

Final Report

EVALUATION OF NRC'S ICLA PROGRAMME IN COLOMBIA, 2013 –2015

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Responsibility for any omissions or mistakes lies entirely with the evaluation team.

List of Acronyms

ANMUCIC	Asociación Nacional de Mujeres Campesinas, Negras e Indígenas de Colombia
ELN	Ejército Nacional de Liberación
FARC	Fuerzas Armadas Revolucionarias de Colombia
ICLA	Information, Counselling and Legal Assistance
ICRC	International Committee of the Red Cross and Red Crescent Societies
IDP	Internally Displaced Person
IRMA	Integrated Risk Management Associates
HLP	Housing, Land and Property
NGO	Non governmental organisation
NRC	Norwegian Refugee Council
SGBV	Sexual and gender-based violence
UARIV	Unidad para la Atención y Reparación Integral a las Víctimas
UN	United Nations
UNARIV	Unidad Nacional para la Atención y Reparación Integral a Víctimas (National Unit for Assistance and Reparation of Victims)
UNHCR	United Nations High Commissioner for Refugees
URT	Unidad Administrativa Especial de Gestión de Restitución de Tierras (Special Administrative Unit for the Management of Land Restitution)
WASH	Water, Hygiene and Sanitation

Translation of Legal Terms

The Colombian legal terms have been translated as indicated in the table below:

Table 1: Translation and explanation of relevant legal terms

Derecho de petición	<p>The right to officially request information.</p> <p><i>In Colombia (and much of Latin America) there is a right to officially request information from state authorities (or private institutions where they are delivering services which relate to fundamental rights under the Constitution, such as health services, water supply etc.). The request should be made in writing and the relevant authorities are required by law to officially reply within 15 days. Failure to do so leads to the right of the individual to request the court (see 'la tutela' below) to force the State authority to provide the relevant information.</i></p>
Presentar un recurso	To make an appeal; to appeal
Poner una tutela	<p>To make a complaint to the Court in relation to a violation of fundamental human rights.</p> <p><i>'La Tutela' is a legal remedy to protect fundamental rights. For example if a State authority fails to protect the fundamental rights of an individual (for example does not reply to an official request for information) then the individual can have recourse to the Court and if successful the Court will issue a judgment ordering the State to rectify the violation. Making a complaint to the Court in relation to a violation of fundamental human rights is known as 'poner una tutela' in Spanish.</i></p>
Registro	The Victims Registry (the office that registers victims) and The Land Restitution Unit (the department dealing with Victims' land issues); the register, i.e. the physical (or, as in Colombia, electronic) list of names.
Acceder al registro	To be entered into the Register; to be/get registered. For example: 'NRC supports victims to exercise their right to be registered'; 'NRC supports victims to exercise their right to have their names entered into the register'
Declaración	A Declaration
Hacer la declaración	To make a Declaration.
Una victim	A victim
Post-fallo	Post-judgment
Restitución de tierras	Land restitution or Restitution of Lands
Reparación	Reparations
Reparación de bienes	<p><i>The concept of reparations/reparaciones in both English and Spanish is a general term covering the issue of 'making good' following a violation. It contains different elements in both jurisdictions. In Colombia there are five ways to make reparations but only a few of them exist as legal concepts in English law. The five types of reparations in Colombia are as follows:</i></p> <p>1) <i>'Restitution/restitución'. This exists in both English and Spanish and implies in both cases that someone is put back in the position they were before the wrong was committed. In</i></p>
Reparación integral	

	<p>both English and Spanish 'land restitution' is an example (ie land is returned to someone both legally and physical possession/occupation).</p> <p>2) 'Indemnización' in Spanish, 'Compensation' in English. Where it is impossible to retribute (eg where there is physical injury for example that cannot be undone or the land/assets no longer exists) then monetary payments are made instead.</p> <p>NOTES: "indemnification" in English has a completely different and specific legal meaning and should not be used in this context. In the English legal world the word 'damages' for money compensation is often used but in this context 'compensation' is the preferred word.</p> <p>3) In Colombia there is a concept of 'Rehabilitación' which means providing people with the psychological and medical assistance they need. In English law this is not a separate legal concept but part of the compensation (ie medical costs have to be paid).</p> <p>4) In Colombia, the court can also give 'Satisfacción' which is a symbolic recognition that the wrong happened and a person's rights have been violated. This kind of declaration does not have a clear equivalent in the English law. In English law the concept of 'negligence' exists, so if compensation or restitution is ordered it is implied that the State was negligent. Thus, 'satisfacción' should be translated as 'a Court Order or Judgement recognizing that a person's fundamental human rights have been violated'.</p> <p>5) 'Garantía de no-repetición' may be translated as a Court Order or Judgement requiring the state to ensure that the violation is not repeated. The Order or Judgment usually also contains specific actions that the state needs to take to ensure that this happens. In Colombia the judge is declaring that the State must ensure that the violation never occurs again. This is not so clearly stated in English law and no direct equivalent concept exists. In English law there is an assumption that if the Court rules against the State then they must stop committing the violation. Judges do not need to make a specific declaration but they can make recommendations of actions to be implemented in future so that the violation does not occur again (as in Colombia). However, it would be for the media and civil society to follow up on these recommendations, not the Court.</p>
Sentencia	<p>Judgment</p> <p>Judgments are issued by judges in Courts and mean the final definitive decision concerning the case. In English Law the associated term 'ruling' may also be used in two cases:</p> <ol style="list-style-type: none"> 1) decisions issued by other bodies who are not courts (administrative bodies for example). 2) in complex legal cases there are many sub-decisions that judges have to make (points of law such as jurisdiction, admission of evidence etc.) The terms 'rulings' or 'orders' for these sub-decisions are often used in English law to distinguish from the final judgment.
Ordenes judiciales	<p>Judicial Orders</p> <p>In this context there are two types of use of 'judicial order':</p> <ol style="list-style-type: none"> 1) Sub-decisions that are made during a complex legal process (see above) 2) Parts of the judgment. For example in Colombia the judge delivers a judgment in relation to a particular piece of land but the judgment details specific actions that need to be taken (eg the land must be restituted to X, the local authority must provide housing support, the school must be reopened etc). These are 'judicial orders' contained in the judgment.
Actos victimizantes	<p>An act (or violation) that will result in a person falling within the definition of a victim under the Victims' law.</p> <p>There is no direct translation in English as is specific to the armed conflict.</p>
La escritura	Title deeds; land titles
Saneamiento de tierras	Clarifying land titles and regularizing ownership.

	<i>This term does not have a direct equivalent in English. It basically covers a situation where there is much confusion over legal ownership of land and there is a process of sorting it out.</i>
Formalización de tierras	Regularization of land titles <i>This is a situation where there is informal ownership of land and this is rectified by applying for formal titles.</i>
Confinamiento	Restricted movement
Niños campanas	<i>No direct translation. These are children who are recruited to be the 'eyes and ears' of armed groups and to report back on what is happening on the ground.</i>
Materialización de los derechos	Exercising rights (but in practical terms rather than theoretical).
Garantía de no-repetición	<i>See comments above in the section reparations. This is where a judge sets out actions that the state is required to take to ensure that the violation of a fundamental human right is not repeated. In English Law there is no direct equivalent legal concept for this and a suggestion about how to explain it is mentioned above.</i>
Justicia transicional	Transitional justice
Mesa de Gestión	Working group; coordination group
Caracterización	Profiling (if very detailed); mapping
Co-gestionar casos	Joint case management

I. Executive Summary

NRC has provided protection and humanitarian assistance to IDPs in Colombia for over two decades. In 2004 it started up an Information, Counselling and Legal Assistance (ICLA) programme to better enable IDPs to access (a) the declaration and registration procedures and humanitarian assistance, and (b) land and housing for victims of forcible dispossession of land and other conflict-related displacement. This programme has mainly operated in the departments of Magdalena, Guajira, Norte de Santander, Cauca and Nariño, and is currently mainly concentrated in two areas: North-east and South-west Colombia.

The ICLA programme has consisted of four inter-related components: Provision of information, counseling and legal assistance to IDPs in coordination with state institutions; capacity building of state institutions with the legal obligation to provide the above services; support to IDP leaders and representatives to collectively advocate for improved public policy, budget and services for IDPs; and advocacy towards national entities, including the Constitutional Court, to address common and specific barriers faced by IDPs.

Between 2013 and 2014 NRC modified ICLA's operational strategy to increase its presence in areas of continued high need, and to provide a consistently higher, quality service. It built up its own ICLA teams for the South-west and North-east areas, and embarked on a decentralization process to empower those teams to assess and respond to local needs for ICLA services.

In 2016 NRC engaged a consulting firm, IRMA, to evaluate the coverage, relevance, effectiveness and impact of the evolving ICLA programme, and to assess its application of NRC's protection policy. Thus, using a mixed methods approach that combined qualitative and quantitative data analysis from both primary and secondary sources, an evaluation was carried out in May/June 2016. The conclusions of the evaluation are as follows:

COVERAGE

The ICLA programme has operated and continues to operate in the 'right' parts of the country, i.e. the regions of Colombia where the most vulnerable IDPs are located, and it has made significant efforts to reach IDPs that state institutions were not reaching. However, the programme needs to adopt a more systematic approach to contextual analysis and needs assessment, applying targeting criteria, and ensuring access by all social groups within the communities it covers, otherwise it runs the risk of neglecting the most vulnerable.

It is clear that NRC has prioritized strategic presence and quality of services over volume of beneficiaries. This approach has enabled NRC to build and maintain its reputation as an expert and co-operative organization, which is critical to the programme's success and sustainability.

RELEVANCE

The ICLA programme's focus on two desired outcomes – IDPs' inclusion in the official government register (from hereon referred to as 'the Register') and enjoyment of housing, land and property (HLP) rights – is highly relevant to IDPs' needs because it enables them to access the system designed to uphold the rights of victims of armed conflict under Colombian law 1448/2011. Its strategy of institutional strengthening, working alongside state institutions and supporting the work of judges on issues relating to IDPs rights under Law 1448/2011 is also highly appropriate to both the national and local contexts. In both cases, however, NRC could enhance its relevance through systematic and participatory needs assessment and consultation on appropriate programme design.

The time is now ripe for NRC to further clarify the scope of the programme. Firstly, NRC needs to define the limits of its involvement, i.e. until what stage or for how long it is able to follow up on unmet needs and denied rights of particular individuals or communities. Secondly, as ICLA in Colombia has limited its HLP actions to land restitution, other potentially relevant aspects of HLP remain unaddressed to date.

In the so-called 'post-conflict' Colombia there will be a continued need for support to IDPs to access registration procedures and HLP rights, due to the presence of other illegal armed groups and the likelihood of continuing displacement and new victims of armed conflict. As/when the peace process is consolidated, other issues are also likely to come to the fore, such as sexual and gender-based violence, restricted movement and forced recruitment. To keep relevant, NRC will also need to respond to these issues.

EFFECTIVENESS

Through the services and accompaniment it has provided to communities and individuals. NRC ICLA has increased their ability to demand that their rights are upheld and has enabled them to participate effectively in public policy issues affecting them. The programme has attained almost all its targets at output level, and in some instances it has surpassed them by far. It has been quite successful at the outcome level but, due to some assumptions in the theory of change that have not held true, a proportion of its beneficiaries are not obtaining the desired results, i.e. land titles and/or humanitarian assistance, within the expected timeframes. The strategy needs adjusting to manage expectations and increase the accountability of the state institutions on which some results depend.

Beneficiaries and institutional partners attribute NRC ICLA's success to the advocacy it carries out at local and national levels, the inter-institutional coordination it has generated, and its dedication to leadership development and community strengthening. The evaluation team also considers that the reinforced presence of NRC and the ICLA programme in the field has allowed it to further develop the qualities that contribute to its effectiveness: legitimacy, impartiality, transparency, expertise, and credibility.

IMPACT

Beneficiaries, state institutions, partners and staff unanimously agree that the programme has had, and continues to have, high impact. It has generated significant, positive change in the lives of the beneficiaries that have achieved the financial and material support to which they are entitled, and has transformed the way in which beneficiary communities interact with the State institutions to claim their rights. According to beneficiaries in municipalities where the ICLA programme has been implemented alongside other NRC interventions, overall impact is increased. The evaluation team also noted other likely impacts of community strengthening, including prevention of coercion by illegal armed actors, and establishing foundations for peace.

In addition to changes in the lives of its direct beneficiaries, broader impacts have and will be achieved through the attitudinal changes that the programme has achieved, and the emblematic cases that have influenced and will influence the outcome of others across the country.

As noted above, to enhance the programme's impact, the theory of change requires some modifications. Bottlenecks in the chain of results and false assumptions about the capacity and will of state institution need to be addressed so that the programme can fully achieve its objectives and bring about deep and lasting change. Also, to improve measurement of impact (and effectiveness), NRC needs to have baselines and a more systematic approach to capturing its beneficiaries' views.

The full impact of NRC's decentralization strategy is not yet clear. Partial and anecdotal evidence exists of positive trends (such as more consistent follow-up of cases, and effective local institutional partnerships) but it is too early to judge if it is achieving all that NRC intended.

PROTECTION POLICY

Although field staff are not familiar with NRC's policy per se, they are, in effect, implementing most aspects of both of its parts: proactive and safe programming.

Overall, the ICLA programme has largely achieved its objectives with regard to coverage, relevance and appropriateness to IDPs' needs. It has been moderately to largely effective in achieving the results it aims for, and is generating significant, positive impacts in the lives of its beneficiaries and others in Colombia.

To enhance its performance in all areas – and ultimately its impact – NRC should:

- Strengthen contextual analysis, including of the capacities and weaknesses of state institutions and other actors, to ensure that the programme is designed to reach the most vulnerable, both on national and local scales.
- Prioritize strategic presence and effectiveness over geographic expansion, in order to generate the greatest possible impact in the lives of beneficiaries, build the capacity of key institutions and set precedents in complex and/emblematic cases.
- Increase the involvement of the target beneficiary group – IDPs, victims of the conflict – in needs assessment, monitoring and learning exercises.
- Use context analysis and projections of needs to decide what emphasis should be given to registration, land restitution and public policy in the post-conflict scenario. Consider including more elements that contribute to durable solutions, such as holistic compensation, and clarification and formalization of land, neighborhoods and housing.
- Adapt the ICLA programme's theory of change to ensure goals are attainable; if necessary, redesign the programme to address institutional weaknesses and obstacles, and adapt monitoring and evaluation to reflect realistic objectives and timescales.
- Ensure all staff 'own' and use the Monitoring and Evaluation Framework to analyse and increase the programme's effectiveness, rather than seeing it as a reporting tool.
- Strengthen the ICLA team's knowledge of institutional approaches and policies, including the protection policy; in turn, enrich NRC's global approach by sharing learning from the Colombian context.

