

A CITY TORN APART: FORCED
DISPLACEMENT IN MEDELLÍN, COLOMBIA

*UNA CIUDAD DESGARRADA:
DESPLAZAMIENTO FORZADO
EN MEDELLÍN, COLOMBIA*

BEATRIZ EUGENIA SÁNCHEZ MOJICA*

“It is strictly forbidden mourning without learning”

Pablo Neruda

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* Doctor of Law (Summa Cum Laude) from the Advanced Studies in Human Rights Program of Universidad Carlos III, Madrid, Spain. Assistant Professor of International Law, Universidad de los Andes. Bogotá, Colombia. Email: be.sanchez@uniandes.edu.co

ABSTRACT

Medellín is one of the main destinations for Colombian IDPs. People expelled from all over the country, seek the big city to remain anonymous as a way to ensure security and find job opportunities. But displaced people not only arrive to Medellín. This city also produces the highest number of forced exiles in Colombia and an important number of these people remain within its boundary. Intra urban displaced people share problems with those internal exiles that travel longer distances in the search of haven. Both were violently expelled from their homes, had lost belongings and social ties. Also, despite the complex Colombian IDP policy, both face lack of protection. But, additionally, those who remain in their home city usually face recognition problems. Authorities deny the IDP status, owing to the short distance between their former and their current home. As a consequence, they cannot access relief and protection programs. This paper analyzes intra urban displacement in Medellín and the response given by national and local authorities.

Keywords author: Internal displaced persons, intraurban displacement, involuntary outflows caused by paramilitaries, internal displacement caused by gangs, protection to displaced persons, IDP definition.

Keywords plus: Forced migration, migration-internal, displaced by the violence, Medellín, Colombia.

RESUMEN

Medellín es uno de los destinos principales de los desplazados internos. Personas expulsadas de todas partes del país buscan ciudades grandes para permanecer anónimos, buscando seguridad y oportunidades de trabajo. Pero los desplazados no solo llegan a Medellín. Esta ciudad también produce el mayor número de exilios forzosos en Colombia, parte importante de los cuales permanece dentro los límites de la ciudad. Las víctimas de desplazamiento intra-urbano comparten problemas con los exiliados que recorren mayores distancias en busca del cielo. Ambos han sido expulsados violentamente de sus hogares, han perdido pertenencias y lazos sociales. Además, a pesar de la compleja política de desplazamiento colombiana, ambos están expuestos a la desprotección. Las autoridades les niegan el estatus de desplazados debido a las cortas distancias entre sus hogares originales y sus hogares de destino. Como consecuencia, no pueden acceder a los programas de ayuda y protección. Este ensayo analiza el desplazamiento intra-urbano en Medellín y la respuesta de las autoridades nacionales y locales.

Palabras clave autora: *Desplazados internos, desplazamiento intra-urbano, migraciones involuntarias causadas por los paramilitares, desplazamiento interno causado por las pandillas, protección para desplazados, definición de desplazado interno.*

Palabras clave descriptores: *Desplazamiento forzado, migración interna, desplazados por la violencia, Medellín, Colombia*

SUMMARY

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I. INTRODUCTION

Colombia leads the world in internal displacement. The exact number of displaced persons varies depending on the consulted source: according to official data, it exceeds three and a half million, while NGOs numbers are well beyond five million¹. Regardless of the figure closer to reality, it is unquestionable that almost ten percent of the country's population² has been violently expelled from their homes and condemned to wander, searching for a place to rebuild their life.

Despite there is a complex State support policy, these people are in a desperate situation. Everything that gave meaning and direction to their life has been taken away, while governmental action has not been able to repair the damage inflicted on them, the real help is limited to offer relief to some basic needs. Displacement has not only taken away most of their belongings; it has also left them unable to define their future by themselves, dependent of insufficient official aid to overcome the imposed uprooting.

However, the condition of a displaced person could be even worse. If authorities refuse to recognize their status, they must face their misfortune with no help at all. This scene is not rare. As a matter of fact, it is estimated that the official register system, Registro Único de Población Desplazada (RUPD) presents a sub register rate of 22.8%³. This means that almost a quarter of displaced population is not included in the governmental social assistance programs and the rights inherent to their condition

1 Internal Displacement Monitoring Centre, Global Overview 2011. *People internally displaced by conflict and violence*, 8 (2011). <http://www.internal-displacement.org/publications/global-overview-2011.pdf>.

2 The total population is 42,888,592, according to the last census, June 2005. The National Statistics Department estimates that to April 2011 the national population is up to 45,920,560.

3 Comisión de Seguimiento, *Tercer informe de verificación sobre el cumplimiento de los derechos de la población desplazada*, 20 (Dec., 2010). <http://mesadesplazamientoydiscapacidad.files.wordpress.com/2011/01/iii-informe-de-verificacic3b3n-cs-2010.pdf>.

are not recognized. Being registered is mandatory to obtain any kind of help from the State⁴.

There are two reasons for such a high rate of unregistered potential beneficiaries. In some cases, displaced people prefer to keep their condition hidden because they are afraid of losing their life if they filed a report. In other cases, authorities do not consider them as victims of displacement, judging that they don't comply with all requirements established by law. The latter is the case of most of the urban displacement cases in Medellín.

The lack of recognition to their drama is due to the fact that internal displacement is still perceived by society, and part of the authorities, as a situation that implies at least movement from one municipality to another. Therefore, those who "only" had to change neighborhood do not comply with the image of somebody banished. But it is not only a perception problem. The refusal to identify and help these people is also due to the official characterization and recognition of armed actors responsible for their situation. Paramilitaries and "emergent bands" are considered as common criminals by authorities, so the people they displace are relocated as "delinquency victims" and excluded of the programs provided to victims of the armed conflict.

These elements allow for intra urban forced migration to be kept in the dark, despite that, the number of affected people is growing. This paper seeks to highlight their situation, the challenges they face and the response of national and local authorities. With that goal in mind, it's been chosen the specific case of Medellín, the second city in the country, since it is the scenario of most of this kind of displacements.

4 The RUPD is regulated by Decree 2569/2000, assigning *Acción Social* the responsibility of it. The displaced person has to declare to the *Defensoría del Pueblo* (Ombudsman Office) or Procuraduría (Solicitor's Office,) date, place and agent who produced the actions of displacement, characteristics of the perturbed home, identification of properties and debts, and return intentions. This declaration is evaluated and after 15 days is determined if the applicant is included or excluded of the registry, and hence, recipient of the aid program. Currently the RUPD is part of a broader official register system created by the Law 1448/2011, known as the victims and land restitution law. The new system is managed by Departamento de Prosperidad Social, former *Acción Social*.

