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## Analysis on Land Restitution Processes in Colombia

### DIARY OF A DISPLACEMENT

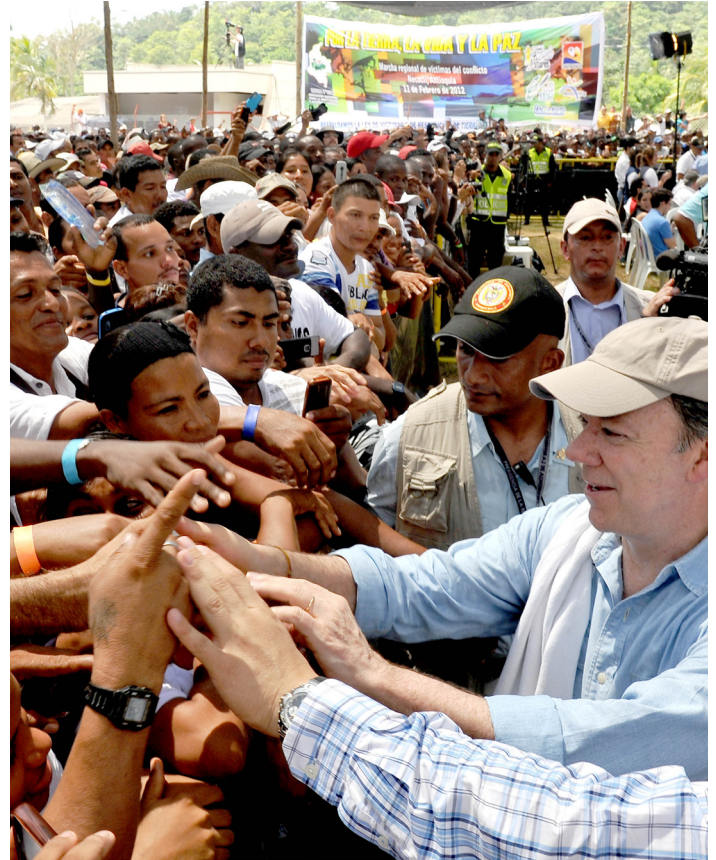
Argemiro Hernández was one of 30,000 victims that saw President Santos parade the Victims and Land Restitution Law in Necoclí on February 11, 2012. President Santos told the crowd that he needed “the help of each and every one of them. [We need] you to take on this process. [We need you] to defend your rights. Do not allow yourselves to be frightened. If someone threatens you, denounce them. If someone tells you this is not going to work, call them a liar because this is going to work, because we are going to make this work.”

Less than nine months later, Mr. Hernández was displaced for the third time in fifteen years.

Mr. Hernández first arrived in Urabá with his family in 1974. They were part of a migration of thousands of campesinos that fled Colombia’s Caribbean coast because of a land grab by wealthy cattle ranchers. Locals reflect on life in Urabá prior to the mid-1990s as a time of relative tranquility. Mr. Hernández was able to purchase a 61 hectare plot of land.<sup>1</sup> He cultivated crops that fed his community, and the surplus was sold in local markets.

In 1993, his brother was killed by guerrillas in an act of seemingly indiscriminate violence. Armed groups were battling for control of this fertile territory that serves as a strategic corridor for drugs and arm trafficking. The now infamous AUC paramilitary group was sharpening its terror tactics on campesino communities in alliance with economic and political elites. Power was defined by the ability to employ violence.

<sup>1</sup> One hectare is the equivalent of 2.47 acres.



By 1997, the paramilitaries exerted almost complete control over the region. It was ultimately the savage murder of Zoraida, Mr. Hernández’s neighbor, that led to the complete displacement of the community. 25 families left—not one person risked staying.

The victims of the displacement were followed by frontmen for the people responsible for their flight. Mr. Hernández was forced to sell his land for the extremely low price of less than \$50 per hectare. The man he sold it to did not have to show his gun or even explain who he represented.

When members of the community first returned years later they could barely recognize the territory where they once lived. The few remaining buildings from their community were used as corrals for the

cattle that once again replaced them. Juan Guillermo González Moreno, the new owner of the massive ranch, was not planning on returning this land.

Mr. Hernández and a few other members of the community attempted to move back home in 2009. They wanted to reclaim the land that was taken away from them. It was impossible to adapt to life in the city as a displaced campesino that never received a formal education. Within one week, Mr. González's employees destroyed their settlement of plastic tarps and kicked them off the land again.

Inspired by President Santos and his Victims' Law, Mr. Hernández went to the newly founded Land Restitution Unit (Unidad de Restitución de Tierras, URT) in Apartadó with a group of six other victims of displacement in April 2012. Their four hour trip to the office proved fruitless. Half of the group was handed a receipt for officially claiming the land that they lost. The other half of the group was told that the staff at the URT was currently unable to assist them and that they would have to return at a later date—the waiting room was empty.

Some of the victims called the URT a month later to see if there was any progress in their cases. Their queries were brushed aside and they were told to wait. Frustrated by the inefficiencies of the URT, Mr. Hernández and eight other members of the community once again tried to rebuild their

lives in their community of Bijao. On October 29, 2012, the group of nine displaced campesinos occupied one of the few remaining buildings on the land that once belonged to Mr. Hernández.

The very next day, thirteen of Mr. González's employees destroyed the home in less than thirty minutes (see video below). The individuals refuse to be displaced again. They rebuilt their plastic shelters and moved back to the territory. On November 3, twenty men with sticks and machetes came to "tear down the huts" and "kick them out for being squatters." They proceeded to beat the members of the community that were there. However, Mr. Hernández and the other members of the community have pledged they will not leave. Mr. Hernández does not want his story to be anonymous because he cannot take another displacement.

The URT finally called back after this displacement received nominal news coverage due to pressure from La Comisión Intereclesial de Justicia y Paz. The staff in Apartadó told the victims to file a petition in Bogotá and blamed the URT's national office for the delay.

Meanwhile, faith in the institution is waning. According to one woman that was displaced on October 30, "We believed that the government's promises were real until today. Now we know that none of it is true."