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Applying the security-development nexus on the ground:

Land restitution in Colombia

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### ***Abstract***

The general consensus on the security-development nexus is that both are key to achieving sustainable peace in war-torn societies. However, this debate has largely taken place among international actors, with little empirical evidence about how security and development relate to each other or are even considered by local actors. The current paper applies the security-development nexus to the case of land restitution in Colombia. Following decades of internal armed conflict, in 2012 the national government passed sweeping land restitution legislation amid on-going violence. Through in-depth interviews and focus groups with multiple actors involved in this process, ranging from international organizations to national government units, from regional institutions to local communities, the paper analyses the objectives, impact, challenges and opportunities for land restitution related to security and development.

Undermining peacebuilding, a lack of coherence in the integration of security and development priorities limits the extent to which either supports, or is promoted by, land restitution efforts in Colombia. The paper concludes with reflections on how the security-development nexus may promote peacebuilding amid on-going conflict.

**Keywords:** security, development, Colombia, land restitution, reparations, peacebuilding

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## **Introduction**

Renewed conflict, stagnating development and a dismal security situation in many of today's war-torn societies continue to fuel the peacebuilding discussion and underline the urgency to find appropriate responses to complex conflicts.<sup>i</sup> One vital part of that debate is the discussion around the nexus between security and development in order to better respond to overlapping development and security challenges.<sup>ii</sup> It is widely accepted within the international community today that sustainable peace is based on re-establishing basic security and development conditions that are interdependent.<sup>iii</sup> However, limited empirical research has investigated how these concepts function together or the impact of those bi-directional relations on local peacebuilding more broadly.

This study responds to the call for more empirical and context-specific studies of the actual functioning of the nexus on the ground and the problems evolving from that process.<sup>iv</sup> It looks specifically at how the nexus applies to a vital component of contemporary peacebuilding activities and a clear example of how the concepts of security and development can be interconnected: land restitution in Colombia. Given the long history of conflict over land ownership, a high level of continued insecurity and the historic land restitution law in 2012, Colombia's process offers a key context to examine the dynamic interaction between security and development on the ground.

This research was conducted two years into a ten-year process as outlined in the 2012 law. Thus, the findings are offered as reflections to improve policies and implementation in Colombia, and possibly in other settings of protracted conflict, rather than as a final evaluation of

the land restitution process itself. In this light, the paper analyses the objectives, impact, challenges and opportunities of land restitution as contributing to improving security and development levels to achieve sustainable peacebuilding in the department of Córdoba, the designated pilot area for the first land restitution processes. Córdoba is a key setting for studying land restitution and the security-development nexus because of the large imbalance in land distribution has fed high rates of poverty and a long history of violence. Attempts by landless peasants to push through land reforms during the 1970s and 80s had only achieved limited results and was brutally suppressed by paramilitary and guerrilla groups. In 2012, the rate of rural poverty was 66% in in the region, well above the national rural poverty rate of 46%.<sup>v</sup>

Due to the on-going nature of the restitution process, we selected two focus groups of approximately 20 participants each to understand different phases of the process. The first focus group included a local community that already received land and was approaching the end of the two years of governmental support and accompaniment. The second focus group consisted of farmers who are still awaiting final restitution. Focus group interviews were chosen over group and individual interviews in order to allow for less structured discussions within the groups in which the researchers became participant observers. It was important for us to first see how focus group participants perceived the land restitution process and which problems they would bring up by themselves. After that, questions concerning development and security issues were included in the general facilitation of the talks.

To complement the local understanding of land restitution, we also conducted 25 in-depth interviews with key stakeholders in Colombia. These individual interviews were conducted with a broad selection of the primary actors involved in the land restitution process, ranging from international organizations and government institutions such as the Unit of Land Restitution and

the Victims' Unit in Bogotá, to regional judges who ruled on land restitution, to NGOs involved in helping victims to get their land back, to members of local and national police and military units.

The overall findings underline that the land restitution process in Colombia has so far neither produced more development nor more security – in fact, it has worsened the latter. Three key points emerge from the discussion about challenges and opportunities for land restitution. First, the impact of land restitution on peacebuilding in Colombia is severely limited by the understanding of the processes primarily in terms of reparations for victims. Second, the scope and sustainability of the land restitution process needs not only a broader and more long-term vision in terms of its opportunities for peacebuilding, but also substantially more resource and coordinated planning between different actors to meet its objectives. Third, greater sensitivity to the potential of renewed conflict over land distribution and ownership needs to be practised and preventive policies put in place to improve both local security and rural development. The paper concludes with reflections on how better integration of local perspectives and experiences with regard to land restitution may advance the national and international debates on the security-development nexus, and how the Colombian case may inform peacebuilding efforts in other areas mired in protracted conflict.

