

ARTÍCULO DE INVESTIGACIÓN

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ANÁLISIS DE LA RUTA DE LA OFERTA INSTITUCIONAL DE  
MEDELLÍN PARA PERSONAS DESPLAZADAS DEBIDO AL  
CONFLICTO ARMADO CON ÉNFASIS EN  
LA RESTAURACIÓN DE SU PROYECTO DE VIDA

—FASE DOCUMENTAL—

ANALYSIS OF THE ROUTE OF THE INSTITUTIONAL  
OFFER IN MEDELLIN FOR PEOPLE UNDER DISPLACEMENT  
DUE TO THE ARMED CONFLICT WITH EMPHASIS ON THE  
RESTORATION OF THEIR LIFE PROJECT

—DOCUMENTARY PHASE—

ANÁLISE DA ROTA DA OFERTA INSTITUCIONAL EM MEDELLÍN PARA PESSOAS  
DESLOCADAS DEVIDO AO CONFLITO ARMADO COM  
ÊNFASE NA RESTAURAÇÃO DE SEU PROJETO DE VIDA

—FASE DOCUMENTAL—

ANGY PLATA ÁLVAREZ\*  
FRANCY PLATA ÁLVAREZ\*\*  
ANGÉLICA VARGAS BERNAL\*\*\*

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\* Abogada de la Universidad Santo Tomás de Bucaramanga, licenciada en Inglés de la Universidad Nacional Abierta y a Distancia. Especialista en Derecho Procesal Contemporáneo, en Contratación Estatal y en Pedagogía para el Desarrollo del Aprendizaje Autónomo. Candidata a magíster en Transformación del Conflicto y Construcción de Paz de la Universidad Incca

## Abstract

This article is the product of research carried out to obtain the Master's degree in Conflict transformation and peacebuilding, from the Incca University of Colombia, through which developed a judicious and detailed analysis of the route of the institutional offer in Medellín for people displaced by the armed conflict to reestablish the life project, so after the normative, doctrinal review and jurisprudential, a comparison exercise was carried out with the different reports emanating from both the National Government and other entities that intervene in the care of victims.

In summary, the results of the documentary phase of the investigation are presented in this paper, while, the second product will present the results of the fieldwork research carried out, as a result of the presentation of inquiries to authorities with greater incidence and/or participation attending victims of forced displacement and the approach to experts from the same entities.

From the previous exercise, it is possible to determine that the current model has an essentially assistance-oriented approach, focused on emergency humanitarian aid, thereby preventing the victims from being able to overcome their condition, much less reestablish their

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de Colombia. Magíster y doctoranda en Derecho Procesal de la Universidad de Medellín. Docente de la Universidad Autónoma Latinoamericana. Personera delegada 17D para Decisión Disciplinaria de la Personería Distrital de Medellín. Google Scholar: [https://scholar.google.com/citations?view\\_op=list\\_works&hl=es&user=SPqvKRQAAAAJ](https://scholar.google.com/citations?view_op=list_works&hl=es&user=SPqvKRQAAAAJ), Orcid: <https://orcid.org/0009-0008-8129-1677>, correo electrónico: [angieplata27@hotmail.com](mailto:angieplata27@hotmail.com) / [angy.plataal@unaula.edu.co](mailto:angy.plataal@unaula.edu.co)

\*\* Psicóloga de la Universidad Pontificia Bolivariana. Especialista en Planeación, Administración y Desarrollo de la Investigación de la Universidad Manuela Beltrán, y en Gestión de la Seguridad y Salud en el Trabajo con Licencia en Salud Ocupacional. Candidata a magíster en Gerencia Estratégica, especialidad Gerencia (diplomas internacionales en trámite con la Universidad de Puerto Rico y la Universidad Europea del Atlántico). Candidata a magíster en Transformación del Conflicto y Construcción de Paz de la Universidad Incca de Colombia. Con experiencia en docencia, consultoría e investigación Google Scholar: <https://scholar.google.com/citations?user=khYDUzkAAAAJ&hl=es>; Orcid: <https://orcid.org/0009-0007-2939-9448>; Correo electrónico: [francyasmin@gmail.com](mailto:francyasmin@gmail.com)

\*\*\* Abogada de la Universidad Santo Tomás de Medellín. Especialista en Derecho Administrativo. Candidata a magíster en Transformación del Conflicto y Construcción de Paz de la Universidad Incca de Colombia. Estudiante de Contaduría Pública de la Universidad de Manizales. Abogada litigante en las áreas de derecho administrativo, de familia, laboral y civil. Con experiencia en docencia e investigación. Google Scholar: <https://scholar.google.com/citations?hl=es&user=7B2zTUAAAAAJ>, Orcid: <https://orcid.org/0009-0002-9997-1829>, Correo electrónico: [amvargasb94@gmail.com](mailto:amvargasb94@gmail.com) / [amvargasb1@unincca.edu.co](mailto:amvargasb1@unincca.edu.co)

life project, or at least have the tools to build one according to their new realities, conditions, and expectations.

**Keywords:** victim, forced displacement, care route, effectiveness, life project.

## Resumen

Este artículo es el producto de una investigación adelantada con el propósito de obtener la titulación de la Maestría en Transformación del Conflicto y Construcción de Paz de la Universidad Incca de Colombia, en la que se desarrolló un análisis juicioso y detallado de la ruta de la oferta institucional de Medellín para personas en condición de desplazamiento por el conflicto armado, de cara al restablecimiento de su proyecto de vida, por lo que luego de la revisión normativa, doctrinaria y jurisprudencial, se realizó un ejercicio de contraste con los diferentes informes publicados tanto por el Gobierno nacional como por otras entidades que intervienen en la atención a las víctimas. En suma, se exponen los resultados de la fase documental de la investigación, y en un documento posterior se expondrán los resultados del trabajo de campo realizado, al indagar por la presentación de derechos de petición ante las autoridades con mayor incidencia o participación en la atención a víctimas del desplazamiento y mediante el intercambio de ideas con expertos de las mismas entidades.

