



150 years  
of humanitarian action

# HUMANITARIAN ACTION IN COLOMBIA ACTIVITY REPORT 2012



ICRC

## **MISSION**

The International Committee of the Red Cross (ICRC) is an impartial, neutral and independent organization whose exclusively humanitarian mission is to protect the lives and dignity of victims of war and internal violence and to provide them with assistance. It directs and coordinates the international relief activities conducted by the Movement in situations of conflict. It also endeavours to prevent suffering by promoting and strengthening humanitarian law and universal humanitarian principles. Established in 1863, the ICRC is at the origin of the International Red Cross and Red Crescent Movement.

International Committee of the Red Cross (ICRC)  
Headquarters in Colombia (Bogotá D.C.)  
Calle 76 N.º 10 - 02  
T: (571) 313 86 30 F: (571) 312 82 82  
bog\_bogota@icrc.org  
www.icrc.org



**ICRC**

**HUMANITARIAN  
ACTION IN COLOMBIA  
ACTIVITY REPORT 2012**



# Contents

<b>Editorial</b>	
Colombia: Between the hope for peace and the reality of war	6
<b>ICRC: 150 years of humanitarian action</b>	
ICRC constant presence for countless victims in changing landscape of war	9
<b>Introduction</b>	
2012: The changing face of violence but same pain for victims	11
<b>International legal framework in force in Colombia</b>	15
<b>Problems affecting civilians</b>	17
Murder and threats	19
Disappearance	23
Displacement	31
Sexual violence	41
Involving minors in conflict	45
Civilian objects: Attacks, use and seizure	49
Weapon contamination	53
Poor access to health care and violations against medical personnel and services	61
Lack of basic services	67
<b>People deprived of their liberty</b>	73
People held by armed groups	75
People deprived of their liberty in State detention facilities	79
<b>Dialogue with the armed forces, the police, armed groups, the authorities and civil society</b>	83
Armed forces and national police force	85
Organized armed groups	87
National authorities	89
The media	91
<b>The ICRC in Colombia</b>	93
<b>Where are we?</b>	94

## Editorial

# Colombia: Between the hope for peace and the reality of war

Colombia – a country of contrasts – is characterized by “pessoptimism”, straddling the divide between optimism that peace is possible and pessimism that even peace would not stop the violence. This dilemma juxtaposes the bloody reality of conflict and other violence with the hope, which many citizens barely dare to entertain, of a new chance to put an end to an armed conflict that has lasted almost half a century.

Against the backdrop of the talks in Havana, which the International Committee of the Red Cross (ICRC) welcomes as a unique opportunity to seek solutions that will at last end the suffering of victims, Colombia is seeing a rise in armed clashes and other violence.

Cuba is a long way from the depths of Colombia. The timid hopes raised by the talks on that distant Caribbean island are still far removed from that “other Colombia” referred to in our 2011 report. The victims living in those remote, marginalized regions, where most armed activity takes place, are not yet feeling any tangible results of the peace talks. On the contrary, far from the discussions about the future, many people have actually seen their situation worsen, while distant promises of a better life reach their ears.

This is one of consequences of negotiating while war continues to be waged. It is important to stress that the parties to the conflict have a duty to comply strictly with humanitarian rules, at all times and in all circumstances. The peace talks must set out mechanisms for settling the enormous debt to the conflict victims. Those mechanisms should compensate for the individual pain suffered by Colombians, who are demanding real solutions, recognition and reparation.

The cruel paradox Colombia faces is the certainty that a peace agreement that puts an end to an armed conflict dating back to the 1960s – which would undoubtedly be a landmark achievement – would not mean an immediate end to the violence in the country. Today, so-called criminal gangs are the cause of as many if not more deaths, threats, displacements and disappearances as the conflict that the Havana peace process is seeking to bring to an end.

This complex, dual reality highlights the need to take decisive action on two fronts: putting an end to the armed conflict and ensuring that it does not break out again, and tackling the phenomenon of organized violence. The latter also entails combating the discrimination against the victims of organized violence, who are driven from their homes but excluded from the State emergency assistance and reparation system for dubious reasoning from a humanitarian point of view.

The ICRC, which marks its 150th anniversary in 2013, has extensive experience in conflicts and peace processes worldwide. It reaffirms its ongoing willingness to contribute to the peace talks in Cuba through its work and support as a neutral intermediary and expert in humanitarian law. This includes playing an active role in the implementation of any humanitarian agreement reached by the parties, just as the organization has done in other conflicts. For instance, the ICRC routinely traces missing persons, clears areas contaminated by explosive devices, reunites families, transfers released detainees, and provides health care and sanitation in demobilization camps.

The ICRC will stand by the people – the “other Colombia” – offering help and protection wherever they are needed, for as long as the armed conflict and organized violence continue to claim victims.

After more than 40 years of continuous work in the country, our commitment to the people of Colombia will not cease with the signing of a peace agreement. It will only get stronger.



Jordi Raich  
Head of the ICRC delegation in Colombia



# ICRC: 150 years of humanitarian action

## ICRC constant presence for countless victims in changing landscape of war

For 150 years the International Committee of the Red Cross has been striving to alleviate the suffering of victims of war and armed violence, wherever they may be. Initially restricted to caring for sick and wounded soldiers on the battlefield, the scope of the ICRC's work quickly grew to include other groups caught up in war and its consequences. With its mandate extended to prisoners of war, civilians, displaced people and refugees, the organization developed the range of its activities accordingly. As well as visiting detainees and facilitating communication with their families, the ICRC gradually branched out into distributing food and other relief items to people in need. It began delivering health care and physical rehabilitation services for war-wounded patients, repairing water and sanitation systems, and running livelihood programmes for the most vulnerable groups (by supplying seed, farming tools, fishing equipment and livestock and by granting microcredit loans). The ICRC now has 13,000 staff members of 146 different nationalities based in 92 countries. They often work in partnership with National Red Cross and Red Crescent Societies.

Promoting the principles of international humanitarian law is also central to the ICRC's action. Since it was founded in 1863 in Geneva, the organization has endeavoured to impose limits on the methods and means of warfare. To this end, the ICRC approaches the belligerents and urges them to spare and respect the rights of people not, or no longer, taking part in the hostilities. These efforts have led to the adoption of a set of international legal instruments, the most well known being the four Geneva Conventions of 1949. In addition to being the founder of modern international humanitarian law, the ICRC is also responsible for upholding it and, as such, it seeks to raise awareness of its tenets and to foster compliance with this body of law.

Since the ICRC was founded 150 years ago, the constantly changing nature of war and other violence has continually thrown up new challenges for humanitarian action. Throughout this time, the ICRC has tirelessly adapted to the latest developments, with the sole aim of protecting and assisting people affected by armed conflict.

The ICRC has been working in Colombia since 1969, when the government granted its staff permission to visit people detained in connection with the internal armed conflict. Since then, the ICRC has been endeavouring to protect, assist and prevent harm coming to all those affected by the conflict.



Oscar Iván Ordóñez/ICRC

*Ricaurte, Nariño, January 2012. Members of the Awá indigenous community attend an emergency-response workshop run by the ICRC.*

## Introduction

# 2012: The changing face of violence but same pain for victims

In Colombia, 2012 was marked by the continuance of an armed conflict that began almost half a century ago. The year also saw the beginning of peace talks, bringing hopes for a resolution of the conflict between the government and the Revolutionary Armed Forces of Colombia – People’s Army (FARC-EP), while other forms of violence, and therefore people’s suffering, intensified. While in Cuba the peace talks between the two parties continue, in Colombia civilians have to contend with a lethal mix of armed conflict and other violence in urban and rural areas alike.

In 2012 the ICRC documented 880 alleged violations of international humanitarian law by all parties to the conflict, as well as transgressions of the basic rules that require armed actors to spare and protect various categories of people. These violations – which included deaths, threats, disappearance, displacement, sexual violence, and attacks on patients, health-care workers and facilities – affected civilians in remote rural areas and big cities alike.

This report addresses the main consequences from a humanitarian perspective, as observed in 2012 by the ICRC in the course of its work in more than 25 priority areas where its activities are focused. Other organizations and institutions are unable to enter many of these parts of the country, where the victims’ suffering is most acute. ICRC staff visit these areas on a regular basis and try to offer tangible, practical solutions that are tailored to people’s needs.

The figures that appear in this report are limited to cases documented by the ICRC and to the assistance provided in the aforementioned areas, which are covered from 13 offices nationwide. Although this data therefore belies the true scale of the various issues (for instance, the overall murder rate is higher), it does nevertheless indicate the trends of the victims’ experiences in Colombia.

In 2012 the ICRC observed a deterioration in civilians’ living conditions because of intensifying hostilities in the departments of Cauca, Norte de Santander, Caquetá, Arauca, Putumayo and Nariño. In addition to the toll taken by the armed conflict, people also had to deal with the consequences of the emergence of new organized armed actors engaged in armed violence in cities such as Medellín, Buenaventura and Tumaco.

It is imperative that the parties to the conflict comply with humanitarian rules and principles and safeguard the lives and wellbeing of civilians and others protected under international humanitarian law. Blanket implementation of fundamental human-rights rules is also essential in order to protect people in situations of violence that do not reach the armed conflict threshold.

Plagued by the direct consequences of the armed conflict and other violence, the “other Colombia” – evoked in our 2011 report – is still just as remote and overlooked, and badly in need of humanitarian aid. On top of the direct impact

of the violence, these communities also suffer the indirect consequences – cut off from basic services such as education, health care, transport and drinking water.

The ICRC applauds the progress made by the authorities in recognizing and making reparation to many victims by means of a highly sophisticated legal and institutional framework enshrining their rights. However, the ICRC is concerned about the considerable numbers of victims who are not entitled to claim emergency assistance and reparation from the State. This is particularly the case of victims of violence other than the armed conflict.

Legal and political arguments come into play when defining what is meant by “victim”. However, looking beyond such considerations, the ICRC believes that all victims, whether of the armed conflict or other situations of violence, are entitled to recognition and reparation without discrimination. It does not make sense to generate unequal opportunities among victims. They should not have to grasp the legal and political ins and outs of their status, especially because their suffering and their needs are just as urgent and serious. What matters to victims, first and foremost, are the pain and other consequences of the violent acts on their lives. Not who the perpetrator was or what legal framework applies.

The ICRC continues to document cases of victims of both the armed conflict and other violence. It considers the consequences and aid required to be on a par. Excluding a large number of victims from the emergency-assistance and reparation system affects the relationship of those victims with the State, which should protect, help and make reparation to them equally. And it generates unnecessary differences among the victims themselves. This is why, in this report, we give equal weight to the suffering of the victims of the armed conflict and of other situations of violence that do not reach the armed conflict threshold but nevertheless require a major humanitarian response.



*The ICRC focuses its humanitarian efforts in more than 25 parts of the country where people’s suffering is most acute. ICRC staff are in regular contact with the victims, as part of ongoing dialogue and relief efforts.*

Érika Tovar/ICRC

## The ICRC's humanitarian response

In 2012 the ICRC assisted and protected victims in need of immediate relief in the aftermath of armed violence. More than 200,000 people benefited directly from ICRC aid. This included distributing food, hygiene items and household utensils to displaced families, paying for threatened people to relocate, covering funeral costs when families did not have the means to do so, paying for medicines and treatment, taking the wounded and sick from conflict zones to be treated, and delivering materials to rebuild infrastructure.

Through its confidential dialogue with the parties to the conflict and other armed actors, the ICRC helped protect people by approaching alleged perpetrators to discuss reports of violations and persuading the parties to the conflict and other armed groups to comply with humanitarian rules.

All these activities were carried out jointly with the Colombian Red Cross – the ICRC's partner in the country – whose humanitarian work helped multiply the impact of the ICRC's relief efforts for many victims of the armed conflict and other violence nationwide.

In 2013 – its 150th anniversary year – the ICRC will pursue its humanitarian work in parts of Colombia worst affected by conflict and violence, coming to the aid of victims and trying to meet their most pressing needs.

### **As a neutral intermediary, the ICRC facilitated the transfer of several FARC-EP members to Cuba to attend the peace talks**

One of the characteristics of the ICRC's unique added value is its role as a neutral intermediary in situations requiring acceptance, willingness to engage and action by all the parties to the conflict. To carry out this role, it is essential that the ICRC maintains dialogue with all the parties and that they accept its principles of neutrality and impartiality. The ICRC implements the strictly humanitarian agreements governing the conduct of the parties to the conflict and, if requested by the latter, can even facilitate dialogue between them.

The acceptance it enjoys meant that the ICRC was asked by both parties and by the guarantor and observer governments to facilitate the transfer of FARC-EP representatives to Cuba to attend the peace talks when they first began. In the course of those talks, other humanitarian requests have also been made of the ICRC.



Christoph von Toggenburg/ICRC

A weapon-bearer reads a leaflet about international humanitarian law handed out by ICRC staff working in a rural area of San José del Guaviare.

# International legal framework in force in Colombia

## Internal armed conflict

Since the conflict in Colombia is defined as a non-international (or internal) armed conflict, all parties must comply with Article 3 common to the four Geneva Conventions of 1949 and (if the necessary conditions are met) their Additional Protocol II, and with customary international humanitarian law (derived from State practice).

International humanitarian law (IHL) is a set of principles and rules that seek to limit the effects of international and non-international armed conflicts. It protects people who are not or are no longer participating in the hostilities and restricts the means and methods of warfare. In this sense, IHL has its origins in fundamental principles including humanity (preventing and alleviating human suffering wherever it may be found), distinction (between civilians and combatants and between military and non-military targets), and precaution (during attacks and against the effects of such attacks).

Those same principles underpin the main treaty-based IHL instruments. In the case of non-international armed conflicts, the applicable rules are found in Article 3 common to all four Geneva Conventions of 1949 and their Additional Protocol II of 1977. In addition to treaty-based rules, there is also customary international humanitarian law, which is not expressed in writing, but reflects the practice of States and is considered binding. In 2005, the ICRC published a study on customary international humanitarian law, which set out 161 rules that help limit the impact of non-international armed conflicts by enhancing protection for victims in terms of their wellbeing, dignity and health.

## Other situations of violence

In other situations of violence that do not reach the armed conflict threshold but nevertheless have major consequences in humanitarian terms, the applicable international legal framework is international human rights law, as well as international standards governing the use of force in law-enforcement operations.

In the case of Colombia, the legal instruments governing law-enforcement operations include: the 1966 International Covenant on Civil and Political Rights, the 1969 American Convention on Human Rights ("Pact of San Jose"), the 1979 Code of Conduct for Law Enforcement Officials, and the 1990 Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.