## **Debates on the security-development nexus**

The idea of a nexus between security and development was already an important element in the state policies of colonial as well as post-colonial regimes during the Cold War,<sup>vi</sup> where development aid was used to increase security levels and counter-insurgency strategies included development activities. The end of the Cold War and particularly the promotion of conflict

prevention strategies significantly expanded the scope of the development and security agendas and pushed the nexus debate forward as an important part of today's policy arena.<sup>vii</sup> At the same time, the concept of human security that emerged in the 1990s connected a number of basic human needs to the concept of security, further causing both areas to overlap in terms of actors and agencies. As Spear and Williams (2012, 2) point out security or development are "arenas of thought and practice" that do not involve monolithic groups of actors or agreement over core issues, methods or policies but rather entail many different approaches and issues. As contested concepts, security and development are usually defined in negative terms, as alleviation from threat and need respectively. Originally, the term development focused on the goal of poverty reduction, greater economic prosperity and opportunity, while security was defined as the protection of a society from external threat, synonymous with national security. Today, the expanded term of human development includes issues such as governance, education, the environment and human rights and thus merges somewhat with the contemporary extension of human security, which includes every individual's freedom from fear as well as from want. In this paper, a working definition considers development as the process of improving people's lives and security as the protection from threats to core values.<sup>viii</sup> In 2005, the UN world summit called for integrated security and development policies in whole-of-government approaches. Menkhaus' 'vicious circle' metaphor describes insecurity and underdevelopment as reinforcing each other and thus increasing the possibility for renewed conflict,<sup>ix</sup> a view largely adopted by the official discourse,<sup>x</sup> although recent research has begun to question that causal connection.<sup>xi</sup>

The general consensus that improving both is the key to achieving sustainable peace in war-torn societies has become a truism in academic as well as policy texts ever since the end of the Cold War.<sup>xii</sup> Beyond that general agreement, however, there is no consensus on just how both

goals can be achieved and how they influence each other. As Stern and Öjendal have pointed out, the nexus is ‘differently experienced, imbued with meaning and ultimately carried out.’<sup>xiii</sup> The discussion particularly focuses on the question if security and development are interdependent in the sense that they reinforce each other and can therefore be achieved in combination,<sup>xiv</sup> or if there necessarily is a trade-off since both cannot be achieved at the same time.<sup>xv</sup>

The debate on the security-development nexus has largely been donor and policy oriented, and emphasis has been placed on globalized discussions among donor countries about how to best implement security and development in countries that are challenged on both accounts. In both academic as well as policy texts the nexus appears imprecise and malleable and has been criticized as lending itself to being abused by actors with vested interests, including legitimizing intervention.<sup>xvi</sup> Much criticism has been launched against donors’ inward-looking concerns for self-image and the preservation of their power positions rather than the interests of the intervened, while they simultaneously disengage from serious policy-making in the developing world. The donors, it is argued, pass responsibility on to other actors, thereby prioritizing rhetoric over policy responsibility.<sup>xvii</sup>

Critics also maintain that development and security policies are increasingly developed in isolation from practice and the actual needs on the ground.<sup>xviii</sup> Few studies have analysed possible trickled-down effects of the nexus debate to the national and local peacebuilding policies, or paid attention to local articulations around the nexus.<sup>xix</sup> One exception, Orjuela’s case study on Sri Lanka found a trade-off; security and development reinforce as much as undermine each other on the ground, forcing the local population to make tough choices.<sup>xx</sup> Her work shows that the security-development nexus actually consists of a complex web of linkages between different social, political, economic and cultural factors and further questions the truism

on the positive and causal interaction between both concepts. It calls for greater research in specific contexts in which the security-nexus debate is played out through policy and practice aimed toward long-term peacebuilding.

This research uses the security-development nexus not as a hypothesis to prove positive or negative correlations between both peacebuilding goals, but rather as an analytical tool to evaluate the potential impact and challenges faced in a local context with overlapping security and development challenges. We build on the underlying premise that peacebuilding activities cannot be designed, formulated and implemented – be it at the local, national or global level - in isolation from each other. Both in policy and implementation, implications for security and development need to be considered so that they do not undermine, but rather actively contribute to, each other as basic pillars of sustainable peace.

## **Land restitution and post-conflict reconstruction in Colombia**

Land is an important natural resource, serving as the literal bedrock for developing countries, tackling poverty by providing food security and export dividends. Unequal land distribution, sometimes with its origins already in colonial times, is prone to create protracted social conflict.<sup>xxi</sup> In many conflict scenarios land becomes a vital asset and changes hands in both legal and illegal ways, driving large sectors of the population from their farms and leaving agricultural land underused or destroyed.<sup>xxii</sup> In both scenarios the levels of security and development are greatly affected.<sup>xxiii</sup> Part of post-conflict reconstruction therefore involves returning land to its rightful owners and establishing a more equitable land distribution.<sup>xxiv</sup> These policies have the double aim of reducing conflict – thereby increasing security levels – and spurring development and economic growth through rapid attention to agricultural production,

for example. Thus, land restitution appears to be an exemplary topic to analyse how the theoretical debate on the security-development nexus applies to a local context. Thus, we aim to understand the extent to which, through land restitution, conditions of security and development reinforce or undermine each other on the ground.

Applying the security-development nexus as an analytical framework rather than an outright hypothesis to a local context, this study analyses how land restitution, as a component of peacebuilding, has impacted levels of security and development, separately as well as in relation to each other. The findings underline that the interaction between security and development is neither a given nor necessarily positive and call for what Orjuela calls a ‘reality check of the abundant but often intangible theorizing and policymaking ventures concerning the nexus.’<sup>xxv</sup> Colombia is an important case on which to test the security-development nexus impact on land restitution because the country has a long history of conflict over land ownership and a high level of continued insecurity. Thus, in Colombia’s case, high levels of conflict and insecurity, triggered in large part over land ownership, have reduced development conditions for the local population and the country’s export potential in general, which in turn continues to facilitate high levels of insecurity,<sup>xxvi</sup> exemplifying Menkhaus’ vicious cycle.<sup>xxvii</sup>