II. GENERAL VIEW OF DISPLACEMENT IN MEDELLÍN

Forced displacement has been present in Colombia for most of its history, and especially during the various internal armed conflicts since the 19th century. It has been a mean for landowners to expand and consolidate their territories, and more recently, it became an undesired consequence of fumigation of illicit crops⁵. However, it only acquired an identity of its own in the mid 1990's, when it started to be perceived as a problem that deserves a public policy, aimed specifically to assist victims. For this reason, the data on internal forced displacement is relatively recent.

There is evidence that since 1992 Medellín, along with Bogotá and Cartagena, became the main destinations for involuntary migration flow, as victims they seek big cities to remain anonymous as a way to ensure security⁶. According to the Departamento de Prosperidad Social, former Acción Social⁷, as of September 30/2010 the city (Medellín) had received 181.059 displaced persons⁸. These people, coming mainly from Antioquia and to a lesser degree from Cauca, Chocó, the territory in half way the Magdalena river, and more recently Nariño, settle in the outskirts of the city where is easier to find accommodation⁹.

This population presents similar characteristics of most of the displaced people in the country, like: rural origin, mainly female, young age and increasingly ethnical¹⁰. The main cause of

5 A. Molano, *Desterrados*, 70 *Papeles de Cuestiones Internacionales*, 32 -51, 35 (2000).

6 J.G. Granada & S. M. González, *Acción colectiva de las organizaciones de la población desplazada en Medellín. Ciclos, contextos, repertorios y perspectivas. Estudios Políticos*, 35, 107-130, 115 (2009).

7 The Personería Municipal is a public entity, responsible for ensuring the observance to the rules of democracy, the principle of the Rule of Law, and the respect to human rights. It also protects citizens and communities from official local arbitrary acts).

8 Personería de Medellín, *Informe sobre la situación de Derechos Humanos en Medellín*, 43 (Dec., 2011). http://www.personeriamedellin.gov.co/documentos/documentos/Informes/Situacion_DDHH2011/Informe_DDHH_2011.pdf.

9 Instituto de Estudios Políticos, "Seguimiento y balance sobre el desplazamiento forzado, la población afectada y las políticas públicas", 27 (mimeo, 2008).

10 Comisión de Seguimiento, *Tercer informe de verificación sobre el cumplimiento de los derechos de la población desplazada*, 47-61 (Dec., 2010). <http://mesadesplazamientoydis-capacidad.files.wordpress.com/2011/01/iii-informe-de-verificac3b3n-cs-2010.pdf>.

relocation, responsible for 52.4% of the displacements, officially registered is related to direct threats. The second cause, with 16% of the cases officially registered, is violence suffered in a close environment, resulting in the death of a relative or friend, or being a solely witnessed. Massacres are the third cause, representing 8.7% of the cases¹¹.

This data points out that displacement is not a collateral damage of the internal conflict, as sometimes stated. People don't run away for the mere risk of being affected by combats; on the contrary, they are expelled by different armed actors, with the intention of taking over their lands or clearing a given area from real or potential enemies. Needless to say, every force involved in the conflict generates displacement, although in different proportions. In fact, according to the Third National Verification Survey of Displaced Population performed in 2010, 32% of the displaced population officially registered, pointed the paramilitary as authors of their exodus, 25% pointed the FARC and 14.3% an unidentified guerrilla group¹².

Whatever the cause of expulsion is, people affected are reduced to a condition of extreme vulnerability, since they have suffered violation of practically every right, as the Constitutional Court has recognized in several opportunities¹³. The damage generated is extremely complex, since it involves not only social and economic elements but also issues with the integration and recognition of victims in their new environment.

In a way, displacement is a sentence to poverty since it implies the abandonment and/or theft of the victim's assets, accumulated through life. In fact, the Third National Verification Survey of

11 *Óp.cit.*,34.

12 Comisión de Seguimiento, *Tercer informe de verificación sobre el cumplimiento de los derechos de la población desplazada*, 37 (Dec., 2010).

13 Corte Constitucional [Constitutional Court] Decision T-025/2004 (M.P. Manuel José Cepeda, 22/01/2004): gathers the rights that have been identified as violated, across its rulings on the matter. It includes the rights to: live in decent conditions, personal integrity and security, recognition of legal personality, education, health, work, family union, vital minimum and decent housing. Another set of rights that should be added, includes freedom of speech, freedom of association, freedom of circulation, and all the rights recognized by the Constitutional Court to special groups like children, females head of households, handicap population, seniors and ethnic and cultural minorities.

Displaced Population shows that 84% of those registered in the RUPD reported losing some sort of belongings when being displaced (not counting domestic appliances, as the figure would rise to 99%). This loss is distributed as follows: 73% animals, 50% machinery and equipment, 42% property, 32% crops, 17% non-rural property and 16% productive infrastructure¹⁴.

Dispossession is particularly serious for people of rural origin because there is no nation wide consolidated property register system, so once they are expelled from their land, it becomes very difficult to claim again their rights, even with the assistance of several laws issued for that matter. But assets are not the only things lost. Forced exodus uproots people from their community; destroying the social fabric they were part and depriving them from all the relations that gave meaning to their life. Consequently there is a break up in their life project, which could hardly be resumed when all conditions had been modified.

Besides, for the victims, the loss of their political community has the perverse effect of keeping them silent. The destruction of the links to their community and the enormous difficulties to join a new one –displaced people carry the stigma of “*deserving their destiny*”– denies them their civil rights, blocking all channels of participation in the decisions that affect them, and turning them into pariahs in their own country¹⁵.

Those who have been displaced face a cruel destiny, plunged into poverty, deprived of their identity, confronting the need to rebuild a life project with the shattered pieces they could rescue during their flight, and condemned by the communities they reach looking for protection, as they are considered potential enemies. This situation is dramatic as described, but can get even worse when people leave their homes but stay in the same city.

14 Comisión de Seguimiento, *Tercer informe de verificación sobre el cumplimiento de los derechos de la población desplazada*, 190 (Dec., 2010). <http://mesadesplazamientoydiscapacidad.files.wordpress.com/2011/01/iii-informe-de-verificacic3b3n-cs-2010.pdf>.