More detailed recommendations are provided in Section 8 of this report.

2. Background

NRC's mission is to protect the rights of displaced and vulnerable people in situations of humanitarian crisis. Through humanitarian assistance and advocacy it aims to meet displaced and vulnerable people's immediate needs, uphold their rights, prevent further displacement and contribute to durable solutions. Globally, its core competencies are: Information, Counseling and Legal Assistance (ICLA); Education; WASH; Shelter; Food Security; and Camp Coordination and Management.

NRC has been active in Colombia since 1991 and has implemented its own programmes in Colombia since 2005, providing protection and humanitarian assistance to internally displaced persons, who now number 6.9 million registered IDPs.¹ In 2010 NRC extended its programme into the neighbouring countries of Panama, Ecuador and Venezuela, to protect the rights of refugees and asylum seekers and others in need of international protection.

In its country strategy for Colombia, NRC states that it will “through humanitarian emergency assistance, technical assistance to duty bearers and community empowerment, contribute to increased protection for population affected by forced displacement in the context of violence and armed conflict in the acute, transition and early recovery phases”. Specifically, NRC in Colombia aims to address displacement and emergency-related gaps, as well as to promote protection of the rights of other individuals of concern. It has focused on Education and ICLA, including components of advocacy and public policy, direct emergency assistance to IDPs and refugees, and protection of victims of sexual and gender-based violence.

In line with NRC's policy to evaluate and learn from its work, NRC Colombia has engaged the consultancy firm Integrated Risk Management Associates (IRMA) to evaluate its ICLA programme during the period 2013-2015.

2.1 External context

As a result of an on-going, fifty decade old internal armed conflict, Colombia has the most prolonged and serious humanitarian crisis in Latin America. According to the official government registry, as of 1st April 2016 there are 7,999,663 registered victims, of which 6,183,105 have received some form of assistance and have benefited from some form of reparation measure. Within the number of registered victims, 6.9 million (86.25%) are IDPs. The departments most affected by the displacement are Chocó, Cauca, Nariño, Valle del Cauca and Norte de Santander.² Although the protracted conflict is the main cause of displacement, spreading criminal violence has also forced people to flee from their homes. In addition to forced displacement, the most common Human Rights violations are: the recruitment of minors, sexual violence and SGBV, the deployment of anti-personnel mines, extortion and the targeting of human rights defenders.

The central actors in the Colombian conflict today are the insurgency/guerrilla, postparamilitary groups, and the armed forces of the Colombian State. All these groups have caused and continue to cause forced displacement. Although Colombia is classified as one of the most solid democracies of Latin America, many of its key institutions have been plagued by fiscal, technical and political weaknesses that have constrained their capacity to uphold citizens' rights. In many regions, particularly those where the conflict has been/is most prolonged, there are large gaps in State presence and attention to needs. This situation is reflected in the most recent national transparency

¹ Source: www.acnur.org. This number corresponds to the statistics compiled by the Victims Unit, as at 1st February, 2016.

² Source: www.acnur.org. This number corresponds to the statistics compiled by the Victims Unit, as at 1st February 2016.

index (2013-2014)³, which found weak legislative and judicial institutions, and significant problems related to administration and citizen service.

Now and in the near future this situation is compounded by a fragile, slowing economy due to a major drop in the prices of petroleum, rising inflation, devaluation, political polarization, and probable crises in other national institutions.

Within this bleak context, for the first time in the recent Colombian history, there is a real possibility to end the conflict and live in peace. Agreement on the fifth and final point of the peace negotiations agenda – disarmament – has been reached between the national government and the FARC guerrilla, and the Government recently⁴ announced the beginning of negotiations with the ELN Guerrilla.

Unfortunately, even if and perhaps because there is a signed peace agreement, new forms of violence are likely to rise, as has been shown to be the case in other countries⁵. In Colombia's case, a major public security challenge already emerged after the paramilitary demobilization and the growth of armed groups linked to organized crime. Violence affects the rights of those living where such groups are in control or are fighting to gain control of illicit revenues derived from the drug trade, extortion, illegal mining, prostitution, trafficking in persons and illegal migration⁶. Further manifestations of conflict and violence are likely to grow in a peace scenario. Because of that, the national development plan 2014 – 2018⁷ points to the need to “strengthen democratic institutions for the promotion, respect and protection of human rights, building inclusive social agreements and peaceful conflict management” and to “strengthen prevention practices and processes and peaceful resolution of social, economic, community and environmental conflicts.”

In recent years the displaced population has had to endure high levels of stigma in receiving communities, which has increased their vulnerability and therefore the presence of new damages to their rights. They tend to live in inadequate housing, with scarce employment opportunities, without access to public services, and suffering psychological and health problems. Almost 64% of the victims of displacement in Colombia live below the poverty line, 33% of whom live in extreme poverty. Although entitled to assistance, many of them do not know how to claim it, or face delays due to long backlogs⁸.

Responding to this humanitarian crisis is a huge challenge to the Colombian State, not least because of the institutional weaknesses in most of the regions where the armed actors have been the authority for many years. Over 60% of Colombia's municipalities do not have the budget to protect their populations' Human Rights (they are between category 4, 5 and 6⁹), creating a vicious circle in which IDPs do not receive adequate attention or legal protection. This further accentuates the feeling of state absence and deepens the structural causes of conflict.

Another challenge for the State, and one that is growing in importance as a peace agreement becomes more likely, is that of land restitution to which IDPs are entitled to under the provisions of Law 1448 of 2011. According to the Land Restitution Unit, as of 6th of May, 2016, they have processed 90,395 applications for restitution submitted by 60,950 people, which corresponds to 74,877 properties. Of these applications, 51% have been authorized by the Ministry of Defence (i.e. are deemed to meet the security conditions for safe return). At the time of writing¹⁰,

³ Source: <http://indicedetransparencia.org.co/> on 15th May, 2016.

⁴ March, 2016

⁵ Countries such as South Africa, Peru, Chile, Argentina and Burma have gone through similar processes

⁶ Source: <http://www.nrc.no/?aid=9147684#.VzOdTE3JDIU>

⁷ Law 1753 of 2015, by which the National Development Plan is adopted

⁸ Colombia's Humanitarian Challenges 2016, ICRC (on www.acnur.org)

⁹ Classification of municipalities according to Law 1454/ 2011 including land use planning

¹⁰ May 2016, when the evaluation started.

33,382 applications (equivalent to 36,9% of the total number of applications) have completed an administrative procedure, of which 11,830 have come before judges, awaiting a court judgment to resolve the legal issues surrounding the ownership of the land and reconstitute land to the victim (equivalent to 35 % of the applications). So far, the special jurisdiction of land restitution has issued 1,748 judgments, which have resolved 3,575 applications (31 % of the total applications that have gone before a judge). As a result over 2,845 properties have been the subject of a restitution order. In total, 186,302 hectares have been restituted and 22,047 people have benefited from the judgments. While these figures indicate a positive trend, they represent a tiny proportion of the estimated 6.6 million hectares of land that have been forcibly dispossessed by armed actors in the conflict in the country.¹¹ By all accounts, the task ahead is colossal.

A similar scenario has occurred in relation to the process of declaration and registration in the official register of victims system regulated by Law 1448 of 2011. As of May 1st 2016, 8,040, 748 people have been recorded in the registry, and 6,201, 164 are eligible for assistance and compensation.

The registry path begins with the statement that the victim makes to the Public Ministry (Ombudsman Office, General Attorney Office and Local Ombudsman “Personerías”). That statement is then sent to the Victims’ Unit, for it to verify the information and decide whether or not to include the victim in the registry, within a maximum period of 60 days. In many cases this deadline is not met, assistance is considerably delayed or is not provided at all, and the process itself becomes a means to deny the rights of victims of the armed conflict in Colombia. Further information on access to humanitarian assistance will be sought from official sources and through the primary data collection methods included in this evaluation.

2.2 NRC’s ICLA Programme

As shown in Figure 1, during the period to be evaluated, NRC’s ICLA programme in Colombia has been implemented in the departments of Magdalena, Norte de Santander, Cesar, Cauca, Narino and Putumayo, Meta and Caqueta¹². It has focused on rural areas where IDPs’ access to protection and assistance is most precarious, but also included services in urban areas when the protection gaps were significant.

The programme sought (and continues to seek) to achieve the following outcomes:

- Improved access to Declaration and Registration procedures and humanitarian assistance for Internally Displaced Persons (IDPs).
- Communities that are victims of forcible dispossession or abandonment of lands or housing have improved access to land and housing.

Over the 2013-2015 period, the programme consisted of the following components:

- Information, counseling and legal assistance to IDPs in coordination with Personerías and Ombudsman representatives in municipalities particularly affected by conflict, to enable them to formally register a ‘Declaration’, and thereby claim their rights under Law 1448 / 2011.
- Information, counseling and legal assistance to victims of sexual and gender-based violence (SGBV), to enable them to bring the perpetrators to justice¹³.
- Capacity building of authorities with the legal obligation to provide the above services (mayor’s offices, land restitution entities and public ministry)

¹¹ Garay Luis Jorge. Commission to Monitor Public Policy of Forced Displacement . Taken from

<http://www.elespectador.com/noticias/economia/cerca-de-66-millones-de-hectareas-de-tierras-agricolas-articulo-238798>

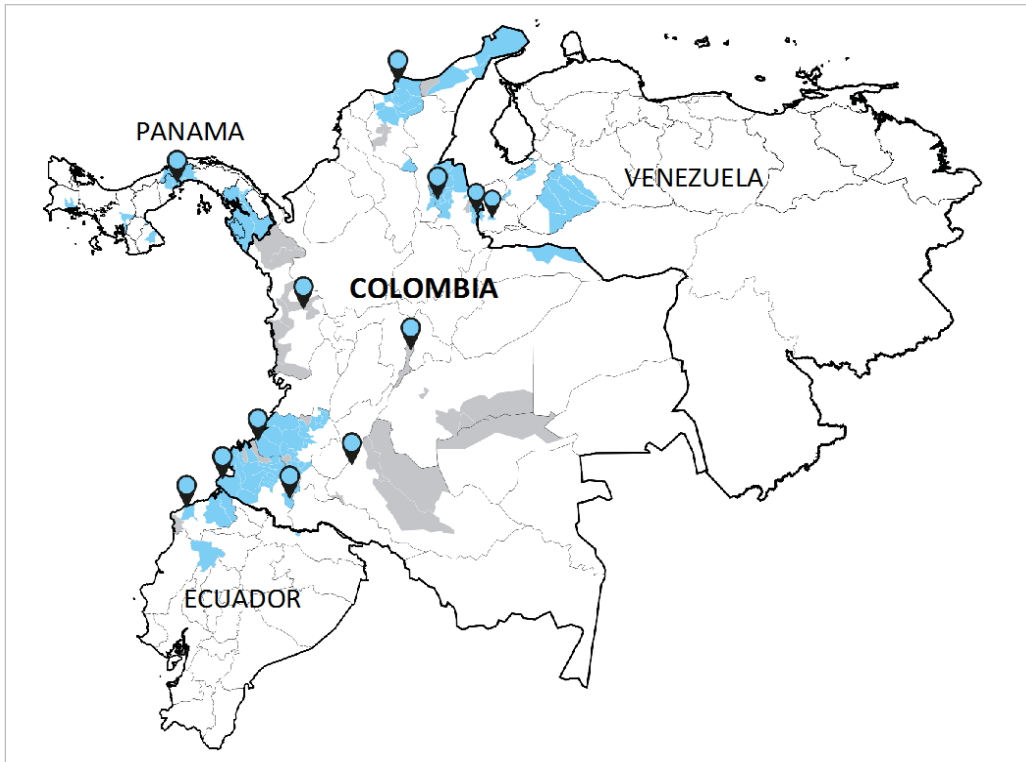
¹² NRC’s offices in Colombia are located in Bogotá, Santa Marta, Cúcuta and Pasto, with satellite offices in Tumaco and Popayán.

¹³ This component is not included in the current evaluation as NRC no longer regards SGBV work as part of the ICLA programme.

- Support to IDP leaders and representatives to collectively advocate for improved public policy, budget and services for IDPs.
- Advocacy towards national entities focused on the barriers that IDPs face to access prioritized rights. This includes the constitutional court.

Between 2013 and 2014 the ICLA programme modified its operational strategy to increase its operational presence and reduce the number of contracts with partners to undertake project activities.

Figure 1. Map of NRC's ICLA programme and office locations in Colombia¹⁴



2.3 Partnerships

The ICLA programme was implemented with the following partners:

Strategic partners

1. Unidad Nacional para la Atención y Reparación Integral a Víctimas (UNARIV)
2. Unidad Administrativa Especial de Gestión de Restitución de Tierras (URT)
3. Defensoría del Pueblo
4. Corte Constitucional

¹⁴ The map also shows ICLA locations in Venezuela, Panama and Ecuador, but these are not included in this evaluation

Implementing partners

5. Asociación Pueblo Bari De Colombia – Asopbari
6. Cabildo Indígena Kankuamo
7. Corporación Opción Legal
8. Diócesis De Tumaco/Pastoral Social Tumaco
9. Pastoral Social, Ipiales
10. Federación Nacional De Personeros De Colombia (Fenalper)
11. Centro De Estudios De Derecho, Justicia Y Sociedad (Dejusticia)

3. Purpose of the Evaluation

The purpose of the evaluation was to assess the relevance and appropriateness, coverage, effectiveness and impact of NRC's ICLA programme in Colombia from January 2013 to December 2015, and to generate recommendations for the next strategic planning cycle.