Colombia emerged from colonial times with a tremendous concentration of land in the hands of large landowners, which led in the 1960s to the emergence of a civil war that continues to devastate the country to this day. Early attempts during that decade to push through an agrarian reform failed. Neoliberal policies focusing on land concentration as the best way to achieve rural development in the 1980s were joining in the following decade by an emphasis on biofuels and mining that led to even more concentration of land.<sup>xxviii</sup> Decades of conflict facilitated the accelerated process of concentration of agricultural land which brought with it

over 6 million internally displaced people (IDPs), an increasing impoverishment of small farmers and the concentration of land in the hands of armed actors, completely destroying the social and productive fabric. But not only guerrilla and paramilitary groups are vying for land in this conflict; drug traffickers, state agents pursuing anti-drug policies and political control, and large landowners and enterprises that aim at enlarging economic production and natural resource exploitation join in as well.<sup>xxix</sup> After the Uribe government's flawed 2006 attempts to demobilize the paramilitary United Self-Defence Forces of Colombia – AUC<sup>xxx</sup> – a coalition of death squads which had emerged in the 1980s to take on the guerrillas, another actor rose out of the ranks of the demobilized: so-called criminal bands, or *Bacrim* after its Spanish abbreviation. *Bacrim* groups have taken over control of drug trafficking in many areas now cleared by the state security actors<sup>xxxi</sup> of guerrilla control and further contribute to pushing small farmers off their land, particularly in areas where the drug traffic needs safe passageways. Furthermore, fights over land between FARC units and *Bacrim* groups aggravate the security situation for farmers and continue to increase the number of IDPs in Colombia.<sup>xxxii</sup> As a result, during the past thirty years, Colombians were pushed off 60,000 square kilometres of land.<sup>xxxiii</sup>

Worn out by decades of internal conflict but encouraged by a new round of peace negotiations that started in 2012 and promise to conclude with a peace agreement within the next months, the country has commenced the land restitution process as a vital and integrated part of its peacebuilding policies. Colombia is one of the first countries to attempt such a complicated endeavour in the midst of on-going violence. While certainly a much needed and anticipated step towards peace, the actual context for land restitution amid on-going violence is complex: much of the land that needs to be returned to its rightful owners is still under the control of the guerrilla and other illegally armed groups, serving either as coca production areas or land routes for drug

trafficking. Some of the land was acquired by businesses under fraudulent circumstances, even though current business on that land is completely legal. Large corporations dealing with agricultural export production and mining companies are also reluctant to give away their land and use both *Bacrim* groups as well as military units to protect their land – including against peasants reclaiming it as part of the process of land restitution.<sup>xxxiv</sup>

Furthermore, land dispossession does not seem to stop, even though land restitution has started: a recent report by the Consultancy on Human Rights and Displacement (CODHES) found that 259,146 people – 70,000 families – fled their communities in 2011. The same year, CODHES reported 58 new mass displacements – defined as 40 people or more – affecting more than 26,000 Colombians.<sup>xxxv</sup> Thus, the nexus debate’s premise that security and development are interconnected appears to be correct at least in its negative ‘vicious circle’ connotation: insecurity and underdevelopment negatively impact each other in the case of Colombia.

### **Objectives of land restitution in Colombia**

Land restitution in Colombia is anchored in the current peace negotiations in Cuba under agenda point one, as well as in Law 1448, the *Ley de Víctimas y Restitución de Tierras*, the Victims’ and Land Restitution Law, often shortened to ‘Victims’ Law’, signed by the Colombian Government in June 2011, which became effective in January 2012. Envisioned as a project to span the next ten years, the Victims’ Law is to aid in the reparation to victims through restitution of millions of hectares of lands abandoned or stolen as a result of human rights abuses and violations. In fact, the number of victims covered by the law constitutes 14% of the entire population, a very ambitious goal.<sup>xxxvi</sup> The law creates two separate but interconnected units to head both tasks, the Victims’ Unit (*Unidad de Víctimas*, UV) and the Unit for Land Restitution

(*Unidad de Restitución de Tierras*, URT), and involves three phases. In phase one, the administrative phase, victims hand in land claims to the URT, which consults with the Ministry of Defence if the requested area provides the minimum safety conditions required for land restitution – a process called macro- and microfocalization – investigates the ownership and current status of the land and registers the claim. In phase two, the legal phase, specifically assigned land restitution judges evaluate the case and decide on a sentence and the procedural details of its execution.<sup>xxxvii</sup> In the final and executive phase three, a number of actors, among them the URT and UV as well as the judges, the Agrarian Bank, local security as well as regional governmental actors, are expected to cooperate in order to provide the conditions for claimants to resettle on their land, providing funds for fencing, clearance, tools and maintenance to enable production, as well as security, housing and other basic services such as infrastructure, educational and health services, water and electricity.

Despite the seemingly obvious and intimate connection between the land restitution process and levels of development and security, state actors in Colombia, at least at the national level, maintain that land restitution is predominantly part of a reparation process to victims. Guided by that rather exclusive objective outlined in the Victims' Law,<sup>xxxix</sup> most state actors connect land restitution mainly to the reconstruction of the social fabric. The importance of land restitution in the process of the reactivation of rural development and the belief that development will increase levels of security are mentioned more as a bi-product by national actors.<sup>xl</sup> They are not expressed as goals of land restitution in the Law and therefore translate only sporadically into praxis at the local level. The URT, the government's main land restitution unit, is increasingly interested in the connection between restitution and reconciliation, rather than placing the process itself within the context of the nexus between security and development.<sup>xli</sup> Even security

actors at the national level stick to the script of the Victims' Law and connect land restitution to security and development only at a lower level, at least at the national level.<sup>xliii</sup> Security actor presence in land restitution areas, for example, increases during land restitution processes, but only short term, and the task descriptions and involvement of police and army forces are often unclear and blurred.<sup>xliii</sup> The efforts of the Defence Ministry's special intelligence unit on land restitution continues to be predominantly engaged in determining if minimal security conditions exist to initiate the process of microfocalization in the first place, rather than gathering information on the effect of land restitution on security levels while the process goes on.