15 E. Restrepo, *El desplazado como paria. La garantía de los derechos a la verdad, la justicia y la reparación de las víctimas del delito de desplazamiento forzado en Colombia*, en *Más allá del desplazamiento. Políticas, derechos y superación del desplazamiento forzado en Colombia*, 292-431 (C. Rodríguez, Ediciones Uniandes, Bogotá, 2009).

This is the case of urban displaced people, whose struggle is even more ignored than the one of those who travel long distances from their homes to a town of settlement, for the condition of the former is unrecognized by the authorities in charge of their protection.

III. URBAN DISPLACEMENT IN MEDELLÍN: LONG STORY, SMALL REGISTRY

Forced resettling from one city district or commune to another¹⁶, has been a constant feature in Medellín since at least the 1980's. However, there are no early chronicles of this phenomenon and its drama. References are barely made in papers about the conflict in certain communes, but always as a marginal topic¹⁷. This oversight is probably due to the fact that both researchers and victims have perceived forced migration as a lesser evil, since it prevents the death of the people who opted to leave their homes and belongings. Moreover, in the first years of existence its intensity was more of dripping than a human avalanche, which contributed to build the perception that it was not a problem by itself.

This situation did not change even when the Law 387/1997, issued to introduce a national public policy for the comprehensive assistance of displaced population. Although this law does not require the person to abandon a municipality to be considered displaced and therefore entitled to receive special protection from the State, interpretations in this sense acquired prevalence. It was necessary that the Constitutional Court ruled bringing some recognition to the victims, at least in a formal manner.

In its ruling T-268/2003, the Constitutional Court analyzed a case of urban displacement in Medellín, where 65 families

16 The city of Medellín is divided into 16 communes, which in turn are divided into 249 neighborhoods.

17 A. M Jaramillo, M. I. Villa & R. Ceballos, *Actores recientes del conflicto armado en Medellín en El caleidoscopio de las justicias en Colombia*, 423-462 (S. Boaventura & M. García, Coords. Siglo del Hombre Editores, Bogotá, 2001). A. Salazar, *No nacimos pa'semilla. La cultura de las bandas juveniles en Medellín*, 58 (1ª. Ed., Planeta, Bogotá, 1990).

from El Salado neighborhood in commune XIII were violently expelled from their homes on July 29/ 2002. These people had to run away in a cross-fire during the combats between the Bolivarian militias of FARC, the Comandos Armados del Pueblo, the Bloque Metro and the Bloque Cacique Nutibara. Most of them took provisional refuge in a school, while others accepted friends and family hospitality. But none of them managed to register in the RUPD because the Unidad Territorial de la Red de Solidaridad Social (currently Departamento de Prosperidad Social) considered that their situation did not fit the description “*displaced by violence*”. As a result, none of these families received aid from the State agencies.

The Constitutional Court pronouncement noted that urban violence is one of the possible causes of displacement, and that the distance covered by the victims is not relevant at the moment of determining their situation, as it is the vulnerability they face after expulsion. Therefore, the Court established that this kind of forced displacement is included in the definition of Law 387/1997, and that this type of victims shall be registered in the RUPD and receive assistance and protection with the same conditions as the rest of the displaced people. Although this ruling allowed legal recognition as displacement victims for the people of El Salado, so far it has not been able to modify the attitude of Departamento de Prosperidad Social, which still resists to include urban displaced people in the RUPD, as analyzed further on.

No reporting, no register. As consequence of this attitude, authorities cannot establish with certainty the number of urban forced migrants. While Personería de Medellín¹⁸ denounces in its 2010 report the steady growth of this phenomenon since 2007, it did not present a consolidated number of people affected. According to its annual reports from 2000 to 2006, 5,380 people were expelled from their homes in the city¹⁹. During the first 10

18 The Personería Municipal is a public entity, responsible for ensuring the observance to the rules of democracy, the principle of the Rule of Law, and the respect to human rights. It also protects citizens and communities from official local arbitrary acts.

19 Personería de Medellín, “Desplazamiento intraurbano en Medellín. Una realidad invisible” (mimeo, 2006).

months of 2007 the number of people affected was 1,027²⁰. In 2008 it was 860²¹, while during the first 10 months of 2009 it reached 2,130²². In 2010, at least between January and October, the forced resettling rose to 5,098²³. Finally during the same period of 2011, 10,434 more people were forced to leave their home. That is to say, in this last period of only 10 months, people have been displaced from their homes almost as much as during the first nine years of this century. A better way to understand the real magnitude of the phenomenon could be to gather the reports filed before the local Personería and the cases reported by the media. This joint analysis, yields a map that changes depending on the development of the fights over territorial control between the different armed actors, even though displacement is constant in communes I, III, and particularly in commune XIII, where most of the expulsions happen.

A. The causes of urban displacement

The data relative to the number of urban displaced people and their precedence, despite inexact, shows a disheartening picture, where year after year thousands of people are uprooted from their homes and condemned to roam around the city, looking for support and deprived of community ties that allowed them to sustain their families. Two questions arise from this outlook: Firstly, how is it possible that this situation happens in the second city of the country, with no apparent solution to stop the migratory flow? And secondly, what are the reasons that explain these expulsions?

To answer these two questions it is necessary to take into account a structural factor, which is that state presence in poor

20 Personería de Medellín, “Situación de los Derechos Humanos en Medellín durante 2007” (mimeo, 2007).

21 *Denuncian incremento del desplazamiento intraurbano en Medellín*, Caracol Radio. <http://www.caracol.com.co/nota.aspx?id=827321>. (Jun. 11, 2009).

22 Personería de Medellín, “Informe ejecutivo de Derechos Humanos” (mimeo, 2009).

23 Personería de Medellín, *Informe sobre la situación de Derechos Humanos en Medellín*, 44. http://www.personeriamedellin.gov.co/documentos/documentos/Informes/Situacion_DDHH2011/Informe_DDHH_2011.pdf. (Dec., 2011).

neighborhoods of the city, both peripheral and inner city ones, has always been characterized as fragmentary. It is not possible to talk about a total absence, but it is clear that authorities are incapable of providing security to its citizens or a reliable system to solve conflicts²⁴. This allows the development of two different dynamics that explain the population expulsion from one area of the city to another. On one hand, there is the development and functioning of private security and alternative justice systems; on the other, there is the cyclical confrontation between the various types of armed actors, for the control of each commune or even each neighborhood. Displacement has been instrumental in both processes, used as a sanction to those who threaten, either the coexistence, or the rules established by the actor who controls the community²⁵, or even as means to secure control over territory through expulsion of actual or potential enemies, liberating space to attract population related in some way with the dominant force²⁶.

