The Space of Human Rights:

The Right to the City

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Statement of originality

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Statement of contribution to others

In the stances where the information gathered in this thesis was the outcome of the contribution of others in this research, I declare that my participation and contribution was significant. This due to the development of original ideas and/or conclusions from such interaction, as well as the application of those on subsequent research.

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List of publications

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Garcia Elena, F. (2020) The spatial aspect of human rights: a framework for the structural and spatial analysis of human rights practice. The International Journal of Human Rights, DOI: 10.1080/13642987.2020.1783530 [online]. Available at: https://www.tandfonline.com/doi/pdf/10.1080/13642987.2020.1783530?casa_token=37nL5qSO0H MAAAAA:HwuXpyFrPDXBYdt03A4CUxaM9osa9HAuP3TB1HOsG6YwoYg5RlR8mCjvwtamP L6zIYew88rl23o

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Abstract

This research analyses rights practices from a spatial perspective and argues that space is a conditioning element for the experience of justice. Whilst the right to the city acknowledges the central role of space for rights fulfilment, the human rights system is yet to fully integrate spatial perspectives. The aim of this research is to demonstrate that space is a constitutive element of individual and collective rights experiences and make a case for the integration of spatial approaches in official human rights frameworks. Besides, it argues that the right to the city is an instrument for the integration of civil society in space management and its empowerment in the politics of space and rights. Therefore, this thesis presents the right to the city and human rights as complementary rights practices that interact through space. This idea is justified by using a constructivist approach to rights, understanding them as the outcome of the reproduction of sociocultural practices around situations of injustice. In this regard, the research argues that the production of space shapes experiences of justice of inhabiting communities, their rights struggles and practices. Therefore, from a social constructivist standpoint, space is a constitutive element of the experience of rights and the production of rights discourses.

The investigation is based on case-study research in the city of Barrancabermeja (Colombia). Barrancabermeja has traditionally been a contested space in the dynamics of the Colombian civil war due to the regional extraction of oil and gas and the accumulation of industrial capital (hydrocarbons refinery and related infrastructures). The research addresses spatial processes and features and local rights practices to understand their interrelation. It concludes that the characteristics of Barrancabermeja's space has shaped rights practices from viewpoints ranging from terrorism to environmental degradation. Additionally, highlights that rights struggles were understood by local communities following the right to the city principles but communicated using human rights language. Therefore, it showcases the interaction of human rights and the right to the city practices empirically.

Introduction

Barrancabermeja (Barranca for short) is the oil capital of Colombia and the location of the biggest oil refinery in the country. This fact turned the area into a geostrategic location for Colombian politics, becoming one of the few instances of an urban dirty war within the Colombian conflict (Gill, 2009; 2011; 2016; Restrepo and Apontes, 2009). Moreover, the accumulation of the negative effects of the oil industry has resulted in the overall degradation of natural resources and cultural landscapes. This context highlights that the experience of rights and justice for Barranca's inhabitants is tightly related to the characteristics of the inhabited space, building a direct relationship between space and rights.

Conversations about rights and justice are progressively highlighting the role of space. We can see this development in academic literature: research on climate justice (Hayward, 2007), discussions on cultural landscapes (Menatti, 2017), and analyses of rights practices in the urban (Grigolo, 2019; Darling, 2016) are effectively bringing space into the rights discussions. Civil society is also engaging in these narratives all over the world. On one hand, environmental groups like Extinction Rebellion are increasingly using rights language (Extinction Rebellion, 2019). On the other hand, indigenous communities continue to struggle for land using the language of rights (Short et al., 2006; Grandinetti, 2019). Hence, space is increasingly featuring in talks. It is the role of this research to address this matter, to conceptualise the relevance of space for rights and develop a framework to analyse rights spatially.

Barrancabermeja is a critical case for this endeavour. It is a place where the production and management of space has explicitly impacted the rights of the inhabitants. For this reason, their rights struggles reference layers of spatial structures, the state of the environment, or frameworks for space management. Besides, illegal armed actors, economic enterprises, and public institutions have fought to dominate Barranca's space and social practice, which has traditionally been articulated as a rights struggle by Barranca's inhabitants.

However, the international system of reference to communicate claims of justice, human rights (Morris, 2016; Nash, 2015), has not integrated space into its protection frameworks. It has not developed specific tools or a vocabulary to convey spatial justice struggles, a situation that compromises the acknowledgement of spatial justice struggles as human rights issues. In contrast, the right to the city puts space at the centre of rights conversations

(Lefebvre, 1996). It articulates the production of space as critical for the enjoyment of justice (Lefebvre, 1996), developing a language that conveys spatial injustice as a rights issue.

Therefore, human rights have not explicitly addressed space, while the right to the city has created a rationale that necessarily integrates the concepts of space and rights. For this reason, I understand that the integration of the right to the city in human rights frameworks can provide the conceptual and institutional strategies to directly address space for the experience and construction of human rights practice. This exercise will enable new perspectives on old human rights problems, while providing novel tools to understand growing concerns regarding humans' ethical relationship among themselves in space and with space.

This is why Barranca is the optimal place to conduct this research. In Barrancabermeja, human's ethical relationship among themselves in space and with space has had a significant effect over the inhabitants' experience of rights. The characteristics of space have been, and continue to be, a fundamental part of the experience of rights and justice. From intense industrialisation to undemocratic urbanisation (Otero Prada, 2015), water contamination (Bustamante, Chaparro and Peláez, 2015) and environmental mismanagement (Rodríguez Gómez, 2011) many of Barranca's rights struggles are directly related to the conditions of space.

Barrancabermeja's geostrategic qualities within the civil war also highlight space's relevance. Social movements in the city during the 1960s inspired the formation of one of the principal *guerrillas* in the country (*Ejército de Liberación Nacional*, hereafter ELN) (Rodríguez Pizarro, 2009). Furthermore, it became one of the few urban strongholds of the rural *guerrilla Fuerzas Armadas Revolucionarias de Colombia – Ejército del Pueblo* (hereafter, FARC-EP) (Pécaut, 2008). Therefore, the two major *guerrillas* in the country had a strong presence in Barranca from the 1980s.

This brought state forces and the main paramilitary organisation in the country at the time (*Autodefensas Unidas de Colombia*, hereafter AUC) to intervene, constructing one of the few experiences of an urban dirty war in Colombia (Gill, 2009; Restrepo and Apontes, 2009). Therefore, Barrancabermeja turned into a battlefield where armed actors competed for the control of the city and the refinery. This situation resulted in political persecution for civilians who engaged with human rights organisations that denounced the activity of armed actors as a whole.

These processes (environmental degradation, civil war and political violence) have historically shaped the experience of rights and justice of Barranca's inhabitants. Remarkably, all of them have an underlying spatial element. The availability of oil determined the development of an oil enclave at the beginning of the 20th century (Vega Cantor et al., 2009). Industrial activity caused serious environmental degradation, especially in terms of water pollution (Bustamante, Chaparro and Peláez, 2015) and the transformation of cultural landscapes. Urban war and political persecution prevented inhabitants from freely and safely building and navigating the city (Bonilla Vélez and García Raya, 1998). Consequently, it is safe to say that space is a central structure for experiences of justice and well-being in Barrancabermeja.

As a response to these problematics, Barranca's civil society has systematically engaged with insurgency and social movements (van Isschot, 2015). In the 1920s, petroworkers (those Colombians working for the refinery) created the *Unión Sindical Obrera* (hereafter, USO) (Vega Cantor et al., 2009a), which continues to be the national-scale trade union for the oil and gas sector. In the 1960s, urban inhabitants organised a civil strike for access to basic urban services that would become a reference for future social movements in the country (van Isschot, 2015). In the 1980s, the first human rights-inspired civil strike in the country was organised in the city as a response to urban dirty war (van Isschot, 2015). All these points demonstrate that local inhabitants have understood spatial justice issues as rights struggles, building a direct, empirical connection between space and rights.

Addressing the ethical relationship among humans in and with space is one of the principal tasks of this research, and Barrancabermeja is a critical case that empirically demonstrates this relationship. In order to systematically address this matter, I apply a proprietary theoretical framework to analyse rights practice spatially (Garcia Elena, 2020). This effort fills a gap in existing human rights literature, which does not yet provide a system to interpret rights practice from a spatial standpoint.

A spatial approach to human rights provides new knowledge and unveils new objects of analysis. The case of Barrancabermeja illustrates this situation effectively: while there is vast research on local rights struggles using political, legal and economic approaches (Gill, 2009; van Isschot, 2015; Vega Cantor et al., 2009; Vega Cantor, 2015; Campo, 2016; Fernández Castro, 2015), a spatial view of the experience of rights in Barranca is yet to be fully articulated and discussed.

The right to the city provides instruments that set the basis for a language of rights that integrates space, helping to introduce space in rights conversations. Put simply, I argue that the integration of the right to the city in human rights frameworks is instrumental in developing a spatial view of rights, and framing spatial justice struggles as human rights issues. With this claim, I participate in the growing literature reviewing the interaction of human rights and the right to the city (Garcia Chueca, 2016; Purcell, 2014; Kuymulu, 2013; Grigolo, 2019), and impact research addressing space in human rights practice (Menatti, 2017; Sultana and Loftus, 2012). Besides this, my claims challenge authors arguing that human rights and the right to the city are exclusionary frameworks (Harvey, 2008).

In this regard, this research portrays the right to the city and human rights as interacting practices of justice (Garcia Chueca, 2016). I understand space as a structure that allows for the interaction between the right to the city and human rights, acting as a point of encounter. This statement has relevant implications, as far as it identifies another platform through which rights practices shape each other. I consider that the reproduction of human rights and the right to the city practices, within a spatial structure at the same time, drives actors to create a new practice that represents the characteristics of the inhabited space.

This is observed in Barrancabermeja with the case of civil strikes, which mobilise the right to the city practices to communicate human rights issues related to the undemocratisation of the production of space, environmental degradation and political violence. Civil strikes, or *paros cívicos*, are understood as semantic figures in Colombia, as far as they outlay civil society's given meaning to certain issues (Bonilla Vélez and García Raya, 1997). During *paros*, civil society organises itself to block the space's economic and political functions by occupying public space, obstructing communication routes and not engaging with economic production (Bonilla Vélez and García Raya, 1997). Hence, the case of *paros cívicos* demonstrates that civil society reappropriates and instrumentalises space to communicate human rights issues, showcasing that both sets of practices interact and create singular rights practices that represent the local context.

The last statement implies that space *per se* has an effect on the qualities of regional rights practice. While this is an observation implicit in rights research (Samara, He and Chen, 2013; Grigolo, 2019; Waters, 1996), this thesis brings spatial conditionings into the spotlight. This viewpoint is based on Doreen Massey's work on space and power (2005; 2009), where she outlines why space "matters" in political practice (Massey, 2009:16).

Massey defines space as a realm of multiplicity and the product of relations, arguing that it is always "being made" (Massey, 2009:17). This statement defines space as inherently political, as far as it is the structure and concept that both hosts and experiences power relations among multiple social groups (Massey, 2005). In this regard, I defend that the qualities of spatial structures, both natural and social, have the ability to impact socio-political practice. Space has power over socio-political practice (Massey, 2009) and, consequently, over rights practice, too.

The early production of space in Barrancabermeja illustrates how space has power over socio-political practice. The development of an economic enclave in Barranca resulted in the concentration of a working-class base employed by the refinery (mostly males), which attracted a community of prostitutes, fundamentally comprising women (Otero Prada, 2015). These communities tended to engage with socialist discourses, which ultimately encouraged a culture around trade unionism, insurgency and rebelliousness (Vega Cantor et al., 2009a). Hence, here we can see how the way space is produced attracts communities and individuals with specific viewpoints that inform local socio-political practice.

The establishment of a working-class base in Barrancabermeja and the reproduction of trade unionism, socialist discourses and insurgency made the city a key stronghold for left-wing *guerrillas* (Pécaut, 2008; Rodríguez Pizarro, 2008). Barranca has one of the principal industrial infrastructures for the national economy – the refinery, which produced more than 70% of all petroleum-derived products sold internationally (van Isschot, 2015; Gill, 2016). These characteristics of Barranca's space drove left-wing *guerrillas*, right-wing paramilitaries and the state to engage in a politically and economically motivated armed conflict that resulted in the continuation of urban war and political persecution for over four decades (van Isschot, 2015; Vega Cantor, 2015).

This process explicitly addresses Massey's principles: the process of production of space and the characteristics of spatial structures impact political practice and, with it, rights practices. Hence, it can be deduced that the shape and form of rights practices are directly related to processes of the production of space and how inhabitants experience it.

I use this principle to discuss the differential acknowledgement of the right to the city and human rights, arguing that spaces at the receiving end of capitalism (Massey, 1999) or the Global South are more likely to engage with the right to the city rationale (Samara, He and Chen, 2013). These spaces are more likely to experience extreme spatial injustice involving

access to urban resources, land or environmental contamination (Samara, He and Chen, 2013; Boyd, 2011). A set of rights that addresses the production of space as central for the experience of rights is more useful to articulate these types of claims of justice. Consequently, it has been observed that the right to the city rationale is reproduced by affected communities, even if they have not engaged with Lefebvre's work (Grandinetti, 2019; Samara, He and Chen, 2013).

Therefore, the characteristics of the space where rights are experienced shape rights claims. This statement refers to the relevance of space as a concept and as a lived structure for rights practice, and further explains why it is important for human rights to address it. This can be observed in the myriad of protests for the human right to water in Latin America during the last decades, which were instrumental for the formalisation of a human right to water (Bakker, 2007; Perera, 2012; Suman, 2018). The fact that people inhabiting these spaces did not have access to safe drinking water initiated a political movement that pressured human rights institutions. In this case, we can see that the experience of the inhabited space informed rights movements.

Altogether, bringing space into human rights impacts rights debates in three main ways. First, it is a novel analytical approach to understand rights experience and practice. Secondly, it serves as an encounter point for human rights and the right to the city, further supporting the integration of the right to the city into human rights frameworks. Thirdly, it represents an object of inquiry that expands the political analysis of rights practice. It is clear that space matters. This research conceptualises how, and presents a method, to empirically investigate it.

Besides this, a spatial approach to human rights has the potential to articulate interdisciplinary approaches that focus on different layers of spatial structures into case-specific analyses. There is vast research in human rights and the environment (Lieb, 2012; Boyd, 2011), human rights cities (Oomen and Baumgärtel, 2014; Grigolo, 2019) and geographies (Laliberté, 2015) that insinuate a "spatial turn" in the field. With this research, I want to feature this process and contribute to a better conceptualisation of how space affects human rights. As such, the right to the city is a central conceptual tool for the task.

Spatial approaches' potential to articulate rights claims around different spatial problematics proves efficient to understand the situation in Barrancabermeja. In this city, there are environmental, urban and political conflicts that result in rights abuse. Effectively,

environmental, urban and political standpoints can address these processes separately and provide an in-depth reading. The different quality of spatial approach to rights is that it integrates these processes when analysing spatial structures as a whole, providing an integrated understanding of these issues. Hence, I present the experience of the dirty war as intrinsically related with the production of space, environmental degradation and urban inadequacies, thus providing a different interpretation of rights struggles in Barrancabermeja.

Up to this point, in this introduction I have outlined the central arguments discussed throughout the thesis and how they relate to the research's case study. In the following, I will provide a summary of the chapters of this thesis. This research is structured in eight chapters and one conclusive section. In Chapter 1, I provide a discussion of the four bodies of literature this research engages with. This is a critical exercise that synthetises the engagement and contributions of this research to wider conversations, highlighting that the inclusion of space in rights debates has the potential to disrupt several fields.

In Chapter 2, I discuss the literature on human rights and the environment and human rights cities as the precursors of a spatial aspect of rights. The academic literature in these fields served as a source of inspiration for me to develop this research's theoretical framework. Then, I present the theoretical framework that will inform my analysis of related literature and empirical data. With it, I aim to demonstrate the value of spatial interpretations of rights struggles for the expansion of rights narratives and practices.

Chapter 3 centres on discussing the interaction of human rights and the right to the city, providing me with room to argue that space is the encounter point of both standpoints. This exercise drives me to conclude that space is not only enabling the practices' interaction but that it is active in the definition of local rights narratives. Therefore, this chapter further justifies the relevance of space for rights conversations.

Chapter 4 provides an account of research ethics and the methodology. It constitutes a key chapter for this thesis, as far as it introduces the challenges of conducting rights research in Barrancabermeja and provides the reader the necessary information to understand the development of the research. Besides that, it discusses this thesis' empirical approach, and provides an account of each of the methods used throughout.

Chapter 5 is the first empirical chapter in this research. Its aim is to introduce Barrancabermeja in depth, arguing that the material production of space through the development of the oil industry had several implications for the construction of local identities and practices. It represents an opportunity to understand how inhabitants conceptualise Barrancabermeja as a space where rights are experienced, driving me to conclude that the prevalence of economic interests in the production of space has "neglected" the city quality from Barranca.

Chapter 6 concentrates on the experience of the civil war in Barrancabermeja from the year 2000, and provides a spatial interpretation of incidences of human rights abuse. This allows me to make direct relationships between space and/or spatial features and armed actors' actions, supporting the statement that space impacts socio-political practice. Ultimately, this data evidences that there is a link between the inhabited space and the experience of armed conflict and human rights abuse, supporting one of the principal arguments of this thesis.

Chapter 7 continues to discuss the effect of space for rights experiences, although from the point of view of environmental degradation. It investigates the role of local spatial knowledge for the interpretation of spatial rights struggles through the case of Lisama 158's oil spill (March 2018). It provides me the opportunity to discuss how local communities interpret the role of space for the experience of rights, featuring critical empirical data to support the arguments I defend throughout this investigation.

Chapter 8 concentrates on the effects of water pollution and landscape transformation for the experience of rights. The most significant contribution of this chapter is that it conceptualises water as a socioenvironmental resource that produces rights. This draws from a spatial interpretation of water that is seen as engaging in both the production of space and the construction of rights narratives. Conclusively, the case of water pollution in Barrancabermeja allows for the integrated analysis of access to water as a basic resource, and the role of water in the production and maintenance of cultural landscapes.

The last section of this thesis gathers the principal findings and derived conclusions. Overall, I conclude that the experience of rights in Barrancabermeja has historically been tightly related to the production of space, driving local communities to engage with the right to the city principles in human rights struggles. This showcases how space acts as the encounter point between human rights and the right to the city, and its active role in defining output rights practices.

Altogether, this research represents an original contribution to rights debates across different fields. It explicitly addresses space in the experience of rights and justice, and in the process of construction of rights practices. It does so following an interdisciplinary approach that integrates perspectives from the fields of geography, sociology and anthropology, contributing to the expansion of rights debates.

Furthermore, it helps to shed light over the case of Barrancabermeja, a place that has long suffered from the effects of spatial injustice and rights abuse. Although the case of Barrancabermeja has featured human rights conversations (van Isschot, 2015), my discussion of the right to the city in relation to local practice represents a new development. Effectively, this thesis provides new knowledge on the case of Barrancabermeja through the explicit consideration of the production of space for the local experience of rights.

The synthesis of the theories and findings collected in this research helps in the diversification of tools to interpret rights practice and struggles. The application of spatial approaches to the study of rights strengthens the spatial turn in related conversations, aiming to provide a framework to articulate related research. A spatial approach to rights articulates how different facets of space participate in the construction of rights contexts at different scales, providing conceptual tools for the diversification of rights research.

Chapter 1: Engagement and contributions.

In this thesis, I engage with four principal bodies of literature. Firstly, my work relates to literature discussing space as a social and environmental structure. The concepts and processes addressed in this thesis relate to the works of Henri Lefebvre on the production of space (1991), Doreen Massey on the politics of space (2005; 2009) and Erik Swyngedouw in political economy and ecology (2009). Likewise, David Harvey's writings on the role of the urban space for capitalist development (1973) and the commons (2011) have been a fundamental resource, as was Howitt's discussion on relational scales (1993). In this regard, I support the conceptualisation of space as a socio-environmental structure active in the definition of socio-political practice. Specifically, I address the role of space in the construction of rights practices.

Secondly, this thesis participates in the tradition of social constructivism. Berger and Luckmann published *The social construction of reality* in 1966, where they addressed social structures' collective construction, setting the basis for an empirical standpoint (Berger and Luckmann, 1966). They inspired the works of Pierre Bourdieu on habitus (1977), legitimate language (1991) and the symbolic production of space (1989), which are fundamental for my analysis of social practice in space. With regards to this literature, I enhance the role of environmental factors in the construction of social practice.

Thirdly, I relate with works on the sociology of human rights. This body of literature features authors like Bryan Turner (1993; 2002), Malcom Waters (1996), Lydia Morris (2006), Kate Nash (2015) and Patricia Hynes et al. (2011). Likewise, it hosts those that have discussed human rights in relation to the right to the city, as Eva García Chueca (2016), Michele Grigolo (2019), Mark Purcell (2014) or Mehmet Kuymulu (2013). My main contribution to these discussions is to present spatial structures as active in the process of construction of rights through their effect on social practice. Additionally, I conceptualise the right to the city and human rights as interrelating practices through the structure of space, providing a different analytical standpoint to discuss how these two rights practices interact.

Ultimately, this research engages with literature on the anthropology of human rights. I provide a commentary of the principal works of Mark Goodale and Sally Engle Merry, who had a significant role in shaping current anthropological research on the field (Goodale,

2006a; 2006b; Merry, 2006; 2016; Goodale and Merry, 2007). Principally, I argue that spatial approaches are useful to investigate the contextual experience, application and practice of human rights around the world. I argue that theories of space can contribute to the production of new knowledge around rights and justice by relating principal objects of anthropological inquiry with theories of space (Massey, 2005; Lefebvre, 1991; Howitt, 1993; 1998).

Hence, in this chapter I position my research in relation with these four sets of literature, arguing that its findings contribute to enriching relevant conversations (Merry, 2016; Goodale and Merry, 2007; Grigolo, 2019; Harvey 2012) and challenge specific viewpoints (Harvey, 2008; Goodale and Merry, 2007). Altogether, this is an interdisciplinary research, and I understand this quality as one of the most relevant characteristics of the thesis, as far as it aims towards interdisciplinary reviews of rights experiences.

1. Space: a socio-environmental structure.

To be able to discuss the role of space for rights practice, I need to define space first. This question has historically been critical. Physics, geography, environmental sciences or sociology – to name a few – have different definitions for it, turning space into one of the most variable, commonly used concepts across scientific research. In this research, I engage with the traditions of environmental geography and sociology to define it.

I understand space as a functional assemblage of geographically based social and ecological systems. The idea of "assemblage" draws from Deleuze and Guattari's work (1980), who view assemblages as systems formed by multiple entities, the meaning, characteristics and functions of which go beyond the simple aggregation of the parts. This view on space relates with Swyngedouw's, as far as he argues that socio-ecological processes shape environments, creating a greater system than the sum of its components (Swyngedouw, 2004; Swyngedouw and Heynen, 2003). Hence, space necessarily integrates natural processes since it results from the interaction of the social and the ecological. Its characteristics, meaning and value are qualitatively different to those of the parts because they represent the output of the parts' interaction, and not just the parts themselves.

Therefore, a spatial approach to review rights practices requires an integrated view of social and natural processes and entities. Using spatial lenses to understand rights can support

narratives calling for the inclusion of environmental and/or ecological assets in rights protection schemes (Leib, 2012; Boyle, 2011) because space's analytical preposition is based on the interdependency of the natural and the social.

Furthermore, defining space as a "functional assemblage" suggests that it can be understood as a structure. Structures are collectively produced frameworks that guide social practice and participate in the reproduction of everyday life (Massey, 2009; Shove et al., 2012), becoming central topics in social science research (Nash, 2015; Harvey, 1973; Bourdieu, 1977; 2005). Space can be understood as a structure due to three main reasons: 1, it fulfils a series of functions for wider and/or related structures; 2, it has a stake in the distribution of resources and access to services among the population; and 3, it conditions the reproduction of socio-political practice through, for example, location-based access to online communities and information.

Space has previously been introduced as a structure and as interacting with other realms (Mecke and Stoyan, 2000; Legendre et al., 2004). Interestingly, Ferdinand de Saussure, one of the parents of linguistic analyses in sociology, looked into the relationship between language and space, arguing that the former shapes the latter (Bourdieu, 1991). In this regard, I argue that viewing space as a structure implies the acknowledgement of the interdependency of space and other structures or practices. Hence, and for this example, language shapes space while space shapes language (Bourdieu, 1991; Tversky and Lee, 1998).

The last statement implies that social practice shapes space. This idea relates to the principle of the production of space, which sees society as a central actor in the construction of landscapes (Lefebvre, 1991). Regarding this process, it is important to differentiate between the symbolic and material production of space (Lefebvre, 1991; Bourdieu, 1989). On one hand, the material production of space refers to the physical changes that alter the shape of space (Lefebvre, 1991). On the other hand, the symbolic production of space represents a process through which communities assign meaning to specific spaces through the reproduction of social practices or the display of symbols (Bourdieu, 1989). I understand that the confluence of these processes through time is key to approaching cultural landscapes, which represent the inhabited space from both a material and symbolic standpoint.

It is important to view these processes as integrated, as far as the material production of space can bear symbolic meaning, or actors may want to communicate meaning through the transformation of the material space. The anti-racist demonstrations that occurred in Bristol, United Kingdom, during 2020 are a good case to exemplify this situation. Demonstrators in Bristol brought down a statue of a historical figure that had been involved with the slave trade during the 18th century, dragged it around the city and threw it into the harbour. Effectively, these demonstrators were distancing themselves from racism by modifying the urban landscape of Bristol. Hence, transforming the material space (getting rid of a statue) became a semantic act through which segments of Bristol society communicated their values.

In this process, it is likely that groups with distinct ideas and agency will want to produce space according to their principles (Lefebvre, 1996; Harvey 2012). This concludes in the development of power relations and the contestation of space. Massey highlights the importance of "always being aware of power relations" in space, both in the social sphere and the power-knowledge system (1999:27). From her point of view, space embeds power because it is "the sphere of juxtaposition, or co-existence, of distinct narratives, as the product of power-filled social relations [...] which tries to emphasize both its social construction and its necessarily power-filled nature" (Massey, 1999:41). Hence, space has a necessary power-filled nature as far as it allows the daily interaction of a wide variety of actors, which need to organise themselves and negotiate the production of space (Lefebvre, 1991; Massey, 1999; Bourdieu, 1991).

In this regard, I argue that space as a structure serves as an encounter point for ideas, communities and groups, as a conduct for power relationships, and as an instrument to exercise power. Although very similar to Massey's remarks, the previous statement stresses that space not only supports power relations, but can be used as a tool for them. Consequently, space becomes an enabling and enforcing structure for the definition of social practice.

One of the central themes that reviews the role of space in the definition of social practice and power structures is the relationship between urban development and capitalism (Lefebvre, 1991; 1996; Harvey, 1973). First, Henri Lefebvre (1996) defined cities and urban space as the site of capitalist logics, linking modern urban areas with capitalist culture and rationale. Being greatly influenced by Lefebvre, David Harvey introduced his theory on the

reproduction of capital through urbanisation, identifying the development of urban space as a central process for capitalism as a whole (Harvey, 1973). Specifically, he addressed the Haussmannisation of Paris and the introduction of the boulevard as ways through which the production of space defined social practice, paying special attention to the normalisation of leisure through consumption in this context (Harvey, 2008).

Harvey's discussion on the modernisation of Paris and its effects highlights how space has agency over social practice. The introduction of the boulevard called for the multiplication of boutiques, cafés and theatres, transforming the way the upper class organised their social life (Harvey, 2008). Then, the boulevard model was exported to other major cities (Harvey, 2008). Therefore, we can see that, through the physical transformation of the city, powerful actors were encouraging specific sets of social practices to the detriment of others (Garcia Elena, 2020). Paris's reform illustrates how the material production of space and the encouragement of specific sets of social practices can convey meaning and affect wider structures, in this case, the "birth" of the capitalist, modern city and modern urban citizens (Garcia Elena, 2020).

All these principles conflate in the right to the city. The right to the city was conceived by Henri Lefebvre in Paris amid the gestation of the 1968 social movements (Goonewardena et al., 2008). He states that the right to the city "wants to break up systems, not to substitute another system, but to open up through thought and action towards possibilities by showing the horizon and the road" (Lefebvre, 1996:3). Hence, Lefebvre's aim was not exactly the institutionalisation of the right to the city, but to use the right to the city to challenge existing systems.

In his writings, Lefebvre focuses on cities due to their significance in socio-political dynamics and because, at the time, they were becoming the principal environments inhabited by humans (Lefebvre, 1996). He describes cities as *oeuvres*, highlighting the collective, artistic and cultural process of production of urban space and its social and creative characteristics (Lefebvre, 1996). Likewise, he presents cities as the centres of accumulation for social and political life, wealth, and knowledge (Lefebvre, 1996).

Lefebvre was deeply influenced by Marx and Hegel (Goonewardena et al., 2008), who inspired his critique of the capitalist process of the development of urban space (Lefebvre, 1996). Phrasing cities as *oeuvres* stresses the use value of the inhabited space over its exchange value, as far as cities allow inhabitants to make themselves by making the city

(Harvey, 2003; 2008). Lefebvre argues that the prioritisation of the exchange value of space by powerful economic and political elites results in a situation of injustice: powerful actors transform space following economic profit at expenses of socio-cultural uses of space (Lefebvre, 1996)

One of the main points of Lefebvre's work is that there is a contestation between the use value and exchange value of the urban space (Lefebvre, 1996). Specifically, he notes that "the *oeuvre* is the use value and the product is the exchange value" (Lefebvre, 1996:4), making a distinction between the city as a collective project and the urban as the product of capitalist practices. He highlights that there is a power struggle between inhabitants and private interests with regard to producing the city, with the latter using the exchange value of urban space as a source of capitalist revenue (Lefebvre, 1996). This situation inspired him to develop the right to the city as a conceptual framework that explores the implications of such processes in social justice and rights fulfilment.

Lefebvre identifies a situation whereby private actors increasingly dominate the construction of cities through investment, assuming planning functions within the urban (Lefebvre, 1996). Intrinsically, this implies the undemocratisation of urban development, as far as non-democratically elected actors have significant agency over the urban (Purcell, 2002). This situation caused Lefebvre to identify the production of urban space as a process related to the experience of freedom and justice: when private actors produce the urban following space's exchange value, they progressively neglect the inhabitants' right to build the city based on the space's use value (Lefebvre, 1996). Hence, this is a process where inhabitants progressively lose their right to change themselves by changing the city (Harvey, 2008).

In response, Lefebvre presents the right to the city as "a cry and a demand" and a "renewed right to urban life" (Lefebvre, 1996:64). At this stage, the right to the city is a conceptual tool to articulate the capitalist production of urban space as a power imbalance between private actors and inhabitants shaping everyday life (Lefebvre, 1996). He encourages city dwellers to react to this situation by reappropriating the urban, and exploiting the city's use value (Lefebvre, 1996). "This refers to the need for creative activity, for the *oeuvre* (not only of products and consumable material goods), of the need for information, symbolism, the imaginary and play" (Lefebvre, 1996:57). Hence, the right to the city is a discourse arguing for the integration of civil society in the development of the city, providing inhabitants with agency over the production of urban space (Lefebvre, 1996).

However, the meaning, form and shape of the right to the city is more vague than human rights. Purcell (2002) discusses at length what the right to the city entails and the effects it would have over urban democracy if it were to be implemented. He presents it as an instrument capable of "reworking both the social relations of capitalism and the current structure of liberal-democratic citizenship", highlighting that it can reframe decision-making (Purcell, 2002:101). Fundamentally, it argues for the restructuring of power relations around the production of cities, empowering inhabitants over private actors and central state institutions (Purcell, 2002).

This statement entailed that many envisioned the right to the city as an instrument for political participation in urban development on a local scale (Purcell, 2002). While it can be used as such, in this research I want to highlight that there is another central value of the right to the city. Principally, the right to the city starts articulating why space is relevant for rights and justice. Presenting the production of space as a process whereby actors disrupt inhabitants' everyday life rhythms, and their experience of justice, is a revolutionary statement that highlights the relevance of space. Therefore, the right to the city presents the foundations of a spatial approach to rights by enhancing the importance of the use value of space for the overall experience of justice and well-being.

