

6. A silenced exodus: intra-urban displacement in Medellín

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*It's not that they don't see us. It's that they don't want to see us.
Cartas a Nora-Invisibles
MSF (2007)*

Talking about Medellín necessarily evokes two opposing images. It is the city of 'eternal spring', harbouring the main financial, industrial, commercial and service centres of Colombia and named the most innovative city in the world in 2013 by *The Wall Street Journal* and Citigroup, ahead of New York and Tel Aviv. But it is also an extremely unequal city that has seen its Gini index of 0.564 increase by 35 points since 1991.¹ This contrast is so stark that the Municipal Ombudsman's Office (Personería Municipal)² in its 2011 report on human rights did not hesitate to point out that it is not one city but rather two that barely touch.³ One is a small first-world city, in which the inhabitants have effective rights and enjoy a prosperous life. The other is far bigger and its inhabitants barely survive in living conditions of poverty and marginalisation.

It is in this second city, the one behind the mirror, where for decades the inhabitants have been at constant risk of forced displacement. If in the early years this took the form of individual and therefore silent migration, with the passing of time it has transformed into a mass phenomenon that is impossible to ignore. Even so, despite its recent visibility, the precise magnitude of this phenomenon is difficult to quantify due to the resistance on the part of the national authorities to recognising these people as displaced persons who are, as such, entitled to special attention as a matter of priority.

- 1 ONU, Habitat, *Construcción de ciudades más equitativas. Políticas públicas para la inclusión en América Latina* (Colombia, 2014), p.72. The most commonly used measure of inequality, the Gini index, is employed here.
- 2 Municipal personerías are government agencies responsible for protecting and promoting human rights and public interest, and for supervising the official conduct of public officers at a local level.
- 3 Personería de Medellín, *Informe semestral sobre la situación de derechos humanos de Medellín 2011* (Medellín, 2011), pp. 3–10.

B.E. Sánchez Mojica, 'A silenced exodus: intra-urban displacement in Medellín', in D.J. Cantor and N. Rodríguez Serna (eds.), *The New Refugees: Crime and Forced Displacement in Latin America* (University of London, 2016), pp. 87–108

Despite the national authorities' reluctance to acknowledge the existence and magnitude of this phenomenon, existing data do reveal the existence of a true current of forced migration within the city that is not only intense but also has its own special character. Indeed, according to data from the Social Action agency (Acción Social),⁴ in March 2011 Medellín was ranked as having the second highest level in the country of intra-urban displacement, with 19,107 individuals uprooted since 1997. Although Santa Marta occupied the first spot that year, with a running total of 34,202 displaced individuals, the situation in Medellín – the capital of Antioquia department – was particularly concerning as up until 2012 it had occupied – year after year since 2007 – the first place ranking. The fact that, during that same period, it was the only one out of the ten most important cities in the country to experience a continued increase in the number of people in this situation contributes to emphasising the magnitude of this phenomenon.⁵

Although no consolidated numbers exist after March 2011, data presented by the Personería reveal that this trend continues to grow in Medellín. Thus, in its report for 2011, the Personería noted that 8,434 people had been displaced in the months up to October.⁶ In December 2012 the annual figure had increased to 9,941, the highest recorded up to that point. The figure changed abruptly the following year, during which 6,004 individuals had to abandon their homes, a decrease of 40 per cent.⁷ The slowdown in the rate of expulsions coincided with a radical decrease in the annual rate of homicides, which went from 52 per 100,000 inhabitants to only 38. Likewise, the number of disappearances, including enforced disappearance, reduced drastically in that same period.⁸ This downward trend continued in 2014. In that year, the Personería registered 5,395 intra-urban displaced persons, a decrease of 4.2 per cent compared with the previous year.⁹ Despite appearances of an improvement in the situation, this was not good news for the city's inhabitants.

4 Acción Social was the national government agency in charge of displaced people within the framework of the 1997 law 387. Since 2012, its functions relating to this topic have been relocated to the Unidad para la Atención y la Reparación Integral a las Víctimas, an entity responsible for the care of victims of armed conflict, which include internally displaced persons (IDPs), as established in law 1448 of 2011 and decree 4802 of 2011.

5 Alcaldía de Medellín, Secretaría de Bienestar Social, *Desplazamiento forzado intraurbano: posibles continuidades y discontinuidades* (Medellín, 2011), pp. 3–4.

6 Personería de Medellín, *La situación de los derechos humanos en Medellín* (Medellín, December 2011), p. 44.

7 Personería de Medellín, *Informe sobre la situación de los derechos humanos la ciudad de Medellín, 2013* (Personería de Medellín, 2014), p. 152.

8 'Medellín, la capital que más bajó su tasa de homicidios en el 2013', *El Tiempo*, 4 Jan. 2014, available at www.eltiempo.com/archivo/documento/CMS-13336459 (accessed 15 March 2016).

9 Personería de Medellín, *Informe sobre la situación de los derechos humanos la ciudad de Medellín, 2014* (Medellín, 2015), p. 192.

Indeed, both analysts and the authorities coincide in pointing out that the decrease in the number of displaced persons in Medellín reveals instead the ability of armed groups in the city to establish cooperation agreements aimed at reducing the occurrence of crimes which provoke the greatest social concern. In this way, they seek to reduce pressure from the authorities and make the most out of their illegal activities.¹⁰ This ‘pact of rifles’ [*pacto de fusiles*], as it has been called, is particularly representative of the type of conflict that currently affects the ‘dark areas’ of Medellín. Although this encompasses some of the same actors and rationales as in the armed conflict that has affected the country for decades, it also involves, to a greater extent, different types of criminal groups that operate in networks and which confront one another following the distinct rationale of organised crime.

This chapter will provide an analysis of the type of conflict, or conflicts, that affect the city and their impact on the forced displacement of its inhabitants. The study will also explore the reasons behind the national government’s resistance to acknowledging this phenomenon and the efforts made by local authorities to deal with it over the last few years.

Intra-urban displacement in Medellín: a brief summary of a not-so-brief story

Along with Bogotá and Cartagena, Medellín has traditionally been one of the main destinations for internally displaced people (IDPs) in the country. This can be explained by the fact that such persons tend to seek the degree of security that comes with the anonymity of large urban centres.¹¹ However, at the same time as Medellín has received displaced persons from elsewhere it also uprooted its own inhabitants, some of whom sought refuge in other areas of the city.

Indeed, forced displacement from one district [*comuna*] to another, or even from one neighbourhood to another,¹² has been constant in Medellín, at least since the 1980s. However, there are few accounts of this phenomenon and the suffering it has caused. There are barely any references to forced displacement in studies of the conflict in certain comunas – including the 13th – in the last

10 Personería de Medellín, *Informe sobre la situación de los derechos humanos la ciudad de Medellín, 2013* (Medellín, 2014), pp. 32, 67, 68. For more see Alcaldía de Medellín, *Balance 2013 del proceso de atención y reparación integral a víctimas del conflicto armado en el municipio de Medellín* (Medellín, 2014), p. 33.