Evaluation and Learning questions:

The evaluation answers the following overarching questions:

- Whether or not the change in strategy regarding IDP registration has led to better results for beneficiaries. The inquiry must take into account NRC's humanitarian nature which implies a limited assistance timeframe and modalities.
- Whether or not the HLP component of the programme is relevant and appropriate, identifying how NRC's actions have increased access to HLP rights and if the vulnerability conditions have been reduced considerably.

To obtain these answers, the evaluation examined the following sub-sets of questions:

EQ1. To what extent was the ICLA programme relevant and appropriate?

- *Have needs been properly assessed by the ICLA programme?*
- *To what extent does the new ICLA programme strategy and design respond to the needs of people affected by displacement in the targeted communities.*
- *How appropriate is the programme design (including capacity building of local authorities) and are there alternative approaches that should be considered to address the identified needs?*
- *What were the major contributing factors to the programme's relevance and appropriateness, and what (if anything) prevented it from being more relevant and appropriate?*
- *Are there any quality issues that need to be addressed in the programme design or implementation?*

EQ2. Is NRC ICLA Programme reaching the right people?

- *Does the strategy enable NRC to reach more vulnerable displaced populations (e.g. is NRC working where there is the greatest needs for its ICLA services?)*
- *Does the strategy enable NRC to reach more vulnerable displaced populations (e.g. is NRC working where there is the greatest needs for its ICLA services?)*
- *To what extent does the programme consider and address access constraints for different groups within the community (gender, disability, age, social responsibilities, etc)?*
- *What were the major contributing factors to the programme's reach, and what (if anything) prevented it from reaching the most vulnerable/hard-to-access within communities assisted and in other areas?*
- *How can NRC improve the programme design to ensure better access for excluded groups?*

EQ3. Was the programme effective in achieving its results?

- *To what extent has NRC achieved its programme goals in terms of IDP registration and HLP rights? (outputs and outcomes)*
- *Has NRC achieved its objectives of capacity building of local authorities? (outputs and outcomes)*
- *Has NRC achieved its advocacy and public policy objectives?*
- *What factors have contributed to achieving these objectives and what have been the main challenges and barriers?*

EQ4. What are the positive and negative impacts of the ICLA programme?

- *To what extent has the ICLA programme increased the displaced population's (disaggregate by gender) access to declaration, registration and humanitarian assistance from the authorities?*
- *To what extent has the ICLA programme enabled the displaced population (disaggregate by gender) to claim and exercise their HLP rights as part of durable solutions?*
- *Has the programme had any other positive or negative impacts on the targeted population (disaggregate by gender) or their community?*

EQ5. Was the ICLA Programme designed and implemented in line with NRC's Protection Policy?

- *To what extent have the objectives and approaches set out in the NRC protection policy (i.e. work responsibly and work proactively) been integrated into the programme? What results/impacts did this have? Challenges?*

The primary users of the evaluation's findings and recommendations are staff in the Oslo, Bogotá and sub-national offices.

NRC will publish the evaluation for accountability and learning purposes.

4. Methodology

The methodology for this evaluation included collection and analysis of data from primary and secondary sources. The methods used were largely qualitative, although quantitative data were identified and used to examine 'effectiveness'. Specific details about data collection tools, sampling and analysis and judgment are provided below.

Data collection tools

Four data collection tools were employed to enable triangulation:

- Review of documentation, including quantitative monitoring data for each indicator and qualitative data on programme achievements, barriers and lessons learned. The previous evaluation¹⁵ was also consulted as a point of comparison.
- In-depth Key Informant Interviews (KIIs) with: IDPs; NRC staff and partner staff; authorities benefiting from technical support; others (governmental institutions, donors, UN, other NGOs.)
- Focus group discussions (FGDs)
- Event to share and validate preliminary findings

The data collected was also analysed in relation to NRC Colombia's Theory of Change, to 'road-test' it and to identify possible gaps.

Case studies were also developed to explore issues in greater depth in two contexts (see Annex C)

Sampling

The following samples of inputs and participants were used for the evaluation:

- **Document review:** Internal documents provided by NRC, plus external documents located by the evaluation team. Further documents were requested by the evaluation team during field visits, and were subsequently provided.
- **Key informant interviews:** A list of key informants and interview guides are provided in Annex B.
- **Focus group discussions:** Separate groups of men and women participated in each Area.

Note: Key informants and focus group participants were selected by NRC staff, due to the inaccessibility of some areas visited and the need to advise participants beforehand. For security reasons it was not possible for the evaluation team to interview non-beneficiaries. The evaluation team considers that neither of these issues would have caused the findings to be significantly different.

Analysis and judgment

In the interests of producing results that enable comparison with other periods and programmes, each EQ is answered using one of the following qualitative ratings:

- Quality aspect largely achieved, with minor/few exceptions.
- Quality aspect moderately achieved: a combination of strengths and weaknesses/gaps
- Quality aspect partially achieved: many weaknesses and gaps
- Quality aspect not achieved: no evident strengths

¹⁵ Evaluation of the NRC Colombia programme 2008- 2010, CASA Consulting (2011)

For the sake of transparency and to maximize objectivity, a set of judgment criteria for each of the evaluation questions (EQs) and sub-questions (SQs) were established prior to the data collection. They are noted in the Findings sections.

An overview of the methodology for the evaluation is provided in **Annex A: Evaluation Matrix**.

5. Findings

5.1 COVERAGE

Evaluation Question: Is NRC ICLA Programme reaching the right people?

Sub-questions

Does the strategy enable NRC to reach more displaced populations?

To what extent does the programme consider and address access constraints for different groups within the community (gender, disability, age, social responsibilities, etc)?

What were the major contributing factors to the programme's reach, and what (if anything) prevented it from reaching the most vulnerable/hard-to-access within communities assisted and in other areas?

How can NRC improve the programme design to ensure better access for excluded groups?

Judgment Criteria

- *Validity of programme locations in relation to political context*
 - *Validity of programme locations in relation to local and other capacities (government and other agencies)*
 - *Tailoring of outreach to inform all sectors of the target population, including specific measures to assist the most vulnerable (based on ICLA's vulnerability criteria)*
 - *Measures to facilitate access of the most vulnerable*
 - *Assessment, design and delivery elements reflect consultation with, and feedback from the most vulnerable/hard-to-access sectors of the target population*
-

Does the strategy enable NRC to reach more displaced populations?

Despite the lack of a systematic approach to define coverage, the ICLA programme appears to be reaching the regions where the most vulnerable displaced populations are located.

From 2013 to 2015, the analysis conducted periodically by staff and partners on the location of the most vulnerable displaced populations in the country was not documented. In May 2015 NRC produced a document defining the criteria to be used by teams to identify the most vulnerable populations in Colombia, including those whose needs correspond with the services provided by the ICLA programme. Thus, for the purpose of this evaluation, the criteria were applied retrospectively as the most objective method to assess national coverage.

The vulnerability criteria most relevant to ICLA include:

- IDPs who have not been entered in the Register
- Women IDPs who have been forcibly driven from or had to abandon their lands
- Communities affected by restrictions to their mobility, with low levels of registration, humanitarian needs not covered by other actors, and where violations of their human rights and International Humanitarian Law are 'hidden'.

Secondary criteria include age, gender, location and ethnicity.

In the absence of robust analysis of where people meeting the criteria are located, proxy criteria could include the areas where most new displacements are occurring, areas of recurrent displacement, and areas where most displacement has occurred since 1985. Analysis based on these criteria alone indicate that the most vulnerable IDP populations are in Cauca, Antioquia, Nariño, Chocó, Norte de Santander, Bolívar and Magdalena.¹⁶ The ICLA programme has operated in four of these seven departments since 2013: Cauca, Nariño, Magdalena and Norte de Santander. Both the pre-2014 and post 2014 strategy targeted and reached these areas.

Another important criterion (that is currently not among those used by NRC) for consideration when identifying the most vulnerable IDPs is the capacity of state institutions and other international organisations to meet their needs. Beyond the large cities, state institutions across the country have significant capacity gaps. As for international organisations, NRC has not carried out a mapping exercise, nor does one exist at Cluster level in Colombia. However, ICLA staff are convinced that they are providing valuable services that are not being provided by any other organisation, and that their presence as an international organisation provides a certain degree of protection to communities in regions where even UNHCR and ICRC no longer have operations.

To what extent does the programme consider and address access constraints for different groups within the community (gender, disability, age, social responsibilities, etc)?

The ICLA programme may not be reaching the most vulnerable displaced populations at the local level

At the sub-national level, it appears that the above criteria are not being applied properly to select the most vulnerable municipalities and communities. While all the municipalities in which the ICLA programme operates appear to meet the primary and secondary criteria, so do many others that are not receiving ICLA's attention. There is also a lack of clarity about the relative importance of ethnic considerations. This is resulting in case-by-case coverage decisions that are influenced by other factors, such as spontaneous requests and recommendations by judges and local institutions, rather than through a transparent and systematic planning process by the ICLA teams.

Teams have identified the most common barriers to accessing their rights but have not systematically sought out and reached groups with specific access constraints.

The Area teams have carried out a study of the most common barriers IDPs face to accessing state services and humanitarian assistance. However, in the period covered by this evaluation they did not document decisions or achievements relating to coverage of groups with specific access constraints. Examples of systematic efforts to reach older people, people with disabilities, or people with other restrictions were not identified, although some staff reported using their initiative to ask community leaders to identify anyone who might have been prevented from attending an information session or *declaracion* event, and making efforts to take the services to them.

¹⁶ If NRC's mission to enable IDPs to obtain durable solutions is taken into account, another criterion might be the areas considered to meet the security conditions for land restitution.

Staff also reported that by using a strategy of ‘mobile clinics’ they have been able to reach further into rural areas. The mobile clinics function on the basis that ICLA teams establish all the necessary logistics for state institutions to travel to specified locations where NRC already has knowledge that a number of people want to make their declaration and has alerted them of the clinic date.

It was noted by the evaluation team that the number of women beneficiaries for each activity almost always exceeds the number of men beneficiaries. This reflects national trends in which more women than men present declarations and request land restitution. ICLA Staff attributed the phenomenon to the likelihood of men being at work (in the fields, or in urban income-generating activities) when activities are programmed, although other reasons may exist. It is important for the ICLA team base their access strategy on a more robust analysis of the reasons and consequences of this gender difference and to adapt coverage strategies accordingly (See Section 7: Recommendations)

The new strategy has provided a better quality service but has not reached more displaced populations

In 2014 NRC consolidated its regional offices and increased the size of its ICLA teams in Magdalena/Norte de Santander and Suroccidente, with the intention of growing its programme, enhancing the quality of its services, and operating more efficiently than when it was working through partner organisations.

It is very early to assess whether this strategy has enabled NRC to assist more IDPs than previously. Data collected from NRC’s own monitoring reports indicate that it has not yet increased the overall number of beneficiaries (in fact, the absolute numbers assisted have reduced), but it has provided more consistent and continuous attention to IDPs requiring information, counselling and legal assistance. This may result in a higher resolution rate, i.e. more IDPs obtaining inclusion in the register, the services and assistance they are entitled to, the title to the land they were displaced from, and compensation that enables them to rebuild their livelihoods and lives, but there are not yet sufficient data to confirm this trend.

In 2015 NRC also established a separate mobile unit (to serve multiple programmes, including ICLA), giving it greater flexibility to reach new IDPs in other locations. The unit was not deployed until 2016 and therefore insufficient data exist at this stage to assess to what extent the unit has enabled or will enable NRC ICLA to reach more IDPs than before.

Future coverage needs to match real capacity

It should be noted that in the three years covered by this evaluation, the ICLA programme has provided its services in over 80 municipalities¹⁷. The current team of 15 people appears to be very overstretched, particularly as more cases are opened each year than are closed, thereby contributing to a continued need for follow-up actions in almost all the communities that have ever participated in the programme. Any decisions about future coverage should take into account the real capacity of ICLA’s teams, based on knowledge being generated within the programme itself about the prolonged nature of the processes to be entered in the Register and to claim HLP rights.

What were the major contributing factors to the programme's reach, and what (if anything) prevented it from reaching the most vulnerable/hard-to-access within communities assisted and in other areas?

¹⁷ The full list is not included in this report but is available from NRC upon request.

It appears that the following factors have contributed most to the ICLA programme 'reaching the right people'.

- NRC's experience in Colombia and the strategic alliances it has developed over 12 years of operations, which have helped it to locate the most vulnerable regions and populations without a systematic process of analysis.
- The university network strategy and its subsequent evolution into bilateral arrangements that has allowed ICLA to have broad geographic coverage (in accordance with the presence of vulnerable IDPs in departments across the country).

The evaluation team also considers that the following barriers have prevented or are currently preventing more accurate reach to the most vulnerable:

- Lack of 'active' and systematic use of criteria to select the areas and municipalities where it should operate.
- Absence of selection criterion relating to the incapacity/capacity of state and non-governmental institutions to meet IDPs' needs.
- The limited capacity of the team to include additional areas and municipalities, due to the labour-intensive and prolonged nature of the follow-up they provide (and will need to continue to provide) to current beneficiaries.
- The lack of criteria to establish when to end the provision of services to a group or community and to include new groups and communities into the programme.

As commented above, although its role in quality and follow-up is already evident it is not yet clear if the decentralization process will contribute to greater or more targeted coverage.

5.2 RELEVANCE

Evaluation Question: **To what extent was NRC's response relevant and appropriate?**

Sub-questions

Have needs been properly assessed by the ICLA programme?

To what extent does the new ICLA programme strategy and design respond to the needs of people affected by displacement in the targeted communities?

How appropriate is the programme design (including capacity building of local authorities) and are there alternative approach be considered to address the identified needs?

What were the major contributing factors to the programme's relevance and appropriateness, and what (if anything) prevented it from being more relevant and appropriate?

Are there any quality issues that need to be addressed in the programme design or implementation?

Judgment Criteria

- *Alignment between identified needs of target population, and programme design*
 - *Changes made in accordance with the evolving socio-political context*
 - *Alignment with Law 1448 of 2011 and other relevant laws.*
-

-
- *Tailoring of programme to reach all sectors of the target population, including specific measures to reach the most vulnerable*
-
- *Assessment, design and delivery elements reflect consultation with, and feedback from the target population*
-

Have needs been properly assessed by the ICLA programme?

