

**The Political Economy of Internal Displacement in Colombia:
The Case of African Palm Oil**

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Abstract

Some 5 million people were classified as internally displaced in Colombia at the end of 2012, which represented about 10 per cent of the population and the highest number in the world at the time. Colombia differs from other countries with high levels of displacement in that it is comparatively politically stable, has effective national institutions, a relatively strong formal economy, and can by no means be described as a 'failed' or 'failing' state. The displacement literature tends to characterise the phenomenon as a humanitarian crisis and a side effect of the long-running civil war. But Colombians continue to be displaced in very large numbers despite the formal demobilization of the paramilitaries in 2006 and the diminished military capacity and engagement of the guerrillas since about the same period: the same groups that are widely regarded as being the main perpetrators of displacement.

This thesis contends that displacement of the civilian population in Colombia is frequently not a *consequence* of violence, but rather the primary *objective*, where violence plays a facilitatory role. Moreover, the thesis asserts that these massive levels of displacement are substantively linked to predominantly economically-motivated logics and are regionally specific. By examining an agricultural commodity that has significantly expanded relatively recently in Colombia - African palm oil - this research examines if and how expanded cultivation may be linked to displacement. Using a political economy framework of analysis combined with empirical fieldwork, it explores the 'localised displacement logics' whereby land is coercively acquired by powerful local groups.

The thesis concludes that the abandonment and dispossession of land from poor and marginalised groups constitutes part of an ongoing process of capitalist expansion and statebuilding in Colombia. Contrary to assertions that it is the intra-state conflict that constitutes the central obstacle to development, Colombia's current trajectory of capitalist development may actually be a central obstacle to sustainable peace and not lead to an end to displacement.

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Glossary of Abbreviations and Acronyms

AED	Accelerated economic development
AIS	Agriculture Guaranteed Income Fund (<i>Agro Ingreso Seguro</i>)
ANUC	National Association of Peasant Users (<i>Asociación Nacional de Usuarios Campesinos</i>)
AUC	United Self-Defence Groups of Colombia (<i>Autodefensas Unidas de Colombia</i>)
BACRIM	[New/Emergent] Criminal Groups (<i>Bandas Criminales</i>)
CINEP	Center for Research and Popular Education (<i>Centro de Investigación y Educación Popular</i>)
CNRR	National Commission of Reparations and Reconciliation (<i>Comisión Nacional de Reparación y Reconciliación</i>)
CODHES	Consultancy for Human Rights and Displacement
COP	Colombian Pesos
DANE	National Administrative Department for Statistics (<i>Departamento Administrativo Nacional de Estadística</i>)
DIDR	Development induced displacement and resettlement
DRI	Integrated Rural Development
ELN	National Liberation Army (<i>Ejército de Liberación Nacional</i>)
ENV	National Verification Survey
EPL	Popular Liberation Army (<i>Ejército Popular de Liberación</i>)

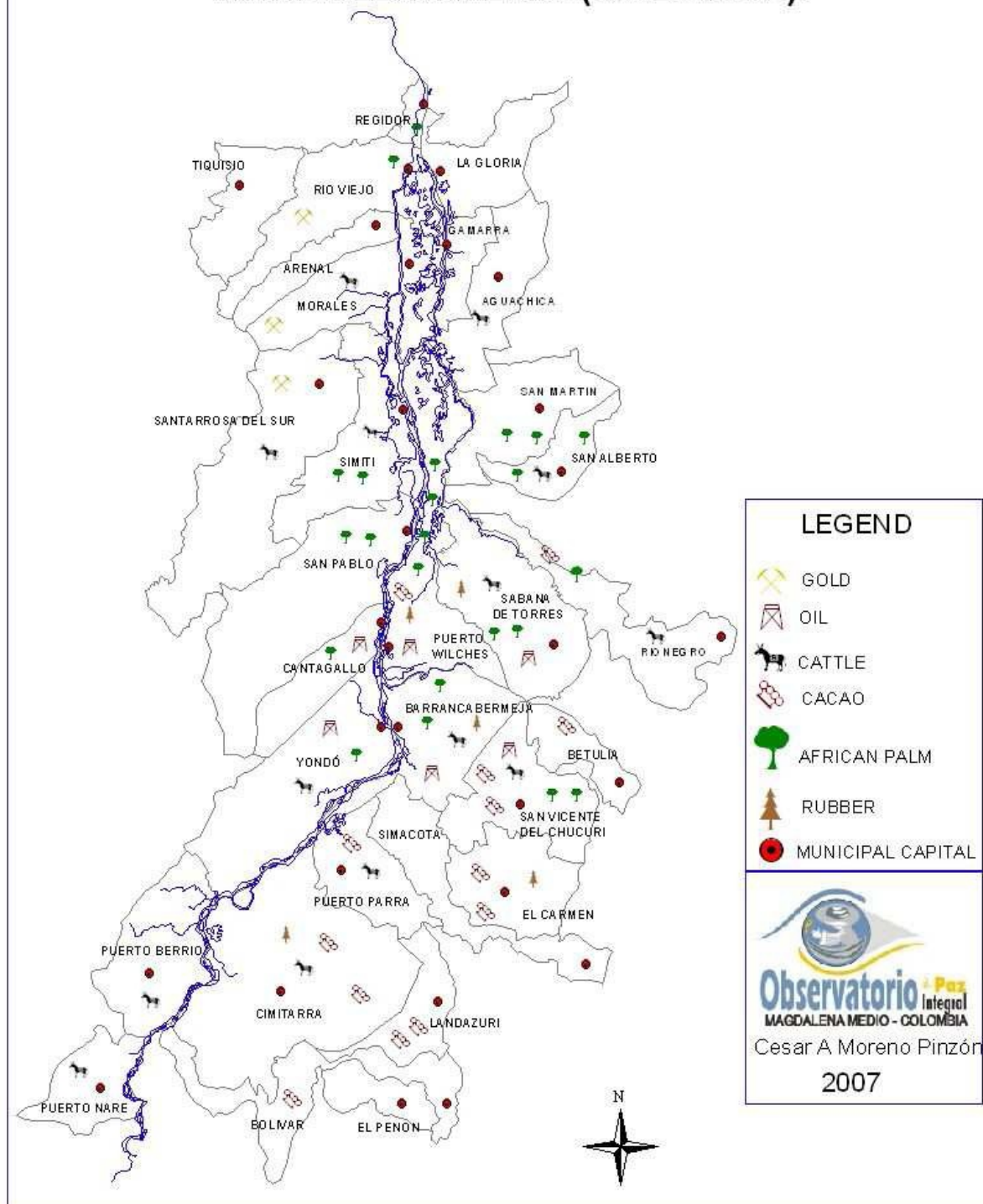
ERPAC	Colombian Revolutionary Popular Anti-terrorist Army
FEDEPALMA	National Federation of Palm Oil Cultivators (<i>Federación Nacional de Cultivadores de Palma de Aceite</i>)
FINAGRO	The Agricultural Fund (<i>Fondo para el Financiamiento del Sector Agropecuario</i>)
FARC	Revolutionary Armed Forces of Colombia (<i>Fuerzas Armadas Revolucionarias de Colombia</i>)
Fundepalma	Foundation for the Development of the Palm Oil Sector (Fundación para el Desarrollo del Sector Palmero)
GDP	Gross domestic product
GNP	Gross national product
IACHR	Inter-American Commission on Human Rights
ICRC	International Committee of the Red Cross
ICR	Incentive to Rural Capitalisation
IDB	Inter-American Development Bank
INCORA	Colombian Institute of Agrarian Reform (<i>Instituto Colombiano de Reforma Agraria</i>)
IDMC	Internal Displacement Monitoring Centre
IMF	International Monetary Fund
IGO	International governmental organisation
INCODER	National Rural Development Institute / Colombian Institute of Rural Development (<i>Instituto Colombiano de Desarrollo Rural</i>)
MLAR	Market-led agrarian reform

NGO	Non-governmental organisation
NRC	Norwegian Refugee Council
OAS	Organisation of American States
PCC	Colombian Communist Party
PDPMM	Programme for Peace and Development of Magdalena Medio (<i>Programa Desarrollo y Paz del Magdalena Medio</i>)
RUDP	Unified Database on the Displaced Population (<i>Registro Único de Población Desplazada</i>)
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees High Commissioner for Human Rights
USAID	US Agency for International Development
USD	US Dollars

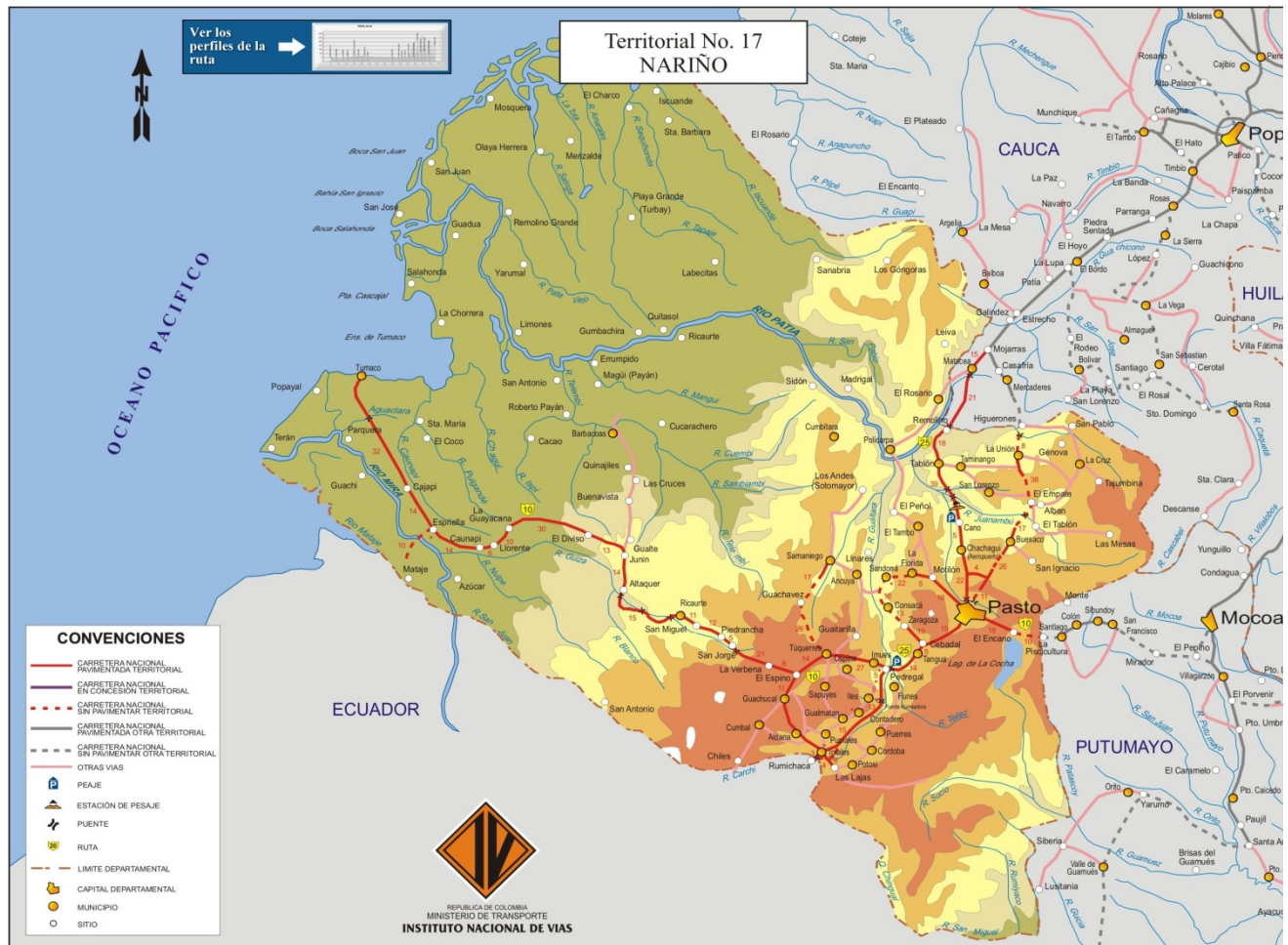
Maps



ECONOMIC ACTIVITY MAGDALENA MEDIO (COLOMBIA).



Map of the department of Nariño, Colombia



Chapter 1. Introduction

Overview of the thesis

Some 5 million people were classified as internally displaced in Colombia at the end of 2012, which represented about 10 per cent of the population and was the highest number in the world at the time. Colombia differs from other countries with high levels of displacement in that it is comparatively politically stable, has effective national institutions, a relatively strong formal economy, and can by no means be described as a ‘failed’ or ‘failing’ state.¹ The displacement literature tends to characterise the phenomenon as a humanitarian crisis: a side effect of the long-running civil war. But Colombians continue to be displaced in very large numbers despite the completion of the formal demobilisation of the paramilitaries in 2006 and the diminished military capacity and engagement of the guerrillas since about the same period: the same groups that are widely regarded as being the main perpetrators of displacement.

This thesis contends that displacement of the civilian population in Colombia is frequently not a *consequence* of violence, but rather the primary *objective* in order to acquire the land, where violence plays a facilitatory role. Moreover, the thesis asserts that these massive levels of displacement are linked to predominantly economically-motivated logics (as opposed to political ones), and which are regionally specific. By focusing on the period since the huge upsurge in violence and displacement in the country in the 1980s, the thesis argues that displacement is often a means of aggressive (or even violent) accumulation of assets; or what Karl Marx referred to as ‘primitive accumulation’

¹ However, Colombia could be described as a ‘weak’ state. This concept will be defined and discussed in chapter 2.

(Cramer 2006; Wood 2002). It is argued that only by adopting a political economy framework of analysis combined with evidence being collected through fieldwork is it possible to understand these 'localised displacement logics'. This is because such an approach allows for an examination of how assets (such as capital and resources) are transferred at the local level and how economic and socio-political power and violence are employed to achieve or resist such acquisitions.

By talking to a wide array of actors and examining peasant and community attempts to resist and prevent displacement, a clearer picture of the logics and mechanisms employed emerges. Ultimately, a more nuanced understanding of the different logics of internal displacement necessitates a re-examination of how we define and conceptualise internal displacement in the Colombian context, as current understandings may be insufficient to capture all forms of involuntary (coercive or violent) movement of the civilian population.

There is a substantial literature that examines the political economy of civil armed conflict in general. Political economy provides a useful framework to analyse the (often violent) accumulation and predation of resources. But the existing literature tends to be quite theoretical, focused on the context at a national level and rarely employs empirical research based upon fieldwork. This body of literature is also limited in the extent to which it analyses the phenomenon of displacement, which tends to be characterised as a side effect of the long-running civil conflict with little further analysis. Only by engaging with relevant actors and scrutinising mechanisms linked to displacement processes through fieldwork at the local level do other 'displacement logics' become apparent. This thesis applies a political economy approach not to armed conflict per se, but rather to displacement (and thereby dispossession of land).

The Colombian government argues that land transfers between *campesinos* and the private sector are guided by the free market within the context of a process of ‘modernisation’ – and therefore ‘development’ - of the rural economy, and neo-liberal policies that seek to enhance Colombia’s integration into the global economy.² This approach to rural development is chiefly characterised by capital intensive, high-technology, large-scale projects that convert farmland (and other types of land and resources) into plantations (and other large-scale forms of use) that benefit national and global interests over those of local people. It is the assertion of this thesis that this frequently leads to their displacement. In this regard, some of the displacement in Colombia shows similar characteristics (but also differences) to the global phenomenon of development-induced displacement and resettlement. The thesis will briefly examine some of this extensive literature to see what it can tell us about displacement logics and mechanisms in Colombia. The thesis suggests that the displacement in question does not comply with definitions of either conflict-induced displacement or development-induced displacement as the literature defines them, but is rather an amalgam of key aspects of both.

While there has been little examination on specifically the displacement impacts of agro-export products generally, there has been a good deal of examination of the role of coca production in prolonging armed conflict in Colombia (Díaz & Sánchez 2004; Holmes et al. 2008). The socioeconomic and political impact of traditional agro-export commodities have also been examined, such as coffee (Bergquist 1986) and bananas (Bucheli 2005; Fajardo 1983). But there is little in-depth examination of the links between non-

² The term ‘peasant’ derives from European experience and social theory. The term *campesino*, which is used across Latin America, in Spanish literally means ‘people of the fields’. However, in the Latin American context, *campesino* refers to a class of people, which emerged in response to the expansion of world capitalism. The translation into English of ‘peasant’ does not really encapsulate the entirety of its meaning in the Latin American context.

traditional commodities and displacement processes. By examining an agricultural commodity that has been cultivated much more extensively in recent decades in Colombia - African palm oil - this research examines if and how these processes of expansion may be linked to displacement. African palm oil is an appropriate lens through which to examine these issues because its cultivation has expanded significantly since the demise of coffee in the late 1980s, as the government, landowners and investors look for an alternative agro-export product to access global commodity markets which can be produced on an industrial scale using advanced technology and low labour input. Palm oil expansion has also been linked to displacement and other human rights abuses, although evidence for such links is largely anecdotal (Mingorance 2006; Otis 2009; Palcios 2012).

Such processes of commodity expansion are not only economic projects, but political and social ones, with regional variations. This calls for empirical research at the local level to examine alternative perspectives, particularly emanating from actors that tend to have a minimal voice, about how cultivation is being expanded; and how affected communities have responded. The need for such research has perhaps hitherto been masked by the acceptance of prevailing narratives.

This involves asking questions such as: Who are the present owners, users and occupiers of the land? What is the legal process by which land is acquired for agricultural production? Is land being transferred through mechanisms outside of legal, formal channels, and if so how? Do the occupiers of the land feel that they have been intimidated, threatened or coerced? Have violent acts been committed? Do they feel that their physical security or livelihoods are under threat? What options are open to them? How have they been assisted or stifled by local, national and international actors? What roles do institutions of the state play (at national, regional and local levels) in processes of

determining rights of ownership and occupancy, land transfer processes, and in response to coercion, violence and displacement?

This thesis recognises that a deeper understanding of the logics of displacement processes in Colombia requires an exploration of social, political and economic factors that are rooted in historically unresolved conflicts. Colombia has failed to establish a political settlement that is broad, socially-rooted and inclusive. These historical tensions derive from a number of factors that have intersected to create what the thesis argues is a ‘displacement-conducive environment’³: an archaic agrarian system that has led to massive inequity in land ownership and wealth; a political system based upon patronage and elitism; a state policy of expanding the agricultural frontier (colonisation) to remote areas where ‘traditional elites’ and armed groups compete with *campesinos* over access to land; and the ability of influential/powerful local actors to coerce rural smallholders to abandon or undersell their land - employing violence if necessary - with impunity. These characteristics of rural Colombia have been allowed to develop and persist because of the weakness of the state, particularly manifested by its lack of presence in and control of rural areas throughout much of the national territory. By examining displacement processes through fieldwork in two regions, this research will explore local level factors that contribute to Colombia being so highly conducive to displacement.

³ What the author means by the term ‘displacement-conducive environment’ is the conditions in Colombia that make displacement a low-cost and low-risk option to acquire rural land in significant quantities. These conditions include: an ongoing armed conflict and the widespread use of various other forms of violence; a history of large-scale displacement throughout the country with multiple causes; weak and corrupt legal and political structures that tend to favour those with power and influence; and in practical terms impunity for perpetrators. This has been reinforced by the tendency for successive government administrations (and others) in Colombia to almost exclusively focus on a humanitarian response to the high levels of displacement, while paying inadequate attention to prevention and the protection of those at risk. The thesis argues that this is partly a consequence of the scarce analytical examination about the complexity of displacement logics, an exploration of which is central to the purpose of this thesis. These issues will be discussed in more depth in Chapters 2 and 3.

Rocha & Gómez (2007: 19) argue that the combination of a relatively weak centre that cannot uphold the law throughout its territory, and of a society that has learned to cope with or exploited such state weakness to find privatised and individualised solutions to what ought to be collective problems, has helped create a social fabric that is conducive to illicit behaviours. The thesis contends that these conditions also contribute towards the displacement-conducive environment that exists in rural areas. These historical issues and their implications for contemporary displacement processes will be examined in Chapter 3.

This chapter will now critically examine the literature on internal displacement issues to determine what it tells us, and does not tell us, about how and why Colombia has the world's largest population of displaced persons. It concludes that the displacement literature, which is a relatively new field of study, is mainly concerned with the humanitarian consequences and responses to displacement with little analytical examination of motivations behind displacement processes. This chapter argues that applying a political economy approach which analyses findings gathered through empirical research offers a deeper understanding of the logics of displacement and the mechanisms employed. The chapter outlines this framework for analysis and also explains how such an approach makes a contribution to the literature on internal displacement. The thesis is grounded in evidence collected through fieldwork and examines dynamics at a regional/local level. In the penultimate section, the chapter discusses methodological issues in relation to the fieldwork. The chapter explains that an approach based upon grounded theory and phenomenology was adopted as this was appropriate to the broad, open-ended questions being asked given that linkages and relationships between actors and processes related to palm oil and displacement were poorly understood. Finally, there is a brief summary of each of the subsequent chapters.

Explaining internal displacement: a critical review of the literature

This section will begin by briefly looking at the historical background to the recognition of internally displaced persons as a category requiring specific attention among academics, policy makers and humanitarian actors. It will then examine the political response followed by the institutional response: the legal, normative and institutional framework that already existed or was developed to protect and assist internally displaced people. The internally displaced are widely regarded as being in a ‘refugee-like situation’, and both groups are often collectively described by academics as ‘forced migrants’. The framework for addressing the plight of internally displaced people will be compared with the equivalent apparatus that exists for refugees, known as the ‘refugee regime’.⁴ While it is argued that the academic literature related to the internally displaced is largely limited to issues such as legal definitions and labels, and policy and institutional responses, there have been some debates that provide useful contributions to this thesis. Finally, this section will briefly ask if our understandings of development-induced displacement processes offer any insights.

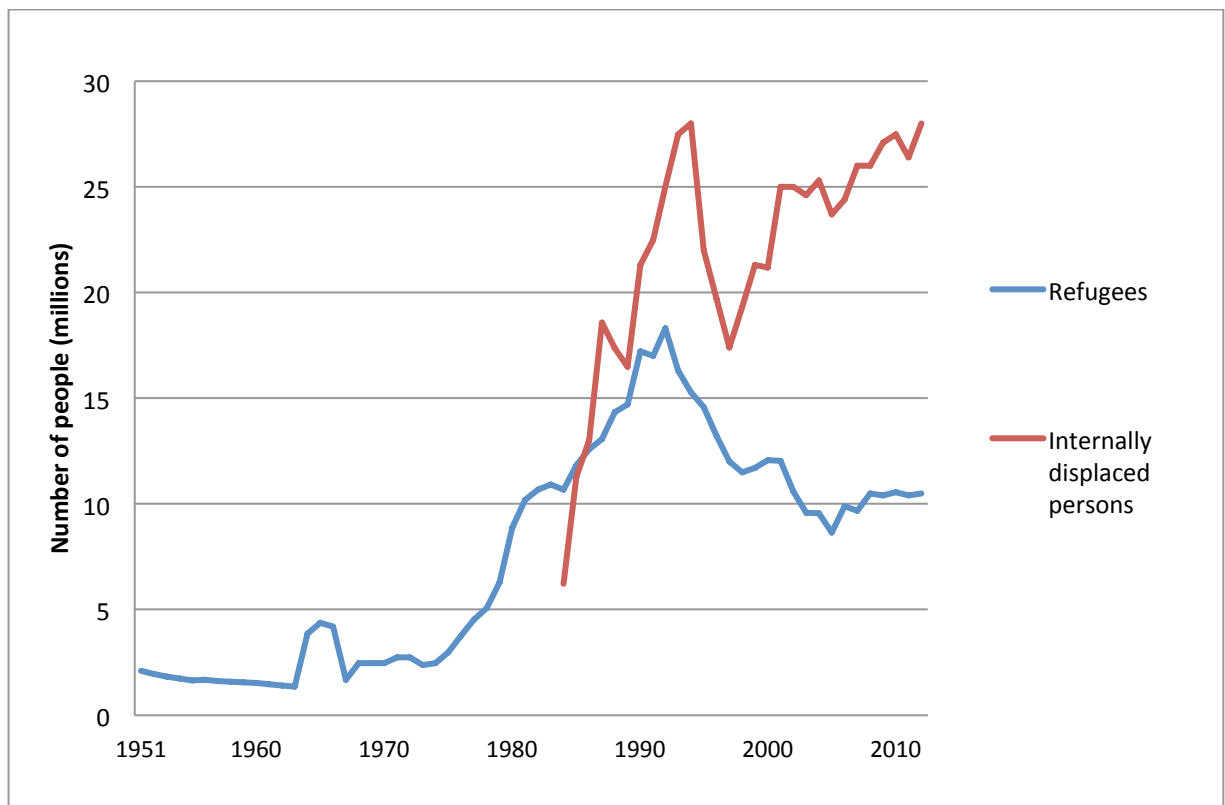
New wars, more displacement

Since the end of the Cold War, the international response to humanitarian crises around the world has escalated in scale and intensity (UNHCR 2000). During the Cold War, armed conflicts were largely linked to liberation struggles against colonial domination, external aggression and superpower rivalry (Zolberg et al. 1989). Since the 1980s, the civilian population has been increasingly targeted in intra-state conflicts, leading to proportionally more non-combatant casualties than during the two world wars and high

⁴ According to Krasner (1982: 185), the international refugee regime can be defined as the ‘principles, norms and decision-making procedures around which actor expectations converge in a given issue area.’ This includes institutions such as the United Nations High Commissioner for Refugees (UNHCR) and relevant government bodies.

levels of displacement (Loescher 2001a: 171).⁵ The concept of sovereignty and non-interference has been replaced in the post-Cold War era by a new model that emphasises ‘sovereignty as responsibility’, and which places a greater focus on human rights issues (Vincent 2002). This tendency promoted the idea of linking sovereign authority to governments’ responsibility for treating their citizens with respect. ‘In-country solutions’ and ‘preventative protection’ for displaced persons were increasingly promoted (Cohen 1996).

Chart 1: No. of refugees and internally displaced persons per year, 1951-2012.⁶



Sources: UNHCR 2000; UNHCR 2013; IDMC 2012

⁵ Albeit that the distinction between intra-state and inter-state conflict is not always simple or clear cut (Loescher 2001a: 201).

⁶ Statistics for internally displaced persons were only officially collated from 1985 (by the US Committee for Refugees). The statistics on internally displaced persons reflects IDMC’s 2011 monitoring of internal displacement caused by armed conflict, situations of generalised violence or violations of human rights; it does not include people internally displaced by natural or human-made disasters, or by development projects.

Western states supported these over international resettlement and adopted a more rights-based discourse in order to justify local solutions and thereby prevent further outpourings of refugees (Duberenet 2001). This contributed to a fall in the overall number of recognised refugees and a rise in the number of internally displaced persons (see Chart 1). Thus it is only since the 1980s, with rapidly increasing numbers of people becoming internally displaced around the world (or being recognised as such for the first time), that significant consideration by academics, governments, IGOs and NGOs has been paid to the phenomenon of internal displacement (Weiss & Korn 2006).⁷

This section will now examine the response of policy makers (particularly through the UN system), the humanitarian sector and academia to the phenomenon of internal displacement.

Political response

The growing international interest in internal displacement led to the UN Secretary-General in 1992 to appoint a representative to examine legal, operational and institutional issues (Bennett 2005). The Representative of the Secretary-General drew upon, and sought to address gaps in, existing human rights and humanitarian law by introducing the Guiding Principles on Internal Displacement in 1998.⁸ The Guiding Principles represent a normative and conceptual framework for advocating, monitoring and promoting the rights of internally displaced people. While there is no universally accepted or legally-binding definition for an internally displaced person, the Guiding Principles on Internal Displacement provide a description and framework for addressing their rights and needs

⁷ It seems likely that some of the increase in numbers during the early years can be attributed to the identification of groups that were not necessarily newly displaced.

⁸ In this context, it is important to distinguish international humanitarian law from human rights law. International humanitarian law comprises of the four Geneva Conventions of 1949 and two additional Protocols of 1977, and is applicable to civilians within their own country during conflict. The 1951 UN Refugee Convention, by contrast, is an instrument of international human rights law and only applies to those that have crossed an international border.

which is globally the most widely cited characterisation of internal displacement (UNOCHA 2003). The Guiding Principles describe the internally displaced as:

... persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalised violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognised State border (UNOCHA 1999).

Internally displaced persons are not entitled to the same level of legal protection in international law that is afforded to refugees. The 1951 UN Refugee Convention spells out the obligations and rights of refugees, and the legal obligations of states towards them. The Convention defines a refugee in Article 1 as:

A(2) [Any person who] ... owing to well founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable, or owing to such fear, is unwilling to avail himself to the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence ... is unable or, owing to such fear, is unwilling to return to it ... (UNHCR 2000: 23).⁹

This distinction in the protection and assistance afforded civilians, based upon whether or not they have crossed an international border, has a number of inter-linked consequences: how visible their plight is to the outside world; the ability of the international community

⁹ The refugee definition in the Convention was limited to events in Europe prior to 1 January 1951. However, these geographical and temporal limitations were subsequently removed by article I(2) of the 1967 Protocol to the Convention (UNHCR 2000: 23). By the end of 2011, 146 states had acceded to one or both of these instruments (UNHCR 2012: 239).

to respond; their effective physical protection and security; and levels of material and socioeconomic assistance they might receive.

Whereas the 1951 UN Refugee Convention's definition of a refugee is precise and limited, the Guiding Principles uses the phrase 'in particular' so as to include possible reasons for displacement other than those included in the description.¹⁰ The Guiding Principles recognise multiple causes of internal displacement, including disasters and development projects in addition to armed conflict and generalised violence.¹¹ They are flexible rather than being legally precise, and are intended to recognise vulnerability rather than provide legal status (Vincent 2000).

Civilians threatened with, or affected by, internal displacement in the context of civil armed conflict are entitled to limited protection under international humanitarian law, specifically the Geneva Conventions (1949) and particularly Additional Protocol II (1977).¹² The limited legal and humanitarian protection afforded to internally displaced people compared with refugees is linked to pragmatic and (for some states at least) ideological issues. The sovereignty of a state tends to make unwanted international intervention impractical if not undesirable. Indeed, the host state itself, or actors closely associated with it, may be responsible for the displacement. Western or broader military

¹⁰ Although the 1951 UN Refugee Convention does allow some room for interpretation and flexibility by including 'membership in a particular social group' as a category in the definition (for example, see Fullerton 1993).

¹¹ Not the subject of this research, disaster-induced displacement refers to people forced to leave their homes due to natural or human-made disasters. As a result of calamities such as flooding, mudslides, forest fires, hurricanes, earthquakes or nuclear accidents, this form of displacement affects millions of people every year. Most of these people become displaced within the borders of their own country. Development induced displacement will be discussed later in the chapter.

¹² Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), 8 June 1977 states that: 'The displacement of the civilian population shall not be ordered for reasons related to the conflict unless the security of the civilians involved or imperative military reasons so demand. Should such displacements have to be carried out, all possible measures shall be taken in order that the civilian population may be received under satisfactory conditions of shelter, hygiene, health, safety and nutrition.' ([p.1471] Article 17 - Prohibition of forced movement of civilians) (ICRC 1977).

intervention to halt displacement is more likely when the host state is weak and there are also outflows of refugees heading to Western states (such as Kosovo in 1999) and is less likely when the state is militarily strong and those displaced mainly remain within their own country or in neighbouring non-Western states (such as Syria in 2011-13).

While not a formal legal instrument, the Guiding Principles provide a legal framework within which to coordinate the activities of government, intergovernmental and non-governmental actors that might play a role in providing assistance and protection. They reaffirm the principle of non-discrimination in the treatment of internally displaced persons, and stipulate standards relating to protection from displacement, protection during displacement, as well as principles relating to return, resettlement and reintegration (Kalin 2008; Weiss & Korn 2006). The Guiding Principles make it clear that the primary responsibility for protecting and assisting internally displaced persons lies with host governments (Cohen & Deng 1998a: 275). Where the state is unable or unwilling to fulfil its responsibilities it should 'invite and welcome international assistance'. This reflects the view of the Guiding Principles' drafters that state sovereignty carries responsibilities (Davies & Glanville 2010: 4). A growing number of states, including Colombia, have incorporated some of the principles into their domestic laws (Wyndham 2006).

Humanitarian response

Internal displacement tends to be described, categorised and academically studied by its cause, an event or sequence of events: violent conflict or persecution; a natural or man-made disaster; or development policies and projects. These three categories are frequently referred to in the literature as conflict-induced displacement, development-induced

displacement and resettlement, and disaster-induced displacement.¹³ These categories also dictate to some extent the nature of any institutional response and the type of international (and possibly national) law that may apply to protect and assist them. However, these are not mutually exclusive groupings and they incorporate rather disparate groups of people. People may move for a complex range of security, political, economic and social reasons. While internal and cross-border displacement (often collectively referred to as forced migration) is understood to be involuntary, ‘migration’ tends to be associated with voluntary (frequently socioeconomic) decision making.¹⁴

Debates about the separation of categories, and respective legal and institutional responsibilities, have occupied policy makers and academics since the 1980s. People internally displaced by violent conflict are widely recognised in the literature as being in a ‘refugee-like situation’. Many argue that the internally displaced often find themselves in more insecure circumstances than refugees, because they remain within the jurisdiction of the state that is unable or unwilling to protect them (Cohen & Deng 1998a). Only marginal issues of time and space may distinguish an internally displaced person from a refugee (Hyndman 2000: 5). On the other hand, regarding internally displaced persons as a special category at all has been the subject of some international debate (ICRC 2006).¹⁵

There is no international organisation with the mandate to specifically assist and protect internally displaced persons, as there is UNHCR for refugees.¹⁶ The 1951 UN Refugee

¹³ In recent years, some have identified climate change-related displacement as a fourth, distinct category (FMR 2008; Boano et al. 2008; Zetter 2010).

¹⁴ Although some have questioned this distinction, arguing that discerning whether or not a choice is being freely exercised or not is highly subjective (Zolberg et al. 1989:30-33).

¹⁵ The ICRC has argued that during an internal armed conflict all civilians are vulnerable and in need of protection and assistance, and not just those that have been displaced. Although this line of argument is not unconnected with the organisation’s mandate to protect all civilians affected by armed conflict.

¹⁶ Instead various international organisations were encouraged to develop ‘frameworks of cooperation’ to provide protection, assistance and development for internally displaced persons by appointing focal points within their respective organisations. These organisations included: UNHCR, OCHA, UNICEF, WFP, UNDP, WHO, IOM AND ICRC. This has subsequently evolved into the so-called ‘cluster approach’.

Convention was not only Euro-centric, it also excluded the internally displaced despite there being millions of them in Europe following the end of the Second World War, when the Convention was being drafted.¹⁷ It is only since the end of the Cold War that the international community has recognised that the protection of human rights is strongly associated to the problem of refugees and internally displaced persons.¹⁸ Even today, human rights organisations in the field rarely provide protection to internally displaced persons, but rather tend to limit themselves to monitoring, reporting and advocacy (Loecsher 2001). The human rights of the internally displaced are often particularly precarious given that they remain within the borders of the country in which they were displaced and are not entitled to international protection.

However, in practice UNHCR has increasingly worked with internally displaced persons since the 1970s, and particularly since the late 1990s (UNHCR 2000). While the definition of a refugee in the 1951 UN Refugee Convention is based upon individual determination, its statute outlined responsibilities for ‘groups and categories of refugees’. This discrepancy was bridged through the introduction of the ‘good offices of UNHCR’.¹⁹ This allowed for UNHCR to be flexible, responsive and meaningful in emerging situations (Hyndman 2000: 10). Over the decades, the organisation has diversified in terms of the categories and contexts within which it will operate, and has aided people in their own countries, including those internally displaced. This has included some 500,000 people displaced in Southern Sudan and thousands more in Cyprus during the 1970s (Martin 2010: 25). Subsequently, it has assisted millions more

¹⁷ The 1951 UN Refugee Convention’s emphasis on persecution based upon civil and political status as grounds for refugee status reflected the context of the post-war period following the Holocaust and during the rise of Communism (Zolberg et al. 1989; UNHCR 2000).

¹⁸ Until the Cold War began to draw to a close, refugees were generally originating from Soviet states and arriving into Western states. They were usually accepted without the stringent processing that exists today, on the grounds that they were fleeing communist persecution and also because receiving countries were in short supply of labour (Chimni 1998).

¹⁹ Resolution 1673 (XVI) of the UN General Assembly on 18 December 1961.

when requested to do so by the UN Security Council (UNHCR 2000). But decisions about which groups to assist tend to be determined by financial and political considerations rather than being based on the extent of the needs of the displaced people (Polzer and Hammond 2008: 423). UNHCR now provides assistance to a large proportion of the world's population that have been internally displaced by armed conflict - numbering more than the refugees it assists - and occasionally provides assistance to those affected by natural disasters and climate change (Cohen 2008; McAdam 2012; UNHCR 2012).²⁰

Key academic debates

Substantial academic research into internal displacement began as recently as the late 1980s (Clark 1989; Cohen 1990; Cuny 1989; Keeley 1991). Much of this work focused on the logistic requirement of aid delivery rather than research into theoretical issues. Examination of the field expanded in the 1990s and focused largely around the production and dissemination of the UN Guiding Principles on Internal Displacement (Cohen & Deng 1998a; 1998b; Davies 1998; Korn 1999). The emphasis was thus on their utility for advocacy rather than theoretical work and enhancing our fundamental understanding of the issues. During the early 2000s, many institutions, publications and authors began to refer to studies about internal displacement and refugee studies collectively under the label of 'forced migration studies'. As an academic field, forced migration studies is still defining its boundaries: which sets of people, experiences, institutions and processes should be included (Chimni 2009; Polzer and Hammond 2008; Turton 2003a).

²⁰ In 2011, the total population of concern to UNHCR comprised of 14.7 million internally displaced people (out of a total of 26.4 million) and 3 million returned displaced persons compared with 10.5 million refugees, and less than 1 million asylum seekers (IDMC 2012: 7; UNHCR 2012: 2).

Turton (2003b) argues that the categorisation of forced migration by cause, as outlined earlier, would not stand up to the close scrutiny that would result from field-based research, which he claims is in short supply with regard to internal displacement. Such research could, therefore, lead to a wholesale questioning of the category distinctions upon which the current international regime of refugee protection and humanitarian assistance is based. Turton also stresses the importance for 'empirical research that is aimed at understanding the situation of displaced people at the local level, irrespective of the causes of their flight' (Turton 2006). This thesis embraces the importance of field-based research. It challenges the widely accepted categories of displacement that exist in Colombia, in part by examining the experiences of those subjected to or threatened with displacement: perspectives that are largely absent from the literature. Moreover, in conducting such an examination the author suggests there are at least two additional elements worthy of consideration. First, much of the existing research examines issues from a national perspective, whereas as an approach that explores dynamics at the regional level provides some insight into the complexity and diversity of displacement, in terms of actors, logics and mechanisms employed. Second, a political economy analytical framework - combined with the field-based research - is an approach well-suited to investigate this complexity and diversity. The author was unable to find any literature related to internal displacement that had adopted such an approach.

A central debate among researchers in forced migration studies concerns whether or not to use and uphold legally and institutionally defined categories in academic study. This discussion revolves largely around the relative visibility of certain experiences and groups over others. Hathaway (2007) has argued that refugee studies should be distinct and not subsumed within broader forced migration studies because refugees have a distinct status in international law, under the 1951 UN Refugee Convention (Hathaway

2007). He contends that by considering refugees as just another kind of forced migrant would make less visible the fact that refugees, unlike other kinds of migrants, are without the protection of their own country and thus require protection under international law. But as Cohen (2007) points out, many internally displaced people are in the same situation, in as much that they do not enjoy the protection of their own country either. Others countered Hathaway by arguing that most refugees under UNHCR's mandate were also excluded from the protection of the Convention because they had not fled individual persecution (Adelman and McGrath 2007). This is because UNHCR has increasingly used its good offices to provide protection and assistance based on a humanitarian need rather than a legal imperative. While they may not have crossed an international border, those internally displaced frequently meet the same criteria as the refugees the organisation assists (Martin 2010: 30). Finally, it has been claimed that the widespread acceptance of the Guiding Principles demonstrates willingness among much of the international community of their responsibility to protect and assist displaced persons (Cohen 2007).

The author would argue that this latter point is debatable, at least in the case of Colombia. While the Colombian government has incorporated some aspects of the Guiding Principles into national law and introduced some progressive policies in this regard, Chapter 2 will assert that this has not led to a demonstrably wholesale willingness to protect and assist displaced persons in the country. There has been recognition of improvements for those already displaced in Colombia in terms of the recognition of basic rights, the provision of assistance and judicial protection (Arango 2009; Ferris 2009). But Colombians continue to be displaced in large numbers, and there is little academic discussion about how to prevent displacement or protect people from being displaced. This is perhaps due to a perception that resolving the displacement crisis lies in

a peace agreement between the guerrillas and the government. The author will challenge the notion that this alone will bring widespread displacement to an end, by arguing that some logics of displacement are not ones traditionally associated with the country's civil conflict. This calls for a deeper examination of what constitutes civil conflict, and what does not, in the Colombian context. The thesis makes frequent reference to 'violence' and 'armed conflict' in Colombia. Both terms are broad and can encompass a range of concepts, and thus require further elaboration and some definition. The literature on conflict and peace studies tends to recognise three types of violence:

1. Direct (or personal) violence includes war, torture, homicide and gun violence (Ardizzone 2007; Galtung 1969). Colombia's civil war, or intrastate 'armed conflict' as it is frequently referred to in the thesis, would be classified as a form of direct violence.
2. Structural (or indirect) violence comprises emotional abuse, poverty, hunger, human rights violations, oppression and exploitation. These are embedded in the social, political and economic structures that make up a society. They are often not obviously visible and may be accepted as the norm (Galtung 1969; Ho 2007). The author will argue that structural violence in Colombia is linked to the displacement processes under scrutiny.
3. Cultural violence refers to any aspect of a culture that can be used to legitimize violence in its direct or structural form. Cultural violence may be manifested through religion and ideology, art and language, and empirical and formal science (Galtung 1990). Cultural violence is not directly linked to the displacement processes examined in the thesis.

Numerous types of violence exist in Colombia, many of which have serious implications for society. In Chapter 2, the author provides an historical overview of direct violence in

Colombia, particularly in the form of the civil conflict between revolutionary and counter-revolutionary forces. Since the 1980s, this violence has been accompanied by massive displacement as these groups vie for control over territory and the population. Criminal violence - especially the illicit drug industry - also displaces the civilian population in order to control coca production and transportation, and those actors perpetrating such acts have included the guerrillas, paramilitaries and other irregular (and outlawed) armed groups.

However, this research focuses on an alternative displacement logic: expanding the cultivation of a legal crop which receives widespread institutional support. While the mechanisms employed may involve direct violence and may be linked to irregular armed groups, the thesis explores the notion that it also involves private companies and investors that use violence that is more 'structural' - in the sense that it exploits the relative weakness of others to dispossess them of their land or pressures them to abandon it. The author will argue that civil conflict-related displacement has made such other displacement processes less visible, and they have received scant attention in the academic literature.

While groups and processes linked to internal displacement long pre-date the emergence of academic study about them, they had previously not been examined, codified or documented under the rubric of 'displacement'. Polzer & Hammond (2008) argue that the category of internally displaced persons had been previously 'invisible' to the United Nations and to 'refugee studies' academics.²¹ They conclude that invisibility is fundamentally determined by 'the power relations and interests connecting those who see and those who are to be seen (or not)'. Maintaining this invisibility upon another group

²¹ Although the authors also observe that displaced people were visible to the ICRC, local governments and residents of the areas from where they were forced to move.

requires power: the power to decide who receives resources (Polzer & Hammond 2008: 417). It might be argued that such power also extends to the provision of protection and implementing measures that prevent displacement occurring. This thesis suggests that some instances, and to a certain extent types, of internal displacement remain largely invisible to those outside of the locality. This applies to some Colombian communities that have been displaced, or are threatened with displacement, where the 'causes', actors involved and coercive mechanisms employed are not regarded as being associated with 'forced' internal displacement.

As Polzer and Hammond (2008) point out, examining the 'who' is only one (rather limiting) way to define a discipline or field of study. Instead, social scientists tend to focus their examination on core concepts and processes, such as power, culture and society. Scholars in law are mainly concerned with the legal status of the displaced person and the rights that this may or may not afford them, as well as the obligations of states (Goodwin-Gill 2000). Political scientists and international relations scholars tend to locate forced migration studies within inter-state relations, and the legal and moral responsibility of states (Loescher 2001a; 2001b; Chimni 1998; Weiner 1993). By contrast, scholars in anthropology, human geography and sociology emphasise the diverse and dynamic political, cultural, social and psychological dimensions of displaced peoples' lived experiences. Such action research has examined these experiences for refugees at the individual, household and community level, and scrutinises affected people's identity, agency, coping strategies and resilience (Colson 1971; Harrell-Bond 1986; Indra 1998; Malkki 1995).

This thesis combines a political economy approach with qualitative, field-based research that examines people's lived experiences. It also recognises the important role of the

state, national and international institutions and civil society actors, among others. Fieldwork in the capital followed by two regional studies allowed for the capture of these various perspectives. In conducting a political economy approach to internal displacement, which sought to capture people's lived experiences and perspectives, a phenomenological approach was deemed to be the most appropriate. This allows for the connections of these sets of phenomena to emerge by examining the data from the bottom up, with the aim of avoiding pre-conceptions and expectations. The methodological approach will be outlined shortly, but first another set of literature is briefly examined given its strong associations with internal displacement and aggressive capital accumulation: development induced displacement.

Development-induced displacement

The patterns of displacement in Colombia that this thesis explores strongly resemble some processes that are generally referred to in the literature as 'development-induced displacement and resettlement' (DIDR). This may have implications for analysing, understanding and responding to displacement in the country. The concept of DIDR is widely used in the literature to describe the uprooting and subsequent planned resettlement of people so as to allow 'development' to take place.²² The transfer of control of farmland and other natural resources to national and global interests, over those that access them at the local level, has been characterised as DIDR (Oliver-Smith 2010). DIDR projects also include infrastructure for new industries, dams, natural resource extraction, transportation, conservation areas and urban renewal. DIDR is either orchestrated or tolerated by government authorities and is justified on the premise that it is for the 'greater good'. The vast majority of people affected do not cross an

²² In recent years, some observers have begun to refer to this phenomenon as development forced displacement and resettlement (Oliver-Smith 2010). People affected in this way have also been referred to as 'oustees' (Cernea 2000), 'forced resettlers' (Turton 2003b) and 'development refugees' (Partridge 1989).

international border, but in many cases are never able to return to their land given that it is usually under water, concrete or has been excavated. Some 10 million people worldwide are estimated to be displaced and inadequately resettled in this way each year (Cernea and McDowell 2000). It has been estimated that 15 million people a year are left destitute (Cernea 2008).²³ Some claim that these development programmes are indisputably needed, arguing that they ‘improve many people’s lives, provide employment, and supply better services’ (Cernea 1998). Others argue that the (usually involuntary) displacement that accompanies such development projects and policies is a serious violation of human rights and can never be justified (de Wet 2005a).

While the Guiding Principles’ description of internally displaced people does not make any specific reference to those displaced by development policies and projects, Principle 6(2) prohibits arbitrary displacement ‘in cases of large-scale development projects, which are not justified by compelling and overriding public interest’ (UNOCHA 1999: 3-4).²⁴ This raises questions about what constitutes ‘arbitrary’, as well as who decides what comprises the ‘overriding public interest’? This often sets private sector, for-profit organisations - that are supported by the state in a liberalising economy - against marginalised local populations that have little economic or political agency. In such processes there is invariably a huge discrepancy between the political and economic agency of ‘buyers’ and ‘sellers’, or those planning the development and the local population that faces the prospect of displacement. This type of development is putatively to stimulate economic growth and spread general welfare. The model assumes that economies of scale are a more efficient use of resources and this justifies their expansion.

²³ The World Commission on Dams has estimated that the construction of large dams alone has led to the displacement of some 40 to 80 million people worldwide (WCD 2000: 16). In recent years, urban development has replaced dams as the major cause of DIDR (de Wet 2005b).

²⁴ Statistics from the main providers, IDMC and UNHCR, do not include those displaced by natural or human-made disasters or those displaced by development projects and policies in their statistics.

Agricultural and industrial growth leads to increases in national and per capita incomes. This ostensibly leads to public and private investments with eventual benefits for the wider population through labour and commodity markets. Productive development is considered to lead to benefits that outweigh any costs such processes may entail. Economic development is portrayed as ‘doing good’ (Oliver-Smith 2010: 9).

The uprooting and displacement of people has long been associated with development and modernity (Wood 2002). The circulation and reproduction of capital in the Western model requires both a social and spatial mobility to enable the circulation of commodities, currency and labour that underpins the model. Oliver-Smith (2010: 2) argues that First World elites have long disguised displacement as ‘natural, simply the workings out of the market, when in fact it is actually a form of structural violence’ which leads to dispossession, disempowerment and destitution. Opposition or resistance is seen as an obstacle to progress and national security. Progress is ‘intimately woven into the cultural fabric of the West’ (Oliver-Smith 2010:4). In the modern worldview, human culture and society can ‘progress’, that is be improved, by the application of science and rationality. From the perspective of social Darwinism that was prevalent in the 19th century, the subjugation or disappearance of populations and cultures that obstructed society’s overall progress was considered acceptable. Oliver-Smith (2010) argues that similar attitudes lie just beneath the surface of many development agendas today, described by Scott (1998: 4) as ‘an ideology of high modernism.’

Some have questioned the development model as being beneficial to all. They challenge the dominance of consumerism and accumulation that characterise ‘modern’ societies given the negative social, cultural and environmental impacts that result. The promotion of individualism, the free market and neoliberal ideology masks the structural violence

and human rights abuses that result. This centres around decisions about where ‘development’ occurs and who ‘benefits’ or is otherwise impacted? The prevailing development paradigm emphasises privatisation and state entitlements over the rights of local people. The state promotes and supports the private sector as efficient and cost effective. In this way, displacement has become ever more impersonal, where bureaucratic organisations do the displacement (Oliver-Smith 2010: 5-7). This raises the question of citizenship and membership or inclusion; and who is targeted for displacement and portrayed as an agent-less victim (Maldonado 2012). This has led to calls for development to be redefined in terms of broader social and environmental justice.

The impact of DIDR takes many forms. People may be forced off their land and left to fend for themselves; they may be forced to move but be provided with some financial compensation for loss of land, housing, and so on; or they may be relocated to a specific new area and be provided with land, housing and services (Scudder & Colson 1982). Like other forms of internal displacement, DIDR has overwhelmingly negative economic, social, health and psychological consequences for the vast majority of affected people. It also impoverishes people by taking away their power to make decisions about where and how they are to live, the conditions under which they are to have access to and use productive resources, and the autonomy they are to exercise over the running and reproduction of their own social and political institutions (de Wet 2006: 5). As with other forms of displacement, the evidence suggests that for a vast majority of the people displaced by big projects, the experience has been extremely negative in cultural, economic and health terms (Koenig 2006: 105).

Refugees and those that have been internally displaced as a result of violence and disasters have long being regarded as distinct from those displaced by development projects and policies, and distinct literatures and academic traditions have resulted.²⁵ The key reason, it has been argued, for this separation is that forced migrants are unable or unwilling to avail themselves to the protection of their governments (Turton 2003b). DIDR is excluded from this because they were deliberately displaced (and possibly resettled) and usually at the behest of their own governments in the name of ‘eminent domain’ law, which allows property to be expropriated from its owners or traditional users for the sake of a wider ‘public good’ (Geisler & Danekeer 2000).

It should be noted that Colombia experiences DIDR processes that are widely recognised as being such. Large infrastructural projects, such as dams, have displaced large numbers of Colombians. These have been studied in the mainstream DIDR literature (for example, de Wet 2006; Hansen and Oliver-Smith 1982; McDowell 1996; WCD 2000). But this literature does not examine the extent to which agro-industrial expansion in Colombia may be conceived as DIDR. Based upon this brief examination, a few commonalities can be identified:

- The private sector is substantively involved in DIDR and agro-industrial expansion (including palm oil specifically) that is linked to displacement in Colombia.
- Colombian government policies and legislation support the expansion of the agro-industrial sector, and it appears to be unable or unwilling to prevent associated displacement. It argues that palm oil is crucial to national economic growth and rural development; and that this will ultimately have a positive impact on rural

²⁵ The sizeable body of literature on DIDR dates back to the 1950s. For example, see Scott Guggenheim’s (1994) bibliography. See also McDowell (1996); Cernea and McDowell (2000).

communities through the trickle down economy. Much the same arguments and practices apply to DIDR.

- Opposition and resistance to such agro-industrial expansion has been characterised as an obstacle to progress and a threat to national security (by the government) and as subversive (by the paramilitaries). In the case of DIDR the language adopted tends to be more subtle, but the overall message is similar.
- As is the case with DIDR, most of those displaced in Colombia do not return to the land from which they were displaced. But in the case of DIDR, it is usually impossible for them to return to their land because it is uninhabitable. In the case of rural displacement in Colombia, return is possible albeit their crops may have been replaced. There are new policies in place to compensate or resettle affected people, but this has not yet translated into concrete action.

But there are also important differences. Displacement for the purposes of agro-industrial expansion is not officially sanctioned by the state. This is a question that will be explored further. Consequently, there is no pre-planned resettlement or compensation for those displaced, which is supposed to be the case in DIDR (although this frequently does not happen either, and rarely is it adequate to restore livelihoods (de Wet 2006)).

Ending displacement?

There are a myriad of reasons to argue why ending displacement would be a desirable outcome, not least because of the human suffering that it causes. As mentioned earlier, it is often claimed that ending displacement and a cessation to the armed conflict are inter-linked. But rather than considering the peace process as a solution to the displacement crisis, it might be argued that an end to displacement is integral to achieving a lasting peace. Research conducted by the Brookings Institution - University of Bern Project on

Internal Displacement demonstrates the close relationship between displacement solutions and successful peacebuilding (Brookings & Bern 2008).²⁶ Drawing lessons from several peacebuilding initiatives around the world, key findings of this research include the following:

- The presence of armed groups can create obstacles to peacebuilding, particularly when such groups were originally responsible for the displacement.
- Durable solutions for displaced persons are not possible where impunity prevails. The sense of insecurity within society can be a threat to a fragile peace.
- The resolution of land and property disputes is crucial to preventing new or renewed conflict.

As the fieldwork findings will attest, each of these observations is relevant to the case of Colombia. Each of these factors is not only an obstacle to peacebuilding but also to preventing displacement. The thesis will argue that an underlying impediment to sustainable peacebuilding is the capitalist model of development in Colombia which allows, and may even facilitate, land to be coercively and even violently acquired by one set of actors from other less powerful ones.

Methodology

The approach to research in this thesis was multidisciplinary and involved an examination of several literatures. As already stated, this thesis drew in particular from the literatures of political economy (particularly as it relates to civil conflict) and internal displacement issues, the latter being a subset of forced migration studies. The research has also incorporated an examination of several other fields of study and disciplinary approaches:

²⁶ For the purposes of this research, peacebuilding is defined as ‘a complex process that aims to re-establish security and rule of law through reconstruction and economic rehabilitation, social reconciliation, and political transition to more accountable governance structures and institutions’ (Brookings & Bern 2008: 2).

agrarian studies; national and international law; development induced displacement; and the sociopolitical and economic history of Colombia. Many of the sources cited in the thesis are published in academic journals, books and monographs. Others derive from media outlets (websites, newspapers and periodicals), civil society organisations and official documents from the UN, the World Bank and government departments.

Grounded theory and phenomenology

With respect to the fieldwork and data collection, a qualitative methodology was adopted which allowed for flexibility in the research design that this research required (Gerson and Horowitz 2002: 200). The process of data collection was an iterative one. Some findings led to adjustments being made to subsequent stages of fieldwork. The empirical approach adopted was influenced by both ‘grounded theory’ and ‘phenomenology’. Both approaches can be said to be 'bottom-up' in that the researcher generates codes *from* the data, rather than using a pre-existing theory to identify codes that might be applied *to* the data. Such approaches were highly suited to the kind of investigation being conducted, as will be discussed shortly.

Developed in the 1960s, grounded theory aims to generate or discover a theory by systematically collecting data through social research (Glaser & Strauss 1967). This approach is well-suited to the qualitative exploration of social relationships and the behaviour of groups in order to explore the contextual factors that affect individual’s lives (Crooks 2001). Such an approach involves devising some generative questions to facilitate the data collection. But these are not supposed to be static or confining. As the data accumulates, core theoretical concepts are identified and tentative linkages are made between these and the data. This practice continues and cumulates in a process of

verification and summary. Ultimately, the goal is to develop a well-grounded explanation for some phenomenon (Charmaz 2006; Glaser & Strauss 1967).

Phenomenology is a qualitative methodological approach that emphasises a focus on people's subjective experiences and interpretations of the world. It attempts to comprehend how subjects see and interpret the world around them and how people make sense of their major life experiences. While recognising that 'experience' is a complex concept, this approach emphasises what happens when the everyday flow of lived experience takes on a particular significance for people, usually after something important has occurred (Smith and Osborn 2008). It aims to develop 'fresh, complex and rich descriptions' of a phenomenon as it is concretely lived (Finlay 2009: 6). It is sometimes considered a philosophical perspective and its employment in psychology is well established. But this approach is increasingly being used in the social sciences (Smith and Osborn 2008). Finlay (2009) makes a distinction between engaging in philosophical reflection and practicing phenomenologically-based empirical work as a useful tool with which to examine 'things in their appearing'. The latter approach was well-suited to the data collection process of this research.