11 J. Granada and S. González, ‘Acción colectiva de las organizaciones de la población desplazada en Medellín. Ciclos, contextos, repertorios y perspectivas’, *Estudios Políticos*, 35 (2009), 11.

12 For administrative purposes, the city is divided into 16 comunas, which are in turn divided into 249 neighbourhoods. It also has five *corregimientos*, which encompass the municipality’s rural area.

two decades of the 20th century and, in those few that make any reference to the issue, it is treated as a marginal consideration.¹³ This neglect was probably because at first both researchers and affected individuals saw forced eviction as the lesser of two evils, as it did not imply loss of life. Moreover, at that time, it was a small flow of uprooted persons rather than a human avalanche, which contributed to the perception that forced displacement was not a problem in and of itself.

During this period, for which barely any data are available, the expulsion of neighbours from these comunas appears to have been due primarily to the clashes for territory between a range of different actors. It was only towards the end of the 1990s that forced intra-urban displacement began to be seen as an important strategic tool in the context of armed conflict. In particular, the United Self-Defence Groups of Colombia (Autodefensas Unidas de Colombia – AUC) appear to have been the first to use it in its struggle against the guerrilla's urban militias in Medellín. The comunas 1, 6, 8 and 13 formed the backdrop to these clashes that caused not only the expulsion of part of their population but also the destruction of the social networks that supported the insurgents and the start of the paramilitary's system of social control. This process would carry on into the middle of the next decade and was accompanied by a strong drug-trafficking influence.¹⁴

During the first years of the new century, the 2000s, displacement increased as clashes between actors in the conflict intensified within the city.¹⁵ However, it remained invisible to both the national and local authorities and they resisted incorporating this kind of exodus into the forced displacement category. This occurred, despite the existence at that point of a national public policy on forced displacement, the cornerstone of which, Law 387 of 1997, contained an exceptionally broad definition of displaced persons.¹⁶ A Constitutional Court

13 A.M. Jaramillo, M.I. Villa and R. Ceballos, 'Actores recientes del conflicto armado en Medellín', in B. Santos and M. García (eds.), *El caleidoscopio de las justicias en Colombia*, vol. 2 (Bogotá, 2011) p. 446. For more see A. Salazar, *No nacimos pa' semilla. La cultura de las bandas juveniles en Medellín* (Bogotá, 1990), p. 58.

14 Alcaldía de Medellín, Secretaría de Bienestar Social, *Análisis del contexto y la dinámica del desplazamiento forzado intraurbano en la ciudad de Medellín* (Medellín, 2010), p. 14.

15 *Ibid.*, p. 11.

16 República de Colombia, Congreso de la república, *Ley 387 of 1997*

Artículo 1º. *Del desplazado.* Es desplazado toda persona que se ha visto forzada a migrar dentro del territorio nacional abandonando su localidad de residencia o actividades económicas habituales, porque su vida, su integridad física, su seguridad o libertad personales han sido vulneradas o se encuentran directamente amenazadas, con ocasión de cualquiera de las siguientes situaciones: Conflicto armado interno, disturbios y tensiones interiores, violencia generalizada, violaciones masivas de los Derechos Humanos, infracciones al Derecho Internacional Humanitario u otras circunstancias emanadas de las situaciones anteriores que puedan alterar o alteren drásticamente el orden público.

judgement on this point was necessary before this reality began to become acknowledged, at least in a formal capacity.¹⁷

Despite this recognition by the highest court of the land in its judgement T-268 of 2003, the national authorities' resistance to including victims of intra-urban displacement in national registries and guaranteeing them the attention to which they are entitled continues to this day. However, at the local level this judgement began to cause some changes. Thus, the next year the Personería started to monitor and register this phenomenon in Medellín. It should be pointed out that the fact a registry was not implemented until such a late date means that it will never be possible to establish the exact number of people forced to abandon their homes during one of the most violent period of anti-subversive struggle in the city.¹⁸

A third stage began in 2005, when the effects of the paramilitary demobilisation process were reflected in the city's dynamics.¹⁹ The surrender to justice of the visible leaders of these structures, coupled with the fact that their

Parágrafo. El Gobierno Nacional reglamentará lo que se entiende por condición de desplazado.

[Unofficial translation] Article 1. *Displaced person*. A displaced person is any person who has been forced to migrate within the national territory abandoning their place of residence or normal economic activities, because their life, physical integrity, personal liberty or security have been violated or directly threatened, due to any of the following situations: internal armed conflict, internal disturbances or tension, generalised violence, massive violations of human rights, infractions of International Humanitarian Law or other circumstances deriving from the foregoing situations that do, or could, drastically alter [the maintenance of] public order.

Paragraph. The National Government will introduce regulations concerning what is meant by the condition of 'displaced person'.

- 17 On the night of 20 June 2002 inhabitants from the El Salado neighbourhood, located in Comuna 13, were forced to abandon their homes due to a violent confrontation between groups belonging to the Revolutionary Armed Forces of Colombia (FARC) guerrilla and two paramilitary blocks. These people hid in a public school and in the houses of relatives and friends. Initially, the authorities refused to recognise and register them as IDPs, arguing that they had not left the municipality. The Office of the Ombudsman presented a tutela suit in their favour which was eventually reviewed by the Constitutional Court. In its T-268 of 2003 judgement the tribunal ordered their registration as IDPs and their inclusion in all relevant programmes.
- 18 In 2002 the army and the national police, in an alliance with the powerful paramilitary block Cacique Nutibara, carried out operation Orion in Comuna 13 with the aim of expelling militias from FARC and the National Liberation Army (ELN). Military tactics were used for this operation and it is known that displacement occurred, but no data on its magnitude is available. A similar result followed operation Mariscal in the same comuna.
- 19 This process started on 29 Nov. 2002, when the AUC decided to demobilise and ordered a unilateral ceasefire. Later, on 15 June 2003, its two representatives met the High Peace Commissioner and Exploratory Commission members (created by the government to study the possibility of dialogue) and delegates from the Catholic Church in Santa Fe de Ralito (Córdoba) to negotiate demobilisation. The process continued until 2006.

core membership remained active, led to a violent struggle between their new leaders for control over the territories and resources that had been left 'without an owner', that is, lacking the control of a group capable of exercising a monopoly of force. The population displacement from those comunas in which this struggle took place rose 508 per cent in just one year, climbing from 605 to 3,075 in 2004.²⁰ It was at this point that a profound transformation started to take place among the groups responsible for intra-urban displacement, as well as in the type of conflict in the city. Clashes between guerrilla militias and paramilitary groups took a back seat, while a new actor and a new dynamic of violence appeared.