Needs assessment is a continuous process both at the national level and in each Area, and draws on both primary and secondary sources. However, the analysis is not approached systematically and is not regularly documented.

The evaluation team found evidence of a certain degree of analysis by each Area team, albeit undertaken in slightly different ways, as well as the regular analysis of barriers to access by each team. However, in the absence of an institutional and systematic process it is not possible for the team to develop a single national ICLA strategy, nor to develop projects that respond to the specific needs of each area. Furthermore, rather than responding to a proper needs analysis, programming decisions are often influenced by other factors, as explained by the Santa Marta team: “NRC’s response in almost 20 municipalities in Magdalena was designed partly in response to requests from the institutions and the IDP groups here, and partly as a result the contextual analysis carried out by NRC”¹⁸.

Beneficiaries do not participate adequately or systematically in assessment, strategic planning and programme design processes

Interviews with ICLA team members confirmed that beneficiaries only participate in the design aspect of the programme by providing information on their needs; their opinions are not sought or taken into account in the development of the programme or strategy.

Analysis of projected needs is insufficient/undocumented

Analysis of the real duration of IDPs’ need for support from the ICLA programme has not been undertaken. This has implications for planning coverage and staffing, the quality and follow up IDPs can expect, and the overall sustainability of the programme.

Similarly, a projection of needs in the long-term does not yet exist for the programme as a whole. This will become increasingly important in the post-conflict scenario.

Analysis of collective capacities and capacity gaps is insufficient/undocumented

Analysis of the programmes and capacities of other organisations operating in the same context is not regularly or systematically undertaken, despite the fact that NRC interacts regularly with a number of other humanitarian actors at the field level and in Bogotá. Consequently, it is difficult for the Area teams to differentiate between ‘needs’ and ‘unmet needs’, and thus to identify their operational space and avoid possible duplications.

¹⁸ Source: Interview with the ICLA team in Santa Marta – Magdalena

To what extent does the new ICLA programme strategy and design respond to the needs of people affected by displacement in the targeted communities?

The focus on registration is highly relevant

The focus on registration, access to humanitarian assistance and Housing, Land and Property rights is highly relevant in the Colombian context as well as to ICLA's global strategy. It corresponds not only with IDPs' humanitarian and immediate needs but also with their need for durable solutions and ultimately, enjoyment of their rights. The Register is the gateway to the institutional services of UARIV and for land restitution; without being in the Register, it is impossible for IDPs to access assistance and justice.

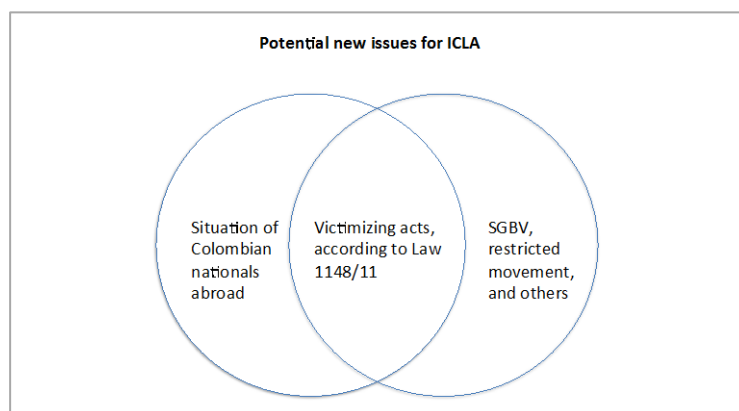
The need for housing has not been made visible and the programme does not place sufficient emphasis on this aspect.

Housing, which is an integral part of HLP, has only been partially addressed. To date housing issues have been dealt with by providing legal assistance to facilitate ICLA beneficiaries' access to State housing programmes. There is considerable room for growth on this issue, as highlighted by ICLA field staff and repeatedly mentioned as a need by beneficiaries. It could also integrate two key NRC programmes and core competences: Shelter and ICLA.

Beyond the current number of victims of the conflict and the crimes committed against them, the start of the peace-building process will reveal a much wider range of crimes requiring special attention.

The challenges of the post-conflict or peace-building scenario open up a lot of issues that fall within the ICLA remit but which will require a specific strategy to address them. For example, institutions such as UARIV claim "With regard to what will happen, NRC has made clear that it can provide support to the 400,000 Colombian people in other countries, who might return to Colombia. This Unit is open to looking at and registering such cases with the support of NRC. At present only 4,000 people in this situation are registered and public policy to deal with this group got off to a late start. Another huge area of work will be in the crimes committed against people that will start to emerge once the peace agreement is signed. For example, forced recruitment, sexual violence, children whose job was to warn of impending threats, and restricted movement."¹⁹

Figure 2: Potential new issues for ICLA



¹⁹ Source: Interview with representative of UARIV

The HLP approach is being partially implemented

NRC has had a limited approach to HLP. The Colombian legal framework offers a wider range of action that could lead into 'durable solutions' in the peace-building and postconflict situation. For example, the ICLA programme could (i) support the Court to more clearly define the directions that are contained in restitutions orders (such as issuing land titles and ordering that investment is made in community development) so that the risk of forcible dispossession and/or abandonment of land in the future is eliminated; ii) development of comprehensive plans and collective compensations; iii) development of income generating projects that represent durable solutions for IDPs.

There is potential for maintaining relevance in the post-conflict phase

One of the greatest challenges NRC faces in terms of relevance of its programmes in a country that has now signed a peace agreement is the potential to grow new areas of its programme. The ICLA Area teams are well aware of the opportunities the legal framework offers for full enjoyment of rights, such as full compensation, housing and reconstruction of IDPs life plans. These opportunities could lead to durable solutions and should be taken into account in the future strategy of the ICLA programme.

Beneficiaries appear to be very satisfied with the services provided by NRC, but a larger sample is needed to validate this statement.

During the field visits the evaluation team encountered a high level of satisfaction among the beneficiaries selected for interviews and focus group discussion. Comments such as: "Of all the organisations that have come here to find communities for their projects, NRC is the one that has met our needs best in terms of guiding us on the judicial aspects of ethnic rights and our collective unity. We have learned far more from NRC than the other NGOs" and "One important aspect of NRC's work is at the territorial level, the technical support they have provided to the territorial entities to help understand and design public policy in their corresponding regions. From the rights perspective, this empowers both the institutions and the victims."²⁰ However, given the geographic spread of NRC's programme, it is important to consult more beneficiaries and possibly non-beneficiaries to better understand their perspectives.

How appropriate is the programme design (including capacity building of local authorities) and are there alternative approaches being considered to address the identified needs?

The capacity building component is appropriate because it increases IDPs' trust in the state institutions and their ability to demand that their rights are respected

Interviews with stakeholders who received NRC's support for capacity building echoed the comment below that NRC's capacity building efforts are helping to build bridges so that IDPs can access the State and their rights. "In the Colombian context NRC's work is extremely appropriate...All the services provided by ICLA are appropriate, and it shouldn't stop any of them. The support NRC has given to FENALPER was timely and met our, the personeros and the victims' needs"²¹

²⁰ Source: Interview with representative of the Constitutional Court. June 7, 2016.

²¹ Andrés Urrego. Asesor Federación Nacional de Personeros – FENALPER. Junio 7 de 2016

Advocacy at the judicial level is fundamental to ensure the implementation of public policy for assistance and compensation of IDPs, and thus to guarantee their enjoyment of rights (from the moment of the Declaration to the implementation of durable solutions).

Evidence-based advocacy to the judiciary was a key element in the ICLA strategy from 2013-15. NRC's work with the Constitutional Court and the judges responsible for land restitution has facilitated implementation of the public policy elements of Law 1448 of 2011 and built upon progress achieved as a result of Law 387 of 1997 and Ruling T-025 of 2004. In transitional justice contexts like Colombia it is extremely pertinent to strengthen capacity and advocate to all state institutions including the judiciary so that international legal standards are respected.

The time limits contained in Law 1448 created an urgent need to enable IDPs to make their declaration, but the problem of physical access to declaration persists.

Although there have been significant achievements in terms of making the declaration and IDPs' Registration, many IDPs still find it difficult to physically reach the state institutions, make their declaration and access the services to which they have a right. Despite the time limits contained in Law 1448 which drove large numbers of IDPs to make their declaration before the end of 2015, the need for services to support IDPs' declarations are likely to persist. Considering the likelihood of continued violence and displacement by actors such as the ELN, FARC dissidents and criminal gangs related to the former paramilitary groups, projections are being made of up to 10 million victims by 2021. The state institutions in some areas are likely to still require support for services such as those provided by NRC for years to come.

Cultural appropriateness presents opportunities and, if not managed adequately, risks to the programme

A culturally-appropriate approach has enabled NRC to work with ethnic groups on issues of compensation and land restitution. However, an over-personalisation of the relationship between NRC staff of the same ethnicity as the beneficiary group and the lack of team presence has created risks to the sustainability of the programme. NRC's recruitment of an AfroColombian staff member to work closely with groups of Afro-Colombian IDPs has paid off in terms of ensuring a culturally appropriate approach. The community members commented: *"There are exceptional organisations such as NRC that have allowed us to include our culture as a fundamental element our relationship with the State institutions. We need to keep being ourselves."* However, this has also brought some unexpected disadvantages; the dedication of one team member of the same ethnicity as the beneficiaries, and the absence of any other NRC staff in the relations with this community have led to an over-personalisation of the relationship. This reduces the institutional character of NRCs work and could threaten the sustainability of the programme if, for example, the staff member left NRC or could not continue working with the community.

ICLA tools are appropriate for enabling participants in ICLA information and training activities to understand their rights.

The ICLA Area teams have designed a series of pedagogical tools to assist them in their work with 'victimas' and the institutions that they need to engage with. There have even been some attempts to standardize some tools in all regions/Areas but in general each area still uses its own tools that reflect local characteristics although they would like to have a shared methodology.

There is a lack of clarity about what actions are relevant/appropriate in the post-judgment stage of the land restitution judiciary process.

Although a conceptual proposal for the post-judgment stage (This stage refers to the stage created by Law 1448 of 2011, where the land restitution judge retains jurisdiction to monitor compliance with the orders issued in the

judgment) has been developed by the Northwest Area Manager, the ICLA programme still lacks an institutional policy that is documented by NRC and ICLA and is applied by all teams in all locations. For this reason staff and external stakeholders do not share the same idea of the scope of ICLA's support nor of at what stage an exit strategy should be triggered and responsibly carried out. It appears that this lack of clarity tends to generate greater expectations in the communities and therefore runs the risk of 'doing harm' in this respect.

NRC ICLA appears to work on the assumption that community strengthening will happen automatically while the ICLA activities are implemented.

Interviews with the ICLA teams revealed that for NRC community-strengthening is taken for granted in the ICLA programme. This means that the workload involved in creating trust in communities and transmitting institutional values such as legitimacy, impartiality, transparency, quality, trust, credibility and relevance is simply not recognised. It is not reported as it does not have any indicators, and it is not regarded as an achievement, despite the fact that it is fundamental to ICLA objectives.

NRC does not have a strategy or criteria for choosing communities, and there is no clarity about whether registration for humanitarian assistance and HLP should be carried out in the same community or different ones.

Although ICLA has used some criteria to decide where to operate, the analysis and decision-making processes have not been carried out as a team and in response to the criteria. Instead, staff of each Area are applying them intuitively and from their own perspective, Furthermore, it is not clear how NRC decides in which communities to work on Registration/Humanitarian Assistance, and in which to work on land restitution, and how the work is integrated.

The ethnic focus of the ICLA programme is diminishing. The only current work is with community councils on the Pacific Coast, and a small intervention with the Awa people.

Although the ICLA strategy and programme previously included substantial work with indigenous peoples, it appears to have reduced this type of intervention in the period from 2013 to 2015 due to cultural, geographic and resourcing difficulties. Currently the only work with indigenous communities is with some community councils in the Pacific, Nariño and Magdalena, and even in these cases it is not clear what the criteria for decision-making are for these groups with special protection status.

The issue of second occupants is relevant to all the areas where the ICLA programme operates.

This problem is present in all the places where ICLA operates but ICLA does not yet have a strategy for dealing with it.

What were the major contributing factors to the programme's relevance and appropriateness, and what (if anything) prevented it from being more relevant and appropriate?

The following factors are considered to have increased the programme's relevance:

- Over 12 years of accumulated experience, with a constant presence in areas of acute and chronic conflict have contributed to building an understanding of needs and how to address them.

- The high quality of staff and consultants employed by NRC, and their expertise in legal issues AND community strengthening is highly valued by all stakeholders. Their understanding of the context enables NRC to develop and maintain a relevant programme.
- Modification of the network of university legal clinics model to meet IDPs' needs better through higher quality legal assistance and increased capacity for outreach to hard-to-access areas.

5.3 EFFECTIVENESS

Evaluation Question: Was the programme effective in achieving its results?

Sub-questions

To what extent has NRC achieved its programme goals in terms of IDP registration and HLP rights? (outputs and outcomes)

Has NRC achieved its objectives of capacity building of local authorities? (outputs and outcomes)

Has NRC achieved its advocacy and public policy objectives?

What factors have contributed to achieving these objectives and what have been the main challenges and barriers?

Judgment Criteria

Number of people benefited directly vs. intended number of direct beneficiaries

Number of people benefited directly vs. intended number of direct beneficiaries

Beneficiaries' satisfaction with the quality of the services received and the manner in which they were supplied

Local authorities' satisfaction with the capacity building received

Satisfaction of local leaders with support.

To what extent has NRC achieved its programme goals in terms of IDP registration and HLP rights? (outputs & outcomes)

The ICLA programme met the majority of its output-level indicators in all three years covered by this evaluation. Each year it has, for the most part, implemented the programme as planned and provided services that IDPs and local authorities report having valued.

Nevertheless, on closer inspection, some of the higher-level outcomes of the programme have been limited, as is explained in the following sections.

Output indicators for information, counselling and legal assistance related to Registration were achieved and surpassed in all years.

As shown in Table 3, output indicators²² for the provision of information, counselling and legal assistance for registration were achieved in all years and were surpassed by 200% or more in 2013 and 2015 due to the wide coverage of its partners and a focus on mobile clinics respectively. In all years the actual number of direct beneficiaries exceed the target number for that year.