Gracias al anterior ejercicio, se logra determinar que la atención que se ofrece actualmente tiene un enfoque asistencialista, centrado en la ayuda humanitaria de emergencia, que impide que las víctimas puedan superar su condición y restablecer su proyecto de vida, o al menos contar con las herramientas para construir uno acorde con sus nuevas realidades, condiciones y expectativas.

**Palabras clave:** víctima, desplazamiento forzado, ruta de atención, efectividad, proyecto de vida.

## Resumo

Este artigo é o produto de uma pesquisa realizada com o propósito de titulação no âmbito do Mestrado em Transformação de Conflitos

e Construção de Paz da Universidade Incca da Colômbia, por meio da qual foi desenvolvida uma análise criteriosa e detalhada da rota da oferta institucional em Medellín para pessoas em situação de deslocamento devido ao conflito armado, com o objetivo de restabelecer o projeto de vida. Após a revisão normativa, doutrinária e jurisprudencial, foi realizado um exercício de contraste com os diferentes relatórios emitidos tanto pelo Governo Nacional quanto por outras entidades que intervêm na assistência às vítimas.

Em suma, são apresentados os resultados da fase documental da pesquisa, enquanto em um segundo produto serão expostos os resultados do trabalho de campo realizado, resultante da apresentação de pedidos de direito às autoridades com maior incidência e/ou participação na assistência às vítimas do deslocamento e da abordagem de especialistas das mesmas entidades.

Do exercício anterior, conclui-se que a abordagem atual tem essencialmente um viés assistencialista, centrado na ajuda humanitária de emergência, impedindo assim que as vítimas possam superar sua condição e, ainda menos, restabelecer seu projeto de vida, ou pelo menos contar com as ferramentas para construir um que esteja de acordo com suas novas realidades, condições e expectativas.

**Palavras-chave:** Vítima, deslocamento forçado, rota de atenção, efetividade, projeto de vida.

## INTRODUCTION

It is public knowledge that on August 24, 2016, the negotiation between the National Government and representatives of the Revolutionary Armed Forces of Colombia-People's Army (FARC-EP) culminated in Havana-Cuba, with the signing ceremony of the agreement on September 26 of the same year and is commemorated on November 26 of each year. The main objective of the agreement was to end the armed conflict that affected the country for more than half a century and lay the foundations for the construction of a stable and lasting peace.

Despite the above and what all Colombians long for, the signing of the peace agreement is not shown as the termination of the conflict, and it is even striking that on the Web portal of the Victims Unit, a monthly report published shows an increase in the number of victims of the internal armed conflict.

The National Victims Unit, whose source is the National Information Network (s. d.), reported on its Official Website portal, with a cut-off date of March 31, 2023, a total of 9,472,019 victims of the armed conflict; As of May 31, 2023, a total of 9,514,863 were reported, and as of August 31, 2023, a total of 9,555,446 historically registered victims were reported, of which 7,535,692 are subjects of attention, where the victimizing events with the highest number of people affected stand out: forced displacement with 8,515,242, homicide with 1,093,294, threats with 645,451 and forced disappearance with 192,637.

According to the differential approach, 4,749,818 are men, 4,799,280 are women, 5,574 are LGBTI, 334 do not report and 440 were classified as intersex.

Likewise, the Victims Unit Observatory has been publishing semi-annual reports on forced displacement, highlighting that it is the victimizing event with the highest number of victims.

In the semi-annual report on forced displacement 2021-2, the Victims Unit through the Unit Observatory for Victims warned that 49,015 unique victims were included in the Single Registry of Victims (Registro Único de Víctimas, RUV) due to individual displacement events alone, due to events that occurred in 2021-2, of which 46,988 are subjects of attention, 51,2 % corresponding to women, 48,5 % to men, and 0,2 % to a population with diverse sexual orientation and gender identity (Observatorio Unidad para las

Víctimas, 2022, p. 8). Likewise, the inclusion of 17,533 unique victims due to massive forced displacement events that occurred in 2021-2 is reported, of which 49,1 % are women, 50,9 % are men, and additionally, 2,8 % have some disability, 38,4 % of the people are children and adolescents.

It is alarming that, just one year later, in the semiannual report corresponding to the first semester of 2022, the Victims Unit Observatory (Observatorio Unidad para las Víctimas, 2022), reported a total of 67,144 victims included due to forced displacement during the said semester, of which 60,475 are subjects of attention. It was noted that in addition to displacement, some victims stated that they had also suffered threats, loss of movable and immovable property, crimes against sexual freedom and integrity, terrorist acts, and homicides. Regarding the characterization of the victims, it was determined that 52 % are women, 47,74 % are men, and 0,27 % are a population with diverse sexual orientation and gender identity. Additionally, 4,44 % have some type of disability, and 37,56 % are boys, girls, and adolescents between 0 and 17 years old. Antioquia is reported to be among the departments where the largest number of displacement victims arrived in said period, with a total of 5,487 equivalents to 8,2 %, located after Valle del Cauca and Norte de Santander, followed by Arauca and Sucre.

In any case, in both reports it is noted that the significant numbers in the registry cannot be equated to the total number of forced displacement events, since these statistics refer only to those who began their process to be recognized within the framework of the current law, leaving out to those victims who have not yet made their situation known and have not initiated any process related to it.

From the aforementioned statistics, it is important to highlight the increase in the number of registered victims, which has been reported gradually throughout the months of this year. This is even though, as already mentioned, since 2016 a peace agreement was signed with the FARC-EP, which promoted a stable and lasting peace. Corollary of this, the question arises: How can such peace be achieved, if the number of victims is increasing monthly?