Interviews and focus groups

Both grounded theory and phenomenologically-based empirical work are often conducted using focus groups and in-depth interviews. In the fieldwork process, focus groups and interviews are conducted in order to find out what we do not know, and cannot know otherwise. They enable the researcher to locate people's knowledge, and the beliefs and values that drive their actions (Hockey & Forsey 2009: 71). They are themed and seek to comprehend an actor's understanding of his or her life world, his or her interpretations, meanings and narrations (Skinner 2009: 9). These tools enable the community/individual

participant to provide a full, rich account and allow the researcher considerable flexibility in probing interesting areas that emerge. The purpose of using such flexible tools with communities during this research was to explore the lived experiences of respondents concerning a set of phenomena that are poorly understood in terms of regional and local dynamics, and may or may not be linked.

Two of the three chapters that present the fieldwork findings (Chapters 5 and 6) are exclusively focused on local and regional experiences and perspectives in relation to the phenomena of palm oil cultivation, displacement, *campesino* resistance, and understandings of rural development and the future of the *campesino* economy. These local perspectives - particularly the *campesinos* - have been little researched and documented. The other fieldwork-based chapter (Chapter 4) involved interviews with key informants from various sectors at the national level and principally located in Bogotá, the nation's capital. It became clear from these latter interviews that there were divergent narratives at the national level, emanating from national institutions, international organisations and civil society. There was also little recognition of local perspectives, particularly those of the *campesinos*. There was no common utility or understanding of key concepts such as displacement, land abandonment, land dispossession and development. There was disagreement among key informants about the local actors involved and the mechanisms being used to acquire land for the expansion of palm oil cultivation. The fieldwork in the regions sought to explore these gaps in our understanding by holding in-depth discussions with *campesinos* and other local actors in two regions of the country.

The approach adopted in focus groups and individual interviews was one of a flexible and open-ended inquiry, curious and facilitative. This was appropriate because the research

questions were broad as they aimed to better understand a set of phenomena, and what a given experience was like (phenomenology), and how someone made sense of it (interpretation). Focus groups and interviews were audio-recorded, transcribed verbatim and subjected to detailed qualitative analysis with the objective of eliciting key experiential themes in the responses of participants. This approach provided more in-depth information than exclusively observational methods (Seale 1998). Like other researchers in the field of displacement or forced migration studies, the author attaches value to ‘giving a voice’ to those affected by displacement, so as ‘to restore subjectivity and some authorial voice to one’s subjects’ (Indra 1993:763). To this end, the thesis uses many direct quotes from respondents so that they are able to ‘tell their own story.’

With respect to the communities studied in this research, focus groups were found to be the most effective tool. This involved purposive sampling. The experiences community members had shared in common generated rich collective narratives. Both women and men, young and old, participated in these focus groups. Care was taken to ensure a diversity of respondents contributed. Focus groups were complemented with one-to-one, semi-structured interviews with a selection of individual community members. Many of those that participated in focus groups were more reticent to be interviewed individually.

Focus groups were conducted with representatives of communities in both Magdalena Medio and Nariño. The number of community members participating in the group discussions ranged from 6 to 15. Interviewees ranged in age from 25 to over 60 years, and comprised a mixture of men and women. Focus groups can be useful in exploring what participants think, but can also be highly instructive in uncovering *why* participants think as they do (Morgan 1998:25). They are invaluable for the development of grounded theory that aims to generate theory and explore the categories that participants use to

order their experiences (Kitzinger 1994). Focus groups can contribute more than a group interview or discussion ‘because of the *community of interest* shared by the group and the use of *participants’ interaction* as research data’ (Burton 2000).

Key informants and access

Semi-structured interviews were also conducted with numerous key informants from relevant organisations and institutions, many of which are located in Bogotá, but also in regional offices (in Barrancabermeja, Pasto, Tumaco and Villavicencio), as well as in rural communities. At the local level, attempts were made to conduct interviews with as broad a range of actors as possible, including international organisations, national civil society organisations, palm oil companies and regional and municipal government officials. But many from the government and the private sector were unwilling to meet or did not respond to requests. Most interviews conducted throughout the research included some common questions; and themes that had emerged in earlier interviews were further explored and were cross referenced. Interviews were based on Valentine’s (1997:111) concept of ‘a conversational, fluid form’. As a result, they varied according to the experiences and perspectives of respondents. Some interviews, especially in the early stages, were instrumental in securing the contact details of other potential informants. Some of the key informants provided valuable information that informed deliberations about which regions of the country to conduct fieldwork and in which communities to conduct focus groups.

The key informants with which interviews were conducted included representatives from: the Catholic Church (particularly *Pastoral Social*), international and Colombian NGOs, community-based organisations, Colombian government departments and ministries, private sector organisations, UN agencies, the World Bank and the EU Delegation in

Colombia. Interviews were also held with academics and independent specialists.²⁷ A full list of the interviews conducted with key informants, together with focus group discussions (GDs), can be found in the list after the final chapter.

Access to the communities was largely facilitated by staff of the Programme for Peace and Development of Magdalena Medio (*Programa Desarrollo y Paz del Magdalena Medio*, PDPMM) and Pastoral Social (which is a member of Caritas).²⁸ PDPMM is funded by the World Bank and the European Union, although in the context of the latter it is referred to as a Peace Laboratory. PDPMM is the vehicle by which most of the development projects in Magdalena Medio are funded and coordinated, including the initiatives known as *palma campesina*. The activities of the PDPMM are examined in depth in Chapter 5.

Prior to making introductions and facilitating access, the PDPMM and Pastoral Social provided invaluable assistance to this research in several other ways. For example, interviews conducted with their own representatives were a rich source of information about the history of African palm oil production, both at national and regional levels. They made suggestions concerning the selection of fieldwork locations, including advice about what was realistic in terms of physical access and security. Once representatives in Bogotá (PDPMM for Magdalena Medio and Pastoral Social for both regions) made

²⁷ Representatives from Colombian government included officials from the Ministry of the Interior and Justice, the Ministry Agriculture and Rural Development, *Acción Social* (within the Department for Social Prosperity), the Department for Family Welfare, the Colombian Institute of Rural Development (INCODER), the Regional Corporation for the Sustainable Development of Chocó (Codechocó), the *Defensoría del Pueblo* (Office of the Human Rights Ombudsman), the *Procuraduría* (Procurator General's Office) and local government officials. International NGOs interviewed included Oxfam and Save the Children. Colombian NGOs included the *Comisión Intereclesial de Justicia y Paz*²⁷, CODHES. UN and other international governmental organisations (IGOs) with which interviews were conducted included UNHCR, WFP, ICRC and UNICEF.

²⁸ *Caritas Internationalis* is a confederation of 164 Catholic organisations providing relief, development and social services. It operates in over 200 countries and territories worldwide. In Colombia *Pastoral Social* is located within the *Conferencia Episcopal de Colombia*, with headquarters in Bogotá, offices in many cities and towns, and with representatives in municipalities all over the country.

introductions to their colleagues in the regions, the regional representatives then introduced the researcher to the communities. Both organisations are trusted and well respected in the communities. These introductions were crucial to be able to safely access and gain the trust of communities. As a result, community members were open to sharing their experiences and perspectives.

Both interviews and focus groups discussions were transcribed as soon as possible so that personal impressions and observations could be included. This ensured that the transcriptions were as detailed and accurate as possible. This also enabled themes identified in earlier sessions to influence and improve the style and substance of later interviews, which a qualitative approach lends itself to (Crang 1997). The interviews were audio recorded, provided consent was given by the respondents/participants. The vast majority of the interviews and all focus group discussions were conducted by the author in Spanish. Where difficulty was encountered in understanding any parts of the recordings, assistance was sought from a Colombian friend that specialised in development issues.

Selection of fieldwork locations

Data collection was conducted mainly between 2009 and 2011, with a few additional key informant interviews conducted during 2012. The first phase of data collection was conducted in Bogotá. Subsequent phases were carried out in Magdalena Medio and Nariño. These regions were selected based upon a review of relevant literature and extensive consultation with key informants during the first phase of the fieldwork. A handful of further interviews were conducted in Meta, mainly with key informants, the reasons for which will be addressed shortly.

A significant initial decision was to decide *not* to conduct fieldwork in the department of Chocó. It might seem like an obvious choice given that this region, more than any other in Colombia, is the one most associated with displacement and other serious human rights abuses that are linked to African palm oil. Most of the allegations, evidence, documentation and legal rulings which link palm oil growers and their supporters to displacement of local populations in Colombia have taken place in Chocó. But this was the principle motive for *not* selecting this region.

The Colombian government, respected Colombian and international media sources, and even the palm oil industry itself have all (to some extent) recognised that such illegal activities have taken place in Chocó. There have been rulings condemning it and calling for punitive action by the Colombian Prosecutor General's Office (US State Dept. 2013) and the Inter-American Court of Human Rights (OAS 2003). Moreover, several studies have already been conducted in this region, and the conclusions concurred with the broad consensus (see Chapter 2). The evidence is unassailable.

However, as this research demonstrates through interviews conducted in the earlier stages (Chapter 4), representatives of the Colombian government, the palm oil industry, and even some World Bank and NGO representatives argue that Chocó represents an exception. They claim that displacement linked to palm oil cultivation does not occur elsewhere in the country. The existence of links between illegal armed groups and the palm oil industry are refuted (Rangel et al. 2009). However, a limited number of other sources - from some UN agencies and civil society organisations for example - maintained that people are being threatened and forced off their land.

Magdalena Medio was selected because on numerous occasions, and from a wide variety of actors, it was cited as an example of good practice for palm oil production. Many

claimed that the industry's activities were exemplary and that not only was it not linked to displacement, it was actually benefiting *campesinos* and improving their livelihoods. The *campesinos* were apparently willing partners in the cultivation of palm oil crops in the region. Some argued that this might be the template for wider expansion of production across the national territory. Consequently, many respondents felt that it was important for this research to include an examination of Magdalena Medio, in order to see a production model for palm oil that is allegedly inclusive, participative and welcomed by the *campesino* population (see Chapter 4). While a limited amount of academic research about the impact of palm oil production had been conducted in this region, there was little consultation with the *campesinos* and the conclusions were inconsistent (Castro 2010; O'Loingsigh 2002 & 2010; & Rangel et al. 2009). Moreover, as far as could be ascertained empirical research had not been conducted within the specific communities selected for this study.

Several key informants suggested that fieldwork be conducted in Nariño, given that palm oil cultivation there was extensive and expanding but little scrutinised. The inclusion of Nariño introduced several new dimensions to the study, given that most of those allegedly affected by palm oil production were Afro-Colombians.²⁹ This meant that the laws of land ownership were different from the communities studied in Magdalena Medio. While Magdalena Medio was widely regarded as being in a state of 'post-conflict', Nariño arguably represented the 'frontline' of the armed conflict given that it was experiencing (in 2010-11) the highest levels of violence and displacement in the country.

The research does not attempt to compare these regions as separate case studies. They differ in numerous and significant ways, thereby offering up too many variables for

²⁹ 'Afro-Colombian' refers to Colombians of African ancestry. African slaves were imported into Colombia by the Spaniards from the 16th century.

meaningful comparison. These variations include the: intensity of armed conflict; levels of displacement; armed actors represented; extent of coca cultivation and distribution; and patterns of land ownership, land rights and land use. Instead, the author examined palm oil production in these regions in relation to the local dynamics between actors at the local level in each location, the logics and mechanisms of displacement (and other forms of land acquisition), and the context in which cultivation is being resisted and displacement prevented. Examining two markedly different regions exposed the diversity and complexity of these processes and how they differentially interact.

Initially, the author had planned to conduct research in a third region – the department of Meta. Indeed, some interviews were conducted with key informants in the departmental capital, Villavicencio. But given the logistical challenges in this huge department, the author decided not to conduct in-depth research there. In addition, it was felt that the data already collected from the other two regions was sufficient to enrich the research findings overall.

Limitations

In terms of the objectives and scope of research, there were some limitations in terms of what was practical and achievable. Two key limitations should be highlighted at the outset. First, the thesis does not attempt to quantify the relative significance of displacement linked to agro-industrial expansion, or palm oil cultivation more specifically, vis-à-vis other displacement logics. Assigning even approximate numbers to displacement causes in Colombia would be enormously challenging. Rather, the aim is to recognise that such logics outside of the accepted narrative exist and to explore the mechanisms employed. Second, the thesis does not conduct research with communities that have already been displaced allegedly as a result of the expansion of palm oil

cultivation. Both of these limitations can be attributed to how notoriously difficult it is to trace members of communities that have been displaced in Colombia. Communities tend to scatter to disparate locations and frequently relocate again (or are displaced again); and they usually seek the anonymity of urban centres. Displaced people in Colombia are often stigmatised and are sometimes targeted for being guerrilla or paramilitary sympathisers. It would therefore be impractical and ethically questionable to attempt to trace these people.

In Magdalena Medio, interviews were conducted with key informants and with members of five communities in the region. Due to the precarious security situation in Nariño, it was not possible to visit the communities *in situ*. Widespread consultation with key informants with good knowledge of the region made it clear that visiting these communities would not only put the researcher's safety at risk but that of community members as well.³⁰ Instead, extensive interviews were conducted with international organisations and community-based organisations that worked with these communities. Some focus group discussions were attended by community leaders in the city of Tumaco, which were hosted by international organisations for security reasons. International organisations operating in Colombia tend not to be targeted by the armed groups. Overall, more data was collected in Magdalena Medio than Nariño, because it was possible to conduct more interviews and focus groups among the communities there. While numerous interviews were conducted with government officials and palm oil sector representatives at the national level, regrettably at the local level they mainly declined to meet with the researcher or did not respond to requests.

The five particular communities in Magdalena Medio where in-depth fieldwork was conducted were chosen for several reasons. First, the researcher was informed that each

³⁰ During the time spent conducting fieldwork in Nariño in 2010, these communities were targeted by armed groups. On average, several people a week were being killed in Nariño's rural communities and many more displaced.

of them was either growing palm oil, wanted to grow it, or was resisting growing it. Thus, they represented a cross-section of experiences and attitudes to palm oil production. Second, the communities have differential experiences of displacement, some having already experienced it and others being threatened with it. Third, little (if any) empirical research on these issues has apparently been conducted among these communities.

Any perceived disparity of power between the interviewer and the interviewee can impact upon how they interact and thus influence data collection (Crow 2000). This raises important issues about how the research process is prepared and conducted. Key considerations in conducting focus groups and interviews included: obtaining the informed consent of respondents; confidentiality concerning the identity of informants; and ensuring their safety, security and dignity.

Kent (2000: 81) describes the principle of informed consent as achieving ‘a position whereby people who agree to take part in a research programme know what they are agreeing to and authorise you to collect information from them without any form of coercion or manipulation’. Informed consent can be provided verbally or in writing. Of key importance is to provide sufficient and truthful information to potential informants for them to make an informed choice about whether or not to participate. Interviews for this research fully complied with ethics guidelines of the University of Oxford’s Department of International Development. Most respondents were willing to give informed consent orally but were reluctant or unwilling to provide their full name or sign a document. While they clearly consented to participate, some of them appeared to have been concerned that signing something might compromise their anonymity.

Despite improvements in the security situation in Colombia overall (and particularly in the larger cities) since the early 2000s, the situation in some regions and many remote

areas remains precarious. Civilians are frequently threatened, displaced or killed for discussing human rights issues and concerns about land rights. Many community members interviewed during the course of this research were living in highly insecure environments and some reported receiving regular threats from armed groups, warning them to cease their protests and campaigns of resistance. The author has taken great care to ensure that this thesis does not make it possible to trace the identity of individual community members. In writing research notes and transcriptions, for security reasons no record was made of the names and personal details of community members which could lead to them being identified. On the other hand, key informants are identified by name and affiliation unless they did not provide their consent. In conducting this kind of research, there is also the risk of asking someone personal questions which relate to some kind of trauma they have suffered in the past. Great care was taken in trying to ensure that this did not happen. The researcher tried to remain sensitive to respondents becoming upset, distressed or appeared reluctant in continuing to participate.

Self-reflexivity and bias

Researchers need to be sensitive to the social environments of which they are a part. This requires careful analysis of the inter-subjective dynamics which emerge between the researchers and the population with which they work. It is important that this self-awareness is immediate, dynamic and continuing in nature. This requires sustained critical self-reflection concerning ways in which one's social background, assumptions, positioning and behaviour all impact upon the research process from the planning stage, through fieldwork and on to writing up (Finlay & Gough 2003). Some factors which influence research findings are under the researcher's control to a greater or lesser degree. For example, the selection of research questions and fieldwork locations influence outcomes. On the other hand, understandings and responses are influenced to some extent

by one's own culture and frames of reference. How one is perceived and treated by others may constrain the data collection process.

The researcher was conscious of the risk that respondents might see him as a figure of authority or a threat, which might influence their responses. For example, there was a risk that they might be reluctant to criticise services or service providers, thinking that this might influence future access. Where deemed necessary, the researcher attempted to minimise these risks by explaining clearly the purpose of research and by emphasizing that the interview was confidential, anonymous, and that it would have no impact on the assistance and services they would receive or be entitled to. Every attempt was made to conduct interviews in an encouraging, non-judgmental manner.

As with other qualitative data collection processes, the author cannot claim absolute objectivity and impartiality. To some extent, reflexivity and bias are beyond the researcher's control. Data collection may well be affected by the researcher's ethnicity, gender, age, marital status, country of origin, knowledge, pre-conceptions, expectations, interests, and the personal agendas of informants (Cozza 2003: 14). Being neither Colombian nor a native Spanish-speaker could impact upon how an interviewee responds; while being viewed as an 'outsider' in conducting this kind of research might have both advantages and disadvantages (Bernard 2000). While there is often a natural hesitancy to open up to a stranger or outsider, the author's experience of working in Colombia over some ten years is that people are frequently willing to talk about their lives and the difficulties they are enduring. In the Colombian context, respondents often seem to view foreigners, precisely because they are non-Colombians, as safe to talk to about potentially sensitive issues.

The extent of ‘visibility’ of individuals or groups being studied with respect to other actors around them is related to the power dynamics between these groups, and this is subject to change. In this regard, the researcher is not a neutral bystander. By using and thereby legitimizing categories (such as marginalised people threatened with displacement), by representing or under-representing the perspectives of the powerful or the weak, one’s impact is an ethical concern (Polzer and Hammond 2008: 423). At the local level, this research has tended to focus on the perspectives of those threatened with displacement. In the Colombian context, it was worth noting that greater visibility (especially at an international level) tends to lead to a reduction in vulnerability and the probability of being targeted by armed groups.

While the assistance of PDPMM proved crucial in facilitating access to the communities in Magdalena Medio, their central role as ‘gatekeeper’ introduces the potential for bias and constraints in the scope of the study. The researcher attempted to address this by consulting with other key informants that are active and knowledgeable in the region, such as Pastoral Social and some national and international NGOs. Their counsel was sought about the selection of communities to be studied and to triangulate findings by talking with other local actors they suggested.

Structure of the thesis

The next chapter briefly explores the origins of political economy, before outlining a political economy framework to analysing internal displacement in Colombia. This is grounded in a reading of the literature concerned with the political economy of intra-state conflict. It is argued that such an approach is also appropriate to examining the dynamics of internal displacement given that violence and displacement are closely related and the motivations behind both, as far as this research is concerned, coincide.

Such an approach incorporates a wide historical and geographical perspective and should explain why the relative power and vulnerability of actors alters over time. Internal displacement in Colombia is not an exclusively contemporary phenomenon. Chapter 3 will explore how displacement has been prominent in Colombia during much of the 20th century. This historical context is important to an understanding of displacement logics and mechanisms in Colombia. The prevailing system is one that is rooted in the post-colonial agrarian structure and the ever-expanding colonisation of the agricultural frontier due to a failure to address the highly inequitable patterns of land ownership; a political system that is based on elite-driven relations of patronage and clientelism; and a weak presence of the state in rural regions that have allowed local landowners and investors and armed groups (guerrillas, paramilitaries and narcotraffickers) to exert their relative power in order to achieve their goals.

Chapters 4, 5 and 6 are all based upon the findings from fieldwork, conducted in Colombia between 2009 and 2011. In Chapter 4, the author presents the findings of interviews that were conducted with key informants, mainly in Bogotá. This chapter provides the perspectives of government and UN officials, the private sector, as well as representatives of civil society, with respect to the logics, actors and mechanisms of displacement in Colombia. While there was some recognition of illegal displacement by the palm oil sector, for most respondents this was limited in terms of its geographic scope and the actors involved. These findings provided a basis for conducting regionally-based fieldwork.

Chapter 5 examines the experiences of people being coercively pressured to abandon or relinquish their claims to land in the Magdalena Medio region by palm oil cultivators, but have so far resisted. It explores why these communities are unwilling to cultivate

palm oil and how they have managed to remain on their land despite being under intense pressure to vacate them. It explores the role of local, regional and international actors have played in their interactions with these communities. One particular institutional intervention was found to have played a central role in strengthening their capacity to resist these pressures. The chapter also examines attitudes to, and the impact of, the illegal cultivation of palm oil on Afro-Colombian communities in Nariño. The capacity of institutions to assist these communities was very limited and contrasts sharply with the context of Magdalena Medio.

Communities in Magdalena Medio that have opted to cultivate palm oil are examined in Chapter 6. It explores how these communities have been assisted so that they are able grow palm oil whereby they benefited economically, while retaining a degree of autonomy and *campesino* identity. These communities have not been threatened with losing their land to the same extent. Chapter 6 also further examines how both palm oil companies and *colonos* (pioneers or settlers) in Nariño have managed to remain on Afro-Colombian land despite the illegality of their presence. In this regard, institutions of the state, illegal armed groups and drug traffickers have all played a role. Finally, the thesis will make some conclusions in Chapter 7.

Chapter 2. A political economy approach to internal displacement in Colombia

Introduction

Colombia has experienced five decades of internal armed conflict, which while rooted in Cold War political ideology, has persisted in contrast with comparable conflicts in Latin America.³¹ It is a conflict that ‘has refused to go away’ (Keen 2000). In some respects the conflict in Colombia has come to resemble others that have been labeled as ‘new wars’. Such conflicts are often characterised by high levels of civilian casualties, a lack of ideological clarity and economic predation (Kaldor 1999). But in some respects Colombia defies standard typologies. The conflict’s endurance, the extensive regional disparities, and persistently high levels of internal displacement outside a context of ethno-nationalist and/or religious tensions are not typical traits of ‘new wars’. It is also atypical that a country experiencing a prolonged internal conflict achieves sustained economic growth and political stability.

The rationale behind the onset and prolongation of intra-state conflicts (since the Second World War and particularly since the end of the Cold War) has been extensively examined by a multidisciplinary literature often labelled the ‘political economy of civil war’. For example, some writers have emphasised the important role of economic factors to a greater or lesser extent (Keen 1998; 2000; Reno 2004; Ross 2004). The chapter will examine the key debates and develop a framework appropriate for an analytical examination of displacement processes in Colombia. To this end, the thesis will make a

³¹ There is some debate about when the ‘civil war’ in Colombia began, and thus the duration of the conflict. Like most observers, the author dates it to 1964 and the establishment of the FARC and their guerrilla insurgency.

contribution to the literature on internal displacement, which has received limited attention from political economists. Research on displacement globally tends to lack analysis of the underlying and historical determinants of violence and how this violence relates to global principles and trends (Gruner 2007), which this thesis attempts to address. As Berry asserts:

Few issues generate more dispute than the impact of the growth of agricultural exports on the welfare of the rural, often poor, worker or peasant in developing countries. The wide range of views reflects the excessively narrow models often used to address the issue. Only when a solidly political economy perspective is adopted does one have much chance of reaching a defensible judgement on the relative frequency of good or bad outcomes, on which conditions make the difference between the former and the latter, and on whether the “good” outcomes are likely to prevail (Berry 2001: 125).

This chapter comprises two main sections. The first examines how political economy as a framework for analysis has evolved, and in particular how it has been used to examine intra-state conflict. The second section provides an overview of internal displacement in Colombia: its causes, consequences and institutional responses. It goes on to argue that the acquisition of land (which is often coercive and sometimes violent) is the central objective, as opposed to the act of displacement *per se*. It concludes that political economy analysis at the local level is appropriate to examine how powerful actors are able to aggressively accumulate assets and augment capital by dispossessing *campesinos* and other impoverished and marginalised groups in Colombia of their land.

A political economy framework

This chapter will begin by briefly outlining the origins of political economy, providing an overview of the principal schools of thought that have informed modern political economy. It will then address how a modern political economy approach has been used to enhance our understanding of intra-state conflict in the post-Cold War era.

The origins of political economy

In the modern era, the term ‘political economy’ is used to describe a variety of different, but related, approaches to studying economic and political behaviour. It addresses real world concerns in a way that emphasises the connection between economic problems, social structures and political processes (Stilwell 2006). These range from combining economics with other fields, to using different fundamental assumptions which challenge those of orthodox economics. It often refers to interdisciplinary studies that draw upon economics, law and political science in order to understand how political institutions, the political environment and capitalism influence one another (O’Brian and Williams 2004).³² But the term ‘political economy’ precedes these social sciences with which it is now associated. This section will now summarise this rich heritage of economic thought from which modern political economy is drawn.

During the 18th century, the term ‘political economy’ was widely used to describe the study of the economies of states. More specifically, the term originally referred to the study of the conditions under which production was organised in the nation-states of the

³² Ellen Meiksins Wood (2002: 2) defines capitalism as ‘a system in which goods and services, down to the most basic necessities of life, are produced for profitable exchange, where even human labour is a commodity for sale in the market, and where all economic actors are dependent on the market’. The organisation of social life is governed by the insatiable drive for capital accumulation through the imperatives of competition and profit maximisation, rationalised through the notions of productivity and improvement which are ultimately measured in terms of exchange value or profit (Thomson 2009: 329).

emergent capitalist system.³³ This notion was first introduced by John Locke and later developed by Adam Smith, David Ricardo and Karl Marx.³⁴ Mercantilists saw economy as the management of the needs of a household;³⁵ and political economy was the equivalent for a state, including regulating employment (Staniland 1985). The classical political economy school emerged during this period and postulates the notion of an economic system producing goods and services in surplus to what was required for social reproduction. The expansion of this surplus through trade, and on ever more complex division of labour, is regarded as central to economic growth. A key point in classical theory was that the economy is not, or need not be, political. Today, the classical innovation tends to be regarded with some scepticism, precisely because there is widespread agreement among social scientists that economics is unavoidably political (Caporaso and Levine 1992: 3).

Marxist economics emphasises that the basis for capitalist economy is particularly rooted in property relations, class structures, and the relentless drive for capital accumulation. It posits the exploitation of labour as the source of economic surplus (Stilwell 2006). Marxism suggests different ways to connect the political with the economic: revolutionary action to change the political structure; social democratic politics; and Marxian state theory. The first calls for the large-scale overhaul of the political system rather than policies to address the limitations of market society. Since such changes are

³³ Whereas earlier, so-called ‘physiocrats’ saw *land* as the source of all wealth, political economists espoused the important value of *labour*. Physiocrats belong to a school of economists founded in 18th century France and were characterised chiefly by a belief that government policy should not interfere with the operation of natural economic laws and that land is the source of all wealth. It is generally regarded as the first scientific school of economics (Encyclopaedia Britannica 2013).

³⁴ Influential writings include: Adam Smith’s *The Wealth of Nations*, which was first published in 1776; David Ricardo’s *On the Principles of Political Economy and Taxation* (1817); and Karl Marx’s *Capital, Volume I (Das Kapital)* (1867).

³⁵ Mercantilism refers to an economic theory and practice common in Europe from the 16th to the 18th century that promoted governmental regulation of a nation’s economy for the purpose of augmenting state power at the expense of rival national powers. It was the economic counterpart of political absolutism (Encyclopedia Britannica 2012).

unlikely to be achieved peacefully, it proposes revolutionary action. While Marxism provides a radical critique of the organising principle of liberal society – the self-regulating market – the focus on economic classes and their political significance is an example of the primacy of economics (Caporaso and Levine 1992: 218-19).

Neoclassical economics represented a move away from class categories towards an emphasis on the self-seeking behaviour of individuals within market settings. Emerging in the 1870s, it continued to apply the classical innovation of treating the economy as a system separate from politics. However, it differed in that it applies the utilitarian philosophy to the problem of the nature and purpose of the market economy (Caporaso and Levine 1992: 4). Neoclassical economics centres on the determination of prices, outputs, and income distributions in markets through supply and demand (Staniland 1985).

The political economy is conceived within the neoclassical system as concerned with extending the notion of self-seeking into non-market institutional domains, notably the state. The state may provide public goods, correct externalities and use coercion to address collective action problems (Caporaso and Levine 1992: 219). Neoclassical economics and Marxian political economists both resisted locating power as central to political economy and social order. Others have since rejected this notion, counter-proposing power as the alternative essence of social structure and development (Resnick and Wolf 1987: 334). This brief historical overview has not examined other important schools of thought that have influenced modern political economy such as the post-structuralist approach and institutional economics. The aim was to provide an overview of the background to modern day understandings of concepts pertinent to this thesis, such as capitalism, accumulation and the free market economy.

Modern political economy

Modern political economy therefore incorporates and reflects a wide history of influences. Political economy was redefined, or ‘modernised’, by the neo-Marxist New Left of the 1960s and 1970s. Instead of teaching traditional economics of the ‘invisible hand’ of the free market, welfare economics and comparative advantage, the focus was more centred on power, monopoly and capitalism, the distribution of income and multinational organisations. It was concerned with the interaction between economic and political factors (Atkinson 1998).

Modern political economy is a broad field rather than a single, unifying theory or discipline. Political economists are probably united by the Enlightenment belief that the problem of social order is rooted in rational action, with the dual implication that rational actors can both subvert and rebuild social order. Political economists are manifestly divided as to how a well-functioning well-ordered society is constructed, especially with respect to the dilemmas of liberty versus equality and equity versus efficiency. A modern definition of political economy which is appropriate for this thesis is the ‘analysis that studies the linkages between politics and economics, drawing on theories of economics, law as well as political and social sciences’ (World Bank 2008a: 4). Politics and economics do not represent qualitatively different objects. Rather they reflect comparative institutional specialisations in markets and states, and in methods and subject matters (Caporaso and Levine 1992: 220).

Modern political economy is used by various disciplines that have overlapping subject matter, but may adopt very different viewpoints. In development studies and development interventions, common approaches to political economy tend to be either from an economic perspective using rational choice-based models, or from a political science

perspective through an examination of power (World Bank 2008: 4). All social processes are significant determinants of economic outcomes, the behaviour of economic agents and institutions, and the direction of historical change. It views cultural processes as no less significant than economic processes in shaping investment decisions. A political economy framework examines the problem of social order and disorder and the causes and mechanisms that lead from one state to the other. It seeks to explain why the relative power and vulnerability of different groups changes over time. The view that it encourages is ‘dynamic, broad, longitudinal and explanatory’ (Collinson 2003:3).

As this brief historical overview demonstrates, there is no single conceptual framework for political economy analysis. For the purposes of this research, the author uses the OECD-DAC definition which states that ‘political economy analysis is concerned with the interaction of political and economic processes in a society; including the distribution of power and wealth between groups and individuals, and the processes that create, sustain and transform these relationships over time’ (OECD-DAC as cited in DFID 2009).

This definition is appropriate because it recognizes that power is essentially about relationships: between the state, social groups and individuals; and/or between the state, market forces and civil society. The definition is equally concerned with both politics (understood in terms of contestation and bargaining between interest groups with competing claims over rights and resources) and with the economic processes that generate wealth, and that influence how political choices are made. This allows for an examination of the inter-related dynamics that influence development outcomes; and thereby who are the main ‘winners’ and ‘losers’, and what the implications are for policies and programmes related to development strategies (DFID 2009). This is highly

suited to the thesis's exploration of displacement processes in Colombia, as respondents tend to link such processes to either development or, alternatively, impoverishment.

Crucial to the success of such an approach is developing an understanding of how key actors are involved and interact with one another – at the national and local level. In Colombia, this means holding extensive discussions with relevant representatives of national and local government, the private sector, international organisations involved in development and humanitarian work, civil society and affected communities. Such a field-based qualitative approach at the regional level – especially one that involves consultation with *all* actors - is an innovative approach in political economy analysis.

Political economy of intra-state conflict

The majority of wars since the Second World War have been intra-state conflicts (UCDP 2013). Since the mid-1990s, there has been an expanding literature which examines intra-state armed conflict from a political economy perspective. There have been two key debates that are particularly relevant to this research. The first is concerned with the impact that an armed conflict may have upon the national economy and sub-national economic activity. Indeed, this relationship may involve economic actors influencing the onset and duration of intra-state conflict. The second prominent debate in the literature is concerned with relative importance of 'greed' versus 'grievance' as motivational factors: at the risk over-simplification, the economic versus the political. In the case of this research on Colombia, this is significant in terms of understanding the factors that have resulted in such a protracted conflict, and how they may have an impact on the continuing high levels of displacement. This section will draw lessons from these debates in developing a rationale for adopting a political economy framework, before outlining the basic tenets of this analytical approach.

Interpreting war as entirely negative, including in terms of economic development, dates back to the 19th and early 20th century. The ‘liberal peace thesis’ contends that war is caused by the perverse influence of narrow elites and vested interests. It argues that political and economic liberalisation will release society’s inherently peaceful nature. The contemporary incarnation of this thesis argues that orthodox, market-oriented development policy will address the problem of violent conflict. This is manifested through the promotion of good governance, democratisation, privatisation and economic deregulation (Pugh 2005). This line of argument persists in the foreign policy rhetoric of western governments and institutions such as the World Bank, which has argued that ‘war is development in reverse’ (World Bank 2003).

Cramer (2006) critiques the liberal assumption that the economic outcomes of civil wars are exclusively negative. He argues that historically violence has frequently accompanied development and societal change. Progress and development require ‘monumentous transitions’ that are typically brutal: ‘liberal civilisation had violence at its foundation, in war, slavery, imperial adventure and primitive accumulation’ (Cramer 2006: 43-5). The development of capitalism depends upon private property rights being established, which are inherently exclusionary and thus probably conflictual. This may be exacerbated by global commodity markets, multinational corporations and international financial institutions (Cramer 2006: 215-17). In this context Cramer defines development as industrialisation and the spread of capitalism (Cramer 2006: 254). But this is arguably not the same as ‘progress’ if by that we mean the improvement of the human condition and the advancement of society (Oliver-Smith 2010; Thomson 2011: 327).

As will be discussed in the next section, in contradiction to World Bank doctrine the Colombian economy has grown significantly over much of the period that the country has

been experiencing armed conflict. Many studies have focused on the determinants that trigger or prolong civil wars. Examining only battle-related deaths - as many of these studies do - overlooks other types and incidents of violence in civil wars (Kaldor 2013: 7), notably internal displacement. Most also tend to consider the national context without examining the disparity of armed conflict at a regional level. These studies largely ignore the influence that country or regionally-specific political, social and cultural factors may have.

While recognising the unquestionable importance of economic opportunity in facilitating armed rebellion, this does not necessarily mean that economic accumulation is the sole motivation. Ballentine (2003) argues that economic factors impact on duration, intensity and character of conflict' but are not a primary cause of intra-state conflict.³⁶ Other critics argue that scarce economic opportunities also represent grievances themselves (Gutiérrez Sanín (2004). As Pearce states, 'to read off motive from behaviour is highly problematic' (Pearce 2005:159). Using the statistical data and assumptions derived from this data to not only measure impact, but also generate explanations and apply them to civil wars across the world, is methodologically questionable. Statistical models have not generated convincing regularities; there are contested findings and suspicions of selection bias (Cramer 2006:134). It could be argued that qualitative case studies are required to more fully understand the complexity of conflict trajectories in resource-rich regions.

Studies have established the important role that resources and commodities play in creating and sustaining violence and civil wars (Reno 2000; Ross 2003). Much of this literature looks at resource predation by armed actors, but not how economic processes

³⁶ According to some, liberal values (particularly democracy and free trade) may themselves be related to violent conflict. The suggestion is that low income growth in weak or 'incoherent' democracies (as opposed to in totalitarian or fully democratic states) increases the likelihood of civil war (Brückner and Ciccone 2007; Hegre 2001).

are transformed through war. Linked to this is the means by which violent conflict can be employed as a means to achieve broader economic transformation in society. Efforts to integrate into global markets have arguably altered the structure of economic power. In Colombia, this involves not only paramilitary forces and private actors, but also the state that is promoting efforts at integration into global markets through the search for new commodities. There has been little examination of the transformational impact that specific commodities can have on a conflict. With respect to any links between the prevalence of natural resources and the duration of armed conflict, the 'resource curse' (Ross 2004) argument may not be entirely relevant in the context of coca and palm oil, given that they are not resources that are readily susceptible to predation (Thomson 2011: 323). Cramer argues that the crucial issue is not the existence or abundance of natural resources themselves, but how they are managed: how political power interacts with economic needs and objectives (Cramer 2006, 123).

With respect to the debate about the importance of political factors vis-à-vis economic ones, a broad consensus appears to be emerging. Such an analytical framework separates out factors as discrete that are in fact not independent of one another (Cramer 2006: 134). An analysis of the production and distribution of power, wealth and destitution in armed conflicts, in their historical context, exposes the motives and responsibilities of those involved. Such an approach stresses the importance of economic agendas in addition to political and social factors (Le Billon 2000b). It embraces a wide definition of war, viewing it as the emergence of alternative systems of profit, power, and even protection, rather than simply the breakdown of an existing system. In these alternative systems violence serves several functions: economic, security and psychological (Keen 1998). Political and military agendas often drive armed conflict initially, but economic

objectives may later come to play a significant, even dominant, role. People at all levels of the social and economic hierarchy may benefit from the prolongation of conflict.

The resort to violence and a reluctance to end armed conflict 'often reflect a rational analysis of the cost and benefits on the part of various actors in civil wars' (Berdal and Keen 1997: 796). This perspective emphasises the interaction of political and economic agendas, rather than abandoning a 'political' analysis in favour of an 'economic' one. Le Sage (1998) summarises the political economy approach to conflict analysis as a school of thought that has advanced various theses to explain conflict as an ordered, rather than an anarchical, process. They are structured and understandable products of the history of human political and economic interaction. To sum up, there is widespread agreement that economic and political as well as social factors tend to play a role in the prolongation of intra-state conflict.

The perpetuation of war can become an end in itself. A state of war justifies the use of violence to create or sustain economic profits and political power. As a result, there may be 'winners' - not in the traditional sense of being victorious in conflict - but rather in that some may substantially profit from the war. A state of war provides opportunities including the transfer of assets, which cannot be realised once a peace agreement or even victory has been achieved (Kaldor 1999). As Duffield (1994a) points out, even studies that do not consider people as passive victims tend to focus only on the losers and their coping mechanisms. He examines the political economy of complex emergencies by identifying the benefits gained by the politically strong through the transfer of assets owned by the weak at the period of crisis. This model views asset transfer not as an anarchic process, but rather one of vertically integrated economic activities organised by interconnecting systems involving actors such as entrepreneurs, security forces and

politicians. Such activities are usually part of an informal, or parallel, economy with links to regional and international trade and financial networks (Duffield 1998).

The political, economic and social context at the *local* level is crucially important to understanding the dynamics of conflict in the wider region or nationally and how relevant actors behave (Pearce 2005). Policy failure at national and regional levels, weak institutions, lawlessness, impunity and corruption may all play a role. Reno (2004: 22) argues that 'greed and grievance can play variable roles' and 'explaining these variations requires an analytical framework that has some contact with the world of politics and can deal with complexity.' As Cramer puts it: 'any explanation of war must acknowledge the diversity of violent conflict: the diversity of its causes and motivations and the diversity of its conduct and organisation' (Cramer 2006: 135-6).

Contemporary wars are not simply 'declared', and nor can they be simply 'declared over' by one side (Keen 1997: 73). This is particularly the case where there are multiple rebel groups and where the violence is localised. Addressing the symptoms and costs of war without examining its functions (such as displacement for the purpose of land acquisition) may just recreate/maintain the conditions for renewed/continued violence. Unless the functions of violence and displacement are understood, governmental authorities and humanitarian agencies risk deepening the costs of war by failing to prevent the depopulation of geographical areas and concentrating the population in settlements or urban slums (Keen 1997: 74). Unless we examine the logics of conflict and displacement, it is difficult to see how it can be brought to an end.

Intra-state armed conflicts are often accompanied by large-scale displacement of the civilian population. But scant attention has been paid in the literature to the links between localised violent conflict - and more specifically internal displacement - and wider macro-

economic and political processes. Possible linkages between these macro and micro-processes are little researched in the literature concerning intra-state conflict. The rising influence of global markets and private interests (in both conflict and peaceful settings) and the concurrent diminished or altered influence of state institutions – both seen as crucial elements of the process of globalisation (Held and McGrew 2000) – play a crucial and under-researched roles in conflict processes.

The involuntary movement of people off their land can take many forms, not all of which are commonly labelled ‘displacement’ (as discussed in the next section). Berry (2001) portrays it as a spectrum in terms of the ease with which the powerful can displace the poor from resources the latter previously controlled: ‘At one extreme is the static economic model in which resource allocation cannot be influenced by the use of power—the model used by most economists nearly all the time. At the other extreme is the case where the rich and powerful can, with zero cost, lay claim to any resources they want at any time; when there is no pay-off to the rich from owning a resource the poor are allowed to use it’ (Berry 2001:130). While no context necessarily represents either extreme, the use of power can almost always be employed to transfer resources when their value increases; and the resistance of the poor/weak is usually not enough to create prohibitive ‘expropriation’ costs to such a shift. Whilst rights to labour were transferred by the institutions of slavery and serfdom in the past, this is now achieved more indirectly.

Cramer argues that because the outcome of the political economy of violence and war are often unclear, various labels have been attached: reverse entitlements, asset transfers and accumulation by dispossession. These may also involve processes of what Karl Marx called ‘primitive accumulation’ and Adam Smith labelled ‘previous accumulation’, which

he defines as a ‘twin process of forceful asset accumulation and displacement of people’ (Cramer 2006:217). This refers to coercive capital accumulation, which makes possible a less directly coercive and more sustained momentum of capitalist development. But where raiding warlords in Sudan were targeted in this way in Sudan because of their wealth (Keen 1994), this research suggests that *campesinos*, Afro-Colombians and indigenous communities are targeted in Colombia because they have little capacity to resist or seek redress in a country where displacement is already widespread and conducted in effect with impunity.

This necessitates an examination of issues such as the utility of power at the local level in displacement processes. It warrants an understanding of contingency, agency and action of all actors involved, and how they impact upon one another. Such an analysis is suited to a political economy approach that is based upon empirical research in order to access the affected population and other local actors so as to examine how and why assets were transferred and to what extent coercion was employed. But before such field-based research can be conducted, we need to examine what the existing literature can tell us about displacement processes in Colombia.

Internal displacement in Colombia

Introduction

This section begins by outlining the scale, and some of the impacts, of displacement in Colombia. It examines the political, economic and social impacts of displacement. In contrast to experiencing ‘development in reverse’, this section contends that the Colombian economy has grown significantly throughout most of the five decades of armed conflict. This section also examines the documented evidence that links African palm oil to displacement in Colombia. It concludes that, apart from the department of

Chocó, existing evidence is limited and anecdotal. Finally, it examines how the issue of land ownership and transfers have become central to a national debate about addressing the displacement crisis and the need for agrarian reform. This provides a framework for analysing the fieldwork findings related to mechanisms of coercive land transference that is linked to palm oil cultivation.

Scale and significance of the problem

The Colombian government estimated that 3.9 million people were displaced in Colombia in 2011. According to CODHES (Consultancy for Human Rights and Displacement), a Colombian NGO, some 5.3 million people were displaced (CODHES 2011; IDMC 2012: 58).³⁷ These figures represent between 8 and 11.2 percent of the total population. Armed groups in Colombia do not respect the principle of distinguishing between combatants and the civilian population (Vidal-López 2008a). These groups do not engage directly with one another most of the time, but rather target or threaten civilians. The vast majority of those affected are the rural poor, whose only means of defence is to flee their homes.

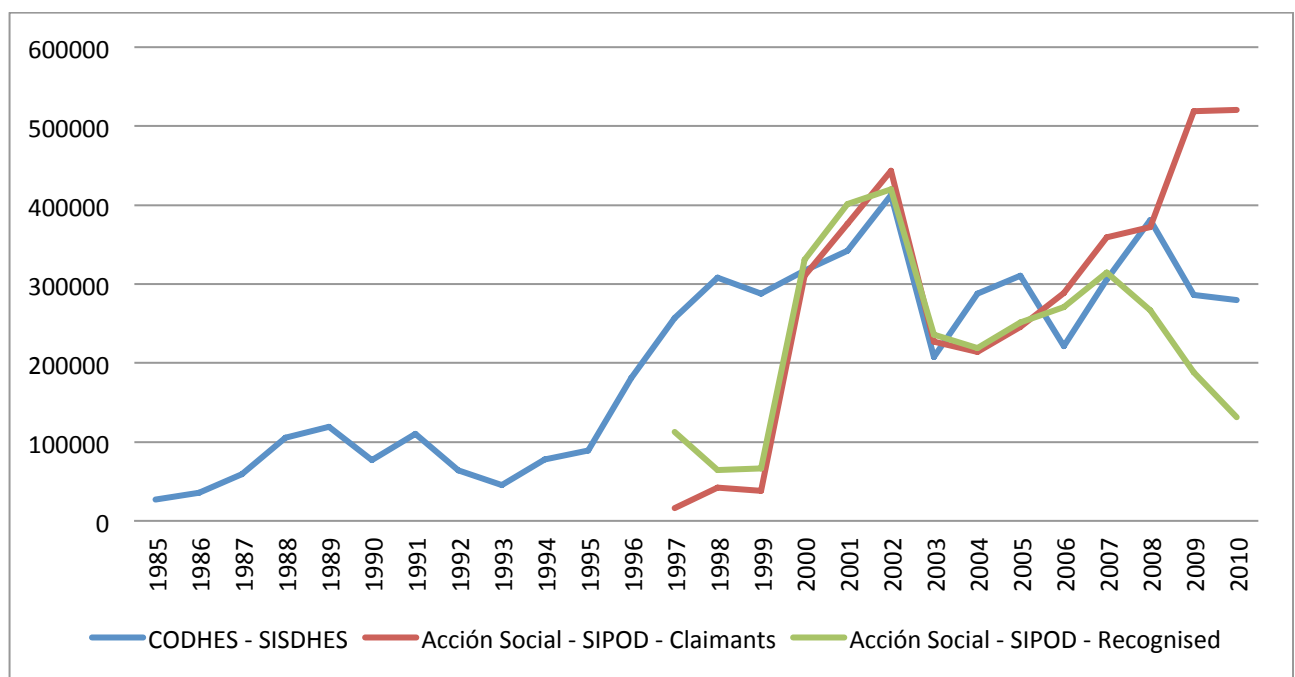
The Pacific coastal departments of Antioquia, Nariño, Cauca and Valle del Cauca and Córdoba produced the highest numbers of displaced in 2011. Afro-Colombians and indigenous communities are particularly vulnerable and a disproportionate number of the displaced population are children (IDMC 2012; Sanchez-Garzoli 2012; UNHCR 2012: 133).³⁸ While most people flee as individuals or small groups (particularly households),

³⁷ Statistics on internal displacement are a controversial issue in Colombia. These discrepancies are attributable to different counting methodologies, including time period considered and registration/recognition criteria. Both figures are cumulative and do not take into consideration those that may have found a durable solution.

³⁸ According to one study, in Chocó these abuses have included: the murder of Afro-Colombian community leaders; murders and massacres of community members; forced disappearances; internal displacement (both collective and individual); arbitrary detention; destruction of organisational and social fabric extortion; corrupt and illegal appropriation of land and associated crimes (Mingorance 2006:29).

mass displacements continue to feature prominently, and Afro-Colombian and indigenous communities are particularly targeted (IDMC 2012). The Colombian government, OCHA and CODHES between them estimated that between 13,000 and 18,000 people were uprooted in mass displacements in 2011 (IDMC 2012: 58).³⁹

Chart 2. Number of internally displaced people in Colombia, 1985-2010 (CODHES statistics) & 1997-2012 (Acción Social statistics)



Sources: CODHES database (2011)

The rapid increase in displacement in Colombia from the mid-1980s, and particularly during the 1990s, coincided with an upsurge in violence in the country as the paramilitaries and guerrillas both grew in strength (see Chart 2) (UNDP 2011: 271). Since the mid-1990s, the displacement of the rural population and the dispossession of land has become a national problem that affects all regions of the country to a greater or lesser

³⁹ In Colombia, public policy defines a 'massive forced displacement' as an involuntary movement of 50 people or more and/or 10 families or more (NRC interview 2011; Kerr 2010: 7).

extent. Between 2000 and 2010, over 700,000 families were displaced in Colombia according to official government statistics (Garay Salamanca et al. 2010). During the period 1998 to 2010, the highest levels of displacement occurred between 1999 and 2002, amounting to 41.9 per cent of the total for this period (Garay Salamanca et al. 2010: 4).⁴⁰ This reflects the intensification of the armed conflict during these few years as a result of the expansion and consolidation of the paramilitary project and the cessation of peace talks with the guerrillas in 2002.⁴¹ However, it is also important to note that 47.8 per cent of the displacement during this 12-year period occurred between 2003 and 2008. This was a period which saw the formal demobilisation of the paramilitary groups (a process that ended in 2006); significantly successful counterinsurgency actions by the Colombian armed forces against a weakening guerrilla movement; and the implementation of the Justice and Peace Law (*Ley de Justicia y Paz*).⁴² During this five-year period, there has also continued to be large numbers of people applying for refugee status in neighbouring countries, particularly as a result of massive displacements from Afro-Colombian and indigenous communities (Garay Salamanca et al. 2010: 4). Thus, high levels of displacement continued to occur despite events taking place that one might expect to have precipitated a significant reduction.

Some 90 per cent of internally displaced persons have left behind land and property. According to Marco Romero of CODHES, most are not aware of their rights (Romero

⁴⁰ According to the *Registro Único de Población Desplazada* (RUDP), a national registry of displaced persons which is managed by Pastoral Social: a unit of the Catholic Church's Conferencia Episcopal in Colombia.

⁴¹ Under the presidency of Andrés Pastrana, the government was engaged in peace negotiations with the FARC from January 1999 until February 2002.

⁴² The Justice and Peace Law (Law 975) was signed in July 2005. This law was intended to complement the Ceasefire and Demobilisation framework (Law 418). The Justice and Peace Law regulates the procedures to be followed for demobilised members of illegal armed groups who had been excluded from the existing amnesty procedures and establishes judicial benefits based on their contribution to justice and reparation. Although more than 30,000 paramilitary combatants were demobilised after 2002, fewer than 10 per cent of them fell within the purview of the Justice and Peace Law, and the remainder qualified for a more liberal amnesty. The Justice and Peace Law was also widely criticised for its failure to provide adequate incentives for truth telling and reparations (CJA 2013).

quoted in Brookings and Bern 2008). There is an ‘impunity of social acceptance’ that these lands cannot be recovered (Hanau quoted in Brookings and Bern 2008). The scale of internal displacement is of concern not least because a large proportion of this population is developing into a sub-class, often dependent (at least temporarily) upon humanitarian or development assistance, and living in urban slums. When comparing displaced with neighbouring non-displaced households, significant differences emerge. The National Verification Surveys conducted by the Commission to Monitor Public Policy on Forced Displacement (*Comisión de Seguimiento a la Política Pública Sobre Desplazamiento Forzado*) provide invaluable data in this regard.⁴³ According to the First National Verification Survey (ENV-I 2007), displaced households are larger (5.1 persons versus 4.2) and have a greater proportion of children (54.2 per cent versus 45.3 per cent). This survey also identified the following discrepancies between displaced and non-displaced households:

- greater illiteracy rates among those over 15 years of age (13.9 per cent versus 8.0 per cent)
- less schooling (4.1 years versus 5.7 years)
- unmet dietary needs (59.0 per cent versus 32.1 per cent)
- sub-standard living conditions in terms of housing (92.5 per cent versus 71.2 per cent) (ENV-I 2007).

In addition, displacement appears to affect ethnic minority groups disproportionately. According to ENV-III (2010), 22.5 per cent of the displaced population described themselves as Afro-Colombian, compared with a national average of 7.2 per cent

⁴³ The Comisión de Seguimiento monitors public policy on forced displacement. It is comprised of various representatives of NGOs, the Catholic Church, academics and important personalities in national life. Three national surveys (ENVs) have been conducted and the resulting data has been used extensively in this section.

(according to the last national census conducted in 2005); and a further 6.4 per cent said that they were indigenous, compared with a national figure of 3.4 per cent. Finally, the proportion of households headed by females is significantly higher among the displaced population (46.8 per cent compared with 29.9 per cent in Colombian households generally) (Garay Salamanca et al. 2010: 9-10).

The implications of these figures represent significant social and economic challenges for Colombia in the long term. A comprehensive understanding of these displacement processes is fundamental to the construction of a perspective to peace which is sustainable and does not allow the repetition of historically-embedded patterns of dispossession, exclusion and marginalisation of the rural poor. This in turn is fundamental to the ongoing process of statebuilding in Colombia (Romero 2007: 1). They are also crucial to peacebuilding (Brookings and Bern 2008), as was raised in Chapter 1 and will be further discussed later in this chapter.

Actors and logics

There is a good deal of disparity in statistics concerning which group of actors was responsible for which proportion of displacement, as well as killings and other crimes. Right-wing paramilitary groups have been blamed for the vast majority of human rights violations in Colombia. The United Nations has estimated that approximately 80% of all killings in Colombia's civil conflict have been committed by paramilitaries, 12% by leftist guerrillas, and the remaining 8% by government forces (Vieira 2008). In 2005, Amnesty International stated that the vast majority of non-combat politically-motivated killings, 'disappearances', and cases of torture have been carried out by army-backed paramilitaries (AI 2005). According to a government study (cited in Tobón 2003), paramilitaries were responsible for 58 per cent of displacement overall during the

conflict, guerrillas for 11 per cent, and the remaining 31 per cent were carried out by other actors or a combination of actors.

But the evidence also indicates that the numbers being displaced by the key actors have fluctuated over time, as circumstances have altered on the ground. Some 40 per cent of people displaced before 1998 identified the paramilitaries as being the perpetrator. This reduced to 22.6 per cent after 2005, which was probably linked to the demobilisation process (IDMC 2011). FARC was linked to 14.2 per cent of cases in the 1980s, but 32 per cent during the 2000s. This might be explained, at least in part, by their increased participation in narco-trafficking.

While the demobilisation of the paramilitaries was followed by an initial decrease in displacement, the number of new displacements had risen again by 2007, which many blame on the paramilitaries (HRW 2010; Vidal-López 2008a). According to the IDMC, ‘new paramilitary groups’ were in 2011, for the first time, responsible for the highest number of displacements. The government’s democratic security plan has reportedly contributed towards reduced murder rates. But the number of massacres rose in 2011 compared with the previous year. Overall, the security situation varies greatly from region to region (IDMC 2012).

Historically in Colombia, open military confrontation is not the main reason why people flee their places of residence. Instead, violence is largely targeted at the civilian population in rural areas (IDMC 2011:20).⁴⁴ Displacement has been employed by the armed actors in the conflict as a means of taking control, or maintaining a presence, in territories deemed significant. It involves expelling those that are an actual or potential

⁴⁴ While civil society organisations are relatively active in Colombia, there are frequent threats and assassinations of those who speak out on behalf of displaced people or demand reparations (Kälin 2008; Vidal-López 2008a).⁴⁴

part of the social base of the enemy, so as to wrest control of territories and the populations residing there. Colombian army manuals used to refer to the importance of targeting ‘insurgent civilian populations’ as well as armed groups, and encouraged paramilitary groups to combat the ‘internal enemy’ and expel insurgent civilian population from the regions (Andreu-Guzman 2012). But various forms and levels of coercion and violence are also employed to displace people for a range of other purposes. These include the depopulation of strategically important zones so that they can be repurposed for both illegal and legal economic activities; appropriate concealed assets in infrastructural projects; diminish and dismantle processes of social organisation in communities; and suppress political plurality (Romero 2006: 9).

The events which precipitate an individual, a family, or even a whole community into fleeing their homes invariably involve violence or the threat of violence. Armed groups employ a range of tactics to threaten the civilian population. These include kidnappings, planting of landmines, forced recruitment by irregular armed groups, disappearances, the killing of relatives and massacres. Between 2005 and 2010, direct threats were the most common cause, amounting to some 60 per cent, according to the RUDP database (Garay Salamanca et al. 2010: 4). According to the Third National Verification Survey on the Rights of the Displaced Population (III ENV-2010), forced displacement has led to the dispossession and forced abandonment of almost 6.6 million hectares over the 30 years up to 2010 (ENV-III 2010).⁴⁵

⁴⁵ These figures vary significantly depending upon which source one uses, as will be discussed later in the chapter. The estimates from III ENV-2010 are located approximately mid-way between the highest and lowest estimates.

Government policy and legislation

In 1997, the Congress of Colombia enacted Law 387, which created a state system for the prevention of forced displacement and the protection of internally displaced people.⁴⁶ By introducing this law, the government acknowledged the state's responsibility to the displaced and formally recognised their constitutional rights. This legislation was strongly influenced by the human rights discourse of the Inter-American judicial system and the process of consultations that led to drafting of the Guiding Principles on Internal Displacement (Vidal-López 2012).