Outcome indicators for obtaining inclusion in the Register were not met.

However, under one third of NRC's target population was able to actually be entered in the register in 2014, and only one quarter in 2015. Not surprisingly, since being in the register is a pre-requisite for being provided humanitarian assistance by the State, fewer than half its intended beneficiaries reported receiving it in 2014, and under one quarter in 2015. This means that the majority of the programme's intended beneficiaries are not achieving the intended outcomes within the anticipated timeframe. It also raises questions about the appropriateness of the outcome indicators for registration, the timeframe in which they are measured, and the combination of activities is required in order to achieve this result.

Table 3: Key indicators for inclusion in the Register and receipt of humanitarian assistance in 2013, 2014 and 2015

Year	Indicator	Target	Actual
2013	% of beneficiaries who have effectively accessed the Unique Victims Registry	70%	39%
2014	% of females and males who obtain IDP registration as a result of NRC's services	60%	29%
	% of females and males who receive State's immediate and emergency humanitarian assistance as a result of NRC's services	50%	40%
2015	% of females and males who obtain IDP registration as a result of NRC's services	60%	25%

Year	Indicator	Target	Actual
2013	% of beneficiaries who have effectively accessed to services and rights	70	71
2014	% of females and males who receive State's immediate and emergency humanitarian assistance as a result of NRC's services	50%	40%
2015	% of females and males who receive State's immediate humanitarian assistance as a result of NRC's services	25%	19%

(red font denotes under-achievement of the target)

Mixed achievements for output level indicators for Housing, Land and Property (HLP) rights show the complexity of the process

In the case of HLP rights, a combination of achievements and failures relating to output indicators reveals the complexity of the process and the challenges staff face to help IDPs navigate through it. For example, in 2014 fewer

²² In 2014, targets for information services were raised during implementation, to reflect the focus on reaching as many people as possible via mobile clinics before the legal deadline for declaration the following year

people than anticipated received information services, which is a ‘mass-delivered’ product, but more people than anticipated received counselling and legal assistance, which has to be tailored to the specific cases. This suggests that the cases that NRC identified required more services than expected. Also, both the number of cases opened and cases closed were slightly lower than planned, suggesting that these processes take more time than expected.

In 2015 NRC exceeded by far the anticipated number of beneficiaries receiving information, due to the need to offer as many IDPs the chance to register as possible, before the legal deadline at the end of the year. The counselling and legal services were more-or-less on target, but this workload significantly affected achievement of the training target for public servants – fewer than half of the target group received training from NRC.

Outcome level indicators are achieved by a decent proportion of beneficiaries, but there are many obstacles to full enjoyment of their rights.

At first glance, outcome level indicators for HLP were fully achieved in 2014 and 2015: As shown in Table 4, the 2014 target of 30% of beneficiaries obtaining title deeds or other legal documentation stating their ownership of land/house/property was met, and the 2015 target of 70% was surpassed. In both years over 90% of beneficiaries were able to identify HLP rights and responsibilities.

However, when compared with the number of people receiving information and those receiving counseling, the extent of the bottleneck in the system becomes apparent. In interviews NRC ICLA staff, beneficiaries and partners explained this process is time-consuming and requires continuous advocacy and follow-up, largely due to limited capacity in the relevant institutions, and strong opposition from those occupying the land.

Obtaining more than the land title also appears to be a major challenge. Staff and beneficiaries cited examples such as La Secreta (Magdalena), where the government agency responsible for improving the only access road to this isolated community has repeatedly failed to comply with the judge’s orders, and in another community in Magdalena where housing support has not been received. For this reason, and despite the strong legal, social and administrative skills of the ICLA teams and their dedication to following up cases until a satisfactory resolution is found, this may not be achieved in the anticipated timeframe. In a donor report NRC explained: “judges argued complexity in some cases, and in some others cases the opposition was too strong therefore the judges sent the process to Court.”

Table 4: Key indicators relating to the provision of HLP services in 2014 and 2015

Year	Indicator	Target	Actual
2014	# of females and males who received <i>information</i> services	1100	992
	# of females and males who received <i>counselling</i> services	400	463
	# of counselling services delivered	16	10
	# females and males who receive legal assistance services	240	261
	# of (HLP) information services delivered	29	22
	# of (HLP) legal assistance cases opened	280	260
	# of (HLP) legal assistance cases closed	75	56
	% of females and males who report exercising HLP rights	60	90
	% of females and males who report possessing a document for house/land/property	30	30
	% of females and males who competently identify HLP rights and responsibilities	80	80

(red font denotes under-achievement of the target)

Year	Indicator	Target	Actual
2015	# of females and males who received information services	500	950
	# of females and males who received counselling services	2317	2308
	# of counselling services delivered	49	37
	# females and males who receive legal assistance services	2099	3105
	# of (HLP) information services delivered	20	22
	# of (HLP) legal assistance cases opened	5	18
	# of (HLP) legal assistance cases closed	8	5
	# of females and males who received (HLP) training services	1690	862
	# of training services delivered	9	20
	# of households focalized by URT accompanied in land and housing procedures by NRC	1383	1081
	# of households not focalized by URT accompanied in land and housing procedures by NRC	267	412
	% of females and males who have accessed to the land restitution process as described in the Victim's Law	70%	92%
	% of females and males who have received a favourable court ruling on their land and housing restitution claim in the frame of the Victim's Law	50%	78%
	% of females and males who report possessing a document for house/land/property	70%	78%
	% of male and female beneficiaries who competently identify Housing, Land and property (HLP) rights and responsibilities	70%	94%

(red font denotes under-achievement of the target)

Has NRC achieved its objectives of capacity building of local authorities? (outputs and outcomes)

Combined methods of capacity building are highly valued by local institutions but have not yet proven to be fully effective.

In 2013 and 2014 training was the main method employed by the ICLA programme to build the capacity of local authorities to adequately uphold IDPs rights/implement Law 1448. From 2015, however, a combination of methods have been used simultaneously, such as Logistics support for transport to areas to provide registration services, human resources to assist in processing claims, and financial support.

Output level targets for training were met for both 2013 and 2014, but in 2015 training did not reach as many local authorities' staff as expected; HLP training in particular was carried out for less than half the local authority staff planned. By contrast, targets for 2015 were exceeded in for logistics, human resources and financial support for Registration. Key informants explained that this was due to low staffing within the ICLA teams at the start of the decentralised structure.

In interviews with the authorities, it was clear that the combined support methods were highly valued. The ultimate test, however, of increased and, ultimately, sufficient capacity of local authorities is their ability to carry out their

duties efficiently. As noted previously, this is not yet the case, and suggests that the new capacity-building strategy needs to be implemented fully, and for longer, to judge its effectiveness.

Table 5: Key indicators for capacity-building methods in 2015

Indicator	Target	Actual
# of Ministerio Público representatives (females and males) who received training services (Registration and humanitarian assistance)	50	107
# of public servants at the Mayor's Offices (females and males) who received training services (Registration and humanitarian assistance)	280	232
# of Mobile Clinics focused on Declaration with logistical support to Ministerio Público provided by NRC	75	95
# of Personeros' offices who have received direct support (human resources, equipment and/or travel costs) from NRC to reduce backlog in declaration procedures	45	49
# of IDPs who access declaration during the provision of mobile clinics and direct support provided by NRC	6500	10686
# of females and males who received training services (HLP)	1690	862

Has NRC achieved its advocacy and public policy objectives?

The effectiveness of Public Policy and Advocacy work had been variable and appears to require longer, sustained investment.

In terms of public policy and advocacy objectives, comparable quantitative results are not available for the three years, as Public Policy was a component of ICLA programme in 2013, but not in 2015. Advocacy has been reported partially and differently in all three years.

The vast majority of output level indicators for advocacy and public policy were achieved in 2013, including some which were substantially surpassed, such as the number of IDPs trained in mechanisms for monitoring local development plans. At the outcome level, most indicators were achieved or almost achieved, with the exception of those relating to afrocolombian and indigenous populations (in this case Ette Enaka), due to internal disputes within the former and administrative requirements²³ relating to the special protection status of the latter.

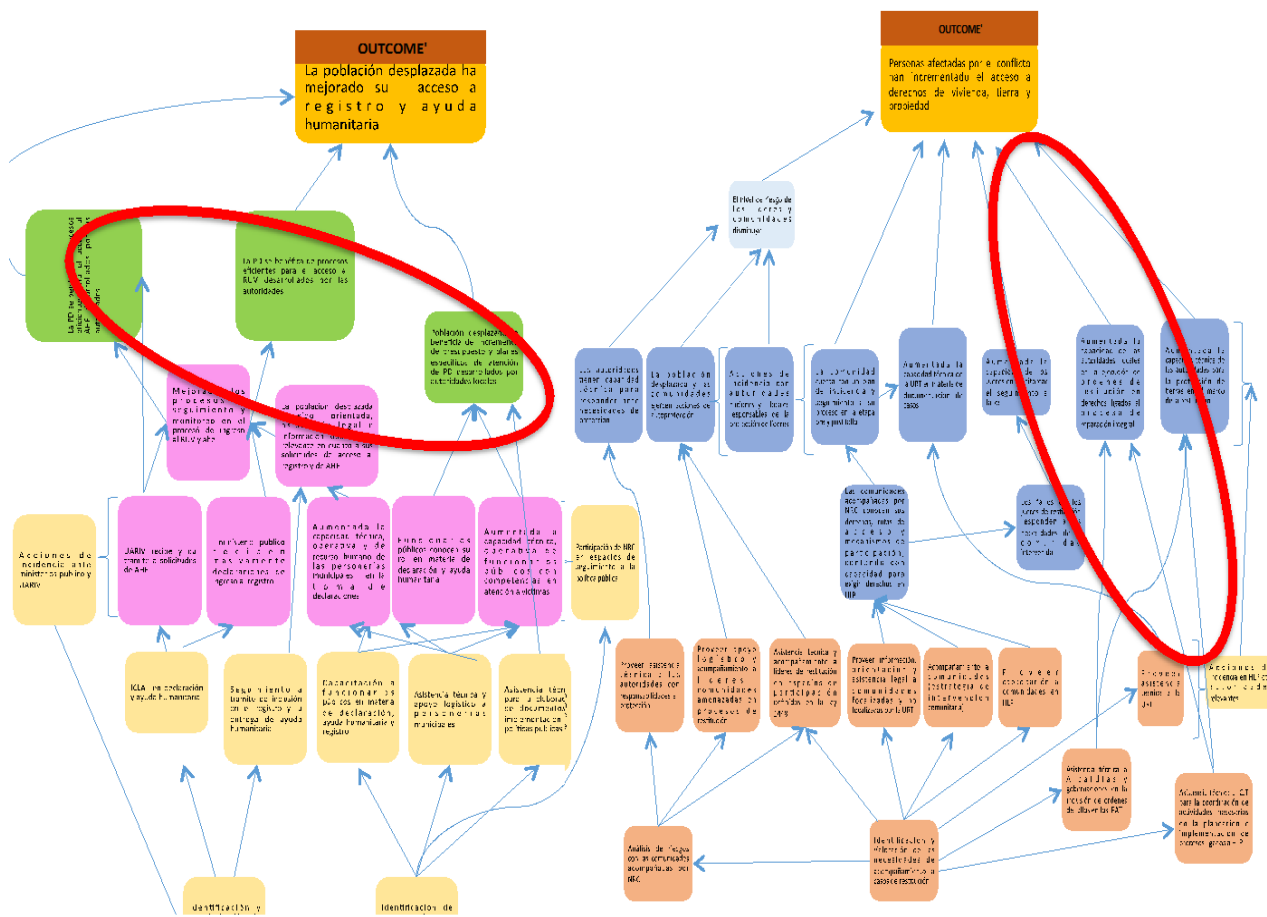
It is important to note, however, that policy and advocacy work require action over a prolonged period of time, so the fruits of one year's labour may be more likely to be apparent in subsequent years. Staff in both Areas are strong believers in investing time in public policy and advocacy as ways to enhance all other results; they reported that it has contributed to increasing local budgets for projects benefiting IDPs. They also strongly believe that advocacy carried out at Bogotá level, targeting judges, tribunals and high courts, is highly effective both interms of generating results at the local level as well as creating judicial precedents that have impacted positively on the lives of IDPs other than those assisted by NRC. Area staff highlighted that when national level advocacy is coordinated well with local advocacy, it is most effective. Suprisingly, a large part of the teams' advocacy work is currently not considered as 'ICLA' and does not have relevant indicators, but it may hold one of the keys to greater effectiveness.

²³ NRC report to donors explains: This process has not yet begun since the Government needs to complete the accompaniment of the community's return to their homeland before launching the reparation process.

The ICLA theory of change needs to be adapted in order to ensure effectiveness and generate higher impact.

Seen as a whole, the ICLA theory of change appears to require some revisions. It is based on assumptions that (1) if NRC provides information, counseling and legal services to IDPs in the quality and quantities planned, and (2) if local authorities receive training and other forms of capacity building at current levels, IDPs will be included in the Register in a timely manner, receive humanitarian assistance and compensation according to the Law, and (3) land restitution decisions will be evidence-based and implemented as ordered by the judge. The above findings indicate that these assumptions is not quite holding true: there is a still a deep lack of capacity, budget and/or will within the state institutions to process cases efficiently, creating long delays, errors and inaction and preventing IDPs from accessing the goods and services to which they are legally entitled. There may also be greater and more effective opposition to the fulfilment of land rights than was anticipated. The theory of change requires certain revisions to reflect the lessons that the ICLA programme is learning, partly as a result of this evaluation and which are included in Section 7: Recommendations.

Figure 3. Areas where assumptions are not holding true in ICLA's theory of change



What factors have contributed to achieving these objectives and what have been the main challenges and barriers?

Based on the data collected, the evaluation team considers that the following factors have contributed most to the programme's effectiveness.

- The existence of a strategy that combines direct ICLA to IDPs with institutional strengthening and advocacy, even though it appears that it is not being used to its full potential.
- The combination of legal expertise, local knowledge, community mobilisation experience and inter-institutional coordination skills in the larger, decentralised ICLA Area teams from 2015 onwards.
- An awareness among Area staff that continuous follow-up is required in order for cases to be successfully moved through the administrative, judicial and executive phases, and their professional and personal commitment to doing so.
- Advocacy actions directed at the judiciary, which have helped to speed up application of legal decisions and frameworks.