Besides, seeing that the number of victims increases and does not decrease, it also deserves attention to ask about the attention that is being given to the victims, the route for this, and if it is contributing effectively to the re-establishment of their recovery projects. life.

The Colombian Constitutional Court, on January 22, 2004, issued ruling T-025 of 2004, which constitutes the founding ruling for the legal study of the phenomenon of internal forced displacement in Colombia, given that it declared the existence of an Unconstitutional State of Affairs (Estado de Cosas Inconstitucionales, ECI) (Corte Constitucional de Colombia, 2004).

The Unconstitutional State of Affairs (ECI) was declared in said ruling as a consequence of the serious, massive and, systematic violation of the fundamental rights of the displaced population, therefore, the Court established deadlines for the design and implementation of a plan of action aimed at overcoming the ECI, issuing express orders to various authorities such as the National Council for Comprehensive Care of the Population Displaced by Violence, the Director of the Social Solidarity Network, the Ministers of Finance and Public Credit, and the Interior and of Justice, and the Director of the National Planning Department; as well as implicit for mayors and governors (Corte Constitucional de Colombia, 2004).

According to the Court, although the public policy of attention to the displaced population was developed normatively since 1997, the results have not been able to counteract the situation of violation of the constitutional rights of the majority of the displaced population, which is analyzed in light of the data on the coverage of the components of care and the degree of satisfaction of the population in question. Among the most prominent problems of the policy of attention to the displaced population, the Constitutional Court (Corte Constitucional de Colombia, 2004) highlighted the following:

- Institutional capacity to protect the displaced population.
- Insufficiency in the appropriation of resources for the implementation of policies to care for the displaced population.

To following up on the ruling T-025 of 2004, the Constitutional Court has issued various follow-up decisions, finding that the ECI has not yet been declared overcome or passed, and even, concerning to the second semester From the year 2022 and the year 2023, the Constitutional Court has not communicated any ruling.

For its part, after being declared the Unconstitutional State of Affairs, the Congress of the Republic on June 10, 2010, issued Law 1448

of 2011 “By which norms of care, assistance and comprehensive reparation are issued to the victims of the internal conflict and other provisions are issued”, which protects victims of forced displacement, dispossession or forced abandonment of land, as well as other victimizing acts such as homicide, kidnapping, torture, forced disappearance, recruitment of minors, anti-personnel mines and crimes against sexual freedom, characterized by its differential approach, recognizing special treatment in terms of care, assistance, and reparation to people due to their age, gender, ethnic group or disability situation, as well as for having suffered more intensely the effects of the conflict.

Among the principles that govern the aforementioned law, there are those of progressiveness and gradualness, by which the restitution measures contemplated there must progressively aim at the re-establishment of the life project of the victims and specifically the victims of the forced displacement and abandonment, will have the right to voluntary return or relocation in conditions of sustainability, security and, dignity (Congreso de la República de Colombia, 2011, articles 17, 18 and 73).

Although public entities show large economic investments made to attend victims and large statistics that show a high number of victims treated, as stated in previous lines, it is found that the situation has not been overcome, and proof of this In addition to the different follow-up orders listed in preceding paragraphs, it is the systematic increase in the number of victims reported by the Victim Integral Assistance and Reparation Unit (Unidad para la Atención y Reparación Integral a las Víctimas, UARIV) on a periodic basis, which allows highlighting the need to the present investigation, aimed at carrying out a specific analysis of the route of assistance that is applied to the displaced population, in contrast with its effectiveness in ensuring that the victims achieve the reestablishment of their life project, especially when the different reports and reports have been reviewed, coming from both the UARIV and the National Government, none of them records the number of people who, despite having been victims of displacement, managed to reestablish their life project.

The previously described emerges then, as a national problem, which is the result of the armed conflict, known as forced displacement, whose victims are the object of institutional attention through the application of a route based on the guidelines established by the legal system. This research, based on the above, takes as its object and territorial delimitation the city of



Medellin and the Victims of forced displacement who arrive there, becoming users of the Care Route.

Due to this, this socio-legal investigation attempts to contribute to the identification of the deficiencies in the assistance and care that victims of forced displacement receive according to the state tools implemented for the re-establishment of their life projects, from this, propose possible solutions that are compatible with the spirit of the Political Constitution and other regulations issued for this purpose.

This research is also justified, from the perspective of its results, since these will contribute, from the genesis of a master's degree in conflict transformation and peacebuilding to the strengthening and contribution of national scientific research to promoting spaces for discussion, reflection and, proposal where national and local authorities can be linked to review and adjust the care route for the displaced population and to generate awareness, which ultimately results in the construction of a more just society.

## THE VICTIMS OF FORCED DISPLACEMENT IN COLOMBIA

When talking about forced displacement in Colombia, it is imperative to note that it arose as a consequence of the acts of force carried out by an armed power that sought to generate sovereignty in a certain territory, and as a consequence of its actions and its power it manages to banish the population due to the lack of sovereignty that the Nation, the State and the public force have over a certain place, which is generated because neither the political order nor the law are effective in those territories, a situation that generates serious violations to citizens. The above can be indicated as a phenomenon of stateless persons because although in this case, the State is not the one who with its action generates an exile from the country, it is true that due to the omission a violation of the rights of a person (Arendt, 1998, p. 355).

In the case of displaced people in Colombia, although it is not an abandonment of the nation, there is coercion to move within the country, but outside the territories that are being controlled by these groups outside the law, who see the need to expel citizens who do not agree with the positions adopted by them, whose sole purpose is to protect their lives and be able to move forward, starting from scratch (Uribe, 2000b, p. 49).