The new structures – dubbed *bandas criminales* or BACRIM – are the heirs of paramilitary groups, but should not be confused with them.²¹ Although they grew, particularly at first, by recruiting former paramilitary members, they articulate the rationale of common crime and drug trafficking.²² As such, the kind of violence that the BACRIM use when disputing the control of territories abandoned by their forebears is distinct, to the extent that their interests and methods also, in part, differ. That said, it is important to clarify two points. Firstly, the emergence of these new structures did not lead to the automatic disappearance of paramilitary groups. In fact, the survey carried out by the municipal Personería in 2013 reveals the continuing responsibility of these groups for population displacements, although in a smaller proportion.²³ Secondly, although it is possible to distinguish between the old groups and more recent ones, in both cases drug trafficking is a core element in both their interests and activities.²⁴

A fourth stage began in 2009, when the extradition of paramilitary leaders to the United States led to a new increase in displacement, reflecting a conflict

20 Alcaldía de Medellín, Secretaría de Bienestar Social, *Análisis del contexto*, p. 11.

21 Although nowadays there is a level of consensus on the differentiation between paramilitary groups and BACRIM, in the years after demobilisation it was a hotly debated topic. Two prestigious human rights non-governmental organisations (NGOs) consider it evident that these structures were not affected by the demobilisation process, and that they merely reconfigured themselves and continued acting under the name of 'emerging groups' [*bandas emergentes*]. Amnesty International, *Colombia, los paramilitares en Medellín ¿desmovilización o legalización?* (Amnesty International, 2005), p. 33. For more see Human Rights Watch, *Herederos de los paramilitares. La nueva cara de la violencia en Colombia* (2010), p. 3, available at www.hrw.org/sites/default/files/reports/colombia0210spwebwcover.pdf (accessed 15 March 2016).

22 M. Alonso and 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', *Estudios Políticos*, 33 (2008), 30.

23 Personería de Medellín, *Informe sobre la situación de los derechos humanos la ciudad de Medellín*, 2013, p. 150.

24 On the nexus between drug trafficking and paramilitarism see J.L. Garay's publications, in particular *Redes ilícitas y reconfiguración de estados. El caso de Colombia* (Vortex-ICTJ, 2012).

that was decidedly different from earlier incarnations. Clashes during this period not only sought to gain control over territory and resources, but was also over the distribution networks that were necessary to sustain the legal and illegal economic activities that they had developed. It is, as such, a struggle that must be understood as stretching beyond the city's borders. Disputed territories are only pieces in a long drawn-out chess game in which multiple contenders seek to gain control over areas that represent strategic advantages for the production of goods and services as well as for national and international distribution routes.²⁵

For some experts this stage, which covers the current period, reflects a type of violence that has little relation to the armed conflict, as it is more suitably viewed through the logic of organised criminality, with confrontations linked to factors associated with drug-, weapon- and fuel-trafficking and other legal and illegal businesses controlled by mafia networks.²⁶ However, other analysts more cautiously point out a mixture of actors, interests and strategies that preclude drawing a definitive line between armed conflict and criminality. In that respect, although the latter is undoubtedly dominant, both coexist in the same territory.²⁷ This reading is supported by the registration statistics gathered by the Medellín Personería, which show that even in 2012 some displaced persons continued to identify guerrilla and paramilitary groups as responsible for their displacement, although the proportion is much smaller compared with those uprooted by criminal bands.²⁸

Dynamic of intra-urban displacement

The preceding story paints a worrying picture in which, over the last few decades, the population of Medellín's comunas has been forced to displace and to face the loss of their possessions and homes. This uprooting, even though the distance separating them from their former homes might not be more than a few kilometres – or even less – also implies the loss of the community where they had been building their lives, depriving them of the relationships that gave meaning to their existence.²⁹ Two questions necessarily arise. Firstly, how

25 Alcaldía de Medellín, Secretaría de Bienestar Social, *Desplazamiento forzado por la violencia en la ciudad de Medellín: Seguimiento descriptivo del fenómeno* (Medellín, 2010), p. 6.

26 J. Giraldo-Ramírez and J.A. Fortou, 'Seguridad y violencia homicida en Medellín', in A.A.V.V. *Violencia Urbana* (Bogotá, 2014), p. 80.

27 Alcaldía de Medellín, Secretaría de Bienestar Social, *Análisis del contexto*, p. 29.

28 Personería de Medellín, *Informe sobre la situación de los derechos humanos en Medellín, 2012* (Medellín, 2013), p. 85.

29 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', in C. Rodríguez (ed.), *Más allá del desplazamiento. Políticas, derechos y superación del desplazamiento forzado en Colombia* (Bogotá, 2009), p. 366.

this process of population displacement occurs and, secondly, how it is possible for this situation to exist in the country's second most important city, with its migratory flow apparently impossible to stem.

In answering these questions it is necessary to take into account the structural factor of the State's mostly fragmentary presence in the city's popular neighbourhoods at its periphery and at its centre. It is impossible to talk about an absence of the State, but rather one can speak of the authorities' inability to offer security to citizens, or even a reliable system for dispute resolution.³⁰ This is despite efforts by the local authorities in the last few years to increase the police presence in the city, improve the coordination between security forces and the Prosecutor's Office (Fiscalía), and to increase the effectiveness of their action in tackling crime.³¹ This weak State presence has allowed the emergence and consolidation across the last few decades of two dynamics that explain the prevalence of intra-urban displacement. The first has been the appearance and consolidation in certain areas of the city of de facto power structures that exert control over the population through their own security and justice systems. The second has been the cyclical clashes between different armed actors for the control of each comuna and in some cases of each neighbourhood.³²

Displacement has traditionally been a tool in both processes. It has been used as a mechanism to obtain control over a particular territory by expelling actual or potential enemies.³³ But it has also been used as a sanction to be applied to those who represent a threat to community coexistence or to the rules established by the actor controlling the community.³⁴ These dynamics have lasted for decades. Although the type of urban conflict and the reasons for forcibly displacing the population have shifted through the years, the two dynamics underpin the whole process of displacement from these communities.

The persistence of these structural factors is evident when one recalls that, despite the transformations in urban violence, the zones of the city in which displacement takes place most frequently and intensely have hardly changed since record-keeping on the exodus from Medellín began. It is in precisely these areas that the consolidation of State presence has failed. These are sectors where the illegal groups have established complex mechanisms to control the population, which persist despite changes in those who hold power: the comunas 13 San Javier, 1 Popular, 8 Villahermosa, 6 Doce de Octubre and 3 Manrique. Likewise, comunas 1 and 13 receive the largest numbers of people

30 A.M. Jaramillo et al., 'Actores recientes del conflicto armado en Medellín', p. 452.

31 Personería de Medellín, *Informe sobre la situación de los derechos humanos la ciudad de Medellín, 2013*, p. 66.

32 L.A. Sánchez and C. Atehortúa, 'Narraciones sobre la experiencia del éxodo. El caso del desplazamiento forzado en la comuna 13', *Vniversitas*, 117 (2008).