The Colombian government uses a more restrictive definition of internally displaced persons than is generally used by the international community. In Law 387, the Colombian government defines an internally displaced person as:

[...] someone who has been forced to migrate within the national territory, abandoning his/her place of residence or daily economic activities, because his/her life, physical integrity, security or personal liberty has been violated or directly threatened, within the following situations: the internal armed conflict, disturbances and internal tensions, general violence, massive human rights violations, infractions on International Humanitarian Law (IHL), or other circumstances arising from the prior situations that can alter or disturb public order (Law 387, Title 1, Article 1 [1997]).

Central to the government's understanding of what constitutes displacement is the identity of the perpetrator; and that they are acting within the context of the armed conflict: that is to say, organised political violence. Thus, displacement of the civilian

⁴⁶ Law 387 states: 'By means of which measures are adopted for the prevention of forced displacement, and for assistance, protection, socioeconomic consolidation and stabilisation of persons internally displaced by violence in the Republic of Colombia' (Vidal-López 2012: 8f18).

population conducted by guerrillas is officially acknowledged. But there is no official recognition of displacement linked to criminal groups, as these are viewed as non-political acts; or by paramilitaries, given that they have been (at least officially) demobilised. Any displacement that is allegedly linked to the country's armed forces is also not formally recognised by the government as being displacement.

The Colombian government has long been criticised, internationally and domestically, for its failure to adequately protect and assist displaced people, as well as for the illegal complicity of its armed forces (HRW 1998; US State Dept 2000). The government of President Álvaro Uribe Vélez (2002 to 2010) argued that it did not see the need for the application of international humanitarian law as it did not recognise the existence of a civil war (Brookings and Bern 2008). The lack of progress in the achievement of the constitutional rights of internally displaced people prompted the Constitutional Court to take an important and unusual step in 2004. The Court's ruling T-025 (*Sentencia T-025*) of 2004 declared that the precarious situation of displaced persons and the government's failure to address it amounted to a generalised violation of their human rights, creating 'an unconstitutional state of affairs', a doctrinal mechanism with some precedent in international jurisprudence. The Court also introduced a permanent monitoring system so that it would remain involved in the case beyond the execution of the decision (Vidal-López 2012: 8). In 2011, the Constitutional Court upheld its 2004 ruling (Constitutional Court 2011).

The discourse has changed significantly under the government of President Santos (elected in August 2010), with an emphasis on addressing conflict-related human rights abuses (WOLA/USOC 2011). In June 2011, the Colombian government enacted a law that established a package of judicial, administrative, social, and economic measures

aimed at persons who suffered damages as a result of violations of international humanitarian law or international human rights law and were a consequence of the internal conflict. Law 1448, commonly referred to as the Victims' Law, relates only to events that took place after 1985. Internally displaced people were specifically included in the law as a category of victims. Given that they are already accounted for in a separate system of protection and attention, however, it is not clear if their grouping with that of other victims will advance the protection of their rights or be a regressive measure (Vidal-López 2012:9). As a result of Law 387, the government created a programme for the protection of the land and assets of displaced persons. The programme included the establishment of a national database of information related to land dispossession. This could form the basis of property restitution for displaced persons that the Victims' Law calls for.

However, these latter developments have not thus far translated into effective, proactive action to protect internally displaced people: displacement during 2011 continued at much the same rate as in the preceding few years (IDMC 2012: 7). The lack of application of the Victims Law has been criticised, given that communities in some regions have been subject to violence and displacement at the hands of illegal armed groups, but the government has failed to intervene (Palacios 2012: 138). Arguably, this represents the introduction of yet more legislation that Colombia is probably institutionally, fiscally and possibly politically unable or unwilling to substantively implement in any meaningful way (Vidal-López 2012).

Peacebuilding

A contention of this thesis is that displacement can only be brought to an end through reforms based upon a comprehensive understanding of why people are being displaced

(the logics), by whom (the actors) and how this achieved (the mechanisms), so that these can be challenged directly. There has been increasing recognition that these problems, and thus any solutions, are largely rooted in the country's patterns of land ownership, land use and land transfer (Brookings and Bern 2008; Ferris 2009; World Bank 2011). The complexities of these issues in Colombia will be discussed in Chapter 3, and further explored in the chapters based upon fieldwork findings.

In 2008, the then UN Special Representative for Internally Displaced persons, Walter Kälin, observed that in countries such as Nepal, Bosnia and South Sudan, unresolved internal displacement was contributing to a lack of sustainable peace (Kälin 2008). Research conducted by the Brookings-Bern Project on Internal Displacement (2008) identified four different levels of problems with land in Colombia. First, there is no effective centralised land registry, which means that data is inaccurate and out-of-date. Second, many land transfers are conducted informally; and the systems and institutions for registering land are inadequate. Third, there is great diversity at the local level in terms of relationships between local and national governmental authorities, the impact of different crops and stages of cultivation, and the effects of changing patterns of land usage upon gender relations and social/ethnic groups. Finally, different types of displacement are occurring as a result of land disputes, including displacement as a result of armed conflict, natural disasters, mega-development projects, cultivation of illicit crops and others (Brookings-Bern 2008).

As the Public Defender (*Defensoría del Pueblo*), Hernando Torre has noted (Brookings and Bern 2008), relating peace building to displacement is a new approach in Colombia: internally displaced persons are usually considered solely in terms of humanitarian assistance. Instead of seeing displacement as a problem for a specific category of people,

he argues that it should be understood as a national problem because displacement is resulting in counter-agrarian reform. As will become apparent, this is fuelling an ongoing national debate about the ownership of land.

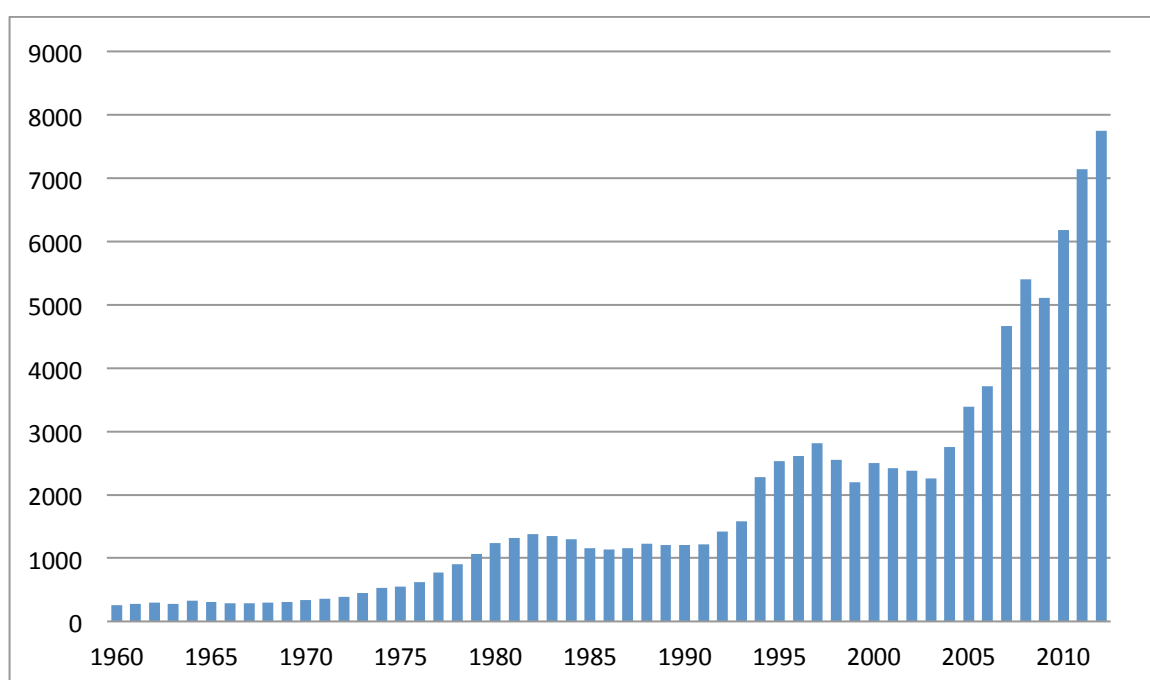
Colombian economy

In many respects, Colombia differs markedly - both politically and economically – from most states that have experienced protracted armed conflict and high levels of displacement. Despite the violence, Colombia is institutionally relatively strong and cannot be described as a ‘collapsed’ or ‘failing’ state (Pearce 2005: 154), although it might be described as a ‘weak’ one.⁴⁷ Since the armed conflict began some 50 years ago, Colombia has avoided protracted military dictatorships, unlike most other Latin American countries, and has maintained a functioning (albeit in some ways limited) democracy.⁴⁸ During this protracted period of conflict, Colombia’s economy has grown substantially to reach its current status of an upper middle income country, and it has developed a burgeoning urban middle class. The country experienced economic decline during the 1980s, as did most of Latin America and many other countries. During the 1990s, its GDP per capita growth was about 1 per cent per year, raising to 2.5 per cent during the 2000s (see Chart 3).

⁴⁷ The *Index of State Weakness in the Developing World* defines weak states as ‘countries that lack the essential capacity and/or will to fulfil four sets of critical government responsibilities: fostering an environment conducive to sustainable and equitable economic growth; establishing and maintaining legitimate, transparent, and accountable political institutions; securing their populations from violent conflict and controlling their territory; and meeting the basic human needs of their population’ (Rice and Patrick 2008). In this index, Colombia is rated highly in terms of national economic growth and political stability, but is in the bottom quintile for income inequality, gross human rights abuses and territory affected by conflict.

⁴⁸ According to Vidal-López (2012:6), Colombia is neither a dictatorship nor a liberal democracy. Rather it might be characterised as ‘restricted democracy’, whereby ‘both allies and detractors of efforts to expose the truth behind the ongoing conflict are in power’.

Chart 3: GDP per capita in Colombia (current USD), 1960-2012



Source: World Bank (2013)

However, Colombia's economic success did go into reverse at the beginning of the 1990s, as the coffee industry was badly affected by the drop in prices resulting from the dissolution of the International Coffee Agreement in 1989. This led to the abandonment of the quota system, which the coffee-producing countries had previously relied upon to regulate production. As a result, the government and investors sought to procure alternative commodities for export to global markets. In order to exploit the country's competitive advantage, there was an expansion into economic activities centred in natural resource extraction and agricultural production on an industrial scale using advanced technology and minimal labour.⁴⁹ This was facilitated by the opening up of the Colombian economy to external investment and the adoption of neoliberal policies. Since 2004, the economy has expanded rapidly. Several factors have contributed to this,

⁴⁹ The government sought to further exploit major discoveries of natural resources (including coal, petroleum oil, emeralds and gold) that had been made during the 1980s (Kircher 1992). This led to huge investments by multinational corporations and private investors.

including a rapid increase in foreign exports partly as a result of an expansion in resource extraction and agricultural production; a boost in international investment; and an improved security situation in terms of the armed conflict and criminality generally.

To sum up, the Colombian economy has performed consistently well, in terms of GDP per capita growth, during most of the five decades of armed conflict. The dip in this trend during some of the 1980s and 1990s was a consequence of global economic factors rather than the domestic conflict. Thus, Colombia represents a challenge to the argument purported by some scholars and institutions that civil war inhibits economic development (Collier 2000; Collier et al. 2003; Bodea and Elbadawi 2008; World Bank 2011). These trends reflect the national economy as a whole. But Colombia is a diverse country with great regional diversity – economically, politically, culturally, climatically, as well as with regards to violent conflict and displacement. For this reason, a regional approach to the fieldwork was adopted. The chapter will now examine the context to these regional variations.

Regional dynamics

While there are some national trends in the dynamics of Colombia's armed conflict, this conceals significant differences between regions, which have differentially mutated over time. The armed conflict in Colombia can be characterised as a series of sub-national conflicts that often have a regional or local character (González 2004). In recognition of this, fieldwork for this research was conducted in two regions of Colombia that have experienced displacement quite differently, so as to explore the complexity of logics, actors and mechanisms.

The complexity of the settlement patterns and the agrarian system in Colombia are partly rooted in the country's dramatic and diverse geography. Geography and demography are

fundamental to understanding the layout and agrarian dimensions of the conflict today (LeGrand 2001). In the western third of the country, three parallel chains of The Andes run from the north to the southwest. Each of these mountain ranges reaches heights of between 3000 and 5500 metres, before dropping sharply into deep valleys below, carved out by the Magdalena and Cauca rivers. Being located near the equator, Colombia experiences little seasonal variation. Rather, the climate changes according to altitude, with three distinct zones supporting different forests, crop and pasture types, as well as breeds of livestock. Some crops are best suited to the soil and climate of the higher lands (such as coffee), whereas other crops (such as bananas and African palm) are grown in the tropical lowlands. During colonial times, Spanish economic activity took place within a relatively narrow radius and was concentrated in the highlands. Landowners and the middle classes have traditionally resided in these more temperate highlands.

The country's geography and demography have also significantly determined the way in which political power is decentralised to the extent that regions, even to this day, function fairly autonomously. The national territory is poorly integrated with a differentiated presence of the state in rural areas. According to Hylton (2006: 25), 'since the onset of the Regeneration [in 1880], Colombia's geographical configuration has awarded Liberal-Conservative elites an exceptional logistical advantage in imposing parochial, clientist control from above, while blocking or suppressing nationwide mobilisations from below'.⁵⁰ Due to poor transportation and geographical isolation, centralised military control has been difficult to establish in the country. As a result, civilian parties and the Catholic Church became more important belts of power than in neighbouring countries.

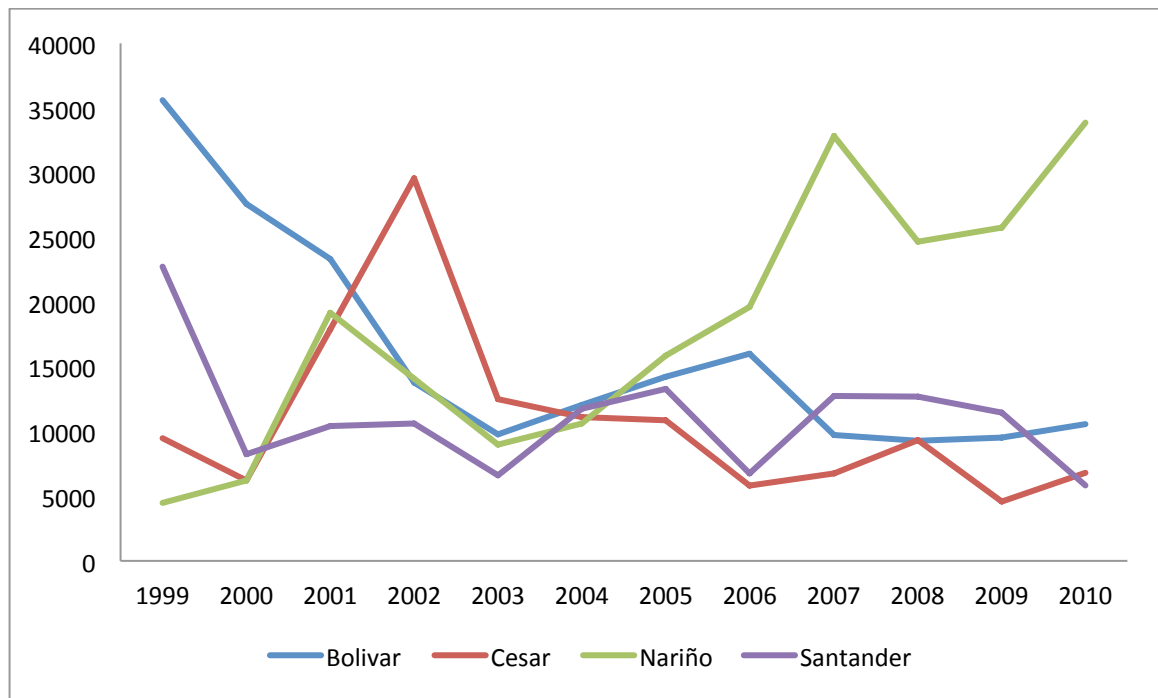
⁵⁰ The period referred to as the Regeneration (1880-1930) was preceded by a period of democratic inclusion and progressive policies towards land and labour. By contrast, the Regeneration was characterised by the elites reversing these democratic reforms and re-introducing top-down authoritarian rule (Hylton 2006: 23).

But by delegating authority to local party bosses, urban-based landlord-merchant-lawyers contributed to intensify regional divisions and inequalities (Hylton 2006: 16).

In this historical and geographical context, strong regional identities have formed (Barreto Henriques 2007: 15). The spaces left historically unoccupied by the state have been filled by irregular armed groups. As well as controlling the territory militarily, these groups have also taken on the role of a 'para-state' at the local level, dispensing justice, co-opting local officials and providing public services.

The centrality of regionalism in Colombia has meant that patterns of internal displacement over recent decades have varied enormously at the regional level, and have changed over time as the logics of displacement and the actors involved alter. For example, during the 1980s and 1990s the Magdalena Medio region was experiencing some of the highest levels of displacement in the country. This was related to high levels of violence as the paramilitaries wrested regional domination from the guerrillas and suppressed social movements in this strategically and economically important region (González Vélez and Jiménez Meneses 2008). Since about 2000, Magdalena Medio has been largely 'pacified' (with comparatively low levels of political violence) following the comprehensive 'paramilitarisation' of the region.

Chart 4: Number of people internally displaced in the departments of Bolivar, Cesar, Nariño and Santander (1999-2010)



Source: CODHES database

In contrast, levels of displacement were relatively low in the department of Nariño until 2000 when an upsurge in violence began that persists to this day. In both Nariño and Putumayo, the guerrillas maintain a relatively large presence and vie with other armed groups for control of territory and drug trafficking in these strategically important border regions. Chart 4 compares levels of displacement from 1999 to 2010 in Nariño with those three departments in the Magdalena Medio region where fieldwork for this thesis was conducted. It seems apparent that high levels of displacement have correlated with high levels of violence involving the army, guerrillas and paramilitaries as well as drug traffickers. The aim here is to determine if there were other logics for displacement in these regions that are ‘external’ to the armed conflict, but are rather linked to palm oil cultivation.

Displacement linked to African palm oil

In recent years, there has been increasing recognition that some of Colombia's displacement is occurring outside of the normal parameters of armed conflict, and is being conducted with the sole aim of exploiting the land for economic gain. Andreu-Guzman (2012) of the Colombian Commission of Jurists challenges the widely-accepted notion that displacement in Colombia is an indirect, inherent or unintended consequence of the armed conflict or that it only occurs in conjunction with other crimes. He argues that displacement is an 'autonomous crime' in Colombia.⁵¹ Paramilitaries use displacement as a means of dispossession and land usurpation that has military and economic value. Actors within both the legal and illegal economies 'have provided support to paramilitary groups in their efforts to seize land' (Andreu-Guzman 2012: 5).

Palm oil has benefited certain regions by providing employment for *campesinos* and improving infrastructure (Palacios 2012). However, there is growing anecdotal evidence from international organisations and the media to suggest that the expansion of palm oil plantations correlates to displacement, and that the paramilitaries are perpetrating at least some of this displacement (Allen-Mills 2007; Mingorance 2006; Otis 2009; Palacios 2012; UNHCR 2005). These 'economic logics' of displacement in Colombia have also been recognised and denounced by successive UN Special Rapporteurs on the Human Rights of Internally Displaced Persons. In 2007, the then Rapporteur Walter Kälin stated in his last report on Colombia:

[t]here is a widespread perception among displaced persons that there is no willingness to return land and other property to them and, in some regions of the

⁵¹ The crime of 'forced displacement' was incorporated into Colombia's legislation through Law 589 (2000). Paramilitary displacement has been ruled by the Supreme Court of Justice in Colombia as a crime against humanity in some cases and as a war crime in other cases. It has also been considered as 'criminal conspiracy' with paramilitary groups in a few cases (Andreu-Guzman 2012: 9).

country, they suspect that while displacement may have originally been caused by armed conflict, the taking over of their lands by large corporations is at least a side effect, if not part of a policy of forced displacement. The Rapporteur heard allegations of lands occupied illegally, either through transfer of titles under duress and for minimal financial compensation or through forgery of land titles (UNHRC 2008:15).

In January 2000, Kālin's predecessor made similar observations. Francis Deng characterised displacement in Colombia as a 'tool for acquiring land for the benefit of large landowners, narco-traffickers, as well as private enterprises planning large-scale projects for the exploitation of natural resources' (ECOSOC 2000:7).

However, perpetrators of displacement have been prosecuted on only a few rare occasions, and even fewer have been convicted (UNHRC 2008: 18). Military commanders and actual perpetrators cannot be held criminally responsible when the displacement has been deemed as part of a military strategy.⁵² Nor do they investigate others involved, such as 'economically-motivated' actors that were linked to the crimes. Under the jurisdiction of the Justice and Peace legislation, prosecutors tend to focus on crimes that have been confessed rather than investigating criminal activity more widely. The persistence of the armed conflict and operations of paramilitary successor groups constitute major obstacles to effective investigations. Making claims for their 'stolen lands' and testifying against paramilitary members, military actors and private individuals involved in such crimes has led to people being killed or being displaced again (Andreu-Guzman 2012: 15).

⁵² This is not in accordance with international law. See Andreu-Guzman (2012) for legal rulings in this regard.

Ibáñez and Vélez (2008:661) argue that in Colombia displacement is employed by illegal armed groups as ‘a low cost and effective strategy for clearing out territories’. Escobar (2004: 214) argues that violence and displacement ‘frees up entire regions for transnational capital’. Some claim that the agro-industrial sector particularly benefits from the displacement of the *campesino* population (Thomson 2011). While various armed actors have intensified their activities in regions where palm oil is being produced, it is the violence of the paramilitaries that is mostly linked to the palm oil companies and investors (Mingorance 2006; Ocampo Valencia 2009; Thomson 2011; Palcacios 2012).⁵³ The army and paramilitaries have taken on a private security role for producers, and have been linked to the killings and disappearance of community leaders, trade union activists, smallholders and others that resist palm oil expansion (Leech 2009).⁵⁴ Some argue that the violence and intimidation leveled against workers and trade unionists is aimed at reducing the labour costs so as to increase the international competitiveness of Colombian palm oil (IDMC 2007; Leech 2009).

The region most affected by palm oil-related violence and displacement thus far has been the department of Chocó, particularly targeted at the indigenous and Afro-Colombian populations (IDMC 2012; Sanchez-Garzoli 2012; Mingorance 2006; UNHCR 2012). The region of Urabá in Chocó has endured violent conflicts for decades over logging, mining, bananas and most recently palm oil (Thomson 2011: 346). In 2005, the *Instituto Colombiano de Desarrollo Rural* (National Rural Development Institute, INCODER) reported that 93 per cent (some 3,800 hectares) of the land in Chocó that companies

⁵³ Guerrillas are reportedly responsible for a relatively small proportion of African palm oil-related abuses. But these abuses have been serious and have included the murder and kidnapping of owners and employees of palm oil plantations.

⁵⁴ According to one study, in Chocó these abuses have included: the murder of Afro-Colombian community leaders; murders and massacres of community members; forced disappearances; forced displacement (both collective and individual); arbitrary detention; destruction of organisational and social fabric extortion; corruption illegal appropriation of land and associated crimes (including the wrongful or fraudulent appropriation of land, stealing of land, purchase of land using armed coercion and use of misleading documents) (Mingorance 2006:29).

planted with palm oil trees belonged to displaced Afro-Colombian communities (INCODER 2005).⁵⁵ Oslender (2007) uses a geopolitical approach to argue that on the Pacific coast of Colombia, palm oil companies have formed alliances with illegal groups in order to evict Afro-Colombians from their collectively owned territories.

Applying a game theory approach in her research, Palacios (2012) argues that the expansion of palm oil cultivation is linked to the displacement of *campesinos*, because producers prefer to plant large-scale plantations using contractual labour, in contrast with an illegal crop such as coca. She also concludes that in the context of violent conflict, an economic activity that is characterised by low labour-intensity (such as palm oil) is more likely to trigger displacement than one of high intensity (such as coca).

Evidence about illegal activity related to palm oil cultivation in Chocó - including killings, displacement, land theft and paramilitarism - is overwhelming and barely disputed.⁵⁶ However, in other regions of the country where little research has been conducted in comparison with Chocó, the dynamics and consequences for local populations are less clear and evidence-based. There is little empirical evidence to support the notion that the widespread expansion of palm oil throughout the country is systemically displacing people. But there is clear evidence to indicate that the *campesino* economy is diminishing and that palm oil is being cultivated in its place, which the government regards as a process of modernisation.

⁵⁵ The *Instituto Colombiano de Desarrollo Rural* (INCODER) is the section within the Ministry of Agriculture with responsibility for agricultural policy and rural development. It aims to 'facilitate rural people's access to productive and social factors that will improve their quality of life and socioeconomic development' (<http://www.incoder.gov.co/>)

⁵⁶ For example, the InterAmerican Commission for Human Rights has recognised the links between one particular palm oil company (Urapalma), the paramilitaries and the army (OAS 2003). In December 2007, the Colombian Attorney General's office opened formal investigations against an alliance of 23 palm oil companies in the Chocó region, accusing them of having 'commissioned forced displacements' to clear the land for the cultivation palm oil plantations for biofuel production (IDMC 2007:45).

The mechanisms by which the land transfers are taking place – variously characterised as voluntary transactions, land grabbing or violent displacement – are much less clear. Based upon extensive interviews conducted for this study (with government officials, the UN, industry representatives and civil society organisations among others), it became evident that there are distinct regional differences in terms of the models of production, patterns of land ownership, levels of displacement and actors involved. But there is now some recognition among actors at the national level that the mechanisms employed are mainly focused around the objective of acquiring the land itself, whether through dispossession or abandonment.

Displacement, dispossession or abandonment?

There is limited documented information about the complexity of the underlying regional conflicts that lead to displacement in Colombia (particularly given that those affected have often fled the area and are thus unable to give an account of the circumstances of their flight); which actor they believe was responsible; and for what reason. In Colombia, the internally displaced tend to flee into anonymity in large towns and cities. As a result, in attempting to examine the mechanisms employed to coercively acquire land, much of this research was conducted with communities that were threatened with losing their land, either through displacement or some other means. In recent years, there has been a shift in emphasis among some academics and institutions in Colombia in the way displacement and other mechanisms of land acquisition are understood.

The Comisión de Seguimiento argues that ‘the land problem lies at the heart of forced displacement’ in Colombia. It reported in 2008 that 91.3 per cent of displaced families registered in the governmental register of displaced persons (*Registro Único de Población Desplazada*, RUDP) claimed to have had to abandon some of their assets (such

as land, non-rural based property, animals and furniture) (IENV-II 2008). While land is sometimes violently dispossessed from the people occupying and/or owning it, on other occasions it is transferred to third parties by means of compulsory sales, whereby varying degrees of coercion may be applied.

Table 1: Studies that estimate the quantity of land abandoned/dispossessed in Colombia, 1990-2009

Source of study	Estimated no. of hectares dispossessed/ abandoned (millions)
Ibáñez, Moya & Velásquez	1.2
Controller General of the Republic	2.9
World Food Programme	4
INCORA Workers Union	4.4
CODHES	4.8
<i>Acción Social</i>	6.8
<i>Movimiento Nacional de Víctimas del Estado</i>	10

Sources: ENV-III July-August 2010; Comisión de Seguimiento and CID-UN (as cited in UNDP 2011).

With respect to the level of abandonment and seizure of land and assets nationally, estimates vary significantly depending upon the source one employs (see Table 1). The Comisión de Seguimiento itself – which is the source of this table of data – estimates that land abandoned or dispossessed between the end of the 1980s and the end of 2010 amounted to over 5.5 million hectares: a figure that is close to the mean average of those in the table (4.9 million hectares). It observes that the total number of hectares dispossessed or involuntarily abandoned during this period amounts to 10.8 per cent of the total agricultural land in the country (ENV-III 2010).⁵⁷

⁵⁷ The total amount of agricultural land in the country was calculated by the Ministry of Agriculture in 2006 to be 51,169,651 hectares, which comprises 38,804,661 hectares in pastures and brush, and 3,579,929 hectares in cultivation (Annual Statistics of the Ministry of Agriculture: <https://www.minagricultura.gov.co/>).

Clearly, the main losers are *campesinos*. Dispossession has been focused on smaller properties of up to 20 hectares (73 per cent of properties) and medium-sized ones of between 20 and 500 hectares (26.6 per cent of properties). Lands that have been abandoned or dispossessed were generally reported to be of ‘not bad quality’ (CNRR 2009).

Table 2: Estimated no. of hectares abandoned/dispossessed, 1990-2010; and percentage of displaced comprised of families, according to region

Regions	No. of hectares	No. of families (% of displaced population)
Antioquia & Chocó	1,852,561	43.2
Bolívar, Córdoba, Sucre & Atlántico	749,968	36.7
Magdalena, Cesar, La Guajira & North Santander	866,535	26.9
Cauca, Nariño, Putumayo, Caquetá & Buenaventura <i>municipio</i>	1,491,892	52.1
Tolima, Huila, Cundinamarca, Bogotá, Santander, Valle de Cauca, Caldas, Risaralda & Quindío	633,299	36.0
Meta, Arauca, Guaviare, Casanare, Vichada, Vaupés, Guainía & Amazonas	1,043,939	49.5
Total	6,638,195	40.7

Sources: ENV-III July-August 2010; Comisión de Seguimiento and CID-UN (as cited in UNDP 2011).

Prior to displacement, some 1.3 million hectares were being used to cultivate staple crops from the Colombian food basket (such as coffee, cassava, yam, rice, beans, corn and panela), which guaranteed the sustenance of these households, as well as local communities in some regions. The regional disparities in levels of displacement reflect how the conflict has differentially mutated. For instance, the inhabitants of the Pacific, Amazon and Orinoquia have abandoned 19.2 per cent of the land in the region; followed by the Atlantic coast where people abandoned 13.7 per cent of the land; and 11.8 per cent in the Andean region (see Table 2) (CNRR 2009).

The discourse in Colombia concerning displacement has shifted in recent years. Much of the discussion is now concerned with the distinct (albeit related) notions of dispossession and abandonment. However, as the CNRR (2009) observes, while the term ‘land dispossession’ (*despojo de tierras*) has been used increasingly in the national dialogue, there has been little attempt to conceptually define the term and develop a theoretical framework that allows us to examine the process within a wider context. The CNRR emphasises the significance of the notion of dispossession, as opposed to abandonment, and the methods employed, which were previously regarded as being synonymous.

To abandon (*abandonar*) implies the ‘suspension of use, enjoyment, access and possession of things or rights for a time period determined by, and as a result of, voluntary or involuntary causes’ (CNRR 2009). That is to say the temporary or permanent deprivation of things one owns or enjoys access to. Abandonment also implies the departure (voluntarily or otherwise) of the title-holder or occupant from the home and the territory in which the property is located. Depending upon the period of abandonment, the owner/occupier that left the property may risk forfeiting it (or access to it) indefinitely or even permanently. For example, this may apply if the owner/occupier becomes established in another region and does not intend to return due to the persistence of the conditions that precipitated the abandonment. In such a situation, it is possible that the abandoned property will be occupied by a third party; or ownership rights will be lost by one of array of mechanisms. Thus, the owner runs the risk of losing the property permanently, which can be likened to dispossession (CNRR 2009).

The Spanish word *despojar* derives from the Latin *dispoliare*, meaning to dispossess, loot, plunder or expropriate. It conveys the notion that someone is being deprived of their incumbent capacities and natural privileges. It is often associated with a violent or

clandestine act whereby someone is denied a moveable or immobile entity, which they possessed or exercised rights over. CNRR defines the dispossession of landed property as:

An action by means of which a person is arbitrarily deprived of his/her property, possessions, occupancy, tenure, or of some other right exercised concerning property/land; which has been done through judicial negotiations, administrative action, judicial action or by activities classified as law enforcement and benefiting from a context of armed conflict. The dispossession may be accompanied, or not, by abandonment. But the difference is that in the case of dispossession an intention is expressed to appropriate the property (CNRR 2009).

In summary, in the case of dispossession – in contrast with abandonment – there exists an intention to steal, expropriate, deprive or remove assets or rights. It is also associated with the deprivation or dispossession of ownership or access to movable and/or immobile assets, social and community spaces, dwelling, culture, political, economic and environmental opportunities. Abandonment does not necessarily lead to dispossession. In many cases, abandonment is susceptible to recovery in use and enjoyment, usually in cases where the causes of the abandonment have ceased. Depending upon the period of time since the abandonment, links with the assets and the territory may be restored. Many properties and territories that have been temporarily or permanently abandoned have been newly occupied by legitimate proprietors, which may even serve to block dispossession. However, the indefinite prolongation of the status of abandonment may eventually determine how the land is then used, accessed and appropriated by a third party; and in determining its eventual use and ownership.

In some cases, abandonment may be one of the conditions for dispossession, which in Colombia is frequently accompanied by violence. It may also involve deception in order to appropriate territory and other assets. In short, abandonment *may* lead to dispossession. But dispossession *always* results in abandonment. The Ministry of Agriculture and Rural Development has suggested four categories of dispossession:

- Irregular purchase sales: by force, fraud, error and for a price that does not correspond to its commercial value; or through a gross legal violation.
- Judicial transference: possession (occupants of a land plot that become its legal owners); executive processes whereby creditors are left the land; cases whereby owners illegally recover land which has been reallocated; or fraudulent procedures conducted within judicial processes.
- Transference of rights through administrative requests: such as the transfer of *baldios* by a competent judicial/administrative authority; non-fulfilment of required conditions of sale within 12 years; sales conducted with permission from INCODER and after proper procedures have been followed; falsification of a public document by using a proxy in order to transfer ownership of collectively or individually-owned land.⁵⁸
- Forced dispossession through violence: occupation and abandonment of *baldios* (CNRR 2009).

Alejandro Reyes Posada analyses processes of population expulsion and the reconfiguration of policies and military activities of armed groups, principally the paramilitaries. He identifies some of the methods employed that facilitate the abandonment and dispossession of land:

⁵⁸ *Baldios* refers to public lands belonging to national or local government. Much of it is unused before it is colonised by investors or *colonos*.

- Forced transfer of titles to the name of a commander, or intermediary, associated with a paramilitary group (or occasionally a guerrilla group);
- Shifting of the boundaries of land plots so as to subsume those of displaced persons;
- Use of figureheads or family members to conceal the owner's identity, which may include allocations made to combatant *campesinos* or those displaced by the guerrillas;
- Selling at low prices;
- Purchase of debts and credits from banks and indebted owners on behalf of paramilitaries and other individuals;
- Forced selling at a low price; and
- Violent expropriation without any viable counter-claim (CNRR 2009).

Reyes Posada also recognises the role of narco-trafficking and narco-traffickers in the dispossession and acquisition of land. As Table 3 demonstrates, the abandonment and dispossession of land has continued unabated from 1980 to 2010, with extremely low rates of recovery.

Table 3: Extent of land abandoned/dispossessed during key phases of displacement, 1980-2010

Time period	No. of hectares abandoned/dispossessed (1980-2010)⁵⁹	No. of hectares currently abandoned	No. of hectares recovered	Percentage recovered
1 st displacement before 1998	1,023,703	907,928	115,774	11.31
1 st displacement between 1998 - 2008	5,263,282	4,889,691	373,591	7.10
1 st displacement between 2009 - 2010	351,210	345,083	6,127	1.74
TOTAL	6,638,195	6,142,195	495,493	7.46

Sources: ENV-III July-August 2010. Comisión de Seguimiento and CID-UN (as quoted in UNDP 2011)

Dispossession can occur before or after the residents are displaced from their land; or it could occur years later. The pace and logic of dispossession varies strategically, materially and symbolically. Nonetheless, dispossession has an intrinsic characteristic: it is usually a coercive or even violent process, contrary to the voluntary transfer of an asset. Few would dispute that the compulsory purchasing or selling of land through violence, or the threat of violence, is illegal. But what if the use of violence derives from an actor that is legally authorised to use force? How does one determine if there has been an appropriate attempt to conduct an expropriation through legal channels? In Colombia, there have been many cases in which these concerns have been an issue (CNRR 2009:31).

Many land disputes in Colombia are complex affairs, where legal ownership and the legality of some actors and activities cannot be easily established or agreed upon. An example would be the state-sanctioned re-allocation of indigenous ancestral lands for

⁵⁹ These particular figures relate to the period January 1980 to July 2010.

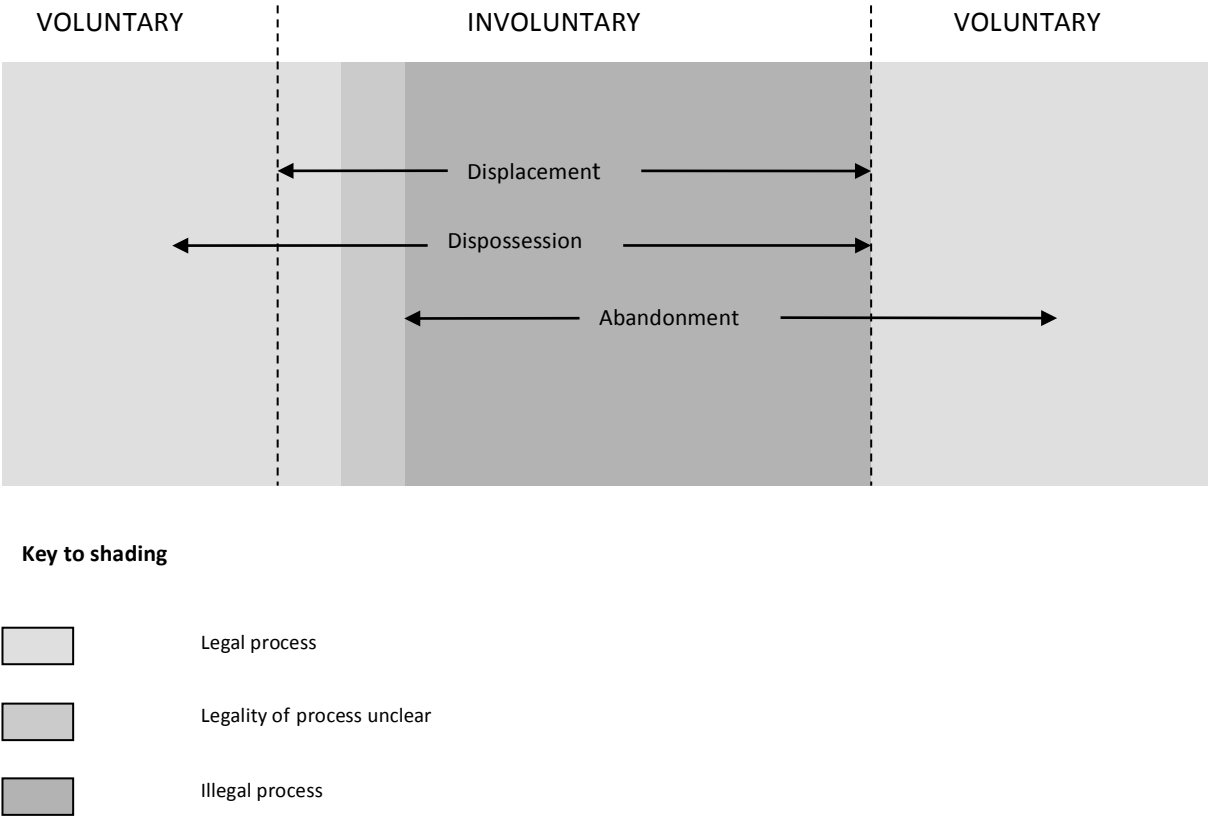
economic exploitation (such as the extraction of natural resources) that is - at least ostensibly - in the wider public interest. Strictly speaking, can this be regarded as dispossession? Those who claim a dispossession has occurred in such cases may argue that a norm of international or constitutional law has been violated. Less legalistic arguments can be made about an historic responsibility or the importance of equality and social justice. On the other hand, others may argue that there is an over-riding consideration: that of the wider public interest over a small number of individuals.

Since 2010, under the presidency of Manuel Santos, there has been a national debate about landownership, agrarian reform and reparations for displaced persons. The challenge of introducing an unambiguous national legal framework for determining the rights of ownership for each case is complicated by factors such as the diversity and complexity at the regional level and the lack of documentation. These challenges are also faced when it comes to devising policies for reparations and the prevention of dispossession. The CNRR (2009:31) proposes that the classification framework for dispossession should include a category of dispossession that considers it as an illegal act. It should be emphasised that within the Ministry's categorisation of dispossession outlined above, not all types are illegal or even involuntary, although most are assuredly both.

Among a wide range of actors (including the Colombian government, civil society, academics and the media), the discourse is gradually shifting to be less about 'displacement' *per se*, and is more concerned with the processes of abandonment and dispossession. This reflects a shift in focus away from what happened to the affected people to an emphasis on the overall objective (the acquisition of people's land) and the mechanism by which this was achieved. This serves to overcome the problem of

definitions and labelling of the internally displaced in Colombia.⁶⁰ With respect to labelling, there are societal stigmas associated and security risks associated with being classified as a displaced person. Labelling is a process of designation, making judgements and distinctions that are non-participatory and often go unnoticed and unquestioned. The collective labelling of displaced people in order to achieve conformity with institutional and ultimately state interests represents control and the conferring of an acceptable status (Zetter 1991).

Figure 1: Displacement and land transfer continuum



⁶⁰ As stated earlier, the Colombian government uses a more restrictive definition of internally displaced persons than is generally used by the international community, the implications of which are discussed in Chapter 4.

However, this more nuanced approach to examining displacement processes has not thus far been applied to analytically examine affected people's lived experiences. Next the author will further elaborate the analytical lens applied to examine the field-based empirical data emanating from this research. The contention here is that a 'displacement and land transfer continuum' exists in Colombia, whereby both concepts to some extent overlap, but not always. The term 'land transfer' simply refers one party acquiring land from another whether it be through legal or illegal means, voluntarily or involuntarily. This is achieved through mechanisms that range from violent displacement to a voluntary and legal sale/purchase of the land at a fair market price. Here and throughout the thesis, the term 'displacement' is used in a broad sense to refer to a process whereby people are involuntarily, and usually coercively and illegally, compelled to leave their land.⁶¹ This may or may not lead to their land being transferred to another party.

The concepts of abandonment and dispossession combined incorporate all displacement land transfer processes, at least for the purposes of this research. Focusing on the extent to which dispossession and abandonment have played role facilitates an examination of logics, mechanisms and the role of not just the perpetrator but all actors involved. It allows for an examination of legality/illegality and voluntariness/involuntariness (see Figure 1). In some cases the legality and voluntariness may be unclear, especially in the case of abandonment where motive may be difficult to determine. The nature and impact of coercion applied upon people to leave their land varies and is open to an individual's interpretation: fear is subjective.

⁶¹ According to the Geneva Conventions (Protocol II Additional to the Geneva Conventions, 1977), the displacement of the civilian population 'shall not be ordered for reasons related to the conflict unless the security of the civilians involved or imperative military reasons so demand ([p.1471] Article 17 - Prohibition of forced movement of civilians). This may or may not involve the compliance of the people affected.

The fieldwork examines the mechanisms employed by relatively powerful local actors in order to dispossess communities of *campesinos* of their land for the purposes of expanding palm oil cultivation. This may involve pressuring them to abandon their land and then dispossessing them of ownership and access. Alternatively, it may involve dispossessing them of ownership while they continue to reside on the land, and then using legal or extra-legal means to evict them. It will explore the extent to which these processes were legal and voluntary. The research examines how and why some communities have managed to remain on their land despite efforts to dispossess them and/or being pressured to abandon their land. There is also some examination of Afro-Colombian communities that have been illegally dispossessed of their land but have not been displaced. It seeks to examine how the various narratives compare and how their respective power relationships influence displacement processes.

Conclusion

With respect to the ‘invisibility’ of internal displacement that was discussed in the first chapter, one could conceivably identify three types at play in Colombia. First, there is the kind of invisibility or anonymity that displaced people seek by moving to urban centres and living among the wider urban poor. These invoke Scott’s (1985) ‘weapons of the weak’, whereby displaced people seek to avoid being subject to further displacement or other abuses by armed groups; and to avoid the social stigma associated with being a displaced person (Polzer and Hammond 2008: 418, 421). Up to 30 per cent of displaced persons in Colombia are estimated to have not registered themselves as being displaced (Refugees International 2006; Riaño-Alcalá 2008). Second, powerful political and security actors have sought to prevent the internationalisation of Colombia’s conflict and the protection of its victims by obscuring the existence of cross-border refugee flows (Gottwald 2003: 1). Third, this thesis argues, that the plight of some communities in

Colombia that are threatened with displacement (or even forced confinement) remains largely invisible outside of their locality.⁶²

These dynamics will become more apparent by exploring the local context. By examining how land is acquired and transferred, and how power is exercised to achieve this, local displacement processes will become more apparent. By exploring the political economy of localised processes of displacement and land dispossession, it is possible to analyse the logics, actors and mechanisms which hitherto have been concealed within a wider context of the national ‘displacement problem’.

The overall impact of displacement upon the political economy of rural areas is profound. It is one often referred to as counter-agrarian reform: increased concentration in the ownership of land; the reproduction of traditional forms of *latifundismo* (agrarian system based upon a relatively small number of large estates); and a new tendency to forcibly incorporate regions and communities into commercial plantations in compliance with the demands of the global marketplace but unconnected to local social and developmental needs (Romero 2006: 9). Conflicts over land are both a cause and effect of displacement in Colombia. The struggle over ownership and use of land lies at the heart of the conflict, and there has been increasing recognition of this in recent years. The next chapter will examine the historical context that gave rise to the highly inequitable distribution of land and the armed conflict.

⁶² The practice of ‘forced confinement’ involves armed groups restricting or even prohibiting civilians’ movements outside of the confines of their community. This particularly affects Afro-Colombians and indigenous people, and will be examined more in chapter 6.

Chapter 3. Agrarian issues, capitalist accumulation and violence: an historical overview

Introduction

Forced displacement in Colombia is not an exclusively contemporary phenomenon. An understanding of displacement logics and mechanisms in Colombia necessitates an examination of the historical context. This chapter argues that dispossession of land from *campesinos* has long been a driver of violence between the rural poor and the ‘traditional’ landed elites and their supporters. The concentration of land ownership for the purpose of expanding agro-export production has long been tolerated (and sometimes even supported) by national and local governmental authorities and facilitated by the army as well as private militias. This has also served to augment a dependent, low cost labour force to work on the estates of large landowners; others were compelled to move elsewhere.

Since the period of the *Violencia* in mid 20th century Colombia, successive governments have responded to pressures related to highly unequal land distribution by expanding the agricultural frontier and encouraging poor and marginalised groups to settle on ever more remote lands that were unoccupied. But the state often did not provide sufficient support structures, including basic social services. Other non-state local actors were able to fill this void. Those smallholders that settled on land and made it productive were often compelled to abandon it (perhaps for a second or third time) by large landowners and entrepreneurs. Under pressure from expanding coffee and cattle ranching plantations in the past, and more recently by coca and African palm oil, the *campesino* smallholder and

subsistence economy has progressively shrunk and created a new and growing class of urban poor: internally displaced persons.

Post-colonial Colombia has been characterised by a particularly complex agrarian structure and a long history of social unrest, particularly in rural areas. The colonisation of land for its development and integration into economic production has been a constant feature of modern Colombian history, and this has frequently been facilitated by violence and displacement. Colombia's traditional political system has played a crucial role in triggering or fuelling these conflicts. As this chapter will explain, in the past members of the traditional political parties were violently partisan. But they were also violently intolerant of *campesino* and civil society resistance movements and opposed to structural reform, especially agrarian reform.

This chapter will examine the roots of the agrarian system and the sociopolitical class that has sought to protect the interests of the large landowners and other traditional elites. Since the 19th century, large landowners have geared agricultural production towards agro-export markets. This has been achieved by avoiding significant agrarian reform, and indeed introducing some measures that fostered agrarian counter-reform in order to augment farming estates. It has also involved the use of widespread violence in order to usurp people of their lands. The chapter examines the emergence of peasant-based social protest movements in the early decades of the 20th century and how these were suppressed. This all culminated in the emergence of the guerrilla insurgency and the beginning of the ongoing civil war. The chapter examines how this has subsequently mutated largely due to narco-trafficking and paramilitarism. This has contributed towards ever greater inequity in land ownership and persistently high levels of displacement.

The agrarian question

Historically, and to some extent to this day, the political system in Colombia can be characterised as a 'restricted democracy', with limited representation of those political and social groups that were unacceptable to the dominant classes (Vidal-Lopez 2012). Since the 1840s, political life in Colombia has been dominated by the two traditional political parties: the Liberal Party (*Partido Liberal*) and the Conservative Party (*Partido Social Conservador*) (Pearce 1990). Political party affiliation is traditionally based upon patron-client relations rather than ideological or class differences, particularly since the protracted period of violence in the mid-20th century (as discussed later in the chapter). The relationship between the patron (the landlord) and his clients (*campesinos* that worked on the land) were based upon traditional (often inherited) loyalties and would determine which political party people supported. The nature of these networks has evolved to one where the role of local powerbrokers has become increasingly important as intermediaries. While patronage networks have become less significant at the national level given the country's industrialisation and urbanisation, they remain powerful in rural areas (Bushnell 1993; Palacios 2006).

As elsewhere in Latin America, much of the violent conflict in post-colonial Colombia has been linked to land access/ownership and socio-economic inequalities; which continue to this day⁶³ and which has been examined by an extensive literature.⁶⁴ The wealth generated through the export of mineral resources in colonial times was largely replaced by expanding agricultural production during the 19th and early 20th century. Between 1830 and 1930, the economy expanded significantly, based upon the export of a

⁶³ Some 70 per cent of the country's wealth is concentrated in the hands of 20 per cent of the population, while some 64 per cent of Colombians are impoverished (UNDP 2007).

⁶⁴ To name but a few, albeit important, examples of this extensive literature: Oquist, P. (1978) *Violencia, conflicto y política en Colombia*; LeGrand, C. (1986) *Frontier Expansion and Peasant Protest in Colombia, 1850-1936*; Bergquist, C. et al. (1992) *Violence in Colombia: The Contemporary Crisis in Historical Perspective*; and Bushnell, D. (1993) *The Making of Modern Colombia: A Nation in Spite of Itself*.

number of agricultural products, of which coffee was the most important (Bergquist 1986). Products such as bananas, sugar, wheat and beef were also significant exports, mainly to North America and Europe. This economic growth was accompanied by huge transformations in land tenure and social relations across the countryside (LeGrand 1986: xii). These processes of agro-export expansion have invariably involved struggles between estate owners, small landowners and *colonos*. Colombia has a long history of so-called entrepreneurs and large landowners periodically displacing the rural poor – particularly indigenous, Afro-Colombian and *campesino* populations - in order to establish or expand their estates. This early colonisation represented a challenge to the traditional agrarian structure. Tenants and sharecropper sought to compete with investors and large landowners in the coffee market (Reyes Posada 2009: 23-5). This led to violent confrontations as the landlords felt their monopoly threatened by the independent participation of *campesinos* (Zamosc 1986: 11-12). But there are no simple correlations between processes of agrarian struggle and those of social unrest and violent confrontation. Rather they are linked by a complex series of factors, which have altered over time and are often regionally specific (Molano 1992).

Land tenure in Colombia is based on the *latifundia/minifundia* system, which originated in colonial times. This agrarian system involves rural areas being comprised predominantly of a mixture of large estates producing for mainly export markets, combined with smallholdings of *campesino* subsistence agriculture (LeGrand 1986:xi). The modern phase of colonisation began in the 1930s and 1940s, when the traditional large landed estates, or *latifundos*, gradually converted into commercial agricultural enterprises (Molano 1992). LeGrand identifies two distinct stages of frontier expansion during the early decades of the 20th century. First, *campesino* families moved into frontier areas, clearing the land and planting crops. These *colonos* were like *campesino*

proprietors elsewhere except that they did not hold legal title to the land they had colonised and were cultivating. A second stage involved investors attempting to assert property ownership over these lands and establish large estates on which the earlier settlers would become tenant farmers. The ensuing conflict was intrinsic to the Colombian frontier experience. Thus in the context of the expanding export economy, the struggle for the most important of agricultural resources – the land itself – came to signify more fundamental competition over the benefits of economic growth (LeGrand 1986). The advancement of colonisation and the formation of large properties during this period were not contradictory processes, but rather the allocation of public lands contributed directly to the consolidation of large estates in economically productive areas (LeGrand 1986).

The competing claims from landlords and settlers about the structure of land tenure in former ‘frontier’ regions became a decision for government about alternative patterns for rural development. One model was based on a system of large estates, and the other on a system of family-run farms. In the former (dominant) model, *campesino* subsistence agriculture was portrayed by modernisation theorists as being traditional, by which they meant ‘archaic, resistant to change, and lacking in economic values’ (LeGrand 1986: xii). During the remainder of 20th century, the concentration of land ownership among a relatively small elite group continued to increase (Molano 1992).

During the 1920s, the agrarian question was on the national political agenda for the first time. Industrialists complained that rising food prices was escalating labour costs, whereas landowners strongly opposed the lowering of tariffs. Rising imports together with a fall in coffee prices led to a growing deficit (Thomson 2011: 334). While tenants increasingly demanded higher wages and improved working conditions, *colonos* were

being expelled by landowners. To counter the threat of eviction and the violence of landlords' militias, many communities established their own 'self-defence groups'. Opposing political parties, agrarian unions and *campesino* leagues all sought to mobilise *campesinos*, rural day labourers and indigenous groups (Zamosc 1986: 12-13; Fajardo 1983: 38-40).

According to LeGrand, the ever greater marginalisation of *colonos* and the concentration of rural land holdings contributed to the onset of the *Violencia* and have fuelled subsequent guerrilla movements in the frontier zones. She describes how *campesinos* began to go on the offensive against the *latifundia* system in the late 1920s and 1930s, facilitated by political and economic changes taking place at the time. In an attempt to escape the impact of the economic crisis, *colonos* migrated in search of regions with reportedly abundant public lands, only to find that these had been swallowed up by recently established large-scale commercial agriculture and cattle ranches. Beginning in 1928, thousands of smallholder farmers and *colonos* began to occupy many of the large estates in the frontier regions. As will be examined later in the chapter, the resultant settler movements that emerged in seven regions of the country between 1928 and 1936 made the issue of public land a national political problem.

The landholding structures established at this time are fundamentally the same ones that prevail in Colombia's rural areas to the present day, and numerous subsequent attempts to substantively reform them have failed. For example, Law 200 which was passed by the government in 1936 is generally regarded as the country's first modern agrarian law reform. Law 200 recognised that land had a social function and it sought to mediate between competing claims to public lands while providing titles to those petitioners who could prove that they had resided on, and made improvements to, the land. The law

encouraged production by ownership favouring those who occupy and make economic use of the land (Thomson 2011: 334). While commonly thought to have favoured the settlers, Law 200 ultimately reinforced the land claims of the large estate owners (LeGrand 1986). Instead of leading to an increase in agricultural output, many large farms were converted into cattle pastures. The land judges responsible for mediating in disputes tended to rule in favour of landowners (Richani 2002: 19). Many estate owners actually extended their territorial claims by acquiring private property rights over public or communal lands (Reyes Posada 2009: 25). The end result was that many landowners gradually transformed into capitalist entrepreneurs (Sanchez & Meertens 2001:11).

Coffee played a central role in Colombia's economic and political stability in early 20th century. Both political parties, as well as small and large landowners, were stakeholders. According to Bergquist 'a large proportion of the Colombian body politic identified with the political economy of the import-export interests in control of government after 1910' (Bergquist quoted in Roldan 2002: 15). There was consensus among businessmen and coffee growers from 1910-1930 about the importance and need for infrastructural investment by the state and economic development. Political differences were put to one side (Roldan 2002: 15). Coffee production was largely based on small cultivators and their livelihoods depended upon it. When coffee prices collapsed between 1929 and 1931, small producers resisted the pressure exerted by landlords to expand production. By the 1930s, coffee exports represented the largest single source of revenue for Colombia. This continued until the 1980s, when the international coffee agreement collapsed.⁶⁵ As a result, the coffee industry in Colombia is not able to expand beyond current production

⁶⁵ In 1988, the US suspended the international coffee agreement, which within two months decimated the industry of Colombia's leading export. The US 'Food for Peace' programme had already undermined Colombia's ability to produce crops for domestic consumption as 'they were unable to compete with US exports' (Simons 2004:133).

levels, fuelling an expansion in the cultivation of alternative, non-traditional agro-export crops.

Since the 1930s, coffee has been (and remains) the economy's leading legal agricultural export. But throughout the remainder of the 20th century revenues from coffee have increasingly benefited large landowners rather than the smallholders as they consolidated their holdings through a combination of violence, expropriation and forced relocation. By the 1940s, there had been an erosion of workers' rights, including summary dismissals and a prohibition on the right to strike for public sector workers (Roldan 2002: 19). In 1944, Law 100 formally reversed many of the changes that Law 200 sought to introduce, and tended to benefit owners rather than tenants (Hylton 2006: 33-4). Tenants and sharecroppers were prohibited from planting perennials without landlord permission. As a result, the redistribution of land was undermined as long-term inputs were required in order to apply for a title. *Campesinos* were prevented from cultivating coffee and this limited their participation in the accumulation process (Thomson 2011: 335).