However, the awareness of the need to connect development and security issues to land restitution in a more integral way becomes increasingly apparent the more state actors are actively engaged in the process at the local level. Police and army officials in Córdoba's regional capital Montería talk less about victims' reparation and place much more emphasis on land restitution as a way to recuperate rural production and increase security. For them, development increases security, particularly if peasants who are finally able to produce again defend their turf and collaborate with local security actors.<sup>xliiv</sup> In fact, the local URT director regards re-population of the rural areas to spur rural development and increase food and general security levels in the countryside as the main objective of land restitution.<sup>xlv</sup>

Both local focus groups, on the other hand, seem to be rather distanced from regarding land restitution as a process to increase development and security levels. They underlined that land restitution is an act of justice, something that the state owes the rural population.<sup>xlvi</sup> Establishing their livelihoods, the result of land restitution, falls therefore in their minds more into issues of justice and reparation as well. Neither focus group mentioned increased levels of security as an objective they connected with the land restitution process.

## **Impact of land restitution on security and development**

Despite a legal and procedural framework structure that seems clear on paper, the Colombian land restitution process is limping behind: less claims than expected were actually issued<sup>xlvi</sup> and after three – of a total of ten – years assigned to the process, only two per cent of the land has been returned by the end of 2014.<sup>xlvi</sup> Land concentration as well as dispossession continues.<sup>xlvi</sup> The causes of the protracted social conflict in Colombia therefore continue to persist. Furthermore, land restitution in its current form does not fully contribute even to its proposed goal: to repair harms done to victims. While a number of participants who had already returned to their land were grateful for the opportunity to return,<sup>1</sup> the system excludes a large number of victims claiming land in areas that are not security-cleared;<sup>li</sup> and what is more, it provides the ground for renewed victimization by not including victims of new displacements, for example by the new Bacrim groups.

Furthermore, the Colombian land restitution process has not helped to decrease levels of violence and conflict, but has instead rather increased insecurity. Continued high levels of violence and competition over land between armed actors constitute obstacles to the process of microfocalization that starts land restitution; and even if land has been declared ready to be restituted, threats to actors involved in land restitution and to returning peasants as well as insufficient means of long-term security actor presence prevent many from returning.<sup>lii</sup> Corruption among state actors in the countryside and even at the national level, as well as a lack of accountability for large landowners contribute to the obstacles for restitution and heighten levels of insecurity.<sup>liii</sup> In fact, many participants in the focus group waiting to be restituted to their land dwelled extensively on their worries concerning low levels of security, even though a

new group of police, called *carabinieri*,<sup>liv</sup> has now been specially trained to secure the return of farmers to their land. The Victims' Law itself is very elaborate on the administrative and judicial processes of land restitution, but mentions police support for the actual hand-over of restituted land only in passing.<sup>lv</sup> The Law talks extensively about the potential threats victims are exposed to and even announces special protection programs for victims returning to their land.<sup>lvi</sup> Still, incidents of violence committed by armed actors who refuse to give up their land together with fear of the newly arranged anti-restitution armies – see below – greatly hamper the process, even though the levels of violence differ in the areas this research focused on.<sup>lvii</sup> The focus group that was actually able to return to its land reported relatively low levels of current insecurity in the area but expressed strong security worries for the future. However, their fear that, following the law, governmental support, including that of the security actors at the local level, will cease two years after the judges' decision has been issued, constantly creates new worries and feelings of insecurity and abandonment. Furthermore, in about seventy per cent of the municipalities with land restitution claims, antipersonnel mines hinder the return of peasants.<sup>lix</sup>

Additionally, restitution in its current form not only revives old, but also generates new, conflicts over land. The same actors who pushed others off their land have declared warfare on the land restitution process itself.<sup>lx</sup> During the past years, many have become victims of assassination by opponents to land restitution, among them not only the claimants themselves, but also human rights workers, officials of the government's Unit of Land Restitution and communal and land-rights leaders involved in the process.<sup>lxi</sup> Between January 2008 and March 2014, 66 persons reclaiming land were assassinated.<sup>lxii</sup> Furthermore, anti-restitution armies have been created.<sup>lxiii</sup> Often actors gang up with paramilitary groups protecting large landowners, which slows down the land restitution process considerably.<sup>lxiv</sup>