Hence, in this thesis I present the right to the city as a fundamental conceptual base for the development of the spatial aspect of human rights. However, it is important to acknowledge that there is a breach between "the right to the city" and the "spatial aspect of human rights" as far as not all space is urban space. In this regard, I argue that Lefebvre's concepts of use value, exchange value and the production of space can be applied to spatial structures in general and not only to the urban. Therefore, the logics of the right to the city are not only valid to articulate urban claims of justice, but also to communicate spatial rights struggles. This view is in line with Lefebvre's later writings, where he advocates for the application of the right to the city across the rural-urban continuum (1991).

Altogether, the right to the city is my principal inspiration to explicitly address space for human rights. It highlights that social practices shape the inhabited space, which has a significant effect on inhabitants' experience of rights.

Literature in the field of the right to the city notes that, since the mid-1800s, the social organisation of space has been increasingly influenced by liberal philosophy (individual property and individual rights and duties) (Harvey, 2008; 2012). The publication of Hardin's

Tragedy of the Commons (1968) set a series of arguments for the private management of land that continue to serve as a source of justification nowadays (Harvey, 2011). However, this logic contravenes traditional practices around land management constructed in collective terms (Harvey, 2011; Ostrom, 1990; Short, 2008).

During the 1970s and 1980s, concerns around the concept of the commons were often related to matters of growing populations and scarce resources (Kirwan et al., 2016). However, the commons as a framework to critique the liberal model of land management has become increasingly relevant in the last decades (Harvey, 2011; Ostrom, 1990; Creutzig, 2017). For these authors, "the commons" generally represents a space that is experienced collectively and can be accessed by all (Ostrom, 1990; Creutzig, 2017). The contestation for the management of these spaces comprises central objects of analysis, bringing into question the role of private interests in public space management (Harvey, 2012).

The theme of the commons brings space management into the spotlight. Space management frameworks delimit spatial actors' agency over the production of space, highlighting that the actors present in space have different competencies and ways to influence it (Lefebvre, 1991). For this reason, spatial management frameworks are central items that shape power relations in space. They assign differential legitimate power to some actors to the detriment of others, defining the way societies manage the production of space (Purcell, 2002).

Within this conversation, it is important to acknowledge that frameworks for spatial management, or the social administration of space, have limited geographical scopes. This is why the discussion on relational scales developed in the field of human geography proves useful (Howitt, 1993; 1998; Paasi, 2004), as far as it addresses power relations with regards to management across scales. Scales define the scope for the validity of socio-political and administrative frameworks, creating boundaries that organise spaces in terms of geographical size and administrative competencies (Paasi, 2004). This framework has created an understanding of spatial structures in terms of nested blocks linked by hierarchal relationships from the larger scales (international, national) to the smaller scales (regional, local) (Howitt, 1993).

The theory of the relational scale challenges this preposition. Howitt notes that "many important components which characterise relations at one scale simply do not exist at another scale" and that "the notion of nesting assumes or implies that the sum of all the small-scale parts produces the large-scale total" (1993:36). With this, Howitt is challenging the nested

understanding of space in terms of scales by highlighting that power relations on a smaller scale do not mimic those of larger scales, and that the simple aggregation of small-scale parts does not represent the large-scale total (Howitt, 1993; 1998).

Instead, he argues that the relationship among scales is dialectical "because it implies a multi-directional set of relationships rather than a simple and contradictory opposition" (Howitt, 1993:38). This entails that smaller scales relate with larger scales and have the ability to affect them, contradicting the central understanding of socio-spatial structures in terms of nested plots related by hierarchal linkages.

Applying this understanding of scales and space to rights practice has relevant implications. For instance, human rights are based on the nation-state model, which identifies the national scale as the only spatial entity capable of formally acknowledging and enforcing human rights frameworks, and can officially interrelate with human rights institutions (Smith, 2003). This framework reproduces the preposition of nested, hierarchal scales as far as it gives exclusive agency to larger scales over the formal application of human rights. Hence, I contribute to the efforts to diversify the agents with legitimate capacity to engage and enforce human rights principles by bringing the concept of relational scales into the field and further justify the integration of other entities.

Altogether, in this subsection I have highlighted the theories and authors that have shaped my understanding of space. In summary, I argue that space is a socioenvironmental structure that acts as the encounter point for contesting groups and views (Swyngedouw, 2004; Massey, 1999). This characteristic defines space as inherently political, as far as it contributes to the definition of power relationships (Massey, 1999), and because it can be used as a conduct for power. This is represented in legitimate space administration frameworks, which define the actors with legitimate power over the transformation of space.

Additionally, spatial structures develop power relationships among themselves. This is represented in political systems based on geographical scales, which regularly give superior power to larger scales (Howitt, 1993). However, power relationships among spatial structures at different scales are not unidirectional but dialectical, since processes or actors present at smaller scales can have a significant impact over larger scales (Howitt, 1993).

All these ideas are relevant to developing a spatial approach to analyse rights practice. Although the right to the city has integrated the concept of space in rights discussions, the

administration of spaces across scales has not been extensively discussed. The human rights system is based on scalar configurations, but more work on the effects of this framework over the experience and enforcement of human rights is needed. Altogether, in this subsection I have synthetised the central works around space that set the bases for a spatial approach to rights practice.

2. Social constructivism: the local construction of knowledge.

Social constructivism as an empirical standpoint has long been central in the fields of sociology, political sciences and anthropology (Short, 2016; Morris, 2006; Nash, 2015). It is characterised by viewing social systems and knowledge as collectively produced through the reproduction of social practices and narratives (Shove et al., 2012). Literature, using social constructivist approaches to rights, often notes the existence of a spatiality of human rights contexts (Waters, 1996; Nash, 2015). However, a spatial reading of the construction of human rights is yet to be fully developed. This is one of the central contributions of this research: the application of a spatial view to the social construction of rights practice.

Social constructivism challenges the view that "all human knowledge ought or can approach a more or less 'true' representation of an independently existing, or ontological reality" (von Glasersfeld, 1998:23). Therefore, social constructivism challenges the existence of ontological truths because: 1, these ultimate ontological truths do not exist; or 2, social conditionings disrupt people's view of abstract concepts and objective facts (von Glasersfeld, 1998; Cottone, 2017).

The integration of these two principles defines knowledge as socially constructed, viewed as people's socialised understanding of a topic, independently of whether it objectively represents reality or not (Berger and Luckmann, 1966; von Glasersfeld, 1998). Incidentally, agreed knowledge is conceptualised as central in the construction of social practice, as far as it informs individual and collective decision-making (Berger and Luckmann, 1996). In this research, I argue that space is a critical asset in the construction of knowledge and, therefore, social practice. Likewise, I argue that knowledge about the inhabited space is key to understanding rights experiences and practices. Therefore, I defend that space is a critical structure that impacts the overall process of social construction of knowledge and practice.

The role of space in the social construction of knowledge has been approached in academic literature. In his research on wayfinding and map reading, Kueh notes that the "construction of meaning and knowledge [is] based on people's experience and interactions with the environment" (Kueh, 2006:2). This principle builds a necessary relationship between the inhabited space and the construction of knowledge. For instance, communication networks and infrastructure, availability/access to education institutions and proximity to political nodes (such as national capitals) condition people's access to information and the way it may be recognised as legitimate (Bourdieu, 1991; Castells, 2015).

Hence, the conditions of the local space directly impact the construction of knowledge, leading to localised views on the same topic. Literature discussing this matter highlights that knowledge is local in origin (Canagarajah, 2002). Canagarajah notes that, in some circles, local knowledge "is still treated as received wisdom and unexamined beliefs that are parochial, irrational or backward" and that "romanticized orientations to local knowledge - such as magic, folklore and/or myth - show a subtle inequality with scientific knowledge" (Canagarajah, 2002:244). These statements imply that knowledge produced in different spaces has distinct degrees of legitimacy.

This situation can lead to the disregard of valuable knowledge about the planet we inhabit. Literature in the field of local indigenous knowledge has noted this situation, and pushes for its integration into wider structures (Morris, 2010; Wheeler and Root-Bernstein, 2020). Wheeler and Root-Bernstein (2020) argue that local indigenous knowledge can serve to fill the gaps of existing ecological information, as far as "science relying on a strict epistemological method and aiming to produce general and universal knowledge, has not had the time or opportunity to sufficiently detail the operations of nature across spatial scales" (Wheeler and Root-Bernstein, 2020:1634).

This statement has two relevant implications. On one hand, it acknowledges local knowledge derived from the interaction between communities and the lived environment as relevant to understand the workings of larger systems. On the other hand, it notes a scalar configuration of knowledge. Hence, this work further highlights that there is a spatial dimension in the social construction of knowledge. This principle can be applied to rights, highlighting that local rights narratives could fill the gaps in international rights knowledge.

Incidentally, local knowledge about the inhabited space, or spatial knowledge, is central to our understanding of rights contexts (Cook, 2012). Cook argues that:

"the design and integration of spatial information infrastructure with other statistical information is important in allowing assessment of the status of various social, political and ecological systems [...]. Ultimately, this design has implications for good governance and self-determination as essential elements in the quest for human rights." (Cook, 2012:41)

While I agree with Cook in that spatial information is crucial human rights monitoring, his statement reflects the issue highlighted by Canagarajah (2002). Cook (2012) articulates relevant spatial information for human rights monitoring as made out of statistics and Western-like information structures. Therefore, this addresses Canagarajah's (2002) criticism of the validity of knowledge, depending on the source: on the one hand, scientific/Western-like knowledge instruments; on the other hand, community-based spatial knowledge featuring local cultural beliefs.

Critical geographers have contributed to these topics through the discussion of the ontological and epistemological implications of "the social construction of nature" (Demeritt, 2002). In short, this standpoint admits the role of nature in the definition of social systems, and vice-versa (Demeritt, 2002). In his article, Demeritt (2002) offers an overview of how different traditions within social constructivism have addressed the relationship between humans and nature. He also scrutinises how this interaction shapes the construction of knowledge about nature (Demeritt, 2002) and, therefore, the inhabited space.

As per this article, my research relates to the tradition of discursive constructionism, as far as absolute truth claims about nature are taken sceptically for philosophical and political reasons (Demeritt, 2002). Discursive constructionism highlights the relevance of language, linking it with Foucaultian ideas of power/knowledge relations (Demeritt, 2002). Different views of discursive construction share a concern over the effects of power over the social construction of nature, noting that the way nature is framed depends on power relations and knowledge hierarchies (Demeritt, 2002). For this reason, discursive constructionism aligns with social constructionism as political critique, as far as it seeks to "diagnose the effects of those constructions and thereby also to change them" (Demeritt, 2002:774).

Therefore, discursive constructivism understands that the construction of nature derives from the discursive interaction of human beings and their surroundings, challenging dualist propositions between society/nature and reality/representation (Demeritt, 2002). It bestows an integrated understanding of the conceptual and material construction of nature (Demeritt,

2002), which nicely relates with the ideas of the material and symbolic production of space discussed in the previous section. Effectively, the rationale is very similar: nature and space can be shaped at material and semantic levels (Dmerrit, 2002; Bourdieu, 1989; Lefebvre, 1991). While these processes can be separated at a conceptual level, they work together in practice and in space, becoming key parts of the local construction of knowledge.

Braun and Wainwright discuss the power-filled character of knowledge about nature, aiming "to change the very terms in which interactions with, and struggles over, nature are understood" (2001:42). They argue that environmental conflicts do not only represent competing interests, but competing ways of understanding nature that inform how struggles are articulated (Braun and Wainwright, 2001). They note that "struggles over nature, land and meaning are simultaneously struggles over identity and rights" (Braun and Wainwright, 2001:59), because cultural identity and collective knowledge inform our understandings of nature and space in relation to rights and justice. Hence, critical geography as a field has importantly contributed to forward the understanding of the relationship between humans and the inhabited land (in this discussion, addressed through the concept of nature) and its effects over justice struggles.

Consequently, this research is relevant for social constructivist theory as far as it highlights the role of space in overall processes of construction of knowledge. It contributes to the efforts made by literature in the field of local knowledge and the social construction of nature, and upholds the importance of local knowledge to understand the workings and effects of wider systems (Wheeler and Bernstein, 2020; Canagarajah, 2009; Morris, 2010; Demeritt, 2001; Braun and Wainwright, 2001). I apply these principles to rights experiences and practices, providing a complementary view of the role of space in the construction of rights practice, and the significance of local spatial knowledge for rights monitoring and enforcement.

3. The sociology of human rights: a view into the workings of structures.

Hynes et al. (2010) debate how sociology negotiated its engagement with human rights, noting that the field was first quite sceptical of universal rights claims. This stand was backed up by Marxist scholars, who repudiated the framework under the rationale that it served as an instrument of moral imperialism of bourgeois values (Hynes et al., 2010), and other

sociologists sceptical of the existence of universal claims of justice (Waters, 1996). For this reason, sociology instead focused on citizen studies to discuss political frameworks for social conduct and justice until the 1990s (Haynes et al., 2010).

Nonetheless, the engagement of sociology scholars has significantly contributed to the production of knowledge about human rights. Incidentally, what human rights are and their meaning have been the object of academic discussions for decades (Turner, 1993; 2002; Waters, 1996; Morris, 2009; Nash, 2015). Nevertheless, there are points that most authors agree on. First, it is generally accepted that human rights find their philosophical foundations on the concept of natural rights as discussed by Locke, amid the Enlightenment period in Europe (Langlois, 2016; Donnelly, 2013). Originally, the idea of natural rights was based on religious principles and, with the progress of androcentrism, those rights became an expression of the centrality of "man" by acknowledging his entitlements for the virtue of being human (Langlois, 2016). Most importantly, the idea of natural rights helped to create the wider liberal philosophy that understands social organisation in terms of individual rights and duties (Langlois, 2016).

Secondly, most authors agree in that the human rights project is a consequence of World War II (Langlois, 2016; Smith, 2003; Donnelly, 2013). After the decay of natural rights' popularity during the first decades of the 20th century, the trauma of World War II brought European states to engage with the idea of universal rights (Donnelly, 2013). The principle of natural rights and the intrinsic value of individuals inspired the writing of the Universal Declaration of Human Rights (1948) and was used during the Nuremberg trials, where the Allies identified moral arguments that overrode Germany's domestic laws (Langlois, 2016).

Thirdly, there is vast literature discussing the political nature of human rights (Nash, 2015; Morris, 2013; Goodhart et al., 2016). Understanding human rights as a power framework has several implications that have been widely addressed. As I already mentioned, Marxist approaches conceptualise human rights as the rights of the liberal man and as an imperial strategy, and they are portrayed as a tool to morally justify liberal systems (Harvey, 2012; McLoughlin, 2016). Likewise, they can be used as an argument to intervene in a country's domestic affairs (Dunne and Hanson, 2016) or mobilise global efforts (Flowers, 2015).

Hence, human rights are inherently political as far as they can be used to exercise pressure over others and judge their behaviour. Therefore, they have become a legitimate global language for claims of justice (Nash, 2015; Brooke, 2016). Thinking about human rights in

terms of legitimate language highlights their political nature, and Bourdieu's framework on the reproduction of legitimate language is useful to understand this layer (Bourdieu, 1991).

Bourdieu speaks the "language of practice", meaning that he focuses on processes of social construction based on behaviour (Hanks, 2005:68). Hence, his work in legitimate language focuses on the power struggles in the definition of valid communication codes (Bourdieu, 1991). He conceptualises this process as one of standardisation, a situation whereby a language "imposes itself as the only legitimate one [and] the linguistic market has to be unified and the different dialects (of class, region or ethnic group) have to be measured practically against the legitimate language or usage" (Bourdieu, 1991:45).

Applied to human rights, I would define them as the international legitimate language for claims of justice. Indeed, human rights went through processes of standardisation and codification as reflected in the Universal Declaration of Human Rights (1948) and the two binding treaties, the International Covenant on Civil and Political Rights (1966) and the International Covenant on Economic, Social and Cultural Rights (1966). And, while they have indeed proven to be useful to protect people's dignity, the codification of legitimate claims of justice may make struggles articulated in different terms viewed as illegitimate.

A discussion about these matters requires the observation of a critical piece of work that transformed the engagement of sociology with rights conversations. Turner argued that sociology had been absent from human rights conversations because "sociology finds it difficult to accept the notion of human rights without also acknowledging a universalistic human ontology", based on the "legacy of a relativistic sociology of knowledge" (Turner, 1993:496). For this reason, he suggested an ontology of human rights based on body frailty and the deficits of state institutions in protecting people's fundamental rights (Turner, 1993). He hailed these principles as justification for a universal code of justice that overpowered the state in favour of the individual's freedoms, and as the ontological grounds for sociological rights research (Turner, 1993).

However, it was not long until someone challenged this view. Waters (1996) introduced a social constructivist approach to human rights when responding to Turner's (1993) paper, noting that rights do not need to be "ontologically true" for them to be sociologically analysed. He points out that "an adequate sociological theory of human rights must, indeed, take a social-constructionist view, that human rights is an institution that is specific to

cultural and historical context just like any other, and that is very universality is itself a human construction" (Waters, 1996:593).

Interestingly, this conversation set the basis for spatial approaches to human rights. On the one hand, Turner (1993) argues that the experience of social life, empathy and shared body frailty has driven societies to define systems of justice. In this regard, I argue that the experience of the inhabited space is an essential aspect of how individuals and societies interpret justice. On the other hand, Waters (1996) acknowledges a spatiality of human rights systems conditional to social, economic and political structures. Hence, he is acknowledging a spatial distribution of rights experiences and practices, noting that there is empirical evidence of spatial patterns in the development of the human rights project.

Although space has been noted as relevant in other conversations within the field (Leib, 2012; Grigolo, 2019), a careful consideration of the role of spatial structures for rights is yet to be introduced. Notwithstanding, literature in the field of the sociology of rights, discussing the role of structures for the experience and construction of rights (Morris, 2013; Nash, 2015), was essential for the development of a spatial approach to rights research.

Kate Nash closely engages with social structures and human rights in her book *The political sociology of human rights* (2015). Here, she highlights that social structures are constrained by human rights principles, while simultaneously constraining the reproduction of human rights practice (Nash, 2015). She builds a dialectical relationship between human rights practice and the social structures that embed them, noting that human rights have an impact over existing structures, while these same structures influence human rights as a whole (Nash, 2015).

Although the market (Garcia, 1999), culture (Ibhawoh, 2000) and, more recently, gender (Merry, 2006; 2016) have been analysed as impacting, and impacted by, human rights, spatial structures could be more thoroughly defined and researched. With this, I do not aim to convey that space has never been discussed in the field; there is, indeed, vast research in human rights and the environment (Leib, 2011; Boyle, 2012; Boyd, 2011), or human rights cities (Oomen and Baumgärtel, 2014; Grigolo, 2019) that effectively understand human rights in relation to specific elements of spatial structures (the environment and the urban, respectively). However, they do not fully address space as a structure. It is the role of this research to address this gap and contribute to a wider, more defined understanding of the role of space for rights.

Additionally, Nash defines human rights as an international language of justice (2015). This is a useful standpoint to analyse human rights practice, as far as it concentrates on the meaning ascribed to specific behaviours, and people's capability to interpret each other's rights struggles (Nash, 2015). In this sense, I consider that framing human rights as a language opens the door to a wider conversation on the role of human rights for the legitimation of rights struggles.

Bourdieu's work on legitimate language (Bourdieu, 1991) is useful to discuss this matter. In this regard, I argue that human rights has developed a rich vocabulary and vast instruments to articulate political and socioeconomic rights struggles. However, it has not developed the same tools to communicate struggles based on spatial injustices or on the workings of spatial structures.

Under Bourdieu's theory of legitimate language (Bourdieu, 1991), where different languages compete for political recognition, the language reproduced by the groups with higher status and which are regarded as more powerful acquires a status of legitimacy before other codes (Bourdieu, 1991; Grigolo, 2019). He notes that the effectiveness of discourses is directly related to the authority held by the person or institution that communicates that message (Bourdieu, 1991). Consequently, I argue that human rights as a high-status language of justice reproduced by powerful actors has developed a rich vocabulary and vast instruments to articulate political and socioeconomic rights struggles. However, it has not developed similar tools to communicate struggles based on spatial injustices or on the workings of spatial structures.

For this reason, I consider that the right to the city can provide human rights with the necessary tools and concepts to communicate spatial rights struggles. With this statement, I defend that the right to the city can be used to articulate spatial rights issues in and outside urban areas, adding to the literature that conceptualises human rights and the right to the city as complementary and/or interacting rights practices (Grigolo, 2019; Hearne, 2013).

Hearne (2013) examines how human rights can be applied to urban regeneration strategies as a means of addressing spatial patterns of concentrated deprivation in urban areas, arguing that these strategies can help accomplish the right to the city principles. Effectively, he defends that the right to the city can be accomplished through human rights (Hearne, 2013). While he presents many convincing arguments for this viewpoint, I believe that the strength of the interaction of the right to the city and human rights does not reside exclusively in

using human rights instruments to address the right to the city issues, or vice versa, but to expand human rights language and instruments. In this sense, the right to the city could be seen as the human rights language of space.

And this is something I see as already happening. Space is the structure of juxtaposition and coexistence, allowing for multiplicity and, therefore, facilitating the interaction of the right to the city and human rights. It is in this sense that I define space as the encounter point for human rights and the right to the city, as far as it provides the necessary means for both to be present at the same time and to be reproduced in parallel.

Furthermore, the works of feminist scholars have provided a critical insight on gender-based experiences of rights and rights institutions. Huckerby (2020) notes that the way human rights are applied domestically is informed by gender-based assumptions, labels and hierarchies. They contribute to constitute the context where human rights are interpreted and applied, having a significant effect over human rights practice and policies (Huckerby, 2020). The idea of meaningful marginalisation debated during the 1980s and 1990s, represented a massive step forward, as far as it brought to the spotlight the fact that women's rights experiences and practices were not as present in official human rights spaces as men's, communicating that human rights have long been communicated and discussed without fully integrating women (Byrnes, 1988; 1992). The concept of gender blindness helped to articulate this situation further: it communicates that "women's interests and concerns are rarely represented at either the macro or micro levels" (Mehta, 2013:5). Hence, the sociology of human rights has proven critical for the development of knowledge on gender-based readings and critiques of human rights.

Conclusively, the literature on the sociology of human rights has been key for this research in several ways. Firstly, it introduces social theory in human rights conversations, highlighting the role of structures for the development of the human rights project (Nash, 2015; Morris, 2013). Secondly, it conceptualises social structures as constricting and constrained by human rights, building a dialectical relationship between rights and contextual structures (Nash, 2015). Thirdly, it presents human rights as a language (Nash, 2015). This research contributes to all these conversations by analysing the interaction of spatial structures with human rights, arguing that human rights lacks the legitimate language to communicate spatial struggles. For this reason, the integration of the right to the city would represent an expansion of current human rights terms.

Hynes et al. (2010) highlight that the field of sociology can draw from human rights research to renew itself. They consider that "the study of human rights will necessarily push the boundaries of 'what is sociological' by engaging with other disciplines" (Hynes et al., 2010:826). This statement directly relates to my research, as far as introducing space in rights discussions could be seen as "pushing the boundaries of what is sociological". Hence, the interdisciplinary nature of rights experiences and practices can encourage sociological research to further relate to other sciences and standpoints.

This research contributes to the sociology of rights by addressing the role of spatial structures in human rights frameworks, and by presenting space as a structure enabling the interaction of human rights and the right to the city narratives. Therefore, this work represents an original contribution to the field since it discusses an under-researched structure for rights practice. Ultimately, this standpoint allows me to identify space as a critical structure enabling the interaction of human rights and the right to the city practices. Altogether, my research helps to articulate previous literature and struggles based on the experience of the lived space while expanding existing perspectives to understand rights practice.

4. The anthropology of human rights: looking into local cultural conflicts.

The field of anthropology initially rejected the UDHR based on cultural relativism, strengthening the view of human rights as a moral-imperialist venture (Goodale, 2006a; 2006b; Short, 2016). It was not until the 1990s that anthropologists identified the social practice of human rights as a field of anthropological inquiry (Goodale, 2006a). Since then, anthropological research has created relevant knowledge addressing the process of application of international rights frameworks at regional and/or local scale, and across cultural frameworks (Goodale, 2006b; Merry, 2006; 2016; Goodale and Merry, 2007).

Hence, it can be argued that anthropology has looked into the scalar, spatial configurations of justice systems. However, this analysis is presented from a cultural or social standpoint, dwelling in context-dependent interpretations of justice and regional power structures (Merry, 2006). My research closely engages with critical anthropological readings of human rights, as far as it investigates the clash between justice as framed in current human rights legislation, and justice as framed by local communities in Barrancabermeja. I also contribute to these discussions by introducing spatial lenses for anthropological inquiry.

Goodale set himself the task of outlining a critical anthropology for human rights (Goodale, 2006a; 2006b). He argues that anthropology can investigate in-depth "concepts, practices and experiences through which human rights have meaning at different levels which are prior to and go beyond the legal" (Goodale, 2006b:490). Therefore, anthropology is yet another tradition pressing for an expanded view of human rights that overcomes legal positivism and integrates social, cultural and political discourses (Morris, 2013; Merry, 2006).

> "A critical anthropology of human rights assumes that reified, hypernormative human rights -human rights in their current hegemonic, transnational forms- cannot serve as the basis for realising their aim, the creation of just communities committed to the full realisation of individuals and collectivities. [...] [T]he alternative paradigm for human rights I am suggesting can never be *merely* either normative or descriptive but is based on what anthropologists can say comparatively: that social actors across the range of history and place seek to create meaning in their relations with others, with greater or lesser degrees of success (depending on an array of contingencies), by striving toward a *normative humanism.*" (Goodale, 2006b:491-492)

This view relates to the conceptualisation of human rights as an international language of justice (Nash, 2015), established through processes of standardisation and reproduction that represent the preferences of some actors (Bourdieu, 1991). Normative humanism describes a similar situation, as far as it describes societies' trend towards the establishment of conditions for meaningful interactions – in other words, codes of conduct (Goodale, 2006b). Therefore, looking at human rights as a framework that places meaning in social interactions has enabled anthropology to expand human rights knowledge by investigating how the hegemony of human rights has empowered or impaired justice struggles communicated in different terms (Goodale and Merry, 2007).

In this sense, much of the work of sociology and anthropology in the field of human rights is somewhat related. However, while the sociology of rights has widely discussed human rights theory or macro-structures (Morris, 2013; Nash, 2013; Donnelly, 2013), anthropology has produced key empirical research on the contextual experience of those structures for human rights (Merry, 2006; 2016). Anthropology analyses human rights at a local and regional scale, unpacking the complexities derived from their enforcement (Merry, 2006). This literature features, but it is not limited to, the work by Sally Engle Merry on gender

violence (2006;2016), the joint venture of Merry and Goodale on the localisation of human rights (2007), or indigenous rights research like Richard Clemmer's (2014) or Damien Short's (2008). However, space has not been applied as an analytical lens to understand human rights anthropologically.

Merry (2006; 2009) and Hodgson (2011) are two scholars who have looked into gender for the reproduction of rights practices. Incidentally, they highlight the existence of a spatial element of the experience of abuse for women at different scales and within different cultures when looking at the spatial element of gender violence (Merry, 2006; 2009; Hodgson, 2011). I argue that these conversations can benefited from the introduction of theory produced by Massey (1994), who has looked into how spatial power structures reproduce cultural and economic principles that enhance gender dominance. Effectively, her book *Space, place and gender* (1994) relates spatial power with the concept of "place", which highlights matters of positionality within socio-spatial structures. I understand that this principle is crucial to understand gender in rights debates, as far as it provides an analytical standpoint that articulates power and the legitimacy of claims of justice considering where the discourses are constructed, and the place of the people who develop them.

Conclusively, spatial approaches can enrich the conversations within the anthropology of human rights. Looking at space as the structure aggregating social and natural processes, as the structure enabling juxtaposition, as defining people's place within power networks, and as a conduct for power, is crucial to understand human rights in context. Hence, it provides a base to systemically articulate regional contexts in relation to human rights. Additionally, it provides resources for the further theorisation of scalar/spatial discontinuities in human rights practice.

Goodale and Merry's book, *The practice of human rights: tracking law between the global and the local* (2007), serves as a good example of how spatial approaches can complement existing knowledge. In this book, the authors review several cases where human rights practice has been influenced by, or has clashed with, local political, social or cultural narratives (Goodale and Merry, 2007). In this regard, the theory of the relational scales provides resources to explain the discontinuity of human rights practice from the international realm to indigenous Colombian communities, for example.

According to Howitt, viewing scales as relational helps us move away from nested, hierarchal interpretations for the relevance of socio-political processes (Howitt, 1993; 1998).

Therefore, and under this rationale, human rights narratives reproduced by formal institutions at the international scale are not necessarily viewed as more transcendental than human rights narratives reproduced at the local scale. Jackson (in Goodale and Merry, 2007) reviews human rights movements of Colombian indigenous communities, noting that "indigenous otherness has come to be seen to involve a nonmaterialist and spiritual relation to the land, consensual decision making, a holistic environmental perspective, and a goal of re-establishing harmony in the social and physical worlds" (Jackson, 2007:204). It is clear that these values are radically different to the liberal philosophical foundations of human rights; however, these indigenous communities have been successful in applying human rights principles to articulate claims of justice based on their cultural background (Jackson, 2007).

The theory of the relational scale helps to discard a view of indigenous rights movements in Colombia as subordinated to or dependent on the larger human rights project. Instead, it presents both scales (local and international) as relating to the reproduction of a specific discourse of justice.

Likewise, conceptualising space as a structure that conditions social practice in general can be very helpful to understand human rights narratives across scales. If we are to accept that people are both influenced and influence the space they inhabit (Lefebvre, 1991), then this is a relevant perspective to analyse differences in human rights practice. For instance, inhabiting a tropical jungle in semi-settled conditions, as many indigenous communities do, drives people to build a completely different understanding of everyday life, justice and knowledge than that of urban communities in Western countries (Jackson, 2007). Therefore, spatial standpoints for critical anthropology in the field of human rights can contribute to the expansion on knowledge on the contextual processes and structures that drive social and, specifically, rights practice.

Ultimately, looking into the matter of power and space (Massey, 1999) is relevant for anthropological research, too. Understanding space as allowing juxtaposition and coexistence implies the existence of spatial-political networks that relate actors amongst themselves (Harvey, 1973; Massey, 1999). Effectively, every spatial structure develops power networks that represent regional culture, economics and ecology (Massey, 1999; Swyngedouw, 2004). The analysis of these networks is key to understanding the different motivations that shape the reproduction of human rights practices in different contexts, as

far as they influence everyday life and social narratives. Furthermore, it opens the door to explicit discussions on how space itself may be used as an instrument to inflict power and abuse and/or enforce rights.

Regarding the role of space for anthropological research, Goodale presented a critique on spatial approaches to rights in the book he co-edited with Merry (Goodale and Merry, 2007), although a detailed and explicit spatial framework for rights analysis had not been developed at the time. Goodale argues that "[…] spatial models impose an analytical structure that cannot account with the actual dynamism and temporality of human rights practice" (2007:12). Here, Goodale overlooks that spatial approaches are not ultimately concerned with temporality. Instead, they analyse geographically dependent processes that affect the experience and practice of rights. Although there are clear matters of temporality in this statement, reading rights practice across space highlights the multiplicity, coexistence and juxtaposition of rights narratives at the same space and at the same time.

Goodale continues by arguing that network analysis – inspired by Castells (2015) – is more appropriate, as far as networks are the material structure allowing the reproduction of rights practices (Goodale, 2007). Thus, he states that "within the network analysis, space is emptied from its ontological significance" (Goodale, 2007:18). Nonetheless, the ontological significance of space for rights can be appreciated in Turner's work (1993), as discussed in the previous section. Space is significant for human rights because it is a fundamental aspect of shared human experiences influencing the development of ideas of justice and dignity. It is for this reason that principal works within the literature acknowledge a spatiality of rights experiences and practices (Turner, 1993; 1997; Waters, 1996; Merry, 2006; 2016; Donnelly, 2013; Grigolo, 2019).