With support from the World Bank, the Colombian government addressed what it saw as a labour surplus in coffee growing regions by encouraging *campesinos* to relocate to urban areas, rather than through agrarian reform. The International Monetary Fund (IMF) economist Lauchlin Currie recommended a reduction in the number of farmers (especially the less competitive ones in the marketplace) and stressed the importance of agriculture as a means to accelerate the country's development. This model favoured a development model based on the expansion of large agribusiness and 'accelerated' migration from rural to urban areas. Subsequent funding was geared towards the commercial sector, cattle ranching and mechanisation programmes. Support was not provided for small-scale agricultural production. The first ever International Bank for

Reconstruction and Development (now the World Bank) mission to Colombia in 1950 argued that small-scale agricultural production in Colombia constituted a ‘mal-use, misuse and under-use’ of both land and labour (Brittain 2005: 340–41). Instead, it envisaged more mechanised and technological agricultural practices requiring reduced levels of labour. But the rapid urbanisation that resulted was not accompanied by industrialisation. Consequently, many uprooted *campesinos* joined an expanding mass of jobless urban poor (Rocha & Gómez 2007).

LeGrand (1986) identifies the emergence of two types of conflict from 1950. First, large commercial estates were established on land which had been occupied by indigenous populations. Many of those displaced were reduced to the status of service tenants on their former holdings; while others conducted some farming on the little land they retained, while being forced to work part-time for local landlords to supplement these meagre earnings. Second, conflicts arose in the vast frontier regions of Colombia, which had not yet been colonised or used for any form of agricultural production. This incorporated many of the coastal regions of Colombia. These frontier zones were sparsely populated and usually not privately owned. They were mainly unused and/or public lands belonging to national or local government, known as *baldios*. As the demand for both tropical and temperate crops rose, and transportation networks improved, many of these regions became increasingly economically valuable as centres of agro-export production. Following the occupation of these frontier lands, conflicts broke out between *campesino* settlers (*colonos*) and large-scale land entrepreneurs (Le Grand 1986 p.xii).

Molano distinguishes three zones of colonisation according to three systems of labour: *campesino* colonisation, cattle-raising colonisation, and commercial agriculture colonisation. The first is based upon the ‘unity of land and labour’, whereby a sustainable

existence is achieved usually through subsistence agriculture on land over which the farmer has autonomous control. The second develops out of the crisis of the first and is sustained by a monopoly over the control of the land and large capital investment. The third is an intensification of these conditions, especially in terms of wage labour. The state facilitated this process by favouring the interests of the large landowners instead of subsidizing the upward step of *colono* to entrepreneur.⁶⁶ This was possibly because *colonos* played no direct role in national politics (Molano 1992: 209). By the 1960s, the *campesino* economy was essentially comprised of small plots of land, mainly located in mountainous areas. Thousands of *campesinos* were driven from their land by economic and political circumstances, particularly poverty and unfavourable agrarian policies. Two attempts at land reform in 1961 and 1968 were a failure (one of which will be discussed later in the chapter) and there was widespread unemployment.

Consequently, many landless *campesinos* moved to *baldios* in the piedmont of the eastern plains, the middle Magdalena River valley, Perijá, the Sierra Nevada de Santa Marta, and Urabá. Molano (1992) outlines the hardship of the typical *colono* livelihood during the 1960s. They worked a mostly subsistence existence with basic tools on poor quality lands, where the soil's fertility tended to diminish as the years went by. The crops they did sell (such as maize and bananas) were in competition with commercial producers. Their choices were usually limited: increase the labour force that were working the land; secure loans to purchase more land from their neighbours; or sell their land and colonise virgin land elsewhere. Often a commercial buyer would purchase land parcels from several neighbouring *colonos*, thereby establishing or augmenting an estate. Large landowners also benefited economically from the *colonos* efforts to improve these lands,

⁶⁶ This could have been done by measures such as lowering the cost of money and making funds for investment more accessible, prohibiting the concentration of land, while controlling prices, improving services and improving roads.

as this enhanced the land's productivity and monetary value. Such land was an attractive investment for cattle ranchers and farmers with capital who were able to rescue the productive unit from its redundant state. To do this, cattle ranchers needed land in substantial quantities and to keep labour and infrastructure costs low. These ranchers adopted legal and extra-legal means to uproot *colonos* and expand their holdings. To achieve this they employed the service of lawyers, merchants (middlemen), the police and the army. They would launch lawsuits over boundaries, the occupation/possession of land parcels (there was little ownership of land in these zones), and water access issues (as there were no customary norms regulating water or servitude). Decisions made by government authorities in response to land disputes were usually in favour of the cattle ranchers and other large landowners (Molano 1992: 204).

Failure to push through a serious programme of agrarian reform led to a process of intense colonisation. The 'development' or modernisation of agriculture in the countryside led to huge economic changes, but with no political outlets through which *campesinos* could express themselves, particularly in remote and newly colonised areas (Molano 1992:167). The traditional political establishment's resistance to attempts at agrarian reform led to movements for social progress pursuing a path of political opposition, and contributed towards the subsequent adoption of violence as the method to achieve change (albeit a militant tendency already existed within some institutions in the *campesino* social movement). The social protest movements and armed insurgency that emerged in the 1950s and 1960s were preceded by a protracted period of violence, including widespread killings that were particularly targeted at *campesinos* and *colonos*. The chapter will now outline the characteristics and consequences of the *Violencia* period. An understanding of the *Violencia* is important because the events of this period

consolidated the political establishment's rejection of popular social protest, and gave rise to the guerrilla movement and the paramilitary response that followed.

La Violencia

As the previous section outlined, the ongoing armed conflict and displacement in Colombia has its roots in the agrarian system and the vastly inequitable distribution of land. It is also linked to historical processes of violent land acquisition and the brutal repression of *campesino* and *colono* resistance. For many observers, the roots of the contemporary armed conflict and violence in Colombia stem from the *Violencia* period.⁶⁷ Since gaining independence from Spanish colonial rule in 1820, much of Colombia's history has been marred by violent conflict. There were numerous partisan confrontations during the 19th century, including 8 civil wars and 14 local conflicts (Peñaranda 1992: 295). A large number of people were displaced during the Thousand Days' War (1899-1902), which was the greatest of Colombia's 19th century conflicts (Roldan 2002: 14).⁶⁸ Other periods of conflict have also been accompanied by large-scale displacement of the rural population and the irreversible transfer of land and property, particularly during *La Violencia*.

The most violent era in Colombia's post-colonial history – a period which is referred to in Colombia as *La Violencia* (The Violence) – occurred between the mid-1940s and the mid-1960s.⁶⁹ During this period, over 200,000 people were killed and between 1 and 2

⁶⁷ Part of the phenomenon of the *Violencia* is the process of cultural understandings through which Colombians (and others) have tried to make sense of it. Academic study concerning the historical and contemporary roots and manifestations of violence in the country constitute a large, and uniquely Colombian, field of social science study referred to as 'violentology'.

⁶⁸ The Thousand Days' War left 100,000 people dead and an unknown number displaced (Hylton 2006:23) and resulted in the secession of Panama from Colombia (with support from the United States).

⁶⁹ The exact dates of the *Violencia period* are highly contested by historians.

million people are estimated to have been displaced.⁷⁰ Most of violence occurred in rural areas and the casualties were mainly *campesinos*. The violence was particularly brutal. Victims were often tortured, dismembered and sexually mutilated, and rape was commonplace. According to Roldan (2002: 12): ‘There seems to be no Latin American precedent for a conflict in which those killing each other were citizens of the same state who attacked one another because of partisan differences and who did so with a savagery rarely seen outside the context of racially or ideologically motivated wars’.

The violence was precipitated by the transition of power between the Liberal Party and the Conservative Party in 1946 (Pearce 1990). It was partly a response by the Conservatives to the Liberal Party’s attempts at populist reform, including changes to the electoral system and land reform (González Bustelo 2005: 207). Within the Liberal Party a new breed of younger, non-elite, professional politicians clashed with more established ones. The Liberal Party was divided between the official candidate for president and dissident candidate Jorge Eliécer Gaitán.⁷¹ According to Frances Thomson (2011: 335), ‘dissatisfaction with the conservatism of the ruling class was reflected in the rapid popularity gained by Jorge Eliécer Gaitán, a political outsider who appealed to both urban labour and the peasantry with populist and reformist rhetoric.’ The assassination of Gaitán is frequently cited as the trigger that started the *Violencia*. The conflict evolved into a struggle between the two political parties over the control of governmental power and territory, often with regional dimensions. During the first few years of the *Violencia*, business mostly went on as usual in the big cities. But as the violence spread, it also

⁷⁰ Estimates on the number of displaced vary significantly. Some sources argue that up to one million were displaced (Bailey 1967; Roldan 2002;), whereas others argue that it was closer to 2 million (González Bustelo 2005; Oquist 1978; Reyes Posada 2009).

⁷¹ The assassination of Jorge Eliécer Gaitán on 9 April 1948, triggered a violent popular backlash and subsequent government repression in the capital, known as the *Bogotazo*.

mutated. Other forms of violence emerged, including common criminal delinquency, social banditry, and incipient, radical peasant leagues (Roldan 2002: 19-21).

Peñaranda (1992) describes this complex political and social phenomenon as ‘a mixture of official terror, partisan confrontation, political banditry, pillage and peasant uprising’.⁷² Conservatives and Liberals were in opposing camps of protectionists versus free traders, centralists versus federalists, and pro-clericals versus anti-clericals. The significance of specific issues and their political importance varied regionally depending upon factors such as resource availability, structure of land tenure, economic productivity and kinship relations. Conservative/Liberal Party affiliation in Colombia has largely shaped the average Colombian’s sense of self and belief since the 19th century. In the absence of a well-developed sense of national identity, affiliation to a political party superseded one’s class, race and ethnicity (Roldan 2002: 13). During the late 19th and early 20th century in Colombia, citizenship did not represent a common sense of belonging within a nation with a central government. Rather it was associated with membership and loyalty to one of the two dominant political parties. These political parties were factional as nationwide organisations, with little regional dominance of one over the other (Hylton 2006: 17).

While the violence was ‘ostensibly to avenge some heinous political act’, the real motivation was ‘to usurp victims’ land for themselves’ (Bushnell 1993: 206). The zones

⁷² Explanations of *La Violencia*, and its impact upon the rural economy, fall into two main categories: a process of ‘refeudalisation’ versus ‘capitalist development in the countryside’, which was accompanied by the forcible expropriation of the land of thousands of *campesinos* and an acceleration in the process of capital accumulation (Posada 1969). Gilhodés (1976) characterises it as a ‘brutal purge’ of pre-capitalist production to allow for the development of modern agriculture. Whereas Pecaut (1976) claims that it has to be seen as part of a broad process of social struggle in the 20th century. Sanchez (1976) argues that the *Violencia* incorporated three types of peasant movement: political banditry, reformist agrarianism, and revolutionary agrarianism. Oquist (1978) regards it as ‘the partial collapse of the state’, through which he attempts to address the temporal simultaneity of different regional processes. For Fals Borda (1965) it was a political response to preserve the old established order. The violence was an outcome of an attempt to transform an immovable social structure. Hobsbawm (1959) saw it as important in the context of wider studies and understandings of the rural protest movement. He viewed it as the result of frustrated social revolution, a consequence of the failure to channel revolutionary social tensions through institutional means.

most affected were those where land ownership was contested or unclear (such as recently colonised land), and which were being used for or well-suited to coffee cultivation (Avilés 2006). The events of the *Violencia* gave rise to significant capital accumulation among the large landowners and elites. In Valle, Tolima and Cauca vast areas of farmland were acquired by estate owners and businessmen. Smallholders in many areas were forced off the most potentially productive lands. In Urabá in the 1950s, following the opening up of road and sea transport routes and the appraisal of the land, the farmers that had cleared the jungle and planted the first banana trees were forced to sell their land well below its market value or abandon it altogether (González Bustelo 2005: 203).

Land dispossession went on virtually unnoticed during the *Violencia*. According to Oquist (1978), 393,648 plots of land were lost during this period, most of which were never restored to their rightful owners, proprietors or occupants. This represents some 2 million hectares, equivalent to 11 per cent of the agricultural land at the time (UNDP 2011: 271). This was carried out using violence as well as legal mechanisms, such as employing the services of shyster lawyers (Le Grand 1986). It was also a strategy on the part of elites to modernise the economy by augmenting the production base of the agro-export sector which they dominated. The president during these formative years of the *Violencia* was the Conservative Party's Mariano Ospina Perez (1946-1950), a wealthy coffee industry entrepreneur whose policies sought to expand agro-export production, and thereby benefitted many actors that constituted the socio-political and economic establishment. Thus the army played a key role in assisting large landowners and cattle ranchers in their struggle against *colonos*: many cattle ranchers were retired military officers. In parallel, the government sought to suppress the power of the trade unions. The repression targeted at Liberals and their sympathisers intensified under the presidency of

Laureano Gómez (1950-1953) (Avilés 2006; Gilhodés 1976; Posada 1969; González Bustelo 2005: 207).

While the early years of *La Violencia* were driven by bipartisanship, the violence became increasingly class-based with landlords in confrontation with *campesinos*. The *Violencia* served to accelerate the modernisation process in Colombia, as agriculture came increasingly under the control of agro-exporters that sought to use the land more efficiently. This was achieved through the displacement of the *campesino* population (thereby accelerating urbanisation) and increasing the concentration of land ownership. Contrary to the expected outcomes purported by the World Bank (2003) regarding civil wars, the manufacturing and commercial agriculture sectors both grew rapidly during the widespread and intense violence of the 1950s as they benefited from the accelerated dispossession of the peasantry. During the first decade of the *Violencia*, industrial production increased and the value of coffee exports attained record levels (Bushnell 1993; Pearce 1990: 58-59). Sugar cane plantations and cotton production increased fivefold and the coffee economy boomed (Mingorance 2006:36). Usurped lands served the expansion of agribusiness projects, particularly in the departments of Tolima, Cundinamarca and Valle de Cauca. Rural and urban demand for cheap wage labour were met by those displaced. According to Thomson (2011: 336), ‘capitalist development and violent conflict went hand in hand’.

The means by which the *Violencia* concluded left Colombia with significant systemic deficiencies in its governance structures. Officially, the *Violencia* ended in 1957 when the two traditional political parties agreed to settle their differences. In 1958, both signed a power-sharing agreement, known as the National Front pact, which largely brought an end to the violence but effectively excluded all political opposition to the two traditional

parties. This agreement involved the two parties alternating government control and sharing the state bureaucracy (Peñaranda 1992). All legislative bodies were divided equally between them regardless of the electoral results (Kline 1983: 54). It thus excluded other parties from political participation, including any role in the electoral system and thus the prospect of governmental power. This served to further cement oligarchic rule and particularly aimed to exclude from political processes those representing the urban poor and *campesinos*. The National Front pact sought to consolidate this dominance, but under conditions of political stability and free of widespread violence. This continued the well-established trend of assisting the country's political and economic elites to determine how the country developed. It was a process of selective reconstruction and strengthening of the state.

Formally, this arrangement continued until 1974; although unofficially probably until the mid-1980s at least (Pearce 1990). Since the end of the National Front, successive governments have frequently resorted to the use of exceptional measures including lengthy periods of a 'state of siege' to deal with 'threats to public order'. It has also raised many obstacles to the development of opposition parties (Pecaut 1992: 218). In response, *campesinos* established self-defence groups in the 1950s. These *campesino* resistance movements – many affiliated with the Communist Party - were the precursors to Colombia's present day guerrilla groups. Leftist insurgents began to take up arms against established powers in the 1960s. The assassination of those who had signed amnesty agreements with the government during the 1950s also contributed to the subsequent establishment of this guerrilla movement (Giugale et al. 2003: 827). Colombia emerged from the *Violencia* with governance structures that were not compatible with a strong state and a participatory democracy. It was 'an elite-based/oligarchic democracy that

continued to be narrowly based on (clientelistic) party affiliation and proved unable to carry out a substantive reform agenda' (Rocha & Gómez 2007: 10).

The causes and consequences of the *Violencia* were multiple, complex and disputed: evidenced by its extensive examination in the literature.⁷³ The *Violencia* was not only a product of conditions in rural areas, but also a strategy on the part of elites that sought to 'modernise' the economy, as well as to expand and enhance control over accumulation (Rocha & Gómez 2007). The impact of the *Violencia* period upon subsequent processes of violence, political organisation and social mobility in Colombia are manifold. First, the guerrilla movement has its roots in this period. Second, large numbers of displaced people colonised peripheral regions of the country to escape the violence and in search of agricultural land. These same peripheral regions later became newly contested territories in a conflict between *colonos*, entrepreneurs/landowners and armed groups, which persists to this day. Third, although the violent conflict was ostensibly between two political groupings, its impact was widespread and resulted in enormous social fragmentation in rural areas.⁷⁴

Popular resistance: social movements and armed insurgency

Armed resistance against the Colombian state in the form of the guerrilla insurgency was a response to the political establishment closing down spaces for more peaceful forms of social protest and resistance. By the 1950s, the colonisation of rural lands was linked to the crisis of the *campesino* economy, demographic growth, political violence,

⁷³ See footnote 70.

⁷⁴ Although the National Front power sharing agreement brought the violence to a halt and contributed to political stability of the country, it prevented any expression of new local power and hindered an effective response to social problems, especially in rural areas, during the second half of the 20th century (González 2004). The political ruling class and other social elites were never held to account. A top-down narrative emerged which blamed the popular classes with no wider collective explanation of the events as a 'socially recognised drama'. These developments give testimony to the perception that nationhood has little meaning for many people in (especially rural) Colombia. Instead of some articulation of the nation-state inferring political meaning, rather it is how power is exercised (both legally and illegally) at the local/regional level that has more important referents for shaping behaviour and consciousness (Pecáut 2000:98).

industrialisation and urban unemployment. The main driving force of colonisation in the 1950s and 1960s was traditional partisan political conflict. Most land seizures and *campesino* expulsions had political motivations behind them, in areas such as department of Valle del Cauca as well as parts of the Atlantic Coast and in some coffee-growing regions (Molano 1992: 197). By the 1960s, the *campesino* subsistence economy was in steep decline and the peasantry mobilised in response to increasing poverty and landlessness. This section provides an overview of the emergence and eventual suppression of the *campesino*-based social protest movement, which employed land and building occupations, as well as creating regional enclaves, in order resist efforts to uproot them or otherwise deprive them of a *campesino* livelihood. The demise of this social movement contributed to the revolutionary ideology of the insurgency that was to follow, as well as adding numbers to their ranks.

In the wake of the *Violencia* and the demise of community-based social structures, left-wing popular and political organisations emerged that sought to oppose the political ruling classes, which had established structures of land ownership and wealth distribution that were ever more entrenched by the National Front pact. Popular organisations included trade unions, indigenous organisations and *campesino* movements. The leftist political response included the guerrilla movement, which emerged directly out of the *campesinos'* experience of *La Violencia* (Pearce 1990). This was a period characterised by economic recession and high unemployment in Colombia, as well as the wider region. During the 1960s and 1970s, class struggle, revolutionary movements, Cold War politics and increasingly internationalised local conflicts emerged in numerous countries across the sub-continent.

The Colombian rural economy was experiencing rapid capitalist transformations during the 1960s. Greater concentration of land and less labour intensive and more technological methods were being adopted. The stagnated industrial sector was unable to absorb the excess labour supply. In the late 1960s, reformist president Carlos Lleras Restrepo argued that only by tackling the crisis in the subsistence economy, which was driving rural migration to the cities, could the unemployment problem be resolved. The proposed agrarian reforms required the compulsory redistribution of land in all *haciendas* where the tenancy patterns involved rent and sharecropping. Landowners and other powerful commercial interests resisted the implementation of such reforms and subverted them through direct political opposition in Congress and by using the power they wielded at the local level. The numerous modifications made to the bill to protect the interests of landowners rendered it virtually impossible to implement. In response, Lleras Restrepo established the *Asociación Nacional de Usuarios Campesinos* (National Association of Peasant Users, ANUC) in 1967.

The ANUC was the first national *campesino* organisation to be established in Colombia and the most important of the non-elite interest groups in the agricultural sector. It was a loose confederation of local *campesino* organisations that owned, rented, or sharecropped small plots of land. It sought to foster *campesino* support and overcome landowner resistance by ‘creating new social realities on the ground’ (Richani 2002). Its purpose was to encourage *campesinos* to participate in the provision of services and to press for agrarian reform. It was outside the control of political parties but sponsored by reformers from within the ruling elite. The ANUC soon became more independent and active in land invasions and occupations of the offices of the *Instituto Colombiano de Reforma Agraria* (Colombian Institute of Agrarian Reform, INCORA). ANUC adopted the slogan ‘land without masters’, calling for agrarian reform to be carried out by *campesinos*

themselves. This well-organised, militant association - numbering over 1 million members by the early 1970s - represented a majority of the nation's *campesinos* (Zamosc 1986). The ANUC mobilised and radicalised the *campesinos* to such an extent that other unions perceived it as a threat to their own power and influence and so opposed it (Richani 2002).

The emergence of ANUC – and the response of the government – was highly significant because it represented a form of non-violent social resistance in the form of ‘direct action’ (such as land invasions), which had widespread support among *campesinos* and were effective in accumulating land. In a direct challenge to the National Front agreements, the ANUC sought to coordinate widespread land reform. The role of the reformist faction was ‘to create external pressures to undermine the position of the landowning class, thus altering the balance of power within the National Front and creating a more favourable climate for the implementation of agrarian reform (Zamosc 1986). The National Front pact and its supporters were not tolerant of dissent. When dissent did emerge and reform was attempted at the beginning of the 1970s, it failed because there was insufficient support for land reform within the industrial bourgeoisie and the agro-business sector. The political elite, business interests and landowners had closed ranks.

In what represented ‘a formal declaration of agrarian counter reform’, their response was the Pact of Chicoral which led to the introduction of new government legislation in 1973 that provided concessions to large landowners and financial incentives to large-scale mechanised agriculture (Zamosc 1986: 98).⁷⁵ This was accompanied by a programme of

⁷⁵ The Pact of Chicoral was signed by representatives of both traditional political parties and the private sector in January 1972. In exchange for the payment of taxes that would be determined by the census value of their estates, landowners were assured of both restricted agrarian reform and unlimited support for large-scale agricultural production (Zamosc 1986:98).

division and repression against ANUC. Members linked to one of the traditional parties were cajoled into separating from the main organisation. The army was deployed in response to land invasions, killing some *campesinos* and arresting many others. The political left was fractured and disarticulated, some even calling for mass insurrection. By the end of 1977, INCORA was virtually powerless to (re)distribute land (Richani 2002). In 1975, concessions were offered to better off *campesinos* through the Integrated Rural Development (DRI) programme, which aimed to increase the productivity of the *campesino* economy. Essentially, these constituted rural development programmes as a substitute for land reform.⁷⁶

In Zamosc's (1986) account of the history of ANUC, he outlines a struggle on three main fronts: for land, for the defence of the *colonos*, and for the protection of smallholders. Adopting a structural perspective, he examines the agrarian contradictions that propelled the *campesino* struggles, the changing relationship between the *campesino* movement and the state, and the political and ideological content of the *campesino* challenge. He explores these issues in light of the shifting patterns of class alignments and antagonisms that marked the rise and decline of *campesino* radicalism during the 1970s. Pearce argues that ANUC achieved some successes. Three times as many *campesinos* benefited from land redistribution between 1970 and 1979 than between 1962 and 1969, peaking at the time when ANUC was most active (Pearce 1990: 123). Rather than being able to further significant land reform, ANUC was operating under conditions of counter-agrarian reform. Its members had more successes by invading and occupying land plots. They also encountered numerous problems with in-fighting, debt and land being sold on by *campesinos*.

⁷⁶ The principal objectives were to bolster salaries by improving productivity in the production of staple foods, forge links between the *campesino* economy and wider markets, and extend the provision of social services in rural areas (Thomson 2011: 338).

Another type of direct action by *campesinos* involved the occupation of large tracts of highly fertile land that were outside the control of the state or large landowners. The so-called 'independent republics' of the 1950s and 1960s were 'autonomous enclaves of radical peasants' (Brittain 2010: 8). They were regarded by the government as bastions of communist banditry. They also had an ideological grounding and were linked to the guerrilla movement that followed. These 'safe havens from the violence – the "peasant republics" - historically were mainly rural islands of Communist Party influence in a sea of Liberals and Conservatives' (Wickham-Crowley 1994: 556, as quoted in Brittain 2010).

Richani (2002) argues that by the late-1960s, the leftist armed insurgency combined with strengthening pressure from the *campesino* struggle for land in various departments led to class struggle and agrarian conflict on a significant scale. This gravitated towards an armed resistance movement, as state institutions were apparently unable to contain the unrest. An attempt by the armed forces to eradicate the independent republics in 1964-5 served to radicalise some of the *campesinos*. From July 1964, a strategy was implemented to eliminate guerrilla movements and re-establish state control over areas with a communist presence and influence. Known as Plan Lazo, the Colombian state with the support of US advisors conducted an aerial bombardment and ground assaults against communities in the municipality of Marquetalia in south Tolima. In response to the onslaught, a significant proportion of the rural population shifted their support to the guerrillas (Brittain 2010). The Marxist-inspired *Fuerzas Armadas Revolucionarias de Colombia* (Revolutionary Armed Forces of Colombia, FARC) was formally established on 27 May 1964. The FARC leadership, particularly its leader Manuel Marulanda Vélez, concluded that armed struggle was their only option (Brittain 2010: 13-14). The FARC was officially recognised by the Colombian Communist Party (PCC) as a guerrilla

movement in 1966, having previously characterised itself as a goal-orientated defence-based peasant collective' (Brittain 2010: 8). It is the oldest and most powerful guerrilla group still active in Latin America.⁷⁷

Some Liberals aligned themselves with the PCC in support of its class struggle, and were expelled from the party as a result. Brittain examines an extensive literature concerning the central role the PCC played in the establishment of the FARC. Avilés (2006: 36) argues that the FARC was established under the leadership of the PCC and was supported by *campesinos* seeking refuge from the repression of the *Violencia*. The independent republics were targeted by the military and their attempts at political autonomy and economic self-determination were blocked by the government. One by one they fell to the army and the land was redistributed among large landowners (Molano 1992). As a result of these pressures, the ANUC lost its cohesiveness and eventually splintered. The *colonos* faced a socioeconomic crisis, as the forcible transfer of their lands to cattle ranchers and large-scale commercial farmers accelerated. As a consequence, the *colonos* became receptive to the narratives emanating from revolutionary guerrilla groups.

The armed revolutionary movement was further mobilised by the introduction of a new economic model in the 1960s entitled accelerated economic development (AED). Promoted by Lauchlin Currie, this model portrayed *campesino* production methods as propagating the 'mal-use, misuse and under use of human resources', combined with the

⁷⁷ The other main guerrilla organisation still active are the Cuban-inspired *Ejército de Liberación Nacional* (National Liberation Army, ELN), which was established in 1966. The ELN is ideologically a Marxist-Leninist nationalist movement, which it combined with liberation theology. Like the FARC, it employs kidnapping and extortion. It is widely known for its attacks on economic infrastructure, such as petroleum pipelines. While it eschewed drug trafficking for decades, more recently it has been linked to the narcotics trade and has sought alliances with large drug trafficking organisations. Militarily, it has become weaker and has dropped from an estimated 5,000 combatants in the early 1990s to a force probably below 3,000 a decade later (InSightCrime 2013a). Other leftwing guerrilla groups in Colombia, now disbanded, have included: *Ejército Popular de Liberación* (Popular Liberation Army, EPL), which was founded in 1967 and demobilised in 1991; and *Movimiento 19 de Abril* (19th of April Movement, M-19), which was established in 1970 and demobilised in 1989.

‘underutilisation of the country’s best lands’ (Brittain 2010: 7). Instead, through the increased concentration of land ownership and industrialisation, AED sought to increase the number of larger capitalist-operated farms. Consecutive governments supported these measures and employed violence where deemed necessary (Avilés 2006). In some parts of the country, large-scale commercial farms expanded dramatically during the 1960s (Pearce 1990). These policies were later supported by legislation that encouraged diversification, market expansion, and export-based production. This severely disenfranchised many small producers. Fewer smallholder plots were available, large numbers of people were displaced and landlessness rose in rural areas (Brittain 2010).

Britain (2010: 7-8) identifies three significant impacts that resulted from these transformations in the rural economy. First, there was an increase in the labour surplus in urban centres, which allowed for a reduction in wages so as to augment the profits of industrial capitalists. Second, rural lands became increasingly concentrated in the hands of urban-based capitalists and cattle ranchers. Finally, there was an attempt to ‘delink an increasingly mobilised peasantry from political change’ (Brittain 2010: 8). But elements linked to the PCC sought to enhance subsistence-level self-defence collectives and went on to militarily challenge Colombia’s elites and the institutions of the state that supported them.

The guerrillas thrived on the shortcomings of the state in many regions of the country, especially in rural areas. They assisted the *colonos* in some zones, protecting them and even providing basic services that the government authorities had been unwilling or unable to provide (Molano 1992: 196). They provided for their basic needs in areas such as education, health and justice. In return, the guerrillas were paid ‘taxes’ in the form of cash, commodities or labour. For example, this was the case in the mountain zones of

Marquetalia, Riochiquito and El Pato. By contrast, in some other areas (such as Medellín del Ariari) the government assisted *colonos* through the assignment of land titles, road provision and access to some services. Here the guerrillas had virtually disappeared and only reappeared when the government later left the communities to their own resources. In those areas where the guerrillas had no influence in the 1960s, the dismantling of *campesino* colonisation and the transfer of land to the large landowning interests proceeded without interference (Molano 1992: 206).

Many *colonos* were confronted with limited options: attempting to colonise and establish themselves again (perhaps for a third time); or join the guerrillas. The government responded to the growth of the insurrectionary groups with military repression, which in the context of the economic crisis of the time further stimulated insurgency. As the guerrilla fronts grew in military strength, they did not neglect to provide the social, political and economic support to the communities that the government was failing to provide. The *colonos* created labour collectives and thus had a degree of political and economic autonomy. There was much debate within the guerrillas groups about whether or not to tolerate coca cultivation. On the one hand it presented obvious risks, on the other it would allow the *colonos* to accumulate capital and escape from their subsistence living: although this in itself was perhaps not a desirable outcome for the guerrillas since it would be potentially detrimental to their politicisation and support. The FARC decided a compromise whereby it would support *campesino* cultivators, and the cultivation of coca (often imported) spread rapidly through the regions of colonisation. It provided *colonos* with a means to survive and even to accumulate enough capital to emerge from subsistence farming (often into cattle-raising and commercial farming). Coca thus

prevented the dismantling of the economy of colonisation and supported *campesino* livelihoods (Molano 1992).⁷⁸

Support for the FARC continued to grow during the 1970s, 1980s and particularly 1990s. By the end of the 1990s, they had a presence in 1000 (out of 1050) municipalities and in 93 per cent of areas of recent colonisation. In many areas of the country there was no state presence but only guerrilla control. The number of combatants may have exceeded 30,000 by the early 2000s, although some have estimated it to have been much higher (Brittian 2010: 16). Since the early 2000s, support for the guerrillas has diminished and the paramilitaries increased. As the next section will address, this shift is due to a series of related factors including: an increased acceptance of the paramilitaries as a political force and as a necessary military actor to combat the guerrilla threat; the failure of peace negotiations between the government and the guerrillas during the 1990s; the increased brutality of the guerrillas which was impacting the lives of the urban middle class (particularly through kidnapping); and the perception that the guerrillas were increasingly driven by financial profiteering rather than ideology. However, as in other 'rentier' states, these groups can afford to lose national or local support thanks to their substantial revenues from the drug trade.

The paramilitary response

Armed militia that serve to protect the interests of large landowners have a long history in Colombia. Landowners developed their own 'self-defence' groups in the 1960s in order to combat the radicalisation of the peasantry and to prevent or reverse land occupations. The government legalised the creation of civil-defence groups in Colombia as means to combat the guerrillas and provide support to the counterinsurgency efforts of the armed

⁷⁸ The FARC rebranded itself as FARC-EP in May 1982, in recognition of its intention to be the 'People's Army' (*Ejército del Pueblo*), which meant adopting 'more offensive military tactics' (Simons 2004: 52).

forces.⁷⁹ Rachini argues that this ‘institutional failure set the stage for a war system that became the main modality to negotiate and settle social conflicts’ (Richani 2002). These civil-defence groups were the precursors to the paramilitary groups. Following their establishment in the 1980s, paramilitary groups quickly developed into a powerful military, political and economic force. Their impact upon Colombian society has been tremendous. Formally demobilised in the mid-2000s, successor groups quickly emerged some of which demonstrate similar ideological tendencies and tactics. While the paramilitaries themselves were heavily involved in narco-trafficking and other criminality, the landscape of right-wing, paramilitary-style groups is now far more complex than it was a decade ago.

In the early 1980s, large landowners, cattle ranchers and drug traffickers created their own self-defence groups.⁸⁰ This was in response to increasing levels of brutality, kidnapping and widespread ‘taxation’ of rural areas by the guerrillas. Some of these groups rebranded themselves as paramilitary groups, to reflect their military-like structure and the political nature of their activities. Self-defence groups remained legal in Colombia until 1991, when all ‘private justice groups’ were outlawed in response to paramilitary brutality against civilians, including numerous massacres. As a result, all the remaining groups joined the ‘paramilitary project’. They rapidly expanded their theatre of operations during the 1990s, which had previously been concentrated in territories occupied by large landowners, to other regions under guerrilla influence. Throughout the 1990s, the paramilitaries increasingly replaced the army in combating the guerrilla threat

⁷⁹ The establishment of civil-defence groups was legalised through Decree 3398 of 1965 and Law 48 of 1968.

⁸⁰ The first of these paramilitary groups established during this period was in 1981-82. Members of the Medellín Cartel, the Colombian military, the US-based corporation Texas Petroleum, the Colombian legislature, small industrialists, and wealthy cattle ranchers came together in a series of meetings in Puerto Boyacá, and formed a paramilitary organisation known as *Muerte a Secuestradores* (Death to Kidnappers, MAS) to defend their economic interests, to combat the guerrillas, and to provide protection for local elites from kidnappings and extortion (HRW 1996; Richani, 2002).

and those it perceived as its civilian support base (Richani 2002). In 1996, paramilitary activity largely came under the control of an umbrella organisation, the *Autodefensas Unidas de Colombia* (United Self-Defence Groups of Colombia, AUC), which embraced a more offensive strategy (Cubides 2001). As a consequence, there was a dramatic increase in the number of homicides, massacres, disappearances, kidnappings and displacement. The purpose was to spread terror and undermine popular support for the left. Funded by landowners, businesses and drug dealers, the AUC had a presence in 40 per cent of municipalities in 2001 (Manwaring 2002: 6) and reportedly comprised of 15,000 members by 2002 (El Tiempo 2002). Under the AUC umbrella, those paramilitary factions that were once regarded as narco-funded criminals became a recognised political force, eligible for participation in peace negotiations and (later) for demobilisation with compensation and an amnesty.

The increase in levels of violence and displacement in the 1990s was largely due to the activities of paramilitary groups. There were approximately 60,000 recorded violent deaths (80 per cent of them civilians) between 1985 and 2003 (Livingstone 2003).

According to Alejandro Reyes:

One third of 800,000 refugees lost their lands at the hands of paramilitary groups, who appropriated [them] as booty in the war in order to reconstruct a social base submissive to the great haciendas. Buying cheaply where there were guerrillas, bringing private security, and appraising the property became an enormous business that combined economic power and private use of force, the two privileged resources available to the mafias and great landowners (Reyes Posada (1997) as quoted in Cubides 2001: 133).

Once the defenders of threatened and newly acquired property, the paramilitaries had become the controllers of territory. By adopting violence to achieve this, they developed an efficient mechanism for social control (Cubides 2001: 132). Their military offences prioritised seizing control over territories planted with coca and expanding production by compelling impoverished *campesinos* to cultivate the crop. Incrementally, coca production and trafficking became the principal military objective of both paramilitary and guerrillas groups. The divisions between political violence and criminality became blurred and the rationale for the conflict – from all sides – had mutated into one that has combined political and military objectives with economic ones. Violence had become the mechanism for resolving private and collective conflicts in rural areas given the weak presence of the state. By the 2000s, both the paramilitaries and particularly the guerrillas were increasingly labelled by the government and media as criminal groups seeking to enrich themselves. While both groups are clearly engaged in accumulation activities, there are also distinct differences between the two armed groups. For example, while guerrillas have also been responsible for displacement they have not shown an interest in amassing land.⁸¹

Romero (2002) argues that the rise of the paramilitary project must be understood in the context of several factors: resistance to peace talks with the guerrillas within the armed forces; an ongoing process of decentralisation which undermined presidential initiatives aimed at reform; and the changing dynamics of land conflicts as a result of narco-

⁸¹ Whereas paramilitaries tend to be mobilised by individualistic and economic incentives, the FARC is based upon collective non-economic ones. The FARC is largely comprised of *campesinos* with low levels of formal education at all ranks throughout its hierarchy (Gutiérrez Sanín 2008: 25). Paramilitaries tend to be led by wealthy and often landed figures such as cattle ranchers; with ex-military in the senior and middle ranking positions; and ex-gang members and manual labourers in the lower ranks (Thomson 2011: 324).

traffickers having become large landowners and being supported by their own private militias.⁸²

Violent conflict in Colombia often has a regional or local character (González 2004). For example, since the early 2000s the Magdalena Medio region has been largely ‘pacified’ (experiencing comparatively low levels of political violence) following the comprehensive ‘paramilitarisation’ of the region. Whereas as in Nariño and Putumayo the guerrillas are able to maintain a significant presence and vie with other armed groups for control of territory and drug trafficking in these strategically important border regions. Both the guerrillas and the paramilitaries have used displacement as a means of territorial control in strategically important regions, such as where there are corridors used to transport weapons and narcotics. The guerrillas seek to expand their control over land so that they tax economic activities from foreign companies or *campesino* coca cultivators. Paramilitaries also levy a tax on those that they provide protection and security for. Paramilitary groups sought to dismantle the support base of the guerrillas. Regions with a significant number of social actors (such as unions, farmers’ associations and indigenous rights groups) were particularly targeted (González Bustelo 2005: 209). The state’s incapacity to control the territory is central to the governance and corruption challenges the country faces. Both paramilitaries and guerrillas have compelled *campesinos* to grow coca or leave the area (Escobar 2004a). The massive expansion of the coca industry from the 1980s served to exacerbate the rural-territorial character of the armed conflict.

Paramilitaries have been traditionally more closely aligned with drug traffickers than the guerrillas. From the 1980s, self defence groups were set up by drug lords who had

⁸² The FARC established the *Unión Patriótica* in 1994 based upon agreements with the government to allow legal, leftist electoral competition. During the first 10 years of its existence, over 3000 of its members were killed by Colombian security forces, right-wing death squads and paramilitaries, leading to its virtual extermination as a political party (Avilés 2006: 22-23).

become large landowners. They found it expedient to present themselves as 'paramilitaries' as this was more socially acceptable and appealed to the upper classes that wished to see the guerrillas eliminated. These armed groups mutated into 'combatant armies' with a doctrine and a symbolic identity (such as through their own hymns and a coat of arms) (Rocha & Gómez 2007: 21).

While successive Colombian governments have denied any official link between the paramilitaries and the national armed forces, Colombian and international observers have recognised substantial links and even military collaboration (AI 2000, 2005; BBC 2002; CIA 1997; CIP 2004; HRW 1998; US State Dept. 2000). Since the formal demobilisation of the paramilitaries in 2006, it became clear that links between them and government legislators were widespread. During the administration of former president Álvaro Uribe (2002-2010), at least a third of the Congress were shown to be linked to the so-called 'parapolitics' scandal (The Economist 2008).

Paramilitarism in Colombia is a phenomenon that has been diverse and evolving. Rocha & Gómez (2007: 8-9) have identified four principal and succeeding types:

- Self-defence organisations established by landowners to protect themselves against the guerrillas.
- Paramilitarism proper or criminal squadrons conducting a 'dirty war' against civilians presumed to be linked to the guerrillas;
- Narco-militias established and expanded by drug traffickers as they became large landowners; and
- Local mafia that have appropriated or even replaced the role of the state in exercising military, political and economic control over the population.

This analysis fails to consider paramilitaries with links to agribusiness. There is evidence that such links date back to the 1990s, although they appear to have become much stronger just before and since the formal demobilisation of the guerrillas. This chapter will examine the documented evidence for such links in relation to African palm oil cultivation, particularly since the paramilitary demobilisation. Before examining the implications of the paramilitary demobilisation, the next section will examine another phenomenon which arose during the paramilitary's rise to dominance – the emergence of a new 'narco-elite'. The successes of both the paramilitaries and the narco-elites were intimately interwoven: it was inter-dependent and mutually beneficial. In many cases, the two entities were one and the same.

Emergence of a 'narco-elite'

The liberalisation of the Colombian economy in the early 1990s embraced the global transition to neoliberalism. Trade barriers were removed and financial markets were deregulated to encourage inflows of foreign capital. The fall in price competitiveness of Colombian exports led to many estates shifting from crops to cattle and coca production, which rose significantly.⁸³ The expansion of subsidised food imports damaged domestic food production.⁸⁴ This has served to undermine smallholder production and limited employment opportunities in rural areas. If there were options open to *campesinos*, the choice they faced was a stark one: migrate to one of the urban slums or remain in the countryside and grow coca.

⁸³ The declining profitability of legal crops may have contributed to the expansion in the cultivation of illicit crops (Thomson 2011: 340).

⁸⁴ This broad approach has continued. Former president Álvaro Uribe has consistently encouraged the prioritisation of production for export at the expense of national food needs. Food price inflation averaged 13 per cent in 2008 compared with 7.6 per cent inflation in the overall national economy; this is not unrelated to the replacement of food crops with biofuels projects (Ibañez and Muñoz 2009).

The emergence of the coca industry gave rise to a new group of actors in the conflict, what Reyes Posada calls Colombia's 'new elite' (Reyes Posada 2009). It provided a fresh and vast source of revenue for the guerrillas and facilitated the rapid expansion of paramilitarism, as the drug cartels turned to private militias to protect their interests.⁸⁵ It also provided livelihood opportunities for large numbers of *colonos* that were struggling to sustain themselves in rural areas.

On the one hand, Colombia was an ideal setting for the narco-trafficking industry to flourish: the weakness of the state combined with widespread criminality and impunity was ideally suited to illicit drug production. On the other hand, illicit drugs have exacerbated key social problems in the country that are at the root of the armed conflict: highly inequitable land ownership and wealth; the weakness and corruption of the state; the isolation of some regions from the centralised state; and the lack of spaces for political participation for broad sectors of the population, especially any social actors that seek reform. Molano argues:

Drug trafficking is not the cause of our ills, but rather it is one of its most dramatic manifestations. The problem dates back even prior to the country's drug trade and is more complex. It originates from a social and political structure that reproduces and increases economic inequalities and prevents democratic opposition against this situation. It is the same matrix of armed conflict, institutional corruption and violence. Attempting to destroy drug trafficking without attacking its roots, or by going about it tangentially, is a useless ploy (Molano 2000a).

⁸⁵ The FARC were initially ambivalent about becoming involved in the production of coca, but gradually became increasingly involved. This may have been partly because it could not provide a viable alternative to the *campesinos* to augment their incomes (Gutiérrez Sanín 2004: 265).

As mentioned earlier, the coca industry in Colombia began to grow substantially during the 1980s and increasingly embroiled the guerrillas and paramilitaries as their economic involvement in the business grew.⁸⁶ Illicit plantations increased by over 400 per cent between 1978 and 1990 (Richani 2002: 96). During the 1980s, narco-traffickers entered remote rainforest and farming regions and began purchasing large areas of land from traditional landowners. These new landowners sought legitimacy among the traditional elites in Colombian society. They invested heavily in agricultural production, cattle farming and resource extraction. Control over land meant control over any resources located there, and the ability to use the land for 'legitimate' business activities and thereby launder money obtained through illicit drugs (González 2004).

Following the introduction of a new constitution in 1991, the Colombian economy was increasingly able to open up to foreign investment. Smallholders struggled to compete with cheaper imports and many took to growing coca, for which there was a large, escalating demand; and the price of which was unaffected by the liberalisation of the economy. But the substantial profits from the coca industry went to a relatively small number of traffickers, often linked to powerful economic and political interests. By 1998, coca production in Colombia generated more revenue than the national income from coffee. Much of this money eventually shifted to the formal economy, into new urban ventures, but especially into cattle ranching in areas of *campesino* colonisation. By 2000, about 3 per cent of landowners held over 70 per cent of agricultural land, over a fifth of which had been acquired by drug traffickers in alliance with paramilitaries (Ross 2007: 63). This new 'narco-elite' is reported to have acquired 4.4 million hectares during the

⁸⁶ Peripheral areas of colonisation proved to be ideally suited to growing the illicit crop, given the low presence of the state and the existence of a social base of *colonos*. Unlike corn and coffee, coca is not labour intensive. There is a strong demand and the buyers handle transportation to markets and pay in US dollars (Kirk 1993:7). From 1970 to 2000, Colombia transformed from being only a minor producer and exporter of marijuana to the world's largest cocaine exporter (since 1982), an important source of heroin (since 1996), and the world's largest coca leaf producer (since 1997) (Guáqueta 2003:79).

1980s and 1990s (with an estimated value of 2.4 billion USD), more land than INCORA distributed over a 30 year period (Richani 2002, 33–4).

Some 62 per cent of coca cultivation takes place on plots of land no larger than 3 hectares and run by smallholder farmers. Given the levels of poverty and lack of economic opportunities that smallholder farmers face, combined with an absence of transportation and market infrastructures, for many coca represents the only economically viable product (González Bustelo 2005: 220). Today coca is Colombia's principal crop, accounting for between 5 and 7 per cent of GNP. This compares with 1.5 per cent of GNP provided by Colombia's most important legal crop, coffee (Rocha & Gómez 2007: 12). Despite the formal demobilisation of paramilitary groups in the mid-2000s, many comparable groups have emerged which also have strong ties to narco-trafficking.

Paramilitary demobilisation and 'neo-paramilitarism'

In July 2003, the Uribe administration began formal negotiations with the AUC with the stated purpose of seeking its demobilisation. Law 975 of 2005, also known as the 'Justice and Peace Law', was approved by the Colombian Congress and constituted the main legal framework applicable to those paramilitaries who had committed serious crimes (HRW 2010). Some 40,000 combatants were demobilised from 2005 (World Bank 2009). The demobilisation process was heavily criticised by national and international human rights organisations as well as by international entities, such as the Office of the UN High Commissioner for Human Rights and the Inter-American Commission on Human Rights (IACHR) of the Organization of American States (OAS), citing its non-compliance with international standards on the rights of victims to seek justice and reparation and granting impunity to human rights violators (OAS 2003). Serious flaws during the demobilisation phase, such as the Colombian government's failure to interrogate and verify the identities

of those involved in the process, allowed many paramilitaries to remain active, form new successor groups and continue to engage in grave human rights violations including displacement (HRW 2010).

Since the formal demobilisation of the paramilitaries ended in 2006, the government has argued that subsequent violence and displacement are due to the narco-related activities of the guerrillas and new or emergent criminal groups, which they refer to as *bandas criminales* (BACRIM).⁸⁷ Estimates of the total number of individuals in these BACRIM groups vary between 3,000 and 10,000. The main groups are the Aguilas Negras (Black Eagles), Rastrojos, Urabeños, Paisas, Machos, Renacer, Nueva Generación and the Colombian Revolutionary Popular Antiterrorist Army (ERPAC). The terminology around criminality being used by the government with respect to these new groups suggests that they are exclusively dedicated to narco-trafficking (CODHES 2009: 7). The government is thus able to argue that their activities are not political and that the demobilisation process was successful. However, the notion that these new groups are apolitical is undermined by the intensive and persistent targeting of left-wing academics, journalists, human rights defenders, trade union activists, representatives of displaced communities, and proponents of agrarian reform and reparations to displaced people (Thomson 2011: 325).⁸⁸ The targeting of these groups of actors arguably represents at least a partial continuation of the paramilitary project.

The media and civil society literature (both domestically and internationally) has been increasingly referring to these groups as simply ‘paramilitaries’ in recent years. While these emergent groups resemble paramilitaries in many significant ways, there are also

⁸⁷ In 2008, the head of the Colombian armed forces claimed that the internal armed conflict was over (The Economist 2008).

⁸⁸ Colombia has the unfortunate reputation of being ‘one of the world’s most dangerous places for trade unionists’ (AI 2007a).

significant differences. They appear to have inherited some of their assets, tactics and overall objectives. There is substantial evidence to suggest that many mid-ranking paramilitary combatants are among their number. These groups are deeply involved in the illicit drug trade, they commit widespread human rights abuses, engage in forced displacement and undermine democratic legitimacy in other ways. But their narco-trafficking activities are conducted both in opposition and sometimes in collusion with FARC guerrillas (InSightCrime 2013b). As with the former paramilitary groups, members of government security forces have also been accused of tolerating their growth. Some have argued that these ‘heirs to the paramilitaries’ or ‘neo-paramilitaries’ retain a role in everyday socio-political and economic life. While individuals were disarmed, the power structures that link them with communities in which they operate remain intact (HRW 2010; Rocha & Gómez 2007: 38). To the extent possible, this research will examine evidence of any role played by paramilitaries and neo-paramilitaries (as well as other relevant actors) in displacement processes in support of the expansion of palm oil cultivation.

Palm oil expansion in Colombia

Early industrial development in Colombia depended to a large extent on the foreign exchange earnings generated by primary commodity exports, especially coffee. Since the early 2000s in particular, the agro-export industry has been promoted in its own right, and has been crucial to the country's economic success. This section will argue that the African palm oil industry in Colombia is an appropriate lens through which to examine how internal displacement in Colombia is related to these processes of capitalist accumulation. African palm oil is an agro-export crop that conforms to Colombia's traditional plantation model and its cultivation has grown rapidly since the 1990s. In order to be a viable investment, large amounts of land are required and the state (as well

as international financial institutions) has supported enhanced production. This type of production model is one that successive governments in Colombia have historically encouraged (and continue to do so) as part of a ‘modernisation’ or ‘development’ process that will enhance accumulation and strengthen the state. In regions of the country where the state is weak, which includes many of the rural areas where African palm is grown, local non-state actors have sought to support and benefit from this expansion in production.

African palm oil (*Elaeis guineensis* Jacq) originates from West Africa, where it is used in foodstuffs and medicines by the local population. It is an oleaginous plant, oil being extracted from its pressed fruit. It is a tropical plant which is suited to hot climatic (especially equatorial) regions, growing at below 500 metres (Fedepalma 2010b; Mingorance 2006). Palm oil is a versatile vegetable oil, used extensively for food production, cosmetics and increasingly as a biofuel/agrofuel.⁸⁹ Crude palm oil is a highly valued product that is traded on international commodities and futures markets. It is being used increasingly in the production of biodiesel. The processing of crude oil gives rise to a range of food products (such as cooking oil, margarine, bakery products, chocolate and sweets); and manufactured consumer and industrial goods (including cosmetics, soaps, detergents, candles, lubricants, paints and surfactants).⁹⁰

Palm oil is now the world’s most consumed and internationally traded edible oil (Fedepalma 2010a). Its overall worldwide consumption doubled between 2000 and 2010

⁸⁹ Biofuel (if cultivated, then also referred to as agrofuel or agrifuel) can be broadly defined as solid, liquid, or gas fuel consisting of, or derived from recently dead biological material, most commonly plants. This distinguishes it from fossil fuel, which is derived biological material which has been dead for long time periods. Theoretically, biofuel can be produced from any (biological) carbon source. By far the most common are photosynthetic plants that capture solar energy. In the case of African palm, the extracted oil is chemically processed to produce biodiesel (Christian Aid 2009).

⁹⁰ Upon harvesting, the fleshy part of the fruit is converted into oil through a series of processes, while the palm kernel oil is extracted from the nut itself. Until recently the primary purpose has been for the extraction of palm oil and palm kernel oil for the production of edible and industrial oils. In recent years, the production of biodiesel from crude palm oil has expanded substantially.

(Colchester 2011: 3). Moreover, demand for edible oils is increasing in Europe, the US, and in rapidly developing nations such as China and India (Marti 2008: 19). For the most part, the price of crude palm oil has increased steadily since about 1990, although there was a spike in its commodity price in 2008 due to the heightened interest in agrofuels.⁹¹ Many governments and industry representatives argue that agrofuels represent a viable low carbon solution to climate change, although this contention is increasingly being challenged by some academics, NGOs and the UN.

In response to this rapidly expanding market, large-scale palm oil plantations are being developed in West Africa, Southeast Asia and Latin America. Globally, palm oil plantations have expanded from a total area of 6.5 million hectares in 1997 (producing 17.5 million tonnes of palm oil) to 12 million hectares in 2005 (producing some 30 million tonnes) (Carrere 2006) and over 20 million hectares by 2013 (producing 58 million tonnes) (IndexMundi 2013). This trend is set to continue. The global quest for alternative sources of more environmentally friendly energy through an expansion in the production of 'green fuels' has led to a surge in the demand for fuels from agricultural products, notably palm oil and sugar cane. In 2005, palm oil cost 400 USD per tonne compared with 1200 USD per tonne in 2009 (Leech 2009).

Given that palm oil is a crop largely aimed at export markets, it is attractive to governments seeking new sources of foreign exchange. Palm oil production can also be highly lucrative for both foreign and domestic investors. It has high per-hectare yields compared with similar crops and has relatively low production costs (Fedepalma 2010a). The major producing countries typically have a cheap and plentiful labour supply, low-priced land, a short growth cycle, and easily available financing and other forms of

⁹¹ See Oil World: <http://www.oilworld.biz/app.php?ista=9709639d5c2e60068c91742efa30ead0> as cited in Colchester (2011).

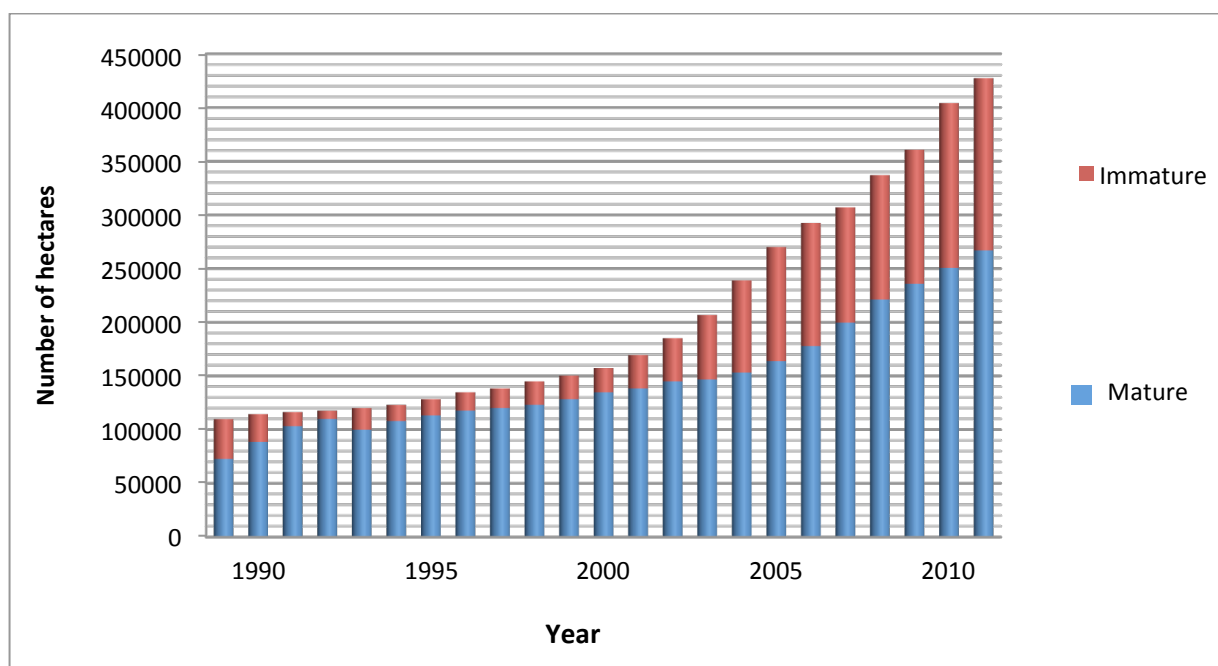
support from host governments. Palm oil production is also supported by foreign governments and intergovernmental agencies and financial institutions, as it is viewed as advancing economic development. But some argue that this profitability is significantly facilitated by the unwillingness of host governments to respect national and international law (in the areas of human rights, labour, indigenous peoples, land and property) and implement effective environmental controls (Christian Aid 2007; Friends of the Earth 2006). The debate around the expansion of the palm oil industry is sometimes framed in terms of trade-offs between the crop's environmental impacts and the need for economic development (Marti 2008: 10).⁹² There is substantial documentation arguing that palm oil plantations cause substantial environmental damage.⁹³ While the plant was first introduced to Colombia in 1932, its cultivation has rapidly expanded since the 1990s (Fedepalma 2007; WRM 2006: 23).⁹⁴ Since 1990, palm oil exports have increased significantly and represent an expanding share of Colombian agro-industrial exports. Despite still representing less than 1 per cent of overall Colombian exports, government policy dictates that this will increase significantly (Fedepalma 2007).

⁹² The Colombian palm oil producers' federation, Fedepalma, even argues that it is environmentally beneficial: 'oil palm plantations are forests which protect our ecosystems' (Carrere 2006).