The evaluation team also considers that the following barriers have prevented or are currently preventing greater effectiveness.

- Notwithstanding the additional capacity generated as a result of the programme, there is still insufficient operational capacity in key local institutions to deal swiftly and expediently with declarations in particular.
- The considerable backlog of declarations created by an upsurge in declarations just prior to the 2015 deadline has prevented speedier processing of current and recent declarations.
- Prioritization of mass displacement cases that have a higher media and political profile has diverted resources from the processing of individual cases.
- For political reasons, a deliberate push in the Victim's Unit to remove claimants from the register or prevent others from entering it.
- The labour-intensive nature of all ICLA tasks, which appears to be over-stretching the capacity of the Area teams.
- Although each Area team has carried out and documented an analysis of the external barriers in their context, there is little evidence of any changes of strategy to overcome them.
- The lack of explanation of the logic behind quantitative and proportional targets (and the lack of visibility of many of those targets in reporting formats) suggests that discussion and reasoning by Area teams and the ICLA team as whole could also be lacking.
- The lack of an advocacy strategy prevents more coordinated, targeted and sustained actions

It should also be noted that ICLA has not systematically collected the views of beneficiaries of all aspects of its work since 2013. It may be unaware of issues that, from their perspective, could improve NRC's effectiveness.

5.4 IMPACT

Evaluation Question: **What are the positive and negative impacts of the ICLA programme?**

Sub-questions

To what extent has the ICLA programme increased the displaced population's access to Declaration procedures, registration and humanitarian assistance from the authorities?

To what extent has the ICLA programme enabled the displaced population to claim and exercise their HLP rights as part of solutions?

Has the programme had any other positive or negative impacts on the targeted population or their community?

Judgment Criteria

- *Trends in enjoyment of rights to humanitarian assistance by IDPs in programme locations*
- *Trends in enjoyment of HLP rights by IDPs in programme locations and locations from which displacement occurs*
- *Trends in other types of service provision benefiting IDPs and/or host communities in programme locations*
- *Attitudinal changes among stakeholders*

To what extent has the ICLA programme increased the displaced population's access to 'Declaration', being entered in the Register, and humanitarian assistance from the authorities?

According to the beneficiaries, state institutions and the ICLA staff, access to declaration, registration, humanitarian assistance, compensation and HLP rights has increased as a result of NRC's ICLA programme. Their most relevant comments on this issue are presented in Table 6 below:

Table No.6: Commentary by beneficiaries and partners on the impacts of ICLA

Comment	Source
"We established the partnership with NRC to avoid lengthy bureaucratic procedures that would saturate the judicial system. Our vision was to work together to speed up access to the system and provide solutions to the victims. That's why we created the 'Mesas de Gestion' in the areas where NRC is operating. They have worked well and have had very high impact."	Gladys Prada. Directora de Registro UNARIV. Junio 7 de 2016.
"Thanks to NRC's work the staff of the Victims Unit changed their attitude and allows us to declare that we have been victims of the conflict. NRC created the opportunity for us to do that, and have us the confidence we needed to do so. Thanks to NRC we have received support. Thanks to the income-generating projects, each of which cost 15 million pesos, we have returned to our lands and are working on them. Our quality of life improved a lot."	Focus Group with men en Ocaña.
"The most important thing that NRC has done is to be the bridge between us and the URT. Another is the humanitarian aid that we have received thanks to them. And we are happy because they have taught us many things that we did not know before."	Interview with Juvenal Baldovino, Leader of the Chimborazo case in Magdalena.
"Another advantage is the interinstitutional coordination that NRC does to make the institutions provide a holistic support package. For example, the presence of Defensoria, Personerías and other institutions in the assistance events emphasise the rights of the victims. Another impact is the improvements in the quality of the institutions' services to victims and the time it takes to respond to victims. This means that Declarations are more complete because the whole system is present,	Andrés Urrego. Asesor Federación Nacional de Personeros – FENALPER. Junio 7 de 2016

<p>and fewer Declarations are returned because they have gaps in the information needed. The time it takes for the victims to receive a response is also reduced, as they don't have to take turns; instead they can go the mass registration events organised by NRC. This builds capacity and helps to transfer knowledge to the professionals working at the local level."</p>	
<p>"NRC's added value is the credibility and trust they have generated in all the communities where they work, and the possibility to be present in regions such as the Cordillera Narinense which has been neglected by the international NGOs and Colombian institutions. What's more, when we are working on the compensation issues their impartiality is noted by both the community and the armed actor involved."</p>	<p>Catalina Rosero Directora Regional Unidad de Restitución de Tierras de URT Nariño</p>

However, as explained in the previous section of this report (Effectiveness), there are assumptions in the ICLA programme's theory of change that are not holding true and hence are standing in the way of it achieving the full impact that it seeks.

Although the evaluation process has generated findings on impact such as those in Table 6, the lack of a base-line against which to measure results means that the evaluation cannot adequately answer the question 'to what extent?'. To better understand the programme's impact it would be necessary to know the situation prior to NRC's actions by answering question such as:

- How many victims wanted to make a declaration in each Area/municipality, but had not had access to the facilities to do so?
- How many declarations do the authorities in each Area tend to receive every month?
- How many people making declarations are accepted into the Register each month?
- How many victims have not yet sought to be included in the UNARIV or URT registers?
- How many people make a request for land restitution each month?
- How many HLP cases receive a ruling each month?

Has the programme had any other positive or negative impacts on the targeted population or their community?

The following examples illustrate other positive impacts that the programme has had. No significant negative impacts were found during the evaluation.

ICLA's intervention has generated attitudinal change in women and men to SGBV

The women's delegation that addresses complex cases where there are implicit SGBV crimes has generated a high impact in the communities and has shown that it is possible to take legal action to protect the rights of the victims of SGBV.

NRC has demonstrated that it is capable of undertaking a appropriate gender analysis of the situations in which it is operating. By assigning women members of the team to lead NRC's actions in potential situations of SGBV, and by enlisting the support of expert organisations such as Tierra y Género, NRC has been able to access women who have been victims of SGBV, such as those of Chimborazo and ANMUCIC. Beneficiaries interviewed for this evaluation stated: "The most important thing about NRC's support was the involvement of women, which helped us to

believe that things could change. NRC helped us to carry out the characterization process village by village. They also celebrated Mothers' Day with us, they transport us to where we need to be, they provide money for other types of transport, they bring music, they provided us with dance outfits for the dance group we are setting up, and they helped us to record our story in a CD.”²⁴

“It was easier because NRC sent a woman, because if they had just sent men we wouldn't have talked so openly”; “NRC taught us that we we wanted to heal we would have to speak out, that we had the right to, and that we had other rights too”; “The fact that she was a woman gave us confidence because women talk more when it's just women. We might have spoken if it had been a man but not as openly nor with such confidence.”²⁵

Emblematic cases on ethnicity and SGBV have potentially far-reaching repercussions

The complex collective cases that NRC has managed could be considered emblematic, with the potential to impact others across the country. These cases usually have the following characteristics that increase complexity:

- Broad territorial coverage
- Collective cases, or a group of individuals living in the same community
- Victims of one of two types of situations: (1) threats, forced displacement, no land grabbing, with voluntary returns without state accompaniment, or (2) threats, forced displacement, SGBV, homicides, land grabbing, second occupants, and return processes with some degree of state accompaniment.
- Some already have judicial rulings for compensation, others are in the administrative or judicial phase.

The following cases with the above characteristics were included in this evaluation. The two highlighted in bold were analysed in greater detail and are presented as Case Studies in Annex C.

Table 7: Emblematic cases

Case	Region
Consejo Comunitario Alto Mira y Frontera	Costa Pacífica Nariñense
ANMUCIC – Capítulo Zulia	Norte de Santander
Vereda la Secreta	Magdalena – Sierra Nevada de Santa Marta.
Municipio el Rosario	Cordillera Nariñense
Tablón de Gómez	Cordillera Nariñense

The co-management of cases with institutions such as UNARIV or the URT has generated a radical change in the attitude of their staff and has increased protection of the rights of victims.

According to UNARIV “The key to NRC's success has been to become an ally of the Colombian State and provide the support it needs to manage humanitarian assistance and compensation issues effectively. They provide counselling services

²⁴ Source: Leader of ANMUCIC el Zulia

²⁵ Source: Focus group with women of Chimborazo – Magdalena.

*and administrative support in addition to the legal actions to protect victims' rights. For example, if I have 68,000 appeals against me, and if I look at them closely I realise that most of them have been poorly processed, that hurts me a lot, but that never happens with NRC"*²⁶

The Constitutional Court confirmed that *"NRC's added value for the Court is the expert inter-disciplinary support that it has given to address social issues for which the Court would otherwise require a team of professionals in a whole range of sectors in addition to the legal field. NRC has shown its commitment to providing first-hand information from the local level, to which the Court would otherwise not have had access. Also, NRC is an impartial organization. We have received offers from other organisations to help us but we know they have other interests in certain topic. We need to be very careful about who accompanies these processes, always bearing in mind the need for honesty and transparency. That's why we trust fully in the three accompanying organisations we have (NRC, UNHCR y Comisión de Seguimiento). We trust the information they give us and know their motives – to assist the IDPs. We know that they are not interested in money, their goal is to support the victims to get compensation and enjoy their rights, especially now that the country is entering the post - peace agreement stage. We value their commitment, professionalism and transparency when providing us with reports. It was important for us to find allies and support to help us carry out the function we are legally required to do as well as possible. We found that NRC was willing to help us in all this... with the contingency plans, action plans, public policy and legal advisory support"*.

Similar sentiments were expressed by institutions such as the URT, FENALPER, and the land restitution judges interviewed for this evaluation. It is clear that the co-management of cases in Colombia's current context has been a successful strategy in terms of generating impact and enabling its beneficiaries to get one step closer to enjoying their rights; This should be taken into account when considering, as some Oslo-based NRC staff do, that as the State is one of the parties to the conflict, co-managing cases with its institutions could compromise NRC's neutrality.²⁷

ICLA has had unexpected and un-measured impacts on in terms of strengthening the social fabric of communities.

The ICLA programme has generated changes within the beneficiary communities that go beyond accessing rights. One example of this was given by a leader of La Secreta community, who said *"They (NRC) started to intervene in La Secreta and ran workshops on leadership, human rights, personal protection and other issues that have really helped us, and not just me, but the whole community. Even I did not know everything I know today. Now I can hold my own in any situation, thanks to the training and diplomas I received from NRC. And we started to prepare several leaders in each community too, to avoid drawing attention to just one person's name. With this strategy more leaders were established and now we have to train 25 leaders – the spirit of leadership has woken up"*²⁸

In other words, the ICLA intervention improved community participation and enhanced self-protection of community representatives and leaders.

²⁶ Source: representative of UNARIV, June 7, 2016

²⁷ This issue was raised during the presentation of preliminary findings of this evaluation. However, the position of the evaluators is that as Colombia has institutions that are providing assistance and reparation to victims of the conflict, is transitioning towards a post-conflict period, and is not considered a 'Failed State', such strategies are valid as long as they do not seek give a military or political advantage to any part to the conflict, including the State.

²⁸ Entrevista a Silver Polo Líder de la comunidad de La Secreta - Magdalena

5.5 PROTECTION POLICY

Evaluation Question: Was the programme effective in achieving its results?

Sub-questions

To what extent have the objectives and approaches set out in the NRC Protection Policy (i.e. work responsibly and work proactively) been integrated into the programme?

What results/impacts did this have?

What were the challenges?

Judgment Criteria

- Awareness of NRC's Protection Policy

- Application of NRC's Protection Policy

To what extent have the objectives and approaches set out in the NRC Protection Policy (i.e. work responsibly and work proactively) been integrated into the programme?

ICLA staff were largely unaware of NRC's Global Protection Policy but have been implementing the majority of it.

NRC's Protection Policy is not known by NRC Colombia staff outside the Bogota office. This appears to be due to (1) the fact that a Spanish translation has been available for under one year (2) a lack of awareness among field staff of NRC's global resources, and (3) Area teams working at full capacity with little time for reflection and learning. Nevertheless, the evaluation team found that most aspects of the policy are being put into practice by the Colombia ICLA programme. The findings are presented in Table 8: Examples of Challenges encountered.

In the view of the evaluation team, the results of using the approaches laid out in the policy are very positive. They have permitted NRC to establish a reputation as an impartial organization acting on the basis of international humanitarian law, human rights laws, and within Colombian law. They have contributed to reducing protection threats to IDPs and are likely to have reduced operational risks for NRC's staff.

Two challenges facing NRC ICLA teams relate to systematic context analysis and systematic consultation of beneficiaries to include their perspectives in the overall analysis, programme design and implementation. It is clear that these processes are undertaken by the teams but are not sufficiently documented (in the case of context analysis) and not formally planned, implemented, acted upon or monitored in (in the case of beneficiary participation).