# PROBLEMS AFFECTING CIVILIANS

Boris Heger/CRC



Pascal Jequier / ICRC

*A roadside cross in a rural area of Guaviare. Civilians must be spared and protected in all circumstances, as stipulated under international humanitarian law.*

# MURDER AND THREATS

**Murder and threats – one of the most serious violations of international humanitarian law and international human rights law – are used to intimidate or stigmatize people in areas affected by conflict and other armed violence, often driving them to flee their homes.**

Threats and actual or attempted infringements of the most fundamental right – the right to life – constitute some of the most serious violations of international humanitarian law and international human rights law, whether in armed conflict or other situations of violence.

In the case of the armed conflict in Colombia, the failure to observe the most fundamental principles of IHL – making a distinction between civilians and fighters, taking precautions to spare civilians during attacks and from the effects of such attacks, and acting proportionally when conducting hostilities – claims many lives. Many civilians and others people protected under IHL lost their lives because they were caught up in attacks or in the crossfire. Others died at the hands of one of the parties to the conflict.

Both civilians and fighters who are wounded or otherwise out of action are entitled to protection from the effects of the hostilities. Their lives should be spared under all circumstances, as set out in international humanitarian law.

In addition to deaths as a result of the armed conflict, other cases were recorded in connection with situations of violence that did not reach the armed conflict threshold. In those cases, the victims were either directly targeted or again caught in the crossfire between armed actors. This scenario arose, for example, in some urban areas in Medellín, Buenaventura and Tumaco, and in rural areas in more than 25 regions where the ICRC focuses its efforts.

In most instances, murder and threats – used as a means of intimidation – had knock-on effects, including driving people from their homes and seriously affecting families' economic situations. When civilians were stigmatized as belonging to the other side, this led to many threats and deaths. The plight of victims of threats – a frequent occurrence in both rural and urban areas – is particularly worrying because there is no State mechanism to deal with their needs.



María Cristina Rivera / ICRC

### Victims' voices

***"He was a hardworking family man, not a criminal."***

*"My partner was a night watchman. He rented a room so he could sleep during the day. That day, he hadn't been there long when it happened. First he came home to have breakfast and spend time with the children, then he went off to get some sleep. Suddenly, at around one o'clock in the afternoon, the fighting started. Three people had been killed and they started knocking on doors and breaking them down in search of those responsible. They attacked one woman and dragged other people from their homes, treating them roughly. They beat up some youngsters in a bar. They didn't care who had really done it, they were just out for revenge. Suddenly they came to the room where my partner was resting. They entered and killed him. They didn't even give him a chance to explain who he was."*

*"My sister and I saw it all. She was only nine. She cried out 'Daddy!' I went into the room and he was lying on the floor in a pool of blood. I saw he was still moving but nobody came to help me. The taxis wouldn't stop."*

*"We feel utterly alone and defenceless. They took the life of an innocent person who had nothing to do with the armed conflict and had never had any problems with the law. He worked hard and was devoted to us. He never got into trouble. We want to clear his name, because they've branded him a criminal. But they never even checked his identity. We want justice and we want them to answer for the wrong they've done to us."*

A mother and her 19-year-old daughter, who live in a district of Medellín, recount what happened when their partner and father was murdered.

## What IHL has to say

### **ICRC study on customary international humanitarian law**

**Rule 1.** *The parties to the conflict must at all times distinguish between civilians and combatants. Attacks may only be directed against combatants. Attacks must not be directed against civilians.*

**Rule 2.** *Acts or threats of violence the primary purpose of which is to spread terror among the civilian population are prohibited.*



*The ICRC maintains a confidential dialogue with the parties to the conflict, to whom it stresses the importance of respect for the lives and dignity of civilians.*

ICRC

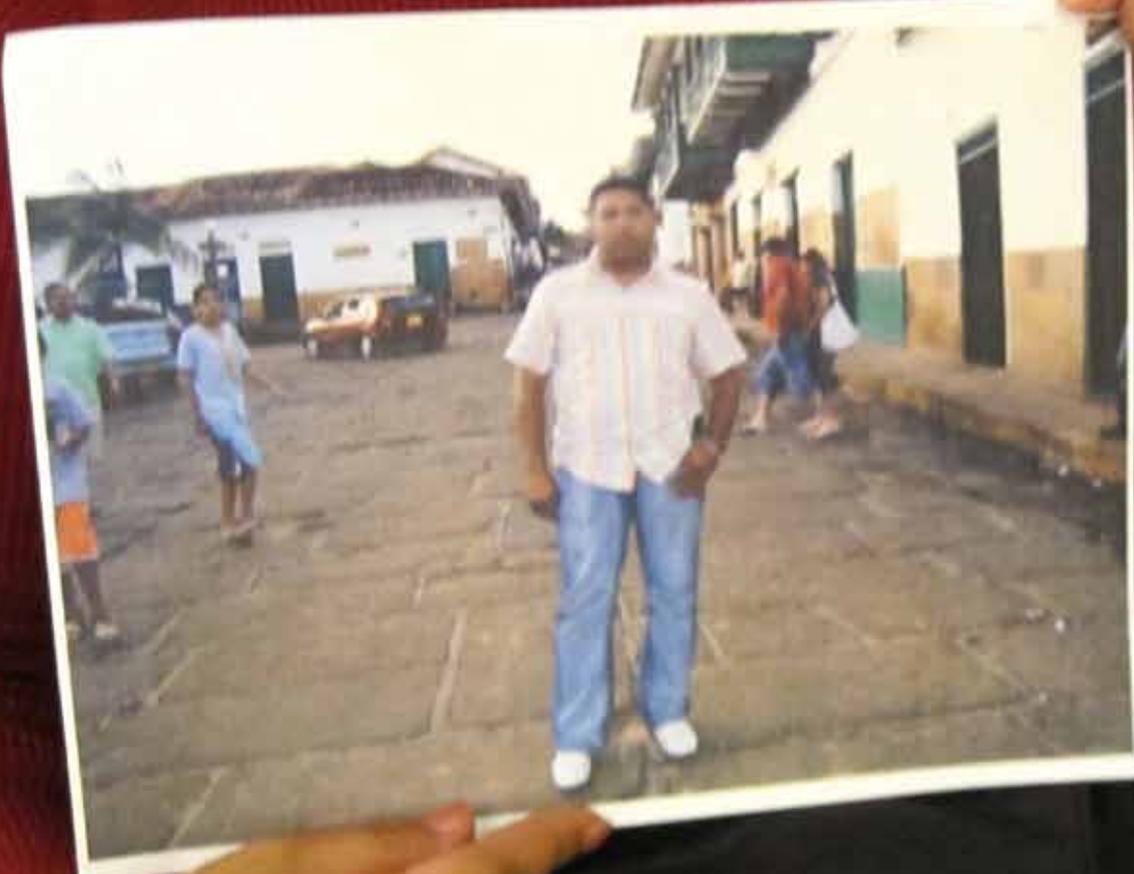
## **The ICRC's humanitarian response**

The ICRC is working to ensure that all victims of armed violence, including those who have been subject to threats and attacks on their life, are entitled to State aid and know how to request it.

Through its confidential dialogue with the parties to the conflict and other armed actors, the ICRC stresses their duty to respect the life, wellbeing and dignity of all those protected under IHL and the humanitarian principles that should be observed under all circumstances.

Where possible, when presented with cases of direct attacks on protected persons, the ICRC approaches the alleged perpetrators with a view to influencing their behaviour and getting answers for the victims. Although the official murder figures for Colombia are much higher, and the ICRC knows of many other cases, it only documents cases in which its staff have been able to speak directly to the victims or their families and provide them with humanitarian aid. In 2012 the ICRC documented 49 cases of deaths in order to approach those allegedly responsible. In addition, the ICRC helped 119 families cover the cost of holding a funeral for their loved ones or transporting their remains for burial.

The ICRC also tries to minimize the number of civilians exposed to violence, murder and threats. In 2012 it provided economic support to 831 people, 147 more than in 2011. This enabled them to relocate to safer parts of the country.



Edgar Alfonso/ICRC

*Bogotá, 3-5 December 2012. An ICRC workshop brings together 23 relatives of missing persons to share their stories and get answers from the authorities.*

# DISAPPEARANCE

**In 2012 more than 7,500 new people were reported missing in Colombia, according to official figures. Despite the rules and bodies established to help families trace their missing loved ones, ordinary people are still struggling to get answers.**

Coping with the disappearance of a missing loved one is one of the most serious problems in Colombia from a humanitarian perspective. The institutions responsible for tracing missing persons are overwhelmed by requests. Thousands of cases remain unresolved and the list grows longer each year.

Up to 2011, more than 78,000 people were reported missing in SIRDEC – an online information database used to help identify dead bodies, managed by the National Institute of Forensic Science. Only 18,000 of those cases were resolved by finding the person dead or alive. In 2012 alone, a further 7,500 cases were reported, 4,300 of which are still unresolved.

Colombia leads the region in the field of forensic science. In the last three years, it has made great strides towards solid legislation in this area, with Law 1448 of 2011 on victims' rights and land restitution, Law 1408 of 2010 on paying tribute to victims of forced disappearance, and Law 531 of 2012 on people unaccounted for as a result of enforced disappearance and other forms of involuntary disappearance.

Coordination has improved between the institutions in charge of these matters, with better mechanisms for reporting and tracing missing persons. In addition to the SIRDEC database, there is a centralized virtual information centre and a national tracing plan. Cooperation between these entities has facilitated the identification of mortal remains. For example, an agreement signed in 2010 between the National Institute of Forensic Science, the National Civil Registry and the Ministry of the Interior led to the identification of the remains of 10,500 people as of 2012. Subsequent agreements are intended to begin the process of locating those remains in cemeteries.

However, in remote areas far from administrative hubs, it is still difficult for people to negotiate the web of entities in charge of dealing with disappearance. State institutions face a whole range of challenges, from providing psychosocial support to families to locating mortal remains in cemeteries. This situation is exacerbated when the officials themselves do not understand the rules and procedures for reporting and tracing missing persons. Across the board, the ICRC works with victims' families and with the institutions responsible for dealing with their requests.

As shown by the experiences of the mothers and wives of Buenaventura, who were provided with counselling as part of a joint ICRC-Colombian Red Cross initiative (see p. 26), or the 23 family members who attended a workshop where they were able to put their questions to the authorities (see p. 27), the main challenge is moving from a centrally decided system enacting the victims' right to know the fate of their relatives to local implementation of that system.



Clara Araújo/ICRC

### Victims' voices

***"One day I want to be able to say: this is where my brother's buried."***

*"My case is a tricky one. My brother belonged to an armed group and was killed by State forces. We lost touch with him when he was 14. He was recruited aged 17, either because he wanted to or because it meant steady money. In any case, we didn't know where he was. When we found out he was dead, we asked the public prosecutor's office to hand over his body so we could bury him properly. They refused because they weren't completely sure of his identity. It's coming up for two years since he died. We know he's buried in an unmarked grave in a cemetery somewhere.*

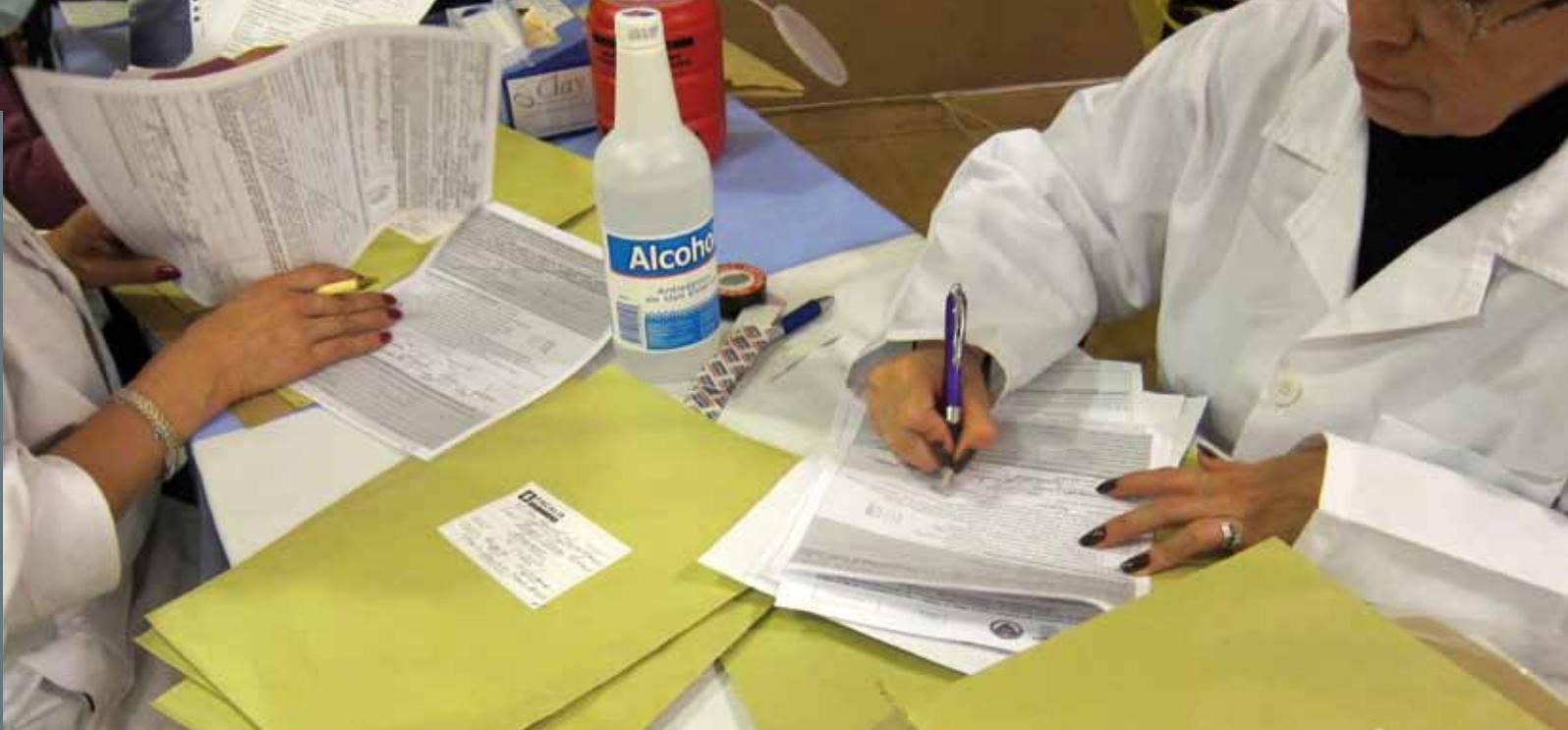
*I was planning to stop pursuing the case, because I was starting to feel threatened. But thanks to the ICRC's support, they took a DNA sample from me. However, there wasn't an exact match because he was my half brother. Since my mother died in 1983 and my father was killed in 1980, I haven't been able to get all the paperwork I need. The ICRC's support has given me hope that the case will be resolved. I want to bury my brother and be able to move on. In five years his remains will go into a mass grave. Whatever he did, he was a human being and he deserves a decent burial in a marked grave. One day I want to be able to say: this is where my brother's buried."*

Relative of a missing person.