The last point is ironically supported by Goodale when he acknowledges the existence of "spaces of transnational human rights discourse" – international human rights institutions and other relevant structures – and defines them as constitutive of human rights practices (Goodale, 2007:23). These "spaces of transnational human rights discourse" are fundamentally non-material and do not have direct physical representations, other than a series of buildings, at the local scale. Therefore, Goodale's interpretation of the concept of space seems to fundamentally refer to its abstract form. While it is true that space in its abstract form is relevant for transnational rights discourses, the concept of space also represents the physical determinants of inhabited territories.

Altogether, space has potential to disrupt research in the field of anthropology of rights. It provides additional lenses to investigate the world geography of rights practices, pushing for the diversification of theoretical and empirical frameworks. Additionally, it brings the narrative of the right to the city closer to the field. Tamimi Arab (2013) discusses the right to the city from an anthropological standpoint when looking into the feelings of Islam communities in Western urban areas, although there are few similar examples (Habibi and Amiri, 2015). However, more anthropological research is needed to decipher the practice of the right to the city in relation to human rights in local contexts. With this research, I aim to expand this body of literature.

Chapter 2: The space of human rights.

In this chapter, I discuss in depth a proprietary theoretical framework to analyse rights practice spatially. I have already published an outline of this work (Garcia Elena, 2020); however, I provide a more developed account in this thesis. This framework articulates spatial structures according to three different facets of space, which address the functions of space for social practice – specifically, rights practice.

Before moving on, and as I briefly mentioned in the previous chapter, it is important to acknowledge that some aspects of spatial structures have already been discussed in human rights literature (Leib, 2012; Grigolo, 2019; Merry, 2006). The originality of my research is that space becomes the lens through which to analyse rights, not only an object of inquiry. Hence, under this framework, spatial elements and processes can be articulated into in-depth research of rights practice.

In this chapter, I introduce my spatial framework for rights research, challenging Goodale's critique (Goodale and Merry, 2007). For this purpose, I will begin discussing two fields within human rights that have investigated elements of space for human rights practice, namely human rights and the environment and human rights cities. In a sense, I view these two fields as the "precursors" of a spatial turn in human rights research and as critical work relating human rights and the right to the city. Ultimately, I carefully present the three facets of space that build up a spatial framework for human rights research, which will be used to interpret the data gathered for this investigation. Altogether, this chapter is key to understand the detail of the contributions of spatial approaches to rights practice.

1. Human rights cities: the urban practice of human rights and the right to the city.

Human rights cities are empirical cases that encouraged the production of knowledge on "the urban", local governments and civil society within human rights literature (Oomen and Baugmärtel, 2014; Oomen, Davis and Grigolo, 2016). The literature articulates "the urban" and the political actors at the local scale – mostly civil society and local governments – as

involved in the construction of human rights (Grigolo, 2017; 2019). This literature explores how the production of space, social networks and political systems determine the human rights context in specific cities (Oomen and Baugmärtel, 2014; MacNaughton et al., 2020). Therefore, the literature articulates how spatial actors have become freely organised following human rights principles in urban areas.

Additionally, this literature builds explicit links between the right to the city and human rights as social practices in space (García Chueca, 2016; Grigolo, 2019; Smith, 2017). This idea supports this research's argument around the right to the city and human rights, which presents them as interacting rights practices through the platform of space.

I understand that the literature on human rights cities explores human rights practices within a layer of spatial structures, "the urban", and discusses the engagement of local governments and civil society with human rights principles in cities (Oomen and Baugmärtel, 2014; Oomen, Davis and Grigolo, 2016; Davis, Gammeltoft-Hansen and Hanna, 2017; Grigolo, 2019). Although the literature provides several definitions for human rights cities, this research principally engages with a view of human rights cities as municipalities (local governments and civil society) organised following human rights principles and norms, turning human rights into an urban practice (Grigolo, 2016; 2019).

However, some authors understand human rights cities as "[…] local governments that have affirmatively incorporated elements of international human rights norms into their city policies" (Davis, 2016:34). The main difference between Grigolo's and Davis' definitions resides in *who* makes a city a human rights city; on the one hand, Davis points to the local government as the definitive actor while, on the other, Grigolo integrates civil society (Davis, 2016; Grigolo, 2016; 2019). Grigolo's point of view on who makes a human rights city is closer to spatial approaches to understand human rights practice, as far as it concentrates on how spatial actors (integrating institutions and inhabitants) in specific regions (urban areas) organise social practice around human rights principles.

Hence, this set of literature is, together with human rights anthropological research, characterised by bringing the attention to the local scale. However, they differ in that anthropological research is more concerned about cultural clashes and practical enforcement (Merry, 2006; Goodale and Merry, 2007), while human rights cities research regularly focuses more on institutional matters and/or structural views of human rights practices (Oomen and Baugmärtel, 2014; Oomen, Davis and Grigolo, 2016; Smith, 2017). They

converge in their interest on the everyday experience of rights, which features vast academic research in both fields (MacNaughton et al., 2020; Wilson, 2006). Therefore, this is yet another example of literature investigating the scalar configurations of the human rights system and its effects over rights experiences and practices, bringing the attention to local-scale actors.

In this field, local governments are articulated as fundamental actors in human rights politics as far as they symbolically adopt and practically enforce human rights principles and law in the city (Oomen and Baugmärtel, 2014; Oomen, Davis and Grigolo, 2016). Specifically, it is argued that "local governments […] are identified as actors capable to fill the gap that central governments leave towards the realisation of human rights" (Grigolo, 2017:68). Grigolo highlights a two-tide relationship between local governments and human rights: on the one hand, local governments have the ability to enhance human rights in urban practices; on the other hand, human rights provide resources and moral arguments that reinforce local authorities' governmental power (2017). Following a similar line, Oomen and Baumgärtel argue that local governments can become prominent actors for human rights, as far as they can build communication networks between international human rights institutions and local institutions (2014). However, human rights cities have not been formally integrated into the human rights system (Oomen, Baumgärtel and Grigolo, 2016; Oomen and Baumgärtel, 2018).

This literature also highlights the role of civil society and city dwellers in the making of the human rights city (Oomen, Baumgärtel and Grigolo, 2016; Smith, 2019; Grigolo, 2019). Van der Berg defends that "progress in the field of human rights can to a large extent be seen as civil society achievement" (2016:44), while Grigolo states that "a human rights city might be pursued outside the local government, and without the intervention of the local government, or with a more external support" (2016:277). The idea stems from a constructivist approach to human rights that sees the collective reproduction of social practices as central to build the human rights city.

The discussed literature implies that human rights are principles that organise urban practice (Grigolo, 2019) and concentrate on scalar configurations of human rights frameworks of human rights cities (Oomen and Baumgärtel, 2018). This implies that the field is clearly concerned about the spatiality of human rights practices, and how spatial actors and conditionings intervene in the everyday experience of rights. In this regard, I argue that

human rights cities are spatial-political arrangements of urban dynamics oriented towards human rights fulfilment. This relates to the understanding of the human rights city as the urban practice of human rights (Grigolo, 2019), and communicates that the reproduction of human rights practices has social and institutional effects on the space where they are reproduced, creating specific outcomes – human rights cities, for instance.

This statement is significant for this research since it builds material and ideological links between the urban and human rights, proving that constitutive systems of spatial structures and human rights practice interrelate and affect each other. It is in this sense that I consider that literature on human rights cities and other related work on the urbanisation of human rights (Darling, 2016) and the Capability Space (Frediani and Boano, 2011) are introducing space into human rights discussions.

Another point of encounter between my research and human rights cities literature is the integrated conceptualisation of the right to the city as human rights practices (Grigolo, 2016; 2019; García Chueca, 2016; Smith, 2017). Grigolo argues that both the right to the city and human rights "discursively engage one with the other" (2016:285) and suggests a possible combination of both practices. Similarly, García Chueca introduces the right to the city as:

> "an urban-base to human rights by advocating for public spaces, proximity-based municipal services, mixed districts, decentralised opportunities for decent jobs, spaces that stimulate sociability and cultural expressions, or the valorisation of the multiple identities coexisting in the urban milieu, among others." (2016:120)

Hence, the literature on human rights cities does not only start bringing space into human rights practice – through the urban – but builds a relationship between human rights and the right to the city practices. Besides, the central role of civil society as producing the human rights city (Grigolo, 2017; 2019) further argues for civil society to be understood as a fundamental actor in the symbolic production of space. This idea directly relates to the right to the city framework as far as it understands inhabitants as fundamental actors in the production of space and rights (Mitchell, 2003; Purcell, 2002).

My contribution to this work is to present space as a structure enabling the interaction of human rights and the right to the city practices, as it embodies coexistence and juxtaposition (Massey, 1999). Furthermore, if one considers the working of structures with regards to human rights (Nash, 2015), this means that the characteristics of spatial structures condition

the reproduction of human rights and the right to the city narratives, while shaping how they interact through technological, political and/or structural features.

Conclusively, it is fair to say that the literature on human rights cities brings space to human rights practice discussions through the urban. Describing human rights cities as the "urban practice of human rights" (Grigolo, 2019) implies the acknowledgement of geographically dependent patterns for the reproduction of human rights practice. The interest in spatial elements and the urban has brought this body of work close together to the right to the city, building an integrated understanding of both practices (Grigolo, 2016; 2019; García Chueca, 2016; Smith, 2017). In this regard, I argue that space facilitates the coexistence and interrelation of both rights practices, becoming a critical feature by which to understand the dynamics and the outcomes.

2. Human Rights and the Environment

In this research, I present the natural environment as a constitutive layer of the assemblage of processes and features that define space. This implies that, under a spatial approach, environmental matters are a human rights issue. Barry and Woods (2016:406) define "the crux of the relationship between the environment and human rights" as the "inescapable fact that humans are ecologically embedded beings", implying that human beings are dependent on and vulnerable to the transformation of environments. This statement is tightly related to my interpretation of the role of space for the experience of rights, as far as I also acknowledge humans' vulnerability to non-human conditionings. The original contribution of my work is to introduce space as a rationale relating the environment with other spatial layers under the basis of location, pushing for the development of holistic approaches.

The related literature has been crucial for the conceptualisation and support of a spatial approach to rights, as far as it researches the ethical relationship among humans with their lived environment (Leib, 2011; Boyle, 2012). There are countless works in the field (Grear, 2011; Boer, 2015; Johnston, 2000; Vanderheiden, 2017), a specialised academic journal, *Journal of Human Rights and the Environment*, and relevant regulatory initiatives like Agenda 21, the Aarhus Convention, or the more recent Paris Agreement. It is outside the scope of this research to review all these works, which already feature plenty of academic

discussions. The role of this section is to articulate how these works bring space into rights practice.

This literature acknowledges a direct link between the state of the inhabited space and the experience and practice of rights (Vanderheiden, 2017; Lieb, 2012). It developed the principle that spatial, or environmental, features and resources have an impact on the everyday experience of rights (Boyle, 2012; Johnston, 2000). Specifically, I argue that it represents a link between the right to the city and human rights, as far as it conceptualises inhabitants' participation in environmental management as a fundamental tool for the protection of individual and collective rights (Gellers and Jeffords, 2018; Barry and Woods, 2016). However, and in contrast with the literature on human rights cities, this parallelism has not been discussed in depth.

The United Nations Environment Programme (hereafter UNEP) has identified three ways in which the environment relates to rights (Barry and Woods, 2016). Firstly, the UNEP conceptualises the environment as a prerequisite to human rights, arguing that a safe environment is a necessary condition for rights fulfilment (Barry and Woods, 2016). Secondly, the system acknowledges that existing human rights (like the right to access information, political participation in decision-making and access to justice) are essential for environmental protection (Barry and Woods, 2016). Thirdly, there are long-standing debates on the acknowledgement of a human right to a safe, healthy and ecologically balanced environment as a human right in itself (Barry and Woods, 2016). Therefore, Barry and Woods (2016) are noting a dialectical relationship between the environment and human rights, where the former is a condition for rights fulfilment, and the latter provides the necessary tools to protect it.

The literature addressing the environment within the context of rights regularly follows one of three main perspectives (Pedersen, 2008; Lieb, 2012). There are some that demand a substantive right to the environment, others that struggle for procedural environmental rights to provide the public with more democratic instruments for environmental management, and some that argue for rights for the environment that protect the intrinsic value of nature (Pedersen, 2018). While there are some examples at regional scale that demonstrate the existence and application of environmental procedural rights (the European Aarhus Convention), UN institutions at international level are resisting the full integration of any of the three previous perspectives.

Vanderheiden (2008) discusses this issue. He argues that the anthropocentric quality of human rights justifies the protection of the environment when it impacts human well-being, negating the acknowledgement of the intrinsic value of non-human entities for human development overall (Vanderheiden, 2008). Likewise, he highlights that existing human rights frameworks regularly need the demonstration of causal relationships to make judgement on human rights violations (Vanderheiden, 2008). With the case of environmental harm, it is often difficult to read the situation in a way where abusers can be linked to victims, as far as environmental harm is regularly the outcome of processes where vast numbers of actors are involved (Vanderheiden, 2008). For these reasons, he argues that human rights are not always effective at protecting individuals' fundamental rights from environmental risks (Vanderheiden, 2008).

I understand that Vanderheiden outlines some of the core reasons why the environment is not defined as a human right, but rather as a prerequisite to human rights (Boer, 2015). The collective, often non-anthropocentric, nature of environmental claims clashes with the system's preposition for rights protection. However, there is empirical evidence that showcases that environmental features and processes impact people's ability to enjoy rights (Boer, 2015). For this reason, there have been strong pressures for the acknowledgement of the role of the lived environment in human dignity and democratic environmental procedural rights (van Isschot, 2015; Sultana and Loftus, 2012; Perera, 2015), bringing human rights and the right to the city narratives closer together. In essence, these works are pressing for the integration of civil society in the production of space as a means to protect rights and counterbalance power inequalities that derive from environmental injustice and rights abuse.

Environmental human rights claims have often been introduced by social movements all over the world, representing a "bottom-up" effort for rights practice (Boer, 2015; Sultana and Loftus, 2012). The human right to water is a good example of the social origin of rights, as far its acknowledgement is closely related to intense mobilisations, especially in Latin America (van Isschot, 2015; Sultana and Loftus, 2012). For this reason, the right to water has featured in several conversations in the right to the city literature, as far as it highlights how societies aim to reappropriate and impact the management of urban (spatial) resources central to their experience of rights (Bond, 2012; Brown and Kristiansen, 2008). The Cochabamba water wars (Bakker, 2008) and the Colombian referendum for the right to water (Perera, 2012) are good examples of social movements that demanded the establishment of a human right to water and more political agency over environmental(spatial) management.

I consider that human rights struggles for procedural environmental rights and the right to the city principles share many characteristics. On the one hand, the right to the city argues for inhabitants' increased democratic agency over the production of space to counterbalance power inequalities and assist in the realisation of fundamental freedoms (Lefebvre, 1996; Purcell, 2002). On the other hand, environmental procedural rights consist of "constitutional provisions relating to access to information, access to justice and participation in environmental matters", making special mention of the shared management of the land (Gellers and Jeffords, 2018:100). Hence, both standpoints address the public's right over environmental management and the production of space as key to achieve justice, as far as it "requires that vulnerable communities have opportunities to participate meaningfully in decision-making processes" (Gellers and Jeffords, 2018:100). Effectively, both statements highlight the public's need to engage in the production of space and environmental management as a means of achieving justice, marking an overlap between both rights narratives.

This represents an example of how space acts as an encounter point between human rights and the right to the city narratives. Spatial and environmental management are acknowledged by both rights narratives as fundamental for the enjoyment of rights. This case provides evidence on the complementarity and similarity between some of the right to the city and human rights claims, challenging the idea that human rights and the right to the city narratives are mutually exclusionary (Harvey, 2008; 2012).

Consequently, I argue that the literature and social movements pressuring for environmental procedural rights represents another point of interaction between the human rights and the right to the city. They highlight the impact of the everyday life experience of the inhabited environment for rights realisation, and claim for political participation tools (Gellers and Jeffords, 2018; Sultana and Loftus, 2012). There have been efforts for the establishment of procedural environmental rights that would have fulfilled some the right to the city principles, like Agenda 21 or the Aarhus Convention. However, these are not globally binding instruments that secure these entitlements for every human being around the world.

Incidentally, the human right to water is one of the closest binding outcomes that fully acknowledges the role of a spatial-environmental feature in the realisation of justice. Its acknowledgement is the product of decades-long social pressures and mass mobilisations around the world featuring the inhabited space and environmental harm for rights realisation

(Perera, 2015; Boss et al., 2016; Bautista Justo, 2013). It was finally acknowledged as a human right, together with sanitation, on 2010 by the UN through Resolution A/64/292 (UN General Assembly, 2010).

The acceptance of water as a human right can be read through the theories that I have presented in the previous chapter. Effectively, social movements at different scales are related to international human rights institutions through social movements. These social movements feature people's experience of spaces that are not capable of supplying basic resources, like safe drinking water, thus threatening the realisation of fundamental entitlements like the rights to life and health. Hence, the case of the human right to water showcases that the inhabited space has a direct effect over the development of social struggles for justice, and that the quality of spatial-environmental resources directly impacts the realisation of fundamental freedoms.

Johnston concludes that "human environmental rights are those that guarantee basic human survival", making reference to the basic biological needs as food, shelter and safe water (2000:100). Hence, with this statement she is framing basic spatial resources and capabilities as needed for human survival and, thus, the protection of human integrity and dignity. However, she notes that environmental problematics need not to be confined to a particular space (Johnston, 2000), marking the differential aspect between spatial and environmental approaches to rights. Environmental processes like climate change go beyond scalar and/or political configurations, as far as it is a globalised occurrence. Notwithstanding, spatial approaches are useful to address the effects of such processes because they allow for the detailed understanding of their effects over the lived space.

Conclusively, in this subsection I have discussed the relationship between human rights and the environment, looking into how these debates support a spatial interpretation of rights. This exercise has provided me the opportunity to relate arguments for environmental procedural rights (Gellers and Jeffords, 2018) with the right to the city demands for inhabitants' agency over the production of space (Purcell, 2002). These two narratives on rights have identified the participation of the public in decision-making regarding the production of space, and environmental management as instrumental for both securing environmental health and contribute towards the protection of human integrity and dignity (Lefebvre, 1996; Gellers and Jeffords, 2018; Barry and Woods, 2016; Purcell, 2002).

These are the two fundamental reasons why I conceptualise this literature as introducing space into human rights conversations, and as an encounter point for the right to the city and human rights narratives. My research is relevant for these conversations, as far as I articulate the environment as a layer of spatial structures, and pinpoint an overlap between the right to the city and human rights narratives. This literature has been, and continues to be, instrumental for a full spatial turn in rights narratives, encouraging new ways of talking about rights.

This is seen in the works on the idea of ecocide, which derives from work in the field of green criminology. Short (2016) uses a critical human rights approach to address ecocide, and focuses on the nexus between ecocide and genocide. Ecocide articulates the destruction of natural ecosystems as a crime, however, it has not been widely integrated into legal systems (Short, 2016). Short (2016) and Crook et al. (2018) highlight the relationship between ecocide and genocide, noting that the destruction of natural ecosystems can drive the annihilation of a culture or ethnicity and conclude in an "environmentally induced genocide". With this definition, they are building a necessary link between the environment and human rights by adopting the language and theory of genocide (Short, 2016). They provide new tools to articulate the weakening of communities and ethnicities whose survival is directly dependent on natural environments (Short, 2016; Crook et al, 2018). This type of work demonstrates how the inclusion of environmental matters has expanded current rights discussions. With my research, I aim to contribute to these conversations and provoke new debates.

3. The Spatial Aspect of Human Rights.

Throughout the last chapters and sections, I have identified several theories and empirical cases that relate to space and rights practice. From the symbolic and material production of space to human rights cities and environmental rights, all these topics indicate that there is a spatial aspect in rights practice. However, it is important to acknowledge that these issues refer to different qualities and function of space, meaning they participate differently in the functional facets of spatial structures. Consequently, a spatial approach to rights needs a framework that thematises these matters. The aim is to provide a framework that allows for

an in-depth, holistic analysis of space for rights practice that addresses its material, political, relational and ecological realms.

In this section, I present a proprietary theoretical framework that identifies three functional facets of space for the experience and practice of rights. It is important to note that, although I separate these facets, they are necessarily related. Therefore, and although this framework allows for the isolation and detailed analysis of specific processes, a full spatial view of rights requires the integrated consideration of the three facets of space.

Space as a platform-canvas.

This facet of space highlights its material form, and it is understood as the fabric supporting social practices and unfolding natural processes. Space has consistently been referred to in these terms in academia, articulated as the platform that sustains life (Massey, 1994; Lefebvre, 1991). This facet of space highlights that the platform's shape and socioenvironmental qualities are constructed through the succession of processes that have occurred and occur on it. This principle relates to Massey's work as far as she argues that space is defined by existing dynamics, bodies and processes (1994).

However, using the term "canvas" conveys another quality. This term points out that space keeps track of the succession of socioenvironmental processes in the form and shape of landscapes. Therefore, landscapes are the environmental, cultural, artistic and political representation of these processes. This view relates to recent conversations on the social construction of cultural landscapes, as far as it concentrates on the production of cultural and environmentally dependent territorial representations of social systems (Gailing and Leibeneath, 2015; Bruns et al., 2015). Consequently, it can be argued that landscapes are the *oeuvre* of generations of inhabitants, as far as they are the product of the succession of historical socio-environmental dynamics. This implies that the platform-canvas facet of space synthetises the material and symbolic production of space in the development of landscapes.

This concept supports the articulation of collective rights struggles related to the shape, environmental health and symbolism of the inhabited space. Therefore, the platform-canvas facet of space is useful to interpret these problematics as rights struggles, as far as it provides

a theoretical base to sustain how the material and symbolic reality of space impacts the experience of justice and well-being.

Space as relational.

This facet articulates the relational functions that spatial structures fulfil, picturing space as a relational actor. It is inspired by Howitt's theory on relational scales and related works (Howitt, 1993; 1998; Paasi, 2004; Boggs and Rantisi, 2003), which set the basis for the definition of spaces as socio-political actors in wider social networks. Besides this, it addresses the role of space for the arrangement of spatial actors that construct a whole. This facet thus targets the internal linkages of spatial structures and their ability to interact with other socio-political and economic actors.

This facet of space refers to the idea of "assemblage" when applied to spatial structures. Müller argues that:

> "assemblages are relational. They are arrangements of different entities linked together to form a new whole [...] This means two things. First, it implies a certain autonomy of the terms (people, objects, etc.) from the relations between them. Second, 'the properties of the component parts can never explain the relations which constitute a whole'." (2015:28)

Although there is research like Müller's (2015), mostly in the field of political geography (Ghoddousi and Page, 2020), that use the term to understand relational networks, defining space itself as an assemblage has subtle but different implications. It highlights that relational networks are intertwined with other layers of spatial structures, whether they be the environment or settlements, which have an effect on their final form.

Furthermore, and considering that space is organised through scales that delimit the scope of the validity of sets of socio-political norms, represented by an administration (Howitt, 1998; Paasi, 2004), spatial structures can be defined as functional relational units. This rationale relates with geopolitical theory in that it views territories as political entities engaging in international relations (Mamadouh and Dijkink, 2006). From this standpoint, spaces compete, negotiate and collaborate to accomplish a series of objectives, becoming critical actors in socio-political practice (Mamadouh and Dijkink, 2006).

This facet of space is central to articulate local rights practices and to analyse current rights enforcement frameworks. For instance, it highlights that human rights cities are political actors for the development of the human rights project, but that the human rights system marginalises them when acknowledging exclusive agency to spaces at national scale to legally adopt human rights norms. Additionally, it pushes for an understanding of relational networks as integrated with all aspects of the lived environment, bringing new perspectives to the study of rights mobilisations.

Altogether, this facet of space helps us to understand the role of different territories in the development of rights practice, while providing further analytical tools to investigate local rights practice. It is critical to explain the spatiality of rights practices and experiences, supposing complementary knowledge for related research.

Space as instrumental.

Building from the previous point, it is key to acknowledge that social networks build political relations (Castells, 2015). This is yet another way to conclude what Massey (1999) already highlighted: space is intrinsically political. Hence, this facet of space explores how space can be utilised as a conduct for power and as a tool to pressure for outcomes. It addresses the strategical material and symbolic production of space, articulating the production of space as an instrument to shape social practice. Incidentally, the material production of space refers to the structural transformation of space, while the symbolical production of space illustrates the construction of meaning, information and knowledge in and/or about space.

In the article where I first discussed this theory, I used Paris's Haussmannisation to illustrate how the material production of space transformed social practice, and how the transformation of the city made it a symbol of modernity for the rest of the world (Garcia Elena, 2020). The restructuration of Paris and the introduction of the boulevard represent material changes to the city, planned by an administration that critically changed social practice in the city (Harvey, 2008; Garcia Elena, 2020). Hence, this case highlights that the material production of the inhabited space influences social practice and attaches new meaning and values over territories.

The improvement of the quality of life of the upper classes and those related to the boulevard economy catalysed representations of Paris that identified it as the "new" urban in the late

19th century (Harvey, 2008; 2012; Garcia Elena, 2020). Therefore, the material transformations of space and related social practice created meaning around the city of Paris. This represented a crucial aspect for the development of modern society, as far as key Western cities that proved to be central in the shaping of society followed Paris's model of urbanism and new practices, such as leisure through consumption (Harvey. 2008).

This facet of space is critical to understand rights in context. It conveys that space can be a medium to build rights practices, as in the case of human rights cities. Likewise, it is a way to interpret spatial justice struggles where actors inflict abuse or control through the transformation of space. Either way, it places space at the centre of the analysis of rights practice by acknowledging the instrumental qualities of the platform where it is reproduced.

Chapter 3. The right to the city: articulating the space of human rights.

In the introduction, I outlined that one of the main points of this thesis is the interpretation of human rights and the right to the city practices as interrelating through the platform of space, and creating narratives around space and rights. Besides this, I argued that, through this interaction, the right to the city practices are progressively introducing space in human rights frameworks. It is the role of this chapter to investigate this matter in depth, reviewing academic literature and official frameworks that discuss the right to the city and human rights (Kuymulu, 2013; Purcell, 2014; Harvey, 2008; Grigolo, 2019; 2016; García Chueca, 2016).

I understand that the right to the city is explicitly introducing space in human rights practice. This is a qualitatively different case to that of human rights and the environment, or human rights cities, for two main reasons. Firstly, human rights practice around the environment or human rights cities concentrates on a constitutive layer of spaces (the urban or the environment) instead of addressing space as a whole. Secondly, although human rights and academic literature present the environment and the urban as conditioning the enjoyment of rights (Frediani and Boano, 2011; Boyle, 1022), they do not conceptualise them as *producing* rights. In contrast, the right to the city acknowledges that the shape and management of space produce rights experiences (Lefebvre, 1991).

The difference between the ideas of space as *conditioning* rights and space as *producing* rights is subtle, but important. Understanding space as producing rights implies framing it as being central in the development of human rights practice. This again can be interpreted following Latour's actor-network theory (1996). The social movements for the human right to water are useful to understand this principle. The fact that spatial structures were incapable of supplying safe drinking water created a social practice around the right to water (Sultana and Loftus, 2012; Boss et al., 2016). This means that the production of space constructed a context of water injustice, leading to mobilisations aiming to pressure the UN towards the formal acknowledgement of a human right to water (UN, 2010; Boss et al., 2016). This can be seen as a way through which the human rights system acknowledged the political relevance of the production of space and access to safe basic services, as instrumental for human rights fulfilment.

The right to the city developed the idea of space as producing rights (Lefebvre, 1991; Goonewardena et al., 2008). It is perfectly communicated by Harvey's widely cited quotation, that describes the right to the city as "[…] a right to change ourselves by changing the city" (Harvey, 2008:23). With this quote, Harvey suggests that the process of production of urban space has an effect on ourselves and our experience of justice (Harvey, 2008). This relates to the ideas of the production of space and the production of rights, understanding that changing the material and symbolic space that societies inhabit participates in the construction of rights practices.

Hence, this is a process that will produce, transform and/or influence human rights practice. It is for this reason that it is crucial to integrate space in human rights discussions and legitimate language. In this regard, I argue that the right to the city can provide a language and rationale for the articulation of space for human rights and, therefore, serve as an instrument for its normalisation.

To discuss these ideas in detail, this chapter begins by analysing the academic literature that concentrates on the relationship of the right to the city and human rights. This is a relevant exercise as far as it relates this research to existing literature in the field while developing my main argument in this topic. Then, I debate the right to the city frameworks, like the City Statute in Brazil, Mexico's right to the city Charter and UN-HABITAT's *Policy Paper 1: The Right to the City and Cities for all* (2017) and *World Cities Report* (2020). These frameworks help illustrate how the right to the city articulates space for human rights, supporting one of the central ideas in this thesis.

Overall, in this chapter I further develop the idea of human rights and the right to the city as interacting practices through the platform of space. Within this effort, I also acknowledge the proposition that the space where these practices interact has an effect over the outcome, whether that be a qualitatively different rights practice composed out of elements of both the right to the city and human rights, a de-radicalised right to the city, or a "radicalised" version of human rights. Hence, it impacts on current discussions in these field while developing crucial ideas that will inform the analysis of empirical data gathered in Barrancabermeja.

1. The right to the city and human rights debate in academia.

In this section, I address the academic debate on human rights and the right to the city, which is populated by two main arguments: those arguing for the integration of both sets of rights (Grigolo, 2019; García Chueca, 2016; Purcell, 2013) and those that present the right to the city as an alternative to human rights (Harvey, 2003; 2008; Brenner, Marcuse and Mayer, 2012). Through the discussion of this literature, I argue for the idea of human rights and the right to the city as interacting through space. First, I analyse the standpoint of authors like Harvey (2012), who argue that the right to the city is an alternative to human rights. Generally, this body of literature is inspired by Marxist principles, some of them articulating human rights as a moral justification of capitalist and liberal logics (Harvey, 2003; 2008; Brenner, Marcuse and Mayer, 2012). On this topic, I argue that there are human rights frameworks that reproduce capitalist logics; however, they have also proven useful to challenge them.

Then, I present the literature that articulates the right to the city and human rights as complementary (Grigolo, 2019; García Chueca, 2016; Purcell, 2013). On this subject, Purcell suggests that activism, scholarly and institutional practices have called for a "human right to the city" to be guaranteed by member states (2013:316). In this regard, I consider that a human right to the city can be useful to not only integrate the urban space into human rights frameworks, but to help articulate the role of space in the production of rights. Its role, as Lefebvre argued, is to provide people with the needed resources to develop themselves, shape their environment and participate in everyday life (1991). This opens up the framework to non-urban spaces and environments, widening up the scope of the right to the city.

However, and as it has been mentioned previously, there are detractors from the formal integration of the right to the city and human rights. David Harvey is probably the author that most strongly presents the right to the city as a better, fairer alternative human right (Harvey, 2008; 2012). He understands human rights as morally justifying "[…] hegemonic liberal and neoliberal markets logics, or the dominant modes of legality and state action" that threaten social justice (Harvey, 2008:23). He articulates the individualistic character of human rights and the right to property as enabling the reproduction of oppressive class relations, and frames the collective character of the right to the city as a significant challenge to this context (Harvey, 2012). The right to the city is articulated as the "practice of the

commons", which relies on "[…] the principle that the relation between the social group and that aspect of the environment being treated as a common shall be both collective and non-commodified— off-limits to the logic of market exchange and market valuations" (Harvey, 2012:68). Thus, he presents the right to the city as a spatial practice around the common space that challenges liberal logics on land ownership and management.

Additionally, Kuymulu (2013) defends that the UN, in adopting some of the right to the city ideas and practices, has created a "business friendly" version of the right to the city far away from its original proposition. This statement refers to this thesis' main argument around human rights and the right to the city practices, as far as it addresses how the integration of both practices has shaped them into something different than what they originally were. With this, I do not aim to convey that the right to the city has been transformed altogether for everyone, but that its meaning is influenced by significant human rights actors. Conclusively, Kuymulu (2013) stresses that it is important for the right to the city to maintain its original approach to challenge capitalist practices that represent a threat to rights fulfilment.

