

0. Introduction

One of the main goals of durable solutions for Internally Displaced Persons (IDPs) is the integration and self-sufficiency of IDPs in the places where they resettle. However, the programs aiming to implement durable solutions have become an obstacle for this goal. The purpose of this paper is to show an initial approach to the relationship between cities, IDPs and durable solutions. Specifically, I will discuss how the implementation of durable solutions modifies the way in which IDPs have settled in the cities.

The analysis is based on the observations of humanitarian assistance, land restitution and free housing programs implemented in three cities in Colombia: Bogotá, Cali and Soacha. These programs were selected because financial and bureaucratic resources of the State have been directed to them as a priority, as they are seen as the way to create a durable solution to forced displacement. Specifically, the analysis is based on the observation of the behaviour of IDPs and public servants during the implementation of those projects. The places were defined according to their IDP population. These cities are the most IDP populated cities in Colombia. The fieldwork information was collected from 2012 to 2014 and consisted of semi-structured in-depth interviews with IDPs and public servants involved in those projects –more or less 50 interviews- and in participatory observation in IDPs settlements and state entities.

Taking the Harvey (1967) conceptualization about the right to the city as a basis for the analysis, I will point out the durable solutions programs that restrict self-sufficiency in terms of the IDPs' right to the city. To support my assertion, I will expose two points: first, how migrants have participated in the construction of the city, and second, how public policy on durable solutions is a factor that influences the IDPs' appropriation of the city. To illustrate some of these arguments, my starting point will be the analysis of IDPs' situation in Colombian cities and how the implementation of Law 1448 of 2011, also known as the "victims' law", has influenced their settlement and livelihood.

1. The role of migrants in the development of the cities

According to Harvey, "The right to the city is, therefore, far more than a right of individual access to the resources that the city embodies: it is a right to change ourselves

by changing the city more after our heart's desire" (1996, p. 1). According to this perspective, the relationship between the city and its inhabitants is a two way relationship: cities contribute to improve citizens and those same citizens improve cities.

Nevertheless, the perception of the relationship between migrants and cities is different. According to governments and some residents, migrants take jobs that should be performed by residents and unfairly take advantage of public services and other benefits that the urban area offers (De Lucas, 2006). From this point of view, only one side of the relationship is defined and what migrants do for the cities' development is overlooked.

In order to understand the practice of the migrants' right to the city, it is essential to revisit the first perspective in two aspects: first, both the inhabitants and the city are affected by each other. Second, for migrants to have rights to the city, they must be able to have an impact in the city; to improve and change it. Moreover, it must be taken into account that while migrants practice their right to the city it changes and improves due to their action. In order to explain this point, first I will discuss the way that the places where migrants settle determine their capacity to transform the city. Second, I will talk about how IDPs settle in these Colombian cities, and finally, I will briefly explain why urban managers seek to prevent the arrival of IDPs to their cities.

1.1. Migrant settlement and the expansion of urban areas

Migrants come to the city searching for a better life, because there are job opportunities and access to public services in urban areas. Allegedly, those services and opportunities are available for all those who live in the city (Ahmad, 1992; De Lucas, 2006; Sassen, 2002). However, for many reasons the cities have not welcomed migrants adequately.

In order to avoid the permanent establishment of migrants, local governments enact laws and enforce policing actions to control urban areas as a way of containing migrant population. Thus, migrants might struggle in different fields if they wish to have access to the opportunities that the city offers. An initial issue that migrants might face is finding housing.

In this context, migrants have to look for housing in the outskirts of the cities. Nonetheless, these places are inadequate for settlement. The lack of basic utilities such

as electricity, water or public transportation and terrestrial infrastructure makes it difficult for people who live in these areas. In these circumstances, migrants change the limited and precarious situation of these places and make them more hospitable. Through the transformation of the outskirts, migrants transform the cities (Holston, 2009).

Cities have been built for migrants. The demographic and economic growth of urban centres has depended on incoming migratory flows. Due to changes in economic purposes and urban development among other reasons, migrants are unable to settle in places where they can find employment and remain in the workforce. These circumstances have turned into a paramount problem for both migrants and city governments. In the one hand, it is difficult for migrants to settle in the cities. In the other hand, the continuous flow of migrants is perceived as a problem by the city governments.