## What IHL has to say

### **Rule 117. ICRC study on customary international humanitarian law**

*Each party to the conflict must take all feasible measures to account for persons reported missing as a result of armed conflict and must provide their family members with any information it has on their fate.*



*To enable the relatives of missing persons to find answers about their loved ones, the ICRC helps them contact the relevant institutions and guides them through the formalities for applying for State aid.*

Clara Lorena Araújo/ICRC

## **The ICRC's humanitarian response**

The ICRC's efforts to help ascertain the fate of missing persons in Colombia and to prevent new cases from occurring include supporting and guiding relatives, engaging in dialogue with armed actors, and advising and cooperating with the relevant authorities. The ICRC focuses on victims of forced disappearance, people killed in armed violence whose bodies have not been recovered, and combatants who are unaccounted for.

In 2012 the ICRC documented 161 new cases of disappearance, 53 of which arose in the course of the year. The other 108 were people who had gone missing prior to 2012 but whose disappearance had not been reported.

Through its confidential dialogue with those allegedly responsible for those disappearances, the ICRC sought to ascertain the fate of the missing persons. Of the cases brought to the ICRC's attention, 94 were broached in this way on one or more occasions.

The ICRC also guided 126 families through the process of tracing, recovering, identifying and collecting the remains of their missing loved ones. The ICRC provided counselling, showed them how to negotiate the State system, and liaised with the forensic and legal authorities. Some families were also given financial support to travel to exhumation sites or to collect the remains of their relatives. On four occasions, ICRC support culminated in their relatives' remains being returned to families.

The ICRC's work also extended to collecting and returning to families the remains of 13 people buried in graves or cemeteries in districts where the authorities could not enter, or which were handed over to them by armed groups (see p. 29).

## Supporting State institutions

In 2012 the ICRC helped organize four seminars with the authorities, in which international standards on disappearance were presented. The purpose of these seminars was to exchange knowledge and reach agreements about processes for tracing, recovering, exhuming, identifying and delivering mortal remains to families, as well as about how to improve State support for families. The seminars were attended by 48 forensic scientists and 54 public prosecutors.

The ICRC also played an advisory role on several regional committees of institutions that are involved in tracing missing persons in the departments of Valle, Putumayo, Nariño and Antioquia.



Érika Tovar/ICRC

### **BUENAVENTURA: EVERY STORY DESERVES AN ENDING**

In Buenaventura most of the missing persons are men, leaving behind their mothers and wives, often with children to look after.

“We call ourselves the victims who survive. It’s a very difficult time. You’re very confused and think you’ll go crazy. You’re never really able to mourn your family member,” says Sol\*, a community leader whose husband is missing.

To come to terms with this situation, the role of the community and symbolic rituals to pay tribute to the missing person are vitally important. Families find it helpful to get together with a support group to remember, cry and, in some cases, hold a funeral for their missing relative.

Buenaventura – the main port on Colombia’s Pacific coast – is surrounded by forest and rivers. Because of its strategic location, various armed groups are fighting for control of the city and surrounding areas in order to control the illegal trade in drugs and weapons, among others. This takes its toll on the local population, with consequences of humanitarian concern including displacement, sexual violence, murder and disappearance. The plight of the families of those who go missing is one of the most desperate.

In conjunction with the Colombian Red Cross, the ICRC ran sessions for families of missing persons to get together and receive counselling. This gave them the opportunity to meet, draw pictures and talk about their missing relatives, share their rituals, cry, unburden themselves, embrace, and put their messages to their loved ones on pieces of cloth. Those pieces of cloth were then sewn together into a patchwork quilt commemorating all those who have been through the same experience.

Sol says that people sometimes call her crazy. “They don’t understand what you’re going through. They should be more compassionate, more sensitive. I talk to my husband, make food for him, sing to him, tell him that we’ll go out. It’s my way of paying tribute to him, so he knows that someone is waiting for him. Our story has no ending, but it deserves one. That’s why group support and rituals are so important, to anchor you, to help you keep a grip on reality and feel that you’re not alone. We mustn’t forget our family members, because the day we do, they will die.”

Their loved ones are still missing but, in Sol’s words, “memory keeps them alive, countering the passage of time.”

\*Name changed.



## MEETING TO SHARE THEIR PAIN AND SEEK ANSWERS

“Who wants to know the truth?” asked one of the 23 participants during a group exercise at a workshop for relatives of missing persons organized by the ICRC. Those who answered “yes” were supposed to go to one side of the room; those who said “no” to the other. Everyone ended up walking to the “yes” side, in silence.

One of them was Andrea\*, who has been searching for her brother since 1990. So was Camilo, whose stepson has been unaccounted for since 1999. Claudia’s son went missing in 2004. Patricia has no news of her son since 2009. Sandra’s brother disappeared in 2011. Amparo has heard nothing from her husband since he went missing in 2012. More than two decades of searching converge in one room.

With ICRC support, the participants, who came together from 3 to 5 December, not only shared their stories but also found out first-hand what progress had been made on their cases and how to get their requests processed. Officials from the national tracing commission, the public prosecutor’s office and the national forensic institute advised them on the legal framework covering disappearance and forensic procedures. For those who had not already had it done, biological samples were taken for DNA testing and their cases were recorded in the SIRDEC database.

On top of the pain of not knowing, the formalities and the lack of replies to their enquiries make the wait even harder for families to bear. “I have dealt with various institutions over the years,” said Claudia. “Each time I hope they’ll have an answer for me, but eight years on and I’m still in the dark.” Her son went to work in another city. “One day they told us he’d been killed but we couldn’t collect his body because it was too dangerous. His wife was pregnant. Now their son is seven years old and keeps asking when he’ll meet his father.”

Yolanda, who lost touch with her son in 2009 when unidentified men dragged him from the boat he was travelling in in a rural area, shared her by now extensive experience of the administrative formalities with her new friends. “Today it’s three years and five months since my son was taken and I’ve become an expert in dealing with all the institutions. People mistake me for a State official!” she said jokingly. Underlying her words is the knowledge that, despite the many attempts to get answers through official channels, her search has not yielded results.



Bogotá, 3-5 December 2012. The scientific research body attached to the public prosecutor's office takes samples from some of those participating in the ICRC workshop. This DNA testing will help trace their missing relatives.

"Every day that goes by makes it worse, but you learn to cope," said Claudia to Patricia, by way of consolation from someone who had been through it all before, when she saw her crying as she told her story. Both women were wearing a T-shirt emblazoned with their son's photo and name.

Andrea, for her part, was one of the participants who had been waiting longest for news: 22 years. Her brother – then 14 – went to a neighbouring village with a friend to organize a raffle. Apparently some members of an armed group accused them of stealing and forced them to join their ranks. The only news that reached the family came three years later, when an official rang them to say that he had been captured in another city. But when they got there, they were told the information had been wrong. Since then, all the family has been able to do is try and navigate the official red tape. And wait, of course.

"He was my big brother. I used to go out with him. He'd take me everywhere. If he went to play football, I'd be his mascot. When he disappeared, it was really sad. I never went anywhere anymore," recounted Andrea. "I grew up but never moved house. We had to stay in case he came back one day. I had two children and I'm still there, waiting for him to return, alive or dead. I cling to the hope that he'll come back alive."

Despite their tragic stories, the participants were glad to get a clearer understanding of the system for tracing missing persons and of the legal framework. "My mother and I are going away with a lot of useful resources to help our case. Now we know who to approach, how to deal with them and what we're entitled to," said Patricia's daughter, who also attended the workshop.

\*All the names have been changed.



Julio Sánchez/El País de Cali

## ICRC RECOVERS THE REMAINS OF PEOPLE KILLED IN THE CONFLICT

On 12 July 2012 an ICRC team recovered the remains of two crew members from an Air Force plane that crashed in a rural area of Jambaló, in Cauca department. The ICRC delivered their remains to the Third Division of the National Army in Popayán.

The remains of one crew member had been in the hands of the FARC-EP, who had contacted the ICRC to arrange to hand them over. The local fire department had taken the second pilot's remains from the crash site to the nearest major town, where the ICRC team collected them.

The humanitarian operation to collect the crew members' remains began before dawn and was completed around five o'clock in the afternoon. Fighting in the area forced the three ICRC delegates to find alternative routes on several occasions to reach their destination.

This was just one of several such operations carried out in 2012 by ICRC staff across Colombia. Including the two crew members in Jambaló, the ICRC recovered the remains of 13 people killed in connection with the armed conflict. Ten of those operations were carried out in Cauca, Nariño and Chocó, which fall within the territory covered by the ICRC sub-delegation in Cali.

Most of those whose remains were recovered were civilians who had been murdered and buried in unmarked graves or in cemeteries in districts off-limits to the authorities. One was a minor who was a member of an armed group and was killed while handling an explosive device. He had been buried in an unmarked grave in the local cemetery.



Erika Tovar/ICRC

*Rural area of Cauca, 19 September 2012. A caravan transports tools and supplies to shoe, vaccinate and treat horses and mules donated by the ICRC. The ICRC runs farming projects in conflict zones in order to prevent displacement.*

# DISPLACEMENT

**Displaced people leave everything behind to begin a new life in the midst of uncertainty and fear. In 2012, an increase in massive displacements led to instability in many communities in different parts of the country.**

Colombia has one of the world's largest populations of internally displaced people, with official estimates putting the number registered since 1997 at over 3,900,000. This humanitarian problem, which has uprooted entire families, forcing them to leave everything behind and start a new life, continued unabated in 2012.

An increase in fighting in some areas of the country led to more massive displacements, and the ICRC provided assistance to those affected over the year. Many were short-term displacements, with communities later returning to their homes. Individual displacements from the country to the city and between different districts within the same city (as in the case of Buenaventura and Medellín) also continued.

The main causes of displacement included death threats and psychological abuse, armed fighting, weapon contamination, threats of forced recruitment, the theft of belongings by armed groups, direct attacks and killings of civilians, the disappearance of a family member and sexual violence.

## **Areas affected by displacement**

The departments from which the greatest numbers of displaced people fled were Cauca, Nariño and Putumayo. According to ICRC records, the municipalities in these departments with the highest number of people individually displaced were Tumaco (Nariño), Puerto Asís (Putumayo) and Argelia (Cauca), while the municipalities in which the ICRC assisted most massive displacements were Ricaurte (Nariño) and Argelia, Morales, Toribío, Miranda and Caloto (Cauca).

The main challenge is to ensure that these people have a means of earning a living, so that they can restart their lives, and to meet the needs of the thousands of displaced people still waiting to receive integrated assistance from the State.

### **Victims' voices**

***"I do my best to get by."***

*"The armed groups fighting in the area forced us to flee. They killed three people and left them in the square at three o'clock in the morning. Then they gave us half an hour to leave. We had a plot of land with cassava, yams, vegetables, beans, chickens and pigs. A lady in the village took us in, because nobody else would help us. Humanitarian aid from the government arrived a year later; they made us fill out a whole bunch of forms, supposedly to get us a house, but then nothing happened. We are still living in a settlement. Sometimes an organization brings us a little market and we sell fritters and tamales and hold raffles. I do my best to get by. Nobody is left to die in a village. Sometimes I am so stressed that it seems as if my head will explode, but where there's a will, there's a way. Help will come from somewhere".*

Beatriz, displaced from Tierralta (Córdoba)

### **What IHL has to say**

#### **ICRC study on customary international humanitarian law**

**Rule 131.** *In case of displacement, all possible measures must be taken in order that the civilians concerned are received under satisfactory conditions of shelter, hygiene, health, safety and nutrition and that members of the same family are not separated.*

**Rule 132.** *Displaced persons have a right to voluntary return in safety to their homes or places of habitual residence as soon as the reasons for their displacement cease to exist.*



*El Mango, in a rural part of Argelia, Cauca, July 2012. ICRC and Colombian Red Cross staff distribute humanitarian aid.*

ICRC

## **The ICRC's humanitarian response**

The delivery of emergency humanitarian aid to places affected by armed conflict and inaccessible areas, as illustrated in the story about El Mango, Argelia (see p. 34), is one of the main added values of the ICRC's work to assist displaced people. Going to places that nobody else has access to in order to help those in need often requires complicated logistical operations using different means of transport (carts, boats, horses and trucks) and involving many hours or even days of travelling to get there. The ICRC documents these cases and discusses them in a confidential dialogue with the parties to the conflict in an attempt to persuade them to respect the civilian population in all circumstances.

In 2012, the ICRC focused its efforts on providing assistance in cases of massive displacement in inaccessible areas. The ICRC, with the support of the Colombian Red Cross, delivered humanitarian aid, consisting of food, personal hygiene products and essential household items, to 16,037 people in 43 cases of massive displacement, many of which were in northern and southern parts of Cauca and in Ricaurte (Nariño).

The ICRC also provided assistance in places where displaced people gathered, particularly in the case of indigenous communities who took shelter in permanent community assembly halls, with a view to meeting their basic needs immediately after displacement.

According to ICRC's figures, the number of cases of individual displacement fell. This was partly due to the fact that most of the programmes for individual assistance in the country's main cities were discontinued. In spite of this, 16,139 people were assisted in Cali, Pasto, Popayán and Puerto Asís. In two of these cities, assistance was provided with the support of the Colombian Red Cross. In 2013, the ICRC will continue to provide assistance in exceptional cases of individual displacement, particularly in complex cases connected with other violations which come to the knowledge of the organization as a result of its work in conflict areas.

In the 16 years that the individual assistance programme, which ended in December 2012, has been running, the ICRC, in cooperation with the Colombian Red Cross, has assisted over 1,300,000 people, including 724,376 cases of individual displacement. The programme was ended because, although there is still much to be done, State institutions are improving their capacity to deal with cases of individual displacement, allowing the ICRC to focus its efforts on the more inaccessible areas and cases of massive displacement.

Additionally, in 2012, the ICRC and the Colombian Red Cross supported displaced and vulnerable families through projects implemented in Nechí (Antioquia), Tame (Arauca), Tierralta (Córdoba), Florencia (Caquetá), Pasto (Nariño) and San José del Guaviare (Guaviare). These projects included workshops for children on values and peaceful coexistence, vocational training through the Colombian Red Cross's Damas Grises (lady volunteers) and the National Learning Service (SENA), psychosocial activities with the community and guidance and advice for victims on how to become included in government programmes.

