allies onto the CMJT to assist IDP in the negotiation process.

Outcomes

To address outcomes in the context of this research, the team assessed responses and policy changes implemented by the Cali government that are directed to better serve the IDP community. It is important to note that such policy changes and responses must have emerged as a direct consequence of the process of public political participation – meaning IDPs must have played a critical role in the formation of the changes or they were supposed to. It is only through meaningful participation of IDPs to inform, shape, and implement policy that the IDP community will view such policies as legitimate. The team moved forward to assess what outcomes it found, while also cognizant of that fact that the implementation of the Board is still new and its initial stages.

Progress with Subsidized Housing for IDPs

The team visited two government subsidized housing units located within Cali: Potrero Grande and Llano Verde. While acknowledging the difference in age between the two housing units, the team observed distinct differences in the design and atmosphere of the neighborhoods. The team believes that this variance illustrates the government's attempt to appropriately address the needs of the IDP community.

Potrero Grande was developed as a result of a 2005 state of emergency declaration made by the Cali municipality regarding the increasing number of substandard and unlawful housing conditions in which many Cali residents lived – mainly IPDs but also non-IDPs.¹⁴⁴ Predominantly funded by the national government, but also partially by the municipality of Cali and department of Cauca, the neighborhood of Potrero Grande has faced its share of challenges and criticisms. The community has experienced exceptionally high levels of gang violence, much of it due to ingrained tensions that previously existed among the communities that were moved into Potrero Grande.¹⁴⁵ Focus group participants in Potrero Grande also discussed violence as an important issue to address in their community.¹⁴⁶

Additionally, widespread complaints about the housing units have been with regard to their small size. While in Cali the team was informed through formal and informal encounters with community members that the design of the housing units was poorly planned and entirely lacked cultural considerations. For instance, the first housing units issued had only one bedroom to accommodate families that can easily have six or more family members living with them. The team's survey results indicate that almost 60 percent of respondents live with five or more individuals in their household (see Demographics section). Many stated that no privacy or security is provided by the homes because of the poor quality of the materials used for windows, doors, and locks. Many explained that the houses simply had not been finished properly, some being left with dirt floors. In addition, residents of Potrero Grande informed the team that much tension within families has resulted from households of this size being squeezed into a one-bedroom home, adding to the already hostile environment of the area. Additionally, these homes were constructed with the bathrooms located on the second floor. This was another consistent complaint of which the team was informed on the ground; it is difficult, if not impossible, to make it to the second floor for many elderly or disabled IDPs. In December of 2008, former Colombian President Uribe visited Potrero Grande and acknowledged the housing units were unsuitable for most families; he vowed to initiate a pilot project to enlarge some of the homes.¹⁴⁷ However, during the team's visit to Potrero Grande in March 2014, conditions of the homes in this neighborhood seem to have remained the same.

The first issuance of approximately 500 subsidized homes in Llano Verde was in May 2013, with additional homes being allotted thereafter. Upon entering the complex, the team observed a strikingly different atmosphere than is felt in Potrero Grande. Among the first obvious differences is the amount of small businesses that residents have established within their homes, which ranged from small markets to hair salons and barbershops. The existence of such enterprises speaks to the increased level of security that residents feel in the community, and furthermore serves as a means to create social cohesion. Many Llano Verde residents the team

¹⁴⁴ Entregan Casa a Mil Familias del Jarillón. El País. 2005.

¹⁴⁵ Potrero Grande, Atemorizado por la Violencia Entre Pandillas. El País. 14 January 2014.

¹⁴⁶ Focus groups conducted March 24, 2014 in neighborhood of Potrero Grande.

¹⁴⁷ Ampliarán Algunas Casas de Potrero Grande. El País. 28 December 2008.

encountered spoke proudly of the level of security within their neighborhood and said they planned to keep their neighborhood “healthy.” Additionally, the Llano Verde homes were made slightly more spacious and were constructed with two bedrooms on the second floor. While some residents indicated they believe these homes are still unsuitable for their family size, the change indicates a level of response on behalf of the government. Moreover, other Llano Verde homes still in the construction phase are said to have bathrooms built on the first floor, which indicates another response from the government with respect to the appropriate design of these homes for the elderly and disabled IDP community members.

Despite improvements in the design and general atmosphere of Llano Verde as compared to Potrero Grande, residents of Llano Verde nonetheless also have their share of grievances. On the one hand, it was clear that some residents of both housing units were grateful to have received housing in these neighborhoods, with reliable access to water and electricity, and for some, transportation to school for their children. On the other hand, the community was still greatly affected by the problems mentioned above arising from poor planning and execution of the project. Moreover, many explained that having access to utilities was problematic if they had no money to pay for them because of the lack of job opportunities. Though residents of these units enjoyed relatively better living conditions than those IDPs living in slums or squatting in vacant property, core problems, such as employment, were still present. Residents are thus idle and dependent on humanitarian aid which is not always guaranteed.

The team found however that some of these issues have been put on the CMJT’s agenda at the Board’s request. For instance, the Public Advocate and the Participation Board both noted that the CMJT has recently discussed the lack of access to schools and police in Llano Verde, as the result of the relatively isolated location of the community. The team finds the response of both the CMJT and the Board to manage and resolve these issues indicates progress.