⁹³ For example: Friends of the Earth 2004; GRAIN; 2006; Monbiot 2005; Oosterkamp 2007; Suárez and Emanuelli 2009; WRM 2006. As is the case with other monocultures such as pine and eucalyptus, the problem is not the tree itself but the plantation model under which it is grown. These monoculture plantations are linked to illegal logging and lead to extensive deforestation, destroying habitat and endangering wildlife. They also cause soil degradation and pollution, diversion of rivers and drainage of land. African palm tree plantations are often planted without the appropriate environmental impact assessments (EIAs) and permits (Carrere 2006).

⁹⁴ Palm oil was introduced in Colombia in 1932, but its commercial development began in the late 1950s (WRM 2006:23). Production has grown from over 18,000 hectares in the mid-1960s to over 130,000 by 1995 (WRM 2001:48) and 300,000 by 2007 (Roa Avendaño 2007).

Chart 5: Total planted area of African palm oil crops in Colombia (in hectares), 1989 – 2011. Indicates proportion that is producing (mature) and almost producing (immature) fruit.



Sources: Fedepalma 1994; 1999; 2003; 2008; 2012.

Palm oil is the fastest growing agricultural sector in Colombia (Leech 2009). Colombia produced 685,000 tonnes of palm oil in 2006, representing about 2 per cent of world production and making Colombia the largest producer in the Americas and the fourth largest in the world since 2001 (Fedepalma 2007).⁹⁵ Colombia is also the world's sixth largest exporter of palm oil (Mingorance 2006). Colombian palm exports increased from 25.7 million USD in 2002 to 78 million USD in 2006, a 300 per cent increase (Leech 2009). In 2011, there were cultivations of palm oil trees in 103 municipalities spread across 16 of the country's 32 departments, serviced by 53 extraction plants. On the average, units of production are 68 hectares (UNDP 2011: 90).

⁹⁵ The largest producers in the world are Indonesia, Malaysia and Nigeria (Friends of the Earth 2008).

The palm oil industrial model is organised as a production chain with three key phases: the cultivation of palm oil trees, the extraction and processing of the palm oil, and the refining and distribution of oil products to the marketplace. The level of vertical integration between the agricultural and industrial sectors is very high in Colombia, as this provides greater economies of scale. Profits are enhanced further by palm oil refiners integrating extraction plants (Mingorance 2006). Some three quarters of all palm oil trees in Colombia are grown on large plantations owned by large domestic companies.⁹⁶ These companies also own the mills that process the palm fruit into oil, given that constructing a mill is only an investment made by large-scale producers. Small producers are thus obliged to sell their crop to a local mill (Leech 2009). The plantations are large-scale operations and require substantial investments to cover costs such as land purchase, planting and cultivation, technical assistance, training and labour. The processing plant needs to be close to the crop with suitable transportation links. Investments are required which need some time before a return can be expected, given that palm oil trees take three to four years before they become productive. Investors need be able to withstand fluctuations in the price of palm oil and exchange rate variations. This often necessitates solid economic backing: access to bank credit and governmental policies of support.

A small and gradually increasing proportion of palm oil is produced by palm oil companies in cooperation with *campesino* cultivators, in what are referred to as 'strategic alliances'. The model involves contracts between major agro-industrial enterprises and small producers. In such contracts, the company is not directly responsible for producing, but instead buys the palm oil fruit from growers under contractual arrangements. This creates a monopoly, as the producers are permitted only to sell to the company with

⁹⁶ The principal ones being Palmeiras, Palmas de Tumaco, Salamanca, Palmar Santa Elena, Urapalma and Indupalma (Leech 2009).

which they have a contract, and for the prices set by those businesses. The *campesinos* take on much of the risk, as they are not compensated if the crop fails and they need several years of production before they can pay off the debts for their investment (Leech 2009). The PDPMM established the *palma campesina* model as an alternative to what it saw as an unfair and exploitative model for the *campesinos* (see Chapter 6).

It is argued by industry supporters that palm oil production has domestic economic benefits, bringing jobs and wealth to impoverished rural areas (Rangel 2009). Others claim that few local people appear to benefit from this form of ‘development’ (Marti 2008: 10). Critics argue that once plantations have been established, employment opportunities are limited and those that do exist tend to offer relatively low wages (Leech 2009). No longer able to harvest food and other products from the forest, and without land to grow their own crops, *campesinos* require an alternative income in order to survive (Marti 2008) or they move to urban areas.

The Colombian government has provided political and financial support to the development of the African palm oil plantations as part of its efforts to eradicate illicit crops and to promote regional development (IDMC 2007).⁹⁷ In 2007, Colombia’s then-president, Álvaro Uribe, called for producers to double their output of palm oil within four years (Allen-Mills 2007).⁹⁸ Fedepalma aims to increase palm production in Colombia from 500,000 tonnes in 1999 to around 3.5 million tonnes by 2020, which involves increasing the planted area from 170,000 hectares in 2000 to 743,000 hectares

⁹⁷ This policy has received substantial support from the US government, who appear to be enthusiastic about the potential for biofuels based on palm oil and similar agricultural products. Within the framework of the US-financed Plan Colombia, the government aimed to introduce an additional 300,000 hectares of the crop (WRM 2006:23), much of it to replace the cultivation of coca.

⁹⁸ The areas with the highest number of hectares of palm oil are (in descending order) in the departments of Meta, Cesar, Santander, Magdalena, Nariño, Casanare, Bolívar, Cundinamarca, Chocó and Norte de Santander. Other departments with smaller plantations include Atlántico, Caquetá, La Guajira, Córdoba, Antioquia and Arauca (Fedepalma 2007).

by 2020. It also envisages exports of palm oil to increase from 24 per cent of national production in 2001 to 78 per cent by 2020 (International Mission 2009). Since 2001, the Colombian government has passed no less than 14 laws and normative provisions to stimulate biofuel production.⁹⁹ It has strategically linked agricultural policy with its policy on ‘democratic security’.

The expansion of palm oil cultivation is reinforced by government policies which support and provide production incentives. This has the result of introducing economic, political and military control into large areas of the countryside, which are currently outside of the control of the Colombian state. These state policies are further reinforced by the investment strategies of international bodies such as the Inter-American Development Bank (IDB). Specifically, the IDB supports these as ‘pacification’ efforts arguing for the importance of ‘investment in medium- and long-term crops as strategies for governability or territorial control in the face of problems such as guerrilla conflict, political violence, common criminality and drug crops’. Palm oil is also promoted by the Colombian government as a means of economically integrating demobilised paramilitaries. The IDB also argues that extensive farming offers a genuine alternative to the *campesino* occupation of territory and for the creation of employment in conflict areas (Rodriguez 2002).

According to Mingorance (2006), palm oil companies in some regions either established, or invited and financed, paramilitary groups as private security corps in order to mitigate the guerrilla threat. But subsequently this model of partnership and production has migrated and evolved in other parts of the country. For instance, in Casanare palm oil

⁹⁹ Such as Law 693 of 2001 which prescribes the use of fuel alcohols and creates incentives for their production, commercialisation and consumption; Law 939 of 2004 which promotes the production and commercialisation of biofuels; and Law 1111 of 2006 which establishes an income tax deduction of 40% on investments in productive real fixed assets in agro-industrial projects, including financial leasing.

plantations expanded in parallel with paramilitary activity. Whereas more recently in Chocó, a more 'complete' model has been realised: the paramilitaries are reported to have invited the palm companies to establish themselves in areas under their control. In all cases, a large proportion of rights violations are committed before the palm oil is planted (Mingorance 2006: 34). Palm oil projects that support the reintegration of formally demobilised paramilitaries ensure their permanency and economic power in the region. According to a Church-based NGO, Justicia y Paz, this 'paramilitary re-engineering' is occurring in every palm oil complex in the country (CODHES 2006). New and expanded palm oil plantations are planned or have been introduced in numerous other regions with a strong paramilitary presence, including the departments of Santander, Magdalena, Bolívar, La Guajira, Casanare, Cesar, Nariño, Atlántico, Norte de Santander, Córdoba, Antioquia and Chocó (Mingorance 2006).

In order to comprehend the logics of massive and ongoing displacement, it is crucial to recognise the central role that access to land plays in capital accumulation. With few exceptions, such as Kay (2007) and Thomson (2011), most studies have ignored the links between protracted internal conflict and Colombia's transition to capitalism and related agrarian issues. The wider literature on agrarian studies has identified links between the global food production regime and socioeconomic crises in countries of the global South, which has been associated with processes of so-called 'land grabbing'.¹⁰⁰ Huge swathes of land are being increasingly used for cattle grazing and argo-export crops, including large quantities of argofuel crops. A convergence of crises (financial, environmental,

¹⁰⁰ The term 'land grabbing' generally refers to 'large-scale, cross-border land deals or transactions that are carried out by transnational corporations or initiated by foreign governments' (Zoomers 2010: 429). A similar definition is provided by Borras & Franco (2010a: 2). In the second half of the 2000s, a sizeable body of literature emerged which examines land grabbing, and particularly where it relates to the expansion of agrofuels. For example, see: Journal of Peasant Studies, special edition on 'The Politics of Biofuels, Land and Agrarian Change', Vol. 37. No.4, October 2010; GRAIN 2008; Oxfam 2008; and World Bank, FAO, IFAD & UNCTAD 2010.

energy, food) in recent years have contributed to a dramatic revaluation of and rush to control land, particularly in the global South; and this trend is strongly linked to the increased demand for agrofuels as alternatives to carbon emitting fuels (Borras & Franco 2010a: 2). This has contributed to an increased dependence on food imports, spiralling food prices and increased economic vulnerability to volatile international commodity markets (Thomson 2011).

Since the 1990s, supposed attempts at reform in Colombia have been rooted in the principles of ‘negotiated land reform’ or ‘market-led agrarian reform’ (MLAR).¹⁰¹ This assumes that the corrupt and inefficient bureaucracy can be overcome through limited state involvement, and land transfers should occur through which land is bought and sold at market prices (and never expropriated) (Borras 2003). INCODER operates under the ‘reform law’ of 1994 and is based on the MLAR model of voluntary negotiations (Thomson 2011: 345). So this impacts upon *campesinos* that are in conflict with landowners and investors that wish to grow palm oil (or other agro-export crops) on their land. However, MLAR fails to recognise the important role of social and political factors in influencing the agrarian problem. The ‘market value’ of land in Colombia often exceeds its productive value due to speculative accumulation. The requisite negotiation of ‘voluntary’ land transfers between buyers and sellers stands in contrast to the Colombian reality, reflected by the infamous maxim of Colombia’s paramilitaries: ‘If you don’t sell, we will negotiate with your widow’ (Thomson 2011: 343).

¹⁰¹ Law 160 of 1994 provided the legislative foundations for market-led land reform in Colombia.

Conclusion

Widespread land dispossession and displacement processes have long history in Colombia, and these have escalated during periods of extreme violence such as the *Violencia* and during recent decades of the ongoing armed conflict (since the 1980s). Both of these periods of violence are complex with multiple actors and regionally specific dimensions. There were multiple and interlinked logics behind the displacement. While these displacement processes have been accompanied by political violence, social unrest, armed insurgency and counterinsurgency, and more recently illicit drug production, one displacement logic has existed consistently: the accumulation of land for the agro-export industry. The mechanisms employed to dispossess people of their land have also been varied, with varying degrees of legality. Again, there are similarities between the *Violencia* period and more contemporary displacement. The services of shyster lawyers were employed during the *Violencia*, which is comparable with the pseudo-legal mechanisms employed today (which will be examined in more depth in Chapter 5).

This chapter has argued that these processes of violent land acquisitions have been able to prevail, and indeed intensify, during the contemporary period due to the intractability of the socio-political system. The prevailing system is one that is rooted in the post-colonial agrarian structure; an ever-expanding colonisation of the agricultural frontier as a consequence of a failure to address the highly inequitable patterns of land ownership; a political system that is based on elite-driven relations of patronage and clientelism; and a weak presence of the state in rural regions that have allowed local elites (such as landowners and investors) and armed groups (guerrillas, paramilitaries and narco-traffickers) to exert their relative power in order to achieve their goals. Furthermore, attempts to reform the system through social movements have been suppressed, often violently. For example, non-violent popular social and political movements such as

ANUC, the ‘independent republics’ and the Unión Patriótica were met with intense violence from the state and its supporters that was aimed at their annihilation.

This research contends that the civil war has masked recent processes of land dispossession through displacement, which have had a predominantly economic logic rather than a militarily strategic one. This begs the question: would the illegal and violent dispossession of land, and thus related processes of displacement, cease were the armed conflict to come to an end? But here we must also consider the role of neo-paramilitary/BACRIM groups and others associated with narcotrafficking, both of which have been linked to displacement but which would probably be excluded from any formal peace agreement.

One of the most critical aspects of aggressive accumulation of land among the elites is that it serves to consolidate an agrarian structure whereby ownership of land is a source of political power obtained through coercion, violence, human rights violations and forced displacement of the powerless among the population. Those without sufficient influence can be displaced, with no mechanisms for legal justice or compensation. It also contributes to the empowerment of emergent groups in the rural sector that sustain themselves through their power of control over land, by which they seek to assert themselves locally. Crucial to addressing these problems, is an understanding of how power is exerted at the local level; and how imbalances of power have sometimes been tilted such that they less disfavour the powerless, given that some communities have managed to resist displacement.

Chapter 4. Statebuilding and capitalist expansion

Introduction

This chapter examines the policies and practices of institutions of the state and the African palm oil industry in their efforts at agro-industrial expansion. The renewed interest in land for agro-export - based upon new market opportunities, technology and engaging with the global economy – has led to investors and the private sector colonising some of the more marginalised territories which previously held no interest for them. These lands are frequently occupied/owned by *campesinos*, Afro-Colombians or indigenous communities. The government argues that subsequent land transfers are guided by the free market within the context of a process of modernisation of the rural economy and neo-liberal policies that seek to enhance Colombia's integration into the global economy. This economic model argues that the poorer sectors of society benefit from the trickledown effect and government funded poverty reduction programmes. But such land acquisitions are taking place in regions where there is little central government oversight, and where armed groups exert authority. Such regions are experiencing high levels of displacement, ever greater concentration of land ownership and the demise of the *campesino* economy.

In the first of three chapters based upon fieldwork in Colombia, this chapter extensively draws upon interviews conducted with government officials, international organisations, NGOs, research institutes and palm oil industry representatives. As such, it mainly presents perspectives from key institutions based in the capital, Bogotá, but which have an impact in rural areas through their programmes and policies. The chapter provides an overview of land use for agriculture. It outlines how the restructuring of economy and

government economic policies since 1980s, and security policies since 2003, have favoured agro-export expansion and particularly of agro-fuels such as African palm oil. This has been part of an ongoing process of modernisation of the rural economy.

This chapter also demonstrates that there are significant regional variations in terms of the actors and mechanisms employed to acquire land from *campesinos* for palm oil cultivation. On the one hand, there is virtual consensus (among respondents and in the literature) that the civilian population in Chocó has been violently displaced from their land so that palm oil can be cultivated on it; on the other hand, numerous respondents argued that Magdalena Medio represented a model of good practice for the palm oil sector and in demonstrating the potential for mutually beneficial industry-*campesino* cooperation. These kinds of regional specificities played an instrumental role in decisions about the selection of fieldwork locations, the findings from which are examined in Chapters 5 and 6.

Agro-industrial expansion and displacement

Since the early 1990s, successive Colombian governments have introduced policies, legislation and financial incentives that encourage the expansion of the agro-industrial sector (and others such as resource extraction), through neo-liberal policies that foster links to the global economy. This narrative suggests that society's poor and marginalised population will benefit through an economic trickle-down effect.¹⁰² But this 'development model' is being implemented in rural areas with little institutional presence of the state (including the security forces) and in the context of violent civil conflict and organised crime. This chapter demonstrates that respondents from a range of institutions

¹⁰² The trickle-down effect refers to the idea that decreasing marginal and capital gains tax rates - especially for corporations, investors and entrepreneurs - can stimulate production in the overall economy. This stimulus then leads to economic growth and wealth creation that benefits everyone, not just those who pay the lower tax rates.

that have links with *campesino* communities believe that this combination of factors has led to their widespread displacement.

Agriculture is important to the Colombian economy: some 6.5 per cent of the country's GDP derives from it and 18 per cent of the labour force is employed in the sector (CIA 2013). Agricultural products are concentrated mainly in three sectors: food, biofuels and forestry. In terms of revenue, the most important agricultural products are cattle, coffee, bananas, rice, tobacco, corn and cut flowers. A second tier of products includes cocoa, sugarcane and palm oil (CIA 2013). According to an agricultural sector analyst in Colombia, María Clara Sanín of consultancy firm Enlaza, there are five products which the government of the former president, Álvaro Uribe (2002 to 2010), prioritised in its agricultural policy: African palm oil, forestry, rubber, cocoa and coffee. Coffee is not planned for expansion, given that its production is legally restricted so as to stabilise global prices. But the policy was one of expansion regarding the other four (Enlaza interview 2009).

Colombia comprises some 110 million hectares of land in total, which is distributed as follows: some 35 per cent of the land area is permanent meadows and pastures (such as for cattle ranching); some 54.6 per cent is forest area; 3.2 per cent is arable land or used for permanent crops (Worldstat Info 2013). Some 30 million hectares (much of it virgin forest) are legally owned by indigenous communities as reserves (as stipulated in the Colombian Constitution of 1991) and 6 million hectares belong to Afro-Colombian communities (under Law 70). A further 4 million hectares are protected forest reserves (Taylor 2006). According to the Director of CODHES, a Colombian NGO that researches human rights and displacement issues, a large proportion of this land - some 40 million hectares - is not part of the land market. He sees this as paradoxical sets of government

policies with regard land ownership. On the one hand, the government implements neo-liberal policies in support of a deregulated agro-industry and the expansion of large plantations. But on the other hand, it protects large land reserves against the market (Romero interview 2009).

There is widespread agreement among respondents that much of the land used for cattle ranching could be transferred to palm oil cultivation. The estimated 40 million hectares of land currently being used for cattle ranching is populated with some 20 million head of cattle. That equates to 2 hectares per cow, which analysts seem to agree is excessive and inefficient (Enlaza interview 2009; Rangel et al. 2009; Romero interview 2009). It is often alleged that much of this land is not being used for cattle ranching as a concerted business endeavour, but rather was purchased as a means of laundering ill-gotten money (Fiduagraria interview 2009).¹⁰³

At the same time, Colombia has 12 million *campesinos* farming less than 5 million hectares, suggesting an asymmetry in the use of the land which disproportionately benefits cattle ranchers over other agricultural activities for which the land maybe better suited (Romero interview 2009). Many cattle ranchers have responded to criticism that their business in Colombia is one of the least competitive in the world by shifting (often with government support) into the biofuels market, using an environmental discourse to justify this (Romero interview 2009). One government advisor, who works for an agricultural consultancy and investment institution that is tasked to support the government, argues that there would be enough land to achieve an expansion to 1 million

¹⁰³ Traditionally, in some areas even deforestation has taken place in order to make the land available for cattle.

hectares of palm oil without encroaching upon virgin forest land, but using only land occupied by cattle (Fiduagraria interview 2009).

Throughout much of the 20th century, successive government administrations in Colombia have introduced legislation and policies which have sought to encourage and expand agro-industrial production. The level of production of commercial crops for export - such as cotton, coffee and more recently palm oil - have expanded rapidly as a result. Since the late 1980s, this expansion has involved the export of non-traditional products becoming the driving force behind the country's economic growth. One of the most important of these non-traditional products is African palm oil.

Following the introduction of the current Constitution of Colombia in 1991, the country began to shift from a state-driven development model (based upon import-substitution) to a neoliberal, market-driven model (Kay 2008:915-6). Colombia's shift from a state-centred, inward-directed developmental model to a neoliberal market- and export-orientated one has encouraged market-led (or negotiated) reforms with respect to land purchases based upon a willing-seller and willing-buyer principle. The government's neoliberal vision of development for the rural economy in Colombia involves the production of goods and services to accumulate profit through free market forces, transforming the territory into a major producer of tradable agro-export products. This capitalist model views development as a process of technical progress that enhances the capacity to increase incomes and wealth. Economic growth and the maximisation of profits become the main focus of development, by establishing an efficient production and distribution system for goods and services through a process of agro-industrialisation and capital accumulation. Proponents of this model argue that the poorer strata of society benefit through employment opportunities as labourers, more tax revenue and an overall

trickle down into the wider economy. This model strives to exploit natural resources to generate the greatest possible output at the lowest possible cost. It embraces the petroleum oil industry, mining, cattle ranching and agro-business.

Agrarian issues in Colombia tend to be discussed, with good reason, within the context of historical processes concerning how land has been traditionally owned, newly colonised and subsequently transferred from *campesinos* to investors, private companies and large landowners; and related processes of armed conflict and agrarian reform (or ‘agrarian counter-reform’). For instance, one seasoned observer working for a Colombian NGO made the following observation about recent trends in land colonisation:

The renewed interest in land - based upon new market opportunities, technology and engaging with the global economy – demonstrates that there is an interest in using the land as never before. The interest in peripheral lands is clearly new. Beforehand, there was no demand for these territories. They were regarded as being full of indigenous people, disease and war and thus subordinate. Today, the new economies for which the peripheral land is important are the agro-industries, particularly those related to fuel and industrial oil (Romero interview 2009).

Andres Celis, a Senior Protection Officer for UNHCR based in Bogotá, identified strong similarities between historical and contemporary processes of land acquisition:

The type of displacement [that occurred] in the 1940s was linked to the productive organisation of coffee. [...] It is the same today, but with a new product. The same thing has occurred regarding the management of price: violence reduces prices and then some people purchase [the land]. What is really interesting about the violence in the 1940s [is that] 50 years later there is the same model of violence. This results

in the same beneficial position of third parties that facilitate transformations in the rural productive sector. [...] If someone learned that this method is effective in facilitating such changes, then why not use it again? It seems to have become a *modus operandi* that I suppose must also exist in other countries, in other contexts of violence (Celis interview 2009).

The notion that investors speculatively purchase land in regions experiencing violence, when the price is relatively low, was a recurrent theme in interviews. For example, Marco Romero (CODHES) calls into question the narrative emanating from government and the private sector about the central role the free market plays in country's land transactions and transformative rural development. He argues that internal violent conflict plays an important role:

In Colombia there is no democratic debate regarding the regulation of foreign investment. The predominant discourse is one that only promotes investors' trust. We could say that this happens in Brazil and in many other countries, whereby companies seek extensive territories of land and where decisions regarding land use (environmental protection, agriculture, etc.) are taken regularly. The difference in Colombia is that we have a war, and this has an impact upon not only dispossession but also the price of land. Montes de Maria is an example. At the moment, Nestle is buying 70,000 hectares for very low prices, given the conflict that the territory faces and the fact that all the *campesinos* have left. It is important [to recognise] that this price is not one determined by the market, but is related to war, insecurity and displacement. This is an important issue because it implies that there is no free market or rural democracy in determining [the future] of territories. One needs to take into consideration that there is no political or economic freedom behind land

prices in Colombia. The economic and political conditions of the *campesinos* need to be taken into account (Romero interview 2009).

Both Jairo Arboleda (a World Bank Senior Consultant on land issues) and Juan Pablo Franco (the Deputy Director of Assistance to Displaced People at *Acción Social*, the main government department that is concerned with displaced persons) re-affirm that these land acquisitions represent a long-term investment. But both also see it as a means of consolidating social, as well as economic, power:

Land continues to be one of the key determinants in Colombia's power struggles. And there has been a traditional association between land tenure, productive or unproductive, and power. This is an important consideration because a lot of the big cattle ranch landlords are not necessarily very rich from the point of view of what the land produces. It is more [due to] the value of the land over time. People consolidate their land not to make it productive but as a long-term investment (Arboleda interview 2009).

They want it for economic reasons, military reasons, but also social reasons. The person who owns the land controls the social order. Historically, the landowner told the *finca* manager what he could and could not do. Even during the *Violencia*, the landowner controlled the social order, telling the *campesinos* which political party to vote for. They had no choice. There is a history of: 'I control the social order, if I own the land'. Perhaps this tendency is more intense in Colombia than in other countries (Acción Social interview 2010).

The purchase of land as a long-term investment - and for the purpose of money laundering - has been linked to narco-traffickers and paramilitaries since the 1980s (Ross

2007). The illegal purchase of land through intermediaries reportedly continues to occur on a significant scale:

In Montes de Maria, they say that it is *Los Paisas* who are buying up the land. *Los Paisas* refers to people from Antioquia. Some people say that those people who have been involved in narco-trafficking, and are now in jail, are the ones buying land through *testaferos*. That means: ‘I don’t want to appear to be the owner of the land, so I will pay you to appear to be the owner. But that land actually belongs to me’. This is a criminal offence in Colombia (Arboleda interview 2009).

UNHCR’s Andres Celis argues that a comparative historical examination of processes of violence linked to different products in different eras suggests that killings have served to facilitate transformative models of consolidation and enhance production:

Looking historically at the cases of sugar cane cultivation, banana cultivation, cattle ranching, coffee, and more recently palm oil, the models have been similar. In each process you can identify violent processes around them. If you categorise the victim’s profile and determine who was killed in a particular time period, [...] the profile of the deaths is mainly that of union workers from the palm industry employees’ union. So one asks, what is going on here? [...] What is the profile of people that have died during certain episodes of violence? And what have been the advances in the productive development model that have occurred simultaneously in those areas, because these are processes of transformation? So when you examine this in its historical context, [you can see that] the period of consolidation of the country as a coffee growing country was during the time of violence in the coffee region (Celis interview 2009).

In spite of the evidence that the armed conflict – historically and presently – has an impact upon land prices and land utility, the Colombian government’s neoliberal policies are apparently implemented as if this need not be a consideration. Absalon Machado, a senior specialist on land issues at UNDP in Bogotá, argues:¹⁰⁴

Land policies are based upon a false premise: that there is no agricultural crisis in Colombia so long as entrepreneurs can prosper. Since mid-1990s, the government has tried to create a land market managed through subsidies. However, it is not beneficial for rural communities to obtain a free piece of land if the state is not there to offer them protection, services, education, etc. “I have land, but no food” - it cannot work that way. [...] In comparison with the credit and job markets in Colombia, the land market has [experienced] more failures. Nevertheless, the state assumes that it is functioning properly. In reality there is no transparency and no control. The prices are being controlled by armed groups or drug dealers, etc. In fact policies are more responsive to pressure from the victims than the government’s actions. With traumatic processes of restitution and other issues affecting policy, serious questions arise regarding the current procedures. [...] The market cannot resolve land distribution inequality in Colombia. Although the government is aware of this, it is not responding appropriately in order to affect change. The land concentration index in Colombia is 0.85, currently the highest in the world (Machado interview 2010).

The protection of these economic interests, and the re-establishment of supportive military authority in a region so that the full value of the land can be realised, has variously been the responsibility of the armed forces, paramilitary groups or some form

¹⁰⁴ Absalon Machado is the Academic Director of the UNDP’s *National Human Development Report* for Colombia in 2011, entitled ‘Colombia Rural: Razones Para la Esperanza’ (Rural Colombia: Reasons for Hope).

of alliance between the two. The Director of the human rights NGO CODHES and the former head of the Colombian armed forces both conceded that this may also be accompanied by the displacement of the local population residing on the land in question:

The price of land is low in some areas due to the conflict and high in others given the economic potential. Where there is a prevalent armed conflict, the land tends to lose its value. Where there is some kind of pacification - whether authoritarian, violent or dictatorial - land increases in value again. The project of the paramilitary is to guarantee pacification in order to take advantage of capital gains in the value of land and to control of the territories in which agro-industries will then develop (Romero interview 2009).

In the 1990s, the fight for land ownership intensified and expanded the agricultural frontier. Two large forces put pressure on the farmers that owned land which could be used for agriculture, particularly for the African palm. These two groups were the 'narco-guerrillas' and the 'self-defence forces'. The guerrillas didn't have any interest in the palm itself, but rather in territorial control. The self-defence forces had a double interest. First, territorial control so as to expel the guerrillas; and additionally to aid those landowners that supported them: helping them to be able to control land so that they could plant palm. In this way, a double effect resulted. First, a massive forced displacement [which was] then followed by an expansion of the agricultural frontier accompanied by an expansion in palm (Bonnet interview 2009).¹⁰⁵

¹⁰⁵ During this interview with Gen (Ret'd) Jose Manuel Bonnet, the former head of the armed forces tended to refer to the paramilitaries as 'self-defence forces' and the guerrillas as 'narco-guerrillas'. This terminology tends to afford the former a degree of legitimacy and imply a noble cause, while associating the latter with criminality rather than a resistance movement with a political ideology.

There have been cases of displacement due to coal exploitation, but this happened mainly in territories where the paramilitary is strong such as in Cesar and La Guajira. Here people often have had to sell their lands at very low prices. Many hectares are needed for coal, thus displacement brings about depopulation. Some paramilitaries claimed that killing 100 people tended to result in the benefit of displacing many more (Romero interview 2009).

Successive government administrations in Colombia have long denied that any army-paramilitary collaboration has ever existed, despite overwhelming evidence to the contrary (AI 2000, 2005; BBC 2002; CIA 1997; CIP 2004; HRW 1998; US State Dept. 2000). However, following the publication of testimonials from demobilised paramilitary combatants since 2006, it became clear that such alliances were comprehensive and widespread (HRW 2010; Semena 2005). There were also illegal links between paramilitaries and many of the country's politicians – uncovered in a widespread scandal that became known as *parapolitica*¹⁰⁶ - which the former head of the armed forces claims is directly linked to displacement:

This has stimulated a wider interest in land: plots of flat land in Colombia's tropical zone, in areas such as the Caribbean coast and the Llanos Orientales. This led to the self-defence forces, together with their political and economic alliances in the regions which are now referred to as *parapolitica*, to generate displacement. One of the consequences of the *parapolitica* is displacement (Bonnet interview 2009).

It is not openly discussed. But the kinds of things that have happened over the past

¹⁰⁶ The *parapolitica* (a combination of the words *paramilitar* and *politica*) scandal broke in 2006, when evidence emerged that several congressmen and other politicians had been colluding with the AUC paramilitary group. In May 2012, 37 congressmen and five governors were convicted and a further 139 members of Congress were under investigation (Colombia Reports 2012). A collection of articles related to *parapolitica* can be found on the website of Colombian newspaper *El Tiempo*: <http://www.eltiempo.com/noticias/parapolitica>.

ten years or so - involving landlords and politicians and their connections with narco-trafficking and the paramilitary, so-called para-politics - all this indicates that a connection between land and politics is always there (Arboleda interview 2009).

To sum up, successive Colombian governments have sought to expand agro-industrial production often to the detriment of smallholders. Palm oil is a non-traditional product in Colombia and the latest in a series of (more traditional) commodities that have been supported for agro-export markets. As a result, the agro-industrial sector has expanded despite not always representing an efficient means to utilise agricultural land, particularly in the case of cattle ranching. Rather, the rationale of many such land purchases was money laundering and as a long-term investment. Land acquisitions are often made in regions when violence linked to the armed conflict is prevalent, and thus land prices are low. Prices later increase once the army or paramilitaries are able to gain military control in the region. This calls into question the government's claim that land prices and transfers are solely determined by the free market. The government's support for agro-industrial production and expansion has been accompanied by a series of economic and security legislative measures and policies that have benefited the agro-industrial sector and seen an augmented role of the armed forces in protecting the interests of private sector investment in rural areas.

Securing palm oil expansion

So now it has become clear how the business works: generate violence, get rid of the guerrilla in those areas, and displace people so that land prices go down (Amado Prieto, Pastoral Social interview 1 2011).

This section examines how government policies since the early 2000s have sought to enhance the security conditions for private companies and investors in rural areas at the regional level, and argues that the security needs and concerns of these actors have been prioritised over those of the *campesino* population. It also explores evidence of links between the expansion in the cultivation of palm oil and armed groups. Among respondents, there was a widespread belief that paramilitary groups (and their post-demobilisation successor groups) have been responsible for securing the interests of the palm oil sector at the local level by aggressively and sometimes violently threatening communities that have resisted palm oil expansion. It argues that (neo-) paramilitary groups have financially benefitted themselves, and/or others, by illegally acquiring *campesino* land outside of the formal land market: through speculative investment in land in areas affected by violence and then benefiting through subsequent increases in land prices following the region's 'paramilitarisation'.

The palm oil sector has long benefited from state protection and assistance. From the 1960s to the 1980s, it received government protection through the import substitution model. Following the liberalisation of the economy in the 1990s, government policy focused on facilitating access to foreign markets for palm oil and other agro-export products. Since 2001, the Colombian government has prioritised the production of agrofuels - including palm oil - within its national development strategy, through a substantial legislative framework.¹⁰⁷ During the years that followed, the Colombian government passed no fewer than 14 laws and normative provisions to stimulate biofuel production.¹⁰⁸ It also introduced a series of financial incentives and benefits specifically

¹⁰⁷ Law 693 of 2001; Law 939 of 2004; Decree 383 of 2007; Decree 2629 of 2007; Law 1111 of 2006; Law 1133 of 2007; Decree 2594 of 2007; and Decree 2328 de 2008.

¹⁰⁸ Such as Law 693 of 2001 which prescribes the use of fuel alcohols and creates incentives for their production, commercialisation and consumption; Law 939 of 2004 which promotes the production and

targeted at the palm oil industry. These include the Incentive to Rural Capitalisation (ICR), tax free zones, tax benefits for late-yield crops, and fuel tax exemption for biodiesel (Uribe 2005).¹⁰⁹

Subsequently, the government outlined its policy in its ‘Strategy for the Competitive Development of the Colombian Palm-Oil Sector’ as follows: ‘To increase the competitiveness and productivity of the palm oil industry, in a sustainable way, by making use of the country’s advantages and the potential of a growing market, in order to offer new opportunities for development, employment and welfare in rural areas’ (CONPES 2007:13). Specific targets outlined by the government are as follows: To increase the competitive production of palm oil through productive business nuclei, in order to: i) Increase exports of palm oil; ii) Respond to the domestic market for palm oil; iii) Respond to the domestic demand for biodiesel; iv) Play a role in the international market for biodiesel (CONPES 2007:13-14).

In 2007, Colombia’s then-president, Álvaro Uribe, called on producers to double their output of palm oil within four years (Allen-Mills 2007). Fedepalma aims to increase palm oil production in Colombia from 500,000 tonnes in 1999 to around 3.5 million tonnes by 2020, which involves increasing the planted area from some 170,000 to 743,000 hectares. It also envisages exports of palm oil to increase from 24 per cent of national production in 2001 to 78 per cent by 2020 (International Mission 2009). This expansion has received international support, as financial institutions have been investing in the Colombian palm oil market.

commercialisation of biofuels; and Law 1111 of 2006 which establishes an income tax deduction of 40% on investments in productive real fixed assets in agro-industrial projects, including financial leasing.

¹⁰⁹ The Incentive for Rural Capitalisation (*Incentivo a la Capitalización Rural* or ICR) was created in 1993 to provide subsidised credit to large farmers who otherwise did not qualify for credit subsidies, as these were geared towards smallholders (Guterman 2007: 6).

The Colombian government argues that its policy of providing political and financial support for the development of new and expanded palm oil plantations forms part of its efforts to eradicate illicit crops and to stimulate regional development (IDMC 2007).¹¹⁰ They are also promoted by the government as a means of economically integrating demobilised paramilitary combatants (Rangel et al. 2009). The palm oil industry outlines a similar rationale for expansion, claiming that ‘governments consider African palm an ideal crop through which to create development projects, generate employment and promote alternative fuels’ (Fedepalma 2010).¹¹¹

From the government’s perspective, the armed conflict - and particularly the presence of guerrillas - represented an obstacle to its plans for extensive private investment and development in rural areas. One of the fundamental pillars of the rural development model implemented in regions such Magdalena Medio has been to lower the level of risk associated with the internal conflict and enhance security for large businesses and investors. In order to counter the guerrilla threat, the government of former president Álvaro Uribe unveiled a policy of Democratic Security in June 2003.¹¹² This policy sought ‘peaceful and lawful occupation of the territory’, based upon an aggressive military and economic strategy (DNP 2007:149). A former head of the armed forces summarised the approach as follows:

¹¹⁰ In 2009, some 20 per cent of the USAID coca crop substitution budget for Colombia was spent on palm oil. The free trade agreement between Colombia and the US is likely to lead to a further increase in palm oil production for the US market (Leech 2009).

¹¹¹ The Colombian federation of palm oil producers, Fedepalma, also argues that it is environmentally beneficial: ‘oil palm plantations are forests which protect our ecosystems’ (Carrere 2006).

¹¹² Under the Democratic Security Policy the former president sought to gain military control of the country by increasing the number and capacity of troops and police units and by deploying them across the country to challenge the guerrillas. This has been accompanied by a major increase in the eradication of illicit crops, partly so as to diminish revenues to guerrilla and paramilitary groups. At the same time, the government has bolstered protection of petroleum oil and natural gas pipelines to safeguard that source of government income and deny funds to the illegal armed groups, who had become accustomed to extorting payoffs by threatening attacks against those facilities. The policy also has wider goals to protect businesses and encourage investment in rural areas (ICG 2003).

With the Democratic Security policy, President Uribe declared that the recuperation of [control over] the territory was a primary objective, [as well as] increase military personnel, [...] and have a police presence across the entire territory [...] and the army in every municipality. This helped to push the guerrillas out of the productive areas, given that these were the areas where the guerrilla had settled (Bonnet interview 2009).

According to Francisco de Roux (the founding director of the PDPMM), this ‘vertical modernisation’ uses civil and military power to conquer the territory, overcome the guerrillas, control the civilian population and enable Colombian and foreign investors to enter the region. At the same time, it consolidates regional links with international markets (de Roux 1999). De Roux concedes that the security situation in Magdalena Medio has improved. The policy has probably also achieved an improvement in the security situation in other departments, such as Meta: ‘Until a few years ago, the [Meta] region was not an attractive prospect for investors due to lack of security and poor communications’ (Amado Prieto, Pastoral Social interview 1 2011).¹¹³

The Uribe government justified prioritizing security in the countryside so as to encourage the expansion of private investment, contending that this will lead to economic security for the population as a whole. It strategically linked agricultural policy with its policy on ‘democratic security’. The former Minister of Agriculture and Rural Development (from 2002 to 2005), Carlos Gustavo Cano, stated in his 2004 management report that ‘President Uribe affirmed that weak agriculture leads to strong terrorism [...] Thus our fight against terrorism can be seen as a defence of rural work [...] Therefore agriculture

¹¹³ During the course of this research, numerous interviews were conducted with Pastoral Social employees in various parts of the country. The two Pastoral Social interviewees cited in this chapter were conducted with the Regional Director of Pastoral Social (Fr Luis Enrique Amado Prieto) and a colleague (Martha Elena Bedoya) in the Viavicencio office in Meta.

acquires a strategic geopolitical value. [...] We are placing special emphasis on palm oil, where Colombia has reached the highest levels of productivity in the world' (International Mission 2009:31).

The policy of Democratic Security and related government initiatives have resulted in the Colombian armed forces becoming much more involved in protecting the interests of private companies and investors in rural areas. According to critics, the passage of legal codes governing how land and specific resources are used, further promotes and protects the interests of companies and investors and diminishes those of local communities – one of the root causes of Colombia's armed conflict (AFSC 2008:3). The head of Pastoral Social in Villavicencio in Meta related an incident that had occurred in the nearby town of Puerto Gaitan a few years earlier, based upon what a senior former employee of Pastoral Social had told him. He related what she said occurred after she had asked the army to protect the community given that they had heard rumours that FARC guerrillas would soon be arriving in the town:

The commander of the military in the area, I think he was a captain, said to her: "Look miss, the thing is that we are here for the security related to the passing of the tractor-trailers, so that the road is protected. What happens elsewhere is not our responsibility. The government put us here to protect the extraction of petroleum." This was knowing perfectly well that there could be a massacre carried out by the guerrilla against a nearby population [...] It is evident that the army is not here to protect the community from the FARC and common crime, but rather to safeguard economic interests, economic groups (Amado Prieto, Pastoral Social interview 1 2011).

Marco Romero argues that both the national army and paramilitaries groups have operated to serve the interests of private companies, albeit such links may be tacit. By contrast, there appears to be little attempt from the authorities to protect *campesinos* from violence and displacement, regardless of the perpetrator:

I do not think that there is one overarching agreement among multinationals, paramilitary groups and the national army. But there are links between them. For example, there is an understanding between the big companies and the paramilitary in the area of security; but the security of the businessmen not the *campesinos*. In general, the government has failed to provide security to *campesinos*, who are displaced to the big cities and continue to be displaced [again]. Thus, President Uribe focuses on the security of investors, but that same judicial security does not exist for the displaced. The land protection project shows that *campesinos* have already requested 3,300,000 hectares be secured because they run the risk of being displaced or have been already. This is a significant number given that this government programme only started in 2005. Due to the magnitude of these phenomena and the role of narco-trafficking, this needs to be addressed in discussions about biofuels (Romero interview 2009).

Concerns have also been raised about palm oil companies specifically. An industry representative lamented that the palm oil industry is being criticised when it simply seeks to exploit an investment opportunity:

Within the context of the Democratic Security policy, one can talk about post-conflict regions that could be useful for growing palm. However, speculation has augmented the price of land and the NGO's and media blame palm. Without a programme of socialisation that includes environmental and social policies, the

palm oil industry might continue to be seen in negative terms (Fedepalma interview 2009).

It has also been suggested that the provision of security by the state for communities, including returnees, maybe linked to them complying with government and/or private sector proposals that they become palm oil cultivators. In an interview with a UNHCR Protection Officer, he outlined an example of how one such a scenario, that he witnessed in the municipality of Riosucio in Chocó in 2003, played out in a meeting between farmers, government representatives and businessmen (from the Agrarian Bank and FINAGRO).¹¹⁴ Also present at the meeting was the army general who commanded the 17th brigade which was responsible for security in the region:

The situation presented to the farmers was the following: you farmers have an opportunity - these are Afro-Colombian communities – to return under a scheme where the government will support your productive development [...] Crucially they were being told: "We are going to support you, but not for any project. Only in a project that complies with certain requirements". The requirements did not actually specify that it must be palm oil. But they implied that it was palm. Associated with the project are delayed [financial] returns, but with the possibility of competing in open markets as part of an association between the farmers and the agro-industry. Additionally, if the farmers want subsidies, they are told of the subsidies available to them; and are told who will be their counterparts from the industrial sector willing to work with them. Afterwards, the army general told the farmers: "we are willing to provide security for you if you return under this scheme". He never actually said that if you return under a different project, security will not be

¹¹⁴ The Agricultural Fund (*Fondo para el Financiamiento del Sector Agropecuario* or FINAGRO) is a financial institution established in 1990. It provides investment and working capital financing for agricultural production, marketing and commercialisation (<http://www.finagro.com.co>).

provided. But he made it clear that if they return under this one, security will be provided. There are no viable alternatives for these farmers. After this meeting they debated for three days. This is where divisions within the Afro-Colombian community begin to emerge; and where some community members benefit and others not (UNHCR interview 2009).

The former head of the armed forces in Colombia, Jose Manuel Bonnet, claimed that while the army does not provide all of the palm oil industry's security needs, it does aim to ensure regional security that complements the activities of the companies' own private security services:

The Colombian military forces do not have a direct relationship with any producers. Their role is to maintain the areas under control and allow them to operate; at any level and for any activity. But a direct relationship with the producers has never existed. It is not necessary. They have their own security companies. [...] They hire legally established security companies. These are not companies that they own. They hire large security companies that provide internal security within their gates, offices and properties. [...] Only if the army is informed about the presence of armed groups in the area, then the army acts (Bonnet interview 2009).

The nature and extent of involvement of paramilitaries and demobilised paramilitaries in the palm oil sector has varied and has included initiatives that were not illegal. This has served to further complicate attempts to understand their role and how they operate. As part of a government-supported attempt to reintegrate demobilised paramilitaries, some have received support to become palm oil cultivators. Critics argue that funding ex-paramilitaries in this way ensures their permanency and economic power in the same regions where previously they were illegal combatants. In some instances displaced

people have received assistance to return to their homelands in ‘reinsertion projects’ that involve them working as employees on land which was seized and is now controlled by the same paramilitaries that initially displaced them. According to the Church-based Colombian NGO Justicia y Paz, this ‘paramilitary re-engineering’ is occurring in palm complexes across country (CODHES 2006). Mingorance (2006:33) argues that since 2000 (and thus prior to the demobilisation process), areas of palm oil plantation expansion have coincided geographically with the illegal presence and expansion of paramilitary groups. However, Rangel and colleagues report that their research indicates that there is no evidence to substantiate such links (Rangel et al. 2009).

Nonetheless, there seems to be widespread agreement that paramilitary groups acting on behalf of palm oil companies have illegally displaced *campesinos* in Chocó (Rangel et al. 2009; Allen-Mills 2007). In 2003, the Inter-American Commission for Human Rights condemned illegal links between the palm oil industry, paramilitaries and the army in the Chocó region of Colombia (OAS 2003). This was corroborated by the former paramilitary leader, Vicente Castano, in a 2005 interview in which he claimed: ‘In Urabá, we have palm plantations. I personally persuaded businessmen to invest in these projects’ (Semana 2005). In December 2007, the Colombian Attorney General’s office opened investigations against an alliance of 23 palm oil companies, accusing them of having ‘commissioned forced displacements’ to clear land for palm oil cultivation (IDMC 2007:45).

According to Andres Celis of UNHCR, illegal armed groups are directly linked to displacement in favour of specific palm oil cultivation projects. He claims that the evidence is strongest in some instances that have affected communities in Chocó: Bajo Atrato, Curvaradó and Jiguamiandó. In some cases, the people are not displaced but are

forced to sell land at low prices instead. These communities are economically vulnerable and have low capacity to resist, which is exploited. The provision of government subsidies further pressurises these impoverished communities:

They become involved in a process of association into a certain type of projects, a scheme favoured by the statute of rural development. When the sources of governmental subsidies establish a preferential subsidy for the palm (for example as fomented by FINAGRO), one can understand that communities are left with no other option. [...] This is the only way to access support provided by the authorities (UNHCR interview 2009).

A frequent obstacle in attempting to analyse the palm oil industry and how it operates in Colombia is a lack of transparency. While some companies are quite open and transparent about their activities, very little is known about the origins, management and ownership of others. According Juan Pablo Guerrero of the Colombian Church-based NGO CINEP (*Centro de Investigación y Educación Popular/ Programa por la Paz*)¹¹⁵: ‘Most companies profess to be national ones, but the owners are unknown. People are now talking about *para-economica*, involving the demobilised [paramilitaries], friends of Uribe, businessmen from Antioquia and a family from Chocó’ (Guerrero interview 2009). While it may be difficult to determine the identity of owners and investors in the agro-export and extractive industries, observers such as the World Bank’s Absalon Machado believe that (former) paramilitary combatants are involved substantively in this capacity:

Whilst the common belief is that paramilitary groups are not interested in business matters, the current situation demonstrates that the contrary is the case. I just

¹¹⁵ The Center for Research and Popular Education (CINEP) is a non-profit foundation that promotes social change under the orientation of the ‘Jesus Society’ in Colombia.

arrived from a visit to Chocó, where you can clearly see how these groups who extract and accumulate wealth using violence, own most of the mining companies and leave nothing for the communities (Machado interview 2010).

While some have claimed that similar links between the palm oil industry and paramilitary activity exist in other regions of Colombia, the government refutes this. In interviews conducted with government officials, UN representatives and NGO staff opinions were mixed. A senior UN official working in Nariño argued that companies need to make agreements with illegal armed actors in order to prevail:

Palm crops depend upon agreements with illegal groups. So there is a strong relationship between the presence of palm trees and that of paramilitaries in the area. It is not a new issue. I know other parts of the country that are experiencing the same. [...] The palm planters have to survive in this conflictive zone, so they make coexistence agreements. [...] They are establishing themselves in an area where there is social, political and armed conflict. [...] They are building coexistence agreements with drug dealers, empowering one side of the conflict. We really need to ask if the palm is providing any profit to the families and to the community (Perez interview 2011).

A representative of an international NGO working in Magdalena Medio claimed that there is a large presence of paramilitary groups in the region and implied that they play a role in securing palm oil production:

In Magdalena Medio one cannot deny that the territory is full of paramilitary groups [...] Peasants do not even feel safe saying the word 'paramilitaries' because they know that following demobilisation they returned [to the same region]. These

areas are crucial to the shipment of palm oil and we do not understand why the government insists on saying that everything there is working perfectly (Christian Aid interview 2009).

Similarly in Meta, the head of Pastoral Social in the departmental capital, Viavicencio, claimed that the palm oil companies negotiated with both paramilitary and guerrilla groups:

The palm oil companies have become aligned with paramilitaries because they are located in areas that are predominantly controlled by paramilitaries, as well as the army. However, palm oil companies also pass through areas dominated by guerrillas. So they are paying those groups as well. But secretly, because it is now illegal to do so (Amado Prieto, Pastoral Social interview 1 2011).

Several institutional key informants argued that at least some of the BACRIM groups are effectively paramilitary successor groups and methodologically represent a continuation with the past:

The security of the palm growers can be said to be divided between the armed forces and the paramilitaries, [or rather] those that are called emergent criminal groups. But that is just a way of disguising things. From our perspective, they are paramilitaries. The Government can get angry. At a meeting held at the beginning of this year with the regional Public Defender, he said that we have paramilitary groups. The Public Defender was summoned [by governmental authorities] because he said this. In the narrative used by the government [paramilitaries] do not exist; what exists are groups called BACRIM and emerging criminal groups. Everything to do with paramilitaries has been resolved. But they are starting to realise what has

really happened and what has been said [by the paramilitaries] was pure lies. So, the palm oil producers are more or less the same as those involved in [petroleum] oil. But what's not being said is that they are paying off the armed groups (Amado Prieto, Pastoral Social interview 1 2011).

In practice one sees that the government-paramilitary relations continue. The government, depending on its particular interests [at the time], aligns itself with whichever group. In Gaitán, [the paramilitary leader] Guillermo Torres¹¹⁶ demobilised but one other group remained. I don't remember what it was called. When the Cuchillos arrived, the army stopped supporting the group already there as it became [more] strategic to support the Cuchillos and so they began supporting them.¹¹⁷ Everyone knew (Pastoral Social interview 2 2011).

This last respondent from Pastoral Social seemed to make reference to the government and the army as if they were a single entity with respect to links with the paramilitaries. The evidence seems to point to a more complicated picture, whereby there have been links between the paramilitaries and senior politicians (as the *parapolitica* scandal demonstrated) and between the paramilitaries and the armed forces (as discussed earlier in this chapter and in Chapter 3). The existence of systematic collusion between all three actors simultaneously is less clear. Fr Amado Prieto of Pastoral Social sees links between these various actors, a view which is based upon long experience but apparently only anecdotal evidence:

¹¹⁶ Guillermo Torres commanded the paramilitary group known as *Las Autodefensas Campesinas de Meta y Vichada* (Self-Defense Groups of Meta and Vichada), until he demobilised in 2004.

¹¹⁷ *Los Cuchillos*, otherwise known as the *Ejército Revolucionario Popular Antiterrorista Colombiano* or ERPAC (Popular Revolutionary Antiterrorist Army of Colombia), were headed by Pedro Guerrero Castillo (alias *Cuchillo* or Knife) until he was killed in a shootout with police in late 2010.

There were a lot of massacres during the 1990s and 1980s, particularly [targeted against] members of leftwing political parties that were supposedly guerrilla sympathisers. If we map where the massacres occurred, we see that the armed forces arrive after the massacre occurs and then coexist with paramilitaries in the region. [The armed forces] claim that the paramilitaries no longer exist, but really they do. If you place an additional map of where the largest investments are - in terms of palm, petroleum and mining - these are located in areas of great displacement and lots of massacres (Amado Prieto, Pastoral Social interview 1 2011).

Based upon these interviews with representatives of the government, the UN and the World Bank, as well as international NGOs and Colombian civil society, a number of conclusions can be reached. A series of complimentary financial incentives and security measures have been introduced as a means to bolster the agro-industrial sector, and particularly biofuels such as palm oil. The government and its supporters in the IMF, the World Bank and USAID, have argued that expanding palm oil cultivation not only benefits the national economy but also provides a viable alternative to illicit crops and a vehicle for reintegrating demobilised paramilitaries. The Colombian armed forces, as well as paramilitary groups, have provided security for palm oil companies in rural areas. On at least some occasions the army has prioritised the security interests of private companies over addressing security threats faced by the local civilian population. Little is known about many palm oil companies, including sources of funding and the identity of owners and investors. These various factors combined have created conditions which are highly conducive to violent displacement or otherwise coercive land acquisitions. In some cases it may involve *campesino* compliance

with palm oil expansion on their lands. The evidence of illegal practices is most apparent and widely acknowledged in Chocó. There is an apparent absence of any government policies or practices which concretely attempt to prevent such illegal activities in Colombia. The next section will build upon these observations by examining in greater depth the capacity and performance of state institutions in protecting the rights of *campesinos*.

Implications for *campesino* security and development

The insecurity that *campesinos* have experienced or potentially could do – in terms of being involuntarily moved off their land – are in large part due to the government's putatively market-driven approach to land transfers, combined with institutional failures to secure the legal rights of *campesinos* or acquire their participation in locally-made decisions. By examining the context of such processes in Nariño and Magdalena Medio, it is argued that the government's attitude is enshrined in a model of development which argues that the productive benefits such processes may entail - through expanded labour and commodity markets, and increases in national and *per capita* incomes - outweigh any costs, such as the displacement of the peasant population. In other words, it is for 'the greater good'.

Attempts to resolve the conflict, or more precisely conflicts, in Nariño provide an insight into how responsibility is institutionally divided in the state's response. The research conducted in Nariño is primarily concerned with the confrontation between Afro-Colombian communities and palm oil companies; as well as between Afro-Colombian communities and *colonos*. In both situations, land that the Afro-Colombians collectively

own has been illegally colonised by the other party. These conflicts and the implications are discussed further in Chapters 5 and 6.

Several governmental institutions have intervened in the conflict between the *colonos* and the Afro-Colombians: the departmental Governor's office (working with the Peace Adviser); the Ombudsman's office (which had already played a mediating role); and INCODER, which is the department responsible for implementing the government's rural development policies.¹¹⁸ In terms of protecting people's individual rights, the Ombudsman's office has the main responsibility. The local government's role is more related to accompaniment and conflict resolution. INCODER is responsible for territorial issues and protecting land rights. But according to one UN official, Carolina Perez, there is no consensus among these institutions about which party in the conflict has the right to the land. She asks the following: 'And to which do we deny the right [to the land]? How can we remove the *colonos* from there? We are not talking about 100 people, but about 1000 people living on shared territories. That's a population group' (Perez interview 2011).

Perez argues that while INCODER should be taking a central role in decisions about land ownership, it is less clear which body is responsible for subsequent enforcement. There are many unresolved conflicts with no strategic thinking; and development initiatives and projects are short-term. Vivian Ferrero, from the Ministry of Interior, also identifies implementation gaps. There is no obvious lead institution responsible for the implementation of land and income generation policies. There is also no legal framework to support these policies, with the exception of the Peace and Justice Law (Law 975 of 2005). This law refers to the demobilisation of the paramilitary groups, who in order to

¹¹⁸ The entity responsible for land titling and adjudication for the Ministry of Agriculture and Rural Development was the *Instituto Colombiano de la Reforma Agraria* (INCORA) until 2003, when it was dissolved. INCODER was established the same year.

benefit from the law must return the land to the state, so it can be returned to displaced communities. The legal framework protecting the Afro-Colombian and indigenous communities is stronger than the one for the *campesino* community. This is due to the acute vulnerability of the Afro-Colombian and indigenous communities and their ‘difficulties in comprehending standard terms of negotiation’ (Ferrero interview 2010).

The apparent lack of translation of policy into practice apparently extends to the rulings of the Constitutional Court. The Court’s rulings are constitutionally ‘progressive’ in terms of respecting and protecting the rights of Afro-Colombians and the indigenous population, and they are binding upon all institutions. According to a UN official in Nariño, policies with respect to the displaced population encounter similar implementation obstacles as the development policies: there are many weaknesses and knowledge gaps in practice. She argues that ‘we have an extensive set of policies with regards to forced displacement. There are rulings which have given us a clear roadmap. But when it comes to implementation, it loses visibility and it is not as clear as it should be’ (Perez interview 2011).

This indicates a lack of institutional coherence in implementing national policies on the ground with regard to disputes over land ownership (and thus the right to generate income from the land). A key concern is the lack of information concerning which entity holds legal responsibility. Whilst the programmes handled by Acción Social and the Office of Social Protection (among others) are autonomous, they do not conform to a common national policy (Ferrero interview 2010).

This institutional weakness in introducing, and then implementing, development programmes which assist the displaced is particularly acute in rural areas.

Currently, the biggest void within the development programmes is that they are all aimed at supporting the urban communities [...]. This is where the local authorities must intervene, and create more programmes to support displaced communities in rural areas. No clear policies have been established for the whole country, or a legal framework to support them. [...] Without any clear policies, it has been difficult for us to establish a coherent system. Although local committees to help the displaced population have been set up by institutions such as Acción Social, the Institute for Rural Development and the Family Welfare Institute, there is no specific national law that designates a budget to link these actions (Ferrero interview 2010).