Corruption within state institutions further contributes to putting obstacles to the land restitution process and increasing the amount of land held by armed actors. The National Land Fund (*Fondo Nacional de Tierras*) who administers land controlled by ex-paramilitary members, for example, is accused of distributing land units on the basis of bribes rather than legitimate claims and often ends up giving land to fake peasant associations, set up by ex-paramilitary groups.<sup>lxv</sup> The national land registry unit INCODER (after its Spanish initials *Instituto Colombiano de Desarrollo Rural*) not only distributed land to pay political bills instead of compensating victims who were pushed off their land during the long conflict but also gave away land units to armed actors.<sup>lxvi</sup> Land recuperated from imprisoned AUC members and auctioned off by the government to landless victims, is often bought up by paramilitary straw men and thus brought back into the hand of illegally armed groups.<sup>lxvii</sup> The FARC, itself accused of stealing huge swathes of territory – has attacked the initiative as well, labelling it a ‘trap’. According to the FARC, the government proposes restitution, while at the same time inviting corporations to claim chunks of the country for mega-projects, leading to more dispossessions. In parts of the country, fights over land between FARC and Bacrim groups aggravate the conflict.<sup>lxviii</sup> This is not a new phenomenon, however. Since the late 1980s, paramilitary groups have been targeting and killing people reclaiming their land.<sup>lxix</sup> The government’s National Unit for Protection has received hundreds of applications for protection for those who are reclaiming their land.<sup>lxx</sup> With on-going violence and a low level of security for peasants returning to their land, the government essentially ends up sending those peasants as their ‘*caballitos de batalla*’ – little battle horses – into the fight against armed actors over land, as one interviewee put it.<sup>lxxi</sup>

Furthermore, the land restitution process has brought forth a plethora of new and potentially violent conflicts. Farmers reclaiming their land, for example, clash with current

civilian occupants who have acquired the same land in good faith and without knowledge about a potential legal lack of clarity concerning the ownership of the land. The latter is hard to prove and there are no provisions for compensation for secondary occupants in the current law, which contributes to create new victims and a potential for more violence.<sup>lxxii</sup> Clashes have also been reported between returning peasants and so-called *testaferros*, persons hired by armed groups to occupy the land for them, as well as members of Colombia's rich elite reluctant to return their land and with indigenous groups who pose collective claims over land. Peasants also report fear that former paramilitary group members who are just now serving prison sentences after the AUC disarmament in 2006 are soon to be freed and will return to the land now restituted to the former owners.<sup>lxxiii</sup>

Last but not least, land restitution does not even seem to spur development. Agricultural reactivation, made theoretically possible by the land restitution process, has been hampered in practice by the fact that peasants cannot produce once they are back on their land, since they lack the basic services, including housing, water for irrigation, roads, electricity, and schools and health institutions as a condition to bring their families, all of which was promised along with the title to the land by the judicial part of the land restitution process.<sup>lxxiv</sup> The Victims' Law also promises special protection programs for peasants who are threatened when attempting to return to their land.<sup>lxxv</sup> However, in the second focus group, participants who have already legally received their land back maintain that they have been unable to return because they cannot compete with the alliances between landowners and armed groups opposing their fight to get their land back. None of them had been part of the special protection program promised by the law. For them, lack of security and continued presence of armed groups is the obstacle number one that keeps them from taking up agricultural activities on their land. Many also reported that

they are regularly paying bribes to local policemen in order to even visit their land or begin fencing their lots.<sup>lxxvi</sup> They also express a lack of faith that the on-going peace process will make agricultural production secure for them, underlining that the disarmament of the paramilitary groups in 2006 only created new illegally armed groups, the *Bacrim*, who continue to occupy land. In many cases, peasants who cannot go back to their land or start production move to the urban areas and abandon rural livelihood altogether, particularly the younger generations. Alternative options, such as financial compensation, restitution of land somewhere else and take-over of land in insecure regions by the state, are offered in praxis in only a few exceptional cases even though the Victims' Law offers these alternatives.

### **Future challenges and opportunities through land restitution**

As in many areas of the world, unequal access to land was one of the main causes of the Colombian conflict. Moreover, the conflict itself displaced people, continuing to increase insecurity and hamper development. In this context, restoring the land to its rightful owners should have addressed one of the underlying causes of conflict. Additionally, according to the international community's consensus on the security-development nexus, the process itself should have set development back in motion and improved security conditions. However, the findings underline that, so far, the land restitution process has neither produced more development nor more security. On the contrary, the process revived old conflicts and created new ones, thereby increasing the level of violence and the potential for more to come in the near future. Though not the only reason, increased insecurity is another obstacle for farmers returning to their land and therefore also jeopardizes rural development. Although this research comes after only two years of implementation of the Victim's Law, the initial findings certainly call for

caution against applying policies with the potential to influence security and development without fully taking these factors into account. As this case shows, land restitution, a peacebuilding activity with a potential to break the cycle of conflict and underdevelopment in the country by restoring land to its rightful owners, instead had a negative impact on both development and security.

So what went wrong in the Colombian case? This research argues that the international debate on the nexus does not necessarily influence and inform the national level of countries engaged in peacebuilding. Despite of the potential of land restitution to improve security and development, in the Colombian case the process largely aims to address reparations to victims. This focus on one predominant goal led to the failure to embed the land restitution process within the context of long-term security and development policies and to provide for the basic conditions to make land restitution sustainable, thus posing major obstacles for the implementation on the ground. However, local state actors are keenly aware of the potential of the land restitution process to improve both, security and development levels – as well as the grave consequences for failing to provide the conditions to do so.<sup>lxxix</sup> With their hands bound by the somewhat limited policy objective at the national level, local actors join each other in their frustration over the weaknesses of such an important part of peacebuilding.<sup>lxxx</sup> It also shows how little the nexus debate within academic and international cooperation circles is actually understood and internalized at the national and local level.