## **CAUCA: 14 TONNES OF FOOD SUPPLIES DRIVEN SEVEN HOURS TO EL MANGO**

El Mango is a village in the municipality of Argelia in southern Cauca, more than six hours away from Popayán, the department capital. It has suffered repeated outbreaks of fighting. In 2012, the local authorities recorded 80 incidents connected with the armed conflict in Argelia which, in addition to the municipality's main town, also includes the village districts of El Mango, Sinaí and El Plateado.

Encircled by mountains, El Mango has only one way in and out, and the unsurfaced road is very hard-going when it rains. The ICRC is the only humanitarian organization with a regular presence in this area.

In 2012, frequent outbreaks of fighting between armed groups forced the inhabitants to move several times. Many of the houses were destroyed, and the people fled in fear of their lives, taking shelter in neighbouring villages.

One such displacement occurred in July 2012. The ICRC, together with the Colombian Red Cross Cauca branch, undertook a major logistical operation, which involved driving seven trucks from Cali to deliver 14 tonnes of humanitarian aid, including food supplies, personal hygiene products and kitchen utensils for the 1,500 inhabitants of El Mango. The displaced people also received tiles and other materials to repair their homes, the school and two community halls damaged as a result of the fighting.

## Institutional support

In order to improve assistance for victims of displacement in Colombia, the ICRC makes representations to government bodies, in particular the integrated victim assistance and reparation unit (UARIV), the Ministry of Public Affairs and municipal authorities.

Although the government's response time for assisting displacement victims did improve in the second half of the year, the ICRC voiced its concerns over the delays in assessing statements filed by displaced people for inclusion in the unified register of displaced persons. Being included in the register is vital, as it is a requirement for receiving the emergency assistance provided by the integrated victim assistance and reparation unit and other entitlements established in the Law on Victims' Rights and Land Restitution" (Law 1448).

There are also many victims who have not been able to file their statement with the Ministry of Public Affairs offices. Aware of the extent of the problem, the ICRC supported the organization of 20 days of massive statement-filing operations in the departments of Córdoba, Chocó, Valle, Putumayo and Nariño. These efforts enabled 2,520 families (12,445 people) to file their statements which, once assessed by the integrated victim assistance and reparation unit, will enable them to be included in the unified register of displaced persons, making them eligible for assistance and reparation under Law 1448 of 2011.

With a view to strengthening institutional capacities in this area, the ICRC donated computers, scanners and printers, which are expected to speed up the online filing process for the unified register carried out by Ministry employees.



*El Tarra, Norte de Santander, 17 February 2012.  
The ICRC and the Colombian Red Cross distribute  
food, household utensils and hygiene items to 600  
displaced people.*



## ONE-DAY EVENT TO PROMOTE EMPLOYMENT IN BOGOTÁ

Finding employment in a big city like Bogotá, where the competition for jobs is fierce, is especially difficult for displaced people. They arrive in the city fleeing from the violence and try, often in vain, to start a new life and ensure the wellbeing of their families. The chances of these jobseekers are hampered by their lack of education, and other factors such as age and sex often work against them.

Florián, who was displaced from Barbaças, Nariño, is all too familiar with these difficulties. “You are rejected by employers because you don’t have the education or the experience they want; it’s not easy” Zoraida faces a similar situation: “They say they need young, agile people. I’m already 40 and I didn’t finish secondary school because I had to get a job. I’ve got three children and it’s very difficult to get by without work.”

Aware of the barriers that prevent many displaced people from getting a job, the ICRC organized a one-day event in October to promote job opportunities and education for employment. The event, which was attended by over 280 people, aimed to give them an insight into the services provided by different institutions in this regard. They learned how to write a CV, which they then submitted to companies that help people find jobs and improve their employability through technical training.



## GLORIA AND LUIS\*, ENTREPRENEURS IN THE MIDST OF VIOLENCE

In October 2012 Gloria and her family had to move to a different neighbourhood in Medellín, because of fighting between rival gangs. The future of her children was the main reason for the move. “I would rather sleep under a bridge with my children than let them get involved in a gang and hurt people or get themselves hurt,” remarked Gloria.

She earns a living as a cook in a restaurant during the day, but wants to improve her income by setting up a night-time *arepa* stand. She had already found the ideal place, but she needed money and a business plan.

Gloria is one of the beneficiaries of the income-generating programme of the “More humanitarian spaces, more alternatives” project, which the ICRC is carrying out in Medellín in partnership with the Colombian Red Cross. It involves the management of microcredits granted by the ICRC through an operator or arranged with other entities and training to develop entrepreneurship and business acumen. The beneficiaries are families affected by the violence who have a viable idea for a business. The aim is to help break the circle of violence and provide people with the tools they need to build a better future.

Another of the people involved in the programme is Luis, a locksmith, who was able to stop bothering his neighbours with the business he had set up at home. “I rented some premises,” he said. He used the ICRC loan to buy tools, but he believes that the biggest benefit was learning how to use money and set goals. “My dream is to build up my reputation throughout the metropolitan area by 2017 and be able to deliver when customers bring me a lot of work.”

It is not by chance that Luis has set himself goals for 2017. As explained by Mike Londoño, the project’s economic security officer, the differentiating feature of this programme is that it aims to change people’s way of thinking in the long term. “We try to build a solid basis for a life plan before giving any financial assistance. Before they even get a single peso from us, we can see the changes in their businesses.” In December 2012 81 families out of the 100 selected were carrying out income-generating activities under the programme.

Since 2011 the ICRC has been implementing the “More humanitarian spaces, more alternatives” project, in partnership with the Colombian Red Cross and local authorities, with a view to mitigating the consequences of armed violence in urban environments.

\* Names changed

## Preventing displacement: support for income-generating projects in conflict areas

It is also vital to work with communities in areas affected by the conflict and its consequences in order to prevent displacement and other violations.

The ICRC carried out 15 farming initiatives to help vulnerable communities affected by restrictions on their movements, lack of access to reliable food supplies, weapon contamination and other difficulties. In addition to alleviating the most pressing problems, such as food security, these initiatives also generated extra income for the communities. They also contributed to developing a sense of belonging and to strengthening ties among members of the community. Cocoa, corn and banana crops, rice mills, chickens and horse vaccinations, among other things, benefitted 1,593 families in the departments of Antioquia, Arauca, Cauca, Chocó, Guaviare, Nariño, Norte de Santander and Putumayo.



Érika Tovar/ICRC

### HORSES AND MULES SAVE LIVES IN CAUCA

Indigenous communities living in the Cauca mountains regard horses and mules as their most valued companions. The remoteness and isolation of the places where they live mean that they are completely dependent on these animals. They use them to carry supplies, transport farming products and take people to health-care facilities when they are ill or have been injured. They also use them to fetch water from the mountains and for other essential daily chores.

These communities, which are also affected by the armed conflict and lack basic necessities, have to prioritize spending. As a result, disease prevention and feed supplements for horses and mules are usually at the bottom of the list.

In the municipalities of Suárez and Morales, in Cauca department, the ICRC organized two vaccination days for 250 animals and held workshops on how to look after them properly. Horse and mule owners received medicines, honey to feed the animals and horseshoes and tools to shoe them.

“These tools will last longer than the horse!” exclaimed a boy from the community, one in a long line of blacksmiths. An evaluation of the project revealed that the villagers were very happy and grateful for the improvements in their horses. Now they can work more, and this has improved the quality of life in the community; people can get around faster on a well-shod mule.



## IN PUTUMAYO, THE FUTURE TASTES OF COCOA

The communities that live along the banks of the San Miguel river in Putumayo department (bordering Ecuador) are isolated and have few livelihood options. On top of this, the presence of armed groups in the area has brought periodic outbreaks of violence, making the lives of the civilian population very difficult. “Life here hasn’t been easy,” said Daniel Muñoz-Rojas, head of the ICRC sub-delegation in Florencia, Caquetá. “In humanitarian terms, the most serious consequences of the armed conflict today are linked to the use of explosive devices, which hamper people’s movements around the area and restrict farmers’ access to their crops. Another problem is the lack of livelihood options for the local communities, which has led to despair and stood in the way of development.”

Cocoa is an alternative that promises to restore the prosperity and hopes of local families. With support and advice from the ICRC, farmers have now planted over 500 hectares of cocoa in the region. However, the farmers did not immediately strike gold with their choice of crop. “After coca, we tried peanuts, but many people’s crops failed. Then we turned to a starch-rich tuber known as malanga, and finally we began to plant cocoa. This is our future,” said José Cundar, a community leader in the town of La Unión.

It all started with the 349 hectares of cocoa planted by 320 families in 13 areas near the San Miguel river. The ICRC’s approach has been to pass on knowledge from farmer to farmer, using a language they all understand. “We trained 24 promoters to pass on what they had learned to their communities,” explained ICRC agro-ecological engineer Anderson Peña. “This approach works very well, and we see people conducting their own experiments. There is a constant exchange of knowledge which enables us to improve their crops day by day.”

Production has risen thanks to pruning, disease control and the use of organic manures and biofertilizers. Although there is still a long way to go, the farmers are enthusiastic. They have set up an association and many farmers who did not originally take part in the project are starting to plant cocoa too. There is now joy and hope in the eyes of the new cocoa farmers. “We have more peace of mind now. People have a new and more positive outlook,” summed up Fabio, a resident of La Unión and owner of one of the most prosperous cocoa farms in the region.



María Cristina Rivera/ICRC

Medellín, December 2012. A victim of sexual violence tells her story to ICRC staff. The ICRC documented 27 cases of sexual violence in Colombia in 2012.

# SEXUAL VIOLENCE

**This prohibited practice is preventable; it is not an inevitable aspect of armed conflict. The main problems facing victims are difficulties in accessing health care and not having any guarantee of their safety and protection.**

Sexual violence causes deep, often irreparable, harm to the women, girls, men and boys who suffer it, including sexually transmitted infections, damage to sexual and reproductive health, unwanted pregnancy and severe psychological consequences which have a devastating effect on the lives and futures of victims and their families.

This prohibited practice is preventable; it is not an inevitable aspect of armed conflict. It is a serious violation of the rules of international humanitarian law, a crime under the Rome Statute of 1998 (articles 7 and 8), a punishable offence under the Colombian Penal Code and prohibited conduct under Law 1257 of 2008.

Sexual violence takes many forms. In addition to forced sexual intercourse and violent sexual assault, it also includes other serious offences, such as forced prostitution and nudity, sexual slavery, forced impregnation, sterilization and abortion, sexual relations with people under fourteen years of age and abusive sexual acts. Attempted rape and threats of rape are also prohibited.

In armed conflict, sexual violence is not an isolated event and, in many cases, is linked to other phenomena of humanitarian concern, such as displacement, physical abuse, intimidation, the recruitment of minors, the seizure of land, social control and forced disappearance. It involves multiple victimizations and accumulative related consequences (see p. 43).

The main problems facing victims are difficulties in accessing health care and not having any guarantee of their safety and protection. They also have trouble pursuing justice and reparation.

Cases of sexual violence must be treated, in all circumstances, as medical emergencies. Victims must on no account be required to report the crime in order to receive medical or psychological care. Rape victims must have access to health services within 72 hours of the incident to control the risk of unwanted pregnancy, prevent the transmission of HIV and initiate treatment for any sexually transmitted infections. However, many victims and health workers are unaware of this vitally important fact which can help to prevent irreversible damage.

Even when they do know the procedure, victims are sometimes unable to access health services, owing to the lack of medical facilities and personnel where they live or because the facilities they go to do not have the resources to deal with emergencies of this kind, although by law victims are entitled to such services and the State has a duty to provide them.



*Victims of sexual violence come to the ICRC for support and guidance on how to obtain physical and psychological treatment. If they flee their homes, they receive material assistance to help them cope.*

María Cristina Rivera/ICRC

In 2012 the regions most seriously affected by this problem were Nariño (Tumaco in particular), Chocó, Arauca, Antioquia and Cauca. The ICRC also registered a worrying increase in cases in Buenaventura.

## **The ICRC's humanitarian response**

In 2012 117 new victims of sexual violence received medical assistance, with 102 of them also benefitting from psychological care, under an agreement between the ICRC and Profamilia. Follow-up assistance was provided to 74 previous victims, and 58 received guidance about the health services available to them. Only four of the victims treated under the agreement were seen within 72 hours of the rape. Unfortunately, the average time that elapses between the occurrence of the incident and the victim seeking medical attention is six to eight weeks.

In many cases, people who suffer sexual violence flee their homes. To help them cope, 64 such victims, mostly women heading households, received assistance, including food, personal hygiene kits and household items.

Although cases of sexual violence are under-reported, because many victims fear for their safety if they speak up, the ICRC recorded 27 voluntarily reported cases. The ICRC engages in confidential dialogue on this subject with parties to the conflict and other armed actors to try to persuade them not to commit acts of sexual violence and raises specific cases with them when victims give their permission to do so.

**Rule 93. ICRC study on customary international humanitarian law**

### **What IHL has to say**

*Rape and other forms of sexual violence are prohibited.*



## ÁNGELA'S HEARTACHE, THREE TIMES A VICTIM

Ángela\* has seven children and three heartaches. The first was caused by the “disappearance” of her husband. The second came that same night, after an armed group had taken her husband away from their farm in Córdoba and she had to flee her home with her children, taking only a few clothes with them, because the same group had threatened to take her 11-year-old daughter. The third heartache, the most recent, was her rape by a member of an armed group.

Ángela's story echoes those of many Colombian women, who are the victim of a crime not once, but twice, three times or more. “This is a lot of heartache to bear. I just cried and cried, and it was my children who helped me through it. My 16-year-old daughter graduated and thanked me for my courage in her graduation speech. These are things that fill me with pride.”

Does she know what happened to her husband? “I know they killed him, because the people who did it made sure to put the rumour around the village, but I don't know where they buried him.” She received assistance from the ICRC and other institutions as a displaced person.

The rape happened after she had fled her home. While she was still trying to settle into her new life in the city, she received the offer of a well-paid job working as a cook on a farm in Córdoba, her homeland. She went there with her children in the hope of starting a new life.

Although she had realized that it was the farm of an armed group, she did not have any problems to begin with. She worked and even managed to save a little. However, as time passed, one of the members of the armed group began to bother her, until one day he did something that she finds it almost impossible to speak about. Not only did he abuse and rape Ángela, he also coerced her into cooperating with threats about her “very pretty daughter.”

One day she managed to flee the farm and returned to Medellín, where she received constant phone calls telling her to “remember that you're prettier when you keep your mouth shut.” She received humanitarian aid as a displaced person and health care under the ICRC's agreement with Profamilia, including psychological care. Now she's looking for a job so she can maintain her children alone in the city. “The pain of what has happened is still there and very deep, and at the same time I have a feeling of guilt,” she admitted.