To further discuss the first point, location is a vital issue for migrants. Research on migration to Latin American cities shows that the place where they are located is one of the factors that determine the successful integration of migrants to the cities (Ahmad, 1992, p. 1150). As Ahmad says (1992), migrants who arrive or are relocated in places with access to public services and employment might be able to integrate to the cities better than others who have to live in the outskirts of the city.

As housing available near urban centres is taken, migrants have to settle in the outskirts. The rural-urban fringe is the only free space for housing they can afford. Thus, migrants either found or extend the slums surrounding the cities. By these actions, migrants modify the city's functional space (Holston, 2009).

Through their own individual and collective action, migrants create conditions to maximize their livelihood and develop a framework of multiple strategies to provide a living place for themselves (Ahmad, 1992; Gottwald, 2012; Holston, 2009). As part of their strategies, they set up infrastructure to gain access to services, build shelters and form organizations to cooperate and help themselves, inter alia. An important feature of these actions is that the starting point lies in the needs and abilities of the people and their environment. As a result, the collective actions and the migrants' ability to improve their quality of life are strengthened.

Apart from the transformation of the space, migrants begin a struggle aiming to regularize the access to public services and the status of the slums. With this purpose, migrants' organizations exert pressure on the State for their position to be considered. Through various political and legal strategies such as strikes and social participation mechanisms, migrants search for recognition as citizens with equal opportunities and equal conditions of access to urban utilities.

From the borders, migrants claim to be included in the city. Beyond what the State can offer, they not only seek to settle but to transform the city into a better place to live. Thus, migrants have taken part in urban development and in "the conquest of the cities" (Ahmad, 1992, p. 1149).

This set of actions produces other outcomes across the urban outskirts (Holston, 2009, p. 257). The cities are transformed in several aspects: gradually, migrants who live in the slums are no longer classified as squatters and the limits of the cities are added to the urban planning areas (Gilbert & Ward, 1988, pág. 134). As a consequence, the coverage of urban assets and public services has been expanded to include those who live in the outskirts and do not belong to organizations or are not migrants.

Before this situation, city managers were unable to handle the struggle of migrants to obtain access to urban services. In addition, the expansion of the urban area introduces a series of new liabilities that city managers are unwilling to confront. Both the arrival of people to the cities and the responsibilities arising regarding their settlement in the cities result in significant additional costs that governments are not prepared to pay. Consequently, urban governments set up a collection of interventions with the main purpose of controlling the migrant population.

In the meantime, migration increases due to national and international political, social and economic factors. Furthermore, owing to the current humanitarian international order, closing borders becomes difficult. In this context, local governments can only count on their own legal mechanisms to control migration in their cities. Therefore, local public policy is the main tool for discouraging the permanent settlement of migrants in the cities (Ahmad, 1992).

At this juncture, planning instruments and local policies become a useful tool to obstruct the permanent establishment of migrants in the cities: changing land-use

planning policy, reducing the space available for housing and thus increasing the cost of land and construction, raising the cost of public services, making settlement illegal, inter alia (Ahmad, 1992; Gilbert & Ward, 1988; Inda, 2006). These measures might make the situation difficult for the city's residents, but it is a clear challenge for migrants.

1.2. Cities and IDPs in Colombia

IDPs have contributed to the growth of cities, as have other migrants. Nevertheless, the IDPs' possibilities regarding their transformation of cities are different. These particularities are derived from two factors: their condition of forced migrants, and also the fact that there is regulation on assistance and durable solutions for IDPs.

Unlike the rest of Latin America, the growth of Colombian cities has been marked by internal forced displacement (Viviescas, 1989). The cities grow with the arrival of people who flee the armed conflict and the violence in rural areas. The main motive of people who come to the cities is to seek refuge. They see cities as protection.