In Colombia, we began to talk about actions aimed at the care and prevention of victims of forced displacement in a structured manner with

the entry into force of Law 387 of 1997, in which the basic aspects of care were regulated. It was the instrument through which some guidelines were defined that must be followed in terms of prevention and care for victims of displacement in the Colombian State. In said regulations, the bases for the state policy that will facilitate the adoption were established. of the measures that seek to prevent forced displacement, defining what should be the care, protection and, socioeconomic stabilization of those displaced by violence within the Nation (Peco y Peral, 2006).

According to Law 387 of 1997 in its Article 2 (Congreso de la República de Colombia, 1997), displaced people have the rights to:

- Request and receive international humanitarian aid.
- Enjoy internationally recognized fundamental civil rights.
- Not be discriminated against due to their social status as displaced persons, race, religion, public opinion, place of origin, or physical disability.
- Family reunification.
- Access definitive solutions to your situation.
- Upon return to your place of origin.
- Freedom of movement is not subject to more restrictions than those provided for by law.

Furthermore, according to Law 1448 of 2011, the forcibly displaced person has the right to assistance and reparation measures, even before being included in the Single Registry of Victims (immediate humanitarian aid), among other rights contemplated in other regulations, such as those related to the right to health, housing subsidies, and land restitution, among others.

Because of this problem, with the ruling of Tutela 025 of 2004 of the Constitutional Court, a declaration of the unconstitutional state of affairs was issued which it is ordered to guarantee and restore the rights that were violated in the displaced population (Bejarano, 2017, p. 19).

Forced displacement, in addition to the social connotations that have been discussed, also constitutes a crime that was classified in Law 599 of 2000, also known as the Penal Code, due to two types of penalties, the first corresponds when it is executed in circumstances of aggravation as contemplated in article 180 and the second as part of the crimes that must

be protected due to human rights and was regulated in article 159 (Moreno, 2012, p. 30).

As a result of the displacements, the Consultancy for Human Rights and Displacement argued that between 2001 and 2002 considerable changes were evident in the composition of the population that had been displaced since a large part of this population was located in the most vulnerable communes of Medellín, places where continuous clashes between groups outside the law are observed, have sought to dispossess the inhabitants of the sector of their homes and now caused interurban displacement (Lopera, 2012, p. 40).

Bedoya (2020, p. 20) warns that forced displacement due to the armed conflict generates pressure in cities due to the concentration of said population, mainly in large cities, which contributes to the increase in the inequality gap and violation of human rights, settlements that lack basic minimum conditions for their protection and development, drinking water, health, among others, are problems that are evident on the occasion of the aforementioned.

For the Constitutional Court (Corte Constitucional de Colombia, 2004), forced displacement is essentially characterized by the violent coercion exercised on the person to leave a certain place and, consequently, this occurs within the national territory.

Article 3 of Law 1448 of 2011 contemplates the definition of victims, as “those people who individually or collectively have suffered damage due to events that occurred after January 1, 1985, as a consequence of violations of international humanitarian law or serious and manifest violations of international human rights standards” (Congreso de la República de Colombia, 2011).

For the specific case of the Colombian internal conflict, by the aforementioned norm, 13 victimizing events have been determined, such as the threat; crimes against sexual freedom and integrity; forced disappearance; forced displacement; homicide; accidents due to landmines, unexploded ordnance, or improvised explosive devices; kidnapping; torture; the forced recruitment of boys, girls or adolescents; the abandonment or dispossession of land; the loss of personal or real property; terrorist attacks and massacres (Rojas, 2020, p. 15).

According to the statistics reported by the Victims Unit both on its Web portal and in the reports it has issued, without a doubt, forced displacement

constitutes the victimizing event that has affected the most people in the country, and after being signed The peace agreement has not ceased.

As announced in the introduction, on January 22, 2004, the Constitutional Court issued ruling T-025 of 2004, which constitutes the cornerstone for the study of the phenomenon of internal forced displacement in Colombia, because, In said ruling, the existence of an Unconstitutional State of Affairs (ECI) was declared, which means that the high Corporation evidenced a serious, massive and systematic violation of the fundamental rights of the displaced population (Corte Constitucional de Colombia, 2004).

As a result of the declared ECI and to overcome it, the Court that is responsible for the guardianship of the Constitution established deadlines for the design and implementation of an action plan, for which it issued express and implicit orders to various authorities, warning that The results related to the public policy of attention to the displaced population have not been able to counteract the situation of violation of the constitutional rights of the majority of the displaced population, which were mainly attributed to institutional capacity and insufficient resources (Corte Constitucional de Colombia, 2004).

Likewise, following up on said ruling, since 2004 the Constitutional Court has issued various decisions, of which the 52 orders listed in the introduction of this writing stand out. The unification ruling SU016 was also issued on January 21, 2021, where the High Court analyzed the situation of a group of victims of forced displacement, providing a series of structural measures by the ECI declared in ruling T-025 of 2004, mainly related to housing issues (Corte Constitucional de Colombia, 2021, s. d.).

On the occasion of said follow-up, the most recent order issued is apparent, order 895 of June 30, 2022, which focuses mainly on the orders of the aforementioned unification sentence related to eviction cases (Corte Constitucional de Colombia, 2022, s. d.).

However, reviewing the date of issue, we find that order 894 turns out to be the most recent, as it was dated July 11, 2022. There, the Court declared that: “the Unconstitutional State of Affairs persists in matters of prevention and protection.

The above is due to the setback in the guarantee of the rights to life, security, integrity, and freedom of the population in situations of forced displacement. In short, the high Corporation warned of the existence of

“institutional blockages and practices in public policy” (Corte Constitucional de Colombia, 2022).

As a consequence of the above, the Court ordered the Ministers of the Interior, National Defense, Finance and Public Credit, and of Agriculture and Rural Development (the latter through the Director of the Land Restitution Unit), and the Directors of the National Planning Department, the Victims Unit and the National Protection Unit, formulate a “strategy for articulation and rationalization of public prevention policy.” In addition to this, it ordered the Ministry of the Interior, in its capacity as Coordinator of the Public Prevention Policy, to present the strategy within 4 months of communication of the provision (Corte Constitucional de Colombia, 2022).