33 *Ibid.*, p. 6.

34 A.M. Jaramillo et al., 'Actores recientes del conflicto armado en Medellín', p. 446.

expelled from other urban areas.³⁵ However, this is not to say that expulsion does not occur in other city areas. Comunas including 5 Castilla, 7 Robledo and 9 Buenos Aires have also suffered mass exoduses during the past few years, as have rural areas of the municipality of Medellín, as in the case of San Cristóbal *corregimiento*.

Armed actors: identification and strategy

The aforementioned city areas constitute the context for clashes between the different actors in the urban conflict. These, as previously mentioned, have varied considerably during the last decade. Thus, the 2008 study by the Political Studies Institute (Instituto de Estudios Políticos) of the University of Antioquia pointed out that intra-urban displacements in Medellín in the 2004–7 period had been caused by self-defence forces in 58.6 per cent of cases, by BACRIM in 13.7 per cent of them, by guerrilla forces in 12.4 per cent of instances, and by common crime in 7 per cent, and there was no information on the authors responsible for the remaining 8.3 per cent.³⁶

Three years later, in 2011, a Personería report presented a different scenario, reporting on a new actor with a growing impact: the neighbourhood armed group, which involved both *combos* and *bandas*. However, the report did not offer any numerical data to support this assertion.³⁷ The impact of this actor was not quantified until 2012 when the Personería report indicated that 42 per cent of displacements were attributed to these local armed groups. Meanwhile, the BACRIM were identified as being responsible for 16 per cent of forced displacements, unidentified armed groups for 15 per cent and paramilitary and guerrilla groups for 12 per cent each. The remaining 3 per cent of victims were unable to identify the group that had expelled them.³⁸

The changing dynamics of the conflict led to the same institution's report for the following year (2013) presenting a different scenario in which the role of paramilitary and guerrilla groups was reduced to a bare minimum. Thus, 81 per cent of all displacement was attributed to armed neighbourhood or sector groups and 4 per cent to BACRIM. The same percentage was attributed to paramilitary groups, while 7 per cent could not be attributed to any known

35 Alcaldía de Medellín, Secretaría de Bienestar Social *Análisis del contexto*, p. 38. For more see Personería de Medellín, *Informe sobre la situación de los derechos humanos en Medellín, 2012* (Personería de Medellín, 2013), p. 86; and Personería de Medellín, *Informe sobre la situación de los derechos humanos en Medellín, 2014* (Medellín, 2015), p. 192.

36 Universidad de Antioquia-Instituto de Estudios Políticos, *Seguimiento y balance sobre el desplazamiento forzado, la población afectada y las políticas públicas* (2008), available at www.acnur.org/t3/uploads/media/COI_2835.pdf?view=1 (accessed 15 March 2016).

37 Personería de Medellín, *La situación de los derechos humanos en Medellín*, (Medellín, Dec. 2011), p. 44.

38 Personería de Medellín, *Informe sobre la situación de los derechos humanos en Medellín, 2012* (Medellín, 2013), p. 87.

group. This means that in that year the guerrilla groups were not perceived as an agent of expulsion.³⁹ This panorama appeared unchanged in 2014, when the Personería's report confirmed the central role of neighbourhood groups as agents of expulsion, albeit without offering concrete numbers.⁴⁰

These figures present two new armed actors that require a proper introduction: armed neighbourhood groups; and BACRIM. The former have a long presence in the city. The presence of these groups of adolescents – under the names *combos*, *bandas* or *chichipatos* – has been documented at least since the end of the 1980s, since when they have been linked to criminal activities of all kinds and constantly clash with each other.⁴¹ The latter – already briefly mentioned – are relatively a newer actor. They are criminal organisations that act through networks at regional, national and international levels. Highly sophisticated, they manage complex economic interests in which illegal activities like drugs and arms trafficking, and extortion intertwine with legal activities.⁴² They stem from failures in the paramilitary group demobilisation process,⁴³ in which the authorities focused on decommissioning weapons but were incapable of opening the door for thousands of members of these structures to construct new lives away from illegal activities.⁴⁴

Nowadays a multitude of both types of structure operate in Medellín. By 2012, 51 *combos* and 47 *bandas criminales* had been identified.⁴⁵ Unlike armed structures in other periods in the city's history, these groups lack a centralised command structure. They operate through alliances, which do not exclude armed clashes, forming a complex mesh that extends beyond the city limits.

39 Personería de Medellín, *Informe sobre la situación de los derechos humanos la ciudad de Medellín*, 2013, p. 150.

40 Personería de Medellín, *Informe sobre la situación de los derechos humanos en Medellín*, 2014 (Medellín, 2015), p. 192.

41 A.M. Jaramillo et al., 'Actores recientes del conflicto armado en Medellín'; Salazar, *No nacimos pa' semilla*.

42 Personería de Medellín, *Informe sobre la situación de los derechos humanos la ciudad de Medellín*, 2013, p. 32.

43 By the end of the demobilisation process there were at least 2,885 demobilised members, who accounted for 26% of the total in the country. This number corresponded to 868 men of the Bloque Cacique Nutibara, 1,617 of the Bloque Héroes de Granada and 400 of other blocks, including Catatumbo and Pacífico and Bananero. This number would increase in time, as by 2007 the Mayor's office counted a total of 3,270 demobilised individuals in the city. See M. Alonso and G. Valencia, 'Balance del proceso de Desmovilización, Desarme y Reinserción (DDR)', pp. 15, 19.

44 Alcaldía de Medellín, Secretaría de Bienestar Social, *Análisis del contexto*, p. 38; and M. Alonso and G. Valencia, 'Balance del proceso de Desmovilización, Desarme y Reinserción (DDR)', pp. 14–17.

45 Centro de Análisis Político-CAP, *Nuevas modalidades de captación de rentas criminales en Medellín*, *Informe final de investigación* (Medellín, 2012).

Coming back to the displacement data, a clarification is necessary. On the face of it, the statistics might suggest that BACRIM play but a minimal role in producing forced displacements as, since 2011, combos and gangs have been responsible for the vast majority of them. However, in this new scenario, criminal activities are undertaken through networks, with small neighbourhood organisations carrying out the tasks bestowed on them by more powerful organisations, even if they are not fully under their control.⁴⁶ This is what happens in intra-urban displacement in Medellín, particularly in the case of mass exoduses. It has been determined that it is frequently caused by bands of youngsters armed with makeshift weapons who commit vandalism against people and properties in a particular neighbourhood or area. These groups execute a plan to expel a defined population group; a plan that is created by others who have hired them for this purpose.⁴⁷ Ultimately, then, it is the highly sophisticated BACRIM who are responsible for these acts of forced displacement, even if their execution is entrusted to another armed actor.