This idea develops from two facts: firstly, cities are far from the rural areas people are migrating from. Secondly, there is broader government presence in cities. In line with those reasons, cities are a safe place to live while the threat passes. Moreover, cities offer employment and education opportunities, and other services and rights that people cannot access in the rural areas where they come from.

In any case, the victims find a different kind of city. Cities are a hostile environment for IDPs. They have to settle in precarious conditions, which results in social and economic exclusion (Naranjo-Giraldo, 2005). The settlement of IDPs in cities has been described as a segregation experience in urban space, given that victims of displacement settle in the limits of the urban perimeter (Salazar, Castillo, & Pinzón, 2008).

These places offer few possibilities of access to public transportation—if it exists, it works as informal transportation—, irregular and low level access to public services and, despite being offered the chance for children to go to school, there are problems in terms of their continuous attendance. Likewise, the rate of unemployment is high among this population and thus they turn to the informal sector, in which the

minimum labour conditions are not observed (Banco Mundial, Alto Comisionado de Naciones Unidas para Refugiados, Red de Solidaridad Social, & Presente, 2000; Bello, 2004; Jaramillo-Marín, 2008; Naranjo-Giraldo, 2004a; Salazar et al., 2008; Villa Martínez, Jaramillo Arbelaez, & Sánchez Medina, 2007; Vincent & Sorensen, 2001). These places are described as high risk or irregular settlement areas by urban planning (Atehortua-Arredondo, 2009; Naranjo-Giraldo, 2004b; Salazar et al., 2008). In most cases, illegal actors approve or deny residence to the population and mediate their access to services (Sanchez Medina & Atehortua-Arredondo, 2008; Sanchez Mojica, 2013). This is why their stories are marred by records of dispute for regularization and extended access to all kinds of services by the population (Naranjo-Giraldo, 2004a; Vidal, Atehortua-Arredondo, & Salcedo, 2011)

IDPs suffer multiple losses during forced displacement. This plight makes it harder for IDPs to choose and find a place to settle in cities. Consequently, IDPs face involuntary resettlement (Naranjo-Giraldo, 2005). In this context, the possibilities of IDPs to achieve local integration are reduced.

IDPs arrive to the city seeking temporary protection, however, with the continuous existence of the armed conflict and the failure of the State to take successful measures to prevent ongoing displacement, among other factors, IDPs must stay in city. Thus, IDPs live a protracted displacement.

When IDPs settle in the city, they rearrange the urban space aiming to transform the city into an inhabitable place. As the migrants mentioned above, IDPs develop urban space from the limits of the city. IDPs implement strategies such as learning how other city residents behave, forming bonds and social networks, and integrating their culture and traditions with those of the local residents (Guevara Corral, 2003; Jimenez-Ocampo, Abello-Llanos, & Palacio-Sañudo, 2003; Naranjo-Giraldo, 2004b).

Through these actions, IDPs contribute to build the city from several sides. One of the main contributions of IDPs has been to highlight the existing urban segregation and social exclusion in the cities (Monsalve Cifuentes, 2012; Murcia, 2011). In fact, they have made these problems visible and taken actions to remedy the situation: they struggle in the political field and pursue judicial actions. All these measures are fundamentally aimed at achieving inclusion in the cities to attain better living conditions

for themselves and others in their situation (Atehortua-Arredondo & Fuentes-Becerra, 2014; Olarte & Wall, 2012).

Likewise, IDPs have also profoundly renewed urban areas. IDPs have been implementing individual and collective activities to settle: they occupy the surrounding lands and establish their homes to form slums or they look for places in existing slums in the outskirts. They also build infrastructure to access transportation and other public urban services. From there, IDPs demand that the State legalize the settlements, recognize ownership rights of their land and cover their basic needs as urban dwellers (Grupo focal líderes y lideresas víctimas , 2013; Lider Organización Popular de Vivienda (OPV), 2015; Lideresa víctima. Aguablanca Cali, 2014).