As a consequence, the land restitution process has so far been unable to improve security and development levels in the Colombian case. Since security conditions were not prioritized and therefore appear as very short-term in the Victims' Law, high levels of insecurity impeded farmers from returning to their land, even when the legal process had been concluded in their

favour. Instead of increasing security, land restitution has even led to higher levels of violence, conflict and insecurity; continued displacement deepens these risks. At the same time, land restitution has not led to development; the conditions (e.g., roads, social services, etc.) for rural reactivation were not sufficiently provided. Despite judges' decisions that call for the realization of such conditions, local authorities are slow to respond, and restituted farmers are left trying to build a livelihood without the necessary public infrastructure.

So how could the land restitution process have increased security and development levels? *Firstly*, the Colombian land restitution process would have benefited from an expansion of its objectives beyond the mere reparation to victims. Without this inclusive approach to peacebuilding, structural conditions block local actors from taking steps to improve security and development. Complementing the focus on reparations, regarding land restitution as a process with a high potential to spur local development and increase conditions of rural security would have helped the overall peacebuilding process in Colombia.

*Secondly*, we argue that national planning should have embedded the land restitution process within the country's security and development policies. Better coordination among different actors, additional funds and personnel allotted to this ambitious task,<sup>lxxxi</sup> and a longer-term vision toward the entire process may have avoided many of the obstacles – such as lack of infrastructure, housing, and basic services – that were encountered in the process. Thus, integrated into the broader security and development structures, the Victim's Law may have been able to mobilize additional support for the basic conditions and resources for a robust resettlement of farmers on their restituted land. This approach may advance successful and sustainable land restitution, which in turn could advance both peacebuilding goals of security and development.

*Thirdly*, a deeper understanding of the potential pitfalls of land restitution, particularly in terms of the maintenance of old and the creation of new conflicts over land, might have improved the security situation to a point where the return of farmers to their land could have spurred rural development. The allocation of sufficient security actors in restitution areas, along with anti-corruption monitoring during the process, and modification of the Victims' Law to prevent new displacement could contribute to making land restitution in Colombia a success story. However, there is still time as the mandate of the law extends to 2022. The exceptional scope of this process amid violence, and its importance in terms of lessons learned for possible processes in other countries, merit a fuller evaluation throughout the implementation of the Victim's Law.

## **Conclusions**

This research underlines the importance of bringing the security-development nexus debate down to the local level and adjusting it to the local context, if security and development objectives are to be reached in peacebuilding processes. Our investigation found that, at the national level, a lack of understanding of the need to design and evaluate peacebuilding policies through the security-development nexus, not only undermined these objectives, but it also jeopardized the primary goal of the land restitution policy: reparations.

In addition, at the international level, the frozen debate around simplified perceptions of how the security-development nexus works in a peacebuilding context is of little use to actors on the ground. Peacebuilding is a process that engages a wide range of policies, actors and activities, not all of which have security and development as their primary goals. However, the findings from this study suggest that peacebuilding activities should, prior to design and

implementation, analyse their expected outcomes from a holistic perspective using the security-development nexus. Isolating one peacebuilding initiative and its corresponding activities has the potential for failure and limited impact. More qualitative case studies are needed to show how peacebuilding may be advanced through the varied activities of the security-development nexus in different local contexts. As the Colombian case indicates, the perspectives and experience of local actors are essential for understanding the impact of the international debate. That is, the security-development nexus may hold particular power as an applied analytical lens to understand local impact of peacebuilding policies, rather than merely a theoretical debate. In other words, security and development should continue to hold prominent places as important peacebuilding goals. However, the nexus should be debated at both the international and local levels; the combination of those discourses may hold promise for the on-the-ground implementation of policies that improve security, development and sustainable peace.

So what has this research contributed to the debate on the nexus itself? Since land restitution was not explicitly perceived of or implemented as a policy to improve security or development, little can be said about causality here. However, our findings do suggest that increased insecurity through new conflicts has prevented farmers from returning to their restituted land, hampering development. There was less direct evidence that land restitution's lack of success in spurring development has necessarily caused greater security issues. This set of findings support Spear and Williams' conclusion that the relation between security and development has 'points of both divergence and convergence that defy easy labels but that reflect the many actors, processes and issues in each' concept and can therefore be labelled as 'selectively co-constitutive'.<sup>lxxxiii</sup> Thus, we do suggest that both security and development levels might have been improved – therefore strengthening the argument that a nexus exists – if the

policy had taken those objectives into consideration from the beginning. Since the process of land restitution in Colombia is still new, policy adjustments may be able to mitigate this problem, strengthening the primary objective of providing reparations to victims.

Our findings also suggest that future research on the security-development nexus should include an additional factor that has largely been overlooked: the impact of on-going violence. Although peacebuilding has traditionally been conceived as a phase following peace-making, or a negotiated agreement between warring parties,<sup>lxxxiii</sup> today's peacebuilding efforts more often occur amid persistent violence.<sup>lxxxiv</sup> In contemporary protracted conflicts it is no longer realistic to delay the onset of development activities, social and political reconstruction, or the establishment of a state of law until an undefined future point of 'peace'. Moreover, additional research shows that violence does not stop even when peace agreements are signed; it often endures and evolves, posing a danger to the sustainability of peace agreements.<sup>lxxxv</sup> Peacebuilding activities are therefore forced to adapt to a context for which they were not designed, at least not originally. As the Colombian case has shown, high levels of on-going violence, coupled with corruption, have provided additional obstacles to the potentially positive impact of security and development on each other in the case of land restitution. To enrich the nexus debate even further, future studies of local contexts should look into the particular conditions and challenges on-going violence poses for security and development and their interconnected relation within peacebuilding.