These two dynamics should not be understood as independent processes, since they are tightly linked: the actor who controls a territory, after defeating its rivals and expelling their followers, enforces its own code of conduct and establishes penalties for its transgressions. This is of course, an extremely simplified account of events. Indeed, actors involved in struggle for territorial control are very diverse: criminal bands –both the ones with sophisticated structures known as “*oficinas*” and plain thieves or “*chichipatos*” –self defense groups, militias– bearers of a political project often linked to a guerrilla group-, paramilitary groups, and more recently, emergent bands. All of them might fight each other or make alliances depending on the circumstances²⁷. Such is the case of Bloque Metro and Bloque Cacique Nutibara, two

24 A. M. Jaramillo, M. I Villa & R. Ceballos, *Actores recientes del conflicto armado en Medellín*, en *El caleidoscopio de las justicias en Colombia*, 452 (S. Boaventura & M. García, Coords. Siglo del Hombre Editores, Bogotá, 2001).

25 *Op.cit.*, 446.

26 L.A. Sánchez & C. Atehortúa, *Narraciones sobre la experiencia del éxodo. El caso del desplazamiento forzado en la comuna 13*, *Vniversitas*, 117, 15-40, 6 (2007).

27 A. M Jaramillo, M.I Villa & R. Ceballos, *Op. cit.*, 455.

paramilitary organizations linked to the Autodefensas Unidas de Colombia (AUC), who fought together the militias just to clash afterwards in a bloody struggle that finally settled with the disappearance of the former²⁸.

Moreover, almost all communes and neighborhoods affected have passed from the control of one group to another during the last three decades. The history of commune XIII illustrates this to perfection as follows. During the 1990 sit was under the rule of militias related to insurgent groups, which exercised full domain over the community, setting behavioral rules, resolving conflicts between neighbors, even authorizing new families to settle in the area and assigning them plots of land to build their homes²⁹.

This situation stopped in 2002 when, within the framework of Seguridad Democrática policy³⁰, national authorities deployed two purely military operations –Orion and Mariscal– to expel these groups from a broad territory, including this commune. These operations allowed the entrance of Bloque Cacique Nutibara, which gained control of the area after eliminating and/or expelling everyone that was actively or potentially linked to the militias³¹. The “*iron rule*” exercised by this group was broken years later. The extradition to the USA of its leader Diego Fernando Murillo Bejarano, a.k.a. “Don Berna”, signaled the start of internal struggles for leadership, debilitating its power and allowing again the access of other armed actors, which nowadays fight each other³².

28 International Amnesty, *Colombia. Los paramilitares en Medellín ¿desmovilización o legalización?*, 25. <http://www.amnesty.org/es/library/asset/AMR23/019/2005/es/2abbb539-d4d5-11dd-8a23-d58a49c0d652/amr230192005es.html>. (Sep., 2005).

29 L.A. Sánchez & C. Atehortúa, *Narraciones sobre la experiencia del éxodo. El caso del desplazamiento forzado en la comuna 13, Vniversitas*, 117, 15-40, 7 (2007).

30 Seguridad Democrática is the strategy to recover control over national territory from armed groups questioning the State’s authority, deployed during the government of Alvaro Uribe (2002-2010).

31 International Amnesty, *Óp. cit.*, 27. See also: C. Castellanos, *La involución de un país*, en *¿Continuidad o desembujo. La Seguridad Democrática insiste y la esperanza resiste*, 33-42 (Plataforma Colombiana de Derechos Humanos, Democracia y Desarrollo, Ediciones Antropos, Bogotá, 2009)

32 Instituto de Estudios Políticos, “Seguimiento y balance sobre el desplazamiento forzado, la población afectada y las políticas públicas”, 31 (mimeo, 2008).

There are several examples of these confrontations. One example can be the crossfire during the fight between two bands or “*combos*”, which left homeless 173 inhabitants of the lower part of Altos de la Virgen, located on the outskirts of commune XIII; or 30 killings committed in the city during the first ten days of June 2010, outcome of the same confrontation³³.

Finally, although it could be every armed actor that pretends to control over a territory, it requires a minimum of legitimacy. This is the reason why, when a group takes control of a city area it deploys a social project that pretends to gain the acceptance of the local community through goods and services provision that should normally be taken care by the State but that they are not being provided. Security and conflict resolution solutions are the two first necessities that these actors satisfy, frequently requested by neighbors themselves. But those are not the only necessities; it is common that these services are part of a broader action plan, which involves all kinds of communitarian activities, like fundraisers for families in trouble or setting-up playgrounds for kids and young people. The development of such plans is not free of controversy, since they compete with other projects planned and managed by communitarian organizations. Lacking the strength of the weapons the new rulers carry, they have to watch how their proposals are dismissed and their achievements appropriated by others³⁴.

In brief, the answer to both questions posed at the beginning of this section must be seek in the incapacity of the State to get control over of the monopolies of violence and justice in the heart of the city of Medellín. This has allowed for various armed actors to enter into the competition for the control of urban areas, using forced displacement to enforce their particular conflict

33 *El pobre siempre paga*, Revista Semana. <http://www.semana.com/noticias-nacion/pobre-siempre-paga/140210.aspx>. (Jun. 12, 2010).

34 A. M. Jaramillo, M. I. Villa & R. Ceballos, *Actores recientes del conflicto armado en Medellín* en *El caleidoscopio de las justicias en Colombia*, 449 (S. Boaventura & M. García, Coords. Siglo del Hombre Editores, Bogotá, 2001). E. Sánchez González, *Las víctimas en el proceso de Desmovilización, Desarme y Reinserción en la ciudad de Medellín: la paradoja del modelo*, (2008).

resolution systems, and as a mean to secure total loyalty from the population.

B. A profile of the exiled in their own city

It is not possible to draw a portrait of an archetypal displaced person, since exodus is not part of their identities, but an imposed circumstance³⁵. Among themselves one can find community leaders that represent an actual or potential threat to the social project that the prevailing actor plans to enforce; individuals that have disobeyed the conduct rule established by the ruling group—which might or might not be a criminal offense according to national law—; and frequently, people who just were in the wrong place at the wrong time: inhabitants of recently conquered areas, identified as allies of one of the struggling bands, usually the weaker side. Whether these people support (or not) that band is completely irrelevant. If the dominant group, or the one called to be, considers so, it is inevitable that an expulsion order falls over them.