The condition of protracted displacement is a challenging task for local governments. There are many arguments against the permanent settlement of IDPs. Firstly, there is the fact that IDPs are thought to have a negative impact in urban planning. According to urban managers, protracted displacement has become a “time bomb” for the cities due to the IDPs’ demands of better living conditions and urban integration. The second argument involves the increase in costs for the local government’s new legal obligations that result from protracted displacement. In the third place, the settlement of IDPs has been considered as a disorder factor for urban planning (ACNUR, BROOKINGS, Universidad de Bern, Universidad de los Andes, & Acción social, 2008, p. 13).

Facing this situation, city governments attempt to prevent the arrival and settlement of IDPs. To this end, urban managers use any and all legal and political mechanisms available to control migration. As we mentioned above, they use mechanisms such as declaring the settlements illegal or changing land-use planning policies. In this regard, IDPs might confront the measures aimed to discourage their permanent establishment in the cities. These measures come from both urban-planning policies and regulation for assistance and durable solutions.

2. Durable solutions programs and IDPs in the cities

The assistance programs for IDPs have been used to control migration. Essentially, the main purpose is to contain IDPs within the national borders to prevent international migration (Barnett, 2010; Sánchez-Mojica, 2007; Souter, 2014; Vidal,

2007). In the same way, humanitarian assistance for IDPs and durable solutions programs are used as instruments to discourage IDPs from settling in cities, to keep IDPs within the limits of specific locations in cities, or both. In the next part I will discuss three points. First, I will present a general approach about durable solutions programs. Second, I will explain how durable solutions programs generate mixed or arbitrary effects related to the settlement of IDPs in cities. Finally, I will describe how the implementation of durable solutions programs affects the settlement of IDPs in the cities.

2.1. Durable solutions and the end of forced displacement

Among the international legal framework, the definition of Internally Displaced Persons (IDPs) is more descriptive than it is legal. This implies that the definition merely describes a particular situation related to the forced flight of people, and does not confer a special status to these individuals who have been forced to leave their residences within their country (Brookings & Universidad de Bern, 2007; Mooney, 2005, p. 13). Likewise, IDPs hold their status as citizens and they can claim their rights to their particular government by virtue of their citizenship (Mooney, 2005, p. 16).

Even though the responsibility of guaranteeing the rights of IDPs lies in the hands of their particular government, the international community has given special attention to find a way to put an end to forced displacement in the best possible manner. As a result of the international community's interest, the "IASC Framework on Durable Solutions for IDPs"¹ was launched during 2007-2009 as a tool to provide specific guidance for governments on how to fulfil their responsibilities toward IDPs (Brookings-LSE, 2013, p. 1). Based on this document and the discussion surrounding the implementation of this instrument, I will indicate the main features of durable solutions to forced displacement and how the instrument understands the end of forced displacement. My purpose is to present how durable solutions programs were designed, and to show the effects on the integration of IDPs in the cities that the specific implementation of these programs has had.

According to the "Framework on Durable Solutions for IDPs", durable solutions to IDPs are gradual processes during which the need for special assistance derived from

¹ Inter-Agency Standing Committee (IASC)

forced displacement decreases (Brookings & Universidad de Bern, 2007, p. 3; Ferris, Mooney, & Stark, 2011). This conception seeks to address the multiple and massive violations of rights that IDPs go through from the moment they are forced to flee and that increase over time during the IDPs' plight against non-responsive governments.

Going along with that statement, durable solutions processes might draw up actions to restore the rights breached both by forced displacement in itself and throughout the length of the displacement situation. Furthermore, the government's response must be directed to overcoming the risks and exclusion to which IDPs are exposed while they are in a displacement situation. Similarly, durable solutions processes must provide the instruments and tools required for IDPs to be self-sufficient and those that will allow them to integrate into society (Brookings & Universidad de Bern, 2007, p. 1).

According to the framework and the Guiding Principles on Internal Displacement, a durable solution to displacement must be based on three elements: "long-term safety and security, restitution of or compensation for lost property and an environment that sustains the life of the former IDPs under normal economic and social conditions" (Brookings, Universitat Bern, & University, 2007, p. 8; Kumar-Das, 2011, p. 20). In this perspective, the way in which governments respond to forced displacement should change: less attention should be given to humanitarian assistance to focus in taking actions that contribute to the achievement of development goals and self-sufficiency, and thus diminish the IDPs' grievances by creating benefits (Brookings & Universidad de Bern, 2007; Brookings-LSE, 2013; Crisp, Morris, & Refstie, 2012).