Among other orders, the Court also ordered the entities involved, headed by the Ministry of the Interior, to implement seven shock plans for the regions identified by the Ombudsman’s Office through its early warning system, such as areas with recurring humanitarian emergencies, in the following order:

- Antioquia (Bajo Cauca, norte —north— y Urabá).
- Chocó (Medio y Bajo Atrato, Bajo San Juan, Medio, Alto y Bajo Baudó).
- Valle del Cauca (zona urbana y rural —urban and rural área of— de Buenaventura).
- Cauca (norte y Pacífico-north and Pacific).
- Nariño (Costa Pacífica-Pacific Coast).
- Córdoba (zona sur-south zone).
- Norte de Santander (Catatumbo).

Among the important observations, it stands out that the Court did not find that the National Government had implemented a differentiated route so that, based on its analysis of institutional capacity, it intervened in those cases where it was noted that the territorial entities did not have the budgets of normality to carry out management within the framework of the ordinary planning and articulation schemes, which is why it concluded that “the unconstitutional practices identified in Auto 373 of 2016 regarding institutional coordination for the prevention of displacement persist.” In

terms of Protection, the creation of the National Protection Unit and the strengthening of the individual route were positively valued but warned that the “absence of a public prevention policy” means that the demand for individual protection requests cannot be satisfied by the UNP’s offer of measures, despite the budget increases made (Corte Constitucional de Colombia, 2022). Specifically, the Court did not rule on the route of care for people in situations of displacement, its possible deficiencies and its relationship with the right to reestablish the life project of the victims.

Before the follow-up order that has been cited, there is order 859 of June 23, 2022, where the Constitutional Court adopted several positions on different proposed indicators (humanitarian care, return and relocations, protection, and restitution of lands, prevention indicators and protection (homicide rate in victims of forced displacement, disappearance rate in victims of forced displacement, rate of sexual violence and rate of interpersonal violence, rate of victims of forced displacement who have not suffered new victimizing events), education, generation of income and employment, housing, compensation, justice and truth. In any case, to date, it should be noted that there are more than 23 follow-up orders, there is no pronouncement yet for the year 2023, and it is not yet evident, promptly, a clear statement from the Court regarding the route of care for people in situations of displacement, their possible deficiencies and their relationship with the right to re-establish the life project of the victims.

Existing parameters for the implementation of a care route for victims of displacement, its effectiveness for people who have suffered the victimizing event to achieve the re-establishment of their project constitutes an additional problem to that of displacement itself, its effectiveness so that people who have suffered the victimizing event achieve the re-establishment of their life project, since it is questioned whether: i) it meets the differential approaches embodied in the law, ii) it is known and iii) there are sufficient resources for its implementation. From this investigation, we will seek to establish what the characteristics of the route are and identify which aspects deserve to be reviewed to make it effective.

Because, as announced in previous lines, there are several victimizing events, and each one deserves to be studied in light of the number of victims, for delimiting purposes, Antioquia being the department that reports the highest number of victims per forced displacement, this investigation has focused on it, specifically in its Capital (Medellin), which is the one that

receives people from all the other 125 municipalities, where in addition to the Victims Unit having an institutional presence, other authorities such as the Department Government (Gobernación) and entities of the national order such as the Attorney General's Office (Procuraduría Regional de la Nación) with jurisdiction over the entire department through its Antioquia Regional Attorney's Office (Procuraduría Regional de Antioquia) and the Ombudsman's Office (Defensoría del Pueblo) through the Antioquia Regional Defender's Office (Defensoría Regional de Antioquia), the above, since although there are clear statistics relating to the amount of victims registered in the RUV, there is no specific information that makes it possible to show that the care route is really contributing to the victims of displacement reestablishing their life project.

## THE GOVERNMENT BALANCE RELATED WITH THE RESEARCH PROBLEM POSED

In the XX report presented in 2022 by the National Government to the Congress of the Republic, regarding the law on victims and land restitution, it is indicated that the Victims Unit strives to guarantee access and compliance with the care and assistance to victims, so after the pandemic it has ordered the reopening of 193 care points and 31 regional centers, to guide the victim population throughout the country, with Antioquia being the one with the largest number of care points (35) and 1 regional center (Gobierno Nacional de Colombia, 2022).

This report mentions that just in the period from August 8, 2018, to February 28, 2022, 1,362,398 households that were victims of forced displacement were reported as “attended,” which translates into an investment of \$1,699,583,083. 245 Colombian pesos, but when breaking down the concept it is evident that “attention” is understood only as the delivery of humanitarian aid, aimed at mitigating or temporarily filling the deficiencies of the right to minimum subsistence, as a result of the victimizing event.

Health care is shown as the results of compliance with Law 1448 of 2011, through the psychosocial rehabilitation measure and the comprehensive health component, which in turn is linked to other dimensions of rehabilitation, such as physical and mental, giving rise to what is known as the Psychosocial Care and Comprehensive Health Program for Victims

(Programa de Atención Psicosocial y Salud Integral a Víctimas, PAPSIVI). A total of:

- 7,349,591 victims affiliated with the Social Health System, which represents 94,5 % of affiliation coverage.
- 13,138 victims who received 49,821 physical rehabilitation services.
- 24,930 victims who received 143,454 mental rehabilitation services, a high sum that shows the impact of the covid-19 pandemic.