Further, in November 2013, the CMJT deliberated various topics regarding the IDP community: one concern raised was with respect to a Victims’ Unit survey identifying 492 Llano Verde families in need; another matter was discussed by the Office of the Peace advisor regarding the desperate situation of a group of indigenous IDP families who are seeking to return to their home.¹⁴⁸ The team feels that the CMJT, though still with room for improvement, serves as a forum to discuss relevant and pressing issues within the IDP community. Doing so with the collaboration of all members involved, will allow the Committee to aptly respond to IDP issues.

Through the evolution from Potrero Grande to Llano Verde, which was motivated in part by the inputs provided by the IDP community, as well as the direct involvement of the CMJT, housings for the IDP community can be considered as a product of the participatory approach. The team believes that as a participatory outcome, subsidized housings in Cali still face major weaknesses.

¹⁴⁸ Instalado en Cali el Tercer Comité Territorial de Justicia Transicional. Alcaldía de Santiago de Cali. 25 November 2013.

As the team's survey points out, the subsidized housings suffer a low level of legitimacy and acceptance. The IDP community still has important grievances that have not been addressed and as such they do not accept the process's outcome. It is important to point out that, as the evolutionary aspect of the housing project illustrates, this remains a work in progress. It is also important to highlight that overall, subsidized housings seems to be headed towards the right direction, with a greater implication of the Board and the CMJT in the process.

The Protocol for Effective Participation:

The Protocol for Effective Participation was drafted from 2012 till 2013. Its design process was based on a participatory approach where the Victims' Unit worked with IDP organizations to design the rules and the guidelines of the future Participation Boards. In order to ensure the participatory aspect, temporary mechanisms were established with the creation of 720 transitory Boards, where representatives of IDP organization would gather and discuss how to effectively create the Participation Board's rules. Moreover, the Victims' Unit organized "Workshop-seminars" all around the country. This process led to the Protocol's adoption in May 2013 through the Resolution 0388.

However, after examining in details the process through which the Protocol was created, it is clear that the participatory aspect had major flaws. Rather than being truly participatory with inputs provided by IDP representatives and joint decision making powers, the workshops became consulting sessions, where the representatives were presented a document already designed and developed by the authorities. More importantly, a version of the protocol created and designed by the representatives themselves was for the most part ignored. Almost none of their suggestions were taken into account.¹⁴⁹ Upon the analysis of these discrepancies, the State's monitoring and follow up commission noted that among other things, the budgeting questions related to the incentives remained very ambiguous with no clear procedures.¹⁵⁰

When travelling to Cali, the team was able to obtain a copy of the IDP representatives' version of the Protocol, which was rejected by the Victims' Unit. The IDP version provides a level of details significantly superior to the final version. For example, it has a specific section on support, incentives, guarantees, and financing. Within each of these sections, it defines the concept, explicitly states the objectives linked to it, and provides a monitoring and evaluation framework. While the final version has just a few articles on the role of the Public Advocate as the technical secretariat, the IDP version has a detailed chapter.

On the question of budgeting and resources, the team believes a short comparison provides a lot of insight into why the protocol as a participatory outcome was rejected by the IDP community. Article 50 of the Protocol (Resolution 0388) states that:

¹⁴⁹ Comisión de Seguimiento de los Organismos de Control. "Segundo Informe de Seguimiento y Monitoreo a la Implementación de la Ley de Víctimas y Restitución de Tierras 2012-2013. August 2013. p. 37.

¹⁵⁰ Ibid

“The funding of participatory entities will be shared between the National Government, and the Municipal, District level and Departmental branches of government under the criteria of complementarity, competition and subsidiarity.”¹⁵¹

The IDP version states:

“The entities of the SNARIV are charged to guarantee the attainment of budgetary resources and to manage the acquisition of financial resources coming from various financial sources of the Nation’s general budget. As such, the State will not be able to argue a lack of resources in order to justify failures in the function of the participatory system.”

It is interesting to note that the IDP protocol had already called for a *ventanilla única* system for budgetary questions. This is in line with the team’s recommendation, based on the current situation in Cali. The IDP version goes further by adding that all of the Board’s potential activities, such as information campaign, must be directly coordinated and financed by the Victims’ Unit, as the SNARIV’s administrative entity. The team has found, more than a year after the design of the IDP Protocol, that their recommendations and suggestions remain relevant and a potential solution for a large number of the weakness in the current participatory system.

The analysis of the IDP Protocol illustrates the issues with the current protocol especially when considering it as a participatory outcome. The process through which it was designed was only participatory in name while actually being consultative. The IDP’s proposals were not taken into account in the final version. Moreover, the potential issues mentioned by IDPs were ignored despite still being relevant today.

Territorial Plan of Action for Assistance to Victims of Conflict (PAT):

The development and the improvement of the Cali PAT, as the municipality’s action plan to address and serve the IDP community, is central to the role and the objectives of the Participation Board. According to activists working with the IDP population, the Board’s main mission is to provide inputs and recommendations in order to improve the PAT.¹⁵² As such, a revised and updated PAT, including the IDP’s input, can be considered as the objective of the IDP’s participatory process.