It could be said that IDPs will obtain a durable solution to their plight when the process designed to end displacement results in their return or resettlement in compliance with the following conditions: IDPs must understand the choices of durable solutions and so will be able to choose freely among the durable solutions proposed by the State; IDPs must give their informed consent of the living conditions they might face in the places where they will live; the security of their return or resettlement must be guaranteed; and finally, they must be provided with dignified and independent means to be self-sufficient. Hence, the governments should monitor the process closely and in detail in order to assess the situation of the restoration of rights to IDPs (Brookings &

Universidad de Bern, 2007; Brookings-LSE, 2013; Ferris et al., 2011; Kumar-Das, 2011; Mooney, 2005).

As a matter of fact, durable solutions put an end to forced displacement if these conditions are met. In other words, the end of displacement occurs when IDPs rights have been restored and their citizenship has been strengthened. Moreover, IDPs will not have to face the risks of being displaced and of breaking their social, family and economic bonds again. As Kumar-Das says:

that is to say, eventually make her a rights-bearing person, (...) in a way that she does not feel disadvantaged and, most importantly, to emplace her within her family and community as one of them, so much so, that she does not suffer from the anxiety of being thrown out from the social bond that she considers to be of value to her (2011, p. 21).

This last condition is essential for the permanent settlement of IDPs. Thus, durable solutions should provide a set of capabilities for IDPs to exercise their rights and to improve their self-sufficiency and independence. Despite the fact that the core of the durable solutions process is the improvement of the IDPs' autonomy and the creation of ways for them to achieve self-sufficiency, during the implementation of durable solutions programs, IDPs must relinquish the skills they have developed for adapting and appropriating the city. The reason for this is that IDPs run the risk of being excluded from the durable solutions programs if they use their skills to improve their living conditions in the city or settlement during the process. Consequently, IDPs might lose the chance of putting an end to their situation of forced displacement. In this context, IDPs must adjust their behaviour in the city. In other words, they have to change how they settle in the city. This condition in itself is another violation of their right to the city.

2.2. Durable solutions, and arbitrary or mixed effects of public policy

Even though the scope of public policies focuses mainly in return programs as the preferred durable solution to the IDPs' situation (Ferris et al., 2011; Mundt & Ferris, 2008), these public policy actions hinder the settlement of IDPs. However, this is an "arbitrary" or "mixed" outcome of the public policies (Gupta, 2012; Holzer, 2013). Arbitrary or mixed outcomes refer to effects that appear during the implementation of

assistance programs, that have not been previously defined by the state organizations involved in the production of public policy (Gupta, 2012), and that are not covered by the evaluation of the actions encompassed in the assistance programs (Holzer, 2013, p. 866).

This means that the discouragement of permanent settlement of IDPs is not an intended purpose of the public policies, at least initially. Nonetheless, during the implementation process, it has become one of the results of durable solutions programs. Due to protracted displacement and the incessant inflow of IDPs, the lack of resources for assistance and health programs, to name a few, the containment of IDPs has become one of the outcomes of the programs.

At this juncture, assistance and durable solutions programs have been used to control the permanent settlement of IDPs. The programs produce these results through the definition of beneficiary selection criteria to be eligible for durable solutions. Eligibility criteria relating to the access to programs are based on a scale that prioritizes the needs of IDPs. In accordance with those criteria, IDPs may or may not be included in assistance and durable solutions programs, and may or may not be permitted to remain in the durable solutions process until the end of their situation of vulnerability. Regarding the application of the eligibility criteria, the public servants in charge of the programs make their own interpretation of the criteria based on their own experience.

The scale contains items such as access to public services, number of people employed in each family, access to health and education level, among others. Additionally, the criteria include other aspects of urban regulation policies such as the rank of the settlement according to urban-land planning, and others related to social empowerment and the ability of IDPs to improve living conditions in their neighbourhoods (Departamento Administrativo para la prosperidad social, 2014; Unidad para la atención y reparación integral a las víctimas, 2015). These criteria have been used to determine the level of the needs of IDPs.