Recalde (2016), presented the findings of the project “Evaluation of the Functioning of the National System of Comprehensive Care for the Displaced Population”, carried out to diagnose the barriers that prevent the victim population from accessing adequate and prompt care and orientation about their rights, as well as the care guidelines used by the officials of the registration and declaration route who serve the reporting displaced population, indicated that two types of barriers were identified, namely, individual and institutional. The first related to the obstacles coming from cultural factors and the social context that prevent victims at the individual level from effectively enjoying their rights, and the second to the obstacles that limit the operational capacity of the SNARIV institutions in the registration stage and declaration and that translate into low quality of care for victims. Among the institutional barriers, he identified administrative ones (lack of coordination of functions of territorial entities and those of the national order, lack of mechanism for prioritizing the needs of certain sectors such as registration, land, humanitarian assistance, housing; insufficient operational personnel; insufficient budget for operation; job instability of officials linked to the declaration process – use of service provision contracts; design based on welfare that makes declarations of people who are not displaced to access resources), and regulations (ignorance of the provisions laws and procedures by officials).

The impact of violence has directly reached more than 15 % of the population of Colombian territory (Moreno and Díaz, 2016). Accordingly, it is necessary to talk about the importance of psychosocial care for the victims of the armed conflict in Colombia, suggesting that the intervention be balanced by working both on the satisfaction of needs and the restoration



of rights, as well as on the strengthening of political development. and community, because if the focus is exclusively on the first, there is a risk of putting the population in a situation of passivity, waiting for the State to be the one to decide on their future, excluding them from all responsibility, as if they had a condition of disability or uselessness. The need for a differential approach is highlighted, and demanded by communities that have been victims of violent events (ethnic group, gender, age groups, etc.).

Moreno and Díaz (2016) state that one of the most prominent psychosocial support strategies is the work of building collective memory, which contributes to strengthening the cultural identity of a people. Madariaga *et al.* (2014), for their part, warn that the Colombian Constitutional Court indicated that displaced women are exposed to particular risks that derive from their gender condition, such as suffering sexual violence, forced recruitment, enslavement to carry out domestic work, imposition of norms of public and private behavior, dispossession of their lands and assets, threats and attacks due to their membership in organizational processes or their leadership work and defense of human rights, or due to their real relationships or alleged with members of armed groups. Also citing Rubiano, they highlighted that in ruling T-602 of 2003 the Constitutional Court highlighted the existence of a right of displaced persons to special treatment called “right to urgent preferential treatment” and drew attention to the need for affirmative actions and approaches differentials sensitive to gender, generation, ethnicity, disability and sexual option.

Regarding the “training line with a competency approach”, the report from the National Government to Congress that has been cited indicates that as a result of the coordination with the National Learning Service (Servicio Nacional de Aprendizaje, SENA) since 2021, has provided a human talent training course in a virtual mode called “Attention with a psychosocial approach to victims of the armed conflict”, which as of November 12, 2021, 1,393 of the 2,464 people involved had approved it. Regarding training programs with a competency approach, aimed at people as victims, no mention was made (Gobierno Nacional de Colombia, 2022).

The report has a component called “educational assistance”, which states that the educational system of the Nation and territory seeks in an articulated manner to guarantee the right to education of the population who are victims of the internal conflict, making reference to initial education, preschool, basic and secondary, in compliance with the provisions of article

51 of Law 1448 of 2011. As of December 2021 alone, 37,093 girl and boy victims were reported registered in the RUV with initial education, while of the children cared for by the Colombian Institute of Family Welfare (Instituto Colombiano de Bienestar Familiar, ICBF) for initial education exposes 114,017 child victims. There is no clear and precise presentation of the attention in education at other levels, nor in adults.

No approach demonstrates education programs for work, or the strengthening of necessary social skills, given the phenomenon of displacement. Regarding investment projects, a list of generic projects is made, namely, “Implementation of the school feeding program in Colombia”, stating that they have resources focused on the Victims Policy, without discrimination being made for the victims of the victimizing event that is the subject of this investigation.

Doing a selective search in the 443-page document with the term “life project” only two coincidences appear, the first refers to the single full school day in terms of education for boys, girls, adolescents and, young people, in the analysis of time, The second mention is related to the recognition of the ethnic population as subjects of special constitutional protection, stating that this contributes to the strengthening of their life project, without further development of such affirmation.

Likewise, although it is noted that the statistics are presented in a characterized manner, it is not evident in the report that the attention to victims has any differentiation for this reason. Madariaga *et al.* (2014) maintain that when thinking about the care of women victims of forced displacement, it is assumed that the public policies of the System of Attention, Assistance and Reparation for Victims (Sistema de Atención, Asistencia y Reparación a Víctimas, SNARIV) and the strategies that are articulated to these to facilitate the victims to overcome these events satisfactorily, are widely known by the different actors involved in the process, however, as a result of their research, they found that less than 30 % of women know public policies. and the strategies adopted by the State for its implementation; They even found that 71 % of the participants in the questionnaires applied did not know what the public policies of the System of Care, Assistance and Reparation for Victims (SNARIV) are, and 89 % do not know the programs provided by the System derived from the right to women to live with dignity, free from all forms of discrimination and violence, especially if we take into account that more than half of them stated that they had obtained state aid, 42 % of

women indicated a total lack of knowledge about public policy, understood as the set of activities carried out by public or government institutions aimed at guaranteeing rights and responding to the needs of citizens.

Another result of the research was that 36 % of the participants consider that care programs for victims of the armed conflict are used by politicians to obtain votes during electoral campaigns, 14 % state that resources are diverted to satisfy personal interests, 23 % consider that the State does not have one of its priorities to serve low-income people and 9 % consider that the authorities do not do enough to address their problems. The perception of structural deficiencies in the programs offered by the State and organizations that develop programs to care for women victims of the armed conflict is evident, as well as barriers to access to these services, which materialize from the lack of personnel dedicated to disseminating the programs, even the number of programs offered to train in the procedures to access them, added to the lack of coordination of the different entities in charge of providing attention to them (Madariaga *et al.*, 2014).