However, due to procedural and timing issues, the Participation Board was not able to effectively participate in the PAT’s design. By the time the Board was elected in June 2013, the PAT was almost finalized. The final version of the PAT was adopted in October 2013, leaving only 4

¹⁵¹ Article 50. Resolution 388 de 2013. (Protocol de Participacion Efectiva) Unidad para la Atención y Reparacion Integral a las Victimas. 10 May 2013.

¹⁵² Meeting with Fanny Torres. Cali. 22 March 2014.

months for the newly formed Board to provide recommendations and inputs to a document, which was at its final drafting stages. In August 2013, the Board did submit a series of recommendations. However, when analyzing the final version, the Board realized that its inputs and suggestions were not taken into account by the municipal authorities designing the PAT.¹⁵³

The team believes that the Board's inability to be fully involved in the creation of the PAT, weakens the plan's participatory claims and threatens the legitimacy of the process as a whole. The team strongly recommends to the municipal authorities to accept amending the current version of the PAT in order to allow further IDP input. Though such a task might run into administrative problems since the PAT is already being implemented, it would strengthen the legitimacy of the process and provide an affective venue for the IDP community to address its needs and grievances.

Employment

During the field visit in January and March 2014, the research team observed several problems with the IDP community's employment situation. Through the survey, the team identified employment as the community's second most pressing need. The government is already implementing certain programs. However, these are not able to address the specific needs and grievances of the IDP population.

The National Service of Teaching and Learning (*Servicio Nacional de Aprendizaje*, or SENA) offers vocational training programs to IDPs to facilitate employment. There were many critiques of SENA with different issues being highlighted. During various interviews with IDP organizations, some individuals stated that the programs were never adequate in that there were not enough offered to service the entire IDP population; the problem identified here was the frequency and/or availability of the training programs. Another individual stated that SENA prepares individuals, but that there are not enough job opportunities and thus the IDP does not have a chance to utilize the skills gained; the issue identified here is the general lack of job prospects, which affects all Colombians and not just IDPs. A third issue raised was that individuals wanted to learn skills that SENA trainings did not cover.

Another dimension of the employment problem is the waves of IDP migration into Cali, driving up supply and thus depressing wages. According to one IDP, within the construction field the daily wage four years ago was 20,000 pesos, but it has now decreased to 12,000 pesos. Those who are employed as maids and cleaning ladies also reported that they have seen their wages and the number of working days drop.

One IDP organization specifically requested more training programs with direct links to private sector firms and the provision of classes to teach IDPs how to manage their funds smartly.

¹⁵³ Meeting with Foro, Cali. 24 March 24 2013.

However, the Office of the Peace Advisor commented that links were made with private firms but that there were no IDPs available to fill the positions. It seems that either the timing was mismatched or that there was a lack of communication between the IDP community and the government. The Peace Advisor continued on to say, though, that the SENA system was inadequate given the complexity (i.e. sheer number, diversity in background, skills, and wants) of the IDP situation; he stated that SENA lacked the flexibility and the necessary knowledge of the IDP population to truly respond to their needs in a substantial way.

It appears that the government is already aware of the gaps in service delivery and acknowledges that it should probably be better connected to the IDP community to appreciate the complexity of its needs. While the research team was in Cali in March 2014, Felipe Montoya of the Office of the Peace Advisor spoke to IDP members in Aguablanca, fielding their questions and listening to their frustrations. He promised to return to the community with a representative from the Victims' Unit and the Land Restitution Unit and that the three of them would spend an entire morning simply listening to what IDPs had to say; the IDPs, in response, applauded and welcomed this promise. The research team hopes that this community visit is scheduled soon and also encourages the government to schedule similar visits to other IDP communities as face-to-face interaction will facilitate improvements in communication and service delivery.

The team believes that a participatory approach to deal with the employment question can further improve the current situation and address the system's current weaknesses. An effective flow of information in order to assess the needs of the private sector and identify the skills available within the IDP community can only make the process more effective and potentially provide more opportunities to the IDP. The team believes community visits by the Peace Advisor is a promising start. Moreover, since the SENA is part of the CMJT, employment questions can also be addressed more generally at the municipal level directly with the Board through the CMJT meetings.

Recommendations:

The research team has observed improvements in the outcomes of the participatory process, such as the subsidized housings. Though the IDP community's grievances are far from being addressed, the team has observed a positive evolution, and a more effective use of the participatory mechanism to identify and deal with new problems. Despite these positive elements, the creation of the protocol is a stark reminder of the negative impact of ignoring the IDP representatives' input. Weaknesses that they had foreseen and tried to address, such as the budgetary issues, are still relevant today and a major obstacle to the process' effectiveness. The team also recommends adding employment questions to the CMJT's agenda and applying a participatory approach this fundamental need of the IDP community.