While I agree with Harvey and Kuymulu in several aspects, I do not think the right to the city is a "fairer" alternative human right, or that human rights intrinsically validate capitalist practice. For instance, indigenous communities' claims for legal pluralism regarding spatial management, which often had as a main purpose the protection of aboriginal land from capitalist development and actors, were often articulated using human rights language and instruments (Niezen, 2003; Silverman and Ruggles, 2007). UNESCO has repeatedly addressed cultural heritage as fundamental for the protection of social, economic and cultural rights, and acknowledged that the preservation of natural environments is central for the protection of some communities' entitlements (Niezen, 2003). Therefore, there are experiences that demonstrate that communities have employed human rights language and principles to articulate capitalist land development as a rights struggle. Besides this, there are cases in Latin America, like Barrancabermeja (Colombia), where human rights practice has been radicalised by reproducing practices that can be directly related to the right to the city (van Isschot, 2015).

The previous paragraphs explained how the space where human rights and the right to the city practice interact has agency over the outcome. On one hand, there is the argument on the de-radicalisation of the right to the city by human rights practice. In this sense, when the right to the city language is studied and interpreted in institutional human rights spaces, it is

likely it will go through a process of "standardisation", as discussed by Bourdieu (1991), and adapt to existing legitimate language. This means that the right to the city may be disposed from some of the qualities or meaning.

On the other hand, if the right to the city and human rights practices are reproduced over spaces at the receiving end of capitalism (Massey, 1994), human rights may be articulated as anti-capitalist or anti-Western struggles. This process can be observed as in the case of indigenous movements around the world (Nieze, 2003) or in urban communities like Barrancabermeja (van Isschot, 2015; Gill, 2016). Hence, this idea highlights that the characteristics of and the actors present in the space where the practices converge ultimately shape the output practice. This is a meaningful point that highlights that there is not a unique, specific result from the interaction of the right to the city and human rights; rather, it all depends on who is involved and where practice is constructed.

This idea provides insights that explain some of the reasons why authors involved with research in human rights cities (Gigolo, 2017; 2019; García Chueca, 2016; Kempin Reuter, 2019), human geographers Purcell (2013; 2014) and urban planners Turok and Scheba (2019) are conceptualising the right to the city and human rights as complementary. Ultimately, these are research works that concentrate on the spatial experience of human rights and identify the right to the city as a useful framework for its articulation. As I implied in the previous chapter, human rights cities literature tends to engage with the right to the city because it is most concerned about the urban experience and practice of human rights (Grigolo, 2016; 2019). Hence, the urban space represents an encounter point for human rights cities and the right to the city. This urban space drives the practices to create place-specific (urban) narratives around rights, constructing rights frameworks that are dependent on the characteristics of the spatial structures over which they are produced.

This is why the characteristics of the city where the practices relate have a significant effect over the quality of rights practices. On one hand, Grigolo (2019) discusses the experiences of New York, San Francisco and Barcelona as human rights cities where the right to the city practices are present. In these areas, the right to the city has often been used to articulate how processes of gentrification, for example, are neglecting traditional urban space from inhabiting communities (Grigolo, 2019). On the other hand, research like Bond's (2012), which focuses on water access in Johannesburg, highlights that the right to the city can be understood as a framework to challenge individualist human rights standpoints around

spatial assets fundamental to the enjoyment of rights. Hence, he presents the right to the city as a principle and framework to disrupt privatised models of water supply (Bond, 2012). These two examples show that differential experiences around the urban and rights, drives the interaction of the right to the city and human rights practices in cities in the Global North and in the Global South to construct different rights narratives.

This rationale relates back to Lefebvre's conceptualisation of space for the development of individuals and communities (1991). He understands that inhabitants are a product of, and produce, space, highlighting that spatial conditionings shape the experience of everyday life (Lefebvre, 1991). The everyday life experience of rights in different areas is what conditions the interaction of the right to the city and human rights practice in the first place, showcasing that it has a central role in the construction of rights practice.

To finish this section, I will reinforce Purcell's (2014) and Kuymulu's (2013) argument on the effects of the interaction of human rights and human rights practice. Theirs are relevant points at this stage, as far as they partially inform the analysis presented in the next section, where I discuss the application of the right to the city and human rights in official frameworks. While Purcell argued for a "human right to the city" (2013), he agrees with Kuymulu (2013) on the idea that the right to the city may be losing criticality through its engagement with human rights (Purcell, 2014). He defends that the maintenance of its original qualities, even though they may be too "radical" or "utopian" to be practically applied, is a critical and constructive exercise for existing human rights frameworks (Purcell, 2014). I fundamentally agree with Purcell (2014) in his standpoint, as far as I consider that the right to the city should not only be viewed as a set of instruments that enhance citizen participation in the production of space and the construction of rights, but as a rationale that challenges some philosophical standpoints over which human rights are constructed.

2. Human rights and the right to the city in official frameworks.

The previous discussion is useful in order to analyse a series of documents and reports that explicitly integrate the right to the city into human rights frameworks. It has also provided the background to debate the formal application of the right to the city in Brazil and Mexico DF, two spaces that have turned the right to the city into law. There are those who argue that the formalisation of the right to the city is more prevalent in the Global South due to the

concentration of the negative effects of global capitalist development (Samara et al., 2013; Brown, 2013). In these spaces, the right to the city provides a language that helps to articulate derived claims of justice (Samara et al., 2013). This idea relates to the argument presented in the previous section, as far as it highlights the characteristics of space – in this case, their position at the receiving end of capitalism – as significant for the construction of rights practices.

In short, in this section I argue that documents created by human rights institutions, like the *World Cities Report* (UN-HABITAT, 2020) or the *Policy Paper 1: The right to the city and cities for all* (UN-HABITAT, 2017), showcase the process highlighted by Purcell (2014) and Kuymulu (2013). I understand this context as the progressive "standardisation" of the right to the city by human rights frameworks, using Bourdieu's approach on legitimate language (1991). In contrast, I highlight that Brazil's city statute on the right to the city rather aligns with Harvey's (2012) approach, as far as the right to the city is presented in isolation and not as integrated in human rights. To conclude this argument, I highlight that Mexico's right to the city charter can be understood as a framework that aims to place the right to the city values around the collective experience of rights, and the social value of urban space at the centre of human rights conversations. Hence, I understand Mexico's right to the city charter as an empirical example of Purcell's (2014) vision around the effects of the utopian or "radical" principles of the right to the city into human rights practice.

The *World Cities Report* dedicates a chapter to review the "social value of sustainable urbanisation: leaving no one and no place behind" (UN-HABITAT, 2020:xxv). In it, the report highlights that the right to the city is fundamental to underpin the social value of urban space for rights fulfilment and calls for the application of institutional and legal measures in line with the practice (UN-HABITAT, 2020). Here, one could argue that human rights institutions are legitimising the right to the city by explicitly supporting its formalisation. However, it is important to highlight that the *World Cities Report* states that "the right to the city means that all people, particularly vulnerable and marginalised groups, should have equal opportunities and access to urban resources, services and goods" (UN-HABITAT, 2020:xxvi). While the right to the city indeed calls for equal entitlements and opportunities, this definition seems very far away from the practice envisioned by Lefebvre, where inhabitants reappropriated the use and social value of the urban (Lefebvre, 1996). This addresses Purcell's (2014) and Kuymulu's (2013) concerns about the influence of human

rights narratives to the right to the city, which is dispossessing it from its most radical claims in specific spaces.

Through this process, human rights institutions are legitimising some ideas from the right to the city to the detriment of others. The *World Cities Report* also fails to address the collective nature of the right to the city, framing the entitlements and changes it would entail on an individual basis (UN-HABITAT, 2020). Before this situation, someone that agrees with Harvey may argue that this is yet another example of the use of human rights to reject collectivism and the "commons" and support the reproduction of capitalism. However, it is necessary to highlight that the report also presents the right to the city as an instrument to "protect the interests of the public (with a focus on the poor) when confronted by stronger commercial and political interests" (UN-HABITAT:147). Hence, I understand this process in terms of standardisation (Bourdieu, 1991) as far as the right to the city claims are normalised within human rights institutions and law.

From this standpoint, it can be argued that human rights frameworks are "normalising" the right to the city, adapting its values to human rights standards. Continuing with Bourdieu's approach, it can be interpreted that human rights institutions, as authorities within international legal frameworks for the protection of rights, are using this language to create a human rights legitimate version of the right to the city. It seems that this version lacks some of the most challenging concepts associated to the right to the city, like the collective nature of rights, inhabitants' need to reappropriate space and the idea of *oeuvre* and its centrality for personal and collective development, well-being and liberty (Lefebvre, 1996; 1991).

These statements are corroborated by the *Policy Paper 1: The right to the city and cities for all* (UN-HABITAT, 2016). This is one of the policy plans proposed by UN-HABITAT towards the realisation of the New Urban Agenda, an international effort addressing urban settlements and human rights (Quito, 2016). In this document, the right to the city seems to be framed as a potential solution to the major challenges of "rapid urbanisation, poverty reduction, social exclusion and environmental risk" in cities (UN-HABITAT, 2016:25). The document often addresses the right to the city as useful to manage urban problematics that widely affect fast-cities in the Global South (UN-HABITAT, 2016), reproducing previous literature's argument articulating the right to the city as being effective to challenge the negative effects of capitalism within spaces at its receiving end. In this regard, I believe this

is a limited view of the right to the city, since it constrains its potential to articulate spatial rights struggles in other places.

Independently, it is important to acknowledge that the policy paper makes important steps towards the integration of human rights and the right to the city. Interestingly, the right to the city is understood as "encompass[ing] all civil, political, economic, social, cultural and environmental rights as enshrined in existing international human rights treaties, covenants and conventions" (UN-HABITAT, 2016:24). Here, UN-HABITAT seems to present the right to the city as comprising human rights, as if human rights were a part of the right to the city. There will be authors that would intrinsically agree or disagree with the previous statement, and it is not the role of this research to prove whether that is the correct interpretation of the right to the city. The aim of this research is to understand this process as part of the construction of human rights, highlighting that the right to the city is having an effect over the development of the moral, political and legal project as a whole.

At this point, it is crucial to also review the practical application of the right to the city. Looking into the composition of official the right to the city frameworks and their relationship to human rights provides interesting insights into this topic. Therefore, I have chosen to discuss Brazil's *Estatuto da Cidade* and Mexico DF's *Charter for the Right to the City* as empirical cases that support and/or challenge the way human rights institutions have articulated the right to the city.

The first official application of the right to the city occurred in Brazil in 2001 with the approval of Law 10.257. The statute proclaims that "[…]the law establishes public norms of social interest that regulate the use of urban property towards collective good, securing citizen well-being and environmental balance" (House of Representatives, 2008:9). Hence, the *Estatuto da Cidade* is legitimising the collective aspect of the right to the city by integrating it in legal frameworks, showing a different approach to that of UN-HABITAT. Besides, it is relevant to highlight that the concept "human rights" is not used in this law. This showcases a separation of the *Estatuto da Cidade* and the human rights project, viewing the right to the city as "independent of all the human rights internationally recognized and seen as an integral and indivisible collective right" (Fernandes, 2007:217). This indicates that human rights and the right to the city were understood as separate frameworks, showcasing a different narrative than UN-HABITAT's. It can be argued, thus, that the *Estatuto da Cidade* approach relates to Harvey's (2008) as far as it seems to present the right

to the city as an alternative to human rights. This point can be further argued by looking into Article 2, which observes that the right to the city "guarantees the right to sustainable cities, understood as a right to urban land, to housing, to environmental health, to urban infrastructures, to transport and other public services, to work and leisure, for present and future generations" (House of Representatives, 2009:10).

Here, the "overlap" between the right to the city and human rights entitlements can be appreciated. The *Estatuto da Cidade* guarantees a right to housing; however, human rights also include a human right to adequate housing. Likewise, the statute comprehends the right to urban infrastructure, which partly addresses the human rights to water and sanitation as realised through the development of appropriate urban infrastructure. Besides, it addresses a right to work, which is a central element of economic, social and cultural human rights. For this reason, I understand that the *Estatuto da Cidade* reproduces a narrative that presents the right to the city as an alternative practice for rights fulfilment to that of human rights. It does not look for a reconciliation of the approaches, but articulates the right to the city as the framework that observes the guarantee of these rights through domestic law.

However, Mexico DF's Charter shows a qualitatively distinct attitude towards the role of human rights in official the right to the city frameworks. In contrast to the *Estatute da Cidade*, which does not use the expression "human rights", Mexico's Charter references human rights and/or human rights frameworks on 63 occasions. It highlights movements towards a normative framework for human rights in the city, like the European Charter to Safeguard Human Rights in the City (2000), as an inspiration for the Mexico City Charter for the Right to the City. The Mexico City Charter defines itself as "a complex approach that requires an articulation of human rights in their integral conception (civil, political, economic, social, cultural and environmental rights) with democracy in 5 of its diverse dimensions (representative, distributive, and participative)" (Mexico City, 2010:4-5). Hence, this shows an approach in line with that of UN-HABITAT, which intrinsically relates the right to the city and human rights.

From the analysis of the previous resources, I have observed that human rights institutions are more likely to support ideas around political participation in planning than to formally integrate the role of collective assets for the experience of rights. I understand that this is a consequence of the philosophical preposition of human rights: while rights around political participation can easily be articulated on an individual basis, integrating ideas like "the

commons" implies a reformulation of some legal and philosophical elements of human rights official frameworks. Before this situation, I have observed that the state of Brazil created the *Estatuto da Cidade* as a means to legitimate the collective experience of urban space aside of human rights frameworks. Alternatively, the Mexico City Charter explicitly argues for the complementary application of the right to the city and human rights as a means to challenge rights-threatening dynamics in urban areas. Therefore, these two cases illustrate that there are divergent narratives around the role of the right to the city for human rights and vice versa. However, none of these present the right to the city as the spatial framework for human rights.

To finish this chapter, I want to highlight that I consider that one of the most "radical" influences of the right to the city to human rights practice has not explicitly been discussed in any of these frameworks. This would be the integration of spatial approaches to understand rights struggles, which have the potential to significantly impact human rights practice. First, the right to the city implies the acknowledgement and integration of the collective aspect of spatial features and structures into human rights frameworks. Secondly, it highlights the differences between the application of use value or exchange value rationales for spatial management, and the articulation of these in relation to the enjoyment of rights. Thirdly, the right to the city highlights the relevance of community participation in spatial planning from a rights-based perspective, showcasing that communities can reach enhanced political power to transform rights experienced through the production of space.

I want to conclude by stating that thinking about the right to the city as something more than a framework to manage urban space, understanding it as the principle that guides the spatial analysis of the experience of rights, can have a wider impact in human rights practice. Its formalisation could not only imply putting in practice a series of mechanisms for enhanced political participation in urban planning, but the reconceptualisation of the analysis of some aspects of the experience of human rights. Therefore, framing the right to the city as the spatial aspect of human rights has considerable implications and the potential to articulate an explicit "spatial turn" in human rights practice.

Chapter 4. Ethical considerations, methods and material.

Rights research from a spatial standpoint, as the previous chapters suggest, implies focusing on elements of the three facets of space and understanding how they impact rights fulfilment. For this reason, I considered that a mixed-methods approach informed by methodological traditions of sociology and geography would provide the means and resources to acquire the necessary data to support this thesis' theoretical arguments. The result is an original methodology designed to investigate processes affecting each of the functional facets of spatial structures. It is characterised by methods not traditionally related to rights research, including spatial statistics and hydrological analysis, representing one of the project's major innovations. The originality of the methodological design has the potential to significantly impact related fields, supporting the "spatial turn" in human rights while upholding the role of the right to the city.

Regarding this matter, it is crucial to highlight the distinct understanding of a "spatial turn" from sociological and geographical perspectives. On the one hand, the sociological interpretation of a spatial turn is based on the study of space as a product of social practice (Short, 2008; Grigolo, 2019; Merry, 2016). On the other hand, a geographical perspective implies understanding social practice spatially (Massey, 1999; Shove, 2012). Therefore, this research is characterised by the integration of both prepositions following the social constructivist standpoint. The outcome supposes a combination of traditional social sciences methods, namely interviews and ethnography, and quantitative geographic techniques, being spatial statistics and water samples.

Unconventionally, the chapter starts with a discussion on the ethical challenges faced during the investigation. The reason for this choice is to provide the reader with the necessary background information to understand the selection of methods, participants' sampling and the general development of research activity. While I acknowledge this may be an unconventional decision, the ethical and research positionality issues experienced throughout the completion of this research have had a crucial role in the design of the research questions, the orientation of the investigation, and the data sets. For this reason, I consider that it is important to discuss these matters before addressing other topics.

I then provide an in-depth commentary of the epistemological approach used in this research. I briefly discuss the selection of discursive constructivism over ANT for this research

(Demeritt, 2002). After this, I justify using a case-study approach for this project and the selection of Barrancabermeja. Fundamentally, I argue for the spatial interpretation of rights needs of a case of a manageable size, where the ideas presented in this thesis can be observed and investigated. These needs drove me to choose a space at local scale where I knew rights practice was intrinsically related to the production of space. To further justify the choice of case-study research and the choice of Barrancabermeja, I briefly introduce the characteristics of the city that identify it as an optimal space to research the spatial aspect of human rights using the right to the city and this research's theoretical framework.

Lastly, a careful description of the methods undertaken and the acquired data is presented. This is a crucial exercise for two main reasons. One, it outlays the methods and instruments involved in the making of this research. Two, it provides a first overview of the datasets, which begin to describe the specific contexts investigated in Barrancabermeja. Considering that this is not a city widely known, either in academia or in popular culture, this section will continue to introduce the case and its qualities.

Overall, the chapter provides the necessary information to visualise the development of the research and its outcomes. Furthermore, it showcases one of the central original points in this research, as far as this specific methodology has not been operationalised before in rights investigations. The combination of spatial statistics with social constructivism, for instance, is not a common choice. Often, spatial statistics have been presented as a rather faithful representation of social processes (Althausen and Mieczkowski, 2001). In contrast, I understand the data I gathered is a collection of individual accounts around the experience of rights in space that builds a collective narrative that can be interrogated from spatial standpoints. This is most useful in order to understand the way rights practice and space are constructed in tandem, which is the final objective of this research. Therefore, I argue that this approach has the potential to impact existing research on the development of rights practice and the production of space by interpreting methods, data and knowledge regularly, unrelated to social constructivist approaches from this standpoint.

1. Ethical consideration, challenges and a discussion on research positionality.

It is fair to say that all research activity faces challenges, and I did not expect otherwise when I proposed a project addressing rights practices in Barrancabermeja. This is Colombia's oil capital, known for its truculent history. Before moving on, it is important that I acknowledge

that field dynamics had significant implications for the project's integrity. Nonetheless, I am confident that I successfully adjusted to the situation and adapted to the fieldwork's circumstances and context. In this section, I discuss issues of research positionality, the evolution of the project's scope, and ethical and security matters. It is a fundamental conversation that locates this research in its context and showcases the interaction among actors in Barrancabermeja.

First, it is relevant to point out that I designed this project in October 2016, after the Peace Agreement between the Colombian government and one of the major guerrillas, *Fuerzas Armadas Revolucionarias de Colombia- Ejército del Pueblo* (translated as Revolutionary Armed Forces of Colombia-Popular Army, hereafter FARC-EP). The image portrayed to the international community was one of a progressively peaceful Colombia that was leaving the civil war behind. I had first travelled to Barrancabermeja in 2014 and finalised a pilot study in June 2016 for my Masters' dissertation, which allowed me to build up important knowledge around the city and create a support network. During that period (2014–2016), political violence and armed conflicts decreased, and the Peace Agreement with FARC-EP became a reality. Both national and international communities understood it as a steady movement towards resolution.

For these reasons, I originally planned to focus exclusively on water quality and access to basic urban resources to address the spatial aspect of human rights. The investigation would enable a discussion on the progression of human rights discourses in Colombia, arguing that the end of the armed conflict encouraged civil society to mobilise for second and third generation rights. Furthermore, national and local environmental movements around water quality and environmental self-management for rights realisation provided a space to investigate the interrelation of human rights and the right to the city practices. With this, I aim to say that I never planned to focus on the armed conflict. However, fieldwork showed me a scenario for which my original argument and proposition was not completely valid. Effectively, political persecution, the existence of a para-state and the reproduction of violence by armed actors continue to be a reality in most Colombian regions.

This situation relates to my positionality as a researcher, a young Spanish woman investigating Colombia. Sultana states that "being reflexive about one's own positionality is to reflect on how one is inserted in grids of power relations and how that influences methods, interpretations, and knowledge production" (2007:376). She also argues that "doing

international fieldwork involves being attentive to histories of colonialism, development, globalisation and local realities" (2007:375). These two ideas are useful to illustrate my experience. Fundamentally, when I designed the project and prepared for fieldwork, I was not fully aware of the local reality of Barrancabermeja. The power structures of the city are completely different to those of any other city I have inhabited: I did not have empirical resources to effectively evaluate the risks derived from conducting rights research in an environment where paramilitaries, criminal elites and powerful companies (try to) dominate social life simply because my experience with such power structures was limited. Although I had stayed in the city previously, my exposure to those realities was again limited.

The previous paragraph does not mean that I was completely oblivious to the challenges and risks. It aims to convey that I did not really understand the implications. I knew that human rights activists, defenders and other kinds of "human rights people" (that would be me) still faced persecution in Barranca. What I thought was that, with the pacification of the country, the risks would not directly affect my physical integrity. This is the way I articulated the situation in Nottingham Trent University's risk assessment and ethical approval processes, which both were approved without further inquiries about the political context in Barrancabermeja.

In Barranca, there are groups more exposed to these risks, such as human rights and environmental activists, journalists, and trade unionists. Vulnerable communities living in areas controlled by criminal groups are specially affected. Fundamentally, these are this research's collaborators and participants. This meant that I was a potential threat to those perpetrating abuse and violence, since I was taking this information to produce a PhD thesis in a European institution – and in English. For this reason, I also became the target of political violence. On 9th June 2018, I was threatened by an unknown man at the door of my residence, an event that motivated my early departure from the field on 11th June 2018.

The fact that I departed early severely affected my data set: I had not been able to conduct as many interviews as I had planned (between 15 and 20). I would have liked to have gathered more participants to complete the questionnaire and I missed several events that were of high interest for this project. I tried to conduct interviews online; however, the news of my threat – which some people were aware of, even before I had told anyone in the field – discouraged others to collaborate. I found myself in a rather difficult position to continue the project. Therefore, I decided to create a statistical data set with secondary data on

incidences of human rights abuse in Barrancabermeja as a means to study its spatiality, from 2000 up until the end of the fieldwork. This statistical data does not intend to replace the interviews or the questionnaires, but to fill gaps and complement qualitative data.

Nonetheless, this decision contributed to the originality of the research and its methodology. This dataset allowed me to apply unconventional methods to rights research to support my arguments around space and rights, showcasing that this project not only proposes a new framework to space and rights, but also specialised methods.

Political persecution has also had an effect on the amount of detail I provide on the participants to this research. For instance, I have chosen to fully anonymise interviewees and not provide information on their gender, age or their affiliation to any political group or civil association. I am aware that this will constrain my ability to make differences between rights narratives reproduced by individuals with different characteristics or experiences. Nonetheless, I want to stress that this is not the final objective of this research, as far as its main purpose is to understand the collective construction of rights practices in Barrancabermeja and the role of space within the process.

However, I have chosen to keep the names of the associations I worked with in the field. There are a series of reasons for this. One, the people involved have confirmed they would like the association to be fully recognised in this research. Two, it is important that I acknowledge that there are different groups in the city involved with the development of rights practice, and analyse the convergence and differences between their approaches. Three, most of the events where these associations were present were in the public domain, and anybody could find information about them from other channels than this research.

These are the reasons that explain why I provide no personal data on interviewees, but I explicitly reference social organisations. It can be understood as an effort towards the collectivisation of the data presented in this research, aiming towards the separation of individual accounts from the characteristics of those individuals.

In conclusion, this discussion is relevant in order for the reader to understand several qualities of this research. First, it explains why the armed conflict is a central theme in the investigation. Secondly, it provides a crucial background that informs of the choices I made regarding the methods used in this research. Thirdly, it sets the basis of the research's roadmap, setting the basis for the upcoming methodological debate.

2. Epistemological approach and research questions.

There are two principal elements that define this research's approach: the idea of space as an assemblage, and social constructivist views on rights and space. I start this subsection by discussing how these principles create the rationale applied to data and knowledge in this investigation. Then, I introduce the research questions following Wolcott's (2008) "orienteering questions" standpoint, and relate them to the methodology and the subsequent chapters in this thesis. The result is a concise debate that articulates the epistemological approach of this research in relation to its research questions, the themes to be investigated and previous theoretical discussions and arguments.

I understand that social constructivism is an effective framework to analyse space and rights. However, some radical standpoints of social constructivism resist the integration of non-social elements of features into the process. I argue that the idea of assemblage developed by Deleuze and Guattari (1980) is useful to bridge this gap and introduce spatial features and processes.

Deleuze and Guattari developed the idea of assemblage in their book *A Thousand Plateaus* (1980). They used this idea to define language as a structure composed of different parts, the relevance and utility of which goes beyond that of the individual parts (Deleuze and Guattari, 1980). Understanding space as an assemblage implies that social and natural elements engage in the creation of a larger system that has meaning and fulfils functions as a unit.

This idea relates to discursive constructionism approaches to the social construction of nature. Although this term has been applied from different standpoints (from poststructuralism to phenomenology and psychoanalysis, amongst others), it regularly rejects a separation between the natural and the social as far as it acknowledges the "mutual construction of nature and society" (Demeritt, 2002:775). I consider that this principle allows to logically introduce and/or evaluate non-human elements in social constructivist views of space. This statement may remind some readers of ANT, as far as it also acknowledges the intervention of non-social actors in the construction of the social world, and because Latour repeatedly referenced the idea of assemblages in his work (Latour, 1996). However, ANT's ontological preposition to nature features a different approach to that of this research.

Demeritt argues that ANT shares "some metaphysical commitments with the dialectical ontology of internal relations outlined by Harvey (1996) and underwrit[es] some Marxist understandings of natura and its material production under capitalism" (2002:776). Harvey's dialectical ontology "prioritizes the understanding of processes, flows, fluxes and relations over the analysis of elements, things, structures and organised systems" (1993:34). Hence, this implies that ANT tends to build an ontology of nature based on processes and flows rather than elements and structures, which appears to understate the relevance of space as a socio-environmental structure for larger systems, being that system "nature" or any other. In contrast, some versions of discursive constructionism make ontological claims on the social construction of nature that can be applied to my approach to space.

Demeritt relates this approach to Heideggerian metaphysics that acknowledge that "nature and other things-in-the-world are disclosed to us as objects through practical and embodied engagements that materially configure them in ways that are recognizable for us and ontologically transforming of us" (quoted in Demeritt 2002:774-775). Demeritt argues that this idea describes the mutual construction of nature and society (Demeritt, 2002), tightly relating to Lefebvre's (1991) principle of space as moulded by and moulding inhabitants. In contrast to ANT, discursive constructionism does not pinpoint processes, structures, relations or features as more or less representative of the material ontology of nature. Instead, it focuses on the overall engagement of societies and nature to address it (Demeritt, 2002). For this reason, I understand that discursive constructionism effectively relates to the way I approach the production of space and its role in the development of social (rights) practice. I also approach the relationship between space and inhabitants from a holistic standpoint, acknowledging their mutual construction.

Discursive constructionism also addresses representations and reality (Demeritt, 2002) that are relevant for space. It acknowledges that language and culture impact conceptual constructions of nature (Demeritt, 2002), a principle that can also be applied to spatial structures. This relates to the discussion of local knowledge in Chapter 1, and the differential understanding of rights struggles depending on location in Chapter 3. Overall, discursive constructionism stresses that interaction with nature drives communities to develop a language and knowledge that is specific to their surroundings. This can drive in the contestation of different ways of representing nature and space, a theme which will be discussed in detail in Chapter 7.

Hence, discursive constructionism directly addresses the definition of space as provided in Chapter 1. First, it supports the integrated analysis of social and natural phenomena (Demeritt, 2002), which relates to the socio-environmental approach to space I present in this thesis. Secondly, it acknowledges the relevance of power/knowledge for the ontological definition of nature (Demeritt, 2002), which ultimately addresses Massey's (1999; 2005) work on space's power-filled and relational character. The synthesis of these two pieces of work informs that the construction of space and nature is dependent on power structures and knowledge hierarchies defined by place-based and socio-environmental actors, features, structures and relationships, which build understandings of nature and space through discursive interaction. This ultimately relates to Chapter 3's discussion, where I acknowledge that space and rights are conceptualised differently with regards to the place where related narratives are produced, and the actors involved.

For this reason, I find discursive constructionism the most appropriate standpoint to discuss knowledge around rights and space. I defend that social constructivist approaches to rights would benefit from the consideration of non-social entities in the development of the human rights project. It is in this sense where a spatial approach to human rights can contribute towards the introduction of these variables into rights protection frameworks and rights research.

Effectively, admitting that water scarcity, deforestation or climate change have been clear drivers for rights movements is not denying the social construction of rights. Instead, it highlights that societies construct systems that partly reflect the interaction of societies and the lived environment. Hence, a flexible social constructivist approach to rights that uses a spatial lens will help to integrate these concerns and processes into rights conversations and protection frameworks.

In conclusion, I have chosen social constructivism as an analytical approach to understand rights practice, knowledge and information in this research because it facilitates the socio-spatial articulation of rights experiences. I argue for a flexible version of social constructivism that allows for the discussion of the interdependency of environmental processes and features in the development of social practice and the construction of knowledge. In line with the works of authors like Lefebvre, Massey or Swyngedown, I acknowledge the social shaping of space, while highlighting that spatial conditionings impact individuals' and collectives' behaviour, knowledge and practices.

I consider that this principle allows to logically introduce and/or evaluate non-human elements in social constructivist views of space. This approach requires the acquisition of several types of datasets that may provide contrasting findings. For this reason, I engaged with data triangulation techniques. Data triangulation refers to the application of the same analytical approach in different data sets "[…] to verify or falsify generalisable trends detected in one data set" (Oppermman, 2000:143). Additionally, methodological triangulation "[…] refers to using more than one research method in measuring the same object of interest" (Oppermman, 2000:143). When using social constructivism as an epistemological standpoint, it is key to engage with these exercises. Otherwise, the findings and conclusions are likely to be falsified.

Hence, the project features methods that collect and triangulate information in the fields of environmental transformation, spatial management, rights practices and activism. An outline of this research's methods and purposes is provided below:

- Literature review: provides the necessary information to articulate the right to the city and human rights discourses from a theoretical and practical standpoint, providing background to answer all research questions.

- Interviews: provide detailed accounts of experiences of injustice and abuse suffered in Barrancabermeja and insights to local values around space and rights.

- Participant and non-participant observation: creates valuable data on Barrancabermeja's social networks, rights practices and production of space from a collective basis.

- Production and gathering of photographic material.

- Statistical analysis with SPSS of questionnaire data: provides quantitative data that supports information extracted from interviews, participant and non-participant observation and literature review.

- Water testing: triangulation of information on water quality.

- Spatial statistics: provides findings and conclusions on the instrumental uses of space in Barrancabermeja for armed actors.

These methods allow me to identify the encounter points among different narratives around space and rights in Barrancabermeja. Specifically, I concentrated on the themes of the symbolic production of space during the civil war and its effects to rights, the legitimisation of spatial struggles as human rights struggles, and on the role of spatial and environmental assets for collective and individual rights experiences. In order to effectively address these themes, I designed a series of research questions that target empirical contexts that relate to the theoretical debates introduced in Chapters 1, 2 and 3.

These themes are investigated through a principal research question, which is broken down into three case-specific sub-questions. In this regard, ethnographic literature provides resources to justify the choice. Wolcott introduces the concept of "orienteering questions" in the second edition of his book *Ethnography: A Way of Seeing* (2008), wherein he describes a situation where the researcher needs direct contact with the field and communities to design the research questions. It is based on the idea that it is the field and the people who inform the researcher of the most relevant themes (Wolcott, 2008; Pink, 2015). This standpoint aligns with social constructivism as far as the development of this research's focus is significantly determined by collective experiences of space and rights in the field, placing Barranca and its inhabitants in the spotlight.

Research questions:

In which ways does space impact rights experiences and how do human rights and the right to the city interact?

> 1.   Platform-canvas: how does the material production of space and the contamination of natural water courses affect the experience of rights?