At this point it is important to make a second observation. The diversity of armed groups engaged in forced population displacement points to the existence of not one but two conflicts playing out concurrently in Medellín. Indeed, despite the prevalence of clashes between BACRIM and combos for the control of territories, routes and resources, remnants of the armed conflict that characterised the previous decade still exist. It is, as local authorities have acknowledged, an extremely confused situation. The coexistence of two different types of disputes, to which the same population is subjected, represents an additional difficulty when it comes to acknowledging that these people are worthy of special treatment within public policy towards victims of the armed conflict, an issue that will be explored later in this chapter.

Types and causes of intra-urban displacement

As with forced displacement in other regions in Colombia, forced exodus in Medellín can occur either en masse or at an individual or family level.⁴⁸ The former are particularly visible and respond to a violent attack against a defined population. On the contrary, the latter, also called ‘drop-by-drop’ displacement, tends to go unnoticed and is a product both of targeted actions against specific individuals and of the generalised sense of unease that overshadows an entire community.⁴⁹

46 J. Giraldo-Ramírez and J.A. Fortou, ‘Seguridad y violencia homicida en Medellín’, p. 80.

47 Alcaldía de Medellín, Secretaría de Bienestar Social, *Desplazamiento forzado por la violencia en la ciudad de Medellín: Seguimiento descriptivo del fenómeno* (Medellín, 2010), p. 11.

48 Massive displacement is an event that affects at least 10 families or 50 individuals.

49 C. Atehortúa, L. Sánchez and B. Jiménez, ‘El conflicto armado afecta todas las esferas. Implicaciones del conflicto armado en la comuna 13’, *Revista de Derecho, Universidad del Norte*, 32 (2009), 133.

These two types of displacement follow distinct logics. In general, mass displacement tends to occur in disputed territories, where one actor disputes the control of another, leading to armed clashes. However, it can also occur in border areas, in which no single group exerts control. These areas, called the 'geographies of fear', involve public spaces such as schools, transport terminals, health outposts, churches and also neighbourhoods where the supremacy of one group is not clear. As they have no clearly assigned 'owner', these territories can be claimed by anyone and any actor is entitled to use violence.⁵⁰

In both of these scenarios, the use of forced displacement en masse is a means of combat that allows both the expulsion of the rival faction and the population from which it may be drawing support. This strategic use of mass displacement also implies destruction of the social fabric and pre-existing control structures, which facilitates the takeover by the emerging group. It is therefore unsurprising that the intensity of this phenomenon is directly linked to the disputes between different emerging bands to take control of the city. Thus, in 2009, two displacements of this type took place, while in 2010 there were ten. This was in the same neighbourhoods where the highest homicide levels had been registered.⁵¹ In 2011 there were five, followed by six the next year, also in areas under dispute.⁵² By contrast, in 2013, only three such events occurred, coinciding with the aforementioned 'pact of rifles' and a degree of stabilisation in the conflict as four large bands – la Oficina, Los Urabeños, Los Pesebreros and Los Rastrojos – seemed to reach a point of equilibrium in their territorial aspirations. Although fragile, these dynamics led to a reduction in mass expulsions.⁵³

Despite their spectacular scale, mass expulsions affect only a small proportion of displaced individuals. Rather, the vast majority abandon their homes individually or with their families. Indeed, according to the Personería, only 549 out of the 8,434 persons in Medellín who were displaced in 2012 formed part of a mass exodus.⁵⁴ The proportion the following year was 416 out of 6,004 individuals.⁵⁵

50 Ibid., p. 127.

51 Alcaldía de Medellín, Secretaría de Bienestar Social, *Desplazamiento forzado por la violencia*, pp. 5–8.

52 Personería de Medellín, *Informe sobre la situación de los derechos humanos en Medellín, 2012*, p. 88.

53 Personería de Medellín, *Informe sobre la situación de los derechos humanos la ciudad de Medellín, 2013*, p. 150.

54 Personería de Medellín, *Informe sobre la situación de los derechos humanos en Medellín, 2012*, pp. 88, 89.

55 Personería de Medellín, *Informe sobre la situación de los derechos humanos la ciudad de Medellín, 2013*, p. 152.

These data coincide with the reasons for these displacements. Studies undertaken since 2008 coincide in placing threats as the principal cause. However, the second and third most significant reasons have varied over the past few years. In 2010, homicides and attempted homicides took second and third positions, followed by attempted recruitment, generalised fear, physical aggression and clashes between armed groups. However, in 2013, after threats, the most frequent reasons given for displacement were – in numerical order – actual or attempted illegal recruitment (of children as well as adults), homicide, physical aggression, territorial control, social control and crimes against the sexual integrity and freedom of women.⁵⁶

Thus, most displacements are at the individual or family level. People abandon their homes when faced with a risk that affects them directly, such as a threat to their life and integrity, or which affects their relatives. This reveals a second instrumental dimension to displacement: its role as a mechanism for armed groups that dominate a determined area to control its population.

Before delving into this issue, it is important to point out that popular comunas in Medellín, particularly those with a history of population displacement, have a long tradition whereby the group taking over the area imposes a code of conduct and establishes mechanisms to ensure compliance with it.⁵⁷ In the 1990s and early 2000s, when control over these areas was disputed between guerrilla militias and paramilitary groups, this code was accompanied by a social project. By implementing it, armed actors sought to gain legitimacy through providing goods and services that the State should have supplied. Security and conflict resolution were the basis of this offer, which was complemented by all kinds of community activities: collecting funds to help families going through a difficult period, organising recreational activities for children and young people, and establishing systems to tend to the needs of the elderly, among others.⁵⁸

In the new context, in which criminal bands and combos control territories, the new masters have reproduced some of these dynamics, insofar as they are filling a power vacuum that allows them to impose a particular order and obtain the power necessary for enforcing compliance. However, they appear less interested in promoting a social project, although it is still perhaps too early to assert this categorically, at least in the case of BACRIMs. In any case, and following the established practice, they use individualised displacement to remove people who represent an actual or potential threat to their hegemony, including teachers, community leaders and human rights defenders. Likewise,

56 Ibid., p. 153.

57 This is not an isolated case; in the Caribbean region paramilitary groups also imposed a strict code of conduct on the civilian population. See Grupo de Memoria Histórica, *Mujeres y Guerra. Víctimas y resistentes en el Caribe colombiano* (2011).