Conclusion

The 2011 Victims' Law has undoubtedly provided Colombia with an excellent legal infrastructure with the potential to provide short and long-term remedies to its millions of IDPs. Further, the creation of territorial Participation Boards as a tool to better integrate IDPs in local and national policymaking is laudable and forward-looking. However, the research team finds that, while the 2011 Victims' Law is ambitious, implementation of the Law's stipulations in Cali has proven to be problematic thus far. Although there is some evidence that serves to support progress of increased political participation, such as the formation of the CMJT and the inclusion of IDPs within it, findings from this research suggest that public participation in Cali is still quite modest. Among others, ambiguity in the Law and issues of profound mistrust from the IDP community are substantial barriers that must be critically and strategically addressed by the government in order to achieve a meaningful process of political participation in Cali. The Colombian National Government and the Cali Municipal Government must conduct a genuine reassessment of their legal framework to address gaps and uncertainties in the Law in order to maximize political participation to guarantee the dynamism they hope for within IDP communities, and the Colombian populace at large.

Recommendations

To national government of Colombia:

1. Maintain registration period for OV's and ODV's open throughout the year (instead of only January-March).
2. Centralize government support and budgetary control for the Participation Board by establishing a *ventanilla única* under the purview of the Victims' Unit. Clearly delineate specific responsibilities – including who provides funding when and for what purpose – for each party involved in assisting the Participation Board.
3. Enforce meaningful security measures to protect IDP leaders and advocates, as outlined in the 2011 Victims' Law
4. Victims' Unit to improve information dissemination regarding the Participation Board and details regarding humanitarian aid.
5. Restructure the balance of power in the CMJT to give more weight to IDP voices.
6. Clarify and streamline the budgetary support to the Public Advocate's office. Provide additional resources for the Public Advocate to meaningfully and effectively assist and support the Participation Board.

To municipal government of Cali:

1. Involve the Participation Board in the RUSICST evaluation process and make the information stemming from the RUSICST publicly available.
2. Improve dissemination of information to the IDP population concerning all issues relevant to them.
3. Enforce what is outlined in the Cali PAT for Office of the Peace Advisor to establish information centers where they can be readily accessible to IDPs.

To civil society:

1. Establish a civil society third party watchdog to oversee the elections and operation of the Participation Board. Provide said entity authority to access documents and meetings that may not be publicly available.

ANNEX I

List of organizations and entities that were interviewed during the January and March 2014 visits to Cali, Colombia:

IDP Organizations

- AFRODES
- Taller Abierto
- Consejo para el Desarrollo Integral de Comunidades Negras de la Cordillera Occidental de Narino
- Asociación Nacional de Ayuda Solidaria - ANDAS-Valle
- Asociación de Campesinos Desplazados Construyendo Nuevo Futuro (ASOFUTURO)
- Foro
- Trust for the Americas

Government bodies

- Mesa de Participación
- Asesoría de Paz
- Unidad de Víctimas
- Peronsería del Municipio de Cali
- Secretaria de Salud

ANNEX II

English Survey

Political Participation of the Displaced Community in Cali

We are an independent team of graduate students from Columbia University in the United States working in cooperation with Fundación Paz y Bien. We are interested in learning more about your living situation in Cali and what role the Victims' Participation Board (and the Cali municipal government more broadly) plays in addressing your needs.

This survey will take about 20 minutes. We appreciate your candid responses and ensure that they will be kept strictly confidential. The aggregate survey results will be made available publicly, but we will never ask for your name or any other identifying characteristics.

Thank you very much for your time and cooperation.

Arthur Neron-Bancel, Reza Rahnema, Kathleen Ryou, & Krystal Tena
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Email: sipa.workshop.fpb@gmail.com

Demographics

1. What is your age?
 Below 15 15-24 25-44 45-65 Above 65
2. What is your marital status?
 Married Single Engaged Widowed Divorced
 Separated
3. What is your sex?
 Female Male
4. How many children do you have?
 None 1 child 2 children 3 children More than 3 children
5. How many individuals (children, parents, grandparents, aunts, uncles, cousins, etc.) live in your household?
 3 or less 4 5 6 7
 8 9 or more
6. What is the highest level of education you have completed?
 No primary school Some primary school Completion of primary school Some secondary school Completion of secondary school
 Beyond secondary school

7. Do you have a physical disability? (missing limbs, blind, deaf, paralyzed, etc)
 Yes No

Life in Cali

8. In what year did you start living in Cali? _____

9. What are your current sources of income in Cali? Check all that apply
- | | | | | |
|--|---|--|---|----------------------------------|
| <input type="checkbox"/> Work for NGO | <input type="checkbox"/> Construction | <input type="checkbox"/> Street vendor | <input type="checkbox"/> Farming | <input type="checkbox"/> Fishing |
| <input type="checkbox"/> Office or administrative worker | <input type="checkbox"/> Health industry (nursing, pharmaceuticals, etc.) | <input type="checkbox"/> Small business owner (<i>owning</i> a hair salon, bakery, shoe shop, etc.) | <input type="checkbox"/> Service industry (mechanic, bars, restaurants, security guards, taxi/bicycle/bus driver, etc.) | |
| <input type="checkbox"/> Domestic work (maids, etc.) | <input type="checkbox"/> Student | <input type="checkbox"/> No sources of income | <input type="checkbox"/> Other: _____ | |