According to state entities that are charged with responding to forced internal displacement, IDPs seek to remain included in assistance and durable solutions programs because they have become economically dependent on the State (Funcionaria UNARIV 1, 2015; Villa Martinez et al., 2007). In this regard, the link between IDPs and

the State is diminished to only be their situation of forced displacement. The State is only a supplier, and the IDPs have become passive subjects who merely receive humanitarian assistance (Aparicio, 2005). From this point of view, the relationship with the assistance and durable solutions programs is what defines the IDPs, and this dissociates them from their existence as citizens.

As opposed to what the state entities think, IDPs do not seek to continue in the beneficiary database because they are not able to sustain themselves. IDPs struggle to remain in the durable solution process because it is the only way to obtain a response from the State and to restore the rights that have been violated. The forced displacement situation, in fact, highlights the lack of recognition as citizens by the State. The only contact that many IDPs have had with the State has been to be recognized as IDPs. As the only relationships IDPs have with the State are the assistance and durable solutions programs, these become the only proof of their citizenship; which has been violated and must be restored. This means that it is only due to their declaration as IDPs and to the recognition of the State that they can claim that their rights have been violated and demand a response from the latter (Banerjee, 2014).

This means that during the process IDPs are still exposed to multiple and massive violation of their rights, even though this situation “is also potentially a place from which the painstaking restoration of those rights becomes feasible” (Gupta, 2012, p. 7). In this context, for IDPs the exclusion from the durable solutions programs process implies jeopardizing their citizenship rights again. Therefore, IDPs make every effort to continue in the database to obtain help from the State; whatever it might be.

Throughout the assistance and durable solutions programs, IDPs behave within the imposed limits of the eligibility criteria. Aiming not to be excluded from the process, IDPs modify their behaviour and adapt their lifestyle. For the same reason, they abandon strategies of self-sufficiency such as the improvement of their settlements and living conditions, the construction of family and community housing and infrastructure for basic services, among others (Hombre víctima de desplazamiento 1, Barrio la Isla, 2014; Hombre víctima de desplazamiento 3, Barrio la Isla, 2014; Mujer víctima de desplazamiento Tocaimita, 2014). As a consequence, IDPs become less independent, less self-sufficient and less autonomous.

The actions that the State takes to improve the self-sufficiency of IDPs is limited to introducing entrepreneurship programs in which IDPs are trained through productive micro-projects and taught citizen skills. These training processes are in line with the priorities and the needs of the state entities that design them. As such, they have been dubbed “emergency development” programs (Chimni, 2004, p. 70), as they do not support the purpose of restoring the rights of IDPs; the programs do not respond to real development conditions and do not contribute to the autonomy and self-sufficiency of IDPs.

In sum, the durable solutions programs, theoretically aimed at improving IDPs’ self-sufficiency, are oblivious to the context, the culture, and the collective and individual struggle of IDPs for inclusion in the city. In fact, the projects set forth within the durable solutions framework are an obstacle for the restoration of the rights of IDPs and for their inclusion in the city. In this sense, their vulnerability is prolonged by the State because it fails to protect their citizenship and their rights. In the end, the durable solutions process continues and the gap between restored rights and violated rights becomes wider.

It must be stressed that during the implementation process of durable solutions programs IDPs must continue their plight. In fact they are instructed not to use their abilities and the knowledge they have developed through protracted displacement to improve their settlements and to design strategies in order to gain access to public services and fight for their rights. IDPs are confined to their settlements with no possibility of changing their living conditions or relocating in better places in the city. As a result, the permanent settlement of IDPs is prevented.

In this endeavour, IDPs are no longer able to take the improvement of the city in their own hands as they used to do. Consequently, their right to the city is restricted. Moreover, as they continue to live in deep urban relegation it becomes more difficult to effectively solve the vulnerability condition that IDPs have to experience during their displacement situation.

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