58 A.M. Jaramillo et al., 'Actores recientes del conflicto armado en Medellín', p. 449.

they also impose exile as a sanction on those who defy the norms they have established. This affects people who refuse to submit to extortion⁵⁹ and also those who have been identified as criminals, along with their families.

Individuals accused of being sentimental links to members of rival groups are also sanctioned in this manner. In the last few years, expulsion has also been used against individuals afflicted by infectious diseases (HIV and tuberculosis), sexual workers and members of the Lesbian Gay Bisexual Transgender and Intersex (LGBTI) community.⁶⁰ This last trend is particularly significant, as it indicates the widening and strengthening of social controls imposed by the new masters of these territories, as well as the transformation of this control towards a social order similar to that imposed by paramilitaries in the past.⁶¹

Meanwhile, alongside these two dimensions to displacement – that is, a method to acquire territories and an instrument to control the population – displacement in Medellín also fulfils other functions. On the one hand, it represents an escape route for families who wish to avoid one of their members being recruited by armed groups, an operation that has intensified in recent years as bloody clashes between the main groups have led to a reduction in their numbers.⁶² On the other, the use of displacement as a tool to appropriate real estate has also been identified, although studies on the issue are few and far between.⁶³ Lastly, although figures cannot be verified due to a lack of data, it must be recognised that displacement can also be the result of day-to-day tensions between neighbours that have been ‘solved’ through violence.⁶⁴

The State response

Medellín is not the only Colombian city in which intra-urban displacement occurs. It is also a growing trend in other urban areas, for example in the

59 Reports from the Personería and the Mayor’s office reveal that this is an important and extended source of income, as armed groups charge a daily tax on the earnings of inhabitants of the comuna to allow them to return to their homes at the end of the day.

60 Personería de Medellín, *Informe sobre la situación de los derechos humanos la ciudad de Medellín* (2013), p. 154.

61 The social project imposed by paramilitaries in the area they controlled was decidedly patriarchal and racist, and those who challenged these rules were brutally repressed. See Comisión Nacional de Reparación y Reconciliación – Grupo de Memoria Histórica, *Mujeres y guerra. Víctimas y resistentes en el Caribe colombiano* (Taurus, 2011). On the report from the Grupo de Memoria Histórica see *Mujeres y Guerra. Víctimas y resistentes en el Caribe Colombiano* (2011).

62 Alcaldía de Medellín, Secretaría de Bienestar Social *Exploración de nuevas dinámicas del desplazamiento forzado intraurbano* (Personería de Medellín, 2010), p. 14.

63 This issue has been mentioned briefly in some documents but has not been deeply analysed. See C. Atehortúa, ‘Caracterización del desplazamiento forzado intraurbano. Medellín 2000-2004’, *Opinión Jurídica*, 8 (2009), 104.

64 Alcaldía de Medellín, Secretaría de Bienestar Social, *Análisis del contexto*, pp. 25–7.

capital, Bogotá, border cities like Cúcuta, important maritime ports like Buenaventura and remote provincial capitals such as Quibdó.⁶⁵ However, the national authorities have resisted acknowledging both the magnitude and the nature of this migratory flow. The reasons for this can be located in Colombia's conception of its national policy on IDPs, which is designed to address one of the consequences of armed conflict.

Local authorities, who are closer to the reality of this new form of displacement and thus forced to acknowledge its existence, have adopted different attitudes as a result that range from a commitment to the rights of the displaced population through to an indifference that manifests itself in the reduction of services available to this population.⁶⁶ Authorities in Medellín fall squarely in the first group. However, restrictions imposed by national authorities prevent municipal strategies from offering full protection to these uprooted persons.

The debate about incorporating displacement caused by BACRIM in public policy

This chapter has repeatedly highlighted the difficulty of establishing the full magnitude of intra-urban displacement in Medellín due to considerable under-registration. The data that have been presented here do not correspond to official figures, in that they are not produced by the main central government agency charged with implementing the policy of attention to displaced persons. Rather they come from two local authorities, whose recognition of such persons as IDPS does not have the capacity to ensure that they are formally registered as such by the central government, which is a *sine qua non* requirement for access to government programmes offering assistance and protection.

This is not a minor issue. Rather, it reveals a structural problem that has continuously affected this area of public policy, namely its incapacity to recognise as 'displaced persons' those individuals who have been expelled from their homes by new armed actors that are not traditionally recognised as parties to the armed conflict. That is, people who are not uprooted by guerrilla or paramilitary groups or the State's security forces. This gap in protection of the displaced population was only identified in 2013. As a consequence, it was only then that the first hesitant steps were taken to address the issue.

The problem has its roots in the first public policy to respond to internal displacement, as governed by Law 387 of 1997. Although this norm

65 Consultoría para los Derechos Humanos y el Desplazamiento–CODHES, *Desplazamiento forzado intraurbano y soluciones duraderas. Una aproximación desde los casos de Buenaventura, Tumaco y Soacha* (CODHES, 2013) and CODHES, *Desplazamiento forzado intraurbano y soluciones duraderas. Bogotá, Cúcuta y Quibdó* (CODHES, 2014).

66 CODHES, *Desplazamiento forzado intraurbano y soluciones duraderas. Bogotá, Cúcuta y Quibdó*, 2014, p. 6.

establishes a wide definition of displaced persons that goes beyond just victims of armed conflict, the authorities opted for a restricted interpretation.⁶⁷ The Constitutional Court approved this interpretation in the most important judgement to be delivered on the issue of the rights of displaced persons. In this judgement, T-025 of 2004, the Court emphatically held that the only cause of forced population displacement was struggle for control of the State. Some subsequent judgements have moved away from this line of jurisprudence,⁶⁸ but despite this the actions of the agency responsible for recording displaced persons in the official registry did not change its practice significantly.

The adoption of Law 1448 in 2011 made acknowledging displacement caused by criminal bands and youth gangs even more difficult. This was because the existing policies were reformulated by inserting them within the framework of assistance and reparation for victims of the armed conflict.⁶⁹ This legislative decision led, at least at first, to the exclusion from this framework of individuals who were displaced by post-demobilisation armed actors. Although they continued to be recognised as victims of a crime,⁷⁰ they could not access the dedicated assistance programmes established by the new law and had to seek reparation directly from the perpetrator of the crime of which they were victims.

A year after the new law was approved, the Constitutional Court issued judgement C-780 of 2012, which held that the concept of armed conflict had to be interpreted in a broad manner. Thus, the norm covers 'situations occurring in the context of armed conflict'. This, in turn, means that those displacements that are not caused directly by the actors in this armed conflict,

67 B.E. Sánchez and R. Urueña, 'Derechos humanos, desplazamiento forzado y desarrollo económico en Colombia: una mirada a partir del impacto del derecho internacional en la política local', in Seminario en Latinoamérica de Teoría Constitucional y Política, *Derechos humanos: posibilidades teóricas y desafíos prácticos* (Buenos Aires, 2014).