\* Name changed



Christoph von Toggenburg/ICRC

*As well as being recruited by armed groups, minors in Colombia are also used as informers and guides by the parties to the conflict.*

## INVOLVING MINORS IN CONFLICT

**Young people who have few years of school behind them and meagre job opportunities, or who have been separated from their families, are more vulnerable to the effects of conflict and violence. In addition to the worrying problem of the recruitment of minors, the use of youngsters as informers is also a particular cause for concern.**

Children and teenagers are particularly vulnerable to the consequences of armed conflict and other forms of violence. They are often direct victims of violations of their rights, in cases of forced recruitment, for example, and this constantly exposes them to the dangers of armed conflict, sexual violence and threats. They also suffer indirect consequences, such as poor access to education and opportunities. Young people who have few years of school behind them and meagre job opportunities, or who have been separated from their families because of the war, are more likely to become victims.

Under international humanitarian law, children are entitled to special protection. In addition to the general protection they enjoy as civilians, they are also protected by specific provisions which take into account their special vulnerability, including preservation of the cultural environment and education, maintaining family links, health care and nutrition. The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict establishes eighteen as the minimum age for compulsory recruitment and requires States to take all feasible measures to prevent children under this age from becoming involved in hostilities.

Another problem that concerns the ICRC is the use of school facilities by the parties to the conflict. Schools are often occupied or damaged during the fighting. When this happens, young people are unable to continue their studies, and this further increases their vulnerability. Teachers are often threatened and so are afraid to stay in schools in conflict areas, complicating the situation still further.

In Colombia, the forced recruitment of minors to take part in armed conflict and other forms of violence is not the only concern. There are also lesser-known practices that cause concern, including the use of children as informers or guides by the parties to the conflict, putting them in great danger. There are also cases in which members of a party to the conflict have struck up a romantic relationship with minors in conflict areas, putting them at risk from the other side.



International humanitarian law minors special protection in light of their particular vulnerability in armed conflict.

Christoph von Toggenburg/ICRC

## The ICRC's humanitarian response

The ICRC maintains a confidential dialogue with the parties to the conflict and discusses the specific needs and vulnerability of minors. It is also in permanent contact with the Colombian Family Welfare Institute (ICBF). The ICRC has had an agreement with this institution since 1996, permitting it to visit the minors in its facilities.

In 33 cases of minors leaving armed groups in 2012, the ICRC was asked to help put them back in touch with their families. As a result of the ICRC's efforts, 25 minors were reunited with their families.

## What IHL has to say

### **ICRC study on customary international humanitarian law**

**Rule 135.** Children affected by armed conflict are entitled to special respect and protection.

**Rule 136.** Children must not be recruited into armed forces or armed groups.

**Rule 137.** Children must not be allowed to take part in hostilities.



## FLOR FOUND THE DAUGHTER SHE HAD BELIEVED DEAD

Flor, a country woman who survives by searching for gold in the Nariño river, was overjoyed when she found the daughter she had believed dead.

“I knew that she had gone off with a group. When she left, I was very sad and became ill. The heartache was affecting my health, and I had to see a doctor. I’d had no news of her for five years, and I didn’t think she was still alive. Nobody knew anything and you can’t just go around asking everyone,” she explained.

Her daughter had joined an armed group. After four years, she left and was taken into a home run by the Colombian Family Welfare Institute, because she was still a minor. Thanks to the relationship between the Institute and the ICRC, it came to light that she wanted to get in touch with her family. She wrote a Red Cross message to her parents (an open letter delivered by ICRC and Colombian Red Cross personnel to help find family members) and drew a map showing how to get to her house.

Four months later, an ICRC delegate found her mother’s relatives listed in the message as contacts. She left a message with them for her mother, so that she could see her and arrange a day for the meeting. “When the delegate arrived, I told her that I was the girl’s mother. ‘Don’t worry,’ she said, ‘your daughter’s alive and she’s going to be fine,’ words that filled me with joy.”

“Then, she called the Colombian Family Welfare Institute and got my daughter on the line. I recognized her voice. She said she was fine. I wanted to see her, but I told her I couldn’t afford the fare. She said that she would talk to the Red Cross to see if they would help me with food and travel expenses.”

“When I saw my daughter, I was overjoyed; I was so happy just to see her. We talked and talked. She said that she was going to study, that she was going to do something with her life. I told her to look after herself and do well. My little girl’s future is looking bright now. I’m very grateful to the Red Cross and the delegate for what they did for us. I came without a penny and they’ve looked after us all so well.”

Her daughter will stay at the Colombian Family Welfare Institute home, where she can continue to study and live in decent conditions.



Erika Tovar/ICRC

*In remote communities, civilian property is often damaged because the parties to the conflict do not take the necessary precautions in hostilities. The ICRC documented 77 such cases in Colombia in 2012.*

## CIVILIAN OBJECTS: ATTACKS, USE AND SEIZURE

**Civilian objects, such as schools, hospitals, houses and churches, are protected under IHL. The parties to a conflict have an obligation to distinguish between military and non-military objectives in the conduct of hostilities.**

In armed conflicts, the parties must respect civilian property at all times. Houses, hospitals, schools, churches and other civilian buildings are protected under international humanitarian law. In Colombia, however, the parties to the conflict often fail to exercise precaution during attacks and against the effects of such attacks, resulting in the destruction and looting of civilian property.

In 2012 the ICRC recorded 189 cases of attacks, use and seizure of civilian objects by parties to the conflict, just four cases fewer than in 2011, when 193 incidents of this kind were documented. These figures show that there has been little change in the situation.

According to the provisions of IHL, the parties to the conflict must make a distinction between people who take a direct part in the hostilities (combatants) and those who do not (civilians) and between military and non-military targets (civilian objects). Only military targets can be attacked.

The most common of these IHL violations documented by the ICRC in 2012 were incidents involving the seizure of civilian objects and private and public property during armed operations. The ICRC recorded a total of 85 such cases, including setting up camp on a farm, launching attacks from a house and using civilian objects as a shield. Such actions put the civilian population in danger and can result in these civilian objects losing the protection against the attacks of the adversary to which they are otherwise entitled.

Incidents in which civilian property was destroyed deliberately or as a result of military operations ranked second. In 2012 the ICRC recorded 77 cases of this kind, in addition to 27 cases of looting or theft of civilian objects.



María Cristina Rivera / ICRC

### **Victims' voices**

***"They came onto my property and killed three cows"***

*"In June, there was an outbreak of fighting and they came onto my farm. Bullets started flying everywhere. Those on one side went mad, shooting and throwing mortar bombs. They killed three cows and injured nine other animals. They went through my neighbour's home too, spraying bullets everywhere. Stray bombs fell five metres from the house. They damaged my house, and nobody will compensate me for the cows. To top it all, they stole 10 kilos of bananas. They have to realize that civilians have worked hard to get the things they have."*

Resident of a town on the Guayabero river between Meta and Guaviare.

## **What IHL has to say**

### ***ICRC study on customary international humanitarian law***

***Rule 10.*** *Civilian objects are protected against attack, unless and for such time as they are military objectives.*

***Rule 22.*** *The parties to the conflict must take all feasible precautions to protect the civilian population and civilian objects under their control against the effects of attacks.*



*Corinto, Cauca, July 2012. The ICRC and the Colombian Red Cross deliver emergency aid (roofing materials, mattresses, cooking utensils and food) to civilians whose homes were damaged by explosive devices.*

Erika Tovar/ICRC

## **The ICRC's humanitarian response**

In addition to documenting cases in which civilian objects are affected by the hostilities, the ICRC also provides assistance to communities when properties have been partially or completely destroyed. In 2012 a total of 2,230 people benefitted from assistance to repair houses and community infrastructure. The work was carried out by the ICRC or the communities themselves using materials supplied by the organization. Efforts focused on Cauca and Norte de Santander, where incidents involving the destruction of houses were most frequent.

The ICRC also engages in confidential dialogue with the parties to the conflict to remind them of their duty to exercise precaution during attacks and against the possible effects they may have and persuade them to respect and protect civilians and their property



Boris Heger/ICRC

*A victim of weapon contamination in a village on the bank of the river Guayabero, which separates the departments of Guaviare and Meta, in southern Colombia.*

# WEAPON CONTAMINATION

**Many victims of weapon contamination in Colombia have had to leave their homes, have lost their livelihoods or the physical ability to perform a job and are struggling to cope with the serious physical and psychological consequences of their injuries.**

Weapon contamination affects the everyday lives of communities in conflict areas. It hampers people's movements around the area and restricts their access to schools, crops and water sources. It also causes injury, disability, death and displacement.

The scale of this problem, caused by improvised explosive devices, which are activated like anti-personnel mines, and explosive remnants of war, such as unexploded or abandoned munitions, increases day by day as the armed conflict and violence continue, with effects that extend far into the future. The situation in Colombia is particularly alarming, because newly contaminated areas are added to those contaminated in the past, claiming new victims.

The presence of improvised explosive devices and explosive remnants of war is common in rural areas where fighting, bombardments and military operations are taking place. Factors such as the manual eradication of illegal crops and the struggle by armed groups to control natural resources have led to the problem becoming particularly acute in certain areas of the country. Weapon contamination is not, however, confined to rural areas, but is also evident in urban areas affected by situations of violence involving the use of explosive devices and small and light arms.



ICRC

## Victims' voices

### *"My son died and I was injured"*

*"Before this happened to me, I worked in the country. I had a good farm and had worked it with my family for 23 years. One day, I went out with my son to move cattle from one field to another and the boy went running ahead and found a device. When he touched it, it exploded and killed him outright. I was about twenty metres away when it happened and was hit by the blast. That was it for him. I was badly injured, and my neighbours managed to get me to San Vicente. From there, I was moved to the hospital in Florencia, where I stayed for 29 days, feeling completely lost. The situation has been very difficult for me since then, because it's not easy when you are out of your element. I still have to have another operation too."*

Héctor Marín Perdomo,  
resident of a rural area in Caquetá

## What IHL has to say

### **Rule 70. ICRC study on customary international humanitarian law**

*The use of means and methods of warfare which are of a nature to cause superfluous injury or unnecessary suffering is prohibited.*



*In communities affected by weapon contamination, people are taught how to stay safe.*

María Cristina Rivera/ICRC

## **The ICRC's humanitarian response**

In 2012, the ICRC maintained contact with communities affected by the armed conflict in order to assist victims of weapon contamination and carry out prevention activities.

The ICRC and the Colombian Red Cross held 317 workshops on keeping safe and the rights of victims for some 7,990 people living in areas affected by weapon contamination.

Some 200 civilian victims of weapon contamination received advice about how to access State services and obtain compensation for the injuries and harm they had suffered. One of these victims is 62-year-old Abel who lost his 13-year-old son in the explosion of an explosive remnant of war in the region of Catatumbo. The ICRC, in addition to covering the cost of the funeral, accompanied Abel throughout the process to claim compensation from the government, helping him with the formalities and paperwork.

Through confidential dialogue, the ICRC reminded all the parties to the conflict of the harm that improvised explosive devices and the explosive remnants of war can cause to civilians and tried to encourage activities to improve the lives of communities affected by weapon contamination. These efforts were supplemented by risk-reduction activities, including farming projects and the reconstruction of infrastructure, such as schools and sanitary facilities, destroyed by weapon contamination.

In 2012 the ICRC and the Colombian Red Cross continued to cooperate with local and national institutions working in the country's most contaminated areas. The purpose of this cooperation is to strengthen integrated assistance for victims, raise awareness about their rights and carry out prevention activities. They also worked in coordination with the Presidential Programme for Comprehensive Action Against Anti-personnel Landmines (PAICMA) in the areas of information management, assistance for victims and prevention.

## JUAN'S\* FIGHT FOR LIFE

Carmen\* came out of the kitchen when she heard the commotion and saw her son lying on the ground covered in blood, taking what she thought was his last breath. She picked him up and began to run without stopping – she does not know exactly how long, but it was several hours – until she found someone to help her.

Édgar Alfonso/ICRC



Her son Juan, who had turned seven on that very same day, had been caught in the blast of a device that almost cost him his life. It shattered the tranquillity of the farm where they lived in Catatumbo (Norte de Santander), an eight-hour drive from Ocaña “and then another three on foot.” Carmen ran these three hours barefoot, carrying her son in her arms. It was only when she reached the village that she found transport to take them to Ocaña, where Juan received first aid.

The ICRC arranged an emergency transfer in an Air Force medical plane to take the boy to Bogotá, where he was admitted to the burns unit at the Simón Bolívar hospital. The medical prognosis that they were given when they got there was not promising. “They would have to amputate his right hand and his left foot.” He had also lost an eye and his body was full of shrapnel. On the day that Juan woke up in the hospital, bandaged from head to foot, he could not see. Carmen was overwhelmed with grief when Juan desperately asked her to turn on the light.

However, the story took a surprising turn, as Juan continued to fight for his life and began to recover. His wounds healed and there was no need to amputate. “Seeing him fighting for his life gave me strength,” said his mother. Juan was fitted with an ocular prosthesis in the eye that he had lost and, in the other, he had a cornea transplant at the Barraquer Clinic. Although he has not regained his sight completely, there are hopes that he will be able to see again soon.

Carmen also received support from an ICRC psychologist, who showed her how to cope with her fears and become more confident, as well as helping her with more mundane matters, such as taking the bus from the hostel to the hospital.

The ICRC provided financial support for accommodation, transport, food and medicines and advice on how to apply for the State benefits to which weapon-contamination victims are entitled. In this case, they were also eligible for benefits as displaced persons, as Carmen and her children were unable to return to the same farm.

Today Juan is still fighting. The shrapnel has left him with wounds all over his body, but in time they will heal. The most important thing is that he is beginning to get over the trauma of what happened, which to begin with had left him unable to speak. Now he runs around and plays and will be able to celebrate his next birthday with his brothers and sisters.

\* Names changed



## PREVENTION AND COMMUNITY TRAINING IN MEDELLÍN

Armed fighting among street gangs known as “combos”, invisible borders which restrict movement to just a few blocks and hamper everyday activities such as going to class or work, threats against health personnel which limit people’s access to health services and stray bullets that kill and maim dozens of people each year; these are just some of the consequences of the armed violence suffered by residents of various districts in Medellín.

In order to reduce risks and the exposure of communities to such situations, the ICRC and the Colombian Red Cross Antioquia branch carried out prevention activities to teach people how to stay safe in the urban environment and first aid, as part of the “More humanitarian spaces, more alternatives” project.

Learning about safe behaviour provides communities with the ability to put in place basic self-protection measures to reduce their exposure to the effects of armed violence. The first-aid training provides communities with the capacity to act effectively if someone is injured.

The Administrative Department for Disaster Risk Management (DAGR) has also become involved in these workshops, providing training to strengthen the capacities of these communities.