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## Endnotes

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- <sup>i</sup> Collier et al., *Breaking the Conflict Trap*; Hughes et al., ‘The Struggle Versus the Song’
- <sup>ii</sup> See Stern and Öjendal, ‘Exploring the Security-Development Nexus’, for a methodological discussion of the different nexuses between security and development.
- <sup>iii</sup> UNDP, *Human Development Report*; UN, *World Summit Outcome*; USAID, *Foreign Aid in the National Interest*; World Bank, *World Development Report*; OECD, *Concepts and Dilemmas of State Building in Fragile Situations*.
- <sup>iv</sup> Stern and Öjendal, ‘Exploring the Security-Development Nexus’; Tschirgi et al., *Security and Development*.
- <sup>v</sup> For further information on the case of Córdoba and Sucre, see Dale (2012).
- <sup>vi</sup> Buur et al., ‘The Security–Development Nexus’.
- <sup>vii</sup> IPA, *Strengthening the Security–Development Nexus*.
- <sup>viii</sup> UNDP, *Human Development Report*. However, when dealing with the security-development nexus, most texts analysed as well as perceptions from interviewees indicate that the security concept is still used predominantly in its more traditional meaning: freedom from fear where the core values are life and livelihood.
- <sup>ix</sup> Menkhaus, ‘Vicious Circles’.
- <sup>x</sup> Buur et al., ‘The Security–Development Nexus’; Collier et al., *Breaking the Conflict Trap*; UN, *World Summit Outcome*.
- <sup>xi</sup> Tschirgi et al., *Security and Development*; Spear and Williams, *Security and Development in Global Politics*.
- <sup>xii</sup> Duffield, *Global Governance and the New Wars*; Spear and Williams, *Security and Development in Global Politics*; UN, *World Summit Outcome*; World Bank, *World Development Report*; USAID, *Foreign Aid in the National Interest*.
- <sup>xiii</sup> Stern and Öjendal, ‘Exploring the Security-Development Nexus’, 16.
- <sup>xiv</sup> OECD, *Concepts and Dilemmas of State Building in Fragile Situations*.
- <sup>xv</sup> See Spear and Williams, *Security and Development in Global Politics*, for a discussion of both “arenas” and their interaction.
- <sup>xvi</sup> Stern and Öjendal, ‘Exploring the Security-Development Nexus’; Chandler, ‘The development-security nexus’.
- <sup>xvii</sup> Duffield, *Global Governance and the New Wars*; Chandler, ‘The development-security nexus’; Keukeleire and Raube, ‘The security–development nexus and securitization in the EU’s policies towards developing countries’; Stilhoff-Sörensen and Söderbaum, *The End of the Development-Security Nexus*.
- <sup>xviii</sup> Duffield, *Global Governance and the New Wars*; Chandler, ‘The development-security nexus’; Keukeleire and Raube ‘The security–development’; Molier and Nieuwenhuys, *Peace, Security and Development in an Era of Globalization*.
- <sup>xix</sup> See Buur et al., ‘The Security–Development Nexus’, and Orjuela ‘The Bullet in the Living Room’ as notable exceptions.
- <sup>xx</sup> Orjuela, ‘The Bullet in the Living Room’.
- <sup>xxi</sup> Moyo, *The Politics of Land Distribution and Race Relations in South Africa*; Sekeris, ‘Land Inequality and Conflict In Sub-Saharan Africa’.
- <sup>xxii</sup> However, new research also underlines the potential of violence to transform rural economies from subsistence to commercial agriculture, see Gómez-Isa, ‘La restitución de la Tierra y la Prevención del Desplazamiento Forzado en Colombia’.
- <sup>xxiii</sup> Gómez et al., ‘Armed Conflict, Land Grabs and Primitive Accumulation in Colombia: Micro Processes, Macro Trends and the Puzzles in Between’; Collier et al., *Breaking the Conflict Trap*, 60.