Table 8: Results of application of the protection policy

Policy element	Examples of application & challenges encountered
Work proactively: Reduce protection risks and change the environment	
NRC advocates with perpetrators of abuse in order to moderate their attitudes and behaviour. This advocacy is based on an analysis of the motivation, intention, opportunity and capacity of perpetrator.	<i>No relevant examples identified.</i>
NRC raises awareness of the rights of displaced and vulnerable persons, and of the responsibilities of national, regional and international duty bearers, in order to improve access to rights and to reduce instances of abuses.	<i>Training on Law 1448 and other relevant legal frameworks is provided by the ICLA programme to local institutions and IDP leaders in both Areas Information sessions for IDPs are integral to the ICLA programme.</i>
NRC supports and facilitates activities that break cycles of displacement and initiate durable solutions, including voluntary return, local integration or settlement in a third location, to contribute to sustainable protection.	<i>NRC has supported the voluntary return process of the community of La Secreta (Magdalena), including for implementation of income-generating projects. NRC is providing counselling to members of the community of Chimborazo on the feasibility and process to negotiate settlement to a third location, as most members prefer not to return to the land from which they were violently displaced.</i>
NRC addresses arising and increasing protection challenges during situations of armed conflict, and in other contexts where our competencies will add value.	<i>NRC adopted a new 'decentralised' and directly operational modality in 2014/15 in order to more effectively and efficiently respond to needs for all of its services, including ICLA.</i>
Work responsibly: ensure context and conflict sensitivity; do no harm	
NRC takes steps to ensure that programme design does not inadvertently expose beneficiaries to protection threats, or exacerbate vulnerabilities to those threats (safe programming).	<i>NRC provided emergency funds to threatened leader of La Secreta community, in order to move himself and his family to safer surroundings until the threat had dissipated and/or the UNP resolved it. As a complementary measure the ICLA team provided support and training to a group of emerging leaders in La Secreta to mitigate the risk (focused on one leader) and thereby foster strategies of community-level 'self-protection'. In complex cases NRC has ensured institutional accompaniment in situ to protect IDPs while they make their declaration, or provided transport to IDPs wishing to travel to a safer, more confidential environment to make it.</i>

<p>NRC employs comprehensive context analysis to design activities and programmes with careful consideration of political, social and economic factors</p>	<p><i>ICLA teams consistently analyse the context in each Area, including risks to beneficiaries, staff, the programme and NRC. However, as commented in other sections, this analysis is not consistently documented.</i></p> <p><i>NRC has paid particular attention to analysing political, social and economic factors affecting ethnic communities when designing and implementing the programme.</i></p>
<p>NRC adapts activities and programmes to ensure that they do not exacerbate the vulnerability of particular groups by inadvertently reinforcing barriers to access.</p>	<p><i>During registration events, some staff ask local people to identify IDPs within the community who might not have been able to reach the registration locations, and then take specific measures to reach them. However, this is not systematically implemented and depends on the initiative of individuals.</i></p>
<p>NRC delivers humanitarian assistance in an impartial and non-discriminatory manner, strictly on the basis of and in proportion to the needs of displaced and vulnerable persons</p>	<p><i>The ability of NRC to continue to operate in some of the most turbulent contexts in Colombia is due a general perception among all parties to the conflict that NRC is neutral and impartial.</i></p>
<p>All information collected and published by NRC, including for media purposes, is managed in a way that does not jeopardise the security, confidentiality or dignity of informants.</p>	<p><i>No relevant examples were identified.</i></p>

6. Conclusions

Based on the findings described in Section 5, the evaluation team has concluded that:

COVERAGE

- The ICLA programme has operated and continues to operate in the regions of Colombia where the most vulnerable IDPs are located.
- Within the regions covered by the ICLA programme, significant efforts have been made to reach IDPs that State Institutions were not reaching, however the programme would benefit from a more systematic approach to ensuring inclusion of all social groups.
- NRC has prioritized quality of services over volume of beneficiaries in the ICLA programme (and in doing so has found that in reducing the number of beneficiaries the positive resolution rate has increased). This strategy has also enabled NRC to build and maintain its reputation as an expert, trustworthy organisation working to uphold the rights of IDPs.
- As such, it is considered that the ICLA programme has largely achieved its objectives with regard to coverage.

RELEVANCE & APPROPRIATENESS

- ICLA's strategy of institutional strengthening, working alongside state institutions and supporting the work of judicial matters relating to IDPs rights under Law 1448/2011 is highly appropriate to the national and local contexts.
- The ICLA programme's focus on two objectives – Registration and HLP rights – is strongly aligned with IDPs' needs because it enables them to access State institutions and thereby access the system designed to uphold the rights of victims of the conflict.
- Notwithstanding the above conclusion, the ICLA programme in Colombia has limited the scope of its actions to land restitution instead of the entire range of housing, land and property rights that it could be designed to address.
- There will be a continued need for support to be included in the register and claim HLP rights in the so-called 'postconflict phase' due to the presence of other illegal armed groups in the areas where NRC operates and other parts of the country, and the likelihood of continuing displacement and new victims. However, in the post-conflict stage the range of issues for which IDPs need legal assistance is likely to widen to include, for example, SGBV and restricted movement.
- How unmet needs are followed-up and for how long the ICLA programme should support IDPs efforts to uphold their rights are issues that require clarification and guidance, so that ICLA teams, beneficiaries and other stakeholders understand the focus and limits of the programme.
- Currently beneficiaries are consulted about the relevance and appropriateness of the services they have already received, but it is not clear how their feedback is acted upon.

EFFECTIVENESS

- The ICLA programme was very effective at output level, but slightly less effective at outcome level. Some false assumptions about the capacity of institutions in the theory of change appear to be affecting the timely achievement of programme objectives. Lack of institutional capacity seems to be simultaneously a justification for the programme AND an obstacle to it reaching the planned outcomes.
- Beneficiaries believe that leadership development, community strengthening, advocacy to state institutions responsible for public policy on assistance to and reparation of victims, and inter-institutional coordination have contributed most to the protection of their rights.

- By ‘accompanying’ communities, NRC ICLA has transformed the way in which communities interact with the State institutions, increased their ability to demand that their rights are upheld and enabled them to participate effectively in public policy issues affecting them.
- Community strengthening is a fundamental aspect of the ICLA programme as it empowers community to demand their rights, prevents coercion by illegal armed actors, and contributes to building peace.
- The continued presence of NRC and the ICLA programme in the field has allowed it to develop its the qualities that continue to contribute to its effectiveness: legitimacy, impartiality, transparency, expertise, and credibility.

IMPACT

- The programme’s positive impact is clear to beneficiaries, state institutions, partners and staff. However, the extent of its impact is less clear because there is no baseline to serve as a point of comparison.
- In addition to changes in the lives of its direct beneficiaries, broader impacts have and will be achieved through the attitudinal changes that the programme has achieved, and the emblematic cases that have influenced and will influence the outcome of others across the country.
- To increase the programme’s impact the theory of change requires some modifications. Bottlenecks in the chain of results and false assumptions about the capacity and will of state institution need to be addressed so that the programme can fully achieve its objectives and bring about deep and lasting change.
- According to beneficiaries, the integration of the ICLA programme with other NRC programmes increases has a positive effect on the overall impact.

OTHER

- While NRC’s strategy of decentralisation enables the local and regional levels to contribute to the national register of victims, the national system has not yet adopted a decentralised approach to its assistance, compensation and public policy for IDPs and other *victimias* of the conflict. If this is what NRC seeks, it may need to modify its Theory of Change to include additional results and lines of action.
- The full impact of NRC’s strategy of decentralisation is not yet clear. Partial and anecdotal evidence exists of positive trends (such as greater follow-up of cases, and partnerships with State institutions at the local level) but it is too early to judge if it is achieving all that NRC intended.

8. Recommendations

Based on the findings and conclusions of this evaluation, NRC ICLA programme is recommended to:

COVERAGE

- Maintain a permanent presence in areas where the conflict has had, or continues to have a high impact, where people have difficulty accessing the services of state institutions, and where the State has low capacity or will to uphold IDPs' rights.
- Strengthen needs analysis, including the capacities and weaknesses of other actors and the added value of NRC, to confirm or modify current coverage decisions. This exercise should be repeated periodically, including in anticipation of and in response to significant changes in the external context.
- Communicate the criteria that NRC uses to select the regions in which it will have a permanent presence, as well as those for the temporary provision of services (via, for example, the Mobile Unit).
- Prioritize strategic presence and effectiveness over geographic expansion. Experience to date has shown that a continued presence and the capacity to follow-up cases generate greater impact in the lives of beneficiaries and state institutions than sheer 'programme volume'.

RELEVANCE

- Strengthen context analysis and needs assessment, with the participation of the target population and other stakeholders. For example, ask IDP forums and specific groups (of women, men and of different ethnicities) to help identify areas of potential high demand and communities affected by conflict that have little interaction with State institutions. Maintaining an up-to-date needs analysis will require establishing a methodology, documenting the results and identifying times and triggers for updating.
- Use the results of the above needs assessment and the conclusions of this evaluation to consider incorporating new elements (concepts and actions that promote 'sustainable solutions': holistic compensation, housing/shelter, and community strengthening.) that enable NRC to maintain its relevance while adapting to the new 'post-conflict' scenario.
- Ensure that the needs assessment process is systematically planned, coordinated and implemented between the Area teams and the national level, so that NRC consolidates its position as a national, regional and local reference point on ICLA-related needs.
- Build a national and Area-specific projection of the needs of IDPs, to better to assess what emphasis should be given to supporting victims to be include in the Register (in the post-conflict scenario) and what should be given to other aspects of its programming, such as land restitution and public policy.
- To expand the scope of action under HLP and in order to implement durable solutions, NRC could consider developing actions such as: i) coordination of actions between the different programs of NRC, and ii) clarification of land ownership issues and formalization of land titles, neighborhoods and housing.
- Define the range of actions at different stages of the process of land restitution. In the 'post judgment' stage it is key to develop actions such as: i) follow-up on judicial orders ii) legal assistance to beneficiaries of restitution orders to ensure compliance iii) participation in the spaces of institutional coordination gift of measures are implemented to they comply with the judicial orders. NRC may wish to consider conducting a country-wide assessment of the legal and administrative framework and the need to formulate a programmatic approach.

EFFECTIVENESS

- Define the scope of ICLA in terms of follow up of cases and post-judgment actions. Consult past and current beneficiaries in this process, and share the decision transparently so that stakeholders' expectations are realistic.

- Give greater emphasis to the institutional strengthening component of the programme, in order to increase effectiveness at the outcome level and build capacities in the state institutions and in the communities that need to work with them.
- Invest more in the advocacy and public policy components and in creating judicial precedents, to reinforce and enhance the systems for protection of *victims'* rights in Colombia.
- Establish a baseline in each Area, at the start of each programme cycle. This should include general information from the needs assessment relating to the situation, number and status of IDPs. Complement this general baseline with a mini-baseline for each community with which ICLA works during the programme cycle, using the agreed indicators. This will facilitate monitoring of effectiveness and evaluation of impact (see below).
- Discuss and develop an accountability strategy, to improve consultation and communication with beneficiaries and other affected populations and improve their participation. Include user-friendly tools and methods for realistic and meaningful engagement of beneficiaries in programme design (see above), implementation and learning. In implementation, for example, regular updates on actions taken by NRC would help communities and individuals to understand how ICLA teams are supporting them even when they are not present in the community. Potentially useful learning could be generated by carrying out periodic 'stock-takes' with communities and specific groups of beneficiaries, focusing on what worked well and what could be improved (for those or other communities).
- Share and discuss monitoring results, to ensure that 'what has worked' is maintained and replicated, and weaknesses or delays are acted upon. Monitoring should not be seen as a 'one way street' or for donor accountability. NRC and the ICLA managers should promote monitoring as a programme management tool for all team members and should be entirely transparent with donors about challenges, failures and successes.
- Adapt monitoring processes to the context in which the ICLA programme is operating. For example, if it often takes over six months for IDPs to receive humanitarian assistance, be included in the Register, or obtain a land title, results should not only be measured on an annual basis. If NRC developed ways to capture results over a two or three year period, it would learn a lot more about its effectiveness and impact, and identify opportunities to increase them.

IMPACT

- Examine the Theory of Change periodically to identify areas that need strengthening or false assumptions. Strengthen the relationship between the Areas and national level of the ICLA programme through a shared strategy, planning processes, and spaces for joint monitoring and learning.
- Carry out impact evaluations that include multiple programme cycles, to understand and document the long-term changes brought about in beneficiaries' lives following more than one year of support from NRC ICLA. This would be particularly beneficial for emblematic cases.
- Improve the internal visibility of community strengthening, leadership training, inter-institutional coordination and advocacy components, including, for example, in activity scheduling and monitoring frameworks, to clarify the vital contribution these make to generating impact and lasting change.
- Promote (on a location by location basis, depending on the results of needs assessments) the integration of NRC's programmes (ICLA, Education, Shelter etc.) to enhance the overall impact of NRC's interventions.
- Continue to co-manage case with the State institutions as a way to build bridges and trust between the victimas and the State.
- Research the need for, and feasibility of a broader HLP programme that does not focus only on land restitution.

- Maintain the quality of the legal services and ensure they are culturally appropriate, gender-sensitive and conflict-sensitive.

PROTECTION POLICY

- Disseminate NRC's Protection Policy and provide guidance to staff on when and how to implement it.
- As a country team, develop a protocol for implementing the policy, including for situation in which leaders, beneficiaries and/or staff are threatened, how to mitigate risks, and self-protection plans.
- Incorporate global protection indicators into ICLA's and other programmes' M&E frameworks and processes, to enable NRC to track 'the bigger picture' and assess its contribution accordingly.

Annexes²⁹

Annex B: List of persons interviewed

NRC Colombia Staff

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Camilo A. Ramirez Parra, M+E Coordinator, NRC Colombia
Efrain Cruz, ICLA Specialist, NRC Colombia
ICLA Team, South West
ICLA Team, North East

Institutional Representatives

Lucía García, Corte Constitucional
Andrés Urrego, Federación Nacional de Personeros
Gladys Prada, Unidad de Atención a Víctimas
Inés Bustos, Personera del Carmen – Norte de Santander
María Alejandra Jaramillo, Defensoría del Pueblo – Cúcuta
Porfirio Becerra Angulo, Recompaz Tumaco
Catalina Rosero, Unidad de Restitución de Tierras – Nariño
Mónica Lucía Barbanti, Unipamplona – Sede Villa del Rosario
Fabián Arrieta, Juez Restitución de Tierras – Santa Marta

Donor Representatives

Adriana Otoyá Mejía, National Program Officer / Humanitarian Coordinator, Embassy of Sweden, Bogota
Dana Francis, Regional Refugee Coordinator, U.S. Embassy Bogota

Programme Beneficiaries

Silver Polo, Leader of La Secreta Community
Juvenal Baldovino, Chimborazo
Teresa García, Pueblo Awa
Lucía Páez Niño, ANMUCIC El Zulia
Focus Group, Women from Chimborazo
Focus Group, La Secreta community

²⁹ Annex A (Evaluation Matrix) is provided as a separate document.