Under this scheme, workshops have been held in neighbourhoods in districts 1 and 8, which are two of the project’s priority target areas. Fifty neighbourhood emergency committees in these areas received training.

Giovanni, a resident of district 1, was one of the participants. Two years before, he had been shot when he had unwittingly crossed an invisible border. “How many lives could have been saved if we had known then what you have taught us and how much suffering, including my own and that of my family, could have been avoided,” he remarked.

## Prostheses and orthoses fulfil hopes to recover mobility

Crutches and wheelchairs fulfil the hopes of many weapon-contamination victims to recover their mobility. In 2012, the ICRC supported four physical rehabilitation centres, which assisted over 30,400 victims of the armed conflict and other types of accident. These physical rehabilitation centres enabled 105 weapon-contamination victims to receive physical rehabilitation and prostheses and orthoses and to recover their mobility, that is, the ability to walk or use their limbs.

The ICRC also provided orthopaedic material to the National Learning Service, the Don Bosco school, the Valle University Hospital and the Military Hospital. Eleven training courses were held for physiotherapists, orthotists and prosthetists.



### ALBA WAS ABLE TO WALK AGAIN

It was three years before Alba was able to return to her house in the country. She had been born in that house, had grown up, married, had children and set up a business there in the mountains of northern Cauca. She had her banana, coffee and onion crops and her chickens. "I was going to get some wood to make a chicken run. I was with my husband when I heard a very loud bang and felt a vacuum; the first rush of air lifted me up into the sky and then dropped me onto the ground. I woke up an hour later travelling in a van with the most terrible pain I have ever felt in my life. When I got to the hospital, they gave me an injection to calm the pain, and that was how I arrived in Cali."

In Cali, they amputated her left leg below the knee. She received the medical treatment she needed and was discharged a week later. However, she got an infection in her leg and had to return to hospital, this time in Popayán, where she stayed for another 20 days. "I was visited there by the Red Cross, and they got me into the assistance programme. They gave me medicines and travel fares so that someone could accompany me. Later, they sent me some crutches and told me that I could continue the treatment in Cali, where they would fit me with a prosthesis."

These programmes, which help people who have been injured and people who have suffered amputations as a result of the armed conflict, are carried out by the ICRC in cooperation with the Colombian Red Cross. Both organizations provide support personnel to accompany victims in the recovery process and financial help with the treatment to cover such expenses as travel fares and accommodation to attend appointments. They also provide prostheses and other items such as crutches and wheelchairs.



Érika Tovar/ICRC

Her recovery was slow, and Alba did not receive her prosthesis until eight months after the accident. However, the prosthesis began to cause her pain and sores on her skin. Her condition drew the attention of an ICRC surgeon and prosthetist: “We saw that they had left a lot of soft tissue, too much skin and muscle, which meant that the prosthesis did not fit properly. We suggested another operation to reduce the stump, without cutting off any more of the leg,” commented Guenter Schuelein, coordinator of the ICRC’s physical rehabilitation programme in Colombia.

Schuelein added that one of the problems of operations on armed conflict victims, particularly amputations, is that many surgeons have not been trained to deal with this kind of injury. This is why the ICRC holds dozens of war-surgery workshops every year in different countries, in particularly conflictive areas.

Alba had another operation and recovered. She received physiotherapy at an institution which has an agreement with the ICRC and was able to walk again and work on her land. She obtained State benefits not only for the medical treatment, but also in compensation for the 45 per cent loss of physical ability. “With the money, I bought a little house in the village and rented it out to help my husband buy fertilizer for the coffee crops.”



Mauricio Méndez/CRIC

*A state-run health post in Guayabal, in a rural area of San Vicente del Caguán municipality, Caquetá. It bears the emblem used to designate health-care facilities and personnel.*

# POOR ACCESS TO HEALTH CARE AND VIOLATIONS AGAINST MEDICAL PERSONNEL AND SERVICES

**In conflict areas, access to health care can mean the difference between life and death. Very often, there is no way of getting sick and injured people to a medical facility to receive the treatment they need. Violations committed against medical services complicate the situation further.**

For people living in remote areas who are injured as a result of the armed conflict or become seriously ill, seeking medical attention can be a nightmare. There are health facilities that provide the services they need, but they are often unable to get to them.

In spite of the efforts of the national health system to improve health service delivery, over the last year the ICRC observed first-hand that logistical and administrative difficulties persist, preventing and limiting access to health care, particularly in conflict areas.

In some cases, the problem was that there was no ambulance available to pick up or transfer the patient. In other cases, the doctor who saw the patient did not have the training to deal with such a serious case. In still others, the patient did not have the authorization needed to get a bed in a higher level hospital. These deficiencies are not confined to conflict zones, although they are more acute in such areas and can mean the difference between life and death.

## Violations against medical services still on the rise

The problem of poor access to health-care services is compounded by difficulties faced by medical personnel in carrying out their work. Reports of threats and attacks against health-care personnel and facilities, known in Colombia as the “Medical Mission”, continued to rise in 2012. The ICRC documented 75 violations and 13 incidents which hindered health-care activities.

They included the destruction of health posts, the abduction of medical personnel and death threats and physical assaults against them, the theft of medicines and vehicles and even the removal of patients from ambulances on the way to hospital. The department registering the most cases was Cauca, followed by Antioquia, Nariño, Norte de Santander and Chocó.

The gravity of these attacks is increased by the impact they have on communities. Violations and incidents against medical personnel and facilities reduce access to health-care services for thousands of people, leading to an increased risk of injured and sick people dying and the spread of disease.

## The ICRC's humanitarian response

### Medical attention for the injured and sick

Activities carried out to overcome difficulties encountered in the transportation of patients to health-care facilities included the evacuation of 14 injured civilians and combatants by the ICRC, sometimes in collaboration with the Colombian Red Cross. Some of these people had been injured in the fighting or by improvised explosive devices and explosive remnants of war.

In addition, 490 injured or sick people received financial assistance to cover travel expenses, accommodation and medical bills. The ICRC also arranged medical appointments for them. A further 769 people were given advice about how to access health-care services and were referred to the institutions responsible for providing the services they required.

### ICRC-TRAINED DOCTORS SAVE THE LIFE OF AN INJURED WOMAN

On 18 October 2012, in Tumaco, Nariño, a public transport vehicle was travelling through a rural area when an explosive device on the road went off. Nine passengers were injured. Among the most seriously injured were a woman and her seven-month-old daughter. While the baby's injuries healed within a week, the mother lost the heel of her right foot, which drastically affected her mobility.

On her arrival at San Andrés hospital in Tumaco, she was initially treated by an orthopaedist. In view of the seriousness of her injuries, she was transferred to the Nariño University Hospital in Pasto, where she remained for a month. During this time, orthopaedic specialists and plastic surgeons operated on her several times to save her leg. Three months later, she was still receiving physiotherapy in her own municipality.

As soon as they heard about her case, the ICRC and the Colombian Red Cross provided assistance to cover the cost of medicines, food, accommodation and travel expenses. They also accompanied her during her long hospital stay.

Two specialists who had attended a war-surgery course organized by the ICRC in Cali in July 2010 were involved in her care: the orthopaedist who treated her in Tumaco and the specialist who continued her treatment in the department capital.

After contacting bone banks in Colombia and abroad, the doctors managed to perform a bone graft on the patient with material donated by the University of Miami. The woman's recovery has been long and difficult, but, according to the specialists, her quality of life has been considerably improved.



*In an ICRC workshop in a rural area of Arauquita, Arauca, a local resident pretends to be injured. Her neighbours practise administering first aid.*

## IN ARAUCA, A TRAINING MANIKIN HELPS TO TEACH LIFE-SAVING TIPS

All the travelling along dusty roads from village to village has taken its toll on 'Rita', a training manikin used in community first-aid workshops held by the ICRC in Arauca. More noticeable, though, are the wounds that have been inflicted on her to teach local people how to deal with the typical injuries and illnesses affecting people in conflict areas.

Blanca Agudelo Moreno, a health officer at the ICRC office in Saravena and a first-aid instructor in the field, talks about 'Rita' as though she were someone from down the road. This is the approach she uses to help people with no previous training understand the procedures she explains to them.

On this occasion, she had brought 'Rita' to a roadside shop in a rural area in Arauquita, and for the whole morning and part of the afternoon, she explained to the community, using practical exercises, what to do in the event of minor burns and fractures. She also taught them what measures can be taken to deal with more serious emergencies, such as injuries sustained in an explosion or bullet wounds. All the solutions proposed by Blanca involve the use of objects that can be found in the community, such as towels, boards and even disposable cups to staunch bleeding.

With the community's health post closed and the constant threat posed by the armed conflict, the civilian population often has to look after itself. The nearest hospital is over two hours away and the fare to get there is about 20,000 pesos. "These workshops are very useful. Just the other day, a boy burned himself with petrol and people didn't know what to do. Another time, some people were injured in the fighting, and people in the community had to give them first aid," explained one of the participants.

Like these 13 local people who attended the talk given by Blanca and her assistant the manikin, 1,080 people living in remote communities received first-aid training from the ICRC and the Colombian Red Cross in 2012. Considering the difficult situation facing the civilian population in Arauca with regard to health-care access, the weary 'Rita' still has a lot to do before she can retire.

## Mobile health units

In emergency situations and when communities do not have permanent health-care facilities, mobile health units provide medical services. In 2012, the ICRC, in some cases in conjunction with the Colombian Red Cross, accompanied 11 such units formed by personnel from State institutions to ensure their safe access to remote areas or areas where armed actors were present. Over 80,000 people benefitted from these services.

On one occasion, when the State institution's mobile health units were unable to provide health-care services, the ICRC took its own medical personnel to the community in question in Cartagena del Chairá, Caquetá. Medical consultations and vaccinations were provided for 5,000 people.



*The ICRC helps arrange for medical personnel responsible for treating wounded and sick patients from conflict zones to receive training. Here, a training session in Pasto, Nariño.*

Oscar Iván Ordóñez/ICRC

## Training

In addition to helping people living in conflict areas obtain access to health-care services, the ICRC also took measures to strengthen the capacities of health-care personnel in such areas to deliver medical services in the community. In association with the National University, 345 civilian doctors and nurses received instruction in dealing with war injuries, and 38 doctors and specialists attended a similar seminar organized with the University of Antioquia. Another 330 health promoters and health-care assistants attended first-aid workshops given by the Colombian Red Cross.

The communities themselves also received first-aid training through workshops run by the ICRC and the Colombian Red Cross. The purpose of these courses is to teach the civilian population how to deal with medical emergencies, for example, if a neighbour or family member is injured in an armed attack (see p. 63). A total of 1,080 civilians received this first-aid training.

Additionally, 183 members of the armed forces medical services participated in two war-surgery seminars, and 15 armed group members received training in treating injuries.

Lastly, with guidance from the ICRC, the University of Antioquia and the National University created a Chair of War Surgery in their post-graduate degrees in medicine. The addition of these subjects aims to promote the exchange of knowledge among the country's surgeons on the treatment of people injured in armed conflict and other forms of violence.

Nariño, 7 November 2012. A medical team, accompanied by the ICRC, prepares to return to Bocas de Satinga after giving medical check-ups to 511 people in the village of Calabazal.



Gillian McCarthy/ICRC

## Medical duties

With a view to informing health-care personnel about their rights and duties and providing them with advice on protective measures, the ICRC carried out 213 training events for 3,394 professionals, 279 health facilities and 1,868 employees from related institutions. It also marked 161 hospitals and health posts in remote areas with the distinctive emblem to facilitate the recognition and protection of health-care facilities and personnel, which must not be attacked under any circumstances.

The ICRC and the Colombian Red Cross also supported eight department working groups on the situation of health care in the different regions, with the participation of local, department and central government authorities. Based on the outcomes of these discussion group meetings, action plans were implemented.

Eleven workshops were also held for armed forces and national police personnel on the protection of health-care personnel, facilities and duties and the importance of ensuring respect for the protective emblems.

In December 2012 the Ministry of Health issued decision 4481, adopting the Medical Services Manual produced with the support of the ICRC, the Colombian Red Cross, the Vice-President of the Republic, the Ministry of Employment and external consultants. This tool defines medical duties in other situations of violence, ratifies the concept of violations against medical services, defines the term “incident”, establishes regulations on the use of the emblem by medical services and puts forward safety recommendations for health-care personnel.

### **Protocol II additional to the Geneva Conventions**

#### **Article 10. General protection of medical duties**

1. Under no circumstances shall any person be punished for having carried out medical activities compatible with medical ethics, regardless of the person benefiting therefrom.

#### **Artículo 11. Protection of medical units and transports**

Medical units and transports shall be respected and protected at all times and shall not be the object of attack.

## What IHL has to say



ICRC

*The armed conflict also takes its toll on civilians by cutting them off from basic services.*

# LACK OF BASIC SERVICES

**It is not only in the country's most remote areas that people have difficulties accessing basic services, such as health care, education and water; the situation can also be precarious in the cities, where the arrival of people from rural areas has swollen the population.**

People living in conflict areas or forced by the violence to leave their homes lack access to the basic services that the rest of the population enjoy: piped water, decent housing, somewhere to dispose of rubbish, classrooms and a health post that is not in ruins.

The civilian population in the most remote regions, in addition to suffering the effects of the conflict, also often faces the problem of precarious education and health-care infrastructure.

It is not only in areas reached by travelling hours upriver or along unsurfaced roads that conflict-affected communities lacking the most basic services can be found. On the outskirts of small towns or big cities, where those fleeing from the conflict tend to congregate, the situation is often as dire in humanitarian terms as in rural areas and the State's presence just as weak.

The ICRC assists both rural communities in places such as El Camuya, in Caquetá, situated eight hours from the nearest town (see p. 70), and urban settlements such as 9 de Agosto in Tierralta, Córdoba (see p. 71). El Camuya needed a school hostel, while 9 de Agosto lacked basic services, such as water. It could just as well have been the other way round, as shortcomings in the delivery of basic services affect victims of the armed conflict wherever they are.



Santiago Felipe Giraldo / ICRC

**Victims' voices**  
***"Now we can sleep soundly"***

*"In the old school hostel, conditions were very uncomfortable, because it was very small and there was not enough room for beds for everyone, so we had to sleep two or three to a bed. When it rained, there were leaks all over the place and when we got up in the morning, everything was soaked and the bednets were covered with bat droppings. We had to go down to the brook to wash, where we were in danger of getting bitten by a snake. Sometimes, we were chased away by wild boars. Life is much better now. Thanks to the Red Cross, we can wash here at the school and, most importantly, we can sleep soundly."*

Student at a school in San Vicente del Caguán, a rural area where the ICRC has built a school hostel



*In Puerto Olivia, a rural part of Medio Baudó municipality, in Chocó, the community has benefited from a healthy-environment programme.*

Fiona Cook/ICRC

## **The ICRC's humanitarian response**

In 2012 the ICRC helped improve access to water, sanitation and decent conditions for 15,105 civilians affected by the armed conflict. It built and rehabilitated community buildings and improved access to water and sanitation for communities affected by the conflict in both rural and urban areas. It also improved the living conditions in emergency shelters for displaced people.