10. Do you belong to the national pension system?
 Yes No

11. What were your sources of income in your hometown *before* being displaced?
- | | | | | |
|--|---|--|---|---|
| <input type="checkbox"/> Mining | <input type="checkbox"/> Construction | <input type="checkbox"/> Street vendor | <input type="checkbox"/> Farming | <input type="checkbox"/> Fishing |
| <input type="checkbox"/> Office or administrative worker | <input type="checkbox"/> Health industry (nursing, pharmaceuticals) | <input type="checkbox"/> Small business owner (<i>owning</i> a hair salon, bakery, shoe shop, etc.) | <input type="checkbox"/> Service industry (mechanic, bars, restaurants, security guards, taxi/bicycle/bus driver, etc.) | <input type="checkbox"/> Working for a community organization |
| <input type="checkbox"/> Domestic work (maids, etc.) | <input type="checkbox"/> Student | <input type="checkbox"/> No sources of income | <input type="checkbox"/> Ranching | <input type="checkbox"/> Other: _____ |

12. What is your monthly salary?
- | | | | | |
|--|--|--|--|---|
| <input type="checkbox"/> 0 - 200,000 pesos | <input type="checkbox"/> 200,001 – 400,000 pesos | <input type="checkbox"/> 400,001 – 616,000 pesos | <input type="checkbox"/> 616,001 – 800,000 pesos | <input type="checkbox"/> Over 800,000 pesos |
|--|--|--|--|---|

13. What types of government assistance do you receive? Check all that apply:
- | | | | | |
|--|--|--|--|--|
| <input type="checkbox"/> Servicio Nacional de Enseñanza y Aprendizaje (SENA) | <input type="checkbox"/> Instituto Colombiano de Bienestar Familiar (ICBF) | <input type="checkbox"/> Más Familias en Acción | <input type="checkbox"/> Unidad para las Víctimas (UAO) | <input type="checkbox"/> Secretaria de Salud Pública Municipal |
| <input type="checkbox"/> Instituto Colombiano de Desarrollo Rural | <input type="checkbox"/> Instituto Colombiano de Crédito educativo | <input type="checkbox"/> Subsidio Colombia Mayor | <input type="checkbox"/> I don't receive any government assistance | |

(INCODER) y estudio en el
Extranjero
(ICETEX)

14. Taking into account your current living situation, what are your five most important needs? Please rank from 1-5, with 1 being the most important need.

- ___ Housing (rent)
- ___ Food
- ___ Health
- ___ Water
- ___ Electricity
- ___ Education
- ___ Finding a job
- ___ Other: _____

Home and Possibility of Return

15. Which department do you consider your home?

- | | | | | |
|---|---|-------------------------------------|---------------------------------------|--|
| <input type="checkbox"/> Amazonas | <input type="checkbox"/> Antioquia | <input type="checkbox"/> Arauca | <input type="checkbox"/> Atlántico | <input type="checkbox"/> Bolívar |
| <input type="checkbox"/> Boyacá | <input type="checkbox"/> Caldes | <input type="checkbox"/> Caquetá | <input type="checkbox"/> Casanare | <input type="checkbox"/> Cauca |
| <input type="checkbox"/> Cesar | <input type="checkbox"/> Chocó | <input type="checkbox"/> Córdoba | <input type="checkbox"/> Cundinamarca | <input type="checkbox"/> Guainía |
| <input type="checkbox"/> Guaviare | <input type="checkbox"/> Huila | <input type="checkbox"/> La Guajira | <input type="checkbox"/> Magdalena | <input type="checkbox"/> Meta |
| <input type="checkbox"/> Nariño | <input type="checkbox"/> Norte de Santander | <input type="checkbox"/> Putumayo | <input type="checkbox"/> Quindío | <input type="checkbox"/> Risaralda |
| <input type="checkbox"/> San Andrés y Providencia | <input type="checkbox"/> Santander | <input type="checkbox"/> Sucre | <input type="checkbox"/> Tolima | <input type="checkbox"/> Valle del Cauca |
| <input type="checkbox"/> Vaupés | <input type="checkbox"/> Vichada | | | |

16. If it were feasible to return to your home town/city, would you return?

- Yes No

Victim Participation

17. Have you heard of the Victims' Participation Board?

- Yes No

18. Do you know how the board members are elected?

- Yes No

19. Would you say the board members are well-known in the community?

- Yes No

20. Do you consider yourself a member of one or more of the registered NGOs under the Victims' Board?

- Yes No

21. How satisfied are you with the Board's representation of the IDP community's needs?

Very unsatisfied	Unsatisfied	Neutral/No opinion	Satisfied	Very satisfied
------------------	-------------	--------------------	-----------	----------------

22. How satisfied are you with the Board's work?

Very unsatisfied	Unsatisfied	Neutral/No opinion	Satisfied	Very satisfied
------------------	-------------	--------------------	-----------	----------------

23. Do you feel like the voices of IDPs are heard and considered when the Cali municipal government creates policies that affect IDPs?