> 2.   Relational: how have the relational capabilities of Barranca shaped rights practice?

> 3.   Instrumental: how have local actors (armed actors, civil society, institutions and economic organisations) exercised direct or indirect control of space as the means to accomplish specific aims (political and social control, economic profit, spatial management and the production of space) in Barrancabermeja?

The design of the research questions is tailored to the arguments defended in this thesis and the theoretical framework presented in Chapter 2. The main research question explicitly articulates space as influencing the experience of rights and sets the basis to analyse the

relationship between the right to the city and human rights. Then, the sub-research questions target the three facets of space. This structure allows me to discuss each of the facets of space in depth through empirical cases, providing me the opportunity to showcase the validity of this thesis approach. However, I want to stress a point I made in previous chapters: this framework is a response to Lefebvre's request for a detailed framework to understand rights experiences, the difference being that I chose to emphasise space instead of the urban. This enhances the potential of the right to the city as a rationale to understand rights spatially and not only as an urban practice of rights, aiming to expand its meaning and significance to non-urban environments.

Conclusively, in this section I argued that discursive constructivism is the optimal epistemological approach to research the role of space for the production of rights practices and the interaction between human rights and the right to the city. This is because this standpoint is most concerned about the development of narratives, putting the spotlight into social processes rather than looking for "objective" truths and knowledge. The standpoint is combined with a series of research questions that speak space, proposing a methodological design that fits the purpose of this investigation. Altogether, it has proven valid to research the spatial aspect of human rights through the application of principles related to the right to the city and the theoretical framework proposed in previous chapters.

3. Case-study approach to space and rights: Barrancabermeja.

Case studies have provided effective tools to analyse complex scenarios and causal relations (Baxter and Jack, 2008). As Simons (2009) argues, case-study research focuses on exploring the uniqueness of a particular context and deducing and/or inducing general, transposable knowledge. This argument has made case-study research come in and out of favour during the last five decades (George and Bennet, 2004). On this subject, I consider case-study research to be valid because it limits the scope of data collection and focuses research activity. I believe many would agree with the statement that researching "space" and "rights" in universal terms is very challenging within the constraints of a PhD degree. Hence, focusing on *a* space, the city of Barrancabermeja – in the Colombian region of Magdalena Medio – allowed me to explore my theoretical claims through case-specific experiences, and showcase the validity of this research's analytical approach.
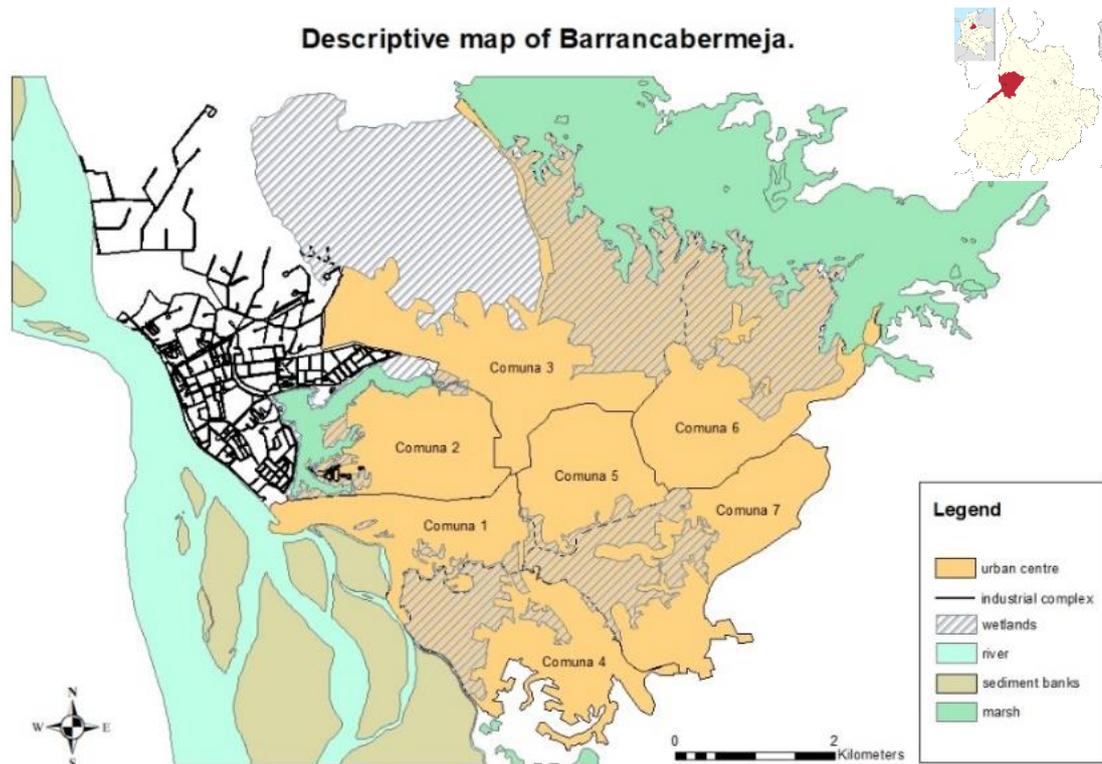
Map 1: Descriptive map of Barrancabermeja, locating the city in within the country and the Department of Santander (upper-right corner) and identifying principal features relevant for the development of everyday life in the urban centre (the refinery, the river Magdalena, marshes and wetlands). It also visualises the limits of *comunas* as inner-municipal districts that will be referenced throughout the analysis of the empirical data. Geographical datasets for boundary information, hydrology and industrial facilities ©Instituto Geográfico Agustín Codazzi, 2016.

I stayed in Barrancabermeja from 14th April 2018 to 11th June of the same year. There is a series of factors that identify Barrancabermeja as an appropriate case study for this research. It is relevant to state that inhabiting communities have a strong attachment to the land and understand space as a realising element for local culture (Cadavid Bringe, 1996; Vega Cantor et al., 2009a; 2009b). This is not specific to Barrancabermeja, but part of Colombian culture around the inhabited territory, institutionalised in a legal pluralist system that provides *campesino* and indigenous communities entitlements over space self-management (Gómez Isa, 2014). This quality grounds the analysis of the interaction of the right to the city and human rights in Colombia and, specifically, Barranca: while sectors of society feel identified with pre-capitalist approaches to territorial management, most inhabit spaces produced and managed by political, economic and criminal elites. Although this situation of spatial injustice references the right to the city, civil society has traditionally used human rights

language to denounce the context. Likewise, human rights activism in Barranca has historically engaged with practices around the reappropriation of the public space from the petroleum industry, armed actors and/or criminal groups (van Isschot, 2015; Gill, 2016).

Another reason that brought me to choose Barrancabermeja is the wide variety of actors that engage with human rights, social movements and space and their long tradition of insurgency. Barrancabermeja is the birthplace of the *Unión Sindical de Trabajadores* (translated as the Labour Trade Union, hereafter USO) in 1922, the most relevant trade union for petroworkers at a national scale. Besides this, it hosts Ecopetrol, an institution originally created during the nationalisation of the oil industry in the 1950s, which was converted into a company during the process of liberalisation of the hydrocarbon industry in 2003. The nationalisation of the oil industry in Colombia is directly related to social movements in Barrancabermeja organised by USO and supported by civil society, creating lasting meaning around the power of local social mobilisations to transform wider structures.

Likewise, there is large number of civil organisations that explicitly relate to human rights practices, such as *Corporación Regional Para la Defensa de los Derechos Humanos* (translated as Regional Corporation for the Defence of Human Rights, hereafter CREDHOS), the *Espacio de Trabajadores y Trabajadoras de los Derechos Humanos* (translated as Space for Human Rights Workers), the *Organización Femenina Polular* (translated as Popular Feminine Organisation, hereafter OFP), *Corporación Regional Yariguíes* (translated as Regional Corporation Yariguíes, hereafter CRY), *Equipos Cristianos por la Paz* (translated as Christian Teams for Peace, hereafter ECAP) and *Ríos Vivos* (translated as Living Rivers). Located in the city are public organisations that specialise in human rights and the development of durable peace, such as *Programa de Desarrollo y Paz del Magdalena Medio* (translated as Development and Peace Programme for Magdalena Medio, hereafter PDPMM). Ultimately, international human rights NGOs, like Peace Brigades International and International Action for Peace, also work in the area. Hence, there is a significant variety of actors that construct local rights practices. Therefore, Barranca can be understood as a space where a significant variety of actors engage in the construction of multiple narratives around space and rights, which has relevant effects over the symbolic production of space.

The symbolic production of space and its effects on rights practices are discussed in depth throughout Chapters 5 and 6. First, I argue that the production of space by the petroleum

industry has had a significant effect on the construction of local identities and meaning around the city of Barrancabermeja. Then, I discuss how the experience of civil war shaped social practices around rights and space. These two processes have historically influenced local rights practices and narratives, showcasing the relationship between space and rights.

The processes introduced in Chapters 5 and 6 showcase Barrancabermeja as a contested space, which has relevant implications for the construction of spatial knowledge. This is a central point in this research as far as I present spatial knowledge as fundamental to understanding human rights contexts. These themes are further developed in Chapter 7, which focuses on how contested spatial information and knowledge influences the articulation of spatial rights struggles as human rights issues by legitimate human rights institutions. This is discussed through the case of the oil spill that occurred on 3rd March 2018 in the municipal area of Barrancabermeja.

Lastly, I address the platform-canvas of space to illustrate how space influences the everyday experience of rights. For this purpose, I concentrate on water as a spatial feature and/or resource that affects the experience of rights on a daily basis. The differential aspect of this research in comparison to work focusing on the human right to water is that I understand water as a spatial resource that affects the experience of rights. This approach has several implications, as far as I do not only understand the role of water for human rights in terms of the human right to water. Instead, I articulate water as an environmental resource that produces space and, consequently, influences the experience of rights. To illustrate this idea, I concentrate on both access to safe drinking water and the degradation of cultural landscapes and how they are intrinsically related to existing hydrological networks in Barrancabermeja as spatial processes that impact the enjoyment of rights. Hence, this research impacts existing literature on the human right to water and human rights and the environment by showcasing the knowledge that can be created by using spatial approaches to understand human rights. Ultimately, this relates to the discussion in Chapter 1 regarding the role of spatial structures for the experience of rights and the idea of the platform-canvas of space, appearing as an optimal empirical case to support my arguments.

Table 1 is helpful to understand how the theoretical framework of this research relates to each of the methods, the themes and the upcoming chapters. First, it is important to note that the main research question is resolved through the exploration of the sub-research questions. Therefore, all chapters, methods, themes and findings contribute to building the answer.

Research question 1 explores the platform-canvas facet of space through the cases of water pollution and the destruction of cultural landscapes. Both cases represent processes that have damaged the material platform of space, which is having an effect on landscapes and everyday life. These are processes that shape space and condition the lived environment, thus displaying characteristics related to this facet. I approach them with a variety of methods (analysis of questionnaire data, water testing, participant and non-participant observation, interviews and analysis of photographic material), and present the analysis in Chapters 7 and 8.

Research question 2 addresses the relational facet of space through the analysis of local social movements and local identities tied to insurgency. This characteristic of Barranca's local culture represents an optimal matter to understand how space impacts internal and external social networks. These themes are investigated through literature review, participant and non-participant information, and the analysis of interviews, and are most featured in Chapters 5 and 8. Nonetheless, I want to point out that the relational capabilities of Barranca's space are further discussed in the rest of the chapters due to their central role in Barranca's everyday life.

It is important to highlight that researching these themes unveiled that rights practices in Barrancabermeja presented elements of the right to the city. From space appropriation to articulating the prevalence of the use value of space over its social value, social movements tend to display the rationale to the right to the city. However, they use human rights language to communicate these issues. This case, therefore, demonstrates that the right to the city and human rights practices interact with each other in Barrancabermeja, and that the output practice represents the injustices experienced by inhabitants. This research is in line with the works of others such as Sarem Nejad et al. (2019), Quicke and Green (2017) or Njoh (2017), who discuss the right to the city in non-Western communities. I want to highlight that, often, these groups do not necessarily reference the right to the city as a theoretical framework, but continue to use its principles. I consider that this speaks of the right to the city's relevance in expanding rights conversations, as far as it introduces rationales used by communities struggling for social justice around the world.

Research Questions	Theme	Methods	Chapters
Main Research Question	All the methods and chapters contribute to answering the main RQ through the exploration of different cases		
Research Question 1: Platform-canvas facet of space	• Water pollution • The transformation of cultural landscapes due to environmental degradation.	• Analysis of questionnaire data • Water testing • Participant and non-participant observation methods • Interviews • Analysis photographic material	• Chapter 7. Spatial information and knowledge in Barrancabermeja. • Chapter 8. Water as part of life, livelihoods and cultural landscapes.
Research Question 2: Relational facet of space	• Local social movements • Local identities	• Literature review • Participant and non-participant observation methods • Interviews	• Chapter 5. Meeting Barrancabermeja. • Chapter 8. Water as part of life, livelihoods and cultural landscapes.
Research Question 3: Instrumental facet of space	• Production of space • Spatial information and knowledge • Civil war and political violence	• Literature review • Spatial statistics tests • Interviews • Participant and non-participant observation methods	• Chapter 5. Meeting Barrancabermeja. • Chapter 6. The war in Barranca. • Chapter 7. Spatial information and knowledge in Barrancabermeja.

Table 1: Outline of the relationship between the research questions and the theoretical framework used in this research. It specifies the methods applied to explore each facet and the chapter that features the discussions.

Ultimately, research question 3 focuses on the instrumental facet of space through the themes of the production of space, the production, access and sharing of spatial knowledge; and by a spatial account of the experience of civil war in Barrancabermeja. I inform my discussion through literature review, spatial statistics tests, interviews, and participant and non-participant observation. The findings are collected in Chapters 5, 6 and 7.

Overall, this section has justified the use of case-study approaches to this research and the choice of Barrancabermeja from different standpoints. In conclusion, I understand that case-study research at the local level provides a manageable environment where I could gather significant data around empirical cases to support my theoretical arguments and frameworks. Furthermore, Barrancabermeja shows a series of characteristics that speak to the framework I presented, human rights and the right to the city, providing me with the resources to back up my ideas with empirical information.

4. Methods.

In this section, I provide an insight into each of the methods used in this research. The separate discussion of each method allows me to carefully thematise and explain their specific role within this research. I begin addressing literature review as a research method, focusing on the effects it has had over this research. Then, I present the methods with which I gathered qualitative data: interviews, participant and non-participant observation, and the production of photographic material. Next, I move on to discuss this research's quantitative methods: the statistical analysis of questionnaire data, spatial statistics on experiences of human rights abuse in Barrancabermeja, and water testing.

Altogether, they have been proven to be useful in identifying the concurrence of local narratives around space and in Barrancabermeja. This provided me with the necessary resources to explore the construction of rights practice in tandem with the production of space. Likewise, the data gathered with this methodology highlights interesting insights into the interaction of human rights and the right to the city practices in the city of Barrancabermeja. Consequently, I defend the view that the conjunction of these methods has produced valuable data that supports my stand with regards to rights, space, the right to the city and human rights practice.

Literature review

The literature review addressed relevant academic literature in the fields of the sociology of human rights (Donnelly, 2013; Nash, 2015; Morris, 2013; Grigolo, 2019), the right to the city (Purcell, 2002; 2014; Mitchell, 2003; Harvey, 2012) and environmental justice (Lieb, 2012; Walker, 2012; Garcia Elena, 2019) spatial theory (Massey, 1999; 2005; Lefebvre, 1991; 1996; Bourdieu, 1991) and the anthropology of rights (Short, 2008; Goodale and Merry, 2007; Merry, 2016) to develop this research's theoretical framework.

In order to reach a diversified sample of academic literature, I engaged with human rights authors understood as supporting more liberal and individualistic standpoints (Donnelly, 2013; Perry, 2009) and those engaging with more collectivistic standpoints (Morris, 2013; Nash, 2015). Likewise, I reviewed the work of authors using Marxist principles to criticise and/or reject human rights and enhance the right to the city (Harvey, 2012; Mitchel, 2003). Additionally, I engaged with those aiming to integrate the right to the city and human rights as languages for justice (Grigolo, 2019; Purcell, 2003; 2003; 2014). For this purpose, I worked with interdisciplinary journals: *The International Journal of Human Rights*, *Studies in Social Justice*, *ACME: A international Journal of Critical Geographies*, *Progress in Human Geography* and *The Journal of Human Rights Practice* among others.

The strategy behind the selection of this literature was to cover a wide variety of approaches to rights and space for different purposes. First, it allowed the research to find a gap in rights literature. Secondly, it speaks to the epistemological approach to this research as far as I contemplated contrasting views around rights and space as participating in the overall construction of rights and spatial practices. Thirdly, it highlights that there is a wide variety of fields engaging with rights.

Furthermore, an extensive review of academic literature on the case of Barrancabermeja was undertaken. The local experience of civil war has fomented the production of valuable material that discusses the experience of human rights by inhabiting communities (Restrepo and Apontes, 2009; Gill, 2009; 2011; 2016; van Isschot, 2015). Furthermore, environmental degradation derived from the hydrocarbon industry has inspired varied research that discusses the extent of environmental degradation and its effects on local flora/fauna and communities (Bustamante, Chaparro and Peláez, 2015; Mora Díaz, 2018; García Elena,

2019). This material has been interpreted from a constructivist approach, understanding that it represents distinct narratives around the space of Barrancabermeja.

Ultimately, legal human rights instruments and national frameworks involving water and sanitation, access to information and the application of International Humanitarian Law in the context of armed conflict have been reviewed to aid the analysis of results and findings. These materials are foremost important to understand what is legitimate human rights language. On this subject, I argue that existing legitimate human rights language and hierarchies around knowledge limit the capacity of rights actors to communicate rights abuse. This reveals the two-sided role of human rights for the articulation of claims of justice. On the one hand, it has enabled the protection of fundamental rights. On the other, it has downgraded claims of justice that do not follow the legitimate human rights format. Therefore, human rights law and relevant national frameworks are framed as enabling and/or jeopardising mechanisms for the articulation of claims of justice in Barrancabermeja.

Therefore, literature review as a method allowed me to construct my argument around rights and space whilst providing me the background to interpret empirical data. These reasons inform why I chose to discuss the literature review before any other method, as far as it set the foundations of this research and revealed the gap I intend to fill with my work.

Interviews

Twelve semi-structured interviews with local professionals, inhabitants and activists – adapted to the participant's area of expertise and background – were performed. Interviews represent a fundamental research instrument in this project since they provide primary data on local narratives to support this thesis' principal arguments: that space is relevant for the experience of rights and justice, and that the right to the city and human rights practices interact.

The participants make up a diverse mix of inhabitants of the city of Barrancabermeja. I selected the participants on the basis of their involvement in human rights and/or human rights activism, professional background and expertise, political affiliations and sociocultural background. Some of the participants were part of the social and support network I created during my last visits to Barrancabermeja, while others were either introduced to me by these initial participants, or I met during the events I attended throughout

fieldwork. They form a sample of middle-aged adults actively involved in activism, social work, trade unionism, education and/or research.

The interviewees with whom I had built a stronger, more confident relationship invited me to their homes to conduct the interview, whilst those with whom I had less contact opted to meet in work offices or public venues. All choices respond to security concerns: those participants who trusted that I did not pose a risk preferred talking in a private space in order to speak "more freely", whilst those that did not have that confidence thought it wiser to meet in a public space. My risk evaluation was the same as that of the participants. This fact illustrates how individuals at risk of persecution in Barrancabermeja assess the hazards and navigate space, showcasing the restrictions and social constrictions faced by most of them.

The interview transcripts were processed and coded with NVivo. The coding system selected is characterised by a high specification of themes and sub-themes. The main themes were classified as: space and territory (spatial management, space as structure), Barrancabermeja (local identity, urban development, the city), human rights (social movements, abuse, activism), the environment (pollution, natural resources), water (access to safe drinking water, natural hydrological networks, culture), the civil war (paramilitaries, *guerrillas*, public armed forces), public institutions (statelessness, corruption) and the petroleum industry (Ecopetrol, trade unionism). This approach has been selected to perform an in-depth analysis of each interview and scrutinise existing discourses on human rights, space and social activism as a form of rights practice. Besides this, the careful thematisation of information supports the analysis of how participants understand the interrelation of various spatial phenomena and their effect on the experience of rights and justice. Throughout this exercise, I identified eight different ideas that were shared among the interviewees: 1) acknowledgement of culturally dependent production of spatial information; 2) Barrancabermeja described as not being a city; 3) environmental tourism as sustainable development; 4) social movements; 5) reference to the absent state and/or the para-state; 6) space and human rights as related; 7) territorial management as central for human rights, unsafe water; and 8) widening spectrum of the human rights victim. These were recorded as "memos" in the NVivo project.

Participant and non-participant observation.

I systematically attended meetings, conferences and events, which provided me with a great sense of the relational capabilities of Barrancabermeja and local narratives around space and

rights. The combination of participant and non-participant observation methods during meetings, events and/or conferences produced valuable ethnographic data that informed most of the research findings and final conclusions.

During fieldwork, I attended a total of 17 official events focusing on human rights, spatial management or environmental issues. I chose to participate in events organised by groups with distinct objectives and/or approaches to rights and space to understand the different narratives in the city. However, observational techniques were deployed continuously. Effectively, I attended all meetings I was invited to, or that were free to the public. In this sense, my selection strategy was aimed to expose myself to the largest number of civil organisations, NGOs, public institutions and private bodies related to environmental and human rights activism, land management, cultural life and Barranca's history as possible. The purpose of this widespread reach was to experience and interact with the distinct and often conflicting narratives around rights, justice, well-being and space in Barrancabermeja. Thus, participant and non-participant observation provided primary data on information extracted from the literature review. It is foremost important from the epistemological standpoint of this research to collect primary data on how communities create and/or reinforce narratives. However, it is important to note that it is not the aim of this research to validate and/or invalidate these narratives, but to present them as sources of information of the experience of rights and space in Barrancabermeja.

I collected notes on a semi-structured basis on the themes of human rights, space, the civil war, social movements, the city and cultural landscapes. These notes either represent my own at-the-moment reflections, and/or specific quotations I have collected from people present in the event (anonymised). However, the information extracted from these notes is conditional to the observation strategy applied.

Generally, I applied non-participant observation techniques in larger event, like the *Mesa Social Minero-energética y Ambiental por la Paz* or the 5th Reunion of the Committee for the preservation and recuperation of the marsh *Ciénaga San Silvestre*. The reason for this was that these were optimal spaces from which to observe dominant dynamics among relevant actors. In these contexts, participants and audience did not necessarily recognise me as a researcher. From this position, I was able to access "unaltered" information on how actors interrelate.

Method	Event	Involved organisations	Themes
Participant observation	17/04/2018. Effects of Lisama 158's outcrop.	UN, CRY (*Corporación Regional Yariguíes*)	Environmental degradation, spatial rights struggles.
	28/04/2018. "100 years of petroleum" Academic conference.	UNAL, CRY, NTU, independent researchers	Petroleum industry, local identities and landscapes.
	01/08/2018. "1st May, day of the worker".	USO, Ecopetrol, OFP, ECAP, FARC-EP, Council	Social movements, rights practices.
	03/05/2018; 17/05/2018; 31/05/2018; 07/06/2018 "*Espacio de Trabajadores y Trabajadoras de los Derechos Humanos*" (translated as: Space for Human Rights Workers)	ECAP, Association "*Arlequín*", PBI, International Action for Peace, PDPMM, Association "*Dignidad e Igualdad*", Sinaltrainal, USO	Weekly meeting of principal human rights actors in Barrancabermeja.
Non-participant observation	18/04/2018. "Territorial Management", academic conference	Universidad de los Andes, CRY, institutions	Territorial management, sustainability and justice.
	20/04/2018. "First report on grave human rights and International Humanitarian Law violations"	CREDHOS, Peace Brigades International (PBI), International Action for Peace	IHL violations in Barrancabermeja, activism
	20/04/2018. "100 years of petroleum", documentary film.	*Casa del Libro Total* (cultural organisation)	Petroleum industry, local identities and landscapes.
	26/04/2018. "Energetic transition: the rights to nature and future generations' rights"	CRY, *Ríos Vivos*, Ecopetrol	Sustainability, rights-based development, environmental and collective rights.
	22/05/2018. "Mateo", film.	*Casa del Libro Total*	Local identities.
	24/05/2018. Catholic mass for Eduardo Díaz	Catholic Church, OFP.	The catholic church in human rights practice.
	27/05/2018. General elections.		Political participation, political persecution.
	01/06/2018; 02/06/2018. "*Mesa Social Minero-energética y Ambiental por la Paz*" (Mining, energy and environmental discussion for Peace)	USO, Ríos Vivos, Ecopetrol, Space for Human Rights Workers, PDPMM.	Environmental conservation, extraction industries, construction of enduring peace.
	07/06/2018. 5th Reunion of the Committee for the preservation and recuperation of the marsh "*Ciénaga San Silvestre*"	City council, CRY, Public environmental agencies	Water quality, territorial management, environmental conservation.

Table 2: List of events where participant and non-participant observation was performed. Names of the organisations are shared at this stage as far as the number of people with access to this information is reduced and does not imply a direct risk to individual members.

Non-participant observation has been hailed as one of the most effective ethnographic methods to overcome tailoring discourse and attitudes that participants adopt when they know they are interacting with researchers (Bussom et al., 1982; Mercatoris and Craighead, 1974). On many occasions, groups and individuals adapted their language and attitudes to "convince" me that their narrative on Barrancabermeja was the "real" narrative. However, these same people displayed different mannerisms, language and/or arguments when interacting with others. Therefore, non-participant observation was very useful to address bias and misinformation. In contrast, participant observation provided me the means to share ideas and ask specific questions that helped me to obtain an in-depth interpretation of organisations' views on specific topics. Space and human rights, spatial management and justice, and the cultural value of landscapes and the territory were topics about which I obtained very important information in smaller settings.

Production and gathering of photographic material.

As a European researcher, the way I choose what to photograph, how to frame it, and how to use it as a representation are all informed by my own ideas about what is significant. The photograph, therefore, is a subjective interpretation of the local context of Barrancabermeja, and needs to be analysed as such.

Throughout fieldwork, extensive photographic material was produced. This set of visual qualitative data principally addresses environmental degradation, urban deficits and everyday life in Barrancabermeja. The approach towards the production and interpretation of visual data in this thesis follows arguments made in the field of grounded theory (Konecki, 2011; Mey and Dietrich, 2017), although this research does not identify grounded theory as a principal theoretical and/or methodological standpoint. Qualitative researchers engaging with grounded theory have provided in-depth epistemological and methodological discussions on the production and interpretation of visual data and its role within scientific research. For this reason, this project has applied some of these ideas to its methodology. In this regard, this research's approach to visual data closely relates to Konecki's multislice imagining (2011). He understands multislice imagining as:

"[...]a grammar of visual narrations analysis that accents the following stages: a) an act of creating pictures and images (analysis of context of creation); b) participation

in demonstrating/communicating visual images; c) the visual product, its content and stylistic structure; d) the reception of an "image" and visual aspects of presenting/ representing something." (Konecki, 2011:131)

Thus, Konecki:

"[…] suggests first reconstructing the layers of meaning of an image from its context of production and reception. Secondly, the explicit requirements for the researcher's image analysis as well as implicit assumptions of the interpretation of the image should be considered. Thirdly, a sociocultural analysis of the image context should be conducted." (Mey and Dietrich, 2017:282-283)

Therefore, the previous framework will be applied to the images selected to be inserted in the text of this thesis. I first contemplate the context in which the photograph was taken, and the expected and implicit assumption around the comprehension of the image by the reader. Ultimately, I will address the wider sociocultural framework where the picture was taken. The resulting material will assist the illustration of the physical, environmental and cultural landscape of Barrancabermeja. For this reason, it is a relevant data set for the research question which concentrates on the platform-canvas facet of space.

However, it is important to reflect on my positionality as a researcher when taking these pictures to consistently apply a constructionist approach throughout the thesis. First, the images represent aspects of Barrancabermeja's structure that appear not to embody the idea of "urban" for someone that has been raised and lived in middle-class areas of European cities. Individuals and communities that have inhabited marginal areas in Global South and Global North cities may interpret those spaces as "urban" spaces, poor urban, but urban anyway. However, I have chosen to apply Lefebvre's and others' interpretation of the urban as a site of capitalist development that provides a series of services and products directly related to urbanisation (Lefebvre, 1991; Harvey, 2012) throughout the thesis for consistency purposes – it would be very challenging and definitely confusing to aim to successfully integrate such different understandings of the world in a single thesis. Consequently, I must admit that the pictures represent elements of the local landscape that may feel "different", "special" and/or "strange" to someone of my characteristics. Nonetheless, these are not different, special and/or strange for many millions of people in the world.

Statistical analysis of questionnaire data with SPSS.

Statistical data was collected via questionnaires that focus on individual perceptions of water quality and access to basic urban services in Barrancabermeja. The questionnaires focus on access to water and basic urban services, and gather the participants' demographic characteristics and the *comuna* of residence. The reason why I chose to gather demographic and spatial information was to further understand the experience of access to water in Barrancabermeja.

The initial strategy was to recruit participants by random probability based on location. However, this was not successful. This was a consequence of the fact that paramilitaries and *guerrillas* have used questionnaires in the past to acquire demographic information from inhabitant communities. For this reason, many people refused to participate. Thus, the recruitment strategy changed in favour of a convenience sample. I recruited participants at relevant events and asked collaborators to hand out questionnaires in safe environments. Consequently, it is necessary to address the limitations of this instrument insofar as it does not provide data that can be extrapolated to the whole of Barranca's population.

However, it provides a good insight into the experience of access to water and basic urban resources for women in the city. The sample comprises 105 participants over 18 years old living in the municipality. Of these, 69.5% are female and 27.6% are males. The sample integrates inhabitants of all municipal districts (*comunas*) in similar proportions. The distribution showcases that females engaged more with the spaces where the questionnaires were provided. This is mostly explained due to the recruitment of participants in a paediatric clinic: women hold most of the child-caring responsibilities in Colombia. That, together with a strong presence of females in civil organisations and engaging in events and meetings, drove the sample to be mainly composed of females. These facts address the potential issue of non-response error regarding the male population and its effects over the validity of the research.

Municipal district	Participants
Comuna 1	17.8%
Comuna 2	17.8%
Comuna 3	15.6%
Comuna 4	23.3%
Comuna 5	12.2%
Comuna 6	5.6%
Comuna 7	7.8%

Table 3: Distribution questionnaire sample per comuna.

Age group	Total	Percentage
18-25	24	22.9
26-35	38	32.6
36-45	24	22.9
46-55	12	11.4
+56	6	5.7
Missing	1	1

Table 4: Distribution questionnaire sample per age group.

It is important to highlight the originality and significance of this dataset. It can be interpreted as a women-dominated narrative of the experience of water scarcity and lack of basic urban services in a city in Latin America. It supposes an in-depth account of the experience of females in the city, data that is not easy to come by as women tend to participate less in official or formal reporting than men in Latin America (Chaney, 2014). Therefore, the gender distribution in the response creates a scarce dataset that offers an insight into women's experiences. I want this data to help shed light on the experience of women's rights in Barrancabermeja and challenge gender blindness as introduced by Mehta (2013), enhancing the value of women's experiences to understand rights contexts.

Additionally, participants were asked to share the area of the city they inhabited. *Comunas* are an official political division of the urban centre of Barrancabermeja – similar urban municipal districts – that were selected as a level of analysis for different reasons. Firstly, the number of *comunas* in the city (7) constitutes an adequate number of categories for the width of the sample. Secondly, *comuna*s are meaningful social and administrative boundaries for urban inhabitants. Ultimately, they represent a spatial variable to analyse whether local experiences on access to water and essential urban resources are spatially determined. Chi-square tests were run in order to determine whether there were significant correlations between specific experiences and the inhabited *comuna*.

The questionnaires also requested the participants to indicate their age group (18-25; 26-35; 36-45; 46-55; +56). The age groups are capped at +56 because it was estimated that most of the participants would have been born in the decades of 1960, 1970 and 1980. In 1960, the life expectancy at birth in Colombia was 57 years old, 62 in 1970 and 67 in 1980. For this reason, having a +56 age group is consistent with the demographic distribution of Colombian society.