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- <sup>xxiv</sup> The process of establishing who is in fact the 'rightful' owner of land that has passed many hands during several decades of conflict is complicated and involves extended research on the part of the authorities.
- <sup>xxv</sup> Orjuela, 'The Bullet in the Living Room', 101.
- <sup>xxvi</sup> Suarez Gómez, 'Colombia'; Grajales, 'The rifle and the title: paramilitary violence, land grab and land control in Colombia'; Interview 1: UN Development Programme, 28 October 2014.
- <sup>xxvii</sup> Menkhaus, 'Vicious Circles'.
- <sup>xxviii</sup> Interview 2: Non-governmental organisation (NGO), 29 October 2014
- <sup>xxix</sup> Gómez-Isa, 'La restitución de la Tierra y la Prevención del Desplazamiento Forzado en Colombia'; Interview 2.
- <sup>xxx</sup> Taylor et al., 'Reconstructing the Social Fabric'.
- <sup>xxxi</sup> The term 'security actor' is understood more traditionally in this text as the state actors in charge of national security, such as the armed forces, police, Ministry of Defence, and any relevant units of the Ministry of the Interior, such as surveillance and investigation.
- <sup>xxxii</sup> Fitzpatrick and Norby, 'Colombia – the Riven Land'.
- <sup>xxxiii</sup> Suarez Gómez, 'Colombia'.
- <sup>xxxiv</sup> Barreras and Quiroga, 'Los Retos y Desafíos de la Política de Restitución de Tierras'; Fitzpatrick and Norby, 'Colombia – the Riven Land'; Interview 2.
- <sup>xxxv</sup> Fitzpatrick and Norby, 'Colombia – the Riven Land'.
- <sup>xxxvi</sup> Segura Álvarez 'El diagnóstico de Harvard para la Unidad de Víctimas' describes a report from Harvard University which found that Colombia's Victims Law was more ambitious than 44 other countries, in which victims only accounted for up to 1% of the population. Furthermore the 10-year process is being carried out amid on-going violence.
- <sup>xxxvii</sup> Important in this process is to decide if the current owner acquired the land in good faith (*de buena fe*) and without knowing that its ownership was disputed (*exenta de culpa*). Judges also can decide on compensation (Interview 2).
- <sup>xxxviii</sup> Interview 3: Land Restitution Unit, Bogotá, 20 October 2014; Interview 4: Land Restitution Judges, Montería, 27 October 2014.
- <sup>xxxix</sup> Victims' Law, chapter I, art. 1.
- <sup>xl</sup> Interview 3; Interview 5: Human Rights Unit, Colombian National Army, 22 October 2014.
- <sup>xli</sup> Interview 3.
- <sup>xlii</sup> Interview 5.
- <sup>xliii</sup> Interview 3.
- <sup>xliv</sup> Interview 6: Colombian National Army, Montería, 23 October 2014; Interview 7: Colombian National Police, Montería, 23 October 2014)
- <sup>xlv</sup> Interview 8: Victims' Unit, Montería, 24 October 2014.
- <sup>xlvi</sup> Local state actors underlined that the law created high expectations that produced a considerable level of entitlement among the victim community (Interview 11: Corporación de Desarrollo y Paz de Córdoba (Cordupaz), 24 October 2014).
- <sup>xlvii</sup> According to Fitzpatrick and Norby, 'Colombia – the Riven Land', only 8% of the families eligible for land restitution had actually filed claims in 2013.
- <sup>xlviii</sup> Forjando Futuros, 'Restitución de Tierras, Progreso y Dificultades'. As of June 2016, however, the numbers have not progressed immensely. The URT reports that of the 91,537 cases presented they have resulted in 3,764 sentences, or approximately 4%, URT 'Estadísticas de Restitución de Tierras'.
- <sup>xlix</sup> Fitzpatrick and Norby, 'Colombia – the Riven Land'.
- <sup>l</sup> Focus Group 1: Restituted Community, 24 October 2014.
- <sup>li</sup> Interview 9: USAID Program for Human Rights, 21 October 2014.
- <sup>lii</sup> Suarez Gómez, 'Colombia'.
- <sup>liii</sup> Interview 10: Journalist, 25 October 2014; Focus Group 2: Non-restituted community, 25 October 2014.

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- liv Interview 7.
- lv Victims' Law, chapter III, art. 100.
- lvi Victims' Law, chapter I, art. 31 and 32.
- lvii Focus Group 2.
- lviii Focus Group 1.
- lix Suarez Gómez, 'Colombia'.
- lx Interview 5.
- lxi Barreras and Quiroga, 'Los Retos y Desafíos'; Fitzpatrick and Norby, 'Colombia – The Riven Land'.
- lxii Forjando Futuros, 'Restitución de Tierras, Progreso y Dificultades'.
- lxiii Freedom House Report, *Colombia*.
- lxiv Barreras and Quiroga, 'Los Retos y Desafíos'; Fitzpatrick and Norby, 'Colombia – The Riven Land'; Interview 11.
- lxv Interview 10.
- lxvi Interview 1.
- lxvii Interview 10.
- lxviii Fitzpatrick and Norby, 'Colombia – The Riven Land'
- lix Dale, 'Land Holds Promise of Peace in Colombia'.
- lxx Suarez Gómez, 'Colombia'.
- lxxi Interview 9.
- lxxii Interview 3; Interview 6.
- lxxiii Unit for Land Restitution (URT), 'La Reconciliación y Construcción de Paz, en el Marco de la Ley 1448'; Interview 9.
- lxxiv Focus Group 1.
- lxxv Victims' Law, chapter II art. 31.
- lxxvi Focus Group 2; Interview 4.
- lxxvii Focus Groups 1 and 2.
- lxxviii Interview 9; Victims' Law title IV, chapter I, art. 72 and chapter III, art. 97 and 98.
- lxxix Interview 7; Interview 11; Interview 8.
- lxxx Repeated complaints among local actors also include a lack of funds, personnel, access to and lack of reliable information on the available land/resource situation, as well as a lack of enforcement mechanisms once the judges have issued their sentences. Local actors also point at the low level of exchange of information and cooperation among involved agencies and actors on the national and regional level and high levels of corruption among the involved actors and conflicting interests among powerful elites in the country (Interviews 1, 2, 4, 10, 11; Interview 12: Regional Government Montería, 24 October 2014; Interview 13: URT Montería, 27 October 2014; Focus groups 1 and 2). Taylor, 'Transitional Justice'.
- lxxxi Ibid.
- lxxxii Spear and Williams, *Security and Development in Global Politics*, 21-22.
- lxxxiii Boutros-Ghali, *An Agenda for Peace*.
- lxxxiv Bouvier, *Building Peace in a Time of War*.
- lxxxv Darby, 'Post-Accord Violence in a Changing World'; Steenkamp, 'In the Shadows of War and Peace'.