A recurring theme concerning the state's inability to address disputes over land centre around a lack of information, particularly with regard to ownership. The last agricultural survey was conducted in 1971. As Absalon Machado of UNDP puts it: 'No one knows who owns the land, what their intentions are, or about their background. Today it is not possible to determine what comprises the rural sector. How can policies be designed without a census?' (Machado interview 2010). The huge challenges the government faces given this lack of information may be compounded by its own market-driven dogma. In recent years, land policies in Colombia have been ostensibly focused on the restitution of land to displaced individuals and the expropriation of land from drug dealers. However, it is claimed that this is not working because: 'The government does not know how to administer these lands. At one point President Uribe suggested to sell them on the open market, instead of creating a land fund in order to fairly allocate them' (Machado interview 2010).¹¹⁹

¹¹⁹ There has been a significant shift in approach to land reform since the election of President Juan Manuel Santos in 2010. This government's passing of the Victims and Restitution Land Law represents an apparent attempt to allow displaced persons to recover their lands or be entitled to compensation (HRW 2011).

This structural problem of data deficit and a lack of transparency over the ownership of land, which is being compounded by an economic doctrine favoured by the government and the private sector, has important implications in terms of tax revenue:

It is not possible to achieve modern, efficient and productive development over an unstable structure. Due to power relationships, as well as [existing] political and agricultural structures, it hasn't been possible to accurately tax rural properties. The current land tax is low because [land] surveys do not correspond to their actual commercial value. And there is an obvious delay in the conducting of rural cadastral surveys. [...] Taxes on land could be increased. These tend to be based on the land's book value rather than its commercial value. This could be changed (Machado interview 2010).

In fact, 48 per cent of the surveys are delayed by at least 5 years. Furthermore, we have found municipalities where the delay has been about 14 years. However, the government has never agreed to propose or even discuss modifications to these procedures that would allow decentralisation and would help to stimulate the market. There is a proposal from the elected President Santos to gradually increase taxes for all unused land. Although there will be some technical difficulties [with this], at least there is a proposal (Fiduagraria interview 2009).

Some of the characteristics of land tenure arguably facilitate processes of displacement or expropriation: 'Less than 40 per cent of rural areas have official titles. Taxes are not being paid adequately on non-registered lands. Given that land commonly passes from one person to another informally, this tends to make expropriation easier' (Ferrero interview 2010).

As well as identifying insufficient information as an important issue in the weakness of policy implementation with displaced people, some government officials and NGOs indicated that insufficient resources (especially at the local level) were also a major concern. While there are programmes designed to grant land to peasants, these are subject to INCODER's budget. Currently, all the programmes focus on linking land projects with income generation projects and are subject to the limited availability of funds. In addition, there are no clear guidelines regarding processes of agrarian jurisdiction, a role which was assumed by ordinary judges rather by experts in land issues. According to Vivian Ferrero at the Ministry of Interior, 'there is a need for more concrete legislation that links all the organisations.' Currently, local entities are allocating money to stimulate individual programmes, which are not connected to INCODER or the ministry (Ferrero interview 2010). Another government official also linked low institutional capacity to the violation of rights:

Here you are moving into discussing the matter of a higher risk of violating property rights because of a low institutional capacity. If you have a local public registry office that does not even have a computer, then some of these rights will be violated. There is a lack of good structure and resources, and so rights are more likely to be violated (Acción Social interview 2010).

With respect to the state's response in these situations, in some ways they operate within the framework of their obligations and responsibilities at a local, regional and sometimes national level. But you must understand that the local authorities' capacity to respond is minimal, and it is being overwhelmed by the situation. That's why we speak of a humanitarian crisis, as there really is no capacity. Even if there

was, it would need to tackle the weakness of municipalities in addressing such situations (NRC interview 2011).

The Colombian state's policies and practices in the areas of agro-industrial expansion and the *campesino* economy, as well as addressing the challenges of land titling and displacement in the conflict zones, calls for a broader examination of the model for national economic development. According to Jario Arboleda of the World Bank, an examination of the Uribe government's policies, the distribution of resources and the structure of the tax system, demonstrates a conviction that promoting big business is an appropriate response to the country's development problems. He claimed that the Uribe government provided more exemptions to businesses than any other in the country's history. The government argued that this was necessary in order to establish the confidence of investors (Arboleda interview 2009). The development model was also criticised by Machado:

It has been said that the rural sector has been over diagnosed. But actually we believe that it has been wrongly diagnosed. There is ignorance about the processes, about what is happening? Who is participating? What are their interests? And who is behind every model? The problem is not a lack of technological tools; rather it is about power and political knowledge. [...] Colombia has amazing technical capacities and human capital. However, the political model of development doesn't allow the country to progress. This problem involves the state, the elites and their responses to the situation historically (Machado interview 2010).

Campesinos are usually unable to access any type of loan unless they have individual titles of ownership to land. As such it is very difficult for them to make the kinds of investments that tend to be necessary to be a productive smallholder farmer. Public

policies have tended not to address this widespread need at a fundamental level (Machado interview 2010). But arguably this lies at the heart of international development policy and assistance as defined by world's key financial institutions. However, one seasoned World Bank official casts doubt on the viability of this model:

You don't see in the policy any emphasis on creating assets for poorer people so that they become self-reliant, independent of government [assistance]. They would argue we get taxes from the rich and redistribute them in subsidies to the poor. But I guess the question is, wouldn't it perhaps be better to use all of those resources which go into subsidies to create a greater asset base among poor people? [...] This is pretty much traditional World Bank - and other institutions' – theory. The best way to overcome poverty is through investment in human capital: education and health over the long term. But we have been doing that for many years and we still have the same number of poor people. I look back over 50 years, since I first became aware of governance in Colombia, and nobody has really attempted to shift the paradigm [...] And you can see there that the concentration of land continues to rise and is probably the highest in the world. The land co-efficient index with respect to land is probably the highest, about 0.8 per cent or so [...] one of the highest in the world (Arboleda interview 2009).

The Colombian government's agricultural policies since the mid-1990s need to be examined within processes and practices globally. There has been a particular focus on business development, especially industries with higher growth indexes such as African palm oil, sugarcane and cocoa. The policy changes this new model demands include the allocation of more resources to agricultural entrepreneurs. However, according to Absalon Machado this policy also results in greater inequality (Machado interview 2010):

The model mistakenly seeks to provide more support to those who in the government's eyes have enough economic viability to remain productive and are able to compete. A lesser amount goes to small producers, who only receive resources designated to projects with no developmental impact (Machado interview 2010).

As well as fostering inequality, Machado argues that these policies are also flawed in the sense that they focus public investment exclusively on the market, to the detriment of the rural population's requirements and the need to invest in public services. He claims that 'the state does not see [members of] rural society as economic, social and political entities'. He views this lack of attention to the rural population as a threat to Colombia achieving development and democracy: 'In order to develop a good market, it must be founded upon a strong and organised society. The state in Colombia has not only ignored social needs, but it has completely neglected the concept of rural society. It is not clear that democracy in this country can be based solely on urban society, but rather it requires the protection and participation of all' (Machado interview 2010).

Indeed, a holistic examination of government policy on rural development implies that there is a preference for *campesinos* to be labourers in the agro-industrial sector rather than subsistence or other smallholder farmers, even if this means that they lose access or ownership of their land. Some have enunciated this notion quite clearly:

The ex-Minister of Agriculture, Arias¹²⁰, [...] used to say *campesinos* are not able to make the land productive and make a living out of it. They should be labourers.

¹²⁰ Andres Felipe Arias was Colombia's Agriculture Minister from 2005 until 2009, when he resigned after being implicated in a major ministry scandal regarding the misallocation of government funds. In July 2011, a Colombian judge found him "preliminarily guilty" of embezzling USD 25 million in agricultural subsidies through *Agro Ingreso Seguro* (AIS), a government programme charged with providing subsidies to struggling farmers (Colombia Reports 2011). Allegedly, some of the beneficiaries of the illegal payments

He has made that reasoning explicit, and this is the kind of thinking that is behind the policies. I have been very surprised by this development, because one of the main tenets of Uribe's policy was 'a country of landowners'. I thought he really meant that people would be able to have [their own] assets, and that the big development in the country was going to be ownership for all. But that hasn't happened, either in urban or rural areas. [...] So he goes for big business. If you look at the way they have been using the state revenues, it's very clear. They have tremendously increased subsidies for the poor. [...] The President talks about democratic security and social cohesion. I believe that in practice, if not in theory, social cohesion has meant distributing subsidies among poorer people out of what rich people pay in taxes. When you look at the large programmes, some of which are financed by the World Bank such as Families in Action,¹²¹ they are pretty successful and the benefits are undeniable. But I think that the mentality persists that poor people are supported by the state and rich people are the ones who make the country's wealth (Arboleda interview 2009).

It may require legislation for the compulsory purchase of land, but this would be a justifiable way to use this huge amount of land more productively. It could be used to expand the production of palm oil and sugar cane (Fiduagraria interview 2009).

were providing the former minister with financial support for his (unsuccessful) presidential bid in 2009 (The Economist 2010a). This scandal and its implications will be discussed further in the next section of this chapter.

¹²¹ Families in Action (*Familias en Accion*) is one of three programmes run by the Colombian government as part of the Social Support Network (*Red de Apoyo Social* or RAS) and is financed by a loan from the World Bank and the Inter-American Development Bank. It comprises cash transfers to poor families conditional upon children attending school and meeting basic preventive health care requirements. Such transfer programmes are also aimed at the short-term reduction of poverty.

There seems to be little institutional consultation with *campesinos* (including returnees) about how they wish to be economically active. They are not allowed to participate in discussions about the future of the rural economy, or indeed about their own livelihoods.

What would the *campesinos* plant? There is the problem: nobody asks them whether they want palm or not. So there is no agreement which says: “If you want to work the palm we can negotiate some terms. For example, give us a percentage of the production earnings”. No multinational company would agree to negotiate with the local people. Maybe not so much the multinational companies, [that operate] more within a business logic of unbridled capitalism [...]. If only they came with a rationale of “ok, let’s sit down and negotiate... you will work, but we can also leave improvements, infrastructure, job security, health and education”. These have not been done with the palm (UNHCR interview 2 2011).

To conclude, while successive governments have introduced legislation that extends land rights to marginalised groups, this has not necessarily led to these rights being respected in practice. The government’s narrative about supporting rural communities through wealth-distributing development programmes is called into question by the dearth of availability of such programmes and worsening levels of inequality. Furthermore, the government has been unable or unwilling to carry out reforms that would allow for more visibility and a better understanding of land usage and ownership and taxation, thus hindering identifying which specific reforms might be appropriate. This all points to the weakness of the state in curtailing the power and influence of large landowners and other powerful interest groups. It also highlights the lack of consultation and participation of *campesinos* and a widespread assumption within government and the private sector that *campesino* livelihoods need to be ‘developed’ or modernised.

Institutional corruption and Las Pavas

The support and assistance that the Colombian government has provided to the companies and investors that seek to expand palm oil cultivation has been taken to a different (and illegal) level by some individuals and departments in government. While political scandals involving the misappropriation of public funds are not rare in Colombia, this section will examine one now infamous example whereby funds from the Ministry of Agriculture that were intended for *campesinos* were instead channelled to private investors. While these activities apparently involved highly corrupt practices at a senior level, they were also grounded in a traditional agro-economic dogma that, this chapter has argued, the policies of the Colombian government lend their support to. By examining the literature (and some interview discussions) around the case of the community of La Hacienda de Las Pavas (hereon referred to as Las Pavas), this section will then illuminate the displacement impacts of such practices and identify some key issues that will be examined further through fieldwork conducted among other communities.

A major source of government funding that was supposed to provide financial loans to struggling *campesinos* was the *Agro Ingreso Seguro* (AIS) (Agriculture Guaranteed Income Fund) programme from the Ministry of Agriculture.¹²² In late 2009, a corruption scandal was uncovered involving the misuse of public resources by the AIS. This case warrants closer scrutiny here, given the programme's role in illegally supporting palm oil expansion. This section will also examine the displacement of the community of Las

¹²² In January 2007, the Ministry of Agriculture established the AIS with the aim of protecting local producers, as well as to improve the overall competitiveness of the agricultural sector.

Pavas, which was linked to the AIS scandal and is revealing in terms of how institutions of the state responded.

The AIS was established in 2007 to promote productivity and competitiveness, and reduce inequality by supporting struggling *campesinos*. Instead, AIS was providing substantial government subsidies to a small number of families which owned palm plantations, some of which have subsequently been identified as being on land acquired illegally and to be linked with paramilitaries and former paramilitaries (CIP 2009). It subsequently came to light that some of the beneficiaries appeared on the Clinton List (Ferrero interview 2010).¹²³ It has since come to light that just 1 per cent of the agriculture and livestock sector received 71 per cent of the discounted credits (Independent Mission 2010). Marco Romero argues that the minister's actions legitimised an older model of corruption which privileged the rich. He cites another example, the case of the Hacienda Carimagua in the Llanos Orientales. Here the government initially offered the land to displaced people. But when these people tried to formally claim the land, the government argued that they did not have the technology or the capital to exploit the *hacienda*. Instead, the land was given to a large company to produce pork on an industrial scale (Romero interview 2009).

In general, we have a society that has neglected its rural sector, ignoring how important it is for present and future development. This has enabled the government to treat it as wanting. Processes such as Agro Ingreso Seguro cannot be blamed for

¹²³ The 'Clinton List', officially known as the Specially Designated Narcotics Traffickers (SDNT) list, was created in October 1995 by Executive Order 12978 issued by US President Bill Clinton as part of a series of measures to tackle illicit drugs and money laundering. Issued by the Office of Foreign Assets Control (OFAC) of the US Department of Treasury, it comprises a list of companies and individuals linked to narcotics and money laundering.

what has gone wrong with the rural sector. These are just manifestations of the society's vision and the state's actions (Fiduagraria interview 2009).

Las Pavas is perhaps the most controversial and publicised case linked to the AIS scandal. Given that this particular dispute has been extensively scrutinised and written about, it was excluded from this study as a potential case study for fieldwork. However, the details of the case are worthy of comparative examination.

Las Pavas is located in the district of Buenos Aries in the El Peñón municipality in the south of the department of Bolivar and situated in the Magdalena Medio region. In 2003, following threats from paramilitaries, the *campesinos* in Las Pavas were forced to abandon the land on which they lived, returning only in 2006 when they thought it was safe to do so. In mid-2006, the community, through their co-operative (*La Asociación de Campesinos de Buenos Aires* - ASOCAB), submitted a legal claim for the land titles to these *baldios* in accordance with Colombian law, thereby intending to protect themselves from further displacement. As part of this process, INCODER visited Las Pavas in June 2006 and confirmed that the land was being worked and 'improved' by the community, as required for the transfer of ownership. The same year, but subsequent to the *campesinos*' application, a group known as the Labrador Consortium (comprising of C.I San Isidro and C.I Tequendama S.A, the latter being a subsidiary of the Daabon Group) sought to purchase five plots of land totalling 1800 hectares in Las Pavas. In August and September 2009, several media reports alleged that the Daabon Group - one of the country's main palm oil exporters and a key supplier of The Body Shop¹²⁴ - was

¹²⁴ The Body Shop is a multinational company that produces and sells 'beauty products', many of which contain palm oil derivatives.

responsible for the displacement of 123 families from Las Pavas.¹²⁵ This displacement (or eviction as the company referred to it) was precipitated by a particular family (called Davila) who alleged that they possessed the titles over these lots, and as result the police evicted the *campesinos*. Demonstrations in protest against the evictions took place in Colombia and Europe and campaigns against these alleged actions were launched by media outlets and NGOs, such as Christian Aid (Christian Aid 2011; The Observer 2009). The international media interest was largely due to the connections with The Body Shop.

The tension and publicity was heightened in this particular situation because the family received subsidies from AIS in order to grow African palm oil on the disputed land.¹²⁶ This led to questions about the transparency of the government intervention in regulating the relationship between these parties, when the eviction was carried out against the wishes of the Ombudsman's office, the Attorney General and the local mayor's office. Even a position of non-intervention by institutions of the state has consequences which favour one party in the conflict over the other: '[The government] does not act. Apparently it is impartial in the dispute. It simply ignores the situation and allows the issue to play itself out. And the people are evicted' (UNHCR interview 2009).

On 6 May 2011, the Constitutional Court ruled that the actions leading to the forcible eviction of the Las Pavas farming community had been illegal and ordered that the Colombian government should guarantee their rights to land. The ruling (T-267 of 2011) obliged the Colombian government to re-open the process that the community began in 2006 to have their legal claim on the land acknowledged. The Court also declared that

¹²⁵ See 'Fedepalma y el reportaje sobre Las Pavas', *El Espectador*, 7 August 2008; 'Sobre el desalojo en Las Pavas', *El Espectador*, 8 August 2008 'Body Shop accused as farmers are evicted to make way for palm oil', *The Observer*, 13 September 2009.

¹²⁶ The family received over 2200 million COP (1,750,000 USD) in non-refundable AIS subsidies for 'irrigation and drainage projects' (Cambio 2009).

the families cannot be evicted from Las Pavas until the process to establish ownership has been finalised (ABColombia 2011).

The Body Shop and Christian Aid jointly commissioned a study to examine the circumstances of this complex case and make recommendations. The report of the Independent Commission was critical of INCODER for its handling of the dispute. The report claimed that government institutions generally sought to lower their (already minimal) profile in the dispute which exacerbated the polarisation of the debate. Significantly, the report concluded that the fragile ecosystem of the region is unsuited to the production of palm oil on any significant scale. It therefore recommended that the cultivation of palm oil in the region should cease altogether. Given Colombia's biodiversity and the heterogeneity of environmental conditions, it argued that generic legislation for the cultivation of monocrops in all regions of the country is not appropriate. It recommended that independent environmental and social impact assessments should be conducted before any new palm oil cultivation projects begin (Independent Commission 2010: 69).

The case reveals 'a model of governmental intervention that is based upon militarisation and the promotion of private investment. This approach has a negative impact on the social, economic and cultural rights of those who live in the territory' (Independent Commission 2010: 70). The focus is on security to facilitate investment and then further security to ensure it continues. 'This generates institutional vacuums that could end up contributing to human rights abuses.' The government fails to intervene to protect human rights and companies do not comply with standards of good practice (Independent Commission 2010:70). The Body Shop terminated its relationship with Daabon in October 2010, claiming that the company had not done enough to improve their

operational procedures in a timely manner (The Body Shop 2010). In June 2011, the Constitutional Court of Colombia ruled that the land should be returned to the *campesinos* (RCN 2011).

The case of Las Pavas raises interesting questions about the ability and capacity of government institutions (notably INCODER) to play a regulatory and mediatory role in land disputes between *campesinos* and more politically and economically influential actors. It also underlines the difficulties in defining what constitutes displacement as opposed to other forms of involuntary movement such as dispossession (or eviction). These distinctions are manifestly important to all actors involved and are thus worthy of greater scrutiny.

Displacement, dispossession or abandonment?

The Colombian government's conceptualisation of what constitutes internal displacement is apparently dependent upon the identity of the actor responsible and whether or not the act took place within the context of the civil war. The extent of exclusions implies that only the guerrillas are, according to this interpretation of the definition, capable of conducting government-recognised displacement. Given this lack of resonance with international norms related to displacement and the extent of sensitivity about what constitutes 'displacement' (and the numbers affected) in Colombia, this section suggests that an alternative taxonomy would provide a more functional (and analytical) framework for examining involuntary movement.

Juan Pablo Franco of the governmental department with primary responsibility for internally displaced persons, Acción Social, argues that there is no direct link between agricultural production and displacement in Colombia: 'No, there is no link. What we say in government, is that we do recognise that there is forced displacement in which

agricultural production of palm oil could be one of many factors in the context of armed violence. What displaces people in terms of the legal framework and reality in Colombia is armed violence. There is no displacement when someone buys land and cultivates palm oil' (Acción Social interview 2010). He went on to explain that while a specific act may be regarded as displacement by some, it would not necessarily be classified as displacement in Colombian law:¹²⁷

There is a grey area. Given how we define displacement [in Article 1 of Law 387], this means that we have to be very careful. Even though the definition is broad, there are some limitations. So if you were to say that a former paramilitary or [a person linked to] BACRIM is displacing people in Chocó, one might argue that it is displacement as defined in Article 1. It is [occurring] in the context of generalised violence and there is an armed group - with a structure - which is trying to control territory. So it is displacement. But we would not necessarily say it was displacement, or it would fall under the grey area. [For example] if it was an entrepreneur who resorted to using an armed group to achieve particular economic goals and people are being displaced in this way. [...] This is not displacement under Article 1 (Acción Social interview 2010).

This government official provided other scenarios occurring in the country where he acknowledged violent coercion is going on, but people's decision to flee is not recognised

¹²⁷ As discussed in Chapter 2, on 18 July 1997 the Colombian Congress passed "Ley 387" (Law 387) defining an internally displaced person and his/her guaranteed rights: 'A displaced person is someone who has been forced to migrate within the national territory, abandoning his/her place of residence or daily economic activities, because his/her life, physical integrity, security or personal liberty has been violated or directly threatened, within the following situations: the internal armed conflict, disturbances and internal tensions, general violence, massive human rights violations, infractions on International Humanitarian Law (IHL), or other circumstances arising from the prior situations that can alter or disturb public order' (Law 387, Title 1, Article 1 [1997]).

as displacement by the Colombian government. He also conceded that illegal armed groups are financing themselves with legal agricultural activities:

What also happens is that people are coerced to sell their plots. You might say that 'social coercion' is happening. There is development and new crops, with large companies moving in. Or it could be armed coercion, with someone paying [for people to be displaced]. It happened recently in San Bernardo del Viento [in Córdoba]. A community was displaced due to the killing of one of their leaders by a hitman. It was not part of the general context of violence, so they say. I don't have the evidence for this. It has been alleged that one of the big agricultural entrepreneurs in the region hired an ex-combatant from the paramilitaries to kill one of their leaders and then force them to sell their land. But would you call it forced displacement in the sense of Article 1? It was a particular event. There is a victim and a homicide, and I am not denying the event took place. But it is for us in the system to decide if this particular event is part of a broader dynamic of armed violence, in which land – as in other armed confrontations - is one of the resources used to control social order and control the territory (Acción Social interview 2010).

Juan Pablo Franco (from Acción Social) recognised that armed groups may be contracted or otherwise convinced to displace people from their land. He also acknowledged that armed groups are increasingly laundering money through legal economic activities, such as palm oil, gold mines and forestry. 'They now have more sophisticated practices and are resorting to a mixture of legal and illegal means to finance their activities. So agricultural projects are one of many tools used to control territory in the context of armed violence' (Acción Social interview 2010).

Central to the government's understanding of what constitutes displacement is the identity of the perpetrator; and that they are acting within the context of the armed conflict: that is to say, organised political violence. The groups that are included and excluded from the government's interpretation of internal displacement are discussed in Chapter 2. As earlier excerpts of this chapter demonstrate, numerous other key actors (working in both national and international organisations) that are familiar with these issues in Colombia tend to conceptualise displacement in broader terms. Some respondents questioned whether other, alternative forms of land transference were also taking place, such as land dispossession. For one key informant, there is at least 'displacement of ownership' of the land by palm oil producers, even if it is not displacement of the people themselves. He states that this is being orchestrated by large producers who believe that they can do a 'better job of making non-productive people and lands profitable, such as by making rural people become employees' (Arboleda interview 2009).

Attaching the label of 'displaced' to affected people, depending upon how the land is subsequently used was not a distinction often made by respondents outside of government and some of the international organisations (such as the World Bank) interviewed during the course of this research. But it is worth noting that some of the other respondents advocated the compulsory purchase or transfer of land to new ownership for the purposes of (presumably among others) palm oil cultivation, based on the notion that this is a more efficient use of the land.

In the case of some Afro-Colombian communities in Nariño, it seems clear that they have been dispossessed of ownership and access to some of their collective territory. But this dispossession has not necessarily been accompanied by displacement. According to a

UNHCR informant, the palm oil company simply informed the community that they no longer had access to a section of their collectively-owned territory. The company argues that [the palm oil] is providing employment opportunities. But there was no negotiation or consultation with community members about the way jobs should be allocated. As a result, the palm oil company is in conflict with the community. He concludes that 'the palm plantation is not a bad thing *per se*; the problem is the way palm planters impose their presence on the land' (UNHCR interview 2 2011).

In other cases, ownership of *campesino* land is being transferred to a private company or an investor following a financial transaction. Such transactions have increased significantly in recent years and sometimes involved land that was not initially anticipated by the government as being part of the land market, as several respondents pointed out:

In other areas, such as in Cordoba, UNHCR are starting to document a process whereby lands are being sold to facilitate certain types of projects (cattle, agricultural crops). Beforehand, these lands were unsellable because they didn't have any titles of ownership. Ownership of these lands came from very old processes (over 30 years ago) where, due to agreements with the government following agricultural reforms, were never underwritten and therefore could not be sold. Today the communities can get the titles to these lands. And as soon as they do so, they sell them. This effect was not foreseen. The intention was to establish the title to legal ownership. But instead it has created the opportunity to sell land. These are effects that could have not been imagined ten years ago (UNHCR interview 2009).

I think that there is an economic displacement factor in Colombia today, which has

been somewhat overlooked by the emphasis on forced displacement (which is also pretty big). But part of this forced displacement has the same motivation as the economic displacement, but where you don't necessarily compel people [to leave their land] with arms. Instead you pay a relatively good price or you use pressure in an indirect way to compel people to sell their land. This is more what I see with the land issue in the context of economic displacement and macro-projects. There is a lot of it going on in Colombia (Arboleda interview 2009).

Some now want to sell their land. You might say [to them] that you are selling the land too cheap. You are not being paid what it is worth. But people wish to sell. A good example would be the big agricultural projects in Montes de Maria. People are now saying that they are going to sell their land voluntarily. Should we try to convince them not to sell their land if they are going to gain economically by selling it? (Acción Social interview 2010)

In attempting to determine whether people have sold their land voluntarily or whether illegal displacement has occurred - or alternatively an act that might be characterised as being in between the two - an important consideration would be to determine the nature and extent of any illegal coercion. It might be the case that land has been sold at significantly lower than its market value. This may involve people taking advantage of someone else's financial misfortune, but that in itself does not constitute displacement or any other illegal act. But it does raise interesting questions of legality if an actor intervenes to manipulate the local land market as opposed to simply benefit from the prevailing situation. The UNHCR's Andres Celis indicated that there was clear evidence to show that monopolies of agricultural products are established and manipulated by land

speculators at the local level, in order to apply pressure on the livelihoods of *campesinos* which may then encourage them to sell their land:

People sell [their land] supposedly of their own free will in the security and logic of a free market. What they forget is: 1) the productive interests of the family are not the same as those being proposed; and 2) many of these families have debts - acquired prior to their displacement - and are close to the foreclosure of their properties. Therefore someone takes advantage of this situation and offers to purchase at a lower than a fair price (below the market value). By accepting this, families would then at least receive something and cancel their debt. But in fact, [the buyers] are taking advantage of the communities' weaknesses. [In order to be able] to produce you need resources (capital) to invest in production. But these communities have nothing saved; and they have not managed to be productive in quite some time. Therefore they have no way of producing or selling in a market where no one is buying from them because there is a consolidated monopoly that determines which products are purchased in the region. This generates a weakness that is exploited by some actors and results in massive land sales in certain areas (UNHCR interview 2009).

The government has introduced measures which attempt to prevent these types of exploitation and displacement of *campesinos*:

Their land was protected, not through collective but individual land rights. Montes de Maria was the first big experience we had of protecting the property rights of displaced persons. So we have a specific policy instrument that works individually or collectively. But not on collective land, but with the community collectively. When people are displaced, or are at risk of being displaced, the legal title is frozen

so that no one is able to do anything with that [land] title (Acción Social interview 2010).

A recurring theme in the interviews conducted with a broad range of key informants in most governmental institutions and the private sector - as well as in some international and civil society organisations - was the view that 'palm oil *per se* is not the problem'. Rather, that the problems associated with it, particularly displacement, were as a result of poor implementation procedures.

The problem is not the palm. I don't believe that's the problem. The problem is the lack of involvement the *campesinos* are allowed to have in the project design. [Alto Mira] is the perfect example, [though] there are more examples in other parts of the country. That's why the problem is not the palm *per se*, but the politicians here need to understand that black people and the indigenous - who are part of Colombian society - are usually the most affected (UNHCR interview 2 2011).

For me, the overall conclusion one reaches is that land, and its usage for agricultural production – in this case for example for large-scale palm oil production – is used as a tool in the context of armed violence. To control the land is to control the territory. If they do not have [control over] the land they can resort to other tools: violence, extortion, displacement. It is not that palm oil is displacing people, but rather the context in which palm is being grown. Palm oil is one of many legal (and illegal) products which have been caught up in a broader dynamic of armed confrontation. There is not just one dynamic in relation to palm oil. It is highly politicised. It is a shame because [as a result] economic actors avoid palm oil. It is seen as toxic (UNHCR interview 2009).

The discussion is not the palm or the project itself. For us, the discussion should be about how a country establishes a transparent process for people to engage with the land and production in a fair and participatory way. We do not advocate that palm is wrong. What actually is wrong is the process and how this process is regulated. [...] The government is generating incentives to [apply] pressure. And I believe we can see that the government is taking advantage of the weakness of the population to generate these transformations. We view this as: 1) Unacceptable within a mandate based upon the restitution and protection of the rights and liberties of the population. This is how liberties are affected and how [people's] weakness ends up being taken advantage of. 2) It is not an issue of whether it is legally acceptable, but rather if it is appropriate to proceed in such a manner. The violence that has been generated by these pressures and the consequent transformations in rural areas has resulted in the diminished presence of communities and a lower organisational capacity within these [remaining] communities. This reduces the transactional costs for whoever wants to invest in these territories. This generates and facilitates incentives that could give rise to new conflicts, considering what has occurred historically in the country and given the fact that people believe (rightly or not) that this is the actual cause of their displacement (UNHCR interview 2009).

Among respondents that expressed a belief that palm oil cultivation was not intrinsically 'the problem', several people cited examples of good practice. The region almost universally mentioned in this context was Magdalena Medio. Some of these interviewees also argued that the principal palm oil company operating in the region, Indupalma, was beyond reproach:

So you have three models. [There is] a traditional model in southern Cesar and Santander, led by Indupalma. A very good model, well known in Colombia and respected for its social sensitivity. The model in Los Llanos Orientales involves national businessmen that purchased vast extensions [of land] and now plant on an industrial scale. And then there is the model in the plains of Bolivar, where palm was non-existent. [...] This is a new model, the owners of which are unknown. [...] There are regional differences in the production model. For example, in the southern Cesar region (around San Alberto, Aguachica, San Martin and Puerto Wilches) there is an industrial model focused upon farmers. Indupalma and other large companies have never been accused of any wrongdoing. These companies have been in production for over 50 years and they have a programme, presented at the [Rosario] University, in which the farmers become the owners of the land upon which they work and they sell the produce to the processing plant. [This is] something similar to the small wine cooperatives in the Mediterranean. [...] A good and modern model. That is the system implemented by companies like Indupalma: a well respected company, an old company, managed with a social perspective (Bonnet interview 2009).

I could provide you with examples to counteract that assessment and where African palm production has generated a lot of benefits, such as in the case of Indupalma in San Alberto and that area. This is an example of a project that has been developed with the support of the World Bank in the Magdalena Medio region and which is what we call the *palma campesina*. We're not talking about a huge amount of land, but just an indication that palm *per se* does not necessarily imply displacement or impoverishment of people, because in these cases you have rural people for whom palm oil is extremely beneficial. It is more about the way it is handled and

managed than the product itself (Arboleda interview 2009).

In summing up, it is clear that the Colombian government defines internal displacement in a highly restrictive manner and excludes situations that might be recognised as ‘displacement’ within the UN’s conceptualisation, as outlined in the Guiding Principles. For example, land dispossession and abandonment which occur as a result of efforts to expand palm oil cultivation would almost certainly not be recognised as ‘internal displacement’ by the government authorities. Government officials interviewed did recognise that people are involuntarily leaving their land and that this is sometimes accompanied by coercion, violence, targeted killings and/or land dispossession. It becomes apparent that government officials are more willing to acknowledge that numerous various types of violence and illegal practices are prevalent, but is highly adverse to categorise acts as being ‘internal displacement’. The term seems to be a loaded one.

A wide array of respondents stated their belief that ‘palm oil itself is not the problem’. This view was not only expressed by representatives of the government and the palm oil industry, but also by some representatives of UN agencies, civil society organisations and academia. Many argued that the method of implementation was the problem, especially the lack of consultation and participation that involved *campesinos*. Some were eager to emphasise that there are significant regional differences and examples of good practice.

Conclusion

This chapter has used empirical research including fieldwork to further examine understandings of displacement logics and mechanisms from the perspectives of various stakeholders, mainly in Bogotá. Central to the government's definition of what constitutes displacement is the identity of the perpetrator; and that they are acting within the context of the armed conflict: that is to say, organised political violence. As a result, the government argues that involuntary movement of people from their land for the purposes of cultivating palm oil there does not constitute 'displacement' in Colombian law, even when it is illegal and accompanied by violence. Moreover, interviewees representing several organisations suggested that such land acquisitions might not always be classified as displacement under the UN definition outlined in the Guiding Principles on Internal Displacement (see Chapter 1). This further supports a central argument of the thesis: a more useful conceptual classification of involuntary movement than 'displacement' would be a continuum that comprises dispossession and abandonment, which together capture a broader range of processes. This calls for a better understanding of the extent and types of illegality and coercion that are employed. The next chapter will explore these processes at the local level by examining how local actors, including *campesinos*, articulate their experiences of palm oil expansion.

It seems clear that different models of palm oil expansion and production are being implemented in different regions of the country. Several respondents argued that palm oil is not the problem *per se*, but rather difficulties arise due to poor processes of implementation. Several informants claimed that there examples of good practice in terms of palm oil industry-*campesino* relations and cooperation, notably in Magdalena Medio. Some other regions were identified as being more problematic. But few respondents argued that there were serious palm oil-related human rights problems in Colombia's

regions – such as violent displacement – apart from in Chocó. The next two chapters test this assertion by empirically examining the local context in two other regions of the country: Magdalena Medio and Nariño.

Chapter 5: *Campesino* resistance to displacement

Introduction

While the previous chapter examined the policies and practices of the state through an exploration of the perspectives of senior personnel in governmental and non-governmental institutions at the national level, this chapter will examine the experiences and perceptions at regional and local levels. By researching and interviewing a broad range of actors - including UN organisations, civil society, local government, the private sector and *campesinos* – it seeks to give voice to those local level actors linked to palm oil production, as well as those allegedly linked to violence and displacement. This chapter is the first of two that includes some analysis of the experiences of *campesino* communities whose lives have been directly affected by African palm oil, and explores how they have responded. In this regard, this particular chapter mainly focuses upon communities that have resisted attempts to push them into abandoning their land or have resisted efforts to dispossess them of their land, so that it could be used for palm oil cultivation. Based upon interviews conducted with community members and an array of key informants in two regions (spanning four departments) of Colombia, this chapter argues that local experiences and perspectives about palm oil-related displacement differ markedly from the ones presented in the last chapter.¹²⁸ In particular, communities and representatives of those organisations working with them (as well as other informed observers) contend that they are being threatened with displacement so that palm oil can be cultivated on their land; and this is occurring at the behest of private sector actors and government institutions that were not recognised as been linked to such processes. As

¹²⁸ Key informants at the regional and local level mainly comprised of representatives of organisations that worked closely with the communities, provide some form of assistance and/or protection.

well as outlining these discrepancies, the chapter seeks to explore the significance of these alternative narratives. Regrettably, the palm oil private sector and local government officials were generally unresponsive to repeated requests to be interviewed. Some of those that did respond referred the author to officials based at head offices in Bogotá, where some follow up interviews were conducted.

The chapter examines these communities as two separate geographic regions: Magdalena Medio and Nariño. The thesis makes no attempt to compare these regions. The differences between them are numerous and substantial, and the purpose of conducting research in two dissimilar regions is to illuminate the complexity and diversity of actors, mechanisms and logics of displacement processes in Colombia; and how these divert from prevailing explanations. In particular, land rights legislation differs substantively between the regions; the population groups affected differ in significant ways; and the intensity of armed conflict and prevalence of armed actors is regionally specific. Moreover, as outlined in more detail in the methodology section of Chapter 1, for practical and security reasons it was not possible to conduct research in both regions in equivalent levels of depth.

This chapter begins by examining the region of Magdalena Medio. In-depth interviews and focus groups were conducted with representatives of five communities (located in the departments of Bolivar, Cesar and Santander) in this region. Semi-structured interviews were conducted with key informants from the UN, the Catholic Church, NGOs, PDPMM and government officials.¹²⁹ The second region studied is the department of Nariño, where representatives of some 14 communities, as well as key informants, were

¹²⁹ For reasons that will be made apparent, three of the communities are examined here and the two other in Chapter 6.

interviewed. As explained in Chapter 1, the security situation in Nariño was such that it was not possible to visit the communities at the time. Instead, interviews were conducted in secure locations in two urban centres: Pasto and Tumaco.

Magdalena Medio

Economic modernisation and colonisation

The region of Magdalena Medio has long made a vital contribution to Colombia's national industrial and large-scale agricultural output. As such, it has been crucial to the project of statebuilding and modernisation. But the region has also been central to the *colono* experience: displaced and landless peasants settled on its unoccupied, public lands in large numbers from the early 20th century. It was also the region where prominent social resistance and insurgency (and later irregular counter-insurgency) groups first emerged. The culmination of these factors laid the foundations for the violent contestations that were to follow.

Magdalena Medio is a mainly valley region located in the northeast of Colombia, with its axis along the Magdalena River. On average, it spans 120 km wide and is 300km in length north-to-south covering some 30,000 square kilometres, with a population of about 800,000 people (de Roux 2006). Magdalena Medio is not a single political-administrative entity but a region comprising 30 municipalities spread across four departments (Antioquia, Bolívar, Cesar and Santander). In spite of being highly diverse, these mainly rural municipalities share some characteristics: their proximity to the Magdalena River; the important role that the petroleum oil industry plays; and a protracted history of violence and displacement. The region has long been characterised by poverty, intense violence and little state institutional presence (World Bank 2002). The only significant

form of state presence in the region historically has been that of the army (Barreto Henriques 2007: 4).

Four related factors have played a key role in Colombia's process of modernisation and statebuilding: coffee exports, industrialisation, international capitalist relations, and new infrastructure (notably roads, railways and ports) (Murillo 1999:49). The Magdalena Medio region made crucial contributions to this process during the first half of the 20th century. In particular, this was achieved through the construction of a railway through the region, the establishment of the petroleum oil industry, and the influx of *colonos* to work in the expanding coffee industry. For much of the modern period, Magdalena Medio has been a peripheral region, an internal colonisation frontier.

It might be argued that the beginning of petroleum oil exploration corresponded to the first case of violent colonisation and displacement in Magdalena Medio in the modern period. When exploration began in the region in 1917, the indigenous communities resisted the expropriation of their land until they were all dead or had fled. According to Father Eliécer Soto Ardila, the Director of Pastoral Social of the Catholic Church in the region, 'the government fought against indigenous people and exterminated them in order to enter the oil zone. That was the first case of land dispossession and the indigenous community was the one displaced along with a number of *colonos*' (Soto interview 2011).

Magdalena Medio plays a strategic role in the generation of national wealth, and represents an attractive proposition for investors. The principal industries in the region are petroleum oil, cattle ranching and palm oil cultivation. Some 70 per cent of Colombian crude oil is refined in Barrancabermeja, the region's largest urban centre. The region has an abundance of natural resources, including emeralds, petroleum oil, timber,

water, gold and coal.¹³⁰ The agro-industrial sector in the region is also significant on a national scale. Magdalena Medio produces 27 per cent of Colombia's palm oil (the most important agricultural product in the region), 44 per cent of its cacao, and 6 per cent of its rubber (Castro 2010).

The river valley parts of Magdalena Medio are dominated by the petroleum oil industry, extensive palm oil production, cattle ranching and large estates. The hillsides and mountainous regions are characterised by a smallholder *campesino* economy. Typically, the *campesinos* grow cocoa, red beans, rice, tropical fruits and coffee. The coca production of the region also tends to be concentrated in these areas. These more remote areas are largely underdeveloped with little infrastructure, poor communication routes, and are poorly served by state institutions.

Magdalena Medio provides key transit routes with the Atlantic coast and Venezuela, making the region important for traders and narco-traffickers. While Magdalena Medio is not one of the principal regions for coca leaf production, it has some significant plantations.¹³¹ Coca has been cultivated there in significant quantities since the 1980s, representing about 8 per cent of national production, mostly grown in small parcels of one to five hectares.

Since the 1990s, the guerrillas and paramilitaries have been substantively and competitively engaged in controlling coca production and distribution. Given the combined impact of the region's strategic location, the presence of the petroleum industry, coca production and the prevalence of productive agricultural land, it has been

¹³⁰ The San Lucas mountain range in Magdalena Medio spans some 1,500,000 ha, and is considered one of the principal gold deposits in Latin America. There are important deposits of coal in Landázuri and el Carmen de Chucurí, dispersed over some 137,000 hectares (Castro 2010: 88).

¹³¹ The production of coca in the region is mainly located in the South of Bolívar (principally in the municipalities of Santa Rosa, San Pablo, Simití, Arenal and Cantagallo), where 70% of the crops can be found (Castro 2010).

the scene of intense conflict between the guerrillas and paramilitaries since the 1980s. The level of killings and displacement of the civilian population peaked in 2000, as the guerrillas and paramilitaries fought for territorial dominance and therefore control over the cultivation and transportation of coca. This coincided with the region's peak in coca production: some 10,832 hectares. Since the early 2000s, there has been a marked reduction in coca production, to approximately a quarter of what it was (de Roux 2006).

Despite the wealth of resources there is widespread poverty in the region, especially in rural areas. Some 70 per cent of the population is classified as being in poverty, a figure well above the national average of 45 per cent (SCAR 2012). Deep socioeconomic inequalities in Magdalena Medio, including the concentration of capital and land, have increased since the 1990s. Some argue that the principal cause of inequality and poverty in Magdalena Medio is the dominance of an enclave economy. The incomes generated by the extractive and agro-industrial activities that dominate the regional economy tend to leave the region and create little revenue for the local inhabitants (CDPMM 2001: 5). The region produces less than 10 per cent of the goods and services it consumes, which consequently must be imported from outside the region. This disparity in the productive and distributive processes not only demonstrates that the majority of the population is excluded from the productive process, but also that local people do not benefit from the profits generated from the region's resources (de Roux 1996).

The main phase of *campesino* colonisation in Magdalena Medio occurred in the early 20th century. Commercial land transactions tend to be conducted by customary practices based upon verbal agreements and through the use of witnesses. Much of the land that *colonos* settled on was *baldios*: state-owned land for which private titles of ownership have not been secured. This means that their continued occupancy of these lands is legally

vulnerable. In response to this widespread issue, the government set up the Rural Development Statute (Article 177), a procedure whereby the occupant of land can become the owner if it can be shown that the land has been used productively for at least the preceding five years and the land has been ‘improved’. However, as discussed in the previous chapter, this policy faces obstacles which limit its effectiveness: first, *campesino* occupants are often poorly informed about their rights; second, tenure regulating institutions are ineffective due to bureaucracy and corruption; and third, the armed groups tend to oppose the process of titling (Castro 2010: 222).

Magdalena Medio has a strong historical background of social mobilisation during the 20th century. During the *Violencia* period, it was one of the key regions of colonisation for the uprooted population of mainly Liberal Party supporters. The influence of liberal ideas might be considered as a source of the resistive and ‘rebellious’ tradition that the region has subsequently been associated with (Murillo 1999:54). The presence of the petroleum oil industry has fostered a strong proletarian movement and labour struggles since the 1930s. There is also a lengthy history of *campesino* resistance to patterns of land ownership and persistent demands for more state public services (OPI, 2006:59).¹³² The violent struggle for control over territory and resources in this region during recent decades will be discussed in the next section.

¹³² The *marchas campesinas* during the 1980s are a notable example. *Campesinos* demanded greater access to land, but also for the right to life, the demilitarisation of *campesino* zones, basic public services for the population and the protection of national resources. It is against this background – of supporting and being supported by civil society in the region – that several initiatives of peace, civil mobilisation and development have been launched. These include *Comunidades de Paz*, the ATCC14, *Justapaz*, or the *Mandato Ciudadano para la Paz*, *Vida y Libertad*, as well as the PDPMM and the Peace Laboratory (Barreto Henriques 2007: 4-5).

Violence and displacement

The guerrillas' prominence in Magdalena Medio, and the influence of the political left broadly, was perceived by the paramilitaries as a threat to the private sector, landowners and sustained investment in the region. Magdalena Medio was a focal point of the upsurge in violence and displacement in Colombia that began in the 1980s. The region was heavily affected by violence and displacement from the 1980s and to the early 2000s. The region's economic wealth - notably the petroleum oil industry, other natural resources and the presence of large landowners - made it a military priority for the paramilitaries. By the early 2000s, the paramilitaries had marginalised the guerrilla threat and suppressed civil social organisations in the region.

Both the ELN guerrillas and the *Bloque Central Bolívar* paramilitaries have their origins in Magdalena Medio, an indication of the region's importance in the civil war. Guerrillas became active in the region in the 1960s, seeking to reform the prevailing economic model dominated by big companies, large landowners and outside investors. Beginning in the 1970s, the guerrillas carried out kidnappings, extortion and killings of cattle ranchers and industrialists. This had a detrimental impact upon the economy, as investors were deterred and farms were abandoned.

In response to the guerrilla threat, paramilitaries first became active in the region in the 1980s, financed by cattle ranchers, coca growers, and other land-owning/business interests. As a result, the guerrillas were displaced to marginal areas and there was an upsurge in private investment and economic growth. But this transition was also accompanied by widespread killings and displacement of the civilian population (Castro 2010:190). The conflict in the region during this period was rooted in a power struggle between the guerrillas and the paramilitaries aimed at seizing control over the region's

natural resources and strategic corridors (González 2004). Whereas the guerrillas tended to set up their bases in underdeveloped areas where the presence of the state was weak, paramilitary forces were active in areas that were relatively prosperous and where they enjoyed some local power. By the end of the 1990s, the guerrillas' territorial control was limited to the region's poorer hillsides and mountainous areas; while paramilitary forces dominated the valley of the Magdalena River and the municipal capitals, where economic and political power is concentrated.

Violence and displacement reached their highest levels in Magdalena Medio between 1998 and 2002. In 1998, the number and magnitude of armed group-led massacres escalated significantly.¹³³ This resulted in increasing numbers of people being forced to move in search of safer ground, usually in urban areas. Massacres aimed to spread terror among locals, displacing a large number of people from large tracts of land, which were then occupied by paramilitaries and drug trafficking networks. From 2002, levels of violence in the region diminished significantly. There were no massacres between 2003 and 2005 (DNP & PDPMM 2006). Subsequently, killings have been more selective and tended to target key individuals: union leaders, community leaders, land reform activists and prominent figures working in human rights and displacement issues.

Using statistics from Acción Social, Castro claims that 116,453 people were displaced in Magdalena Medio between 1994 and 2007, which is equivalent to 14.5 per cent of the population of the region, which was above the national average at the time (under 10 per cent) (Castro 2010:79). Between 2000 and 2002, 59,354 people were displaced. The level of violence and displacement dropped significantly during 2003 and 2004, probably linked to the ongoing dialogue between the government and the paramilitaries. However,

¹³³ In 1996, there were reported to be 6 massacres with 22 victims; in 1998 there were 11 massacres with 61 victims (the killing of 4 or more people is considered a massacre) (DNP & PDPMM 2006).

coinciding with the emergence of new irregular armed groups from 2005, following the formal demobilisation of the paramilitaries, levels of displacement increased again considerably: 34,180 people were registered as displaced between 2005 and 2007. These two three-year periods of high levels of displacement contrast somewhat with the six-year period preceding them – from 1994 to 1999 – during which less than 23,000 people were displaced (Castro 2010:79).¹³⁴ The number of displaced in the region steadily declined as the decade came to an end, although the numbers were still significant (see Chart 2 in Chapter 2).¹³⁵

Campesino resistance to palm oil cultivation

African palm oil is the most economically important agricultural product grown in Magdalena Medio, representing 3.1 per cent of the gross regional product since 2005 (Castro 2010:86). Palm oil production in the region began in the 1960s in the municipalities of San Alberto (through the Indupalma company) and Puerto Wilches (through the companies Bucarelia, Las Brisas and Monterrey). By the end of the 1980s, some 14,000 hectares had been cultivated in these two municipalities. There was a rapid expansion of the area under cultivation between 1994 and 2005, from 27,946 hectares to 64,630 hectares. It is projected that by 2020, the total area planted will be 142,000 hectares (an increase of some 78,000 hectares) (OIM - CDPMM 2006:83).¹³⁶

¹³⁴ This is not to suggest that this is not still a high level of displacement, as it clearly is.

¹³⁵ While Magdalena Medio has also been the recipient of people from outside the region during this period, overall the number of inhabitants has fallen; and increasing numbers live in urban rather than rural areas (Castro 2010:79).

¹³⁶ The region has eight industrial plants engaged in extraction with the purpose of selling the palm oil to domestic markets or exporting it unrefined. The processing of palm oil takes place outside the region in one of 19 refining companies, from where it is distributed to the marketplace (Castro 2010). In Magdalena Medio, the principle companies which are engaged in ‘strategic alliances’ with *campesinos* are: Fundewilches, Indupalma, Palmas Monterrey, Palmas Yarima, Promotora Hacienda Las Flores, Grupo Daabon and the Barrancabermeja’s regional technical service unit (UMATA). (The concept of strategic alliances is explained in Chapter 3).

The following sub-sections of the chapter will present the main findings from three of the five communities in Magdalena Medio in which fieldwork was conducted; the other two will be examined in Chapter 6. The first three communities can be characterised as being broadly opposed (or in one case divided) in their attitude to cultivating palm. The two communities examined in Chapter 6 (nos. 4 and 5 in the table below) are currently cultivating palm oil and are mainly in favour of continuing to do so. Some basic details about each of these five communities are presented in Table 2.

Table 2: Key characteristics of five communities in the Magdalena Medio region in which fieldwork was conducted.

Name of Community	Status of inhabitants	No. of inhabitants	No. of hectares	Economic activity	Legal status of land ownership	Palm oil planted	Attitude to cultivating palm oil
1. Puerto Carreño	<i>Colonos; campesinos</i>	25 families	270 ha of misc. crops	<i>Campesino</i> farming	<i>Baldios</i> : ownership contested by Indupalma	No	Negative
2. El Garzal	<i>Colonos; campesinos</i>	120 families	9,000 ha of misc. crops	<i>Campesino</i> farming	Baldios: ownership contested by local landowner	No	Negative
3. Monterrey	<i>Colonos; campesinos</i>	100 families	1600 ha of palm oil	<i>Campesino</i> farming	Privately owned: attempting to (re-)secure ownership, which is in dispute	Yes	Mixed
4. Las Pampas	Resettled displaced persons of mixed professions	70 families (potentially 125 in future)	1139 ha (including 800 ha of palm oil)	Palm oil cultivation	Legal access to land: ownership pending	Yes	Mainly positive
5. Vereda Candelia	<i>Campesinos</i>	50 families	500 ha of palm oil	Palm oil cultivation	Legal access to land: ownership pending	Yes	Positive

The experiences and perspectives of the *campesino* inhabitants of communities 1, 2 and 3, as well as other relevant local actors, will now be presented and examined in some depth. This fieldwork was conducted after, and in light of, the research findings of the

previous chapter. This allows for a comparison of the perspectives of national institutions with the experiences and perspectives of local actors, including *campesino* communities.

1. Puerto Carreño, San Alberto, Cesar

The community of Puerto Carreño in the department of Cesar is populated by some 25 families residing on some 270 hectares of *baldios*, land for which no party other than the government possesses legal titles of ownership. Each family tends a parcel between 1 and 12 ha. These *campesinos* are *colonos* who settled on the land many years earlier: the majority have lived on this land for decades. They claim to be displaced or landless people from various parts of the country. They have cultivated numerous types of fruit and vegetable products and are economically self-sufficient, albeit they are quite poor and lack some basic services. This community is in conflict with the palm oil company Indupalma, which owns most of the land surrounding them and also claims to own the land they occupy.¹³⁷ Community members say that they have been threatened with displacement for several years and have experienced violence and intimidation from paramilitaries and later from private security personnel. A human rights analyst from the Peace and Development Programme of Magdalena Medio (PDPMM)¹³⁸ in Barrancabermeja confirmed that they believed that initially pressure upon the community came from paramilitaries collaborating with Indupalma. Later, Indupalma started hiring private security forces to try and push the community to abandon the land (Ademir Rodriguez interview 2011).

¹³⁷ Indupalma is one of the largest African palm oil companies in Colombia and is the pioneer of the Strategic Alliances model and Associated Work Cooperatives. The company has 10,500 hectares of its own and a further 12,000 hectares operated by *campesinos* (O’Loingsigh 2010).

¹³⁸ The PDPMM was introduced in Chapter 1 and is examined in depth in Chapter 6.

Members of the community claim that the land they occupy was first colonised by them in 1947. They also claim that Indupalma arrived in the region in 1958 and had been acquiring ever larger quantities of land since 1961: ‘They would buy small lots of 4-5 hectares and take over the rest because there was no one to stop them given their economic power, their people and machinery’ (GD2: Puerto Carreño 2011). Given that this land is mainly *baldios*, the palm oil company was able to occupy much of the land and exploit it without actually purchasing it. The *campesinos* of Puerto Carreño had done much the same on the land they occupy. Members of the community claim that in 1993 Indupalma began trying to buy ‘their land’.

In 2001, Indupalma began retaining cattle found grazing on company-owned land and held them in a military base, according to community members (GD2: Puerto Carreño 2011). A fine had to be paid to the police to get the cattle back. In addition, ‘[t]hey were killing our crops and destroying fences. They accused us of belonging to armed groups and other horrible things that they could not prove.’ Community members also argue that since 2003, they have been intimidated by members of the security forces.

We couldn’t count on the police. We didn’t have anywhere to go to complain about Indupalma. Even with what happened to his brother, when they shot him. We couldn’t do anything. That is, we filed a complaint but nothing happened. They said: “No, that’s nothing.” And we said that it was a homicide attempt. And they said, “no, no, no, that is nothing.” [...] The law was not there for us (GD2: Puerto Carreño 2011).

A senior PDPMM staff member provided a similar account:

Currently, they want to get rid of that community the hard way. They take their animals. They do everything to them. And this poor community has complained, yet they are labelled as terrorists, as guerrillas. And the thing is that they are surrounded by palm oil, but they never wanted to sell [their land] (Villegas interview 2011).

Community members provided other examples of how they thought that Indupalma was violating their rights using private security personnel to intimidate and marginalise them:

At the entrance, you saw the roadblock, right? Well, this is a public road because when the company arrived the road was already here. They have cornered us. They do not allow anyone that works with Indupalma to buy our products—eggs, fruit, nothing. He who is seen buying from us, they fire. [...] The company has policies like...a dictatorship, I would say. In terms of us, well, there have been press releases that link us to armed groups, that say we are terrorists (GD2: Puerto Carreño 2011).

On 10 November 2003, the community established a ‘community association’. They claim this has made it more difficult for Indupalma, as the dispute is now with the entire community as an organised group rather than having to confront individuals. The link between the community and the PDPMM was established in 2004. This relationship has had a significant impact upon how the community now interacts with Indupalma. With the assistance of the PDPMM, a lawyer was hired to represent the community’s interests. (The community had sought legal counsel previously, but these lawyers either had been intimidated into ceasing to represent them or had told them that their case was a lost cause.) Their new lawyer informed them that, contrary to what Indupalma had told them and they believed, the palm oil company does not own the land and it remains the

property of the state. But because the community had been cultivating the land that they occupied for more than five years, they have a right to make a claim for the land titles. Respondents explained that at that moment the community had been on the point of leaving the land due to the persistent intimidation and because they had come to believe that Indupalma's claim to own the land was genuine:

So the big help was that [a lawyer] was introduced to us, because she has opened our eyes. We had accepted displacement [...] 64 families would have left. Now, multiply that by five, [...] and that is how many people would have been uprooted (GD2: Puerto Carreño 2011).

They were very positive about the role of PDPMM and talked at length about how important their assistance had been when they almost succumbed to the pressure being applied by Indupalma. They were on the verge of signing a document withdrawing their ownership claim for the land they occupy when PDPMM intervened:

It was a really difficult moment for us because the army was running us over. There was going to be displacement. We believed that. The [PDPMM] Programme gave us accompaniment. Then, they helped us with resources and the accompaniment continued. [...] So, the accompaniment from the Programme was fundamental when we were in that moment of crisis. [...] We were able to stabilise ourselves. Why? Because the lawyer, and then the study that was done, allowed us to realise how important we were for the municipality (GD2: Puerto Carreño 2011).

The community initiated the process of acquiring titles to the land with an application to INCODER on 8 May 2007. One of the main reasons they wanted to acquire land titles was so that they would be eligible to apply for loans from potential funding bodies: the

Agrarian Bank, FINAGRO, ICR, or AIS. Shortly after they submitted their land titles application, INCODER made an alternative proposal to the community. INCODER had acquired an estate in Sabana de Torres (called Las Pampas) in the municipality of Sabana, which they were proposing to offer to the community of Puerto Carreño under two conditions: first, they were required to desist in their attempts to acquire the titles of the land they currently occupied; and second, they must plant palm oil on their new property in association with Indupalma. The community collectively agreed to reject the proposal and to remain where they were: ‘we don’t have any reason to leave where we were born, where we grew up’ (GD2: Puerto Carreño 2011). Since then, community members claimed that the process has not moved forward. INCODER was still considering their application and Indupalma apparently continues to contest the titles of the land being transferred to the community, which has apparently influenced INCODER:

Something that seems weird to us, INCODER calls us and sometimes they say [...]