This research suggests that low educational and socioeconomic levels are what prevent victims from knowing about their rights and the existing procedures to make them effective, as well as the modes of operation of public entities and the access routes to the administration of Justice.

The above is reprehensible if one considers that the Constitutional Court, since ruling T-025 of 2004, ordered the Government to adopt special care and protection measures. This study also noted the lack of training programs for public officials that sensitize them to the problem and the special care needs of victims to restore their rights, finding that less than 50 % of officials are prepared in the victim care protocol and most of them have not received formal training on their work, and what they know has been learned from their own experience.

In addition, it was not found that the government had implemented a training and qualification strategy for the representatives of the organizations of women victims of displacement, which offers them conceptual and methodological training elements on how to influence public policies, since The different training received comes from different sectors such as the church, international organizations, among others.

The Colombian Truth Commission identified, based on the interviews carried out with both officials and victims, that there are drawbacks in the Psychosocial Care and Comprehensive Health programs for Victims so far

since the applicability of the peace agreement, due to various administrative problems that flagrantly hinder the continuity of the process due to a lack of hiring and adequate personnel, a situation that harms the possibility of reconstruction of the life project and generates low coverage of psychosocial care, a situation that demonstrates the limited possibility of the State complying with a comprehensive protection of their right to rehabilitation and these situations allow the generation of a hostile terrain that facilitates the possibility of the displaced population being re-victimized (Comisión de la Verdad, 2022, p. 77).

Therefore, policies aimed at reparation must be part of a reconstruction policy from a broader context, where collective reparation actions ordered from the local and regional levels are allowed to comply with memory measures, security guarantees, care for victims, protection and reconstruction of living environments that were affected as a result of the war (Comisión de la Verdad, 2022, p. 78).

All of the above has shown that forced displacement corresponds to one of the most extensive and deep wounds regarding the social impact of the vulnerable population, a situation that has forced a territorial reconfiguration and the creation of a new way of life after displacement. All of the above, because many times they must start over and rebuild a new life, generally in marginal neighborhoods of cities or in some areas in which the armed conflict is still accentuated, all given in conditions of lack of protection, this is due because they lose their way of life, cultural and productive identity (Comisión de la Verdad, 2022, p. 169).

On the other hand, it has drawn the attention of researchers that forced displacement corresponds to one of the events that have received the greatest institutional attention both at the national and local level, being the first objective to develop policies and regulations that seek to mitigate the consequences caused. However, according to the reports presented to the Truth Commission, they have shown that the delays in humanitarian aid regularly have led to an average of three out of every four displaced households being poor and, in turn, one out of every three households of displaced people live in conditions of extreme poverty, which shows that the policies have not resolved the problem, but have probably emphasized the violation of more human rights and encouraged the deconstruction of their life project (Comisión de la Verdad, 2022, p. 70).

The Truth Commission found that the economic, military, and administrative efforts given by the State were concentrated on the war, leaving aside the reconstruction of schools as a priority, despite their important role as a social fabric and a place of peace, as contemplated by International Humanitarian Law (Comisión de la Verdad, 2022, p. 105), situations that clearly show how the life project of the victims has been left aside, given the importance of education in the purpose of rebuilding life projects.

Analyzing the case of Medellín, one of the municipalities most affected by the armed conflict in Colombia, Granada (2017) shows the existence of a policy of care for the population displaced by violence in 2007, which in 2011 changed with the adoption of a national public policy to care for all victims of the conflict, which meant making adjustments to the institutions responsible for caring for those affected. In Medellín, actions can be highlighted that were also strengthened by non-state actors in the municipal territory. The Casa de la Memoria museum opened in the city of Medellín, created in 2006, became a public establishment that is evidence of this, as well as different experiences of return, the recognition of victims of criminal gangs, discussions about the collective reparation in Medellín and the need to advance guarantees of non-repetition, lasting and sustainable solutions; the preparation of a historical memory report on violence within the framework of the armed conflict in Medellín, and the specific case of comprehensive care in La Loma, among others.

From the above, it is evident that the attention to victims of displacement is focused on emergency economic measures and imminent coverage of basic needs related to food, housing, and health, without evidence of any intention related to the reestablishment of the life project of the victims, in accomplish of article 73 of Law 1448 of 2011, related to the principle of progressivity regarding land restitution.

## THE RESTORATION OF THE LIFE PROJECT OF THE VICTIMS

Portela (2015) considers that the life project is the capacity of the human being to decide autonomously and, above all, to carry out their life plan. Therefore, it is nothing other than the manifestation of freedom, closely linked to the concept of human dignity, recognized by the Political Constitution from its first article. By this, and with the assessment made of

the pronouncements of the Inter-American Court of Human Rights, it is up to the State and its institutions to guarantee the necessary conditions for the realization of the life project.

In this writing, citing Fernández, another concept of a life project is presented, as one that addresses the fulfillment of the person but takes into account their vocation, aptitudes, circumstances, potentialities, aspirations, and expectations, also supported by the options that the person has to lead their life and achieve what they propose (Portela, 2015, p. 23). According to the above, it could not be observed as a more damaging fact to a person's life project than their dispossession of the land and consequent displacement.

Bello and Chaparro maintain that human beings are “born in need” (2011, p. 17), and that this need remains, given that their subsistence depends on the resources they obtain as a result of human association. Affection, love, and success are added to the list of needs, which do not remain in apparent aspects of survival from the material and biological points of view, and consider that human needs can be understood as conditions for the construction of a worthy human subject. From the above, it can be concluded that, as a consequence of the denial of human needs, a violation of human dignity occurs.

These authors classify human needs as existential and ontological (Bello and Chaparro, 2011, p. 19), considering that the first (being, doing, being, and having) is the basis for the construction of a life project, and the way to satisfy them can be based on criteria such as identity, autonomy, and empowerment, while the satisfiers of axiological needs related to bodily, emotional and cultural needs can be products, services, infrastructures, social networks.