This command is preceded by a ritual, which aims to secure control of the upcoming group. It is common that rumors are spread previously, carrying obscure information about journeys of blood and pain that shall fall over the community³⁶. These rumors generate a state of fear and anxiety that make people even more vulnerable, to the extent that trust between neighbors erodes, facilitating the domination of the armed actor³⁷. For some people, the actual expulsion is perceived as liberating, the end of a nightmare. Nothing further from the truth. Expulsion is just the beginning of an even harder phase, where the confidence that make life possible disappear to give way to a permanent state of uncertainty.

35 L.A. Sánchez & C. Atehortúa, *Narraciones sobre la experiencia del éxodo. El caso del desplazamiento forzado en la comuna 13*, *Vniversitas*, 117, 15-40 (2007).

36 L.A. Sánchez & C. Atehortúa, *Narraciones sobre la experiencia del éxodo. El caso del desplazamiento forzado en la comuna 13*, *Vniversitas*, 117, 11 (2007).

37 L.A. Sánchez, *El desplazamiento forzado intra-urbano*, 48 *Desde la Región*, 23-34, 27 (2007).

Expulsion can happen in many different ways, but it is always traumatic. Sometimes it happens in the middle of combats and conflagrations, such is the case of El Salado. Other times, when combats are finished, the winning group allows people from other parts of the city to violently expel the current inhabitants and take over their homes and belongings, as a strategy to secure loyalty and control over territory. It is also common that expulsion is notified by painting notices on the walls, setting a short term to leave the place, usually just hours. Normally the order prohibits carrying more goods than those that can be held by a person³⁸.

There is another form of expulsion, where no changes in the power balance precede. In this case, the dominant group exerts pressure on the population for a period of time, more or less prolonged, until people decide to abandon the area, fearing for their life. In this kind of expulsion victims are a little less vulnerable, having time to plan their journey and taking some belongings with them.

However, no matter the type of expulsion. People affected are condemned to uprooting, because their ties with the community are abruptly severed. It is a rupture particularly serious, since life and survival in the communes and low-income neighborhoods depend on these connections. A neighbor might be a partner in the construction, a client of their business or an ally to trust in case of need. This delicate network is destroyed by displacement, affecting both, the one who leaves and the one who stays. This relationship is a fabric practically irreparable once trust is lost³⁹.

Expulsion is a complete fracture in the existence of those affected. Life will never be the same once people lose their housing (probably the result of years of work), their most precious belongings, their jobs and even their place in the world

38 A. M. Jaramillo, M. I. Villa & R. Ceballos, *Actores recientes del conflicto armado en Medellín en El caleidoscopio de las justicias en Colombia*, 45 (S. Boaventura & M. García, Coords., Siglo del Hombre Editores, Bogotá, 2001).

39 L.A. Sánchez, *El desplazamiento forzado intra-urbano*, 48 *Desde la Región*, 23-34, 30 (2007).

(all of that depended on relations established within a vanished community).

IV. THE STATE RESPONSE

The situation described above is not very different from the drama experienced by those who after being expelled of their home are forced to travel long distances, looking for a place to take shelter. Nevertheless, the treatment received from authorities differs from one and other. The reasons for this discriminatory treatment are beyond the control of displaced people. It is the result of the image about the internal armed conflict that certain State officers pretend to give to the Colombian people, and to the World. This has meant a systematic disregard for the rights of urban forced migrants, to the extent that they are not recognized as subjects of the special protection offered by public policies to support people in this situation.

However, their problems do not end with the difficulties related to being recognized as victims of massive and systematic violations of human rights. Even if they manage to overcome this barrier, they face additional problems such as lack of programs that suit their necessities and little chance to return to their former homes in a safe way.

A. The problem of unregistered victims

Throughout this paper, the fact that forced displacement has been made invisible by the same authorities responsible for registering victims in the RUPD, making impossible the access to the protection and the assistance system established by Law 387/1997, has been emphasized. This attitude, during the first years of existence of this policy, could be blamed as a restrictive interpretation of the norm that describes the status of displaced person. However, as stated before, the Constitutional Court clarified this issue in 2003, so in principle, there should not be problems for potential beneficiaries. Moreover, it is possible

to talk about a precedent (illegal constraints that constitute by themselves crimes against humanity and war offenses) that takes into account this sort of involuntary migrations since the end of the 1990s.

The International Criminal Tribunal for the Former Yugoslavia has noted this, stating that the destination of those forced to migrate is irrelevant to determine the liability of the actor accused of a given exodus⁴⁰. It has also established that responsibility is not affected by the distance traveled by those who have been expelled from their usual place of residency⁴¹, since deportation and forced relocation are typified crimes that do not take into account if the victims found refuge in a different area of the same city⁴². In conclusion, the status of displaced person is not determined by the distance that they have to travel, but by the uprooting imposed on them. Indeed, this situation not only supposes the loss of every link with their community, but also the inability to fully exercise their rights⁴³.

In addition, it can be confirmed that there are no legal arguments to support the decision of State officers to deny recognition to involuntary urban migrants as displaced people, who are entitled to special protection. Despite this assessment, authorities keep the practice of denying the status to most of these people⁴⁴.

An explanation for this outlook could be found in the nature of the actors generating the expulsions. A study performed by the Instituto de Estudios Políticos in 2008, shows that urban exodus in Medellín is caused: 58,6% by self-defense paramilitary groups, 13,7% by the so called emergent bands, 12,4% by

40 Prosecutor vs. Stakić [ICTY] IT-97-9-24-T, first instance ruling (Jul. 31, 2003).

41 Prosecutor vs. Naletilić and Martinović, [ICTY] IT-98-34-T, first instance ruling (Mar. 3, 2003). Also in Prosecutor vs. Simić, Tadić and Zarić [ICTY], IT-95-9-T, first instance ruling (Oct. 17, 2003).

42 Prosecutor v. Naletilić and Martinović, [ICTY], IT-98-34-T, first instance ruling (Mar. 31, 2003).

43 E. Restrepo, *El desplazado como paria. La garantía de los derechos a la verdad, la justicia y la reparación de las víctimas del delito de desplazamiento forzado en Colombia*, en *Más allá del desplazamiento. Políticas, derechos y superación del desplazamiento forzado en Colombia*, 335-341 (C. Rodríguez, Ediciones Uniandes, Bogotá, 2009).