68 República de Colombia, Corte Constitucional, judgements C-372 of 2009 and T-265 of 2010.

69 República de Colombia, Congreso de la República, *Ley 1448 of 2011*:

Artículo 3. Se consideran víctimas, para los efectos de esta Ley, aquellas personas que individual o colectivamente hayan sufrido un daño por hechos ocurridos a partir del 1° de enero de 1985, como consecuencia de infracciones al Derecho Internacional Humanitario o de violaciones graves y manifiestas a las normas internacionales de Derechos Humanos, ocurridas con ocasión del conflicto armado interno.

[Unofficial translation]. Article 3. For the purposes of this law, 'victims' are considered to be those persons who, individually or collectively, have suffered a loss due to events post-dating 1 January 1985, as a consequence of infractions of International Humanitarian Law or serious and manifest violations of international human rights norms, taking place as a result of the internal armed conflict.

70 The Colombian criminal code, article 180, establishes forced displacement as a crime.

but which are still closely linked to it, should be included in the special protection programmes created by the law. If this link is not present, the Court stated, forcibly displaced people have at their disposal a wide range of tools and procedures established by the State to protect victims of common crime. In that respect they are not without protection; they simply have to use ordinary mechanisms for victims of crime.

This position was based on an earlier ruling, which categorically affirmed that victims of common crime cannot seek access to benefits established by the public policy on internal displacement.⁷¹ This is because there is an assumption that the State is capable of protecting and offering reparation to those who have been unfairly expelled from their homes, through ordinary police and criminal mechanisms. Only when the cause of the expulsion is outside the regular field of logic behind the authorities' actions, as in the case of clashes between various groups vying for control over the State, should extraordinary measures be used.

Judgement C-280 the following year made further inroads into this line of argument, at the same time as it pointed out that Law 387 of 1997 was still in effect. This meant that the new policy had to cover those persons who had been displaced by BACRIM, post-demobilisation groups and even natural disasters caused by armed conflict actors. However, it did not invalidate the existing jurisprudence which still required there to be a link between expulsion and the traditional armed conflict. As such, no space was afforded to victims of struggles caused by criminal groups. Despite originating in the State's incapacity to manage the demobilisation of one of the original conflict's main actors, these groups do not pursue any political objective nor do they seek to take control of the State. As a result, the forced movements that they cause do not fit within the exceptionality logic that justifies the protection of its victims through special public policy.

Aware of the complexity of the country's armed conflict, in this same decision the Court ordered the government to develop criteria that would serve to determine – with an acceptable degree of certainty – when the necessary link existed between the actions of a criminal group and the armed conflict. Shortly afterwards, however, it was forced to reconsider its position. Through writ [*auto*]⁷² 052 of 2013 it renounced this claim, pointing out the need to study each case individually in order to determine whether such a link exists.

Despite the apparent soundness of this line of jurisprudence, a few months afterwards, and with no prior warning, the Constitutional Court made a U-turn in its *auto* 119 of 2013. This decision builds upon the idea of internal

71 República de Colombia, Corte Constitucional, judgement C-253A of 2012.

72 *Autos* are interlocutory decisions used by the Court and linked to a specific procedure. In this case, the procedure is the process of supervising the implementation of judgement T-025 of 2004, which declared that attention to forced displacement was an unconstitutional state of affairs.

displacement as a massive and serious violation of its victims' rights.⁷³ The nature of the injury suffered by the victims of this crime demands that the State provides them with special protection, regardless of the reasons causing such injury. This is consistent with other provisions adopted by the national legislative branch, such as the fully applicable law 387 of 1997, and also with the State's international obligations. For the first time, the Court then acknowledged the coexistence of two different situations in the country that cause forced displacement: the armed conflict and the clashes by criminal bands. It concludes by stating that although Law 1448 is directed exclusively at victims of the armed conflict – understood in a broad sense – this is no excuse for ignoring the special and exceptional protection required by displaced persons who are victims of generalised violence. Due to the current lack of a specific policy directed at this population, they should be registered and included within the existing framework, as it offers them the protection to which they are entitled.⁷⁴

This decision points to a profound transformation of both the displacement concept and the State's obligations towards its victims. However, its impact has not been as profound as expected. Indeed, the system for registering displaced persons has not yet been expanded to include those uprooted by emerging criminal bands and neighbourhood or sector armed groups. At the national level, no action has been taken to prevent this type of displacement or to protect those afflicted by it. Finally, no public debate has taken place on the need to develop a new public policy, parallel to the existing one, to deal with these individuals and attend to their particular needs.

The resistance of the national authorities to acknowledging this phenomenon and offering special protection to its victims indicates the depth of the transformation in design and implementation of the institutional and normative framework for displaced persons implied by this jurisprudential shift. The inclusion in the national IDP register of persons who are expelled by, or flee from, this second conflict also presupposes a need to increase the resources earmarked for what is already the State's most expensive social policy. As the shift in the Court's position has occurred through an *auto*, which has a lower legal ranking than a judgement, it is reasonable to conclude that the authorities will await a proper judgement to confirm the position.

73 The perspective of forced displacement as a massive and systematic breach of human rights is one of the pillars of judgement, T-025 of 2004, and the justification for the special and priority treatment that must be offered to this population.

74 It is convenient to mention that the Court recognised different rights to each group of displaced persons. Victims of BACRIM have rights to assistance, attention and protection, whereas victims of the armed conflict have, additionally, the rights to truth, justice and reparation.

Additionally, we should not underestimate the fact that in this country internal displacement is strongly associated with the armed conflict, and therefore with the State's inability to protect its citizens. Acknowledging that a new actor – a fresh protagonist representing a different and extremely complicated type of conflict – causes forced displacements evidences the authorities' failure to fulfil one of its main duties: ensuring the essential rights of the national territory's inhabitants. This is a truth that, probably, the national authorities are not prepared to recognise openly. This is why it is essential that civil society takes up this issue and exerts the necessary pressure to push for adequate measures to guarantee assistance and protection to these persons.

Intra-urban development: actions taken by Medellín's authorities

As mentioned earlier, the Medellín municipal Personería began to follow up on intra-urban displacement in 2003. However, it was not until 2007 that the local government took definitive action, with the mayor's office issuing Agreement [*Acuerdo*] 49 which recognised that the matter required special attention. Nowadays, although municipal policies do not include a specific focus on this displaced population, actions have been taken that are of direct benefit to it.