Our voices are not considered at all	Our voices are considered sometimes	Our voices are always considered	I don't know if our voices are considered
--------------------------------------	-------------------------------------	----------------------------------	---

24. Do you feel like the government has your best interests in mind?

- Yes No

25. Is there anything else that you would like to add or that you think we should be aware of?
Please write in the space below.

Spanish Survey

Participación Política de la Comunidad en Situación de Desplazamiento en Cali

Somos un grupo independiente de estudiantes de maestría de la Universidad de Columbia en los Estados Unidos trabajando en cooperación con Fundación Paz y Bien. Estamos interesados en aprender más de sus actuales condiciones de vida en Cali y que rol tiene la Mesa de Víctimas (y el gobierno del Municipio de Cali en general) en abordar sus necesidades.

Esta encuesta durará aproximadamente 20 minutos. Le agradecemos sus respuestas francas and le aseguramos que se mantendrán estrictamente confidenciales. La suma de los resultados serán disponibles públicamente, pero nunca le preguntaremos su nombre o ninguna otra característica que lo identifique.

Muchas gracias por su tiempo y cooperación.

Arthur Neron-Bancel, Reza Rahnema, Kathleen Ryou, & Krystal Tena
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Demográfica

1. ¿Cuántos años tiene?

- Menos de 15 15-24 25-44 45-65 Más 65

2. ¿Cual es su estado civil?

- Casada/o Soltera/o Comprometida/o Viuda/o Divorciada/o
 Separada/o Unión libre

3. ¿Cuál es su sexo?

- Mujer Hombre

4. ¿Cuántos niños (hijos/hijas) tiene?

- Ninguno 1 niño 2 niños 3 niños Más de 3 niños

5. ¿Cuántas personas viven en su hogar? (Incluyendo niños, (recién nacido a 6 años) pre-adolescentes y jóvenes, padres, abuelos, tia/os, prima/os, etc.)?

- 3 o menos 4 5 6 7
 8 9 o más

6. ¿Cuál es el nivel de educación más alto que usted ha completado?

- No asistí escuela primaria Algún estudio de escuela primaria Terminé escuela primaria Algún estudio en escuela secundaria Terminé escuela secundaria
 Más de escuela secundaria Algún estudio universitario Entrenamiento vocacional Institución técnica

7. ¿Tiene discapacidad física? (falta de extremidades, ceguera, sordera, parálisis, etc.)

- Sí No

Su Vida en Cali

8. ¿En qué año empezó a vivir en Cali? _____

9. ¿Cuáles son sus fuentes de ingreso en Cali? Marque todos que aplican:

- | | | | | |
|---|--|---|---|--|
| <input type="checkbox"/> Trabajar para una ONG | <input type="checkbox"/> Construcción | <input type="checkbox"/> Ventas de calle | <input type="checkbox"/> Agricultura | <input type="checkbox"/> Trabajo doméstico |
| <input type="checkbox"/> Oficina o trabajo administrativo | <input type="checkbox"/> Sector de salud (enfermería, farmacéuticos) | <input type="checkbox"/> Propietario de empresa pequeña (<i>dueño</i> de salón de belleza, panadería, zapatería, etc.) | <input type="checkbox"/> Sector de servicio (mecánico, restaurantes, guardia de seguridad, taxi/bicicleta/conductor de bus, etc.) | <input type="checkbox"/> Estudiante |
| <input type="checkbox"/> Ninguna fuente de ingreso | <input type="checkbox"/> Otro: _____ | | | |

10. ¿Pertenece usted al sistema nacional de pensiones?

- Sí No

11. ¿Cuáles fueron sus fuentes de ingreso *antes* de ser desplazado/a?

- | | | | | |
|---|--|---|---|--|
| <input type="checkbox"/> Minería | <input type="checkbox"/> Construcción | <input type="checkbox"/> Ventas de calle | <input type="checkbox"/> Agricultura | <input type="checkbox"/> Trabajo doméstico |
| <input type="checkbox"/> Oficina o trabajo administrativo | <input type="checkbox"/> Sector de salud (enfermería, farmacéuticos) | <input type="checkbox"/> Propietario de empresa pequeña (<i>dueño</i> de salón de belleza, panadería, zapatería, etc.) | <input type="checkbox"/> Sector de servicio (mecánico, restaurantes, guardia de seguridad, taxi/bicicleta/conductor de bus, etc.) | <input type="checkbox"/> Estudiante |
| <input type="checkbox"/> Pesca | <input type="checkbox"/> Trabajar para una ONG | <input type="checkbox"/> Ganadería | <input type="checkbox"/> Ningún fuente de ingreso | <input type="checkbox"/> Otro: _____ |

12. ¿Cuál es su salario mensual?