“ah, look, the titles are practically ready to go, they will be about 2 to 3 weeks.”

Once they even called us and said in a week we would have the titles. I don’t know why, but Indupalma opposed it yet again (GD2: Puerto Carreño 2011).

The community has persistently resisted attempts to grow palm oil on their land, preferring to maintain a *campesino* livelihood instead: ‘we are dedicated to crops such as plantains, yucca, papaya, maracuya, things like that. We know that there is a lot of palm, but if we dedicate ourselves to that, what will we eat, since we are only dedicating ourselves to one crop: palm oil?’ (GD2: Puerto Carreño 2011). The *campesinos* of Puerto Carreño were also clearly pleased to learn how well their crops had been selling locally: ‘We didn’t realise how important we were to the municipality, until we discovered that 70 per cent of the plantains that are produced here go to San Alberto. We produce a lot of

plantains for the little land we have for it' (GD2: Puerto Carreño 2011). They also expressed concerns about the environmental damage being caused by palm oil cultivation:

There are no longer water springs because the palmers are drying them out. They are getting rid of all of the fields and everything that is forest. It is being destroyed: things like forests, animals, and other species including fish, which here is practically what we live off (GD2: Puerto Carreño 2011).

There was consensus among community members that they have enough land to be self-sufficient and live a reasonably good quality of life. This is despite claims to the contrary made to them by members of INCODER and government officials:

Yes, three or four hectares here is ok. With three hectares the children go to high school and college! With 3 hectares of plantains, it is relatively profitable. And the advantage is that [...] it is like a family business (GD2: Puerto Carreño 2011).

INCODER did an analysis [of the viability of the *campesino* economy] last year. I went to Santa Marta and told them that a family of six members with four hectares can live in a dignified manner. And they said to me that this was impossible. I said to them: "If you want, we can go there and I will show you that it is not a lie, it's the truth." And it is the truth, we don't need large extensions of land (GD2: Puerto Carreño 2011).

There was recognition among respondents that the amount of land required to be self-sufficient was dependent upon the quality of the soil. The agricultural land being used by community of Puerto Carreño is highly fertile. Community members claimed that they were financially better off than employees of Indupalma.

This community of *colonos* comprises *campesinos* that have achieved self-sufficiency, are highly cohesive and were perhaps the most emphatic and unified of those studied in their opposition to palm oil. Their experiences represent perhaps one of the clearest examples in this study of collusion between palm oil companies and paramilitaries, as well with the police, the army and municipal authorities. Efforts to remove the community from the land ranged from a governmental (INCODER) offer to relocate them, to violence and death threats levelled against community members. The accusation of being a guerrilla is a tactic frequently used in Colombia in order to ‘legitimise’ the killings and displacement that often follow. The perspectives of this community and others at the local level clearly demonstrate the extent of discrepancy in attitude between local actors (particularly the communities themselves) and representatives of (government, development and private sector) institutions in Bogotá towards palm oil cultivation and specific companies in the sector operating in Magdalena Medio.

This community had experienced various attempts to involuntarily move them off their land. They clearly perceived the earlier efforts to move them as ‘attempted displacement’, and the threats of violence and intimidation, that several sources outside the community also acknowledged, would support such a notion. Later, there were attempts at dispossession by circumventing their application for land titles, followed by efforts to convince them to abandon the land. Some of the tactics employed were illegal and most were coercive given that the community were consistently unwilling to relocate. Contesting the community’s application for ownership rights to these *baldios* was not in itself an illegal practice. The legal arguments in such cases tend to be quite complex. They are frequently compounded by a lack of documentation, disputes over how the land has been utilised and the extent of ‘improvement’, as well as by the bureaucracy, inefficiency and corruption that often characterise the land registry and decision-making

institutions. However, some practices clearly did violate the basic rights of the *campesinos*. The intervention of internationally-funded development organisations played an instrumental role in identifying and responding to such practices.

The PDPMM's role was critical to the community's resistance by helping them to hire a lawyer to represent their interests in response to pressure deriving from the palm oil company and governmental institutions. This timely intervention proved crucial in halting their near-abandonment of the land, having been misled by the palm oil company about their legal rights. The community's claim of having achieved self-sufficiency challenges governmental arguments that the *campesino* economy is not efficient and that their livelihoods are not sustainable. The PDPMM's involvement with this community contrasts with many others (including those examined in the next chapter), in the sense that they were supporting them in their efforts to *resist* palm oil cultivation. This kind of support was being provided informally by local staff and was not part of the PDPMM's or the World Bank's documented strategy.

2. El Garzal, Simití, Bolívar

The community of El Garzal in Simití in the department of Bolívar comprises some 120 families. The El Garzal community was established over 40 years ago, and some of first *colonos* still reside there. The land they occupy is *baldios* and thus they do not hold the legal titles for it. On it they grow plantains, yucca, maize, rice and cocoa. Flooding has led to the loss of many of their crops. As a result they are no longer self-sufficient, requiring some of them to earn additional income in employment outside the community. They are in dispute with an individual who claims ownership rights to the land and

intends to plant palm oil there. There are a further 73 families in the neighbouring community of Nueva Esperanza, who are in much the same situation. Together the two communities formed an action committee (Junta de Acción Comunal), in order to consolidate their efforts in resisting attempts to move them off the land. The residents are relatively poor: they lack access to basic health services and did not even have electricity in the village.

In 1985, a man named Manuel Enrique Barreto visited the community in order to tell them that he was the owner of the land and they must leave. He lived with others on higher ground some distance from El Garzal. But when the authorities found a drugs laboratory on that land in 1987, he fled. In October 2003, they discovered that he had returned and was planning to displace them. We were told that ‘if we didn’t leave the easy way, we would have to leave the hard way’ (GD4: El Garzal 2011).

The threats began in October of 2003, and have continued to this day. Our leaders have been threatened. We have heard from the self-defence groups that they will come here and kill our leaders, that they will destroy this community. [...] Mr. Barreto’s objective is to get us out of here in order to have this land for planting palm. [...] We don’t want palm oil because we can’t live off it. Moreover, it isn’t our strength. Our strength is food supply. We feed ourselves with rice, which we plant; corn, yucca, plantains, beans. And now, cocoa is part of what we grow to survive. From one hectare of cocoa we make 250,000 pesos every 20 days. Sometimes more, sometimes less. But with this, we are sustaining ourselves. (GD4: El Garzal 2011)

The community applied for the land titles in 2006 and were informed by INCODER that they had been awarded the titles. But they say that this was subsequently withdrawn

before it became official. They claim that the narco-traffickers and paramilitaries in the region wield the real power. They have influence over the provincial government authorities and the municipal authorities including the Mayor. In their view, paramilitarism remains a pervasive phenomenon in the region: ‘they are not just military people, but civilians, landowners; people with money and power’ (GD4: El Garzal 2011). They claim that they are frequently harassed verbally by the Simití municipal authorities: ‘Some people there have said, “You are all orphans; you don’t have anyone supporting you. You are all vulnerable. You are trash. If you guys are not careful, someday you will end up in the river.”’ (GD4: El Garzal 2011). Community members themselves echoed this sense of vulnerability and a lack of agency: ‘As *campesinos*, we do not have the capacity to confront a narco-trafficker. [...] We are not trained academically, especially not economically. These are things that weaken us’ (GD4: El Garzal 2011).

Community members claimed that their situation has improved since they managed to hire a lawyer to represent them. They are engaged in two ongoing legal processes. First, there is a civil process in the Simití court. There are 120 individual lawsuits from community members, but they have a lawyer that has been instructed by each party to address them collectively. According to community members and PDPMM staff, this process has not moved forward for some time and seems to have stalled. Second, some individuals that are involved in the Justicia y Paz process (Law 975 of 2005) have made declarations naming Manuel Enrique Barreto as having links with paramilitaries and narco-trafficking.¹³⁹ Articles stating as much have been published in Justicia y Paz documents, which the PDPMM sees as something positive as it further strengthens their position in the conflict with Mr Barreto. Their lawyer had advised the community to

¹³⁹ Part of the *Justicia y Paz* (Justice and Peace) process involves demobilised paramilitaries giving testimony at hearings known as *Versiones Libres* (Free Versions). In order to benefit from a reduced sentence of five to eight years, they are required to give a full account of their illegal activities, crimes they have knowledge of, military structures, etc.

make a petition to the Constitutional Court to have his claim for the land declared null and void.

In 2005, the community was awarded protection under Decree 2007 of 2001. This decree aims to prevent vulnerable individuals and communities from being compelled to leave or pressured into selling the lands they occupy.¹⁴⁰ While conceding that the decree was well-intentioned, community members were critical of the process in practice which they regarded as ineffective ‘because people violate the norms and nobody monitors the Committee. INCODER is not there to help. [...] The Mayor is corrupt and he doesn’t have the political will. There is no presence of the Procurator’s office in the committee [of municipal officials responsible for issuing and monitoring the decree]’ (GD4: El Garzal 2011). Numerous community members were critical of INCODER more broadly. They claim that on several occasions INCODER officials have contacted them to say that they wish to hold a meeting so that the titles can be given to them; then at the last minute they get a call saying the meeting is cancelled.

The community attributed their continued presence on the land to the assistance and accompaniment of international organisations. An association called PROCASUR provided the seeds for a plantation of cocoa.¹⁴¹ They said that they had also received assistance from the PDPMM, UNHCR and Swiss Aid. As one community member put it:

Thank God the international organisations are the ones that have been by our sides,
helping us with transportation, helping us with lawyers, giving us groceries,

¹⁴⁰ Managed by Acción Social, the *Programa de Protección de Patrimonio* (Heritage Protection Programme) makes an inventory of the land and the people residing on it. Once the committee of officials from the municipality issues the decree, all land transfers and transactions are prohibited. This not only serves to protect people from being displaced, but also from selling their land at unfair prices.

¹⁴¹ According to their website, PROCASUR is an international ‘non-profit organization focused on knowledge management among people involved in development projects, associations, organizations and governments interested in rural development and poverty eradication’ (<http://procasur.org>).

supporting us with workshops, training us, telling us the rights that we have as citizens, as Colombians (GD4: El Garzal 2011).

The community's other complaints were about the environmental damage that the chemicals of the big landowning farmers are doing to the land; and the fact that they cannot get a loan because they do not have titles to the land.

The experiences of this community with respect to attempts to cultivate palm oil on their land were quite similar to those of Puerto Carreño. The community of El Garzal also did not wish to cultivate palm oil and resisted attempts to involuntarily move them from their land. The community also encountered attempts to displace them: violent threats were made in an effort to achieve abandonment. This was followed by attempts at dispossession through eviction based upon a spurious counter-claim for the land titles. Both communities preferred to maintain their livelihoods as *campesinos* and claimed to manage quite well economically. The role played by local and national governmental institutions in El Garzal ranged from non-intervention and apparent incompetence (from INCODER) to threatening behaviour (from the Mayor's office), allegedly in support of the party trying to move them from the land. Unfortunately, the Mayor's office and relevant staff at INCODER were unwilling to discuss the case. But the claims of the communities were validated by PDPMM staff.

Once again, their vulnerability stems from the fact that they are *campesinos* living on land that is *baldios*. Support from national and international organisations enabled them to hire a lawyer and they managed to mount a legal challenge to their forced eviction, and indeed the community was placed under a protection order. However, there was no allegation or evidence of a palm oil company being directly involved in this case.

3. Monterrey, Bolívar

The township of Monterrey is situated in a relatively elevated and remote region in the department of Bolívar. This community was heavily affected by the armed conflict during the 1980s and 1990s. Some members of the community, which currently comprises some 100 *campesino* families, had fled the area during the worst violence; and some of these people had subsequently returned. There are some 1600 hectares of palm oil planted nearby. But the community members do not legally own this land and have not benefitted from the palm oil being produced there. They are currently trying to secure the land titles. Some community members have experience working in the palm oil industry, including as former technical managers, and so feel confident that they can manage the palm oil crop.

This community had been occupied and under the control of ELN guerrillas in the 1980s; and then by paramilitary groups (mainly the *Bloque Central de Bolívar*) during the 1990s and 2000s. The paramilitaries established a permanent presence in the community.¹⁴² Once the paramilitaries had driven the ELN out of the region, they offered to purchase the agricultural land from the *campesinos*. As they had not had independent use of their land for so long (because it was under guerrilla control), but were now been offered money for it - the return of the land was apparently not an option - they agreed to sell it to the paramilitaries (GD5: Monterrey 2011).

¹⁴² The building which is currently the police station was used by the paramilitaries as their headquarters. Here community members were tortured and some were killed. They explained that this made visiting the police station a traumatic experience. Particularly given that former, now demobilised, paramilitaries continued to live within the community.

But the final transfer of ownership and payment was not conducted with the *campesinos* themselves but through an intermediary. In their ongoing attempts to have the land restored to them, the former *campesino* owners have no evidence that they owned the land because the paramilitaries ‘legally’ bought it from a third party. Some 2600 hectares were purchased in total, and palm oil is being grown on 1600 hectares of this land (Villegas interview 2011).

Prior to the palm oil trees being planted, coca was grown on this land. Community members claimed that they were forced to grow coca by the armed groups, having previously been engaged in more traditional economic activities:

At first, [...] we used to work on what we knew, we worked on our crops. Others focused on livestock or fishing. Then groups outside the law arrived and started to change our healthy traditions by teaching *campesinos* how to plant drugs, and even how to chemically transform them. So, the *campesinos* realised this was a little more profitable, but we never imagined how much blood was going to be shed because of that. [...] When they sent us [to grow coca], we used to do it out of fear. As a result, this place became a strong source of cocaine. Money stopped working here and little pieces of paper started to circulate to be used for commercial transactions within the town (GD5: Monterrey 2011).

In 2005, the paramilitaries in the region formally demobilised and it was agreed that land would be provided by them for the victims of the violence. But even at this time, many community members were ordered to ‘give away’ their crops and some left the region. In this way, demobilising paramilitaries were able to argue that they legally owned the land.

After stealing their possessions they began to legalise ownership of the houses and properties using figureheads, so it appears as if those lands were clean before *Justicia y Paz* came. It is not like that though: those properties are stained with blood. So one thinks: “How come nothing has been done?” and “How is it that those palm oil trees themselves are not a type of reparation?” They could maybe help establish some balance in people’s lives; it is a means to keep moving forward. There may be mass graves on this land, we are talking about how those palm trees are being fertilised with blood (GD5: Monterrey 2011).

Prior to their formal demobilisation, the paramilitaries began to replace coca plants with palm oil trees, assisted financially and technically by external sources according to the community: ‘So we realised how these groups outside the law received lots of money, because they had very good connections to make it profitable’ (GD5: Monterrey 2011).

According to community members, in 1999 to 2000 a cooperative, known as Coproagrosur, was established by investors that sought an alliance with a palm oil company called Apalma. To participate, community members were required to invest 3 million COP (approximately 1600 USD) in instalments, in order to finance the cultivation of palm oil on their land. However, they later discovered that the person who approached the community with the proposal was representing members of a paramilitary group. Officially, about 100 ‘associates’ from the community were involved, although one community member explained that ‘some signatures were falsified, and people ended up being involved without even agreeing or investing’ (GD5: Monterrey 2011). This account was verified by two PDPMM employees (Conde interview 2011; Villegas interview 2011). One summarised the actions of the now demobilised paramilitaries as follows:

They wanted to legalise themselves to some extent and they began planting palm oil, saying that it was an alternative development project to coca. In that area, there was a lot of coca then. And they started up a fictitious organisation named Coproagrosur, comprised of paramilitary combatants (Villegas interview 2011).

Shortly afterwards, the cooperative was approved by the Chamber of Commerce and was granted bank loans and assistance from USAID. The planting of palm oil crops then began. But they wanted to expand the land they had and so pressured *campesinos* to sell their land at below market value: 'If the owners asked for a price of 100 million pesos, they said: "Not that much, take 50 [million pesos]. Now pack your things and leave". And that's how they acquired most of the land' (GD5: Monterrey 2011).

Many community members gave up land this way; some of them all of their land. Many continue to be associates and investors in the palm oil cooperative. According to documentation provided by Apalma, the Coproagrosur cooperative owned 400 hectares of land. A declaration to this effect was submitted to the Justicia y Paz process, as was required during the paramilitary demobilisation process. They had apparently not revealed that, as a result of their alliance with Coproagrosur, actually they were growing palm oil on 1600 hectares of land in the region. When Justicia y Paz discovered there were 1600 hectares instead of 400, they seized control over whole area and then passed responsibility for it to Acción Social (GD5: Monterrey 2011). Since 2006, the community of Monterrey have been struggling to secure legal ownership of the land and benefit from the palm oil profits. A 'civic committee' was established by community members in 2006 and was extended to include other neighbouring communities in 2007. The community seemed to have collectively recognised that they were all harmed and now are collectively seeking redress:

We have begun to understand, through all the knowledge we have acquired during this five-year process, that we are also victims. Either because we have a family member that was killed, or our property was stolen, or because we were uprooted from our land. This was something we couldn't recognise before (GD5: Monterrey 2011).

Community members claimed that Acción Social have subsequently refused to transfer ownership of the land to the community but have instead been trying to sell it. The relevant office within Acción Social did not respond to requests for clarification on this issue. The community continues to struggle with them over legal ownership. The community said that they do not trust government officials, at the local or national level.¹⁴³ They argue that the paramilitaries are still in the region, just less visible; and that they collaborate with local government and other governmental bodies:

During the [period of] paramilitary occupation [in the town] it was easy to recognise their operations in coordination with the military, but this is hard to prove before the government entities. In addition, it was a scary thing to denounce because wherever you went to file a complaint, there was an insider there from the self-defence forces. So everybody remained quiet (GD5: Monterrey 2011).

In response to a request from the community in 2008 to assume managerial responsibility of the land and the palm oil crops, they were informed by a *Justicia y Paz* representative that Acción Social had received 'additional formal proposals'. (In fact the community had not even submitted a formal proposal, as they had not realised that this was required or expected.) One of these proposals was the palm oil company PLP Palmas and another

¹⁴³ Community members referred to various political scandals that have occurred in Colombia in recent years (such as the so-called parapolitica affair) to explain how they are very suspicious of Acción Social's involvement and intentions.

was from an entity named Integral Technical Services (STI). The latter proposal was reportedly submitted by two community members that had connections with a company called Palmas Monterrey. But community members explained at a meeting with *Acción Social* that they had no knowledge of any involvement of these so-called ‘community members’. It transpired that these individuals were outsiders who had obtained photocopies of the identity documents of community members under the pretext of providing them with jobs. These documents were used to support their claim that their proposal came from the community. However, members of several national and international civil society organisations were also present at the meeting and witnessed these events. Community members informed the meeting’s participants that they suspected that STI was a ‘front for paramilitaries’. Members of the community felt that the presence of these ‘witnesses’, especially those from international organisations, played a crucial role in having the entire proposal selection process suspended.

Alejandro Reyes, the renowned Colombian academic on land issues and (since 2011) advisor to Ministry of Agriculture (for the current administration of President Juan Manuel Santos), had visited the region and advised the community since his appointment to the Ministry. Community members said that they trusted him, unlike others connected with the state. They said that he encouraged them to stand firm and be strong. One member of the community explained:

As a member and leader of this civic committee, personally I believe in Dr. Alejandro Reyes from the Ministry of Agriculture. I believe in him because his actions have showed that he is really interested in securing guarantees for this process. If it wasn’t for him, we wouldn’t be where we are. We like to tell an anecdote about him. One time he told us: “Be firm and do it”. When the revolt

started a government minister said [to Dr Reyes]: “Do you see what you got us into?” and he answered “Calm down, we will get through this one”. So he came to talk to us and said “Don’t worry, focus on your community work and I will take the bullets” (GD5: Monterrey 2011).

Likewise, they expressed confidence and respect for the PDPMM. Community members valued their experience and trust them: ‘we got close to them and learn from them (GD5: Monterrey 2011). But community members expressed scepticism about the government’s plans of restitution and the return of displaced people, given the persistent security problems, as well as corruption and fraud. One stated that ‘it is necessary to have all the political support and accompaniment that this process requires, which in reality hasn’t changed since the demobilisation. This community is one that has become visible: but that initiative came from us ‘(GD5: Monterrey 2011). Community members also claimed that local government authorities were unhelpful:

The Mayor’s office doesn’t support us in this process. They believe we are damaging them, when in reality we are benefiting them; because thanks to us, people know the existence of [this region] [...] Investment by the state doesn’t exist. The resources that the Mayor’s office receives have never included investment, and they are minimal. On top of that, there is mismanagement [...] This is what motivates us (GD5: Monterrey 2011).

This community differed from the previous two examined in this chapter in that they once had legally-recognised ownership of the land on which palm oil was currently being grown, but had lost it through a combination of deception and intimidation, which resulted in them selling the land. Thus while they had not been displaced from their homes, they had been dispossessed of much of their agricultural land, but through a

transaction that was possibly legal albeit arguably not ‘fair’ (given that it was bought at a price much lower than its market value). The legality of the transaction was contentious, given that a degree of coercion was applied and those responsible were narco-traffickers and (ostensibly demobilised) paramilitaries. There was a suspicion in the community that this was an attempt by these groups to diversify their assets and/or launder funds obtained through illicit sources. There had been an attempt by these armed groups to use the institutions and mechanisms of the state to legitimise their ‘ownership’ of the palm oil crops. With the support of international organisations, the community had managed to halt this process and then launched a legal claim to have the land returned to their ownership. To date, Acción Social and INCODER have not restored ownership of the land to the community and it remains unclear what will happen with this land and the palm oil crop. According to community members, the main concern of the local governmental authorities was in regard to the negative publicity they were receiving as a result of this case and they demonstrated little concern for the rights of the community (GD5: Monterrey 2011).

Themes emerging from Magdalena Medio

The narratives that emerges from this chapter’s focus on local experiences and perspectives contrasts sharply with those emanating from national government institutions and the private sector, among others, as outlined in Chapter 4. Members of two communities out of five (Puerto Carreño and El Garzal) in Magdalena Medio that were included in the fieldwork provided detailed accounts of harassment, intimidation, misrepresentation, deception and corrupt practices. In one case, allegations of such practices were levelled against the region’s largest palm oil company, Indupalma. This

characterisation of the company contrasts sharply with the ones provided by representatives of institutions interviewed in Bogotá, as outlined in the previous chapter. The view from the capital was broadly very positive, depicting the company as a model of good practice in the industry with respect to its dealings with *campesinos*. In contrast, both community members and non-governmental development actors working with them at the local level claimed that the company had attempted to both dispossess the community of the land and pressure the community to abandon the land, employing tactics that were highly questionable both legally and ethically. Unfortunately, Indupalma did not respond to requests to be interviewed. But careful attention was paid to ensure that the communities' accounts were substantiated by conducting interviews with a range of local key informants linked to the PDPMM, the UN and the Catholic Church.

What does this discrepancy in narratives tell us? First, we can conclude that there is little understanding, or willingness to recognise, that rural communities in Magdalena Medio are being coercively pressured to abandon their land; that illegal tactics are being employed in attempts to dispossess them of land to which they have a legal claim; and that these claims are not being given consideration by due process. This research makes no attempt to assess the complex issue of the validity of opposing claims of ownership rights, and does not conclude that one actor's argument in this regard is any stronger than that of another. Rather it is concerned with the identity of the actors and the tactics outside of the legal process that are being employed in Magdalena Medio with the goal of land dispossession so that palm oil can be cultivated there. It is this dynamic that emerges strongly from the research among local actors but is largely absent from the institutions and organisations in the capital. In communities 1 and 2, attempts had been made at both dispossessing the *campesinos* of their land and forcing them to abandon it, but these were

unsuccessful. In the third community, some had been dispossessed of their land and some had fled; but most had not been displaced.

Second, it tells us that this supports a key proposition that this research has sought to test: displacement - or the involuntary and illegal movement of people off their land – is taking place outside of the context of civil war and for the purposes of palm oil expansion, without being widely recognised as such. Therefore, any responses or interventions (and there may be none) of relevant governmental departments and international organisations may not be based upon a clear understanding of the context in which displacement has occurred or might occur. This was not, of course, found to be the case for entities working with such communities at the local level.

The communities of Puerto Carreño and El Garzal did not have palm oil and had been resisting attempts to displace them for its cultivation on their land for many years. They seemed fundamentally opposed to growing the crop, arguing that it posed a threat to their food security and to their traditional way of life. They lived in a situation that was far from secure: they did not have legal titles of ownership to the land they occupied, and this fact may have been significant to their poor treatment by the local palm oil company and local government officials.

In Magdalena Medio more broadly, there have been widespread problems associated with *campesinos*' ability to secure legal titles of ownership for land that they had lived and worked on for many years, despite there being legislation in place to protect the rights of such people. Ownership was being contested by entities with more political and economic knowledge and capacity than existed within the communities. These struggles were complex and protracted. The *baldios* status of these lands made them particularly vulnerable to predatory behaviour. In the accounts related during the course of this

research, they had been variously threatened, lied to, and had been ‘cheated’ into selling or (almost) giving up their claims on the land they occupied. They received little, if any, assistance from national and local government institutions. Indeed, some institutions – particularly at the local/regional level – had been obstructive and hostile to community members.

The lack of capacity of communities to resist displacement was countered to some extent through the assistance provided by PDPMM and the further support that followed. Their lack of capacity to resist dispossession was counteracted by legal advice and support; and their capacity to resist pressure for them to abandon their land was enhanced by the wider visibility and attention their plight was receiving from the World Bank/EU-funded development programme. These interventions tipped the power discrepancy between *campesino* communities and aggressive palm oil expansionists in favour of the communities. At the time when the research was being conducted, these land disputes had not been resolved. But the communities were in a stronger position than they had been in the past and the threats and intimidation levelled against them had abated.

Nariño

Palm oil-related land disputes in Nariño differ significantly from those in Magdalena Medio. The Afro-Colombian community in Nariño are particularly affected and are the main focus of this research in the region. The fieldwork investigated the dispossession of collectively-owned territories by palm oil companies and by *colonos*. It is argued that this dispossession is involuntary and illegal but does not constitute displacement or attempted displacement for many affected people, and thus provides a very different dynamic from the findings of Magdalena Medio. But there are key commonalities as well, such as the

role played by governmental institutions at the local level. In this way it deepens our understanding of displacement logics, actors and mechanisms.

Poverty and exclusion

The department of Nariño is located in the south-western corner of Colombia on the Pacific coast. It comprises 64 municipalities grouped into 5 sub-provinces, spread over an area of 33,000km² and with a population of about 1,620,000 inhabitants (UNDP 2010:13). Nariño shares a border with Ecuador to the south and with the Colombian departments of Cauca and Putumayo to the north and east respectively. It is estimated that 47 per cent of the population live in urban areas and the remainder in rural areas. The rural-to-urban migration in Nariño has been relatively slow and the department remains comparatively rural by Colombian standards (UNDP 2010:13).

The ethnic composition of Nariño's population differs markedly from that of Magdalena Medio. This affects the ownership rights of land in the region, which in turn has implications upon processes of displacement and land dispossession in relation to palm oil cultivation. Nariño is ethnically diverse: 67 indigenous settlements were recorded in 2005, representing 10.8 per cent of department's total population. The Afro-Colombian population comprises a further 15.6 per cent and is concentrated in ten municipalities in the Pacific region. Given the huge diversity within the region, Nariño might be better envisaged as a collection of sub-regions. It also contains huge geographical diversity with the Pacific coast to the west, a mountainous Andean region and tropical forest in the lowlands.

The region's principal economic activities are agriculture (contributing 28.2 per cent of the departmental economy), fishing, cattle ranching and small-scale mining. The departmental GDP is well below the national average and the region experiences high

levels of underdevelopment and poverty. According to UNDP, the department's unemployment was 14.8 per cent in 2009, compared with a national average of 12 per cent. The rate of underemployment substantially exceeds the national average (in 2009 underemployment in the department was 36.7 per cent, compared with a national average of 29.9 per cent). In 2009, poverty affected 56.9 per cent of Nariño's population, while 18.8 per cent suffered extreme poverty. Both figures are well above the national averages of 45.5 per cent and 16.5 per cent respectively. Per capita GDP is the second lowest in the country, with only Chocó having a lower GDP (UNDP 2010:13-14). In some municipalities, such as Tola at the northern end of the Pacific coastline in Nariño, the level of unsatisfied basic needs is about 80 per cent. While in the departmental capital, Pasto, there is a good deal of infrastructure and institutions, in many other towns and rural areas there is a substantive lack of facilities, services and state presence (NRC Interview 2011).

There are six indigenous groups with a presence in Nariño, five of which are in danger of extinction and have been prioritised in Auto 004. Auto 004 (of 2009) is a mechanism by which the Constitutional Court protects indigenous people that are displaced or at risk of being displaced. The Constitutional Court argues that displacement is threatening the livelihoods and traditions of ethnic minorities, and represents a risk of cultural extinction.

Article 55 of the Constitution recognises Afro-Colombians as the authority within the territories they inhabit. It also stipulates that Afro-Colombian communities be allowed to organise themselves as social movements. According to Law 70 (1993), the Colombian government must guarantee the protection of the ancestral territories of the Afro-descendants, invest in their economic development, and protect their cultural identity and civil rights. But Afro-Colombian communities are not provided with state funding, as

is the case with indigenous communities (NRC interview 2011). Furthermore, the fundamental rights of displaced Afro-Colombians are protected by Auto 005 (of 2009), which was passed in the context of the state being declared unconstitutional in 2004 by the Constitutional Court (ruling T-025) in its failure to protect and assist internally displaced persons.

Normally decisions are made on behalf of Afro-Colombians by representatives of their community councils (*consejos comunitarios*). Community councils usually comprise a group of neighbouring communities organised by region. They have a collective entitlement to the land, which is recognised as an ancestral land (under Law 70). This also enacts an obligation upon communities to environmentally preserve the territory, allocating conservation areas, as well as productive areas so they can sustain themselves. They are not permitted to sell the land but can determine how the land is to be used. Within a community council each represented community (which is also effectively a collective of landowners) has an elected representative. From all these representatives, a legal representative is selected. The legal representative can sign agreements with businessmen to develop an area within the region. But these obligations are often not followed by local or regional authorities that sometimes permit resources to be extracted without consulting communities or their representatives (UNHCR interview 2009).

Violence and displacement

Armed conflict is a relatively recent phenomenon in Nariño, only being a significant issue since the end of the 1990s. The regional armed conflict is rooted in a struggle for land and territorial control between the guerrillas and so-called BACRIMs in confrontation with each other and the guerrillas, as well as with the armed forces. Both the ELN and FARC guerrillas are present in the region. The FARC are mainly located in the border regions,

near to Putumayo and Ipiales, and on the coast of Piedemonte. The principal BACRIM groups active in the region are the Rastrojos¹⁴⁴ and the Aguilas Negras.¹⁴⁵ These various armed groups establish alliances which are dynamic and subject to rapid change.

The navy, police and army all have a presence in Nariño, an indication of how serious the government perceives the region as a security threat. The armed forces have increased their manpower in the region in recent years, including the introduction of a new police battalion based in Tumaco. There were between 6,000 and 7,000 troops in the region in 2009, which had increased to some 14,000 by 2010. There are plans to increase troop numbers to 30,000 by 2015 (NRC interview 2011).

The heightened presence of armed actors and illicit crops has exacerbated the department's social, economic and political problems during the 2000s. Violence and displacement are the main consequences of the civil conflict and organised crime in the region. This has mainly affected the rural population, particularly Afro-Colombian and indigenous communities. The Piedemonte coast saw massive forced displacements from 2009 to 2010 (UNHCR interview, Pasto 2011). According to the government's Special Registry of Displaced Persons (*Sistema Único de Población Desplazada*, RUPD) of Acción Social, there were 146,201 displaced persons in Nariño by the end of 2009 (UNDP 2010:15). The most affected municipalities were Tumaco, El Charco, Barbacoa, Policarpa, Cumbitara and San Juan. Unlike regions such as Magdalena Medio, massive displacements continue to be one of the principal mechanisms of displacement in Nariño.

¹⁴⁴ The Rastrojos, named after one of their leaders, are one of the largest BACRIM groups that came to prominence following the demise of the AUC paramilitaries. They originate from the powerful Norte del Valle drug trafficking organisation and since 2008 have been one of the most powerful transnational criminal syndicates in the country with operations in a third of Colombia's 32 departments, primarily exporting cocaine to international markets. At the local level, they are also involved in extortion, gold mining and kidnapping (InSight 2012).

¹⁴⁵ The Aguilas Negras, or Black Eagles, emerged from the failures of the paramilitary demobilisation process between 2004 and 2006. They are a non-cohesive group dedicated to protecting the economic interests of former mid-level paramilitary commanders scattered across Colombia. Groups using the Aguilas Negras name have since appeared in at least 20 of Colombia's 32 departments (InSight 2011).

There were 18 massive displacements in the department in 2010 (NRC interview 2011).¹⁴⁶ Fifteen of these occurred in the Pacific coast region and 13 of them affected the Afro-Colombian population (UNHCR interview 2011). During 2012, there were reportedly 43 massive displacements, comprising a total of 16,037 people, mainly Afro-Colombians (ICRC 2013).

Another type of violence that is prominent in the region is targeted killings. Community leaders, land reformists and human rights activists are killed on a regular basis. This usually occurs in rural areas, and sends a powerful message to communities that offer resistance or seek reform. Such tactics also fuel the displacement of many community members (NRC interview 2011). Nariño's municipalities are institutionally weak in their capacity to respond to the high level of displacement and the resulting humanitarian crisis. Out of the department's 64 municipalities, 61 are classified as very poorly resourced (UNHCR interview 2011).

Nariño produces more cocaine than any other department in Colombia, despite numerous programmes run by the government and other organisations that have attempted to address this. This is a relatively recent development, as prior to 2000 the neighbouring department of Putumayo was the largest producer. The introduction of large-scale coca crop eradication in Putumayo through Plan Colombia in 2000, led to the outward migration of people and coca into bordering departments, notably Nariño. Nariño is ideally located for the outward distribution of cocaine that is produced and processed there, given its proximity to an international border and strategic corridors for the transportation of illicit goods. Its coastline along the Pacific Ocean provides easy access

¹⁴⁶ In Colombia, public policy defines a 'massive forced displacement' as the involuntary movement of 50 or more people or at least 10 families (NRC interview 2011; Kerr 2010: 7).

to other Colombian departments (Valle del Cauca, Cauca and Chocó) as well as Ecuador, Panama and beyond.

Palm oil production

The principal palm oil growing area in the department of Nariño is the municipality of Tumaco, where the city of Tumaco is located, which is Colombia's second-largest Pacific coast port. In 2006, there were 35,256 hectares of land in the municipality under palm cultivation, accounting for 12.2 per cent of the country's annual crude palm oil production (Fedepalma 2006).¹⁴⁷ While the Western Zone of Colombia (in which Nariño is located) has the fewest number of hectares dedicated to palm oil cultivation out of the country's four palm producing regions, it accounts for a disproportionately large percentage of palm oil exports. As noted earlier, 43 per cent of Colombia's national palm oil production is exported, whereas 80 per cent of the palm oil produced in Nariño is shipped overseas (Leech 2009).

Alto Mira and Frontera

There are 14 communities particularly affected by palm oil in Nariño which are located along the Mira river near the border with Ecuador, which are collectively referred to Alto Mira and Frontera. The overwhelming majority of both small growers and plantation workers in the region are Afro-Colombian, which reflects the ethnic composition of Nariño's entire Pacific coast region (Leech 2009). These communities have varying experiences with palm oil, as well as with those actors associated with its expansion. A

¹⁴⁷ Colombia's palm industry in Nariño has been plagued by blight since 2007. It is estimated that 60 per cent of the African palm trees in the Tumaco municipality have died as a result of the disease (Leech 2009). The government and the palm oil companies have sought to address the problem by developing a new strain: a hybrid of the African palm oil and the American palm oil, which has shown a greater resistance to the infection.

small number of Afro-Colombians themselves cultivate palm oil as smallholders. Others are employed on the region's palm oil plantations. But most have been negatively affected by palm oil companies (notably Palmeiras and Palmas de Tumaco) and *colonos*. Both sets of actors have been illegally occupying their collectively owned land and planting palm oil trees against the wishes of the communities, according to community representatives (GD6: Tumaco 2011). This claim was substantiated by the head of the UNHCR mission in Pasto and a UN official heading a major development programme in the region (UNHCR interview 2 2011 & Perez interview 2011). As outlined in more detail in the preceding chapter, according to Andres Celis (a senior protection officer for UNHCR in Bogotá) the cohesion of these communities has been eroded and their collective decision making undermined by a minority of community members being convinced to 'sell' some of their collectively owned territory against the wishes of their fellow community members (UNHCR interview Celis 2009). The existence of these tensions was confirmed by officials at the regional level (UNHCR interview 2 2011 & Perez interview 2011).

Most of the smallholder palm oil farmers in this region began growing the crop with the support of loans.¹⁴⁸ These contracts included a three-year grace period on repaying the loans, which is the time it takes on average for African palm trees in Nariño to bear their first fruit. Many Afro-Colombians became dependent on cultivating palm oil as a cash crop. It has been argued that this 'leveraging through loans represents a relatively peaceful strategy of undermining Afro-Colombians' control over what they grow on their farmland' (Leech 2009).

¹⁴⁸ These loans are mainly procured through Cordeagropaz, a local non-profit organisation that helps smallholder farmers in Tumaco.

During discussions with community representatives and other local actors in Nariño, much concern was expressed about the ongoing land conflicts with both palm oil companies and with *colonos* in the region. The key issues with respect to each of these disputes will be examined in this section. The first of these disputes is with the company Palmeiras S.A., which has illegally occupied some of their land and cultivated 800 hectares with palm oil trees (NRC interview 2011; UNHCR interview 2 2011). The illegality of these actions does not seem to be in doubt, given that the palm oil crops are being grown on collective territories. ‘The collective territories at Alto Mira and Frontera are the two most illustrative cases regarding Nariño’s territory and palm oil expansion’ (Perez interview 2011). The community council filed a lawsuit against the company and won. But getting the company to comply with the court’s ruling that they vacate the land has been complicated by the fact that it was state sanctioned:

During the defense’s hearing it was established that the community’s rights had been violated and that the company must now vacate the 800 hectares. The problem is that this company had installed themselves with permission from INCODER, a state institution. I am telling you this because the case is emblematic, whereby you find a collection of powers and attribution of each actor to the detriment of the community (UNHCR interview 2 2011).

The dispute between the palm oil company Palmeiras S.A. and the Afro-Colombian communities affected presents a dilemma for the governmental authorities given that INCODER provided permission to cultivate on this legally protected land. Observers interviewed seemed clear that INCODER would have been aware that these territories were collectively owned by the Afro-Colombian communities. This raises questions about INCODER’s role, interests and competence:

It is assumed that when the government recognises a collective territory, it also recognises the community authority, their way of governing, living and administrating their land. [...] Despite the fact that the territory's collective owners must be consulted regarding its productive exploitation or any type of project that can somehow affect the region, they were never consulted (Perez interview 2011).

Afro-Colombian communities in this region are also engaged in land disputes with *colonos*: landless *campesinos* from other regions of the country that have colonised these collectively owned territories in order to cultivate their own crops, including palm oil. But this raises dilemmas for the authorities in protecting rights and combating impoverishment. On the one hand, the *colonos* are illegally occupying protected land. But on the other hand, they are themselves displaced, impoverished and otherwise landless. Evicting them from the land would effectively involve displacing them again.

The landless *campesinos* invade either public land [*baldios*] or someone else's land. They have no titles and no administrative rights. They also colonise Afro descendants' collective land, creating conflict with them. The black people say: "They are invading our land". The *colonos* say: "But we have the right to have land as well". These types of conflicts generate a number of systemic weaknesses, which in turn increase violence and conflict in the department (UNHCR interview 1 2011).

It is a type of colonisation, comprising of both illegitimate palm and colonist *campesinos*, not respecting and violating the Afro-Colombians' rights. But [*colonos*] are fighting for the right to land, given that most of them have been forced to leave their own land. The majority of the *colonos* are themselves displaced people (Perez interview 2011).

While the *colonos* do not have a legal right to occupy the land, Colombia has a long history of land being colonised and occupied in the absence of any kind of legal ownership. The *colonos* are sustaining themselves on Afro-Colombian land that was not being used for agricultural purposes beforehand and no displacement of the local communities has taken place. The situation of the palm oil company is comparable in this sense, although a private enterprise can barely be compared to displaced and impoverished people trying to establish a sustainable livelihood. In any case, each of these occupations is clearly unlawful and it might be argued that allowing them to remain might well send a message to other potential investors or *colonos* that the authorities are unwilling to intervene when an illegal land occupation occurs on Afro-Colombian territory.

Of course, we can say it is against the law. The problem from a legislator's perspective is: whose rights should prevail? The *colonos* rights, given that they have no land? Or the Afro-Colombians' rights? And with respect to palm, there are monetary interests which prevail over the communities' collective interests. [...] This has presented a challenge for the department's public institutions: how do you resolve a conflict between the Afro communities' right to self-determination and the peasants' right to own a piece of land? [...] Which right prevails? This has been a big institutional discussion, but nobody has yet been able to provide a clear answer (Perez interview 2011).

With respect to the legality of the occupation of Afro-Colombian, the head of UNHCR in Nariño made the following assessment:

So the problem here is that these *colonos* say: "No, we have been working here for 4, 5, 6, 10 years"; and the black people say: "Yes, but this is not your land." [...]

“But we have improved that land, we have worked on it, so pay us for the improvements”. The black people respond by saying: “Why do we need to pay you for improvements? Nobody asked you to come”. As a result, there is a conflict without resolution (UNHCR interview 2 2011).

In some cases, the *colonos* have apparently occupied land based upon a prior agreement made with Afro-Colombians. However, such an agreement would have no validity in law because these lands are not transferable. Nonetheless, *colonos* may argue that such agreements, or the fact that they have made improvements to the land, are grounds for refusing to leave or making demands for compensation:

According to the Afro-Colombian communities, [the *colonos*] started by telling the people: “Hey, why don’t you rent me a piece of land and I will pay you X amount for five years.” As people felt they didn’t have a choice, they said: “Ok I will rent it”. But what they didn’t know was that the palm had a productive life of 20, 30 or 40 years. When they realised this they said to the palm planters: “Ok, five years have passed, you can give me my land back”. [To which the reply was:] “I will give it back, but then you must pay me for the [land] improvements” (Perez interview 2011).

The problem is that within the collectively owned land there are some [Afro-Colombians] selling properties, even though those transactions have no commercial value. This is because they sell the land without property titles, so they get money only to move off the land and make it available to the person paying. There is no legal validation of the transaction. There is no record documenting that Mr. X sold land to Mr. Y. Things are just done in that way (UNHCR interview 2 2011).

With respect to how the level of political and social organisation of the Afro-Colombians compares with the *colonos*, a senior UN worker made the following observation about the *colonos*: ‘They are clearer about certain things, they have made some achievements. At least they managed to secure recognition [as an actor] within a territorial conflict, such that the department’s institutions must debate their rights and what can be done. That generates political recognition [...]; they are recognised within the institutions’ political agenda’ (Perez interview 2011). Overall, she thought that they were politically more effective than the Afro-Colombian in negotiating with governmental institutions.

In recent years, the conflict between the Afro-Colombians and *colonos* has evolved into something more complex and violent as it has become embroiled in the region’s illicit economy and the armed groups linked to it. Given their involvement in coca cultivation, the *colonos* are able to draw upon the assistance of illegal armed groups in securing their continued presence in the region:

The problem is that the *colonos* started to grow coca; and coca goes hand in hand with the FARC, paramilitaries and drug dealers. So, the black people are the ones losing from this conflict. They lose part of their territory, as they are forced to leave their land to protect themselves and their families. [...] It is very likely that there is an agreement between palm planters and *colonos*, and it is also very likely that all these people are linked to the cocaine. The aim is to exclude the black people (UNHCR interview 2 2011).

The *colonos* justify their presence and maintenance because it is a ‘very tough zone’. It is challenging geographically, as well as in terms of public order. The *colonos* have become highly organised and have managed to prevail. The Afro-Colombians are unequivocal in claiming that the FARC has been involved in assisting the *colonos* in the zone (GD 5:

Monterrey 2011; Perez interview 2011). Both BACRIM and guerilla groups (particularly FARC) are present in the region because of the presence of coca and the proximity to the border with Ecuador, which is important for narco-trafficking corridors as well as for making strategic withdrawals from Colombian territory. To combat these threats, the country's armed forces also have a significant presence in the region (Perez interview 2011). According to the communities and other key local actors, both FARC and BACRIM groups (or 'paramilitaries' as they continue to refer to them) are struggling for territorial control. Sometimes there are even alliances between the guerillas and BACRIM groups (as well as others engaged in narco-trafficking) when tactically expedient (GD6: Tumaco 2011). The objectives of these groups are perceived as being economic rather than driven by a political ideology:

The Rastrojos are criminals, but they are very well organised in their attempts to control the territory. They are mafia. [...] Everybody negotiates with everybody, because in the end they are involved in a dispute about the territory. If somehow they manage to agree with one another, that is the moment when criminals invade someone else's territory. And that's when the fighting starts. It is the same with the Aguilas Negras [...] Everybody here is mainly in the same situation: being friends sometimes and enemies the rest of the time. There are alliances and tactical issues. They may be united today, but tomorrow someone else comes along and offers more. So the partnership is over (UNHCR interview 2 2011).

What do the armed groups want? They want to control the territory; and the territory contains people, institutions and circulating money. To control a territory means to control the people and the money. [...] The black people don't want anything to do with the palm, because they would then become farm labourers,

employees. They prefer to have their own little piece of land than to receive a salary from a big plantation (UNHCR interview 2 2011).

As a result, the FARC and BACRIM groups have displaced Afro-Colombian communities in significant numbers since 2008. There have also been selective assassinations, particularly of community leaders. This tends to trigger wider displacement (UNHCR interview 1 2011). But in other cases, the unwanted international attention that displacement tends to cause may be avoided. A relatively recent dynamic that has emerged in the armed conflict in Nariño is phenomenon of ‘confinement’ and other restrictions on freedom of movement, particularly in mountainous areas such as Santa Cruz de Guachavés and Samaniego. According to Norwegian Refugee Council staff: ‘Confinement means that they don't allow people to leave. They threaten them with landmines or they simply warn them not to go out [of the community]. For example, they say: “You can go, but your family stays here. Otherwise you can all leave for good”. This is because they want the population locked in’ (NRC interview 2011).¹⁴⁹ The purpose is to exert social and political control over the communities. On some occasions, there is not so much permanent confinement as restrictions on hours during which mobility is permitted. For example, people from certain communities may be allowed to travel outside their communities between the hours 06:00 to 17:00. But if they travel after 17:00, then they will be considered a military target (UNHCR interview 1 2011). This has economic consequences for households as well. For example, they may need to tend to crops and livestock outside these hours (NRC interview 2011).

¹⁴⁹ The Colombian Constitutional Court has issued two orders (Autos 093 and 094) which directly address confinement and landmines.

Conclusion

Land rights among *campesinos* in Magdalena Medio tend to be based around individually-held land titles. Much of the disputed land is officially the property of the state (*baldios*). But *campesinos* that have occupied the land for more than five years – which applies to the communities examined here - have the right to make a claim for the titles of ownership. However, the evidence clearly shows that people in this situation are vulnerable to the predatory behaviour of private companies and entrepreneurs that have been attempting to appropriate these lands for agro-industrial expansion in the palm oil sector. State institutions have tended to either facilitate these practices, or at least not intervened to support *campesinos*, when communities have faced displacement, eviction or dispossession. This has included national institutions - notably INCODER - and municipal authorities.

However, external intervention through an internationally-supported development programme has enhanced the capacity of communities in Magdalena Medio to resist dispossession and abandonment pressures by facilitating legal representation and by publicly intervening on their behalf, thereby reducing their vulnerability as ‘unempowered *campesinos*’.

In Nariño, those resisting palm oil expansion on their land are mainly the Afro-Colombian communities residing in the department. These communities have legally-recognised collective ownership of the land they occupy. They have already lost some of their land to palm oil trees being cultivated, following the illegal occupation of their land by private interests in one area and *colonos* in others. The illegality of the land occupation and dispossession is not in doubt. The initial occupation and continued private sector control of land is linked to support from institutions of the state (INCODER); and for the

colonos is linked to irregular armed groups active in the coca industry. Nariño is one of the most violent regions in Colombia, where most of the key armed groups have a significant presence. The presence of international organisations in this region is minimal and their role is one of humanitarian protection and assistance rather than developmental. Even these limited spaces for humanitarian action are narrowing, as the next chapter will discuss.¹⁵⁰

In both Magdalena Medio and Nariño, communities are being coercively dispossessed or pressured to abandon some (or all) of the land they own/occupy by local actors seeking to expand the cultivation of palm oil. Local and national state institutions have tended to take a supportive or *laissez-faire* position with respect to such processes. To some extent, initiatives from internationally funded development organisations have been able to stall, if not halt, involuntary land abandonment and dispossession in Magdalena Medio. However, in Nariño powerful links between the region's armed groups and the global coca economy is generating intense and complex patterns of violence, and means that similar types of prevention and protection interventions are apparently untenable. As a result, violence and dispossession is more prevalent and intractable in Nariño.

¹⁵⁰ The notion of 'humanitarian space' is defined and discussed in Chapter 6.

Chapter 6. *Palma campesina*: A model for the prevention of displacement?

Introduction

While the previous chapter examined how communities that rejected the idea of cultivating palm oil had experienced, or were threatened with, displacement and/or land dispossession, this chapter examines two communities that were willingly cultivating the crop. In this regard, the communities examined here are closer to the *palma campesina* model that respondents in Bogotá referred to (see Chapter 4). The last chapter argued that an internationally supported development organisation - the Peace and Development Programme for Magdalena Medio - had provided vital support in communities' efforts to resist displacement and palm oil being cultivated on their land. This chapter contends that the support of this organisation to communities in the same region wishing to cultivate palm oil, may have protected them to some extent against displacement. However, it is also argued that there are limitations in the extent to which such a protection model can be effective.

In the case of Nariño, the chapter further explores the challenges facing international humanitarian organisations in their efforts to prevent land dispossession and the violent displacement of Afro-Colombians. As discussed in the previous chapter, the communities in Nariño studied during the fieldwork have opted not to cultivate palm oil. In this region, the work of international organisations with communities is not-so-much development-focused as responding to a humanitarian crisis. There are no development programmes operating in this region comparable with PDPMM. Instead, international humanitarian organisations attempt to provide protection and assistance to communities affected by violent conflict in the region. But their capacity to conduct this work is being limited by a

series of factors, such as limited resources, lack of political will, and the constraints being imposed upon them by armed actors.

Palma campesina: the vision of the PDPMM

This chapter begins by exploring in some depth an internationally-funded development initiative in Magdalena Medio which attempts to maintain the traditional *campesino* livelihood and autonomy while at the same time linking their productive efforts to a non-traditional, agro-export crop, namely African palm oil. An examination of this programme is important to this thesis because its work recognises that palm oil cultivation is linked to the displacement of the *campesino* population, and it attempts to prevent this displacement. The last chapter provided evidence demonstrating that such interventions can play an important role in supporting *campesino* communities' efforts to reject palm oil and resist displacement. This chapter explores the programme's approach to assisting those communities that want to grow palm oil through a non-exploitative model and thereby also mitigate the threat of displacement. The chapter argues that there are limitations to this model and that this approach is not suited to all contexts in Colombia.

In response to the displacement of the *campesino* population in Magdalena Medio, and the high level of rural poverty despite being a resource rich region, an extensive and innovative development programme has been operating in the region since the late 1990s. Underpinning this World Bank initiative - known as the Programme for Peace and Development in Magdalena Medio (PDPMM) - is the notion that *campesinos* will only overcome pressure (whether it be through impoverishment or violence) to vacate their lands if they are able to achieve self-sufficiency in the long term. In recognition of this,

the PDPMM supports *campesinos* who wish to grow their own palm oil in conditions that provide them with a degree of autonomy and security that is not normally associated with the crop. Magdalena Medio represents a unique regional case study in Colombia given the extent to which there is interaction between palm oil companies, *campesinos*, international organisations, state institutions, as well as other actors.¹⁵¹

The PDPMM vision contrasts somewhat with the dominant neoliberal model associated with palm oil and other agro-industrial crops, and even purports to represent a direct challenge to it (de Roux 2006). The PDPMM describes itself as ‘a community-driven response to economic development, conflict resolution and addressing Colombia’s humanitarian crisis’ (World Bank 2010). World Bank funding for the programme began in 1998, with additional support from ECOPETROL, UN agencies and European NGOs.¹⁵² The PDPMM attempts to address two central concerns in Magdalena Medio: the high level of violence and displacement, which mainly affects the rural civilian population; and the high levels of poverty and exclusion (Rudqvist and Van Sluys 2005: 27). It is premised on the notion that peace is multidimensional and that in order for it to be sustainable, it must have social, economic, political and cultural dimensions. Fundamentally, it aims to build alternative models of peace and development at a local and regional level (Barreto Henriques 2007: 7). It recognises that both violence and socioeconomic needs in Colombia differ from one region to another, necessitating a regional approach. The PDPMM opposes *campesinos* selling their land or engaging in

¹⁵¹ Much of the detailed information about the PDPMM and its projects was obtained through extensive interviews with its staff in Bogotá, in regional offices (such as Barrancabermeja) and in local communities in Magdalena Medio. Interviews were also conducted with partner organisations and beneficiary communities.

¹⁵² The PDPMM has its origins in a 1985 proposal jointly drawn up by the Catholic Diocese of Barrancabermeja, the national oil company (ECOPETROL), and the Colombian Oil Workers Union (*Unión Sindical Obrera*).

‘productive alliances’ with large palm oil companies.¹⁵³ Rather it promotes the continuance of the productive occupation of the rural territory of Magdalena Medio by the *campesino* communities already residing there, whereby they maintain their identity but also engage with domestic and international markets in symmetry with other actors. The principal strategy is to increase living standards and reduce levels of violence by forging links between communities, civil society, the business sector, government bodies and, where appropriate, armed actors. The overarching objective is to prevent the displacement and impoverishment of the *campesino* population (World Bank 2002).

The PDPMM aims to foster a regional economy which combines *campesino* farming with agro-industrial and urban development poles in such a way that the productive outputs will also serve to improve the sense of dignity in the lives of community members. The PDPMM argues that to achieve this with sustainability, requires *campesinos* being allowed to productively and legally occupy their own territory, and for them to openly engage with the challenges of international markets and globalisation (Castro 2010:171). It seeks to reverse the trend towards the diminishment of the traditional *campesino* economy that has been occurring in the region in recent decades, as a result of displacement and outward migration (de Roux 2006). The *campesino* economy differs from that of market-led or capitalistic agriculture in that it is not necessarily dominated by a logic based upon profit generation (Rudqvist and Van Sluys, 2005:25). Rather the *campesino* economy tends to be comprised of subsistence agriculture and selling agricultural produce in local markets. That said, in recent years *campesinos* have become more engaged with the wider economy, selling products such as cocoa to exporters). But crucially, *campesinos* tend to be independent of large corporations by retaining control

¹⁵³ The arrangements between palm oil companies and *campesinos* known as ‘productive alliances’ are explained in Chapter 3.

over their land and what they cultivate to some extent. The unit of laboural production maybe the household, the community or small cooperatives.

The unit of production within PDPMM-supported programmes is the *campesino* family farm. The rationale for this is that the family cares for the land and the environment with a long-term perspective. Surpluses are used to secure the family's economic stability and permanence on their land and in the territory. The *campesinos* own the technology they use as well as the output of their labour. The PDPMM-sponsored farms that cultivate palm oil, a model sometimes referred to as *palma campesina*, is based upon small cultivations of the crop located in small peasant plots incorporated into cooperatives (PDPMM 2001:14). This production model comprises household plots of 6 to 10 hectares of palm oil trees on cooperative farms no larger than 50 hectares. Other food crops are also grown on these farms and cattle are allowed to graze, both of which are traditional *campesino* activities. Some 9,700 hectares have been planted under this model in the region so far. Farms are dispersed across a wide area so as protect the environment from intensive mono-cropping (de Roux 2006). This 'quilt-farming' approach adopted by the PDPMM contrasts sharply with the 'green desert' resulting from the mono-cultivation carried out by large palm oil companies (Castro 2010).

In 2011, PDPMM projects were being implemented in eight municipalities of Magdalena Medio in collaboration with grassroots organisations, benefiting some 390 families in the region. In each municipality, the PDPMM engages in productive alliances in order to secure access to credit and ICR subsidies. Establishing a palm oil plantation requires substantial injections of capital, which only large companies and wealthy investors can usually afford (Camargo interview 2011). The PDPMM addressed this problem by arranging loans with private banks to cover 60 per cent of the investment required, while

the ICR subsidy accounts for the remainder. Under this scheme the *campesino* signs a loan agreement on the understanding that palm oil will be grown on his/her land as part of an association with other *campesinos*. As the project progresses, these obligations become individualised, such that each of the associates becomes responsible for his/her own debts from the time at which the palm oil crop first becomes productive (Briceño interview 2011).

The PDPMM argues that the collective property rights that apply to indigenous peoples and Afro-Colombian communities should be applied to the wider *campesino* population. The PDPMM prioritises employment generation and viable productive processes for small and medium farms. Smaller farmholdings form marketing cooperatives to collectively sell cocoa, palm oil and tropical fruits. Thus it involves a combination of subsistence farming and agricultural production geared towards local markets and export to global markets. In the context of ongoing violence and displacement, these local development initiatives are accompanied by the simultaneous implementation of local peace building initiatives. The World Bank argues that these processes are symbiotic: the development process itself furthers the transformation of the structures that generate violence and inequality (World Bank 2010).