44 K. Howe, *Conflict Transformation And The Urban Displaced In Colombia*, *Humanitarian Exchange Magazine*, 45, 15-17, 15 (2009).

guerrilla groups, and 7% by common delinquency; while there is no information about the authors of residual 8,3%. According to Departamento de Prosperidad Social, all these groups, except for the guerrillas, are delinquents and not actors in the armed conflict (paramilitary groups formally demobilized in a process that took place from 2003 to 2006). Therefore, their acts overcome the framework established by Law 387/1997, intended to take care of cases generated by the conflict⁴⁵. This has been revealed by the report presented by the Procuraduría General de la Nación to the Constitutional Court, which includes Ruling 333 of 2006 (issued while monitoring sentence T025/04).

The categorization presented by this public entity (Procuraduría General de la Nación) is questionable. In first place there are doubts about the paramilitary groups' demobilization process success and in second place, for various analysts, "emergent bands" are a prolongation of paramilitary groups having Medellín as the heart of its development. It was in Medellín where, during a public ceremony held on November 25/2003, 868 women and men belonging to Bloque Cacique Nutibara, gave in their weapons, initiating a process that led to the deactivation of 38 organizations that gathered around the Autodefensas Unidas de Colombia (United Colombian Self-Defense Groups)⁴⁶. Likewise, many of the former combatants concentrated in this city⁴⁷,

45 Refer to Section 1 of Law 387 de 1997. Por la cual se adoptan medidas para la prevención del desplazamiento forzado; la atención, protección, consolidación y estabilización socioeconómica de los desplazados internos por la violencia en la República de Colombia. Jul. 18, 1997. DO. No. 43091.

46 This ceremony was the culmination of a process that began on November 29/2002, when the AUC decided to make use of the demobilization process and decreed the cessation of hostilities. Later, on Jul. 15, 2003, two representatives of this group met the High Commissioner for Peace, members of the Exploratory Commission (appointed by the Government to analyze negotiation possibilities) and delegates from the Catholic Church in Santa Fe de Ralito (Córdoba), initiating the talks about demobilization conditions. M. Alonso & G. Valencia, *Balance del proceso de Desmovilización, Desarme y Reinserción (DDR) de los bloques Cacique Nutibara y Héroes de Granada en la ciudad de Medellín*, 33 *Estudios Políticos*, 11-34, 14 (2008).

47 At the end of the demobilization process in Medellín, 2,885 people had postulated to receive its benefits, representing 26% of the national total. 868 men belonged to Bloque Cacique Nutibara, 1,617 to Bloque Héroes de Granada and 400 to Bloque Catatumbo, Pacífico, Bananero and others. The number of demobilized in Medellín kept rising as time went by, as for 2007 the Mayor's office reported 3,270 people registered in the program. See M. Alonso & G. Valencia, *Balance del proceso de Desmovilización, Desarme y*

had recourse to the first reintegration project developed in the country, managed by the Programa de Paz y Reincorporación del Gobierno Nacional (National Government Peace and Reintegration Program). While political responsibility rested in national authorities, the municipality, through the development of many programs, assumed the challenge of achieving reinsertion of these people into legality and civil life.

Despite its enormous importance, demobilization process in Medellín suffered from the beginning from structural problems. Firstly, just until 2005 was issued a law aimed to regulate the responsibility of combatants for acts performed during and with occasion of their membership to an armed group, and that determined the rights of the victims⁴⁸. Secondly, negotiations were performed with and for each group, without a general proper plan of action and with practically no international accompanying. Thirdly, the National government focused on disarming, neglecting the later stages of the process. Finally, it conceded a very limited space to local and departmental authorities' participation during negotiations and while planning strategies for reintegration, despite that they are the ones being in charge of its implementation⁴⁹.

No wonder, with these deficiencies, that the results of the process were more formal than real. Great deals of arms were not handed over and many of those whom presented themselves, as combatants did not belong to any of the groups involved in negotiations⁵⁰. According to reports from two of the most

Reinserción (DDR) de los bloques Cacique Nutibara y Héroes de Granada en la ciudad de Medellín, 33 *Estudios Políticos*, 15-19 (2008).

48 Law 975 de 2005 known as Ley de Justicia y Paz (Peace and Justice Act). Until that moment, the process was regulated by Law 418/1997 (modified by Law 548/1999 and Law 782 de 2002), relating to the reincorporation of members of illegal armed groups to civil society, and by Decree 128/2003, which establishes the benefits for the demobilized.

49 M. Alonso & G. Valencia, *Óp.cit.*, 11-34, 14-17.

50 On this issue, it is particularly worrying the statement made by members of the Unidad Permanente de Derechos Humanos de la Personería de Medellín (Human Rights Permanent Monitoring Unit), during an interview with Human Rights Watch, where they declared that close to 75% of the people demobilized as members of Bloque Cacique Nutibara and Bloque Héroes de Granada in Medellín, were not actual combatants of such groups. Human Rights Watch, *Herederos de los paramilitares. La nueva cara de la violencia en Colombia*. <http://www.hrw.org/es/node/88063/section/1>. (Feb. 3, 2010).

prestigious international human rights NGOs, the structure of those organizations were not affected, it was the other way around, they reconfigured themselves as what is known today as “*emergent bands*”⁵¹. Other accounts recognize its little success, not perceiving a survival of the paramilitary but a relocation of those contingents in common criminal bands and drug traffickers’ networks⁵².

Whatever the reason is, the truth is that demobilization process coincided with the rise of some armed organizations, apparently new ones, integrated by people linked to paramilitary, whose *modus operandi* is very similar to groups they have replaced⁵³. The “*new bands*” assumed control of territories in the city, applying the same methods of domination and recurring to displacement as a way to solve conflicts, a mechanism to expel potential opponents and a system to control the territory⁵⁴.

Therefore, it is not that simple to exclude the “*new bands*” from the framework of the Colombian armed conflict, as they hold a tight relation with it, either because they are the continuation of the paramilitary project or because they reproduce their structure and *modus operandi*. Something similar occurs with other self-defense groups, which today’s version is the result of the transformation suffered by the militias, formerly tied to guerrillas groups⁵⁵.

What was stated throughout the last pages, raised the questions, once again, about the position of Departamento de Prosperidad Social. The reasons they use to support their repeated

51 Questioning the State’s authority, deployed during the government of Alvaro Uribe (2002-2010).

52 M. Alonso & G. Valencia, *Balance del proceso de Desmovilización, Desarme y Reinserción (DDR) de los bloques Cacique Nutibara y Héroes de Granada en la ciudad de Medellín*, 33 *Estudios Políticos*, 30 (2008).