- | | | | | |
|--|--|--|--|---|
| <input type="checkbox"/> 0 - 200,000 pesos | <input type="checkbox"/> 200,001 – 400,000 pesos | <input type="checkbox"/> 400,001 – 616,000 pesos | <input type="checkbox"/> 616,001 – 800,000 pesos | <input type="checkbox"/> Más de 800,000 pesos |
|--|--|--|--|---|

13. Que tipo de asistencia recibe del gobierno? Marque todos los que apliquen:

- | | | | | |
|--|--|--|---|--|
| <input type="checkbox"/> Servicio Nacional de Enseñanza y Aprendizaje (SENA) | <input type="checkbox"/> Instituto Colombiano de Bienestar Familiar (ICBF) | <input type="checkbox"/> Más Familias en Acción | <input type="checkbox"/> Unidad para las Víctimas (UAO) | <input type="checkbox"/> Secretaria de Salud Pública Municipal |
| <input type="checkbox"/> Instituto Colombiano de Desarrollo Rural (INCODER) | <input type="checkbox"/> Instituto Colombiano de Crédito educativo y estudio en el Extranjero (ICETEX) | <input type="checkbox"/> Subsidio Colombia Mayor | <input type="checkbox"/> No recibo ninguna asistencia del gobierno. | |

14. Tomando en cuenta sus actuales condiciones de vida, ¿cuales son las cinco necesidades más importantes para usted? Favor de ordenarlas 1-5; 1 siendo la necesidad de más importancia.

- ___ Vivienda (alquiler)
- ___ Comida
- ___ Salud
- ___ Agua
- ___ Electricidad
- ___ Educación
- ___ Encontrar trabajo
- ___ Otro: _____

Origen y la Posibilidad de Regresar

15. ¿De cuál departamento es usted?

- | | | | | |
|---|---|-------------------------------------|---------------------------------------|--|
| <input type="checkbox"/> Amazonas | <input type="checkbox"/> Antioquia | <input type="checkbox"/> Arauca | <input type="checkbox"/> Atlántico | <input type="checkbox"/> Bolívar |
| <input type="checkbox"/> Boyacá | <input type="checkbox"/> Caldas | <input type="checkbox"/> Caquetá | <input type="checkbox"/> Casanare | <input type="checkbox"/> Cauca |
| <input type="checkbox"/> Cesar | <input type="checkbox"/> Chocó | <input type="checkbox"/> Córdoba | <input type="checkbox"/> Cundinamarca | <input type="checkbox"/> Guainía |
| <input type="checkbox"/> Guaviare | <input type="checkbox"/> Huila | <input type="checkbox"/> La Guajira | <input type="checkbox"/> Magdalena | <input type="checkbox"/> Meta |
| <input type="checkbox"/> Nariño | <input type="checkbox"/> Norte de Santander | <input type="checkbox"/> Putumayo | <input type="checkbox"/> Quindío | <input type="checkbox"/> Risaralda |
| <input type="checkbox"/> San Andrés y Providencia | <input type="checkbox"/> Santander | <input type="checkbox"/> Sucre | <input type="checkbox"/> Tolima | <input type="checkbox"/> Valle del Cauca |
| <input type="checkbox"/> Vaupés | <input type="checkbox"/> Vichada | | | |

16. ¿Si fuera viable regresar de donde es (departamento/pueblo/ciudad de origen), regresaría?

- Sí No

Participación de Víctimas

17. ¿Conoce usted la Mesa de Participación de Víctimas?

- Sí No

18. ¿Sabe como son elegidos los miembros de la Mesa?

- Sí No

19. Diría usted que los miembros de la Mesa son reconocidos en la comunidad?

- Sí No

20. ¿Se considera a si misma/o un miembro de una o más de una de las organizaciones registradas con la Mesa de Participación de Víctimas?

- Si No

21. ¿Qué tan satisfecha/o está usted con la representación de la Mesa acerca de las necesidades de la comunidad en situación de desplazamiento?

Muy insatisfecha/o	Insatisfecha/o	Neutral/No tengo opinión	Satisfecha/o	Muy satisfecha/o
--------------------	----------------	--------------------------	--------------	------------------

22. ¿Que tan satisfecha/o esta usted con el trabajo de la Mesa?

Muy insatisfecha/o	Insatisfecha/o	Neutral/No tengo opinión	Satisfecha/o	Muy satisfecha/o
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23. ¿Siente usted que las voces de la comunidad en situación de desplazamiento están siendo escuchadas y consideradas cuando el gobierno del Municipio de Cali crea políticas públicas que afectan a esta comunidad?

Nuestra voces no son consideradas en absoluto	Nuestras voces a veces son consideradas	Nuestras voces siempre son consideradas	No se si nuestras voces son consideradas
---	---	---	--

24. ¿Cree usted que el gobierno tiene sus mejores intereses en mente para atender sus necesidades?

Sí No

25. ¿Hay algo más que gustaría añadir o que cree que debemos tener en cuenta? Por favor escriba en el espacio a continuación.

ANNEX III

Focus Group Questions:

We are a team of students from Columbia University in New York working in conjunction with Fundación Paz y Bien. We are holding this focus group meeting to learn more about the relationship between IDPs, the Mesa, and the Cali municipal government. We hope that this research project ultimately utilized to improve the communication channels.