The work of the ICRC in the area of water, sanitation and community infrastructure benefitted 9,895 people. This included 6,928 people living in areas where there was poor or no access to safe drinking water or basic sanitation. With the involvement of the communities, water pipelines, wells and rainwater harvesting systems were constructed. The organization also gave the communities materials such as water tanks, water filters and pipes. In cooperation with the Colombian Red Cross, a participatory approach was adopted to improve the environment and living conditions in the target communities.

The ICRC also carried out work to improve infrastructure for 2,967 people, including 2,428 children in 12 schools, who now have new or renovated hostels, classrooms, canteens and sanitary facilities. Work was also carried out to renovate four health centres, which receive an average of 59 patients a day, and to build facilities for two income-generating projects (rice mill and grinder), which benefitted 480 people in San José del Guaviare.

Lastly, in order to meet the needs of displaced communities, the ICRC built and fitted out temporary shelters and improved access to water and sanitation for 5,210 people mainly in the department of Cauca and the Catatumbo area (Norte de Santander).



## A FOUNDATION FOR HOPE IN THE YARÍ PLAINS

It is 6:10 a.m. As the cocks crow, Jeison, Wilfredo and Alexis are making their beds. Kevin, the youngest, remains in bed, still half asleep. Then it is time for a shower; they have to be ready to go in to breakfast at 7 a.m. These scenes are repeated on the other side of the wall, in the girls' quarters of this school hostel built by the ICRC.

All the children live in El Camuya, a community in San Vicente del Caguán, Caquetá, located on the Yarí plains, eight hours by road from the nearest town. If the roads were better, the journey would take less time, as the distance to the town is only 200 kilometres, according to Hermes Osorio 'Palomo', president of the community action board. The only means of transport comes just once a fortnight.

Twelve years ago, they built a school with axes and machetes. The building was also used as a hostel for the children and became the hub of the community. However, as the years went by, the building deteriorated and was no longer suitable for children to stay in. The ICRC therefore stepped in and helped the community to build a new hostel.

In spite of their age, the children are used to living away from their parents. They do it so that they can study, as their farms are too far away from the school for them to be able to walk there each day. The new hostel has contributed to reducing the number of children dropping out of school and has made it safer for the children to study, as they are not exposed to the dangers of weapon contamination (anti-personnel mines, improvised explosive devices and explosive remnants of war) and other conflict-related risks.

Miguel, one of the members of the community, is very pleased that his son has a decent place to live and study, although he is aware that many other needs remain unmet in this area. He says that the construction of the hostel is a grain of sand in a very big desert, but he believes that the presence of the ICRC motivates his fellow community members. "They feel that they have support from outside. This forgotten corner of the country tends to get neglected."



Valentín Palacios/ICRC

## A COMMUNITY IN TIERRALTA LEARNS TO LIVE BETTER AND COPE WITH PRESSING NEEDS

In the 9 de Agosto settlement in Tierralta, Córdoba, people have to walk up to two kilometres to a commercial well to fetch water. Anyone who wants treated water must pay triple the price. The alternative is to wait in long queues at the free community well or draw water from wells dug by the families themselves, which might be contaminated. This is how 9,500 people in this enormous settlement manage for water each day.

It is called 9 de Agosto (9 August) because it was on this date in 2010 that poor and displaced families took over the 54-hectare extension of land and set out to survive however they could. Riot forces moved in to recover the land and a young boy was killed in the clashes that lasted several days.

This traumatic start was followed by years of hardship and difficulties. “They live in very precarious conditions and lack basic public services. We conducted a detailed assessment with the community in order to determine what action needed to be taken,” explained Valentín Palacios, a water and habitat engineer with the ICRC.

The action planned included training for 110 community agents, most of them women, in the treatment of drinking water, faecal and solid waste management and disposal and pest control. Two 85-metre-deep wells are also being built to tap into the groundwater supply.

“This programme has made us realize that we cannot go on living in such crowded conditions, with several families living in the same house, and that we must find ways to improve the situation,” observed Nelly Giraldo, the head of her household and a community agent. Beatriz López, president of the community action board of the El Milagro sector, is also involved in spreading useful knowledge. “We divide the streets up among us and go around explaining, for example, that you must put so many cubic centimetres of chlorine in water to disinfect it,” she said.

The Colombian Red Cross Córdoba branch supports the ICRC’s work in making community visits and carrying out recreational and educational activities. Institutions such as the local health authorities, the local sanitation company and the Colombian Family Welfare Institute have started to work in the settlement too.





Christoph von Toggenburg/ICRC

# PEOPLE DEPRIVED OF THEIR LIBERTY



Boris Heger/ICRC

*Villavicencio, 2 April 2012. The arrival of 10 members of the police and armed forces who had been held by the FARC-EP. In its capacity as a neutral intermediary, the ICRC facilitated their release.*

# PEOPLE HELD BY ARMED GROUPS

**By acting as a neutral intermediary, the ICRC helps to ascertain the fate and situation of people being held by armed groups, give them news about their loved ones and secure their release.**

People being held by armed groups face many difficulties, including the loss of their liberty, separation from their families and lack of access to health care and other basic services.

The ICRC concerns itself with the situation of people held by armed groups, whether they are civilians or members of the police and armed forces. Through its ongoing confidential dialogue with the parties to the conflict, the ICRC tries to find out about the conditions they are being held in and their health status and delivers Red Cross messages to them with news from their loved ones.

Wherever possible, the ICRC takes advantage of its recognition as a neutral organization to facilitate the release of people being held by armed groups. It acts as a neutral intermediary between the parties, helps to establish safe conditions for humanitarian action to go ahead and facilitates the coordination of the logistical and medical aspects of release operations.

In many cases, the ICRC also provides specialized support for the families of people who are to be released. An ICRC psychologist visits the person's relatives to prepare them for the reunion and requests important material and information to facilitate the return. In cases in which the people being released have not seen their families for many years, this can include current photos of their loved ones so that they will recognize them when they see them.

**Rule 124 B. ICRC study on customary international humanitarian law**

## **What IHL has to say**

*In non-international armed conflicts, the ICRC may offer its services to the parties to the conflict with a view to visiting all persons deprived of their liberty for reasons related to the conflict in order to verify the conditions of their detention and to restore contacts between those persons and their families.*



Rural area of Arauca, 6 March 2012. An ICRC delegate watches as a member of the ELN signs the document confirming the release of 11 employees of an oil company.

ICRC

## The ICRC's humanitarian response

In 2012 the ICRC facilitated the release of 36 people held by armed groups, including 25 civilians and 11 members of the police and armed forces.

One such operation took place in April in Guaviare department, when 10 members of the police and military forces were handed over to a humanitarian team formed by ICRC delegates and members of the organization Colombians For Peace, with logistical support from the Brazilian Army, which provided helicopters and crews.

The ICRC was also involved in two separate operations to free 13 oil company employees being held by the National Liberation Army (ELN) in Arauca. Both operations were carried out using ICRC vehicles and with support from the Catholic Church and the Ombudsman's Office.

Two commercial airline crew members being held by FARC-EP were also handed over to ICRC delegates in Argelia, in southern Cauca.

Four Chinese citizens were released to ICRC delegates in the municipality of San Vicente del Caguán in Caquetá. In the same department, in the municipality of La Montañita, French journalist Roméo Langlois was handed over to a humanitarian team formed by members of the ICRC and Colombians For Peace.

### What IHL has to say

#### Article 3 common to the four Geneva Conventions

*In the case of armed conflict not of an international character occurring in the territory of one of the High Contracting Parties, each Party to the conflict shall be bound to apply, as a minimum, the following provisions:*

*(1) Persons taking no active part in the hostilities (...) shall in all circumstances be treated humanely (...) To this end, the following acts are and shall remain prohibited (...) with respect to the above-mentioned persons:*

*(...)*

*(b) taking of hostages.*



## “I HAVE CLOSED THE DOOR ON THE PAST AND AM LOOKING TO THE FUTURE”

“I was deprived of my liberty for 12 years and 9 months. I was a sub-inspector in the police and third in command in the counter-guerrilla team in Puerto Rico, Meta. The operation to take the municipality began on 10 June 1999 and ended at dawn on 12 June. We were fighting the whole time, but we did not have enough backup or ammunition and we had to do what they told us and give ourselves up. I was 36 at the time and had a wife and three children.

During my time in captivity we moved about constantly from one place to another: Meta, Guaviare, Guainía, Vichada and Vaupés. The 28 of us who had been involved in the operation to take Puerto Rico stayed together as a group for about two years. Then they freed those without rank and just the commissioned officers remained. They divided us up into groups of eight to ten. We never lost hope, but it was very difficult.

To pass the time, Alan Jara tried to teach us Russian, but it was very hard, and we also learned some English. We received visits from doctors sometimes and, during the first few years, we got mail from our families. After that, all we had was the radio. We heard that we were going to be released in October 2011, but then things dragged on. What could we think? We thought it might all go up in smoke, but we had to continue believing. They told us that we could trust in their word.

We had to hang on for a while longer, but at last the big day arrived. We were freed. When we were in the helicopter with the ICRC delegates returning to Villavicencio, we didn't feel anything at all. I don't know, it was strange. I always thought that those who suffered most in this case were our families. We at least knew how we were and what was going on, but our families didn't know anything and that was very distressing for them.

On the whole, getting back to a life of freedom has been a normal process. We haven't had too many problems adjusting, except with technology. I was able to put the experience behind me and return to a normal life. I have some health problems, such as amoebiasis, and I can't eat dairy products or sweet things. I think of it as a door that I have closed on the past; now it is time to look to the future. This is the most pragmatic attitude that will allow me to become reintegrated into society. We were the last group to be freed and, fortunately, everything worked out and all 10 of us made it.”

*Police Inspector, Jorge Humberto Romero, freed on 2 April 2012 in an operation facilitated by the ICRC and Colombians For Peace*



Daniel Duarte/ICRC

*There are 113,884 people held in State detention facilities in Colombia. In 2012 the ICRC visited 67 of those facilities to monitor the conditions of detention.*

# PEOPLE DEPRIVED OF THEIR LIBERTY IN STATE DETENTION FACILITIES

**People detained in State prisons suffer the consequences of poor access to health services and education, crowded conditions and separation from their families and loved ones.**

For the thousands of Colombians living in the country's detention facilities, the days are long and space is reduced to "inside" or "outside." The day-to-day conditions of many of them are difficult, with poor access to health care and education, overcrowding and separation from their families and loved ones.

Since it first started visiting detainees in Colombian prisons in 1969, the ICRC has championed efforts to achieve the goal of ensuring that those detained in connection with the conflict and the rest of the prison population enjoy conditions of detention and treatment that comply with the rules of international humanitarian law and meet other nationally and internationally recognized minimum standards.

There are a host of challenges to be addressed. A look at life inside Colombia's prisons reveals the persistence of problems such as overcrowding, difficulties in maintaining regular contact with families and loved ones, and poor access to health care.

The ICRC has also taken on the challenge of rescuing prisoners from oblivion and, in 2012, continued its work to restore and maintain family ties. The fact that prisoners are often sent to facilities far from their homes and then constantly moved about makes it difficult for families to stay in touch and seriously affects reintegration into society and their quality of life after they are released.

In 2012, overcrowding continued to be one of the main obstacles to ensuring decent conditions for men and women in prison. Over the past 10 years, the number of inmates has doubled, so that access to basic services, such as health, water, hygiene, sufficient space and time outdoors, is not guaranteed.

The situation of vulnerability is even worse for the 8,947 women currently in prison, particularly those who are pregnant. They have limited access to specialized health care, particularly gynaecological care and paediatric care for their children who are living in prison with them.

The ICRC welcomes the significant reform of the legal and penal system initiated by the Colombian government and the preparation of a new penal corrections code incorporating the recommendations made by the ICRC, which is due to be brought before Congress for debate.

## The ICRC's humanitarian response

As part of its humanitarian work in State detention facilities, the ICRC visits people deprived of their liberty to assess the conditions of detention, the treatment of prisoners and the observance of judicial guarantees. In 2012 alone the ICRC made 161 visits to 67 State prisons. Between January and December 2012 the ICRC visited detention facilities holding over 90,000 of Colombia's 113,884 inmates, that is, almost 80 per cent of the country's total prison population.

Based on information provided by the authorities, the ICRC monitored the situation of 3,623 detainees, including 1,995 who received regular individual visits. This direct and confidential dialogue with detainees enables the ICRC to gain an accurate impression of the situation in prisons and formulate humanitarian recommendations to address the real needs of detainees.

Based on the findings of the assessments, the ICRC took action focused on key issues, including specific confidential recommendations, which were submitted to the relevant authorities.

Between January and December 2012 the ICRC made 115 verbal representations concerning individual cases and general issues. On 10 occasions, following visits to detention facilities, the ICRC made written representations to strengthen dialogue on the treatment of prisoners and prison conditions with the National Corrections Institute (INPEC), the President's Office and the Ministry of Justice.

In recent years, the ICRC's work in this area has combined individual attention for detainees with the submission of recommendations to the authorities, with a view to improving conditions for all prisoners in terms of water and sanitation, infrastructure, health care and judicial guarantees.

The ICRC carried out six visits to detention facilities to assess their maintenance systems and drew up a report on the subject, containing practical recommendations on how to improve them. It also shared its concerns about the detainees' access to health-care services with the authorities and put forward recommendations on this subject, following visits to 10 detention facilities, where structural problems were identified.

The ICRC's dialogue with the authorities in 2012 included verbal representations to the Colombian Family Welfare Institute about conditions of detention for juvenile delinquents, urging the relevant authorities to coordinate efforts to provide education and reintegration opportunities for these young people. Over the year, the ICRC visited five juvenile detention facilities holding 872 young people.

### What IHL has to say

#### *Estudio del ICRC sobre DIH consuetudinario*

##### **Norma 118**

*Persons deprived of their liberty must be provided with adequate food, water, clothing, shelter and medical attention.*

In 2012 the ICRC, with the support of the Colombian Red Cross, continued its programme of arranging family members to visit detainees. The ICRC provided financial assistance to cover travel expenses, so that 1,408 people in detention facilities located far from their homes could receive visits from their families. Another 47 detainees were able to re-establish contact with their families through Red Cross messages. The ICRC continued working with the government to promote a policy that would provide for detainees to remain in facilities near their homes and their loved ones.