Therefore, the information extracted from questionnaire data sets out the experiences of the platform-canvas facet of space concerning access to water and basic urban services. It provides a crucial insight into everyday life challenges that local communities face in the municipality, as a consequence of local processes of production of space. For this reason, questionnaires have provided key knowledge to resolve the project's research question focusing on the platform-canvas facet of space and access to water and sanitation in Barrancabermeja.

Water testing

Due to the characteristics of Barranca's environment and context, I engaged with water testing as a means to obtain indicators of water quality in Barrancabermeja. I chose to measure concentrations of heavy metals and pH levels in natural watercourses and publicly supplied water. These specific indicators have been selected because previous research proves that concentrations of heavy metals in local watercourses are damaging for the environmental and human health (Bustamante, Chaparro and Peláez, 2015), and because the pH has been identified as a good indicator of drinking water quality (Banna et al., 2014). The results provided a general overview of water quality that has proven very helpful to support collaborators and participants' viewpoints.

The presence and concentration of heavy metals were determined through the use of heavy metal test strips (iron, copper, cobalt, zinc, cadmium, nickel, lead and mercury) on water samples taken from municipally supplied water (tap water), present watercourses/water basins within the municipal area, and rain. Tap water samples were taken from each *comuna*; however, it is important to highlight that the longest series of tap water samples corresponds to *comuna* 1. The principal reason for this decision was access: I lived in an apartment in *comuna* 1, and this facilitated the weekly, uninterrupted access to tap water. Nevertheless,

the results from water samples taken from the tap supply in different *comunas* did not significantly vary and displayed the same average results. In contrast, accessing samples in non-centric and more deprived *comunas* (6 and 7) represented a bigger challenge. Therefore, I only managed to take one sample from each of those: one in a collaborator's office and the other in a religious venue (*comunas* not specified for security reasons).

The heavy metal test strips were introduced for 30 seconds on a 20cl sample and the results were interpreted by the level of colouration of the test strips. The method does not provide concrete levels of concentrations of heavy metals in water, but provides the results in ranges (<10 µg/L -20 µg/L; 20 µg/L -50 µg/L; 50 µg/L- 100 µg/L; 100 µg/L - 200 µg/L; 200 µg/L - 400 µg/L; 400 µg/L -1000 µg/L; <1000 µg/L). Additionally and on the same 20cl sample, I used pH testing strips in order to acquire data on the acidity of the samples. The degree of water contamination will be used as an indicator of environmental degradation in this thesis. For piped water, the average result for heavy metal concentration was 100-200 µg/L and the averaged pH level was 6.

Comuna	Total water samples taken from the public supply (tap water)	Average results (heavy metal concentration; pH)
Comuna 1	11	100-200 µg/L; 6
Comuna 2	4	100-200 µg/L; 6
Comuna 3	2	100-200 µg/L; 6
Comuna 4	2	100-200 µg/L; 6.5
Comuna 5	5	100-200 µg/L; 6
Comuna 6	1	50-100 µg/L; 6
Comuna 7	1	100-200 µg/L; 6

Table 5: Tap water sampling

Water body	Total water samples taken	Results (heavy metal concentration; pH)
Magdalena river	3	<1000 µg/L; 5.5
Ciénaga Miramar	1	400 µg/L -1000 µg/L; 5.5
Ciénaga El Llanito	1	400 µg/L -1000 µg/L; 4.5

Table 6: natural water courses sampling

From a methodological standpoint, it needs to be acknowledged that the accuracy of the results of the tests vary from the samples taken from natural water courses and piped water. For natural water courses, I used simple sampling from surface water on three specific natural water bodies that are in constant social use and at locations that fulfil sociocultural and economic functions. This method for water sampling has been backed up by prestigious health institutions like the World Health Organisation (hereafter, WHO) (2003; 2011). Fundamentally, I did not have access to the means, the technology or the appropriate facilities to perform a full body analysis of the water basins. Therefore, I did not collect samples at distinct levels of a water column and the results do not illustrate the state of water in average or at different depths. Independently, simple sampling of surface water is a coherent method for this research since it observes the heavy metal concentration and pH levels to which inhabitants are directly and daily exposed in Barrancabermeja.

Hence, it is important to address the limitations of this data. I do not intend to affirm that the samples taken are an exact representation of the quality of publicly supplied water and the water bodies of the river Magdalena and the marshes of Miramar and El Llanito. In contrast, they are indicators that serve to support qualitative data and quantitative data on the experience of water quality in Barrancabermeja. Thus, they are most relevant to support answers provided to RQ 1 extracted from interviews, questionnaires and visual data.

Spatial statistics of incidences of human rights abuse

One of the most relevant innovations of this research for rights research is the application of spatial statistics to analyse the incidence and spatiality of human rights abuse in Barrancabermeja. While this methodology has been recurrently used in criminology (Kumar and Charasekar, 2011) and environmental justice research (Park and Kwan, 2017; Łaszkiewicz et al., 2018), rights research is yet to consistently use it to understand human rights contexts.

Spatial statistics differ from traditional statistics as far as they integrate space (proximity, area and spatial relationships) into their mathematics. They allow determining of spatial distributions, processes, patterns and relationships, indicating whether there are "statistically significant spatial clusters (hot spots/cold spots) or spatial outliers, assess overall patterns of clustering or dispersion, group features based on attribute similarities, identify an appropriate scale of analysis, and explore spatial relationships" (ESRI website, 2020). Therefore, they

constitute a useful method to determine the spatiality of human rights abuse in Barrancabermeja from 2000 to the end of fieldwork on 9th June 2018. This period is characterised by armed conflict, paramilitarisation and political persecution. Hence, studying the spatiality of human rights abuse in Barrancabermeja provides an overview of the ways armed actors interacted and instrumentalised space for political and economic reasons. This analysis is based on Tobler's first law of geography – all things are related, but those that are closer are more related than those that are farther away (Tobler, 2004).

This kind of insight has helped spatial statistics become a central method to research spatial and environmental injustices (Gulden, 2002; Schutte and Weidman, 2011). Gulden's (2002) work illustrates the introduction of spatial statistics methods to the study of spatial injustice in Guatemala's civil war (1977–1986), demonstrating a differential attitude towards Mayans depending on whether they inhabited cities and were mixed with Latino communities, or predominantly Mayan regions. This and similar research encouraged the development of new spatial statistics methods and tools from the 2000s.

Similarly, Schutte and Weidmann (2011) applied spatial statistics to measure the distribution of political violence in conflicts, specifically looking into the relationship between escalation and relocation. They applied a null hypothesis similar to the one proposed in this research: the aim is to know whether the spatial distribution of some events is random or not, and the spatial conditionings that drive concentration (Schutte and Weidmann, 2011). Hence, the knowledge created by spatial statistics builds relationships between social practice and spatial features.

Spatial statistics have also become key in the field of criminology. Research like Kalinic and Krisp's (2018) aim to identify statistical significant hot spots of criminal activity in the city of San Francisco. They use Geographic Information Systems (GIS) and quantitative, geo-located data of criminal incidences to determine a spatiality of crime without the perils of misinterpreting the significance of clusters. This, and similar research such as that by Mohammed and Baiee (2020) or Kedia (2016), set the basis for a spatial analysis of incidences of human rights abuse in the city of Barrancabermeja as a method that will further demonstrate the relationship between socio-political practice and space.

For this purpose, I composed a statistical data set from secondary data. The data was gathered from the journal *Noche y Niebla* published by the Human Rights Data Bank, part of *Red Bandatos* (National Network of the Data Bank of Human Rights and Political Violence) and

produced by the institution CINEP/PPP (CINEP: Popular Research and Education Centre; PPP: Program for Peace). *Noche y Niebla* is characterised by compiling lists of condemnations of human rights abuse and political violence from civil society and human rights organisations. For this reason, it is important to discuss the reliability of the data shared by *Noche y Niebla* in relation to subjective biases. This research cannot confirm that the data provided by *Noche y Niebla* is an always accurate, perfect and objective account of incidences of human rights abuse in Barrancabermeja. Nonetheless, the incidences included in *Noche y Niebla* are always confirmed by relevant authorities like central state institutions. Therefore, *Noche y Niebla* is a very useful source to understand how Barrancabermeja's civil society has constructed a narrative around human rights abuse in the city from publicly confirmed incidences of human rights abuse. Consequently, it represents an optimal source to collect significant secondary data that aligns with the social constructivist approach of this thesis towards data and knowledge.

Often, *Noche y Niebla* provides the location of incidences, the alleged perpetrators and/or the impact that the events have on the wider community. It is crucial to explain that perpetrators have been classified into two different groups: paramiliataries and state forces, and guerrillas. The reason why paramilitaries and state forces have been grouped together is due to overwhelming proof provided by *Noche y Niebla*, participants and academic literature (García-Peña Jaramillo, 2005; Vargas, 2009; Gill, 2009; 2016) of the connivance of paramilitaries and state institutions in Barrancabermeja.

All the condemnations collected for Barrancabermeja from 2000 to the end of fieldwork were reviewed, and the cases with geographic information were gathered in a georeferenced data set (point shapefile to use with ArcGIS software). For each case, the date, location, perpetrator and type of abuse were recorded.

Armed actor	Frequency	%
Paramilitaries / State forces	831	87.8
Guerrilla	116	12.2
Total	947	

Gender of victims	Frequency	%
Not applicable	153	16.2
Male	747	78.9
Female	47	5
Total	947	

Table 7 (left). Frequencies of instances of human rights abuse by alleged perpetrator. Source: *Noche y Niebla,* journals number 15 to 57, CINEP/PPP.

Table 8 (right): Frequencies of instances of human rights abuse by the gender of the victim. Source: *Noche y Niebla,* journals number 15 to 57, CINEP/PPP.

Type of Human Rights abuse	Frequency	%
Urban combat	31	3.3
Assassination for political persecution (covered by IHL)	529	55.9
Extrajudicial execution by state forces and abuse of authority (covered by IHL)	5	0.5
Arbitrary detention by state forces (covered by IHL)	16	1.7
Attack of military objective	4	0.4
Forced disappearance (covered by IHL)	33	3.5
Individual threats to personal integrity (covered by IHL)	19	2
Collective threats to personal integrity (covered by IHL)	54	5.7
Torture (covered by IHL)	11	1.2
Torture and assassination for political persecution (covered by IHL)	23	2.4
Pillage (covered by IHL)	14	1.5
Displaced collective for political persecution (covered by IHL)	4	0.4
Assassination for social intolerance (*limpieza social*) (covered by IHL)	152	16.1
Use of illicit warfare and destruction of property (covered by IHL)	18	1.9
Sexual violence	1	0.1
Attack to installations containing dangerous forces (covered by IHL)	10	1
Blockage of access routes and destruction of property (covered by IHL)	22	2.3
Armed general strike	1	0.1
Total	947	

Table 9: Frequencies for instances of human rights abuse in Barrancabermeja. Source: Source: *Noche y Niebla,* journals number 15 to 57, CINEP/PPP.

Descriptive frequencies of the sample are useful to introduce the human rights context in the case study during the last decades. It is important to note that the incidences registered for this research are those for which geographical data (specific locations or neighbourhoods) was shared. Therefore, the data represents a sample of the total number of incidences denounced by civil society or human rights organisations to CINEP/PPP.

Human rights incidences covered by CINEP/PPP are generally articulated following International Humanitarian Law (hereafter and in the tables, IHL) frameworks. Human rights incidences involving direct military confrontation between combatant groups (urban combat, attack to military objectives and armed general strike) are the only ones that are not covered by IHL.

Before describing the way in which the data has been analysed, it is important that I address specific differences between the variables previously presented. Most would agree that the

data around the victims' gender will be more "accurate" than that around the alleged perpetrator. It is important to remember that these incidences come from civil society and that there is a probability that some of the victims could have been wrong or that they falsely accused one of the armed actors. However, and as this thesis is based on a social constructivist approach, this is not necessarily something that invalidates the dataset, insofar as what I analyse is the narrative around civil war dynamics in Barrancabermeja, which comprises a significant number of experiences. Hence, I understand the information provided by *Noche y Niebla* as an account of the conflict constructed by sectors of civil society.

The data was processed with the spatial statistics tool package of ArcGIS software. I ran three different tests: average nearest neighbour, median centre, and optimized hot spot analysis (original American spellings as in ArcGIS software).

- Average nearest neighbour: calculates a nearest neighbour index – based on the average distance between recorded incidences of human rights abuse – that determines whether the geographical distribution is clustered, dispersed or random from a statistical standpoint (ESRI, 2020). For all the cases recorded (no distinction between perpetrators, type of human rights abuse or date), the test indicated that incidences of human rights abuse are clustered.

  Thus, this test is crucial to address the last research question and the general argument of this research. On the one hand, it concludes that there are spatial processes and/or features that condition the experience of human rights. On the other hand, it showcases that armed actors engaged with specific spatial features, areas and/or processes. In this regard, the study of the type of human rights abuse perpetrated in relation to the spaces unravels how armed actors have used space instrumentally. This issue is discussed in depth in later chapters of this thesis.

- Median centre: measure of central tendency that identifies the location with a minimum Euclidean distance between all features of human rights abuse (ESRI, 2020).

  In this case, I classified the data temporarily. The decision to use this particular method was because it allows the analysis of the temporal progression of concentrations of incidences of human rights abuse during the development of the conflict in the city.

- Optimised Hot Spot Analysis: a test that determines the existence of statistically significant hot spots or cold spots in a distribution. It is important to note that hot spots are not the same as clusters, although the differences may be subtle. Clustering is an "[…] *'unusual aggregation'* of events" and "[…] there is no requirements for clusters to have neighbour integrity, be a certain shape or size or to be distinct" (Lawson, 2010:232-233). Hot spots, on the other hand, are areas of 'excess level' that are different to their neighbours and limited by boundaries that define their shape and size (Lawson, 2010).

The rationale under which I apply hot spot analysis is in line with research like Chambers (2019), who looks at the clustering and dispersal of migrant mortalities along a segment of the US-Mexico border. He applies hot spot analysis to identify hot spots (statistically significant excess level) or cold spots (statistically significant low level) of mortalities amongst migrants, finding that migrants have shifted their routines due to newly established policies (Chambers, 2019). Hence, both Chambers and my research use hot spot analysis to mark a relationship between political practice and space.

Optimised hot spot analysis requires the formulation of a hypothesis to interpret the results. For this method, the research presents the null hypothesis as "there is no statistically significant hot spot of incidences of human rights abuse". The research provides a chronological series of maps for different periods, showing significant differences between the number of cases among years. For example, in 2000, 162 incidences were reported before the 36 cases in 2003. Such a big difference in sample sizes produces falsified comparisons between maps. Therefore, I chose to group consecutive years together until reaching a minimum of 100 incidences of human rights abuse.

Choosing to group the incidences of human rights abuse to create samples of a similar size allows comparing the resulting maps and track hot spot development for the same areas. Furthermore, it provides an interesting reading of the intensity of the conflict per periods, facilitating the identification of qualitatively different stages of the urban war. Consequently, this decision not only supports the integrity of the analysis and the comparability of the resulting visualisations, but provides an extra layer of analysis for the same process.

Year(s)	Sample size
2000	162
2001	138
2002-2003-2004	127
2005-2006-2007-2008	127
2009-2010	128
2011-2013-2014	140
2015-2016-2017-2018	102

Table 10: year grouping and sample sized used for hot spot analysis of incidences of human rights abuse.

The maps define hot spots using the observed average distance of incidences of human rights abuse as distance band (the measurement that defines the areas tested for the existence of hot spots). I chose to use the observed distance instead of the expected distance for this analysis, because the latter represents the distance expected for a hypothetical random distribution of the same number of features in the same total area of study. Therefore, by using the observed distance in the analysis I acknowledge the clustered, random or dispersed characters of the samples within each test. The decision assures that the test adapts to the qualities of each distribution and results are not falsified.

The resulting maps showcase that hot spots of incidences of human rights abuse are related to specific spatial features: industrial facilities, communication networks and the entry of the refinery. While the maps idea will be extensively discussed in the analysis chapter, it is crucial to highlight that the finding permits identifying the spatial features or qualities that have attracted armed actors to provide a more sophisticated answer to the proposed research question.

Ultimately, the analysis of different armed actors' engagement with space and incidences of human rights abuse provides key information to determine how armed actors instrumentalised Barranca's space. Therefore, spatial statistics are effective, specialised methods that allow a thorough answer of RQ3 in this research and can be reproduced in other human rights research, whether that be in terms of incidences of human rights abuse or

looking for spatial and/or environmental determinants for the experience of well-being and justice.

Chapter 5. Meeting Barrancabermeja.

I will begin by highlighting something Gill pointed out in her book *A Century of Violence in the Red City: Popular struggles, counterinsurgency and human rights in Colombia* (2016). She noted that, when one talks about Barrancabermeja to other Colombians, there is a reaction: some sigh, some frown, some smile and some lower and shake their heads (Gill, 2016). Barranca *means* something to all of them. Barranca means something to Colombia. For some, it is an example of crude, dirty war; for others, it is a land of black gold. For many, it is a sort of passionate daughter that cannot keep herself out of trouble. Barrancabermeja has a marked identity forged by local experiences of oil extraction, civil unrest, insurgency, rights abuse and social movements.

This chapter fulfils two main functions in this thesis: 1) it introduces the material production of Barranca's space; and 2) it discusses local narratives around identity and space that have influenced rights practice. These narratives are understood as participating in the symbolic production of space, which has been framed as a method to exploit the instrumental facet of space. Therefore, in this chapter I discuss how the material and symbolic production of space has influenced rights practice locally.

I also highlight that some participants stated that Barrancabermeja is *not* a city due to the prevalence of the space's exchange value over its use value. They use human rights language to articulate this as a situation of injustice, showcasing the integration of core elements of the right to the city and human rights in local narratives. Therefore, this context allows me to argue that the spatial characteristics of Barrancabermeja contributed to the construction of a rights practice that speaks both to the right to the city and human rights.

The chapter is divided into three thematic sections. First, I introduce enclave economies in Colombia and locate Barrancabermeja as the principal oil enclave in the country (Serrano Besil, 2013). This process of material production of space had relevant effects over the development of local identities tied to trade unionism and social activism (Vega Cantor et al., 2009a; 2009b; Gill, 2016). Social activism by the USO motivated the nationalisation of the oil industry in 1951 (Vega Cantor et al., 2009b), and turned Barranca into a national symbol of insurgency and popular power.

These characteristics made Barrancabermeja an important node in the Colombian civil war (Restrepo and Apontes, 2009). On one hand, *guerrillas* found in Barranca a space where they could exercise control over a geostrategic element – the oil refinery – while being supported by sectors of civil society (Pécaut, 2008; Palacios, 2008; Gill, 2011). One the other hand, the high value of industrial infrastructures, natural resources and the refinery's product meant the state and right-wing paramilitaries also aimed for spatial control (García Pérez, 2016). This concluded in decades of dirty urban war, political persecution and abuse. For this reason, inhabitants became engaged with human rights social movements for the reappropriation of the city from both the petroleum industry and armed actors (van Isschot, 2015). This shows how the construction of local identities and the symbolic production of space participated in civil society's choice to use activism as a means to struggle for rights.

This outlines the second theme in this chapter, which is the use of social activism by local communities as an intrinsic element of rights practice. The case informs an analysis of local practices and narratives around rights, concluding that local rights practices combine human rights language with the right to the city rationale around the social function of space.

Ultimately, I analyse domestic policies that had an impact over the production of space and rights in Barrancabermeja. I focus on the governments of Andrés Pastrana Arango (1998-2002), Álvaro Uribe Vélez (2002-2010) and Juan Manuel Santos Calderón (2010-2018) since their mandates had a more direct effect over the experience of rights in Barrancabermeja at the time of the research. Additionally, I discuss the context that led to the presidential elections of 2018, highlighting a rise in experiences of political persecution. This brings me to conclude that, independently of the progress of the peace project in Colombia, armed conflict is still a reality for many Colombians.

1. Barrancabermeja, the oil capital of Colombia.

It is important to understand the positionality of Barrancabermeja in the economic and political structure of Colombia in order to analyse local rights practice. In the first subsection, "Barranca, the enclave", I debate the effects of enclaves for spatial structures from a material and conceptual standpoint. In this regard, I argue that the right to the city informs how enclave economies, as a process of production of space promoted by foreign actors, participated in the construction of local culture and rights practice. This is understood

under the terms of symbolic production of space, which had a relevant effect in local culture. I argue that the material and symbolic production of space by the petroleum industry attached practices around trade unionism and social mobilisation that set the basis for the reproduction of local practices around insurgency. This context severely affected the construction of rights and culture at a local scale for the rest of Barranca's history, which would have significant effects for the development of civil war dynamics (as discussed in Chapter 6).

The following subsection, "Barranca, the city?", focuses on the experience of the inhabited space. These experiences are closely related to the right to the city, as far as local communities understand the prioritisation of the exchange value of space in territorial development as detrimental for the experience of Barranca as a city. This is a fundamental element for this research since it showcases that local communities engage with values of the right to the city, which ultimately influence the construction of rights practice.

Altogether, this section addresses the main research question of this research as far as it develops the role of the production of space for the construction of rights practice. Furthermore, I highlight that local communities engage with the right to the city values because it makes sense to articulate the context following its principles. However, it is important to note that the right to the city is never explicitly referenced by any participant, and that the reproduction of its logics seems to be a spontaneous narrative developed from the experience of the inhabited space.

Barranca, the enclave

To understand the story of Barrancabermeja and the role of space in the development of local rights practices, it is crucial to address its development as an economic enclave. Enclaves are spatial clusters of capital accumulation around one dominant economic practice – which is, in most cases, related with the availability of natural resources (Weisskoff and Wolf, 1977; Bergeron, 2006; Sidaway, 2007). They were motivated by the demand of natural resources and raw materials by Western actors that invested in the industrialisation of resource-rich locations around the world (Bergeron, 2006). After the rupture of the colonial bond with Spain, several civil wars and the loss of Panama, early 1900s Colombia suffered the impacts of armed conflict, low investment and a fragile economic structure based on agricultural produce (Flórez-Nieto, 2000). In response to this situation and to international

pressures for the exploitation of national natural resources, the state agreed to boost infrastructural, economic and urban development through foreign investment (Vega Cantor et al., 2009a). Consequently, the socioeconomic development in Colombia at the beginning of the 20th century was highly dependent on foreign enterprise and on the fluctuation of prices of raw materials in international markets (Villar and Esguerra, 2005), leaving Colombia in a vulnerable position before global capitalist forces.

The establishment of enclave economies does not only produce space materially, but also symbolically. Enclaves reproduced Western democratic and liberal frameworks in Colombian urbanised or industrialised areas, relating the enclave space with a specific view around development (Sidaway, 2007). This process also diminishes the state's sovereignty over the territory, fomenting institutional disassociation with economic and industrial development and the production of space (Higginbottom, 2005). This means that capitalist, private and foreign actors were understood as "territorial developers and managers", contributing to the privatisation of the production of space.

The last argument is further developed by authors investigating the way international actors relate with the local. It has been noted that enclaves "[…] replicate features of the formal territorial enclaves (a detached part of a country surrounded by other state) […]" (Sidaway, 2007:332), understanding "formal territorial enclaves" as the space of origin of the industrialising agent. Therefore, economic enclaves represent a viable colonisation technique that permits foreign actors to acquire management rights over another state's space and bind specific cultural frameworks with that sense of development. The enclave system participates in the construction of meaning around the territory, leading local communities to feel they have decreasing agency over cultural frameworks. Under this rationale, the establishment of enclaves is understood as an instrumental use of local space by international actors, which produce the territory symbolically and materially in order to meet a series of economic objectives.

This process rooted Western and liberal models of justice and land management to specific spaces, to *urban* spaces, relegating aboriginal cultural values around the territory and justice to a second place. This conclusion relates to Lefebvre's conceptualisation of the city as the site of capitalist logics (Lefebvre, 1991; 1996; Harvey, 2012), identifying the production of the urban space as key in defining the hegemony of one or another system of justice and rights in different areas in Colombia. Those areas that were never colonised and urbanised

were more successful in maintaining traditional values around justice and the territory, which have been legally acknowledged for indigenous and *campesino* societies (Gómez Isa, 2014). Therefore, and in the Colombian case, the way space is produced influences regional systems of justice and land management.

The implications of having an economic actor managing overall spatial dynamics signals that the state is losing or giving up territorial sovereignty, contributing towards the undemocratisation of the production of space (Purcell, 2002). In this sense, the establishment of enclave economies can be understood in the context of a semi-para state as far as the company intakes administrative responsibilities with regards to land management, but does not assume monopoly over violence (Stanislawski, 2008). The para-state in Barrancabermeja will be discussed in greater depth in the following chapter; however, it is important to mention it at this stage. It showcases that, since the beginning, Barranca is a space that has not been fully administrated and controlled by publicly elected institutions, but by actors motivated by the exchange value of the land.

Barrancabermeja as an urban centre and not an industrial facility developed due to the demographic movements influenced by the establishment of the petroleum enclave during the first decades of the 20th century (Serrano Besil, 2013). The company that took hold of the concession to exploit Barrancabermeja was the Tropical Oil Company, sister to the Standard Oil Company owned by the Rockefeller family (Vega Cantor et al., 2009a). However, it is difficult to discuss the early urban development of Barrancabermeja carefully since the available contemporary documentation is scarce and highly biased. What we know is that the Tropical Oil Company developed different housing projects: highly skilled, Western workers were provided with accommodation that had been designed following the American style of urbanism, whereas low-skilled workers lived in communal camps and tents within the industrial complex (Vega Cantor et al., 2009a; Gill, 2016). The reproduction of American styles of urbanism supposes evidence of the cultural colonisation of space: the Tropical Oil Company – or, as it is known in Barranca, *la Troco* – introduced sets of Western urban dynamics and social organisation through the urbanisation of the land, supporting racial segregation through the production of space. Hence, *la Troco* exploited the instrumental facet of space, using urbanisation to establish and reproduce Western hierarchies around ethnicity, knowledge and gender.

In the following quotation, the participant references the symbolic production of space through territorial development. Specifically, they address early urbanisation and the meaning of steel grills.

> "*Here we had an enclave model and the city started to develop around the refinery. That is: there is the refinery as central axis and in front of it there was the space for the camps for Colombian workers, which were divided depending on married or single status. Inside the refinery there was the staff* [English word in original]*, the Americans... the whites, yes? Canadians et cetera. And they also changed the way of construction, that is, inside they built houses following the American model* [...] *and outside following a military camp base.* [...] *The appropriation of the territory is very important because they created a mode of blockage that is the grille. Building with grilles. And the grille does not only separate the reality but the imaginary.*" (Interviewee 8)

The interviewee highlights that the Tropical Oil Company used metallic grilles to separate distinct areas of the refinery and urbanised land, imposing physical barriers to access certain spaces. In a time when Colombia did not produce steel and it was a scarce material, using it to enclose high-end housing and leisure areas turned it into a symbol of power, exclusion, racism, segregation and neo-colonialism. This measure of direct control of space also enabled indirect control of space, having a significant effect over its conceptualisation and representation. The participant relates separating "realities" with separating the "imaginary", implying that people understood spaces differently with regards to their relative position to the grille. Moreover, it implies that the people inhabiting the spaces separated by the grille have distinct characteristics. The convergence of these factors informs on the processes that provided some areas with distinct prestige, income level, access to services and overall well-being, thus having a great impact over community experiences of social justice and dignity. Therefore, it can be appreciated that the Tropical Oil Company controlled the production of space and the reproduction of meaning and value around it.

Nonetheless, territorial development by the Tropical Oil Company also reinforced class differences. The participant in the following quotation explained how these differences were reproduced in the regional train service that was built to meet the needs of the petroleum activity.

"Even on the train service that went to the refinery there were different classes, it said: first class, second class and third class. On first class, where the directors [of the refinery] *travelled, everything was well built and if it rained they would not get wet. In the second class went the petroworkers and, on third, goods and the most popular classes. Therefore, this shows that there was discrimination in terms of class."* (Interviewee 4)

This is relevant as far as class distinctions enforced by *la Troco* participated in the development of socialist discourses among the workers. Hence, it can be understood as a consequence of segregation, highlighting how the material and symbolic production of space by capitalist actors can encourage the reproduction of narratives and practices that directly challenge them.

Although *la Troco* had almost complete control over the production of space (Otero Prada, 2015), there was a group over which the company did not have direct control, but which assumed great responsibility over the process of urbanisation: a prostitute community fundamentally composed by women (Serrano Besil, 2013). They appropriated the land adjacent to the industrial complex and initiated community-led urbanisation that spread as more women migrated to the area (Serrano Basil, 2013; Otero Prada, 2015). This situation initiated a more intensive process of urbanisation that supported the formation of the urban centre of Barrancabermeja.

Nonetheless, prostitutes were understood as a moral, social, religious and health hazard (Vega Cantor et al., 2009a; Serrano Basil 2013). On top of that, they were assisting petroworkers in their strikes. Therefore, *la Troco* demanded Colombian institutions to exercise some level of control over them (Serrano Basil, 2013). For these reasons, two participants highlighted the role of the prostitute community for both the development of the land and local identities around social activism and protest.

"Here, they got to establish, I got pictures of that, a prostitute trade union. […] *And they were belligerent. When the women were mistreated, they put complaints on their trade union. They were many times invited by the USO, but that memory is lost because the USO is now very bureaucratic and they all go in expensive cars… you get me, it's terrible. But anyway, they had a trade union; and they usually participated in all the events. Because, at the end of the day, those men* [men working for the refinery] *are their clients, their friends, their husbands… many of them end*

up married. That was their part, to exercise pressure to expand the city boundaries and social organisation. And indeed, they pressured." (Interviewee 8)

"*The prostitute woman of the times of la Troco and during the decade of the 1950s had a fundamental role in trade union mobilisations. Even loads of prostitutes ended up marrying petroworkers, getting out of prostitution and starting a family.*" (Interviewee 4)

Therefore, these women represent a source of social organisation and urbanisation, developing and further nourishing a local sense of community. They were relatively organised and influenced by socialist ideals, acquiring a great deal of control over the production of spaces adjacent to the refinery. This situation motivated the introduction of the state institutions in the area.

The first appearance of public institutions in the territory occurred in 1920, before the urban centre was even recognised as a municipality (Vega Cantor et al., 2009a). The state made its presence in the form of healthcare, aiming to control a syphilis epidemic that affected both oil workers and prostitute communities, which threatened the normal development of economic activity (Vega Cantor et al., 2009a). Before this situation, the Tropical Oil Company demanded the state to control social activity and public health in the area. Nonetheless, and after the recognition of Barrancabermeja as a municipality in 1922, the prostitute community was further controlled by local institutions and they were forced to pay taxes – even although prostitution was illegal at the time (Vega Cantor et al., 2009a). Here, we can observe a division of functions between the Tropical Oil Company and the state: the company was responsible for the economic and environmental management of space, while public institutions were meant to control the social dynamics that could interfere with productivity. This structure will continue in Barranca's history. This is a context that was also discussed in interviews.

"*There was a time when mayors had to ask permission to la Troco or Ecopetrol for… there was a kind of para-state. To get in la Troco or the Centre* [the commercial area of the town adjacent to the refinery], *for example, one had to ask permission to the refinery.*" (Interviewee 4)

> "*If you take a map of the city, it is surrounded by the refinery. It's the refinery what gives it a start and sets the edges and direction where it can develop. The most important thing is always the refinery.*" (Interviewee 8)

These quotations are relevant for this research as far as they introduce the concept of "para-state" in Barrancabermeja, which remains significant nowadays. Stanislawski considers that "[…] states possess complete (or near complete) control over their territories and—one of the oldest features of modern states—a monopoly over violence" (2008:367), noting that areas where the state has no territorial control and/or monopoly over violence are governed by para-state organisations. Pełczyńska-Nałęcz, Strachota and Falkowski (2008) identified "states-within-states" as a context of para-state, where the leaders declare belonging to their state of origin but are able to enforce and transform other country's territory. It is in this sense in which I recognise that describing Barranca's early context as one of para-state is very appropriate to understanding practices in the city.

Hence, this context of early para-state in the city of Barrancabermeja describes how the dispossession of land from public institutions and inhabiting communities promoted its management following exchange values instead of use values. The Tropical Oil Company was materially producing space following this rationale, having a fundamental effect over how Barrancabermeja was conceived. This situation of para-state participated in the development of socio-political movements to challenge the company.