The PDPMM aims to challenge the notion that the exploitation of land requires knowledge which only industry professionals and highly skilled labour possess, necessitating hired help from outside the region. It argues that it has demonstrated through its palm oil projects that a peasant farmer can learn if he/she is given the opportunity, together with appropriate training and financial assistance. The PDPMM claims that its success demonstrates that it is not only private investors and large

companies that can bring sustainable regional development, but that *campesino* farming can as well (Camargo interview 2011).

In an effort to support and build upon the PDPMM's work and make its own contribution to peace and development in Colombia, the EU established a development initiative in Magdalena Medio in 2002 known as the Peace Laboratory.¹⁵⁴ Its strategic and methodological approach is based upon the PDPMM, which it seeks to amplify and deepen. The Peace Laboratory exists within the PDPMM framework and they do not constitute separate structures or projects. Rather the Peace Laboratory expanded the PDPMM by providing more resources, while adding new objectives and considerations from a European perspective (Barreto Henriques 2007:11).¹⁵⁵

In its original configuration, the Peace Laboratory comprised four principal components: fostering a culture of peace and integral rights; productive farming activities; enhancing the social infrastructure; and institutional strengthening. With respect to economic and agricultural activities, it aimed to support the *campesino* economy in the region, which it saw as being threatened by agro-industrial and paramilitary economic projects. It argues that the region's extractive and exclusive development model generates and deepens poverty and inequality despite the area's wealth of natural resources (Rudqvist and Van Sluys 2005:8).

PDPMM staff were quite open in providing their opinions about the effectiveness of their work, their frustrations, and the challenges they faced given the context in which they

¹⁵⁴ The EU rejected a proposal to support the (mainly US-backed) Plan Colombia initiative launched in 2000, due to its emphasis on supporting military activities. The EU then sought to develop policies towards Colombia which reflected a European vision centred on conflict resolution, a core element of which was the Peace Laboratory. Funding is also provided by a counterpart from the Colombian state and support from other donor organisations (Barreto Henriques 2007).

¹⁵⁵ The Peace Laboratory initiative has subsequently been expanded beyond the Magdalena Medio region, and there are currently programmes in 18 zones throughout the country, with over 80,000 beneficiaries (World Bank 2010).

were working. The decision to include palm oil cultivation in its development work has been controversial. Not only has it come under criticism from external observers, there is not even consensus among PDPMM staff about the merits of the programme's involvement (Barreto Henriques 2007:27). This was evident from interviews with PDPMM staff members conducted during this research. In justifying its decision, the PDPMM took the view that palm oil offered the potential to increase the income, and therefore living standards, among the impoverished *campesino* population. Nonetheless, questions remain about sustainability and applicability as a peasant model given the large amounts of capital, land and machinery these projects require. In addition, some argue that the negative environmental impact of palm oil cultivation arguably contravenes somewhat the Peace Laboratory's proclaimed commitment to environmental and developmental sustainability (Barreto Henriques 2007:28).

The ability of the PDPMM and the Peace Laboratory to carry out development projects over such a long period in a conflictive region such as Magdalena Medio is in large part due to the stakeholders involved. The two main supporters of the programme – the EU and the World Bank - are treated with trepidation by the armed groups. This has provided a degree of protection to the PDPMM programme, its activities and its partner organisations (Camargo interview 2011).¹⁵⁶ The Catholic Church played an instrumental role in the establishment of the PDPMM and has continued to play a central role in sustaining its activities. The armed actors in Colombia tend to respect the Church and its social work, albeit even its representatives are sometimes threatened and killed. Nonetheless, given its unique status the participation of the Church has facilitated the

¹⁵⁶ Nonetheless, PDPMM staff members have been threatened on many occasions and several have been killed (Camargo interview 2011).

PDPMM in being able to operate in violent zones and implement projects (Pena interview 2009).

The participation of the Colombian government in the planning and implementation of projects under the PDPMM umbrella has been the cause of some contestation. The state and its security are central actors in the conflict, and the government's perspectives and priorities with regard to peace and development policies do not always coincide with those of the PDPMM or the EU. For example, the Uribe government's refusal over several years to officially recognise the existence of an 'armed conflict' and ongoing political violence has been a point of debate and contention within the PDPMM (Briceño interview 2011). While the Colombian government under the presidency of Álvaro Uribe collaborated with the PDPMM and expressed its support, it arguably never truly subscribed to it.¹⁵⁷ To a large extent, the programme's philosophy was incompatible with that of the government's Democratic Security policy and its wider economic policies (see Chapter 3).¹⁵⁸ The implementation of some projects were stalled for several months because Acción Social refused to sign off on documents which referred to the social dimensions of the armed conflict and the challenges in accessing humanitarian space (Barreto Henriques 2007:31).¹⁵⁹

¹⁵⁷ During an informal discussion with the author in April 2011, a senior official at the EU delegation in Colombia revealed that members of the Colombian government were trying to pressure the EU into abolishing the Peace Laboratories and instead fund a programme for development that 'coincided with Colombian government development policies'. In the opinion of this official, it was likely that the EU would cease supporting the Peace Laboratories in the near future.

¹⁵⁸ Although it should be noted that under the presidency of Juan Manuel Santos (elected in August 2010), the government's discourse and policies have shifted substantively. There has been official recognition that the country is experiencing a civil war; the government is holding peace talks with the FARC for the first time in over a decade; and legislation has been passed to compensate displaced people among others (the so-called Victims Law). See Chapter 2 for a more detailed examination of these issues.

¹⁵⁹ There are numerous definitions of 'humanitarian space', and its significance continues to be debated. For instance, some define it in terms of the capacity for humanitarian agencies to freely operate in meeting needs in accordance with humanitarian principles (OCHA 2003: 14-15). UNHCR sees it in terms of the ability of communities to enjoy basic rights in conjunction with the agency's ability to fulfil its mandate in a secure and enabling environment (Tennant et al. 2010). For others it corresponds to compliance with international humanitarian law (Grombach Wagner 2005). Collinson and Elhawary (2012) emphasise the

The PDPMM represents an ambitious attempt to prevent displacement at the regional level in Colombia. It recognises that the palm oil crop (or more specifically the model of its production that is usually adopted in Colombia) represents a potential causal factor in displacement processes. The next two sections examine the experiences of two communities of *campesinos* that are cultivating palm oil and have been supported by PDPMM, although the extent of their enthusiasm for the crop varies. It is argued that even these communities of ‘willing partners’ have experienced intimidation and coercion by actors intent on acquiring their land and crops. This calls into question the transferability of such a model to other regions, and the chapter’s examination of Nariño further demonstrates the severe challenges in providing any kind of community-supportive intervention in that region.

1. Las Pampas, Sabana de Torres, Santander

The community of Las Pampas is located close to the town of Sabana de Torres in the department of Santander. It is a community intended for 115 displaced families with some 800 hectares of agricultural dedicated to palm oil. When this fieldwork was being conducted, only 70 families lived in the community although more were expected to join them. The palm oil trees had been planted only two years earlier (in 2009), and so were not yet productive. This land was provided by INCODER. In all, INCODER purchased 1,139 hectares. Some of the remaining land was being used for other crops and animal husbandry. But this was not substantial and was insufficient to sustain the community. They were mainly living off small allowances provided to them each month until the

highly complex political context in which humanitarian actors operate, given the myriad of actors and processes at play.

palm oil becomes productive. Some community members worked on other farms as day labourers (GD3: Las Pampas 2011).

These displaced families came from regions all over the country in what the community described as a 'relocation and socioeconomic re-establishment process'. However, shortly after the arrival of the first families in 2007, the community was informed that they were all to be permanently relocated to the town of Sabana de Torres. INCODER had invited Indupalma to manage the palm oil project, with which they apparently had 'an alliance'. 'That's how it was, contracting by the finger, because someone in Indupalma was a really good friend of the director of INCODER at the time' (Villegas interview 2011). Supported by the PDPMM, this proposal was rejected by the community association, ASOVEMPRO. Most of that year was spent in negotiations with INCODER and Indupalma. The relationship between the community and Indupalma soon began to deteriorate. Community members and the PDPMM criticised what they saw as unfair practices by the company.

According to a senior PDPMM employee, the community faced considerable hardship within the original proposal. First, community members had to buy the land from Indupalma (with some assistance of Acción Social) for which they paid 'an incredibly high price'. Second, they had to buy the palm oil seeds from Indupalma, and for a considerable sum because 'they take their cut'. Finally, the company charges the community for technical assistance (Villegas interview 2011). Community members were to contribute their labour but they would continue to be employees of Indupalma until they had paid off their debts and could sustain themselves through the palm oil crop:

They are going to have to sell their fruit to Indupalma for at least 18 years in order to pay the costs of what the project cost [to establish]. [...] Indupalma arrive and

say: “We will plant palm and when it starts producing we will be the owner of 80 per cent of production and you [will own] 20 per cent.” These are the business [practices] that they are using. And they are devastating the environment (Villegas interview 2011).

Indupalma wanted the residents of Las Pampas to relocate because it intended to sell the land on to another group of farmers through a land subsidy. This dispute between Indupalma and the community lasted about 18 months. The community were offered compensation if they agreed to relocate. They were supported in their resistance efforts by the Defensoria del Pueblo, PDPMM and UNHCR. Community members expressed their dissatisfaction at how events unfolded:

It was insane, us leaving our lands because of the armed conflict and then coming here and having the same thing happen. That strategy was a government trap. Totally absurd! And we didn’t allow it. We created strong links with institutions where we were able to break away. [...] And we didn’t just have one or two meetings, but many in order to get here. Then they told us we had 10 business days to find another partner. [...] So we entered into an agreement with PDPMM because they respected us as farmers (GD3: Las Pampas 2011).

So the partnership with Indupalma was terminated and the community began working with a different partner. The new company taught them how to cultivate palm oil. The PDPMM managed to secure assistance for the community from Acción Social and MIDAS,¹⁶⁰ so that they were able to construct houses and install a water and sanitation

¹⁶⁰ The More Investment for Sustainable Alternative Development Program (*Mas Inversion Para El Desarrollo Alternativo Sostenible* or MIDAS) is a ‘USAID-financed alternative development program designed to generate economic and social alternatives to illicit crop production by promoting market-driven, private sector-led business initiatives in pre-defined “economic corridors” throughout Colombia, as well as to enhance the competitiveness of the Colombian economy by promoting economic policy and

system. Subsequently they have gained more support and are now receiving a subsidy to ensure food security while they wait for the crop to become productive.

A large section of the land had not yet been exploited because the community is unable to access it until the municipal authorities fulfil a commitment to survey the land. The community expressed frustration at this, as they wished to use this land for cattle ranching which would help sustain them economically. In addition, their inability to secure significant financial support and their need to earn income elsewhere meant that they were not able to tend to the palm oil crop as much as was necessary (GD3: Las Pampas 2011).

A PDPMM employee who lived locally identified several problems within the community and in relation to this model of production. She claimed that only about 40 of the households are farmers by vocation and are truly engaged in the palm oil cultivation. The others tended to spend their allowances as soon as they received them on alcohol, and that this led to confrontations and even violence within the community. The community was provided with a tractor by Acción Social, but it was never used because they rarely had enough money to purchase fuel. She attributed much of the intra-communal conflict to the huge social and cultural diversity within the community and the fact that many are not farmers and have no interest in farming. Some community members are displaced people from urban areas that have never farmed before. The amount of land per family is quite small and requires efficient farming in order to be productive enough to achieve self-sufficiency (Lopez interview 2011).

institutional reforms to maximise employment generation and income growth. Under MIDAS, USAID/Colombia is implementing comprehensive business development components in the areas of Agribusiness Partnerships, Commercial Forestry, and Small and Medium Enterprise for secondary cities. The program includes a component that will facilitate the creation and effective implementation of laws and policies to promote trade and strengthen economic competitiveness' (USAID 2006).

PDPMM staff claimed that there were often difficulties when working with communities of displaced persons. The children in Las Pampas were unable to attend school because they did not have any form of transportation. Institutional issues were also identified as being problematic. Acción Social was in charge of the project, but they provided very little support. In addition, the mayor's office had still not approved all of the titles for the land that the community had been promised. As a result, the community were prohibited from using a large portion of the fertile land for subsistence agriculture. A local PDPMM employee feared that many members of the Las Pampas community would sell their land as soon as they had been granted the titles (Lopez interview 2011). According to a PDPMM employee based in Bogotá, working on projects with displaced persons is 'very difficult' because 'they never let go of the status of being displaced' even though they have resettled. Encouraged by PDPMM, the displaced persons from Las Pampas have applied for credit, which is unusual. PDPMM urged them to do this because governmental assistance will soon cease and they will no longer be regarded as displaced but be expected to sustain themselves (Villegas interview 2011).

The community of Las Pampas is a government-supported pilot project aimed at resettling displaced people on newly acquired land on the condition that they cultivate palm oil. This is a unique initiative in the region (and nationally, as far as could be determined) and represents an attempt to compensate a group of displaced persons through land restitution and sustainable development in the form of palm oil cultivation. With regards to the attitude of community members to growing palm oil, one explained that this was the only option open to them:

[T]he project is directed towards palm oil. Given that the project was established for palm, we were prepared to plant it. With the land that is left for us, we can plant

[other] things. Be it agriculture or cattle ranching, [it will be] something that will generate income in addition to palm oil (GD3: Las Pampas 2011).

A PDPMM employee expressed his frustration with the process, particularly that community members were not at liberty to decide which crop to cultivate:

It is absurd. Displaced farmers [are told to] go there and take that land. But it is only for palm. They don't ask them if they agree or not. The model came with Indupalma. But they found out little by little that the scheme wasn't acceptable and so they started to redesign it. First, I ask the people what they know how to do. What can we produce? How can we solve the issue of food [supply]? (Briceño interview 2011)

Las Pampas community members claim that the project may fail unless it receives more institutional and financial support. In summarising the problems, a PDPMM employee described the disfunctionality of the model:

The model has really screwed up from the beginning. It is a total dance and I don't know why someone can't stop others happening. The model has a horrible error in its design. It is a trap. The first five years are horrible. Better that they hadn't come because this Sabana [land] is difficult to nurture and the current mayor is questionable. [...] The people have built their homes with pride and got rid of Indupalma. Because if not, they would have become Indupalma workers for the rest of their lives (Briceño interview 2011).

The community of Las Pampas appeared to be significantly less cohesive than the other communities examined in this research. This may be because they had not lived together as a community for very long, as it was only two years earlier that these displaced people

from various regions had been gathered together and resettled in Las Pampas. The experiences of this community demonstrate once again the strong links between INCODER and the palm oil company Indupalma. The promise of resettlement and developmental assistance was conditional upon them growing palm oil in cooperation with Indupalma. But in a somewhat bizarre turn of events, following their resettlement there was an attempt to uproot them again (or ‘displace’ them as the community saw it) and resettle them in a local town. The reasons for this were not clear to the community, although a PDPMM staff member speculated that it might be ‘because they are displaced people and therefore difficult to work with’ (Villegas interview 2011). Even PDPMM staff reportedly found it difficult to work with this community. Nonetheless, the support that PDPMM (and other national and international organisations) provided was integral in preventing their secondary resettlement.

The case of Las Pampas is unlike the others examined during the course of this research in the sense that this was a community of displaced people that had been recently resettled as part of a government and PDPMM-supported initiative. As a result, this new community had not yet coalesced and lacked a strong sense of cohesion. But even this community was potentially facing being involuntarily moved off their land when the palm oil company became apparently dissatisfied with their agreement with Las Pampas. Again, the intervention of international organisations prevented this from happening. This community of *campesinos* was arguably in a stronger position than those in the previous chapter: they had entered into a contractual arrangement which involved growing palm oil and were on a path that would lead them to the land’s ownership. These findings echo those of local actors in Magdalena Medio - and challenge the narrative from Bogotá - in that there are attempts to ‘displace’ *campesinos* and Indupalma is linked to such activities.

2. Vereda Candelia, San Martín, Cesar

The community of Vereda Candelia, which is in the municipality of San Martín in the department of Cesar, comprises some 50 land-owning families or ‘associates’ as they referred to them. These are *campesinos* that have not been displaced, nor are they threatened with displacement. In a project supported by the PDPMM, each member of the association has 10 hectares of land, amounting to some 500 hectares in total cultivated with palm oil. They also rear some cattle and grow small quantities of produce for their own consumption. The palm oil trees were planted in 2002 and they have achieved successive harvests of palm oil fruit since 2005. On average, each family makes a monthly income of 8,000,000 COP (4370 USD). Members of the community provide 5 to 10 per cent of this income to a fund for communal services, particularly healthcare. As a result, they claimed that they have good health services and all their children attend school. They were positive about being palm oil growers and were highly content with the revenue it generated. They are paying off their debt and expect to be debt-free in a ‘few years time’ (GD1: Vereda Candelia 2011).

Community members claimed that the original proposal from INCODER was for the *campesinos* to become ‘contractors’ under an agreement whereby it would negotiate on their behalf with an unnamed palm oil company. As one community member put it: ‘They were going to take our land. The government was going to put us to work and then when the palm was producing, they were going to take our money. They were going to make us into slaves’ (GD1: Vereda Candelia 2011).

But eventually the PDPMM intervened on behalf of the community. The PDPMM made an agreement with another palm oil company, Palmas de Cesar, whereby the *campesinos* retained control of the land and were provided with palm oil tree seeds. They explained

that the first few years were difficult as they waited for the palm oil trees to become productive. During this time, they had no income and many of them worked on other farms as labourers in order to support their families.

Honestly, the beginning was really difficult for us. Nobody helped us. We went knocking on doors in the municipality, at the Mayor's Office. Everyone said no. [...] That it couldn't be done, that there was no money (GD1: Vereda Candelia 2011).

PDPMM staff provided training on palm oil cultivation and financial accounting. This community was comfortable with the new palm oil company and said that relations were good: 'they have done much for us, done us many favours. They trained us, sent engineers, everything; and without us paying' (GD1: Vereda Candelia 2011). The success of the project has led to its subsequent expansion with more associates joining. Support was forthcoming in the second phase from FUNDEPALMA¹⁶¹ and MIDAS. More recently, bank loans have also been made available to them. They signed an initial contract with Palmas de Cesar for 11 years and recently signed a new one for 20 years.

Despite the success of the project, the community explained that there are occasional attempts to seize their land, usually by people to whom the farmers owe money. They claimed that *campesinos* are encouraged to take out loans and get into debt. Their creditors then try to seize their land cultivated with palm oil rather than reclaim the debt (GD1: Vereda Candelia 2011).

When asked about what they will do once the palm oil trees are no longer producing, they admitted that this was a constant concern for the community. In response to this, they

¹⁶¹ FUNDEPALMA is a 'non-profit organization that aims to develop social responsibility in the palm oil sector, providing advice, assistance and support to participating communities and interest groups' (<http://www.fundepalma.org>).

have been told by those advising and assisting them: ‘You have to save. Invest whatever you can, because it will end. And then what are you going to live off?’ (GD1: Vereda Candelia 2011).

This community of *campesinos* was undoubtedly the most positive, among those studied, about their experiences in relation to palm oil and they had financially benefited significantly. But even here, there was a government/private sector attempt to introduce a mechanism whereby they would become contractors to a private company rather than independent land-owning farmers. Their ability to prevent this was in large part due to the intervention of the PDPMM, the appointment of a lawyer to advise and represent them, and the establishment of an alliance with a palm oil company that was willing to allow them a good degree of autonomy. Following their rejection of the government-backed proposal, the community received no assistance or support from government bodies or financial institutions and they struggled to become profitable. Now that they are profitable, such support has been made available. Nonetheless, there have been attempts to aggressively acquire their lucrative crop, which demonstrates the persistent vulnerability that *campesinos* can face. The community gave the impression of being highly cohesive; although it is difficult to establish whether or not this was a cause or an effect of their achievements and relative prosperity. Perhaps crucial to this community’s stability and capacity to counter hostility was the fact that they opted to cultivate palm oil and that they did this on land was not *baldios*, but rather on land that they owned the legal titles to.

Themes emerging from Magdalena Medio

In comparing *campesino* experiences outlined in this chapter with the previous chapter, the evidence from Magdalena Medio demonstrates that not all *campesino* experiences and attitudes to palm oil cultivation are negative and that not all palm oil companies are alike in terms of their business models and overall approach. Two companies operating in the region were described by community members in favourable terms, and certainly there is no substantive evidence to link these companies to displacement or attempted displacement. In particular, the community of Vereda Candelia (which had already been growing their own palm oil for seven years) was mainly positive about their experiences. They had good relations with their allied palm oil company and were satisfied with the income they were receiving, while managing to retain their identity as *campesinos*. They themselves argued that their community represented a good model of how palm oil can work well for *campesinos*. But even this community had experienced aggressive government/private sector attempts to introduce a production model that was less favourable for the *campesinos*.

In the case of Las Pampas, palm oil was being cultivated by the community, albeit with less enthusiasm. Community members claimed that they were growing palm oil crops only because they had no choice. The resettlement of these displaced people and their prospects of a sustainable future were apparently contingent upon it. It is worth noting that the palm oil crops being grown by this community were not yet productive and this may well be fundamental to their impoverishment and the intra-communal tensions.

The government's support for the Las Pampas initiative was an attempt to test a model which would involve the resettlement of displaced persons by creating employment opportunities. For many years the government has been under pressure to address the

‘displacement problem’, not least from the Constitutional Court (see Chapter 2). But the government attempted to achieve this by imposing its own dogmatic rural economic development model on the process: the *campesinos* become employees for a large private company, with the palm oil crop being grown in company-owned plantations and not *campesino*-owned land plots.

Shrinking humanitarian space and land dispossession in Nariño

Violence, displacement and land dispossession are taking place in Nariño at a much higher level than in Magdalena Medio, and indeed most of the rest of the country. In such conditions, there is little potential for communities to resist illegal land occupations - with or without the assistance of international organisations - for the purposes of cultivating palm oil. The Afro-Colombian communities in the region strive to live autonomously and peacefully in a region where there are myriad of armed actors and complex territorial struggles. In this context, the Afro-Colombians (together with indigenous communities) are the most marginalised and disempowered of all the region’s actors. They are also disproportionately affected by displacement (see Chapter 2).

There are a handful of international organisations working with communities in the Alto Mira region of Nariño. This research conducted extensive interviews with representatives of three of them. First, UNHCR has a small team working under its mandate of civilian protection for people displaced by armed conflict and aims to prevent further displacement (Zapater 2010). Second, the work of the Norwegian Refugee Council (NRC) in the region is aimed at ‘promoting respect for the rights of displaced persons’ (NRC 2012). Third, the Ventana de Paz (VDP) is a multi-agency (including several UN organisations) supported initiative that aims to consolidate local and regional capacities for peace building and development, by strengthening democratic institutions, citizen

participation, coexistence and sustainable socio-economic development, as well as incorporating gender and ethnic perspectives to advance the millennium development goals (MDGs) (VDP 2013).

When interviewed in 2011, representatives of these three organisations expressed concerns about a recent dynamic in the region: the incrementally diminishing space within which humanitarian organisations were being allowed to provide protection and assistance to the civilian population affected by violence and displacement. According to a UNHCR representative, the space for humanitarian agencies to operate is closing partly due to government initiatives and strategies, such as its National Territorial Consolidation Plan¹⁶² and the Integral Action Coordination Centre.¹⁶³ He argues that these measures and the institutions involved have clouded the conflict, and attempt to compel humanitarian actors ‘to take sides’. Humanitarian action has become more difficult because ‘the principal actors are embedded within the civilian population who are also part of the conflict’ (UNHCR interview 1 2011).

We have restrictions of mobility and the closure of humanitarian space. Last year here on the Pacific Coast, the municipalities of Barbacoas and the Charco were closed to our mission’s work. [...] None of the international cooperation actors and humanitarian organisations were able to enter because the illegal armed groups had

¹⁶² The National Territorial Consolidation Plan aims to establish a government presence in several areas of the country with histories of illegal armed groups, violence, drug trafficking and statelessness. (It is often called the “La Macarena” program, after the southern Colombian zone where the most advanced pilot project has taken place.) The Consolidation Plan is the conceptual successor to Plan Colombia, the counter-narcotics and counter-terrorist strategy that began with a dramatic increase in U.S. aid to Colombia in 2000. While the Consolidation Plan has brought security improvements and more soldiers and police to a few territories, the governance vacuum remains far from filled. Supposed to run from 2004-2010, the US-supported programme continued into 2013, although it has been experiencing some internal problems following a lengthy period of strategic rethinking under President Santos (Isacson 2012; Isacson & Poe 2009).

¹⁶³ The Integral Action Coordination Centre (*Centro de Coordinación de Acción Integral*, CCAI) was created in 2004 to bring together the Colombian government agencies that implemented social and economic programmes to complement and support the military’s recovery of control over territory. Social actions became part of the strategy for legitimising the armed forces in areas that they entered with support from the U.S. Southern Command (Vargas Meza 2011).

closed access. Gradually, space opened later, for which we are grateful (NRC interview 2011).

A UNHCR representative based in Nariño explained that people outside of the region express surprise that he is able to live there, because ‘the news about the violence in Nariño and its surroundings is sensational in Bogotá’. He explained that, while they have some scary moments, the armed groups tend to let them pass when they see the United Nations flag. But he adds that the security situation now is much worse than five years ago: ‘the things I used to do in 2007 and 2008 are not possible anymore’ (UNHCR interview 2 2011).

A senior UNHCR official was (anonymously) critical of government programmes (including the National Territorial Consolidation Plan) which involve establishing or augmenting the presence of the country’s armed forces in rural areas and then deploying them to implement development projects targeted at the civilian population. In his view, this made it difficult for humanitarian organisations to do their work without interference and without being seen as compromised in their role as an impartial service provider. Such government policies arguably challenged the fundamental humanitarian principles which guide the work of the UN and other humanitarian organisations.¹⁶⁴ He also felt that the Uribe government’s narrative - about ‘winning the war’, tackling gang violence and creating new opportunities for outside investors – was not convincing international humanitarian agencies and donor countries.

The same UNHCR official also maintained that the government narrative is duplicitous. On the one hand the government declares: ‘Colombia is doing well. Colombia has

¹⁶⁴ Four principles provide the foundations for humanitarian action: humanity, neutrality, impartiality and independence.

investment opportunities. Colombia has confidence. We are eradicating crime. Gangs are things that need to be resolved. But we have already killed Mono Jojoy, alias Fulano, Sutano, and Perengano.’¹⁶⁵ But he argued that ‘these words are for the outside world.’ The donors’ response to this is: ‘So if you are doing so well, what are we doing here?’ The official related an incident where Nariño’s Governor, Antonio Navarro, told a gathering of international government officials and donors that they were looking for donor support to address development within the framework of ‘democratic security’ (see Chapter 3), as the government was prioritizing other issues. To which one (unnamed) ambassador responded by saying: ‘Why do we have to take care of the consequences of the war you are creating, while you invest in other things? Something is wrong here.’ The UNHCR official concluded by saying that the situation was deteriorating all the time in Nariño. The guerrillas and the criminal gangs have organised themselves to combat the government's Consolidation Plan, while the local population suffer the consequences of the worsening violence.

The head of the UNHCR mission in Nariño claimed that UNHCR had insufficient resources to do its work properly and that funding was continuing to be cut. Funded and guided in its work as it is by donor states, there has been a clear decision that UNHCR will play less of a role in Nariño than in the past. The UNHCR representative was clear that this decision was made based upon political issues rather than finances or needs on the ground. The pressure to cut funding had not been a widespread issue, but a Colombia-specific one. This he attributed to the international community of donors’ acceptance of the government narrative. But as far as he was concerned, progress was not being made in terms of development or security and the humanitarian crisis continues. The extent of displacement and the levels of need that UNHCR was responding to (150,000 people

¹⁶⁵ These names are the aliases of various well-known senior guerrilla commanders.

living in Nariño and the three and a half million people across the country) warranted the kind of attention that the government programmes of Families in Action¹⁶⁶ and Forest Ranger Families¹⁶⁷ cannot provide. The provision of welfare was also not a long-term solution, as this does not address the structural nature of the problems (UNHCR interview 2 2011).

Essentially, this critique from humanitarian actors in Nariño comprises two main components. First, much of the international community has accepted the government narrative that the war is over and that state institutions in Colombia (such as the army) are best placed to deliver internationally-funded ‘development assistance’ to the civilian population. Second, there continues to be a humanitarian crisis in the region with high levels of displacement. To this end, international humanitarian agencies should still play a role in civilian protection and possibly also in development initiatives, given that government-led ones create aid dependence rather than foster sustainable development (UNHCR interview 2 2011). The UNHCR representative’s view that projects tend not to be conceived as long-term initiatives was echoed by the VDP representative: ‘Long term projects? [...] There is nothing solid or strategic. On the contrary, all the projects are short range, short term’ (Perez interview 2011)’.

The UNHCR representative was also critical of the process by which a coca eradication programme in the region was being rolled out. In 2008, the Provincial Government of Nariño introduced the ‘¡Si Se Puede!’ (‘Yes We Can!’) programme which encouraged and supported the voluntary eradication of illicit crops. Governmental authorities had

¹⁶⁶ Families in Action (*Familias en Acción*) is one of three programmes run by the Colombian government as part of the RAS (*Red de Apoyo Social* or Social Support Network) and is financed by a loan from the World Bank and the Inter-American Development Bank (IFS 2012).

¹⁶⁷ The Forest Ranger Families (*Familias Guardabosques*) initiative is a state-run programme for rural, indigenous and Afro-Colombian families that are involved in, or at risk of becoming involved in, illicit crop cultivation within strategic ecosystems (AIDA 2012).

urged UNHCR to participate in the programme. But this initiative involves directly targeting the funding source of the FARC, paramilitaries and narcotraffickers. This would constitute taking sides in the conflict and make UN agencies a potential target. Because of these concerns about their neutrality and security, he claimed that UNHCR had been forced to resist pressure to collaborate with this government campaign: ‘Our neutrality, independence and autonomy will be questioned. We will have become an actor in the conflict’ (UNHCR interview 1 2011).

Media attention as a result of reports from pressure groups in recent years has had an impact upon the palm oil industry, and more particularly on the large companies that they supply for the production of consumer goods. In 2009, Unilever announced that it planned to source all of its palm oil from ‘sustainable’ sources by 2015. This was because of criticism (by Greenpeace among others) levelled against its suppliers that they were conducting illegal logging in Indonesia (The Economist 2010c). While most of the attention has focused on Southeast Asia, environmental issues and animal rights rather than human rights, there has also been some successful campaigning targeted at Colombian palm oil producers. In October 2010, the Body Shop announced that it was cutting commercial links with a major palm oil producer in Colombia after an investigation concluded that the company had displaced *campesinos* in order to plant palm crops (Syal & Brodzinsky 2010). This followed a campaign conducted by Christian Aid and several reports in British newspapers (see Chapter 5).¹⁶⁸

As discussed in the last chapter, an examination of communities in Magdalena Medio demonstrates how the intervention of international organisations, namely the World Bank-funded PDPMM/EU-funded Peace Laboratory, can empower the capacity of these

¹⁶⁸ For example, ‘Body Shop accused as farmers are evicted to make way for palm oil’, *The Observer*, 13 September 2009, London.

communities in their struggle to retain the land which they occupy even though they did not possess the legal titles of ownership. In the case of Las Pavas there was a good deal of international media coverage, given that a multinational company was embroiled with a reputation for social responsibility to uphold. This was a complex legal case and the facts about wrongdoing are far from clear. What is clear is that the people were forcibly evicted and that these actions were later ruled to be illegal; INCODER mishandled events quite badly and then apparently attempted to conceal this; and if independent assessments had been conducted beforehand to determine the environmental and social impacts of palm oil in the region, it is doubtful that any cultivation would have been approved in the first place (El Espectador 2009; Independent Commission 2010). The international NGO that was at the centre of this campaign and released the details to the international media, Christian Aid, saw Las Pavas as symptomatic of a wider problem in Colombia:

We can see that [Las Pavas] is not an isolated case. [...] We believe that Colombia is working with the wrong policy towards development, and cases like those of biofuels are very clear. We wonder what people will eat if 80 per cent of the Pavas territory is full of palm. This is not sustainable. We want to challenge the policies of the state at the highest levels, because its dialogue abroad is very different from what is happening here (Christian Aid interview 2009).

But there may be limits in the extent to which the international community can influence palm oil production. Most palm oil is pooled upon its import into Europe and North America before being traded in commodity markets and redistributed. It is therefore difficult to trace to its point of origin, given that producers sell it to central suppliers. Furthermore, currently more than half of the palm oil cultivated in Colombia is for

domestic consumption and so the international community is limited in its ability to influence producers.

Conclusion

Debates about the expansion of palm oil cultivation in Colombia lie at the heart of an ongoing national debate comprising very different visions for the future of rural Colombia and its relationship with the global economy. By and large, *campesinos* are absent from this debate, although some international organisations have taken on a role of ‘representing their interests’. The lack of discussion in this national debate about the consequences for the *campesino* economy reflects the fact that this is seen as an issue of rural development and modernisation, in which the *campesinos* do not play a significant part. There is little recognition or discussion of the displacement and land dispossession impacts. Some view it as an unfortunate but necessary consequence of economic development and wider prosperity.

This thesis has paid a good deal of attention to the PDPMM/Peace Laboratory initiative of the World Bank and the EU. This is because the programme has virtually exclusive development-related access to *campesino* communities in Magdalena Medio that are affected by the expansion of palm oil cultivation. A principal goal of PDPMM is to prevent displacement by supporting *campesinos* to cultivate palm oil and thereby conform to the government’s rural development policy of expanding the production of biofuels for agro-export. Unofficially, the PDPMM also play a pseudo-protection role with respect to the threat of displacement faced by those rejecting palm oil cultivation on their land. Central to this support was the provision of legal representation, resulting in communities becoming better informed about their rights and being able to challenge institutions through the appropriate legal channels. Also important was the regular visible

presence of PDPMM staff among the communities. As with UN agencies, programmes that are under the oversight of the World Bank and the EU cannot be threatened without serious ramifications. But the provision of support to communities that reject palm oil was not a stated goal of the programme, and was the result of local PDPMM employees acting on their own initiative. At a national level, the World Bank is quite emphatic in its support for palm oil, seeing it as a viable alternative to coca and as a facilitator of rural development (World Bank 2002; 2010). The World Bank's objective in establishing the PDPMM was to deliver development programmes within the context of an ongoing armed conflict. One of the World Bank's own publications states: 'Peace and Development programmes in Colombia demonstrate that development is viable in situations of extreme conflict. The PDPMM aims to support *campesinos* threatened with displacement, such that they can remain on their land as *campesinos* with prospects for a sustainable future' (World Bank 2002). Representatives of governmental and non-governmental organisations in Bogotá spoke in glowing terms about *palma campesina* in Magdalena Medio. At the local level, the achievements of the model were more mixed. However, the PDPMM's ability to support communities that resisted displacement having rejected the palm oil crop was highly effective, albeit this was not part of its official mandate.

The regional contextual factors that prompted the establishment of the PDPMM in Magdalena Medio clearly also exist in Nariño: armed conflict, high levels of displacement and extremely low development indicators. Indeed, the situation in Nariño in these respects is a good deal worse than in Magdalena Medio, and than in most of the rest of the country. But there is little internationally-funded development work being carried out in Nariño. The armed actors in the region are making it increasingly difficult for even humanitarian organisations to carry out their mandated duties, especially with

Afro-Colombian communities. However, palm oil companies are able to operate there and newly arrived *colonos* are able to grow palm oil on illegally occupied land, further compounding the dispossession and marginalisation being experienced by Afro-Colombian communities. The palm oil companies illegally occupied the Afro-Colombian territory with government support; and respondents speculated that companies paid whichever armed groups they needed to in order to be able to operate in security. The *colonos*' occupation has gained the support of armed groups in the area since they began cultivating coca. Given these dynamics, UNHCR argues that it has been unable to get substantively involved as this would compromise their neutrality – the organisation would become an actor in the conflict - leading to the closure of many of those humanitarian spaces that previously remained open to them. Meanwhile, *campesinos*, Afro-Colombians and indigenous communities have been dispossessed of some or all of their land, and those that have resisted have been killed or displaced with apparent impunity.

Chapter 7. Conclusion

The thesis explores the notion that economic motivations are a driver of displacement in Colombia. It hypothesises that displacement of the civilian population in Colombia may not be simply a consequence of violence, but rather the primary objective - in order to acquire land for agricultural production. The author explores the links between economic factors and displacement in Colombia through a case study of African palm oil. The thesis concludes that these are rooted in a doctrine of neoliberal capitalist development or 'primitive accumulation' within the context of a process of ongoing statebuilding in Colombia.

The armed conflict in Colombia emerged in the mid-1960s and is one of the longest-running civil conflicts in the world. The country has experienced high levels of internal displacement of the civilian population since the 1980s. In 2012, Colombia was home to the highest level of displacement in the world, with a relatively high proportion of the population affected. On average, some 300,000 people continue to be displaced each year and over 10 per cent of the population have been uprooted (IDMC 2014). This is despite the formal demobilisation of the paramilitaries in 2005 and the reduced capacity and military engagement of the guerrillas in recent years: the two armed actors that have been responsible for most of the displacement in Colombia throughout the civil war. The thesis makes a distinction between violence that is linked to the country's armed conflict - that is to say, political violence - and other forms, such as criminal violence and structural violence. These alternative forms may be linked to actors that are traditionally associated with the armed conflict but have multiple objectives and approaches. On the other hand, non-traditional actors may be involved in these other displacement processes.

Colombia differs in significant ways from other countries experiencing high levels of displacement. While Colombia might be characterised as a 'limited' or 'restricted' democracy, it is nonetheless politically and economically stable compared with other countries also hosting relatively large populations of internally displaced people (such as Sudan, the DRC, Iraq and Somalia). Throughout most of the civil war period, the economy grew substantially and Colombia is now ranked as an upper middle income country. This runs contrary to the World Bank dictum that civil war represents 'development in reverse'. The author has sought to enhance our understanding of why levels of displacement are so high through an examination of why people are being displaced (the logics), by whom (the actors) and how this achieved (the mechanisms), collectively referred to in the thesis as 'displacement processes'.

Contributions

In Colombia, the key economic motivations that drive displacement processes - or more specifically, aggressive/violent land acquisition - are coca production, resource and mineral extraction, and large-scale agricultural production. Little empirical research has been conducted on the links between contemporary agricultural production and displacement. African palm oil is an appropriate lens through which to examine these issues because its cultivation has expanded significantly since the demise of coffee in the late 1980s, as the government, landowners and investors look for alternative crops in order to access global commodity markets. As with other plantation-grown products, it is produced on an industrial scale using advanced technology and low labour input. Palm oil expansion has also been linked to violent displacement and other human rights abuses. The empirical evidence for such links has been clearly established in Chocó (OAS 2003; US State Dept. 2013). But in other departments of Colombia such claims are not based upon rigorous research but mainly anecdotal evidence and are disputed (Rangel et al.

2009). Levels of violence and displacement and the actors involved vary significantly from one region to another, necessitating research to be conducted at the local level.

In order to understand how assets (including land) are transferred at the local level, a political economy approach was adopted because this allowed for an examination of how economic and socio-political power and violence are employed to achieve or resist such acquisitions. This broad conceptualisation of power involved exploring a wide array of actors, including government officials, palm oil industry representatives, irregular armed groups such as the paramilitaries (or their successors), academics, IGOs, NGOs and other civil society organisations. The thesis contends that by applying a political economy approach which analyses findings gathered through empirical research, it was possible to garner a deeper understanding of the logics of displacement and the mechanisms employed. Such an approach - combined with field-based research in Colombia at the local level - provided an insight into the complexity and diversity of displacement, in terms of actors, logics and mechanisms employed.

By including all the principal actors linked to displacement processes - particularly those that have tended to have a minimal voice - the research explored alternative perspectives to the dominant narrative concerning how palm oil cultivation has been expanded and how affected communities have responded. Such an approach appears to be unique in the field of internal displacement studies. By talking to a wide array of local actors and examining *campesino* community attempts to resist and prevent displacement, a clearer picture of the logics, actors and mechanisms employed emerged. This provided an important insight into differential displacement processes at the local level, in contrast with much of the existing literature on internal displacement which examines issues solely from a national perspective.

The thesis explained that an approach based upon grounded theory and phenomenology was adopted as this was appropriate to the broad, open-ended questions being asked given that linkages and relationships between actors and processes related to palm oil and displacement were poorly understood. This allowed for the connections of these sets of phenomena to emerge by examining the data from the bottom up, with the aim of avoiding pre-conceptions and expectations.

The thesis concludes that rural Colombia - and specifically land occupied by *campesinos* - represents a 'displacement-conducive environment', which the author defines as one where displacement is a low-cost and low-risk mechanism to acquire rural land in significant quantities. The conditions which foster such an environment include: the ongoing armed conflict and the widespread use of other forms of violence; a history of large-scale displacement throughout the country that is arguably accepted as the norm; weak and corrupt legal and political structures that tend to favour those with power and influence; and almost certain impunity for perpetrators. This context has been reinforced by the tendency for successive government administrations (and others) in Colombia to regard the causes of displacement as being linked to the war (and the guerrillas in particular) and for international actors to almost exclusively focus on a humanitarian response.

This research suggests that *campesinos*, Afro-Colombians and indigenous communities are targeted for displacement because they have little capacity to resist or seek redress in a country where displacement has been widespread for decades, and where there is little understanding about the logics of displacement which vary at the local level. The ability of some groups to displace other less powerful ones with impunity has historical roots in Colombian society, whereby landed elites have long been able to exert their power over

less powerful groups in order to usurp their lands and force them to become tenants/wage labourers or force them to flee the area.

The evidence is clear that only the land occupied by *campesinos* (as well as Afro-Colombian and indigenous communities) is targeted for coercive or violent dispossession for the purposes of palm oil cultivation. It is the means by which more powerful actors can expand their land holdings and thus accumulate more capital; and those affected usually lack the capacity to prevent their land being dispossessed. It seems clear that those *campesinos* that do not hold legal titles of ownership to the land they occupy are at greater risk of dispossession. The data clearly shows that large landowners are not at risk, regardless of the legal status of their land. Dispossession has mainly been focused on smaller properties and there has been a tendency to usurp the better quality lands.

Internal displacement is not regarded as an ‘autonomous crime’ in Colombia and prosecutions against perpetrators almost never happen. The ‘economically-motivated’ actors that are linked to such crimes are not investigated. Legislation that prohibits such acts has been put in place, but there is a failure to implement it. There seem to be few mechanisms of redress for those that are dispossessed. Making claims for the recovery of their ‘stolen lands’ and testifying against paramilitary members, military actors and private individuals involved in such crimes has led to people being killed or being displaced again; and barely any lands have been returned as a result. As a consequence, the thesis contends that some displacement processes are largely invisible to those outside of the locality. Little attention has been paid to less overtly violent causes of displacement and how such displacement processes might be prevented. The thesis argues that this is partly a consequence of the scarce analytical examination about the complexity of displacement logics, an exploration of which is central to the purpose of this thesis.

A key contribution of the thesis lies in its critique of the forced migration literature with respect to internal displacement, which the author argues is too heavily focused on the consequences of military conflict and the political motivations of displacement. It challenges the widely accepted categories of displacement that exist in Colombia, in part by comparatively examining the experiences and perspectives of those people actually subjected to or threatened with displacement: perspectives that are largely absent from the literature. These are analytically compared with the perspectives of other key local, as well as national, actors. The overall impacts upon individual communities included in the research were also compared with one another.

The Colombian government's interpretation of what constitutes displacement is limited to political violence by guerrillas in the context of the civil conflict. The author concurs with the government that contemporary displacement may not be directly linked to the civil war. But the author takes issue with the government's contention that displacement is only linked to the guerrillas. The author concludes that some displacement in Colombia does constitute conflict-induced displacement or development-induced displacement as they are defined in the literature, but rather comprises some key elements of both. Consequently, the thesis suggests a more appropriate framework of analysis than 'displacement': land abandonment and land dispossession. In some cases, such as in the department of Nariño, land dispossession occurs without the displacement of those that own the land even taking place.

A frequently cited rationale for the dispossession of land from *campesinos* was that it was a necessary part of a process of rural 'modernisation', which was characterised as being synonymous with 'development'. But there was little discussion among proponents about who benefits, who is consulted and who participates in decision making. Land

dispossession represents a threat to individual and communal rights, which are legally protected, and thus citizenship and the inclusion/exclusion of certain groups in society. It was determined that land acquisitions had been made in regions where violence linked to the armed conflict was prevalent, and thus where land prices were low. Following the displacement of the occupants, armed conflict in the affected region diminished due to an overwhelming paramilitary presence. Subsequently, regional land prices rose significantly. This benefited investors and demonstrated the market-demand for such land. This calls into question the government's claim that land prices and transfers are solely determined by the free market.

The literature related to internal displacement issues mainly focuses on the political and legal frameworks, the humanitarian consequences and responses, and the socioeconomic impacts. There has been little academic examination of the logics of displacement beyond ethno-nationalism, religion and other tensions linked to group identity. Overall, there has been little research which seeks to *explain* internal displacement. For instance, there has been little examination about how economic factors can act as the principal driver of displacement. Factors such as asymmetric power ensure that much of this economically-motivated displacement remains invisible or indistinguishable from other forms of displacement. A contention of the thesis is that there are logics beyond the 'official narrative' and beyond the exclusively humanitarian focus of much of the internal displacement literature and international policy responses.

The author challenges the notion that a formal end to the country's long running civil war will be sufficient to bring widespread displacement to an end, given that such a political solution does not address the economically-motivated logic of displacement processes that exist in Colombia. There is little incentive to cease such activities and for

reconciliation to occur when the perpetrators of displacement are able to do so without fear of prosecution and when those affected have no means for redress or reparations. As a result, the persistence of displacement represents an obstacle to peacebuilding processes.

There were some commonalities between the two regions (and communities within those regions) in which fieldwork was conducted in terms of the actors involved and the mechanisms associated with palm oil expansion on land that *campesinos* and Afro-Colombians own or occupy. The attitude of many Colombian government officials in regard to the large-scale transfer of land from *campesinos* to oil companies and investors was one of non-intervention. The narrative of the Colombian government and the private sector argues that such transfers are guided by the free market within the context of a process of development of the rural economy and neo-liberal policies that seek to enhance Colombia's integration into the global economy. The author argues that such transfers only serve to favour the more powerful actors, even though they may have been responsible for violence or intimidation, while most *campesinos* join the ranks of the urban poor. However, some government institutions - most notably INCODER - were more proactive in their approach. INCODER actively supported palm oil companies in their efforts to dispossess *campesinos* and Afro-Colombians of their land; sought to convince others to abandon their land. Not all of these activities involved violence or the threat of violence, but most were legally and morally questionable.

There were some significant differences between the two regions. It was apparent that those *campesinos* that lived on *baldios* in Magdalena Medio, and thus land they did not have titles of ownership for, were more vulnerable to predatory behaviour. In Nariño, Afro-Colombians were dispossessed of their land, despite the communities legally

owning the land as stated in the Colombian Constitution. It seems apparent that the Afro-Colombians in Nariño are even more vulnerable to land dispossession than the *campesinos* in Magdalena Medio. In Magdalena Medio, international development organisations have empowered communities and provided a degree of protection from displacement and land dispossession. By contrast, the capacity of international organisations to undertake development projects in Nariño is limited, given the high levels of violence and the ability of armed actors to limit the access of humanitarian and development actors.

Even humanitarian actors, whose neutrality and independent access is generally respected in Colombia, had restricted access and were limited in how much support they could offer communities threatened with violence and displacement. Respondents in the humanitarian sector linked this to the international community's acceptance of the government's narrative that institutions of the state should head peace and development interventions in the region, and humanitarian operations should be scaled down as the problems are related to common criminality. According to respondents working for international organisations in the development and humanitarian sectors, this does not bode well for the protection of civilians and the prevention of displacement. The research also demonstrated that even in contexts where political violence and displacement is very high - as is the case in Nariño - the private sector not only manages to operate but also contributes to economically-motivated land dispossession.

Limitations

The research did not attempt to determine the proportion of displacement that is linked to agro-industrial expansion, or palm oil cultivation more specifically, as opposed to other displacement logics. While some respondents indicated that this represented a significant proportion of contemporary displacement, and one published source claimed that 60 per cent of displaced Colombians had fled from resource rich areas (English 2008), the author recognises that there is little empirical evidence to support the notion that agricultural crops constitute the principal driver of displacement. Rather, the aim was to recognise that such logics exist and to explore the actors involved and the mechanisms employed.

Moreover, fieldwork was conducted among communities that were threatened with displacement as a result of the expansion of palm oil cultivation, but was not conducted with people that had already been displaced as a result of palm oil cultivation. This is because of the difficulties in Colombia in tracing people that have been displaced due to a specific logic, such as the expansion of palm oil cultivation. Communities tend to scatter to disparate locations and frequently relocate again (or are displaced again); and they usually seek the anonymity of urban centres. Displaced people in Colombia are often stigmatised and are sometimes targeted for being guerrilla or paramilitary sympathisers. It would therefore be impractical and ethically questionable to attempt to trace these people. This also meant that it was not feasible to conduct quantitative studies among those affected.

While numerous interviews were conducted with government officials and palm oil sector representatives at the national level, regrettably at the local level most declined to meet with the researcher or did not respond to requests for an interview. Those that did respond tended to refer the researcher to senior officials at head offices in the capital. As

a result, the research was limited in the extent to which it captured the perspectives of local government officials and palm oil company representatives in Magdalena Medio and Nariño. Nonetheless, the author was diligent in triangulating all findings from the communities with alternative sources locally and/or nationally. Where respondents were critical of the palm oil companies, investors, governmental authorities, the army or the police, only claims that could be substantiated from independent sources were documented in the thesis.

Initially, the author had planned to conduct research in a third region - the department of Meta. Indeed, some interviews were conducted with key informants in the departmental capital, Villavicencio. But given the logistical challenges in this huge department, the author decided not to conduct in-depth research there. In addition, it was felt that the data already collected from the other two regions was sufficient to enrich the research findings overall.

Further research

This thesis does not attempt to provide a theoretical model for all displacement in Colombia, but rather aims to demonstrate that the problem of displacement in Colombia is more complex than is widely portrayed with a range of causes and logics, some of which are predominantly politically motivated and others that are economically motivated. In addition to those regions in which fieldwork was conducted for this research, there are several other areas of Colombia where palm oil is being grown in significant quantities and where little is known about the impact upon local communities. Empirical research in such regions might help us to better understand processes of land displacement and land dispossession in Colombia. A fuller understanding of the extent of economically-motivated displacement processes might emerge from research that

examines other agricultural products as well as the extraction of natural resources and precious metals.

Research conducted in other major palm oil growing countries clearly demonstrates that the land acquired disproportionately impacts indigenous peoples living in rural areas (Colchester 2011). Land dispossession linked to palm oil in countries such as Indonesia, Malaysia and Nigeria is examined in the literature related to land grabbing (including journals focussed on agrarian issues and peasant studies), but not in the internal displacement or the wider forced migration literature. The author contends that displacement scholars and publications could also benefit from a wider examination of land dispossession and involuntary land abandonment linked to agro-industrial expansion that is taking place in numerous countries.

The author has argued how intrinsically difficult and ethically problematic it is to conduct quantitative research in Colombia on specific displacement logics. But if it were possible in the future to conduct extensive and ethically acceptable quantitative analysis on the logics of displacement, land dispossession and land abandonment, then this would make an important contribution to our understanding of the extent to which such processes are economically-motivated.

In sum, this thesis demonstrated, through an approach based upon a political economy framework of analysis, that displacement of the civilian population in Colombia has been taking place as a result of motivations rooted in enhancing economic power and wealth. Individual investors and private companies have received the tacit support of state

institutions in their efforts to dispossess poor and marginalised people of their land for the purposes of expanding African palm oil cultivation. Supporters of such actions viewed them as a part of a wider process of rural development within the context of Colombia's as yet incomplete statebuilding project. The research examined how actors with more social, political, economic and legal power were able to dispossess communities of their land or pressure them to abandon it. Crucial to the success of this analytical approach was recognition of regional disparities and an examination of how power is exercised and assets are transferred at the local level, which necessitated fieldwork that engaged with all key groups of actors, including those that tend to have little 'voice'. While the country's civil war and humanitarian crisis of displacement have masked some of economically-motivated processes of displacement in the past, the author asserted that this is less the case now given the diminished engagement of the country's main irregular armed actors: the guerrillas and the paramilitaries. Moreover, the analytical approach outlined above was central to author's ability to examine these processes. Economically-motivated logics of displacement are little studied in the forced migration literature, and this thesis has qualitatively enhanced our understanding of these logics, the actors involved and the mechanisms employed.

List of Interviews and Focus Groups

Acción Social interview (2010) Interview with Juan Pablo Franco, Deputy Director of Assistance to Displaced People, Acción Social, 9 July 2010, Bogotá.

AI (2005) 'Colombia: The Paramilitaries in Medellín: Demobilization or Legalization?' Amnesty International, August 31, 2005, pp. 3-4. Available at: <http://www.amnesty.org/en/library/info/AMR23/019/2005> (Accessed on: 20/3/2014).

Arboleda interview (2009) Interview with Jairo Arboleda, Senior Consultant, World Bank, 22 December 2009, Bogotá.

Bonnet interview (2009) Interview with General (retired) Jose Manual Bonnet, Rosario University, 27 October 2009, Bogotá.

Briceño interview (2011) Interview with Luis Herando Briceño, PDPMM, Barrancabermeja, 25 June 2011.

Camargo interview (2011) Interview with Salvador Camargo, PDPMM Barrancabermeja, 25 June 2011.

CCJ interview (2009) Interview with Juan Manuel Bustillo, Colombian Commission of Jurists, 8 October 2009, Bogotá.

Celis interview (2009) Interview with Andres Celis, Senior Protection Officer, UNHCR, October 23 2009, Bogotá.

Christian Aid interview (2009) Interview with Catherine Bouley, 27 October 2009, Bogotá.

Conde interview (2011) Interview with Patricia Conde, PDPMM San Pablo, Bogotá, 17 March 2011.

Enlaza interview (2009) Interview with María Clara Sanin, Co-Director, Enlaza, 23 October 2009, Bogotá.

Fedepalma interview (2009) Interview with Andres Castro, Sustainable Development Director, Fedepalma, 28 October 2009.

Ferrero interview (2010) Interview with Vivian Ferrero, Ministry of Interior, 12 July 2010, Bogotá.

Fiduagraria interview (2009) Interview with Diego Lozano, Director, Fidagraria, 16 October 2009, Bogotá.

GD1: Vereda Candelia (2011) Group Discussions with members of the community of Vereda Candelia, San Martín, Cesar in March 2011.

GD2: Puerto Carreño (2011) Group Discussions with members of the community of Puerto Carreño, San Alberto, Cesar in March 2011.

GD3: Las Pampas (2011) Group Discussions with members of the community of Las Pampas, Sabana de Torres, Santander in March 2011.

GD4: El Garzal (2011) Group Discussions with members of the community of El Garzal, Simiti, Bolivar in March 2011.

GD5: Monterrey (2011) Group Discussions with members of the community of Monterrey, Bolivar in March 2011.

GD6: Tumaco (2011) Group Discussions with representatives of the Afro-Colombian communities of Alto Mira and Frontera, Tumaco in April 2011.

Guerrero interview (2009) Interview with Juan Pablo Guerrero CINEP, 15 October 2009, Bogotá.

Lopez interview (2011) Interview with Juanita Lopez, PDPMM, Las Pampas, Sabana de Torres, 15 March 2011.

Machado interview (2010) Interview with Absalon Machado, Senior Consultant, UNDP, 16 July 2010, Bogotá.

NRC interview (2011) Interview with Francisco Rivera Bolaños, Luz Angela Obando & Francisco Altamar, Norwegian Refugee Council, Tumaco.

Pastoral Social interview 1 (2011) Interview with Luis Enrique Amado Prieto, Director, Pastoral Social, 4 April 2011, Viavicencio.

Pastoral Social interview 2 (2011) Interview with Martha Elena Bedoya, Pastoral Social, 4 April 2011, Viavicencio.

Pena interview (2009) Interview with Lina Pena, Pastoral Social, 14 October 2009, Bogotá.

Perez interview (2011) Interview with Carolina Perez, Ventana De Paz, 29 February 2011, Pasto.

Pérez interview (2011) Interview with Laura Perez, VDP, Pasto, Nariño, 15 March 2011.

Restrepo interview (2010) Interview with Jorge A. Restrepo, Director, CERAC, 29 July 2010, Bogotá.

Rodriguez interview (2011) Interview with Ademir Rodriguez, Human Rights Analyst, PDP Peace Observatory, Puerto Carreño, Cesar, 15 March 2011.

Romero interview (2009) Interview with Marco Romero, Director, CODHES, 29 October 2009, Bogotá.

Soto interview (2011) Interview with Padre Soto, Director of Pastoral Social in Barrancabermeja, 18 March 2011.

UNHCR interview (2009) Interview with Andres Celis, Senior Protection Officer, UNHCR, October 23 2009, Bogotá.

UNHCR interview 1 (2011) Interview with Luis Sztorch, UNHCR Representative in Nariño, 24 March 2011, Tumaco.

UNHCR interview 2 (2011) Interview with Luis Sztorch, UNHCR Representative in Nariño, 28 March 2011, Pasto.

Villegas interview (2011) Interview with Myriam Villegas, PDPMM coordinator, Bogotá, 10 March 2011.

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