Daniel Duarte/ICRC

*During a visit to a Colombian detention facility, an ICRC delegate (centre) talks to an inmate to check on his conditions of detention.*

## LINA, UNDER HOUSE ARREST, AWAITS MEDICAL TREATMENT

Lina,\* looking pale and thin, is still recovering from a recent operation. With a calm gesture, she indicates that she is fine. Although still in a little pain, she is happy to be back with her people, with her family, in spite of being under arrest.

Twelve years ago, when she had just finished primary school, she joined an armed group operating in the area where she lived with her mother. As a result of this decision, she lost all contact with her family. She was just 13 years old at the time.

One day, during a clash, she was shot three times in the leg. Her right leg was destroyed and she was taken to the nearest hospital to be treated. She remained there for three days under close guard. Waking up after the operation was a very difficult moment. She was disorientated and frightened and there was a warrant for her arrest. She recalls that people from the ICRC came to give her some advice and make sure that she knew her rights. "They were the only people I could trust and they gave me strength. And best of all, they were able to find my mother and bring her to me." Her mother had thought her dead and seeing her again was like coming back to life, leaving behind all those "years of grief and sadness."

After the operation Lina needed specialized care, and the ICRC arranged for her and her mother to be transferred to Bogotá. There, the ICRC closely monitored the treatment she received to ensure that her status as a detainee did not prevent her from receiving a satisfactory standard of care.

Because of her delicate state of health, Lina was placed under house arrest, awaiting authorization from the national health insurance entity for an operation to treat a bone infection. When we asked her mother about the support provided by the ICRC, she replied, "Where do I start? The Red Cross has been everything for me. I have wonderful things to say about the Red Cross."

\* Name changed





**Improving knowledge  
of, respect for and the  
application of humanitarian  
rules**

**DIALOGUE WITH  
THE ARMED FORCES  
AND THE POLICE,  
ARMED GROUPS,  
THE AUTHORITIES  
AND CIVIL SOCIETY**

Boris Heger/ICRC



Pascal Jequier/ICRC

*In its dealings with the armed and police forces, the ICRC stresses the importance of respecting international humanitarian law, human rights, and standards on the use of force.*

# ARMED FORCES AND NATIONAL POLICE FORCE

**The ICRC is involved in discussion groups and training events with members of the armed forces and national police force to promote compliance with and the implementation of international humanitarian law.**

The ICRC maintains ongoing dialogue with the Ministry of Defence, the armed forces and the national police force in order to encourage them to protect and spare victims of the armed conflict, the civilian population, medical services and personnel and other categories of people protected under IHL. These exchanges also focus on the application of international human rights law and standards governing the use of force in other situations of violence that do not reach the threshold for classification as armed conflict.

In 2012, the ICRC participated in thematic discussion groups, lessons-learned exercises and training activities for the armed forces and police. The purpose of the thematic discussion groups was to find humanitarian solutions to problems and consequences resulting from the actions of the armed forces and police. The groups discussed issues of general interest relating to the application of international humanitarian law and international human rights law.

In the lessons-learned exercises, the ICRC presented real-life cases documented by its delegates in the field and discussed them with members of the armed forces and police to identify the possible causes of alleged violations of humanitarian rules. As a result of these exercises, the armed forces and police adopted preventive and corrective measures. In 2012, 13 such initiatives were carried out, with the participation of 741 members of the armed forces and police.

The ICRC advised the armed forces on the organization of eight workshops concerning the implementation of international humanitarian law and international human rights law in military and police operations and 11 talks on the protection of medical personnel and services. These training events were attended by 1,222 members of the armed forces and police. The ICRC was also involved in teaching some of the classes for the master's degree in international humanitarian law and international human rights law at the Higher War College.

The seventh Senior Workshop on International Rules governing Military Operations (SWIRMO) will be held in Cartagena in October 2013. This is the first time that this event has been held in the Americas. This very important annual event will be hosted by the ICRC and the Colombian Ministry of Defence. The purpose of the workshop is to provide senior military officers with the tools to incorporate the laws applicable to military operations into their national policy, education, field training and military disciplinary systems.

## **Dialogue on human rights and the role of the police**

In 2012 the ICRC continued the dialogue on human rights, the use of force and the use of firearms in other situations of violence that do not reach the armed conflict threshold. These efforts were aimed mainly at police officers in Medellín who operate in the city's different districts.

The ICRC conducted two lessons-learned exercises during the year, with the participation of 69 police officers with command and management roles. It also held 12 workshops on international human rights law, which were attended by 352 members of the national and military police.



ICRC

*FARC-EP members talk to an ICRC delegate about the ICRC's humanitarian role.*

# ORGANIZED ARMED GROUPS

**The ICRC engages in confidential dialogue with various armed groups, with a view to persuading them to apply humanitarian rules and facilitate access to victims.**

The ICRC maintains a confidential dialogue with armed groups operating in rural and urban areas concerning the consequences of armed conflict and other forms of violence for the civilian population from a humanitarian point of view. In 2012, the ICRC documented alleged violations of international humanitarian law and other rules established to protect the life and wellbeing of civilians and took advantage of exchanges with the parties to the conflict and other weapon-bearers to seek to put an end to such transgressions.

These exchanges are also intended to give weapon-bearers a clear understanding of the principles of neutrality, impartiality and independence – which guide the work of the ICRC – in order to encourage armed groups to grant the organization safe access to places affected by the conflict and other forms of violence, so that it can carry out its humanitarian work to assist victims, particularly in 25 priority areas.

Through dialogue with armed groups operating in urban areas, the ICRC sought to familiarize them with the humanitarian work of the International Red Cross and Red Crescent Movement and to raise awareness about the importance of applying basic humanitarian principles in the conduct of hostilities.

Recognition of the ICRC's role as a neutral intermediary was reflected in developments such as the release of 36 people held by armed groups, the recovery of the remains of 13 people, and the transfer of FARC-EP members to attend the peace talks in Cuba.



Boris Heger/ICRC

*ICRC staff inform communities about the organization's working principles and methods so people know what kind of help is available.*

# NATIONAL AUTHORITIES

**The ICRC provides the government with technical assistance for the implementation of international humanitarian law in the country.**

In 2012, the ICRC provided the Colombian authorities with guidance on adopting measures to ensure the effective implementation of international humanitarian law in the country. This will enable it to fulfil its duty, as a State party to the four Geneva Conventions of 1949 and other relevant IHL treaties, to “respect and ensure respect” for humanitarian rules and principles.

The ICRC submitted technical recommendations on IHL to the legislative authorities, relating specifically to the adoption of measures to address two particular issues of humanitarian concern: missing persons and their families, and cluster munitions. This technical assistance was further developed in discussions with members of Congress and reflected in the adoption of Law 1531 of 2012. This legislation provided for the issuance of certificates of absence owing to forced disappearance or other forms of involuntary disappearance. Law 1604 of 2012 was also passed, adopting the Convention on Cluster Munitions.

In 2012 the ICRC submitted recommendations to the executive branch on the definition and establishment of a work plan for the technical group on international humanitarian law, which is part of the national human rights and IHL system. The group began its work on 2 May 2012. The purpose of this new body is to strengthen efforts aimed at the adoption and implementation of national measures for the implementation of IHL.

The ICRC also engaged in dialogue with other authorities such as the Ministry of Justice and Law, the Ministry of the Interior and the public prosecutor’s office. At these meetings, the ICRC highlighted the importance of incorporating IHL into the authorities’ decisions and responses to the consequences of the internal armed conflict.

In 2012, the ICRC provided IHL training for public officials and employees. It supported the first Augusto Ramírez Ocampo high-level course on IHL, organized by the ICRC, the Ministry of Foreign Affairs and the Diplomatic Academy.



Pascal Jequier/ICRC

*Bogotá, May 2012. At the entrance of the ICRC headquarters in Colombia, journalists interview head of delegation Jordi Raich about the release of French journalist Roméo Langlois.*

# THE MEDIA

**The ICRC interacts with journalists and influential figures to provide a reliable source of information on humanitarian issues, promote international humanitarian law and keep the plight of victims in the media spotlight.**

The ICRC permanently nurtures contacts with journalists and influential figures, not only to provide a reliable source of information on the humanitarian issues in the country, but also to boost knowledge of international humanitarian law and awareness of the consequences of the armed conflict for victims in the country's remotest areas.

In 2012, the ICRC organized five editions of the course *Journalists, armed conflict and international humanitarian law*, which was attended by around 200 professionals from international, regional and community media outlets and news agencies. Other training events included the first course for international journalists in Colombia with members of the recently created International Press Association of Colombia (APIC). Courses were also held in Neiva, Valledupar, Boyacá and southern Cauca.

The ICRC talked with journalists and attended forums with organizations that promote responsible coverage of the conflict. The purpose of these meetings was to examine the protection provided under IHL for journalists on assignments and raise awareness of the importance of using the correct terminology when reporting on the armed conflict in the media.

With a view to bringing the plight of victims in Colombia into the public spotlight, the ICRC facilitated visits by journalists to conflict areas.



Philippe Frison/ICRC

*Rural area of Arauca, December 2012. In areas stricken by the armed conflict and other situations of violence, the ICRC helps communities develop income-generating activities. This community decided to grow cocoa.*

# THE ICRC IN COLOMBIA

## Agreements with the Colombian government enabling the ICRC to pursue its humanitarian work

**March 1969.** The Colombian government authorizes the ICRC to visit people detained in connection with the internal armed conflict.

**May 1980.** The Colombian government and the ICRC sign a headquarters agreement, which is approved by Law 42 of 1981.

**November 1990.** The Colombian authorities agree to let the ICRC facilitate the release of members of the police and armed forces held by armed groups.

**August 1991.** The Colombian police undertake to provide the ICRC with the details of people detained in connection with the internal armed conflict.

**November 1994.** The Colombian government authorizes the ICRC to make contact with armed groups.

**February 1996.** Protocol II additional to the Geneva Conventions enters into force in Colombia. The government and the ICRC sign a memorandum of understanding enabling the ICRC to carry out visits to all those deprived of their liberty, to move freely around the country, to maintain contact with all the parties to the conflict, and to provide emergency humanitarian assistance to civilians affected by the armed conflict.

**February 1996.** The Colombian Ministry of Defence undertakes to provide the ICRC with the details of all the people detained by the police and armed forces in connection with the armed conflict, and to grant it access to temporary and permanent detention facilities.

**September 2001.** The ICRC and the Social Solidarity Network, now the Department for Social Prosperity, sign a document of understanding for the coordination of emergency humanitarian assistance for displaced people.

**January 2006.** The ICRC and the Social Action Agency, now the Department for Social Prosperity, sign a new agreement on the coordination of emergency humanitarian assistance activities for families displaced by the violence in Colombia. This replaces the 2001 document of understanding.

**June 2009.** The ICRC and the Social Action Agency, now the Department for Social Prosperity, sign an appendix to the agreement, which amends aspects related to mass displacement and sets up coordination bodies.

# Where are we?

## **Headquarters in Colombia (Bogotá D.C.)**

Calle 76 N.º 10 - 02  
T: (571) 313 86 30 F: (571) 312 82 82  
bog\_bogota@icrc.org  
www.icrc.org  
www.youtube.com/icrcfilms  
www.facebook.com/icrc  
www.icrc.org/twitter

## **Cali sub-delegation (Valle del Cauca)**

Carrera 29 N.º 5 B - 31  
Tel: (0\*2) 555 66 66 - Fax: (0\*2) 682 49 69  
cal\_cali@icrc.org

## **Buenaventura office (Valle del Cauca)**

Calle 1 N.º 7 - 51  
Tel: (0\*2) 242 46 75 - Fax: (0\*2) 242 42 36  
buv\_buenaventura@icrc.org

## **Pasto office (Nariño)**

Carrera 35 A N.º 18 - 57  
Tel: (0\*2) 731 16 66 - Fax: (0\*2) 731 76 24  
pas\_pasto@icrc.org

## **Quibdó office (Chocó)**

Carrera 3 N.º 30 - 43  
Tel: (0\*4) 672 23 43 - Fax: (0\*4) 672 23 80  
qub\_quibdo@icrc.org

## **Central Colombian sub-delegation (Bogotá)**

Diagonal 46 N.º 15 B - 07  
Tel: (0\*1) 232 14 77 - Fax: (0\*1) 232 06 38  
cco\_centrocolombia@icrc.org

## **San José del Guaviare office (Guaviare)**

Carrera 24 B N.º 10 - 50  
Tel: (0\*8) 584 19 74 - Fax: (0\*8) 584 98 82  
sao\_sanjosedelguaviare@icrc.org

## **Saravena office (Arauca)**

Calle 26 N.º 11 - 07  
Tel: (0\*7) 889 18 09 - Fax: (0\*7) 889 18 12  
saa\_saravena@icrc.org



## **Headquarters in Colombia**

## **Sub-delegation**

## **Office**

## **Medellín sub-delegation (Antioquia)**

Circular 4 N.º 71 - 91  
Tel: (0\*4) 416 20 10 - Fax: (0\*4) 414 44 84  
mee\_medellin@icrc.org

## **Bucaramanga office (Santander)**

Calle 52 A N.º 31 - 70  
Tel: (0\*7) 657 75 42 - Fax: (0\*7) 643 53 83  
bua\_bucaramanga@icrc.org

## **Montería office (Córdoba)**

Carrera 6 N.º 60 - 38 P. 2º  
Tel: (0\*4) 785 66 33 - Fax: (0\*4) 785 27 90  
moe\_monteria@icrc.org

## **Florencia sub-delegation (Caquetá)**

Calle 11 N.º 13 - 05  
Tel: (0\*8) 435 41 59 - Fax: (0\*8) 435 26 85  
flo\_florencia@icrc.org

## **Puerto Asís office (Putumayo)**

Calle 10 N.º 24 - 22  
Tel: (0\*8) 422 72 54 - Fax: (0\*8) 422 70 96  
pua\_puertoasis@icrc.org

**For more information about the ICRC in Colombia and worldwide, visit the ICRC website, [www.icrc.org](http://www.icrc.org) for:**

- the latest news
- information about issues and events of particular interest to the ICRC
- specialized resources on international humanitarian law
- activity reports and summaries
- personal accounts
- interviews
- features
- photo galleries, audio clips, videos and films
- maps
- publications
- the Family Links network
- articles from the International Review of the Red Cross
- a link to the website of the Colombian Red Cross ([www.cruzrojacolombiana.org](http://www.cruzrojacolombiana.org)).

**Follow the ICRC on Facebook and Twitter:**



[facebook.com/ICRC](https://facebook.com/ICRC)



[twitter.com/ICRC](https://twitter.com/ICRC)

**Produced by:** ICRC Communication Department, Bogotá

**Printed in:** Bogotá, Colombia, March 2013, by Pro-Offset Editorial S.A.



ICRC