(Somos un equipo de estudiantes de la Universidad de Columbia en Nueva York trabajando en colaboración con Fundación Paz y Bien. Programamos este grupo de discusión para aprender mas de la relación entre la población en situación de desplazamiento, la Mesa de Participación de Víctimas, y el Municipio de Cali. Por ultimo, esperamos que esta investigación sea utilizada para mejorar los canales de comunicación.)

We will first ask some questions about the Mesa and the Cali municipal government, and we will also ask some questions about whether or not you'd like to return to your region of origin someday.

(Primeramente, le preguntaremos unas preguntas sobre la Mesa y el gobierno municipal de Cali, y también vamos a hacer algunas preguntas acerca de si desea volver a su región de origen algún día.)

We have allotted about an hour for this meeting, and we would like to spend about 10mn max per question. We ask that you be clear and concise with your answers. Please do not be offended if I need to cut you off; we are simply trying to be respectful of everyone's time. Some of the questions may touch upon sensitive topics, and though we encourage you to freely share your stories and opinions, you will not be forced to share anything that you do not want to share. Everything you mention will be kept strictly confidential and your identity will not be shared with anybody.

(Tenemos una hora para esta reunión y nos gustaría tomar aproximadamente 10 minutos para cada pregunta. Les pedimos que sean claros y concisos con sus respuestas y por favor no se ofendan si tengo que interrumpirlos; simplemente estamos tratando de ser respetuoso del tiempo de todos los participantes. Algunas preguntas pueden tocar temas delicados, y aunque queremos que compartan sus historias y opiniones libremente no se verán obligados a compartir cualquier cosa que usted no desea compartir. Todo lo que usted menciona se mantendrá estrictamente confidencial y su identidad no será compartida con nadie.)

Thank you very much for sharing your time and thoughts with us.

(Muchas gracias por compartir su tiempo y experiencias con nosotros.)

[The following questions are meant to be discussion prompts]

1. When we were here on Friday, we got a glimpse of the types of problems this community is facing. Please outline the top 3 grievances you have.
(¿Cuando estuvimos aquí el viernes, nos dimos cuenta de unos problemas que enfrenta esta comunidad. Por favor resume las 3 quejas mas importantes para usted?)
2. Where do you go to speak out about these grievances?
(¿A donde va para hablar francamente sobre sus quejas?)
3. Generally speaking, in the past few of years, do you feel that the government has listened more to your voice and opinion?
(¿En términos generales, sienten que el gobierno les ha puesto mas atención a su voz y su opinión en los últimos anos?)
 - a) Are there other channels through which your voice has been heard?
(¿Hay otras vías por las que se ha escuchado su voz?)
4. Are you satisfied with the Cali municipal government support toward displaced communities in Cali?
(¿Están satisfechos con el apoyo del gobierno del municipio de Cali hacia las comunidades de desplazados en Cali?)
 - a) Please outline your top 3 grievances.
(Favor de listar las 3 quejas que usted considera mas importantes.)
5. Are you involved in any IDP organizations?
(¿Tiene afiliación con cualquier organización que ayuda a personas desplazadas?)
 - a) How many organizations are you a part of?
(¿Con cuantas organizaciones esta afiliado?)
 - b) What exactly is your involvement with the organization(s)?
(Exactamente, cual es su filiación con estas organizaciones?)
 - c) Is the organization(s) part of the Mesa?
(Es la organización parte de la Mesa?)
6. In your opinion, what do you think is the role of the Mesa?
(¿En su opinión, que piensa que es el papel de la Mesa?)
7. What are the functions/activities of the Mesa?

(¿Cuáles son las funciones/actividades de la Mesa?)

8. How are members of the Mesa elected?
(¿Como son elegidos los miembros de la Mesa?)
 - a) Who serves on the Mesa?
(¿Quién hace parte de la Mesa?)
 - b) How many people are on the Mesa?
(¿Cuántas personas hacen parte de la Mesa?)

[Re #6-8] How do you know this information? Where did you learn this? Newspaper, fliers/posters, radio, website, orgs, workshops, etc.?

[¿Como sabe esta información? De donde aprendió esto? – periódico, volantes/carteleros, radio, internet, organizaciones, talleres, etc.]

9. Do you think the Mesa represents your best interests as an IDP?
(¿Piensa que la Mesa representa sus mejores intereses como una persona desplazada?)
10. Do you find the Mesa representative of the IDP community as a whole?
(¿Piensa usted que la Mesa es representativa de toda la comunidad desplazada?)
11. If you have a potential problem/complaint that you want the Mesa to be aware of, do you know how to raise that issue with the Mesa?
(¿Si potencialmente tendría un problema/queja que quiere de que la Mesa este consiente, sabe como plantear la cuestión con la Mesa?)
12. (If they know what the Mesa does) What can the Mesa do to better address the IDP community's needs?
(¿Como la Mesa puede mejorar en atender las necesidades de la comunidad desplazada?)
13. What can the government of Cali do to better address the IDP community's needs?
(specific ideas)
(¿Como el gobierno de Cali puede mejorar en atender las necesidades de la comunidad desplazada?)
14. Would you like to return to your home region/department/town?
(¿Quiere regresar a su región/departamento/pueblo de origen?)