53 Nationwide the Police estimate that this groups count with more than 4,000 members. NGOs numbers point out to about 10,200 people. Human Rights Watch, *Herederos de los paramilitares. La nueva cara de la violencia en Colombia*. (Feb. 3, 2010). <http://www.hrw.org/es/node/88063/section/1>.

54 E. Sánchez González, *Las víctimas en el proceso de Desmovilización, Desarme y Reinserción en la ciudad de Medellín: la paradoja del modelo*, 4-7 (2008). Human Rights Watch, *Herederos de los paramilitares. La nueva cara de la violencia en Colombia*, 22. <http://www.hrw.org/es/node/88063/section/1>. (Feb. 3, 2010).

55 M. Alonso & G. Valencia, *Op.cit.*, 11-34, 27.

negative to include urban displaced in the RUPD are based in a restrictive and simplistic interpretation of both, the law that defines the concept of displaced population, and the complex reality of what really is the conflict in Medellín and Colombia. This is an unacceptable reading within a Social and Democratic State, funded on the protection of human rights and welfare for its people⁵⁶. Beyond that, it seems to respond to a hurry to declare the end of the conflict and the success of the paramilitary demobilization process, instead of a real interest in properly handling internal forced displacement.

The fact that a national entity as Departamento de Prosperidad Social, that is under direct orders of the Presidency, recognizes the people expelled from communes as displaced by violence of the internal armed conflict, practically implies a public declaration from the National Government about its own legitimacy and incapacity to effectively deactivate one of the groups in the conflict, despite all the resources invested in the paramilitary demobilization process⁵⁷. It is an unconceivable declaration even today, with the complexity of the emerged criminal bands, as their capacity to generate exodus is starting to be recognized⁵⁸. So it is not surprising that this interpretation is used and encouraged among officers, classifying urban displaced as

56 The Constitutional Court, while interpreting the first section of the Constitution, has stated repeatedly in its decisions that human beings are the center of all State activities, for it has the obligation to procure the welfare of all of its associates; every action it performs must be guided by such objective. In that sense ruled on T-772/2003: "*The fact that Colombia is a Social and Democratic State provides a sense, character and specific objectives to the State structure in its whole that, therefore, becomes binding to the authorities, whom must aim their acts to the accomplishment of the goals characteristic of the system: the promotion of decent life conditions for all the people, and the solution of actual inequities in society*".

57 The reintegration program in Medellín was developed with national funds. To December 2007 the cost for the demobilization and disarmament stages was COP 18,961 millions. There integration stage involved an additional COP 190,129 millions. See M. Alonso & G. Valencia, *Balance del proceso de Desmovilización, Desarme y Reinserción (DDR) de los bloques Cacique Nutibara y Héroes de Granada en la ciudad de Medellín*, 33 *Estudios Políticos*, 20 (2008).

58 The new criminal bands are becoming the center of public debate. Media has been pointing out their danger and connections to the old paramilitary groups. The first debates in Congress on the matter have already been held. However, this has not change the attitude of Departamento de Prosperidad Social regarding the recognition of rights to people displaced by those groups.

“*victims of common delinquency*”. After all, organized crime has always existed, and to a greater degree in this city.

B. Inadequate remedies for urban displacement

Those who have been expelled from their homes in Medellín face more problems than the lack of recognition as victims of a massive violation of essential rights. The policy aimed to take care of them has not been planned taking into account their specific needs, and thus, the State is not able to repair the inflicted damage.

1. National and local policy of assistance to displaced population

The responsibility to assist and protect the people recognized as internal displaced has been met by the Colombian state through a social policy whose structure and functioning rest on two pillars. The first is frame by Law 387/1997, Law 1190/2008, Law 12448/2011 and several complementary decrees. These norms establish the responsibilities of various state entities in charge of providing assistance and protection to displaced population in all stages of their exodus. The second pillar is structure by the vast decisions on the matter from the Constitutional Court, which central axis is sentence T-025/ 2005. These rulings have introduced a human rights focus on the assistance scheme set by the Law.

The conjunction of both pillars has produced what is, without doubt, the most complex, ambitious and sophisticated social policy established to this day. Unfortunately, it also has been one of the most frustrating, despite the large amount of resources allocated to its operation. State efforts have not been able to prevent people from being expelled from their homes, as the number of displaced has not stopped increasing year after year. Also, despite specific advances in health and education,

reestablishment of their rights has not been achieved, which prevents them to regain control of their life⁵⁹.

Next to national policy, departments and municipalities developed their own strategies to support population forced to flight. Law 387/1997 assigns them responsibilities regarding the needs of these people in terms of health and education⁶⁰. Likewise, they are responsible of deploying prevention tasks⁶¹, providing assistance just after the exodus⁶², and establishing social and economical conditions to allow victims to return or relocate⁶³.

Most departments and municipalities in the country proved to be reluctant to assume these responsibilities, since they consider forced displacement an issue of national order that exceeds their own capabilities. Bogotá and Medellín are the exception, establishing since 1998 structures to support this population⁶⁴.

The city of Medellín, in particular, developed a complex policy to assist displaced population, based on three legal pieces. Firstly, Accordance 049/2007 establishes the foundation of the local policy to prevent exodus and to provide comprehensive care to the victims. Secondly, the municipal development plan for 2008-2011 sets the strategic lines of this policy, it creates institutional structures for its execution and provides the necessary funds. Finally, based on these two norms, the Plan Integral Único (PIU) (Unified Comprehensive Plan) for 2010-2017 was issued, specifying the concrete actions to be taken. It is worth to note that this policy was proposed with the active participation of

59 Comisión de Seguimiento, “Séptimo informe de verificación sobre el cumplimiento de derechos de la población en situación de desplazamiento”, *in extenso* (mimeo, 2008)

60 Law 387/1997. Por la cual se adoptan medidas para la prevención del desplazamiento forzado; la atención, protección, consolidación y estabilización socioeconómica de los desplazados internos por la violencia en la República de Colombia. Section 19.9. Jul. 18, 1997. DO. No. 43091.

61 Decree 250 de 2005 [Presidencia de la República de Colombia] Section 5.1.1.2.A.3. Feb. 7, 2005. National Plan.

62 *Óp.cit.*, Section 5.2. National Plan.

63 *Ibidem*, Section 5.3. National Plan.