Annex C: Case Studies

CASE I: COMMUNITY COUNCIL OF ALTO MIRA Y FRONTERA, PACIFIC COAST OF NARIÑO DEPARTMENT

Context

The population of rural Tumaco, in the western corner of Colombia, has lived through a series of the social problematics over the last 40 years. First came the palm oil industry, which encroached on their lands. Next came the proliferation of illegal coca crops, followed by the growth of fuel smuggling by paramilitary groups. And over the past decade various armed actors including criminal gangs have subjected the people of Tumaco to forced recruitment, sexual abuse, assassinations and displacement. The Afrodescendant communities of Alto Mira and Bajo Mira y Frontera have been particularly affected by these phenomena.

After almost two decades of making formal complaints to the authorities that palm oil companies and other agroindustries had stolen their collective territories, on December 29th, 2010, the Ombudsman's Office issued a Resolution No. 059 relating to the violation of the community of Alto Mira y Frontera's rights to land, territory and environment.³⁰

In 2012 NRC's ICLA programme started to provide training, counselling and legal advice to Alto Mira and Frontera's Community Council and the broader community, to help them bring about implementation of the Resolution. In coordination with the URT of Narino, NRC supported the community through the administrative phase of the process of land restitution, and on 17th December 2013 the URT presented the first land claim on their behalf to a land restitution judge in Tumaco.

According to the Councils's denunciation, the palm oil companies obtained rental contracts or land titles for the community's land from Incoder at suspiciously low prices. The companies accumulated uncultivated land that should have been allocated to poor communities, or they requested reductions to forest reserves (lands protected by Law 2 of 1959, to protect biodiversity and the environment) under the pretence of using these to benefit the local inhabitants, but the lands were put to commercial use. The Community Council is asking the judge to recognise the losses to its collective territories, uphold their ancestral right to the territory, and to annul all the transactions with businessmen and individuals who took the community's uncultivated land. Furthermore, they have put forward a request for a reparation plan in which state institutions guarantee the community's access to healthcare, education, income-generating projects and improvements to basic infrastructure.

According to the risks documented by the Ombudsman and the assessment carried out by the Secretary of the municipal government, the humanitarian situation in Tumaco was at its worst from 2005 to 2013. By January 2012 up to 60,000 people from 15,000 homes had displaced. The URT documented that the majority of these displacements were provoked by 'Los Rastrojos' who took people's houses either to live in them or as key locations for controlling the drugs trade in the area.

On 22nd April 2013 the Upper Tribunal of the Judicial District of Cali (Civil Section) that deals with land restitution ordered interim measures in relation to the community's claim, including: i) suspensión of the administrative process placed by the company Palmeiras SA, which opposed Resolución 0525 - 2006 of INCODER relating to the restitution of the land that that company took from the Community Council; ii) an order to Palmeiras SA to stop growing African palm in the collective territories of the Community Council until the

³⁰ Such resolutions represent an institutional recognition of the grave human rights situation experienced by these communities.

restitution process was complete; and iii), instructions the URT Nariño to take all possible measures to advance the microfocalización process of the collective territories and to start the process of restitution.

The Constitutional Court issued a writ (Auto 073 – march 27 /2014, in accordance with Ruling T–025 of 2004 relating to the state of inconstituationality and Auto 005 of 2009) ordering measures of prevention, protection and assistance to the Afrodescendent communities of the Pacific region at risk of, and victims of, forced displacement.

The Community Council's case reached the Administrative Tribunal of Cundinamarca, which, on 30th of August 2013, ruled in favour of the Community Council, determining that the lands in question were uncultivated lands belonging to the community despite the fact that these did not appear in the land title³¹.

The land restitution process of the Community Council of Alto Mira y Frontera is currently in “Post judgment” stage, but the Council and wider community continue to face violations of their rights. On 3rd August 2015, Gilbert Genaro García, leader and legal representative of the community council was assassinated. The FARC-EP subsequently admitted responsibility for the assassination. To date, four other member of the Board of directors of the Community Council have been assassinated.

Relevance/added value

NRC ICLA decided to support the Community Council of Alto Mira y Frontera' for the following reasons:

- From 2012 to 2015 Nariño, including the Pacific region, experienced its highest rates of forced displacement.
- Other humanitarian organisations and the State have little or no presence in rural areas where ethnic communities are located, partly due to the presence of illegal armed actors and because because of their remoteness/difficult physical access.
- The community and Community Council were in need of the type of legal assistance provided by the ICLA programme, especially in the Administrative Phase of the land restitution process.
- The community and Community council faced threats against their leaders, pressure from and judicial processes by ‘secondary occupants’ (the majority of which are palm oil companies), and tensions generated by the armed actors, which placed them in a situation of high vulnerability.

Effectiveness

Highlights of NRC ICLA's achievements with the Community Council of Alto Mira y Frontera in relation to output and outcome objectives include:

- Recruitment of a professional staff member of the same ethnicity to work with the community of Alto Mira and Frontera, which enabled to NRC rapidly establish a relationship of mutual respect and trust with the community.³²
- Accurate analysis of the compliance status of resolución defensorial no.059 de 2010 and design of the advocacy strategy needed for its implementation.
- The provision of tailored information and counseling workshops to the Community Council and the community members.

³¹ In 2005 Incofer excluded from the land title 23 million hectares of collective land that was being used by the company Palmeiras SA.

³² The disadvantages of this approach, and recommendations on how to mitigate them, are mentioned on the evaluation report.

- Accompaniment of the community in its interactions with institutions responsible for carrying out the judges orders, and design of a monitoring format to enable the community to follow up on the recommendations and commitments made by such institutions.
- Support to the community to take their case to higher levels when they had exhausted all local possibilities, including expert review and analysis of the documentation for the judicial action in the High Tribunal of Cundinamarca.
- The implementation of a community strengthening plan. This includes measures of self-protection and guidance on other sources of risk such as disasters and confinement.
- Support to the community council to update the community profile developed by the Ministry for Home Affairs and the company Cifras y Conceptos in 2013.
- Provision of legal assistance to the Community Council and the URT in relation to the provisional measures requested in the process of restitution.

Impact

- As a result of NRC ICLA's accompaniment, as well as the contribution of the URT in particular and other supportive institutions, the Community Council of Alto Mira y Frontera now has a land restitution ruling that requires protection of their territorial rights.
- According to the Community Council members, the combination of community strengthening activities, training for leaders and the information provided to all the community members about their rights has enabled the community and the council to withstand the continuing attacks by armed actors (conflict-related and those related to the drug trade) and to keep up their efforts to claim their rights.

Learning

- Following NRC ICLA's support in the administrative and judicial phase of the restitution process, it now needs to define the scope of the work in the post-fallo phase. It is currently continuing to follow up on the implementation of the ruling through accompaniment of the Community Council and dialogue with local institutions. However, given the social, political, economic and legal complexity of the case (and of the implementation of the ruling itself), NRC ICLA will need to:
 - (a) Discuss the situation with the community and seek their views
 - (b) Set the limits of its intervention
 - (c) Communicate its decision clearly to the community
 - (d) Agree and implement an exit strategy
 The exit strategy for this case will assist the ICLA programme and teams in other locations, as models of such strategies do not yet exist.
- It is important to note that the ICLA team working in the South West (i.e. with this community) believes that reconciliation, or what ICLA NRC refers to as 'collaborative conflict resolution' is not appropriate in this case because it increases exposure to insecurity and could do harm. This topic merits further discussion within NRC ICLA Colombia.
- In the post fallo phase NRC is accompanying the community and the Community Council through other NRC programmes such as Education. This has helped the community to cope with ongoing insecurity and pressures generated by the assassination of the legal representative of the Community Council.

“NRC has guided and supported the Community Council of Alto Mira y Frontera in our case against Palmeiras SA and on land restitution in general. It is clear that an international NGO has ended up doing what the State should be doing. We haven't made as much progress as we would like but we know that NRC is not obliged to replace the State.”

Male focus group, Tumaco Colombia 2016

CASE 2: ANMUCI EL ZULIA

Context

The Association of Women from the Farming and Indigenous Communities of El Zulia (ANMUCI El Zulia) was founded in 1985. On 17th December 1992 it was recognised as a legal entity by the Ministry of Agriculture³³. It started as a union of women from the village and surrounding hamlets of El Zulia, whose aim was to jointly promote social and income-generating projects to support themselves and their families. At its largest (in 2000) the Association had over 300 associates, both women and men, from about 17 hamlets. The organisation currently has 81 members (77 women and four men)

In 2000 AMUCI's president, Martha Cecilia Hernández Duque, and one of its members, Elizabeth Pinto, ran as candidates for the Municipal Council of El Zulia. ANMUCI were rumors that were guerrilla collaborators and, on the 19th August 2000, Martha Cecilia Hernández Duque and her husband, were assassinated by paramilitaries.

Two days later, on 21st of August 2000, a threatening leaflet was put under the door of the house of Mrs Delmira Montes Ortiz, treasurer of ANMUCI. The leaflet insinuated that the whole Board of AMUCI should be dissolved/'disappear' or else the organisation's associates would meet the same end as Martha Cecilia Hernandez and her husband.

Over the course of the following months, paramilitaries took their collective land and stole their animals and other possessions. In 2001 three dead bodies, of unknown people, were found on the organisation's land. Mrs Lucila, one of ANMUCI's members, continued to visit the land unhindered until 2006, when a problem started with Mr Carlos Suarez, one of the municipal councillors. Mr Suarez had started working the land for sowing beside the road. This situation was reported to INCODER and the Mayor's Office, but no response was given. Even today, Mr Suarez continues to mine the land.

In 2008, the remaining members in the village organised a meeting of the organisation and elected Mrs Lucila as president. The land invasions were increasing and the association decided to report the situation to INCODER. However, INCODER did not investigate. Later that year, the new Mayor of El Zulia, Mario Becerra, ordered dispossession of the land. As Mrs Lucila disagreed with the order of dispossession, the Mayor ordered the police to take control of the land. In that process the electric fence was destroyed, killing a large number of the 'camuros'³⁴, and leading to the theft of up to 150 others.

On July 30th 2012 ANMUCI approached the Unidad para la Víctimas, to start the process of collective reparation. On October 12th it registered an 'Acta de voluntariedad'³⁵ and started to prepare for the process. This led to Resolution No. 2013-49173, in which the Dirección de Registro y Gestión de la Información de la Unidad para la Atención y Reparación Integral a las Víctimas ordered the Register to include ANMUCI.

Following this resolution, the process to develop the "Plan Integral de Reparación Colectiva - PIRC", began with the support of NRC.

Relevance/added value

³³ Resolution 01110 delivered by the Ministry of Agriculture

³⁴ A camuro is a cross between a sheep and a goat.

³⁵ Formal agreement to abide by the ruling

In addition to being in the locations prioritized by the programme, NRC ICLA decided to support this organization for the following reasons:

The members of ANMUCI were victims of:

- Threats
- Accusations and stigmatization
- Assassinations
- Forced displacement
- Forced recruitment of children of members of ANMUCI
- Theft of assets and goods
- Dispossession of land
- Crimes against freedom and sexual integrity.

This case involves multiple rights abuses, namely:

- Right to assembly
- Civil and political rights to elect and be elected?
- Right to education
- Right to physical integrity
- Rights to physical and mental health
- Right to security
- Right to live free of violence
- Right to work
- Right to individual and collective property
- Right to good name

As an official case of collective reparation, it provides a model for other collective cases.

Being a women's organization, there is a clear gender perspective and potential for impact and learning beyond this case.

Effectiveness

Highlights of NRC ICLA's achievements with ANMUCI El Zulia in relation to output and outcome objectives include:

- Multiple training sessions carried out by ICLA staff on victims' rights, land restitution and the legal processes to claim humanitarian assistance and reparation.
- Support to UNARIV in 2013 to assess the community's situation, elaborated de damage assessment and plan reparation measures. This involved sharing, with ANMUCI's permission, information generated at a workshop held by the ICLA team and the women of ANMUCI EL ZULIA.
- Conducting a review of the damages and gathering inputs to further develop the assessment (as described above), which was critical to the development of the PIRC.
- Supporting the community to request and obtain protection from the UNP for its leader, Mrs Lucila Paez.
- Regularly visiting the organisation and accompanying its members to external meetings with institutions involved in its reparation.
- Providing updates on the results of advocacy activities carried out on the organisation's behalf.

Impact

- By working on registration and land restitution simultaneously, ICLA enabled the women to register as individuals and receive humanitarian aid, as well as helping them to obtain collective land restitution including income-generating projects that contribute to long-lasting solutions.
- The protection measures achieved through UNP for the organisation's leaders have simultaneously:
 - enabled it to survive and rebuild itself as an organisation
 - contributed to strengthening a replicable example of women's leadership
 - contributed to defending the rights of the members of the organisation
- ANMUCI El Zulia is recognised as a collective reparation case by UNARIC. It has made a quantitative assessment of damages and is benefiting from the implementation of a PIRC. This achievement directly benefits the organisation as well as serving as an example for other similar cases.
- ANMUCI's women have obtained rulings on their land restitution cases and are expecting compensation consisting of similar lands and income-generating projects that will benefit a further 459 women.
- Acts of material reparation have been undertaken within the legal process of reparation, such as reinstating the headquarters of the organisation, documenting the events leading to their displacement, and symbolic revindication.
- The process has revived the women's confidence and integration, and has reinforced the legitimacy of ANMUCI El Zulia.
- The leaders of ANMUCI now participate in the municipal roundtable of victims in the El Zulia, thereby contributing to improving the situation of other victims of displacement.

Learning

- When NRC ICLA decided to accompany this organisation in 2012 it designed, in consultation with ANMUCI, a legal strategy and institutional advocacy strategy. These provided the organisation and NRC ICLA team with a roadmap for working simultaneously on registration/humanitarian aid issues and HLP issues.
- The income generating project has promoted and fostered cohesion between the members of ANMUCI El Zulia, thereby providing an replicable model for other collective cases.
- Thanks to NRC's accompaniment, ANMUCI negotiated and obtained the PIRC; through this it has obtained integral reparation and its members have been able to rebuild their lives as individuals and their plans for the organisation. This confirms the relevance of the ICLA strategy to support institutional and legal processes.
- The ICLA team still needs to develop a clear exit strategy to enable it to wind down support and for ANMUCI El Zulia to keep building on its achievements.

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