What has been proposed takes special importance in the Social State of Law, since it welcomes the subjects and undertakes to guarantee the conditions for the full exercise of their rights, and therefore the possibility of satisfying their needs. Thus, the subjects also manage to perceive themselves as members of the State and assume the obligations that also correspond to them.

To achieve the above, Bello and Chaparro (2011, p. 21) design what they call “types of satisfactory relationships”, as follows: self-management, social assistance, and public policy. All three require economic and symbolic transactions and require active participation, why not leading, of the State itself, through its different agencies.

Version 2 of the Psychosocial Care and Comprehensive Health Program for Victims within the framework of Law 1448 of 2011 prepared by the Social Promotion Office of the Ministry of Health and Social Protection (Oficina de Promoción Social del Ministerio de Salud y Protección Social, 2012), indicates that sociopolitical violence and the internal armed conflict in Colombia, have caused great material and non-material damage to the victims, including physical and mental health consequences, as well as other personal financial, social, cultural aspects, among others, suggests that they must overcome the difficulties and manage to continue with their lives, that actions are developed in different areas, including support to resume the construction of the individual, family and community life project.

In the same document, the damages caused to the Victims of Serious Violations of Human Rights and Infringements of International Humanitarian Law are explained, but to do so, citing Marta Bello, it is stated that the material dispossession of the land means “the loss of lifestyles, of community and family ties, of productive, social and cultural practices” (Oficina de Promoción Social del Ministerio de Salud y Protección Social, 2012). To define “Damage to the life project”, the Inter-American Court of Human Rights was cited, in the case of Gutiérrez Soler vs. the Colombian State, where it was held that the fact that the victim had to move in conditions of loneliness, economic hardship, physical and psychological breakdown, were irreparable damage to his life, which truncated his family ties and prevented him from meeting the expectations of personal and vocational development that were possible under normal conditions.

It is worth highlighting that mitigating the impact and damage to the life project constitutes the first specific objective of the PAPSIVI program, which means that the psychosocial care provided to the victims is duly supported, but, without a doubt, It is not unique or sufficient, so it requires also be carried out from other approaches for it to be achieved.

There is something that deserves special attention, and it is, that, to reestablish their life project, the victims can to process what they experienced and can recognize themselves as citizens, holders of rights, among them, the right to actively participate. in the development of their communities.

In any case, it is noted that the Comprehensive Health Route is activated from i) outpatient consultation service when an appointment is requested at the IPS, ii) emergency service, and iii) referral. Although the victim has the power to seek health service, it is also activated thanks to the

referral made by the UARIV's programs for caring for victims of the armed conflict, particularly from the Individual Plan of Comprehensive Reparation (Plan Integral de Reparación Individual, PIRI), necessary referral to guarantee the adoption of measures aimed at allowing the victims to reestablish their life project

Following this line, it is then observed that apparently, the attendant/care routes for victims of displacement are being limited to obtaining basic satisfactions (housing, food, and sometimes clothing), ignoring that psychotherapeutic support is also required, social demands, support not only to define the life project that is wanted (reestablish or establish) accompanied by the tools that provide the skills and abilities to make it possible, and not remain at the level of social assistance. If a person lived off the produce of the countryside, who knew how to work, they have been displaced to the city, their dispossession is not limited to the land as a place of residence, but to their life project.

The victims of armed displacement mention that many times after going through the process of forced displacement and moving to urban areas, they face enslaving jobs that they often have to accept because the State's help is not enough, especially when many times it is not. They know what to work on, since they only know how to do farm work and have little educational training. In the same way, they say that the possibility of rebuilding their life from scratch is very complex because they had a life that in turn was built and they have a worldview completely different from the reality they lived, because when they arrive at these new places, they face a total uncertainty about where to sleep, what they will eat, what they will work on and how to remain united, this, also taking into account that mothers who are heads of families are often displaced, given that the men of the household were murdered or recruited by the groups outside the law. Likewise, they conclude that the State, in its intention to help, uses tools they try to make them forget where they come from, who they are, and what their roots are and they feel that these situations should not be forgotten and in some way they re-victimize them (Acnur, 2010).

Within the research carried out by the National Center for Historical Memory, in support of the United States Agency for International Development and the International Organization for Migrants, it is concluded that many of the displaced people are conceived of as landless people because when they are forced to leave their territories, they generally leave



without direction and with few items that they can carry to survive the new realities they face, thrown into many situations of begging, overcrowding, hunger, pain and total uncertainty about what will be the future, longing to return to those moments where they were happy and those places that forged them (OIM Colombia, 2015).

Taking into account the above, the displaced claim that, they leave their territory with the desire to continue existing, seeking to safeguard life and generate an alert indicating that in certain places and sectors, the State is not complying with its legal and constitutional obligations. In some way, they feel that their life stopped the moment they were displaced and they desire to resume their life from that point (France 24 Español, 2022).

## CONCLUSIONS

In this first documentary phase of the investigation, which is aimed at analyzing the effectiveness of the institutional offer route in Medellín, for people displaced by the armed conflict, with a view to reestablishing the life project of the victims, in accordance with the review and detailed analysis of the information and statistics contemplated in the different reports of national and local authorities regarding the issue of the displacement of victims of the armed conflict in Colombia, among them, the National Government and the Victims Unit, as well as Reading the applicable norms and each of the pronouncements of the Constitutional Court by virtue of the declared Unconstitutional State of Affairs ECI, it is possible to see in conclusion that the victims of displacement as a consequence of the armed conflict are being attended to through a essentially welfare system, focused on emergency aid for first aid when the victimizing event occurs, aimed at shelter and food, but which does not direct its efforts towards supporting victims to achieve the reestablishment of their life projects, and therefore hence, the condition of victims, which causes their situation of vulnerability to continue for the long term.

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