64 In Bogotá, Agreement 2/2008 established a set of regulations protecting forced displaced people, and Decree 624/2008 regulated the functioning of the Consejo Distrital de Atención a la Población Desplazada por la Violencia (Municipal Council for the Attention of Population Displaced by Violence). In Medellín, Municipal Decree 760/1998 created the Municipal Committee for Comprehensive Attention of Displaced Population Displaced by Violence.

displaced organizations, creating spaces to keep them part of all the decision-making processes⁶⁵.

These legal bodies gave birth to a municipal policy that goes well beyond the minimum responsibilities assigned by law. Although sharing the basic elements with the national policy, is far from being a carbon copy. PIU sets seven strategic lines: prevention, protection, humanitarian emergency attention, recognition, reestablishment, reparation and crossed strategies. Those are planned and implemented from six approaches: human rights, differential, population, territorial, participative, environmental, and development. The general plan establishes indicators that allow monitoring the compliance of the objectives set for each of the lines and funds allocated by the municipality⁶⁶.

2. *Absence of adequate responses to urban displaced people*

It has been pointed out that the national policy, despite showing progress in some areas, has not been able to effectively guarantee the rights to people in a forced displacement situation. Regarding local policy, it is still too soon to evaluate the results. However, it is possible to draw some conclusions based on the reports on its performance, elaborated by municipal, national and international entities.

Reports indicate that there has been progress in all the areas that are part of the policy, although there are flaws related to prevention, immediate support after displacement actions, development of productive projects that allow victims to regain self-sufficiency, psycho-social accompaniment and decent housing solutions⁶⁷.

65 J. G. Granada & S. M. González, *Acción colectiva de las organizaciones de la población desplazada en Medellín. Ciclos, contextos, repertorios y perspectivas*, 35 *Estudios Políticos*, 107-130, 117 (2009).

66 According to the law, the municipality of Medellín provides 12.5% of the funds to support displaced population. The Department of Antioquia provides another 12.5%, while the Nation assumes the 75% remaining.

67 Instituto de Estudios Políticos, "Seguimiento y balance sobre el desplazamiento forzado, la población afectada y las políticas públicas", 68-73 (mimeo, 2008). Personería de Medellín, *Informe ejecutivo de Derechos Humanos*, 19. <http://www.personeriamedellin.gov>.

However, these observations do not take into account the attention brought only and specifically to urban displaced, since, without taking into account the high rate of unregistered victims, this population is invisible to those who plan, enforce and monitor the compliance of the policies. This means that there are no specific programs for this population, because their urban origin is critical to plan their social and labor reintegration. Thus, the programs offered are inadequate because they are oriented to people from rural areas, as they do not take into account the skills and abilities of the target population⁶⁸, becoming futile for the goal of victims regaining self-sufficiency.

The particularities of this people are not limited to their reintegration to the labor market. Issues related to preventing exodus and returning plans require special actions that respond to the specific characteristics of a given displacement. This is the result of the State inability to establish and keep a regular presence in the low-income communes, controlled by several armed groups in constant fight. The solution to this situation requires structural, long-range measures that exceed the support-oriented framework, as it has been conceived up to this moment. Consequently, no measures have been adopted to effectively prevent expulsions from communes, or guarantee the return of the victims to their original homes in safe conditions.

co/documentos/documentos/Informes/Situacion_DDHH2009/2009-informe-ejecutivo-derechos-humanos.pdf.

68 L.A. Sánchez, *El desplazamiento forzado intra-urbano*, 48 *Desde la Región*, 23-34, 21 (2007).

V. CONCLUSION: FINAL THOUGHTS

Urban forced displacement in Medellín is an open secret. Mainstream media reports cases that, because of their magnitude, cannot be hid; certain entities, like the Personería Municipal, realize the distressing increase in the number of people affected by this phenomenon. However, those are just isolated voices. To the bulk of society and state institutions responsible for taking care of internal displacement, these people are invisible. Although it is true that at local level there have been some steps towards proper recognition, the measures have been insufficient, as there are no programs specifically oriented to satisfy their particular needs.

The lack of recognition is an additional burden to victims of displacement, as they had not only lost their possessions and suffered the uprooting, but also face the indifference of the people bound to offer them protection and repair their damage; this will end, for a second time, in a new victimization of people. Breaking this circle of victimization is one of the pending tasks for the public policy for displaced people assistance. This goes for both national institutions, whose agents are responsible for including these people in the assistance system, and local institutions, where actions and projects aimed to displaced population in the city are planned and developed according to their specific needs. However, stepping-up to this challenge implies a reformulation of the concept of internal displaced.

A foreseeable change in the national Government position regarding the causes of the violence that affect the city and generates forced exodus is not on the horizon. The assertion that these are fights between rival criminal organizations is not a simple statement, but a victory claim; it's no coincidence that the paramilitary demobilization process is presented as one of the Government's major achievements in recent years.

For this reason is more realistic to promote a new reading of the definition of displaced established by Law 387/1997. This norm establishes that forced exodus is a product of internal

armed conflict, intense riots, tensions or general violence. The latter situations do not require a group confronting the State to take effect. These grounds, vaguely considered until now, allow to locate forced urban exodus among the cases that must receive attention within the framework of public policy. Therefore, it is necessary that entities like Departamento de Prosperidad Social take them into account when defining the situation of those applying to be recognized as displaced. This avoids the dispute of the political nature of the actors generating the exodus, or on the characteristics of the link between “*emergent bands*” and the paramilitary.

This does not mean that the debate about the existence of paramilitaries in the country is over. It is a discussion that cannot be avoided, and that is likely to go on for a long time. But while it takes place, it is imperative to find ways to prevent exiled from existing in the city of Medellín.

Extending the concept is just the first step to offer these people the assistance and protection that they deserve. The second is far more complex, for it demands actions oriented not to cure the impact of forced exodus, but to prevent it. To achieve this, it is necessary that the State acquire real and effective control of all communes and neighborhoods of Medellín.

Control cannot be limited to the bare presence of the public force. They also require fast and effective conflict resolution systems, social policies and participation tools; because those are precisely the services provided for decades by the armed groups, with more or less impact. As a whole, is the best offering that can legitimate the State to take the lawful control of these areas.

There is a long, complex road for national and local authorities to effectively provide these services, being a way to exert a truly state presence and to deactivate the processes that allow expulsions in the city. Refusing to go down this road, despite the challenges it poses, leads to sentencing the victims to perpetual fragility and dependence. No decent State can afford such punishment.

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