Up to this point, intense industrialisation, landscape and ecological transformations, significant migration flows and racial segregation shaped a population that began to strive to make a living or become wealthy(ier). This context, in parallel to the popularisation of socialist and communist ideologies in the 1920s (Torres del Río, 2010), created two main interest groups: low-skilled workers with the support of local prostitute communities, and highly skilled workers and managers aligned with Colombian political elites. These circumstances would encourage the development and structuration of insurgent and belligerent attitudes against authoritarian and oppressive orders, and the foundation of the USO (Gill, 2009; 2016; Vega Cantor et al., 2009a; 2009b; Otero Prada, 2015). However, and most interestingly, one participant articulated social organisation in Barrancabermeja also as a product of the importation of Western models by the petrol industry:

> "*The petrol industry did not only bring us… let's say, the way to appropriate land or structure economic relations. It also brought ideas of social organisation, of trade*

union [English in original] *that ended up being left wing, because they actually did not start being left wing but liberal. The Colombian Communist Party settles here* [in Barranca] *because it is where there is a proletariat that is being exploited. Here, we definitely had a proletariat, a mass, and that determined the context. So, when we go out, we have fame of being riotous. 'That one that comes from Barranca, that man* [English in original]*, is used to paros, is a guerrillero…' That's what they say. So, during those days* [the decades of the 1930s and 1940s] *even the mayor of Lorca in Spain came here looking for exiled anarchists. There was an anarchist current here, because one our trade unionists, Mahecha, was in the Socialist International. The guy travelled around and had relationships with anarchists…. And, what more? Socialists… they create strong ties with other trade unions, I do not know how many, but one can see trade unionists travelled to Montevideo. Let's say, there is an appropriation of everything that is the struggle, because unfortunately it was the only way to accomplish anything: the hard way. And that has not changed in a hundred years."* (Interviewee 8)

I would like to finish this section by discussing this quote, because it synthetises the main ideas debated throughout. First of all, the interviewee articulates the petroleum industry as structuring the appropriation of the land and local economic relationships. This is a fundamental point: the participant is noting that a capitalist actor defined the way that space is appropriated and produced, linking to Lefebvre's works that relate the production of space with political economy structures. Then, the participant relates this process of production of space to a set of practices intrinsically linked to social mobilisation.

This is a key idea for this research as far as it notes that the production of space has agency over the development of social practice. In the case of Barrancabermeja, the production of space developed into the development of a working-class social base that engaged with socialist discourses, to the point that the Communist Party settles in the city. This situation showcases how the material production of space can drive the symbolical production of space, as far as the enclave system contributed to the reproduction of specific political narratives in the city.

Next, the participant relates these political narratives to the local tradition on insurgency. The interviewee refers to the matter highlighted at the beginning of this chapter: that Barranca has a meaning for other Colombians. Barramejos (gentilic) are riotous, engage with

civil strikes and have a relationship with *guerrillas*. This is a consequence of the production of space as an enclave, as far as it set the basis for social unrest and participated into the development of a social base that is proud to engage with these attitudes.

Ultimately, Interviewee 8 notes that Barranca's society appropriated "everything that is the struggle", and that "it has not changed in a hundred years". This idea highlights that the beginning of the story of Barrancabermeja defined the way civil society relates to struggle and social movements. The local culture is engrained with practices around insurgency and struggle that will later be applied to human rights struggles. Most notably, these practices are defined by beliefs and motives that can be directly linked to the right to the city, building strong cultural ties between both sets of rights.

Therefore, this subsection is central in order to understand how the production of space constructs rights practices. The empirical case of Barrancabermeja shows that the development of the petroleum enclave as a process of material production of space had a significant effect over the people that inhabited the land, the narratives they reproduced and the practices they engaged with. For this reason, I consider that this segment of the story of Barrancabermeja supports my theoretical argument on the role of space for the construction of social practice. Consequently, this discussion explicitly addresses this investigation's main research question, showcasing that the production of space has the ability to control, to a large extent, the social base inhabiting space. This social base constructs narratives around justice that are directly linked to their experience of the inhabited space, which ultimately informs rights struggles. This process speaks to Lefebvre's description of space as being moulded by and moulding inhabitants, highlighting that, even though space is socially constructed, its shape and characteristics have agency over social (rights) practice.

Barranca, the city?

Up to now, I have discussed the production of space and the construction of social and rights practice in Barrancabermeja, highlighting that the development of the urban area corresponds to economic enterprises. This principle explains why some sectors of civil society do not understand Barranca as a city nowadays, as far as the urban has traditionally been managed by economic and political actors following private aims. This situation speaks to the right to the city literature that focuses on the political economy of the production of

urban areas (Brenner et al., 2011; Harvey, 2012). Hence, the case of Barrancabermeja represents an empirical case that demonstrates that the prevalence of the exchange value of the urban over its social value retrieves the "city" meaning from the urban.

This factor is important for this thesis as far as the context has guided the reproduction of narratives and practices addressing rights in the urban, rather than in a city. For this reason, this subsection begins by discussing modern narratives around Barrancabermeja, showcasing that inhabitants regularly identify the local with the petrol industry. Next, I discuss empirical data that illustrates how sectors of civil society conceptualise Barranca, highlighting that insurgency is a central element of Barranca's meaning.

Overall, in this subsection I continue providing evidence on the themes previously introduced. The empirical data has mostly been extracted from participant and non-participant observation methods and interviewees, further demonstrating the value of this data to support my arguments. Conclusively, this subsection continues developing key concepts while introducing the story of Barrancabermeja, which is crucial to understand the discussions in the following sections and chapters.

As I have noted, I want to start this analysis by presenting evidence on the centrality of the hydrocarbon industry for local culture and the meaning and purpose ascribed to Barrancabermeja.

> "*Barranca is petrol. Even in other regions of the country, you ask for Barrancabermeja: petrol. It is a municipal characterisation that we inhabitants have believed.*" (Interviewee 8)

> "*Everybody here has grown up and has developed wanting to become a petroworker. To work for Ecopetrol.*" (Interviewee 3)

These two interviewees identify two elements that are central to the meaning of Barrancabermeja: petrol and Ecopetrol. The obvious reason why "petrol" is relevant is because it is likely that Barranca would have never developed the way it did without it. Ecopetrol, however, has the opposite meaning. Petrol *made* Barrancabermeja, but Barrancabermeja *made* Ecopetrol. Trade unionism in Barrancabermeja organised by the USO during the 1930s and 1940s concluded in the nationalisation of oil and the creation of Ecopetrol – short for *Empresa Colombiana de Petróleos* and translated as Colombian Petroleum Company – the biggest oil company in Colombia and the second biggest one in

South America (Forbes, 2019). Ecopetrol is a fundamental element of Barrancabermeja's history, identity, culture and landscape, and has been one of the most powerful organisations in the city and the country. Ecopetrol's refinery in Barrancabermeja processes up to 70% of all the petroleum-derived products exported by Colombia (van Isschot, 2015), making it one of the most relevant industrial assets of the company and the national petroleum industry.

Ecopetrol was made a public company in 1951 (Verga Cantor et al., 2009). The company had an output of decades-long syndicalist and insurgent action, making both Ecopetrol and Barrancabermeja a symbol of the power of social mobilisations in Colombia (Verga Cantor et al., 2009). Throughout the following decades, Ecopetrol took control of the rest of the petroleum industry in the country, becoming the agent responsible for the management and exploitation of the resource at national scale (Verga Cantor et al., 2009). Hence, these two interviewees are articulating the resource "petrol", and everything that comes with it, as meaningful for the space of Barrancabermeja, both at local and national scale.

Consequently, as has been previously discussed, insurgency and social mobilisations are also a central characteristic. Nonetheless, it is important to highlight that the narrative around social movements in Barrancabermeja has changed throughout time. Interviewee 2 developed this topic:

> "*We talked about this in a forum. Barrancabermeja is not a rebel city, it is a* contestataria[1] *city. It is not rebel, rebel is… tougher. I believe the time of the rebel city is gone. Probably in the 70s…* […] *or the 80s. But that time of getting out to the streets, of taking car wheels and burning them, coming up and painting graffiti; that time is gone. Because of the violence that happened here, of course, that's why that's past. But there is still this contestataria attitude of getting up and saying: this is not right. Of saying, here we are missing this. That is still part of the city.*" (Interviewee 2)

Here, the participant is identifying two different practices of insurgency in the city. First, the interviewee describes the "rebel" methods such as "car-wheel burning" and graffiti painting. These descriptions can be interpreted as ways to instrumentalise space through occupation, space function disabling and symbolic display, therefore linking the idea of "rebelliousness"

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[1] The participant discusses the use of the adjectives *contestataria* and *rebelde* for Barrancabermeja, which are both regularly translated as "rebel" in English. In Spanish, *contestataria* is defined as "1. That one that contests (adopts a polemic attitude)" and *rebelde* is defined as "1. revolting, getting someone to breach due obedience. 2. Oppose resistance".

to the direct control of space. However, the crude violence and paramilitarisation of the Middle Magdalena, which will be discussed in depth in the next chapter, heavily repressed social movements that utilised the space in such ways. Nonetheless, sectors of civil society still understand Barrancabermeja as a place of social action, of movement, of political denunciation and struggle.

However, when asked specifically about the city qualities of Barrancabermeja, Interviewee 2 retracted and articulated Barranca as not being a city. This idea was also reproduced by Interviewees 3 and 8.

> "*In this sense, the city hasn't been thought off very well. It is a working-class city where people come for a job, drink beer, get drunk and ciao. There's a lot of people that come until they get a pension from Ecopetrol, and then leave. And that has also creeped in the people's culture. […] So, it is not a city… although people are very humane, they are very warm.*" (Interviewee 2)

> "*First thing, Barrancabermeja needs to believe itself a municipality. Because Barrancabermeja was not formed as a space with inhabitants that wished civic conviviality, that wanted to be a community. It wasn't born wanting to be a social community. It was born out of economic interest.*" (Interviewee 3)

I want to stress the quotation from Interviewee 3. They are openly articulating the fact that Barranca "was not formed as a space with inhabitants that wished civic conviviality, that wanted to be a community" as the reason why it is not a city. Furthermore, they note that "it was not born wanting to be a social community" but "it was born out of economic interest". This extract represents empirical data that describes very efficiently the right to the city rationale around the social value of cities; that, when this is neglected from inhabitants, they turn into spaces for the reproduction of capital rather than cities per se (Brenner et al., 2011; Mitchell, 2003). Furthermore, sectors of civil society identify the overall context as a source of abuse of fundamental rights.

> "*If you take a map of the city, most of the neighbourhoods were first invasion neighbourhoods. That is, without any kind of planning, public services… without social assistance, with nothing. And what does the government do? When it sees that you have already put there your house… in territory that was la Troco's but now it's Ecopetrol's; so, Ecopetrol says: 'look, there's families over there, getting all that*

people off the land is going to be a mess…' So, it turns to the town hall and says: 'buy the land yourself from me'. So, the town hall would buy it and give it in donation… then is when the town hall gives you this little title for the land you invaded. It just gave you the land and appeared for the pictures and said it had built you a house. 'I gave you a housing solution', they say. THAT is our housing problem." (Interviewee 8)

This quotation directly references the provision of housing as not being driven by a clear social policy in Barrancabermeja. Furthermore, it showcases that the provision of housing and the integration of informal neighbourhoods in Barrancabermeja are highly controlled by Ecopetrol, illustrating the workings of the para-state in this sector. These dynamics directly impact the enjoyment of fundamental rights like the human right to housing, the human right to water and the human right to sanitation, among others. Hence, Interviewee 8 is addressing spatial (mis)management as a source of injustice. Likewise, they are introducing statelessness and the privatisation of the production of space as a process that intrinsically affects the well-being of many communities.

Therefore, this idea introduces the idea that sectors of Barrancabermeja society understand space as intrinsically related to their experience of rights. This rationale is applied to purely urban matters like housing and the provision of adequate urban services, such as safe water and sanitation. However, it is also articulated from a conceptual standpoint. This idea was supported by Interviewees 3, 5, 11 and 12, who understand space and human rights as necessarily interrelated. When asked the question, "What relationship do you think there is between the territory, a city and human rights from a conceptual standpoint?", one interviewee answered:

"*There is no relationship because they are the same thing. The territory is formed by two elements: space and the population. The territory exists because there are settlers. Because there is construction of society. And that should be done within the framework of human rights. And that is what makes territory. Or what should.*" (Interviewee 3)

Another interviewee, when asked a similar question, answered:

"*What is the relationship, you ask? Well… first of all, we do not understand them as two separate concepts* [space and human rights] *because they are very interrelated.*

Because one can say that spatial management provides the material means, the objective circumstances that make human rights possible." (Interviewee 12)

I want to finish this section with these two extracts as far as they are ideal empirical data that support the central argument of this thesis: space is a central aspect of the experience of human rights. Hence, these extracts reference the main research question proposed in this study. Nonetheless, the discussion of Barrancabermeja throughout this section informs why space is understood as a crucial element of the enjoyment of human rights. If we recall the story of Barrancabermeja, this is a place that was fundamentally developed to perform a series of economic and industrial functions. These functions have controlled the material and symbolic production of space, which have which have significantly affected the platform-canvas facet of the region. From extensive and intensive land transformation, to environmental pollution and the prevalence of exchange value over social value, these are all processes that directly relate to the experience of rights and the space people inhabit. In places like Barrancabermeja, where the characteristics of the inhabited space are detrimental to the enjoyment of rights, the territory becomes a crucial rights struggle.

Consequently, this section has introduced the material and symbolic production of space in Barrancabermeja as central for the development of social practice, meaning and the conceptualisation of space as a crucial element for the experience of rights. However, it is important to note that I do not aim to convey that *only* in places like Barrancabermeja is space relevant for human rights. What I defend is that areas like Barrancabermeja host a series of spatial dynamics that relate human rights and space more explicitly. Space is also crucial for the experience of human rights in cities like London or Paris; however, the quality these spaces may also speak to political economic approaches rather that spatial approaches. This is one of the important lessons to learn from places like Barranca, as Interviewee 12 put forward: space defines the physical environment that makes possible the enjoyment of rights.

2. The spatial turn in human rights narratives in Barrancabermeja: the practical experience of the right to the city.

In the previous section, I argued that Barrancabermeja as an empirical case showcases that the material and symbolic production of space affects the construction of narratives around space and rights. This section builds on that idea, and discusses how these narratives translate

into specific practices around rights in space. This provides an empirical case to analyse the interaction of human rights and the right to the city narratives, and the outcome practice of rights.

Specifically, I discuss *paros cívicos* (civil strikes) as an empirical example that illustrates the interaction of the right to the city and human rights practice. Therefore, the analysis I present in this section continues to discuss the themes pointed by the main research question, scrutinising contexts that outline the reproduction of the right to the city and human rights practices. The main conclusion of this section is that human rights narratives in Barrancabermeja are showing elements of the "spatial turn" mentioned in previous chapters. Hence, in this section I present empirical evidence of the integration of space into human rights practice through the application of the right to the city rationale.

I argue that *paros cívicos* (civil strikes) are the outcome of collective struggles that showcase the interplay between the right to the city and human rights. This is because they use human rights language to articulate claims of justice related to the right to the city. Hence, I understand *paros cívicos* as a semantic figure (Bonilla Vélez and García Raya, 1998) that represents collective struggles experienced within a space. In the case of Barrancabermeja, collective struggles have been traditionally related to the experience of space and its effects over the enjoyment of rights. This preposition opens up an interesting conversation, as far as the narratives reproduced in social mobilisations are representative of the process of construction of human rights and how it is influenced by the right to the city rationale.

Empirical data drove me to conclude that the collective struggles for human rights are starting to integrate spatial and structural prepositions. This is a relevant point because the experience of armed conflict had limited local human rights narratives to civil and political rights. The preservation of life and the protection of fundamental political and civil freedoms was central in local human rights movements, which can be observed on the *paro cívico* for the human right to life organised in 1987 (van Isschot, 2015). Nonetheless, empirical data gathered during fieldwork highlights that local rights struggles feature the concepts of "change" and "peace" in territorial terms. Therefore, this indicates that the analysis of *paros cívicos* and social movements in Barrancabermeja is valid to identify the "spatial turn" in human rights movements.

The significance of reappropriating space can be observed in the main method of social protest used in the city, *paros cívicos* (civil strikes). Civil strikes or *paros cívicos* are

qualitatively different from petrol strikes as far as they are community-led efforts motivated by collective challenges. They are characterised by three main elements: complete shut-down of all activity in the city and pacific invasion of public space, integration of different social classes before common urban challenges, and sporadic and circumstantial organisation (Martínez Castilla, 1998). *Paros* construct a cross-class coalition fed by radical democratic movements (Gill, 2016) that encompass peasant leagues, trade unions, human rights activists, environmental activists and civil groups. Bonilla Vélez and García Raya conceptualised *paros cívicos* as semantic figures as far as they reproduce specific everyday life narratives, representing optimal cases to investigate the discourses and values held by non-armed actors in Colombian modern history (1998).

In this research, I address *paros cívicos* as a socio-political strategy where inhabitants take control of the functional facets of space. Therefore, it represents a method for spatial instrumentalisation used by civil movements in Barranca's history. *Paros cívicos* instrumentalise space though the exercise of direct control by invasion to limit the space's ability to fulfil its economic, social and/or political functions. Therefore, they rely on strong intra-relational networks fomented by collective struggles with which most of the population can relate. The first *paro* in Barrancabermeja occurred in 1963 and addressed the poor quality of urban services in the city (van Isschot, 2015). After that, one of the best known *paros* in the history of Barrancabermeja was *Paro Por la Vida* (civil strike for life) in 1987, the first human rights *paro cívico* in the history of Colombia directly addressing the human right to life within the conflict (van Isschot, 2015). Hence, this showcases that rights practices in Barrancabermeja are related to the reappropriation of space, which has been explicitly used in human rights mobilisations.

Social activism in Barrancabermeja can be understood as a strand of political movements that address the concept of "change" from political, economic and environmental standpoints. This idea is supported by ethnographic data showcasing that the ideas of "change" and "peace" were reproduced in a systematic manner in most of the events I attended. "Change" and "peace" are articulated as political processes that must address and reconstruct the relationship of communities, the state, armed actors, the environment and Ecopetrol in space towards the fulfilment of human rights.

However, it is important to note that "change" has had different meanings for local social movements in the past. First, "change" referred to the nationalisation of oil and the refinery.

Then, it addressed paramilitarisation. Currently, it has become infused with environmental and landscape-related matters. The normalisation of access to the internet and the development of network societies (Castells, 2015), together with the decline of urban combat, has encouraged the most recent change in local narratives around rights. They have promoted structural ways of understanding human rights that provide a conceptualisation of "the human rights victims" outside of the dynamics of civil war that integrate space. However, it is important to note that the experience of civil war is still central in structuring the definition of human rights and human rights victims. Interviewee 2 discussed this topic.

> "*I believe there are people still understanding it that way, as victims of the armed conflict. However, the important thing is to understand that the right to water, the right to the environment, the air, the right to public space… they are human rights as well. So, I think that we are understanding that now. Education around this is needed. Because here in Barranca we still understand it* [the concept of human rights victim] *as very linked to the conflict.*" (Interviewee 2)

This quotation is interesting for several reasons. First, it highlights the role of the civil war for the construction of meaning around human rights. Secondly, it shows that there are people in Barrancabermeja pushing to expand meaning around human rights to other issues (for instance, the interviewee themselves). Thirdly, it frames "the right to public space" as a human right, among other spatial features. This account around the construction of human rights in Barrancabermeja identifies key elements of the local rights practice that supports the main argument of this thesis. For instance, it represents the "spatial turn" in the local construction of human rights. The participant presents a traditional understanding of human rights related to individual integrity and freedoms, in a fashion that is reminiscent of Turner's (1993) justification of human rights based on corporeal frailty. Crude armed conflict within the urban and the direct threat it represented to personal integrity drove communities to understand human rights in those terms. However, and once the conflict de-escalated, the construction of human rights narratives began integrating ideas that can be directly related to the right to the city rationale and literature.

Don Mitchell's book *The right to the city: social justice and the right to public space* (2003) argues that human rights are a fragile mechanism by which to secure the enjoyment of a right to public space since they do not have mechanisms to articulate its collective qualities. Consequently, Mitchell turned to the right to the city as a framework for its defence. The

relevant implications of Interviewee 2's rationale is that it does not care for the individualistic preposition of human rights. It cares about the fact that Barramejos' experience of injustice regarding access and use of public space directly impacts the everyday experience of human rights. Therefore, this context "automatically" turns public space and other spatial features or layers, like the environment, into human rights.

This showcases that the participant does not necessarily believe that something needs to be acknowledged as a human right by pertinent human rights institutions and law in order to be one. They just are, and they need to be struggled for. In this sense, it is when I observe the influence of the right to the city rationale into human rights logics.

This idea is also put forward by Interviewee 12, who also highlights the progressive "spatial turn" in human rights narratives in Barrancabermeja. In line with Interviewee 2, they articulate armed conflict as controlling the development of human rights narratives throughout the last decades. However, the interviewee also highlights that there has been a steady movement towards the inclusion of spatial considerations in local and regional social movements.

> "*Until now social movements… and it is understandable, because what is pressing, the first thing is to be here and save one's life… the human right to life, physical integrity, political and civil rights. But as it is complicated here and we live in a violent context, it is possible that that has not permitted or has not given space for movements for socioeconomic human rights. Here, there's been demonstrations, the defence of the moorlands, the campesino marches of 2013, which included matters of environmental recovery; pressure for a study of the San Lucas' mountains […] Looks like that vision is starting to be acquired, but it is a slow process in comparison to how quick other actors organise.*" (Interviewee 12)

The defence of the moorlands, environmental recovery, acquisition of more information around the geography of San Lucas' mountains… all these issues directly relate to socioeconomic human rights, as pointed out by the interviewee. They are also noting that there is a slow "spatial turn" in human rights mobilisations. However, they highlight that the popularisation of this vision is jeopardised by existing actors that may be prejudiced by the popularisation of these ideas. This implies that there is contestation around the construction of human rights and the integration of the right to the city and spatial matters. In a space where the prevalence of the exchange value legitimises management directed towards the

maximisation of economic profit, a "spatial turn" in human rights frameworks could limit economic practices.

To conclude this section, I want to stress that this material supports a fundamental argument of this thesis: that human rights practice is progressively integrating space. Whilst in Chapter 3 I argued that this is partly a consequence of the reproduction of the right to the city framework by human rights institutions, the case of Barrancabermeja highlights that this is also a result of the practical experience of rights in space. Spatial injustices related to the production of space are understood as human rights struggles, showcasing a context that drives communities to infuse the right to the city logics into human rights narratives.

3. The national political context.

Up to this point, I have mainly analysed processes at local scale that have affected the production of space and the construction of rights narratives in Barrancabermeja. However, it is important to acknowledge that political decisions taken at national scale have also had significant effects over these processes. Throughout the last decades, national-scale policies addressing the resolution of the armed conflict and the liberalisation of the oil industry have influenced the experience of rights in Barrancabermeja. For this reason, in this section I discuss the governments of Andrés Pastrana Arango (1998-2002), Álvaro Uribe Vélez (2002-2010) and Juan Manuel Santos Calderón (2010-2018) and the effect they have had on Barrancabermeja.

In this regard, the thesis makes a connection between the intensification of the paramilitary movement during Pastrana's mandate – illustrated by the creation of right-wing paramilitary *Autodefensas Unidas de Colombia* (translated as Unite Self-Defences of Colombia, hereafter AUC) in 1997 – and the process of liberalisation of the hydrocarbon industry. Paramilitaries were supported and legitimised during the mandate of Uribe through Decrees 128/2003, 3391/2006, 3998/2006, 0387/2006 and 315/2007; Law 975/2005 and the public narrative of the president (Bernal, 2015). Likewise, the liberalisation of the hydrocarbon industry was realised in 2003 through Decree 1760/2003, stripping resource management rights from Ecopetrol and prompting the formation of the *Agencia Nacional de Hidrocarburos* (translated as National Agency of Hydrocarbons, hereafter ANH). Therefore, Uribe's mandate can be understood as a political system that participated in civil unrest in

Barrancabermeja. In contrast, Santos is known for taking a dialogue-based approach to the conflict, which culminated in a signed peace agreement with the left-wing *guerrilla* FARC-EP in 2016.

Pastrana's first years are characterised by his international agenda for peace, known as "Diplomacy per Peace", where he presented the conflict in Colombia as multilateral and dependent on structural and international issues, putting a special emphasis on drug consumption (Soto Arroyave, 2020). His strategy encouraged the involvement of international parties in the resolution of the conflict without direct military intervention (Soto Arroyave, 2020), making special reference to the USA (Vega Cantor, 2015). He also initiated peace dialogues between ELN and FARC-EP, which were not successful (Trejos Rosero, 2011). However, New York's terrorist attacks on 9/11 affected his policies as far as the new war against terrorism brought to Colombia a debate around whether *guerrillas* were in fact narco-terrorists or political insurgent groups (Trejos Rosero, 2011).

In the specific case of Barrancabermeja, his economic policies had an even bigger effect. Although he failed to completely liberalise the hydrocarbon industry in 1998, Pastrana strengthened the economic deregulation to address Colombia's economic situation (Estrada Álvarez, 2005). This movement exacerbated confrontations in Barrancabermeja. *Guerrillas* and trade unions opposed such policies and became more active, increasing combats with the main paramilitary group in the area -AUC.

The situation worsened during the last year of Pastrana's mandate and shaped the beginning of that of Uribe's. Uribe, as a president, has been repeatedly accused of populism and of strengthening the executive (Galindo Hernández, 2007), framing the war in Colombia as a war against terrorism (Bernal, 2015), and officially and unofficially supporting paramilitaries as a means to combat *guerrillas* and insurgents (Gill, 2009; González Muñoz, 2015). Besides this, during his mandate, a hostile environment for social movements was enforced through the approval of the Democratic Security Policy, which gave social mobilisations a public order treatment (González Muñoz, 2015). Ultimately, his mandate is characterised by the recognition of civilian informants and "peasant soldiers" to assist public forces in counterinsurgent strategies (Avilés, 2006). Remarkably, under his mandate – and after the extreme paramilitarisation of Barrancabermeja – the hydrocarbon industry was fully liberalised (Decree 1760/2003) and the government signed an international trade agreement with the USA (Vega Cantor, 2015).

The analysis of the political and economic relationship and Colombia and the USA within the framework of the conflict is not the main purpose of this investigation. However, it is important to note that increasing pressures for the liberalisation of the hydrocarbon industry in Colombia are likely to have led to the escalation of violence against dissident groups in Barrancabermeja under the frame of the war on terrorism (Vega Cantor, 2015; Higginbottom, 2005; Avilés, 2006; Gill, 2009).

Regarding the peace project, Uribe's main contribution was Law 975/2005, the "Law of Justice and Peace". The law developed intensive debates as far as it provided amnesty and indults to members of illegal military groups that had committed grave violations of human rights and International Humanitarian Law, which was by many interpreted as a violation of Article 8 of the American Convention of Human Rights (Torregrosa Jiménez, 2011):

> "Every person has the right to a hearing, with due guarantees and within a reasonable time, by a competent, independent, and impartial tribunal, previously established by law, in the substantiation of any accusation of a criminal nature made against him or for the determination of his rights and obligations of a civil, labor, fiscal, or any other nature." (Organisation of American States, 1969)

Certain sectors argued that indults and amnesty violated victims' rights to justice and reparations (Torregrosa Jiménez, 2011). However, the Colombian Constitutional Courts determined that the measures were justified by the aim of peaceful resolution and disarmament (Constitutional Courts sentence C-370, 2006). Uribe's government negotiated a demobilisation agreement with AUC[2] in 2003 (Inter-American Commission of Human Rights, 2007), but the state rejected any possible peace agreement with *guerrillas*. Castellanos (2014) analysed Uribe's discourse around the *guerrillas*, arguing that Uribe's articulation of the context in terms of *us* (the Colombian people) versus *them* (*guerrillas*) damaged the peace process. His investigation builds upon 5 different interviews with Uribe (1999-2013) useful to illustrate the president's discourse:

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[2] It is important to note that the AUC continued working in Barrancabermeja, and other regions, after the demobilisation agreement under the same name or in smaller segments (Inter-American Commission of Human Rights, 2007).

> "In Europe you felt the tortures of Nazism, what FARC-EP does here with Colombian kidnapped people is equivalent to what Nazism did to the Jews." (Castellanos, 2014:200)

> "What if a process like this would be done with Al Qaeda? Nobody would accept that. Now, you tell me, which is the difference between Al Qaeda and FARC-EP? They are equally criminals and terrorists." (Castellanos, 2014:192)

> "The current government [Santos] started to abandon security and exchange it for the negotiation with terrorism. There has been two years of weakening public forces, weakening of security, increase of terrorist actions, escalation of terrorism, strengthening of the criminal capacities of terrorists and a will from the government to negotiate with them. This is a dialog that is achieved from a position of coming back to terrorism and not from public stand to progress security. It is very harmful." (Castellanos, 2014:200-201)

It is clear that Uribe represents *guerrillas* as terrorists and criminals, with whom a negotiated solution is not possible. Similar remarks have been repeatedly made in national and international media, creating a limited image of active armed actors. It is significant that Castellanos does not discuss the fact that right-wing paramilitary groups are left out of the construction of *us* vs *them*. Remarkably, the institutionalisation of "peasant soldiers" and informants by the Democratic Security Policy (Avilés, 2006) showcases the government's support for the involvement of civilians in military operations against insurgent groups.

> "We have almost 5 million Colombians enrolled as collaborators of the public forces and they are constantly informing, which has proven essential for the task." (Castellanos, 2014:194)

Therefore, during Uribe's government, the connivance of paramilitary groups – whether that be the AUC, smaller groups and/or pseudo-militaries created by the Democratic Security Policy – and public forces became more regular and almost institutionalised, contributing to the strengthening of the paramilitary control of Barrancabermeja (Gill, 2009; 2011). Moreover, it contributed to the delegitimisation and demonisation – and sometimes persecution – of those engaging with insurgent attitudes and social movements (Gill, 2016). This had great effects over Barrancabermeja, a city with a social base and local culture tightly linked to these practices. It reproduced the belief shared by Interviewee 8 in the previous

section: somebody from Barranca is a *guerrillero* or used to participate in *paros*. To some degree, this meaning seemed to legitimise violence in Barrancabermeja.

Santos' presidency (2010-2018) is mostly known by a drastic change of the institutional approach to the Colombian conflict, which concluded in a Peace Agreement with the guerrilla FARC-EP and earned him a Nobel Peace Prize in December 2016. In contrast to Uribe, he remarked on the existence of Bacrim (*Nuevas Bandas criminales*, translated as new criminal gangs) as active actors in the Colombian war.

> "*When guerrilla was around, there was human rights abuse, but it was very low before the super high level of human rights violations coming from paramilitary groups. Today, in Colombia, in this context; they are called Bacrim. Because paramilitars underwent a process of demobilisation at national scale. The Autodefensas Gaitanistas, the BCB* [regional group of the AUC]*; supposedly they demobilised. But they demobilised at an institutional level because they are still acting in the territory. The same paramilitaries with the same names. Even, there has been a dispute at a human rights level because there have been cases that denounce them as paramilitaries. But they are supposed to not to exist, the state says they don't; but organisations have said they do exist, they are the heirs of late paramilitaries and they act in the same way. And that way, the state avoids… well, I might be wrong here, we need to observe and confirm it; but the state avoids the fact that other countries know that paramilitaries continue to exist by calling them New Criminal Gangs or Bacrim. In the place where I work* […] *we call them paramilitary-Bacrim actors because we understand them as the same: they have a continuous dependency and share objectives. Today, paramilitaries are at the service of economic and political powers.*" (Interviewee 3)

Although Santos' government failed to address Bacrim in the terms of late paramilitaries or admit the direct relationship between the two, it is important to admit that these efforts challenged Uribe's narrative (Sánchez Moncada, 2019). This attitude contributed to the engagement of *guerrillas* in the Peace Process, culminating in FARC-EP's Peace Agreement in October 2016. However, it is important to note that the government never achieved a Peace Agreement with the second major *guerrilla* in the country, the *Ejército Nacional de Liberación* (translated as the National Liberation Army, hereafter ELN). The Peace Agreement permitted the formal integration of FARC-EP as a political party named FARC

(*Fuerza Alternativa Revolucionaria del Común*, translated as Alternative Revolutionary Force of the Commons), and the demobilisation of *guerrilleros* under the conditions of amnesty and indult comprehended in Law 975/2005. However, there are strong critiques on the application of the agreement.