The first, and perhaps most important, of these municipal actions is the effort to protect real estate that has been abandoned or stolen in the context of displacement, through a procedure established in *Circular* 004 of 2009. The measure can be initiated by the owner, the possessor or even the holder of the property when they have been forced to abandon it for reasons linked to violence. It is therefore unnecessary for the claimant to be registered officially as a displaced person to initiate this process. Similarly, the Colombian Institute for Rural Development (Instituto Colombiano de Desarrollo Rural – INCODER) can make the request.

The procedure requires that both the Public Document Office (Oficina de Registro de Instrumentos Públicos) and the municipal Land Office (Oficina de Catastro) make relevant annotations in the real estate registration number [*matrícula inmobiliaria*] and the land file [*ficha catastral*] to indicate the status of the property and prevent it from being transferred to anyone else. This measure, a first in the country, has slowly drawn the attention of affected persons and their use of it has increased. By December 2013, there had been 975 applications, out of which 273 were presented in 2013. Out of the 2013 applications, 179 were accepted as fulfilling the requirements established in the regulation. In 124 of the applications, the relevant annotation was made in the land file and in 63 cases the real estate registration number was annotated.⁷⁵

⁷⁵ Alcaldía de Medellín, *Balance 2013 del proceso de atención y reparación integral a víctimas del conflicto armado en el municipio de Medellín* (Medellín, 2014), pp. 30, 31.

Concurrently, two other mechanisms were also developed. The first was a form of material protection by the metropolitan police. The 179 petitions accepted in 2013 were remitted to this process, but only 25 of them were acted upon. The second mechanism is the judicial process established in Law 1561 of 2012. It is not really a measure directed at responding to displacement, as its purpose is to avoid real estate subject to judicial or administrative procedures being acquired by another party.⁷⁶ It has, though, a special importance in cases of displacement, as it prevents the theft of property through judicial decisions. However, the difficulties in cross-referencing information between the different processes, as well as the fact that the real estate is often not registered in the land registry, or is not properly identified, have reduced the effectiveness of this measure. By 2013, only 461 certificates had been issued through this process.⁷⁷

The preceding measures for protecting real estate are complemented by five types of measures developed by municipal authorities. Thus, *Acuerdo* 064 of 23 November 2012 established that forcibly displaced persons were exempt from paying real estate taxes [*impuesto predial*] for properties that they had been forced to abandon. It is still too early to evaluate the impact of this measure, as it entered into force on 1 January 2013, but it appears to be a step in the right direction. A second set of measures focus on the protection of household goods when people are forced to move house as displaced persons. The mayor's office has developed a protocol for helping people to move home without losing their possessions. This protocol even includes provisions relating to pets, which are hosted temporarily in an animal protection centre while the owner's situation stabilises.⁷⁸

The third set of measures, in contrast to the examples above, is related to the protection of the personal integrity and lives of displaced persons. The local authorities have recognised that these individuals frequently face situations of exceptional danger as a result of having to remain in close proximity to those responsible for their displacement. In principle, the National Protection Unit (Agencia Nacional de Protección) is responsible for tending to these people's needs. However, since the process of being accepted onto this programme is not automatic, the mayor's office takes it upon itself to house them in a designated place. However, it is important to note that this shelter is shared with persons who are expelled from other locations and are also at risk.

76 Article 6.3 of *Ley* 1561 of 2012 'por la cual se establece un proceso verbal especial para otorgar títulos de propiedad al poseedor material de bienes inmuebles urbanos y rurales de pequeña entidad económica, sanear la falsa tradición y se dictan otras disposiciones'.

77 Alcaldía de Medellín, *Balance 2013 del proceso de atención*, pp. 30–2.

78 Alcaldía de Medellín, Corporación Región, *Las innovaciones en el diseño e implementación de la política pública de atención a la población desplazada en Medellín, por la gerencia para la atención a la población desplazada* (Medellín, 2011), p. 8.

A fourth set of measures concerns mass displacements. Protocols have been developed to deal quickly with such situations through coordination between the different national and local agencies. Likewise, returns of displaced persons have been used as an opportunity to carry out actions that build trust between the community and institutions.⁷⁹ Lastly, there has been an effort to understand this phenomenon and reflect on how to address it. One result of this process is a collection of studies prepared between July 2010 and June 2011 by the Public Policy Analysis and Evaluation Unit (Unidad de Análisis y Evaluación de Política Pública) of the Social Welfare Secretariat (Secretaría de Bienestar Social).

These measures are undoubtedly valuable, but are not robust enough to constitute a true response to intra-urban displacement. Since formally recognising individuals as IDPs falls to the national authorities, their local counterparts can only offer fragmentary measures that lack the capacity to provide an integrated response to the needs of this population.

Conclusion

Intra-urban displacement in Medellín has for too long been a reality that some have tried to silence. Diverse arguments for this have been put forward, particularly from central government. At first, it was said that those who had not fled beyond the borders of their municipality of origin could not be treated as displaced persons. This was allegedly because their vulnerable condition could not be compared with that of people who had effectively been uprooted and found themselves in a new and hostile environment. In 2003, the Constitutional Court brushed aside this argument and ordered the recognition of this population and its inclusion in the public policy designed to respond to forced displacement. In spite of this, the resistance to offering full protection to these people endured. Later, the fact that the agents behind this displacement differed from those traditionally linked to the decades-long armed conflict provided a new reason to exclude this population. Once again, in 2013, the Court ordered through an *auto* that the rights of these persons should be fully guaranteed by integrating them in existing public policy or by creating a new one designed specifically for their protection. Once again, compliance with this order has been delayed at the national level.

Since the recognition of IDP status is ultimately dependent on the person's inclusion in the official IDP registry by the national authorities, local authorities are seriously hamstrung when designing and putting into effect actions destined to protect intra-urban displaced people. In the case of Medellín, programmes have been developed, initiatives have been implemented and

79 Alcaldía de Medellín, *Balance 2013 del proceso de Atención*, p. 52.

a wide interpretation of legal norms has been embraced in order to provide a response to the situation of these persons and to guarantee their rights, particularly in relation to property, life and integrity. Despite the pertinence of these measures, they remain ultimately fragmentary. As a result, they lack the stature necessary to address a phenomenon that requires proper public policy in order to attend to the victims of forced displacement and to confront its causes.

However, one should not lose sight of the fact that intra-urban displacement in this city reflects a situation that affects the whole country. It reveals the consolidation of a new type of conflict, which coexists with the one faced by the country across the last decades, and whose actors use the expulsion of urban populations instrumentally as a tool to conquer and control those areas necessary for their activities. The Central American experience reveals that this conflict, in which small neighbourhood bands and powerful BACRIM take centre stage, is not a passing phenomenon, and nor is the forced displacement it generates. This is why it is imperative to promote a debate on the need of constructing new public policy at the national, regional and local levels that will be capable of facing this new challenge.