> "*There were agreements, although 'peace agreement' is not in my vocabulary. There were agreements signed between FARC-EP and the government. I admit I […] was watching the* [signature] *in Cartagena on the TV. That was the big moment… then there was theatre and stuff, but we were watching the signing ceremony on the TV. I cried. We had the hope that things would change […] But then, the government said to FARC-EP 'you already signed and gave the arms up, the hard way now, we are not going to fulfil the agreement'. […] So, today, we don't know where most of the ex-combatants are […]. The commandants, the ones in the political sphere, like Iván Márquez, are saying that they will not take a sit in the Senate because there are not enough guarantees. So, where is the Peace Agreement with FARC-EP? It is in the intensive care unit. And what happened to the communities? There are communities that have been shouting for the end of the war for decades, they are tired from fighting for their land […] and nothing has really changed for them. It is a disaster.*" (Interviewee 11)

Iván Márquez, the previous number two in the chain of command of FARC-EP and chief negotiator during the construction of the peace agreement, announced the rearmament of FARC-EP on 29th August 2019 (EFE, 2019). This occurred after the end of Santos' presidency, which marked the start of Iván Duque Márquez. The election period (May-June 2018) was characterised by a rise in political violence against individuals and communities that rejected Duque's candidacy, represented a threat to specific political and economic interests, and/or engaged with distinct narratives to Duque's party. Prada and Romero (2019) argue that the elections occurred in a moment of socio-political polarisation that was instrumentalised by party leaders. As a result, it gravely disturbed the fragile peace process.

Barrancabermeja was directly affected by the dynamics of national politics. During Pastrana's and Uribe's presidency, the conflict at local scale escalated within the process of liberalisation of oil and the war against terrorism. It contributed to the instrumentalisation of international narratives on terrorism to justify military and pseudo-military actions against *guerrillas*, one of the main actors opposing economic liberalisation. This situation in

Barrancabermeja, the main node in the hydrocarbon national network, resulted in an urban dirty war until the full paramilitarisation of the city (Gill, 2009). Throughout Santos' presidency, the context improved in the sense that there were less combats within the urban; however, paramilitarisation, statelessness and political persecution continued to be a common experience in the city. It is important to highlight that many people understand the war as an ongoing process and not as resolved.

> "*We all had high hopes after the Peace Agreements, but at the end of the day we continue working* [providing physical accompaniment to individuals suffering political persecution] *because is what we have to do. However… […] we are scared.*" (Interviewee 11)

> "*In the times of the war between FARC-EP-ELN-government the situation was less confusing. Because now… well, the state did not fill the void left by FARC-EP […] and now new actors with no political motivation are controlling the territory for narcotrafficking, exploitation of natural resources or narcotrafficking routes. […] So they go murdering and threatening territorial leaders.*" (Interviewee 11)

> "[We want] *a democratic state… the rule of law, how is it possible that they continue murdering leaders, men and women?*" (Interviewee 4)

The data provided showcases when, at the time of fieldwork, political persecution was still a reality in Barrancabermeja for some communities. It is a relevant process that influences rights practice and the enjoyment of rights, contributing to the reproduction of human rights narratives related to civil war. This informs why the civil war and related dynamics feature the next empirical chapter, as far as it is a crucial political factor for well-being and justice.

Therefore, this section has introduced national policies as influencing the reproduction of rights practices at local scale. Specifically, I highlighted that, during Uribe's mandate, the conflict escalated in Barrancabermeja due to the delegitimisation and criminalisation of social movements, the definition of *guerrillas* as terrorist groups, and institutional support and/or connivance with other paramilitary groups. In the following chapter, I scrutinise civil war dynamics in the city from a spatial standpoint, analysing how different groups have constructed and instrumentalised the urban space and its effects to rights experiences and practice.

4. Findings and final thoughts.

In this first empirical chapter, I had to cover significant ground. It was important that I analysed principal characteristics of Barrancabermeja and articulated how they relate to this thesis' arguments, purpose and research questions whilst introducing the overall context. As a result, in this chapter I provide a compilation of findings that explicitly reference the main research question of this thesis, setting the basis for the analysis of the subsequent sub-research questions in the following chapters.

The empirical data allowed me to make a series of findings. First, the case of Barrancabermeja showcases how the production of space participated in the construction of rights practice. This was made evident by analysing the process of the symbolic and material production of space of Barrancabermeja as an oil enclave. The production of Barranca as an enclave by foreign actors determined the shape of the material platform of space and the social base that would inhabit the area, compromised by working-class communities that tended to relate to socialist narratives. As well as this, the attachment of forms of appropriation of space and practices around trade unionism by *la Troco* participated in the development of a culture around trade unionism and social mobilisation. Hence, the case of Barrancabermeja clearly relates the production of space with the construction of social practice around insurgency and rights struggle.

This is a crucial finding that relates to the theoretical discussion presented in the first and second sections of Chapter 1, where I discuss at length the role of space for the development of human rights practice. Furthermore, the case of Barrancabermeja showcases how Lefebvre's standpoint on the relationship between space and inhabitants is useful to understand the agency of space in the development of social practice. I want to further highlight that this is not an idea that necessarily contravenes a social constructivist approach. Instead, it showcases that it is important to understand social constructivism as relating to agents that have an effect on the development of social practice.

Following with this idea, the empirical data demonstrates that sectors of civil society in Barrancabermeja understand space as an inherent element of the experience of human rights. This represents a central piece of data that supports the basis of my theoretical prepositions, allowing me to build on this idea in the following chapters. I defend that the reason why communities in Barrancabermeja make such a direct connection between space and human

rights is precisely for the spatial element of the experience of injustice within the urban area. Intensive land transformation, the instrumentalisation of space towards economic profit, and widespread environmental contamination as an output of one hundred years of petroleum extraction and processing are processes based on the production and experience of space that directly impact the enjoyment of rights in the city. Consequently, the case of Barrancabermeja further describes how space is active in defining everyday rights challenges.

This principle is what drives me to relate the right to the city rationale with local rights practice. In Chapter 3, I argued that spaces at the receiving end of capitalism were more likely to engage with the right to the city frameworks as far as there are powerful spatial processes – capitalism and neo-colonialism, for instance – that dramatically influenced local and regional development. The case of Barrancabermeja is interesting, because local narratives speak of the right to the city rationale. However, they do not mention it. I am confident in saying that the right to the city, as the framework developed by Lefebvre and discussed in academic literature, is not a widespread idea. Nonetheless, communities engage with its rationale and principles. This is a central finding of this research, since it showcases that the spatial aspect of rights experiences is articulated with the right to the city logics, even though these communities have never heard of the right to the city as a specific theoretical framework.

This finding highlights the relevance of the right to the city. I argue that contexts of injustice, such as that of Barrancabermeja's, drive societies to engage with narratives that place space in the centre of rights practice. This has also been backed up with empirical data. Specifically, I want to go back to Interviewee 2's conceptualisation of the right to public space or the right to environment as human rights. In places like Barrancabermeja, where space has been appropriated and managed by powerful economic and criminal elites, being able to engage with a public space freely and safely becomes a human rights conversation. Effectively, the participant is articulating arguments held in the right to the city literature (Mitchell, 2003), using human rights language, showcasing an integration of human rights and the right to the city rationales through the platform of space.

This brings me back to the idea that there is a "spatial turn" in human rights practice motivated by the spatial aspect of the experience of human rights. What the case of Barrancabermeja has taught me is that this "spatial turn" is rationalised and supported with

the right to the city principles, showcasing a rights practice with elements of both the right to the city and human rights. This ultimately relates to the ideas presented in Chapter 2 and Chapter 3, where I concluded that the interaction of the right to the city and human rights can create rights practices that are intrinsically different from both of them. This is what can be seen in Barrancabermeja: human rights narratives are populated by spatial struggles and discourses. However, they are not ultimately the right to the city narratives. This is because communities in Barrancabermeja do not only address the political economy of the production of urban space as intervening with the experience of fundamental rights, but to the overall platform of space. Hence, this brings me back to the idea that the right to the city principles are not only useful for articulating urban rights struggles, but also spatial rights struggles, highlighting that it has the potential to articulate the spatial aspect of human rights in wider terms.

Chapter 6. The war in Barranca.

"Difficult. The situation worsens every day. People are confused and worried. Here, it is the *guerrilla* who allows or forbids you to work. We are all forced to obey in fear of retaliation. That is the first thing anybody sees when they get to the oil port of Barrancabermeja (Santander), when they ask the taxi driver to take them to the Centre, or when they ask the street vendor at the bus station: 'how's everything here?'" (Chaves, 1991)

"The war in Barrancabermeja can blow up in a centric street, in the market, in front of an ATM, in broad daylight." (Waldron, 1998)

"In accordance with the reports given by inhabitants and authorities, in the oil port, the AUC has squads in North-Eastern and South-Eastern neighbourhoods, comprehended by guards dressed as civilians but recognisable for their haircut (nearly shaved), for wearing a black T-shirt, a phone, guns and boots. They move in motorbikes or in groups of five, sometimes carrying long guns to patrol. The BCB operates in the area, and its commandants "Harold" and "Setenta" control their men from the township of El Llanito. Their actions are funded by annual blackmail payments made by local businesses, the theft of petrol and cocaine money. The authorities point to the paramilitary as responsible for most of the 567 violent deaths registered in 2000 and for most of the 420 that occurred this last year (2001). They went from destruction and kidnaps to exercising pressure over the community's lifestyles. This way, and from last November, they began to give away a co-habitance manual to north-eastern and south-eastern neighbourhoods. They impose punishments, like exile, to homosexuals, drug addicts or the unfaithful; and the young must follow curfew. During the last month, members of NGOs and journalists began being questioned by the commandants […]." (Redacción nacional, 2002)

These extracts from news articles published in the Colombian newspaper *El Tiempo* are helpful in order to start tracing the war in Barrancabermeja. Basically, they showcase that the city had been under *guerrilla* control at the beginning of the 1990s, that war escalated through the decade and that, by 2002, the city was under paramilitary control. The

temporality of these events is closely related to issues previously discussed in this thesis. The war intensified as the petroleum liberalisation project developed, it worsened after the failure of Pastrana's intent (1998), and paramilitarisation was fulfilled before the introduction of Decree 1760/2003, by which time the national hydrocarbon industry was liberalised. This makes one wonder whether this was a localised civil war around petrol, exacerbated by foreign interests and camouflaged in Colombia's long history of armed conflict.

There is valuable research and literature that discuss the effects of the civil war in Barrancabermeja. In *The Social Origins of Human Rights,* van Isschot (2015) presents a careful historic and political account of local mobilisations and their engagement with the civil war. Vargas Castillo (2009) researched the violence exercised against social organisations from 1996 to 2003, concluding that selective violence was directed to groups reproducing human rights discourses. Moreover, Gill has dwelt on the role of privatisation and the undemocratisation of protection, justice and economic development for the reproduction of injustice (2009; 2016).

Most of the research highlighted – with more or less emphasis – that rights are experienced differently by communities inhabiting distinct areas. In other words, that there might be a spatial aspect to the experience of rights in Barrancabermeja. The Programme for Development and Peace in the Magdalena Medio (*Programa de Desarrollo y Paz del Magdalena Medio*, PDPMM) has effectively mapped and tracked human rights spatially for some areas and topics. However, there has not been an extensive spatial analysis of the civil war in Barrancabermeja.

I begin analysing this topic by discussing Kalyvas' (2006; 2012) approach to civil war, since it stresses the role of civil society in the resolution of conflicts. In this regard, I argue that Barrancabermeja's civil society negated majoritarian support to any of the armed actors and, alternatively, many chose to engage with human rights language (Restrepo and Apontes, 2009; van Isschot, 2015; Vargas Castillo, 2009). I continue by providing a spatial reading of the conflict, illustrated with maps, spatial statistics and interviews. Lastly, I discuss how the principal armed actors in the city produced space from a symbolical standpoint, which served as grounds for the structuration of human rights in terms of the civil war. Altogether, the data suggests that there is a spatial aspect in the experience of rights abuse caused by armed actors, seeing areas close to industrial facilities, public institutions or principal

communication routes the most negatively affected. This corroborates with the argument of this thesis regarding the central role of space for the everyday experience of rights, highlighting that a spatial analysis provides complementary knowledge to long-lasting research on the conflict in Barranca.

I use this chapter to fulfil two principal functions in this research. First, the discussion of civil war dynamics at local scale provides me space to debate how the symbolic production of space by armed actors impacted the development of rights practice in Barrancabermeja. Specifically, this represents a central body of work to address sub-research question 3, which is most concerned about how the instrumentalisation of the symbolic production of space shapes rights practice. Secondly, this showcases how the spatial aspect of wider socio-political processes impacts the experience of rights of communities on a geographical basis, highlighting that there are spatial features and/or conditionings that have agency over inhabitants' sense of human rights. Therefore, this analysis also proves useful to further support the argument that space is relevant in the process of shaping human rights, which ultimately informs overall rights practice.

Consequently, the war in Barranca represents an empirical context that helps me continue supporting the fundamental arguments presented in the theoretical chapters in this research. It provides evidence of the spatial aspect of human rights abuse within a context of armed conflict, highlighting that spatial interpretations of such processes can build complementary knowledge to articulate and address these situations of abuse and injustice.

1. Civil war as a socio-spatial context of rights practice: civil war theory and introducing the principal armed actors in Barrancabermeja.

Before I begin addressing the civil war as a socio-spatial situation that has produced space and rights in Barrancabermeja, it is important that I cover two main themes. On the one hand, I need to introduce the framework I use to articulate civil war as a socio-political process. I chose to engage with Kalyvas' (2006; 2012) framework because he understands territorial control in civil war as a situation where civil society has given majoritarian political support to one of the armed actors (Kalyvas, 2006). This standpoint helps to explain why civil war dynamics and political persecution is still a reality in Barrancabermeja, as far as civil society does not fully support any of the parties.

On the other hand, it is crucial that I introduce the main armed actors present in the city. I focus on two left-wing *guerrillas* (FARC-EP and ELN), one right-wing paramilitary group (AUC) and the state. I understand that these groups produce space materially and symbolically; therefore, it is crucial to discuss the ideas and values that inform how they produce and instrumentalise space. Overall, in this section I analyse case-specific literature that permits the accurate interpretation of civil war dynamics and armed actors' practices as intervening in the practice of rights.

Therefore, this section is divided into three thematic sub-sections with the aim to organise this information. The first subsection discusses Kalyvas' (2006; 2012) approach as far as it is the framework I applied to analyse civil war dynamics in Barrancabermeja. The second subsection focuses on the armed actors, introducing the story and motivations of illegal groups and the attitude of the state before them. The third subsection gathers empirical data that illustrate the context at the time of fieldwork. Altogether, this section focuses on how the development of civil war dynamics and the prevalence of specific armed groups influenced the symbolical production of space, the construction of civil war practices and, ultimately, the experience of rights.

The theory of civil war for Barrancabermeja.

It is important to stress that the civil war has affected the development of rights practice in Colombia (van Isschot, 2015; Parra Valencia, 2014). It contributed to the development of human rights narratives, as introduced in the previous chapter, where the concept of the "human rights victim" is directly related to the armed conflict. Although these are important points for this research, it is important to remember that an analysis the Colombian civil war is not the main purpose of this research. Therefore, the following discussion only covers the most relevant themes, processes and actors in the case of Barrancabermeja, and should not be understood as a thorough analysis of the Colombian war.

The Colombian civil war is a complex socio-political process that was initiated during the period of the Violence (1948-1958), as a consequence of conflict between the liberal and conservative parties, political persecution and worsening quality of life for rural and urban communities (Restrepo and Apontes, 2009). It is important to acknowledge that its definition as a civil war or armed conflict has been a topic of debate for decades (Restrepo and Apontes,

2009). Although Colombia has met quantitative thresholds on the number of deaths in direct combat that define whether a conflict may be categorised as a civil war (i.e. Correlates of War or the Upssala Conflict Data Programme), it still has not been unanimously recognised as such due to its political (or, rather, increasingly non-political) and economic dynamics (Restrepo and Apontes, 2009). Restrepo and Apontes (2009) interpret the conflict as a civil war using Kalyvas' (2006) approach, arguing that it facilitates the analysis of Barranca's experience. It is important to note, though, that Kalyvas' framework may not be as illustrative of other contexts as it is for Barranca's.

Kalyvas (2006) defines civil war as an armed conflict amongst parties subjected to a common authority, at least at the beginning of the conflict, within the legal boundaries of a state. Therefore, one of the most relevant aspects of a civil war is splintered sovereignty, which can be exercised in two main ways (Kalyvas, 2006; Restrepo and Apontes, 2009). On the one hand, it can develop into a situation where the parties exercise control over well-defined territories, producing boundaries within the state (Kalyvas, 2006). On the other hand, it can turn into a situation where the parties exercise control over the same spaces simultaneously (Kalyvas, 2006; 2012).

In Barrancabermeja, several actors – FARC-EP, ELN, AUC and the state – aimed to gain territorial control simultaneously. The aim was to obtain a monopoly over violence and dominance over socio-spatial dynamics. This situation relates to Stanislawski's discussion of para-states (2008) as far as non-governmental groups' achievement of monopoly over violence is understood as a loss of state sovereignty over the territory. In Barrancabermeja, Interviewees 3, 4, 6, 7, 11 and 12 acknowledge the existence of a para-state in the city, highlighting that public institutions are not able to control and/or retake the monopoly over violence from armed actors.

Kalyvas points out that, in wars involving two states, territorial conquest is mostly achieved through military occupation whereas (2006). In contrast, territorial domination in civil wars is achieved through the political control of the population (Kalyvas, 2006; Kaldor, 2001). Thus, "[…] in civil wars, territorial control is achieved only when the population offers majoritarian and exclusive collaboration, voluntary or non-voluntary, to a particular armed actor" (Restrepo and Apontes, 2009:427). This is a critical consideration, since "[…] the reaction of the population, who has the option to join or assist competing actors, needs to be taken into account due to the relevant incidences that such reaction produces in the result of

the war" (Restrepo and Apontes, 2009:427). Following this approach, armed groups are likely to use civil war violence or coercive violence towards specific targets or indiscriminately to achieve absolute territorial governance (Restrepo and Apontes, 2009).

Barranca displayed a series of qualities that turned it into a contestation area. First, it had a strong social base, trade unions and civil organisations that aligned with the political motivations related to *guerrillas*. Secondly, the city is located in an area easily accessible by secondary routes (secondary rivers or jungle paths). Thirdly, it accumulates industrial capital of great importance at national scale. All these factors, which fundamentally refer to the platform-canvas and relational facets of space, contributed to the presence and establishment of *guerrilla* groups in peripherical areas of the city (Gill, 2009).

Nonetheless, Barranca's civil society never gave majoritarian support to any of the actors. Instead, a significant segment of the population chose to engage with human rights language and social movements (van Isschot, 2015; Gill, 2016). Hence, the case of Barrancabermeja can be understood as one where human rights practice represented an alternative to armed actors' narratives. Under Kalyvas' framework, this has significant implications, as far as civil war dynamics will not end until civil society chooses to majorly support one of the armed actors. Consequently, this can be understood as a space where the reproduction of human rights practices has an effect over the development of civil war dynamics, contributing towards the symbolic production of space and the overall experience of rights.

The armed actors.

The analysis of the civil war in Barranca requires the introduction of the main armed actors involved in it. Left-wing *guerrillas*, right-wing paramilitaries and the state were engaged in armed conflict within the city limits, creating one of the few experiences of urban war in Colombia (Gill, 2009; 2011). In this subsection, I begin discussing FARC-EP and ELN, and continue with AUC and the state. In this regard, I argue that FARC-EP and ELN represent a major block before AUC and the state. This statement has several implications, as far as I am articulating sectors of the state as collaborating with an illegal armed actor. In this regard, there is significant evidence and literature that prove the connivance of sectors of state forces with illegal paramilitaries in the region of Barrancabermeja (Gill, 2009; van Isschot, 2015; Inter-American Commission on Human Rights, 2007). Specifically, I discuss how the

symbolical production of Barranca's space by *guerrillas* participated in the escalation of the conflict in Barrancabermeja.

The two main *guerrillas* present in Barrancabermeja were FARC-EP and ELN (Pécaut, 2008; Molina-López, 2008). Although they both are left-wing *guerrillas* founded in the 1960s, their motivations and ideology are qualitatively different. For instance, FARC-EP came about as a result of recurrent *campesino* and rural social movements for a fair system of land ownership in a country where agricultural enclaves, like bananas or coffee, disrupted traditional agricultural models and land ownership (Palacios, 2008). It self-declared as a Marxist-Leninist organisation aiming to overturn the liberal state (Pécaut, 2008). Its relationship with the Communist Party has long been debated, some arguing that the group may have originated as the party's "armed wing" (Palacios, 2008). Alternatively, ELN developed in the context of social movements for the provision of urban services in the region of Barrancabermeja, showcasing influences of the Cuban Revolution (Rodríguez Pizarro, 2009).

I will begin discussing FARC-EP, arguing that the social base of Barrancabermeja and the fact that the Communist Party settled in the city drove the *guerrilla* to make Barranca one of its few urban strongholds. The precedent of FARC-EP was the group *Bloque Sur*, founded in 1964, which changed its name to FARC in 1966 and then to FARC-EP in 1982 (Pécaut, 2008). However, it is important to highlight that its original motivation was not especially revolutionary or anti-establishment, since its narrative revolved around the facilitation of access to land to rural communities (Pécaut, 2008). However, violent dynamics and repression radicalised the claims and actions of the incipient *guerrilla* (Pécaut, 2008; Molina-López, 2008). Hence, and in a world that lived the tensions of the Cold War, FARC-EP became progressively organised around communist values and language, with the ultimate objective of taking control of public institutions and overthrowing the liberal state (Pécaut, 2008).

Aguilera Peña (2010) understands the development of FARC-EP in three phases:

- 1964-1978: FARC-EP is a marginal *guerrilla* concentrating in rural areas and around agricultural themes;
- 1978-1991: steady growth and increasing focus on controlling coca-growing areas;
- 1991-2010: as the rise and fall of the armed group.

The last period is the most relevant for this investigation. The year 1991 is a significant year insofar as it is when the current Colombian Constitution was drafted, a process in which neither FARC-EP nor ELN were involved (Aguilera Peña, 2010). That, together with the death of Pablo Escobar (1993) and the subsequent vacuum of power in the country, participated to the expansion of FARC-EP. Interestingly, Aguilar Peña discusses how, even though FARC-EP did not regularly hold strongholds in urban areas, Barrancabermeja was one of its key areas (Aguilera Peña, 2010). This ultimately relates to the production of space as discussed in the previous chapter, which derived in the concentration of a working-class based society and the establishment of the Communist Party in the city.

The presence of FARC-EP in Barrancabermeja and the relationship made between the space and the political group had a central effect on the positionality of the city in the war. The symbol "FARC-EP" was projected to other actors in the city, like trade unions and community leaders. This developed into a direct response by state forces and right-wing paramilitaries, constructing one of the few experiences of urban war in Colombia.

However, Barrancabermeja was also a key factor for ELN. Rodríguez Pizarro (2009) argues that the formation of ELN was influenced by processes that directly reference the city. First, ELN was inspired by the remnants of a liberal *guerrilla* active during the period of the Violence and led by an ex-major of Barrancabermeja, Rafael Rangel (Rodríguez Pizarro, 2009). Secondly, ELN was "baked" during the *paros civicos* in the city in the 1960s, of which 1963's *paro* in Barranca was especially relevant (Rodríguez Pizarro, 2009). One could say that the relational facet of Barranca's space during the 1960s facilitated the creation of the armed actor. This is a crucial process for the symbolical production of space, as far as ELN is directly related to Barrancabermeja from several standpoints, again projecting its meaning over sectors of civil society.

The ELN formed the subgroup *Frente Urbano Resistencia Yariguíes* (translated as Yariguíes Urban Front of Resistance, hereafter FURY) in 1985, which references the aboriginal tribe that inhabited the area before the industrialisation of the area, to combat in the city of Barrancabermeja (Restrepo and Aponte, 2009). However, it is crucial to highlight that ELN did not have the same economic and military power as FARC-EP (Restrepo and Aponte, 2009). For this reason, its presence in the city sharply decreased from 1998, a year after the formation of AUC and the start of the urban war (Restrepo and Aponte, 2009; Aguilera Peña, 2010).

AUC was founded in 1997, grouping nine regional right-wing paramilitaries in the same national-scale organisation, which was supported, officially and unofficially, by local and regional elites, crucial members of the legislative, right-wing political parties, narcotraffickers and sectors of the public state forces (García Pérez, 2016). AUC can be seen as the pinnacle of the privatisation of violence in Colombia: what started as local and regional self-defence groups against *guerrillas* during the 1960s and 1970s developed into a national paramilitary force with tight bonds with the state and narcotrafficking (García Pérez, 2016). It is no secret that two of the high-ranking figures in the paramilitary, the brothers Castaño, worked closely with Medellin's cartel (García Pérez, 2016) and with political elites and state forces (Suárez, Gómez and Suárez, 2018) in the region of Middle Magdalena (Gill, 2009). Hence, this is an organisation that includes key political, economic and criminal figures in Colombia's modern history.

Discussing the motivations of AUC is complicated. It needs to be understood that, by 1997, the civil war in Colombia had developed war economies around private violence, territorial control and narcotrafficking (Restrepo and Apontes, 2009). Therefore, creating AUC is not only a political movement, but an economic one, which aims to: 1) combat *guerrillas*; 2) provide military power to political and economic elites; and 3) take hold of principal cocaine-producing and trafficking routes.

Barrancabermeja represented a principal space to accomplish these aims. It was an important symbolic and military stronghold of the two main guerrillas in the country (Aguilera Peña, 2010; Rodríguez Pizarro, 2009). It was of high interest for both political and economic elites in the country (Restrepo and Aponte, 2009). Ultimately, it is located on the banks of the river Magdalena, one of the principal commercial routes in the country. Hence, taking control of Barrancabermeja represented both a political and economic win for the paramilitary. It is important to note, though, that the paramilitary gained the support of some sectors of local civil society, which often facilitated persecution and armed conflict (Suárez, Gómez and Suárez, 2018).

The creation of AUC and the beginnings of the worst part of the war in Barranca (1998) coincide with a renewed political and economic interest and increasing pressures from the United States to liberalise Colombia's oil industry (Higginbottom, 2005). In the region, there is a solid narrative that articulates the paramilitarisation of Barrancabermeja as a (partly) state-led strategy looking to force *guerrillas* out of the city and eliminate sectors of civil

society that struggled against the liberalisation of oil. The narrative alleges that the state did not want to use official military forces and instead "blamed" illegal militaries for the abuse and violence experienced in Barrancabermeja.

Hence, the role of the state as an armed actor in Barranca's war is difficult to determine. On the one hand, it was the only legitimate armed actor. On the other hand, it was the "less" openly active. This situation has been regularly articulated in terms of statelessness and/or the abandonment of the state in academic literature (Andrades Cardozo, 2008; Becerra Ostos, 2009). In this thesis, I understand this situation in terms of disassociation of the formal state from the experience of human rights abuse and violence in the city, showcasing that "private" and/or illegal actors have also dominated the production of Barranca's space within the theme of the civil war.

The main idea that can be extracted from this discussion is that Barrancabermeja has been a contested space for several decades. This has great implications in the production of space, inhabitants' feeling of dispossession over the city, and the construction of human rights. It provides further context to Interviewee 2's quotations shared in the previous chapter, insofar as it informs why the concept of the "human rights victim" is strongly related to the experience of the civil war in the city. Consequently, the civil war can be interpreted as a spatial-political process that had a significant impact on the construction of human rights narratives and practices, becoming unmissable in human rights research based in the city of Barrancabermeja.

The war in Barrancabermeja: latest narratives.

This subsection focuses on empirical data that explicitly references the civil war in Barrancabermeja during fieldwork. Specifically, I argue that local narratives around the war have a clear spatial basis, further supporting this thesis' argument on the role of space for the development of social and rights practice. Likewise, I take this opportunity to introduce the reader to the challenges that sectors of civil society faced – and likely continue to experience. Hence, it constitutes an important exercise that introduces the quality of civil war dynamics in Barrancabermeja, which is crucial to fully understand the analysis of this chapter's next section.

Currently, the war in Barranca is qualitatively different to that of the 2000s. The evolution of the war from 2000 to the end of fieldwork (June 2018) features in the next section and, therefore, I will not overly extend the analysis at this point. However, it is important to state that paramilitary groups continue to exercise political persecution, social control and targeted murders. Military combat among armed actors in the city is currently very rare due to the fragmented and anecdotical presence of *guerrilla* groups, meaning that paramilitary groups have achieved a monopoly over violence in Barrancabermeja.

There are extensive references around the experience of the civil war in Barrancabermeja in the interviews. Some of them directly address war, or the lack of peace, as a socio-spatial context that intervenes in the development of human rights locally. Furthermore, in these quotations I observe a convergence of right to the city and human rights practices. This is a clear message given by Interviewee 3.

> "*I, as an inhabitant, should know how to build them* [human rights]. *I can do that in a state of peace. But that is avoided. When I do so and address the state to tell it to respect my rights, the following day they threaten my family and I."* (Interviewee 3)

This quotation references key processes that have been previously discussed. First, Interviewee 3 relates the ideas of inhabitance and the construction of human rights within the inhabited space. They highlight that this is possible in a situation of peace, one where armed actors do not compete for the local territory. Then, the interviewee references the situation of statelessness or the connivance of sectors of the state and armed actors with regards to this situation, arguing that public claims for rights enforcement are met with political violence.

This statement supports ideas previously discussed in this thesis. However, there is an interesting element in this quotation that has not been analysed before, and that is the use of the term "avoid" (*evitar* in original Spanish). The use of this term implies that the participant believes that peace and/or the improvement of the human rights context is knowingly averted by spatial actors. This may refer to the strength of war economies for national dynamics, which some groups aim to reproduce. Consequently, the participant is suggesting that, due to some groups' political, economic and/or social aims, the construction of durable peace and human rights is compromised in Barrancabermeja.

"Media tells the population that there is peace. That they demobilised already, that there is no armed conflict and that there are no combats. The latest statistics shown on the news show that there is a decrease in combats because, wow! We are in peace! We are in peace so we should start thinking about something else. And why is that? So people would support the macro-infrastructure that they are creating in the country. […] So, in this country is like: there is no more armed conflict, violence is over because now we have these roads that cross the country from North to South and from East to West. And they do not only tell that to the country but to external entities, so they say to other countries: come and invest. Look, we already built transport routes so you can take the product out. […] But it is not true." (Interviewee 3)

In this quotation, the participant notes that media and the political sphere are communicating that there is peace in Colombia. This quotation directly addresses the symbolic production of space as far as political and media circles are understood as instrumentalising the idea of peace for a series of benefits, namely foreign investment. In this process, the Peace Agreement with FARC-EP has been used to support the narrative around a progressively peaceful, non-conflictive Colombia. It is significative, though, that even in this scenario, it seems like the exchange value of space prevails over its social value, as far as the interviewee suggests that the instrumentalisation of the idea of peace mostly fulfils economic purposes.

This narrative around the continuation of violence in Barrancabermeja is supported by complementary interview material. The following statement by Interviewee 11 shows that intense political persecution was taking place at the time of the research.

"There was this person we accompanied not long ago. Armed men arrived at their house pointing guns to their granddaughter's head saying things like: 'you bitch, we are going to kill you; we will kill her if you move'. Six hooded men had taken her out of the shower… she had the chance to cover herself with something… they are OK now, but it is all the violation… the threat… the fear…" (Interviewee 11)

This quotation supports the narrative that armed actors continue reproducing violence in the area of Barrancabermeja. This is an important point that illustrates the kind of abuse some people were suffering at the time of the research. Considering the experience shared by Interviewee 11, it explains why many people structure human rights in the context of armed conflict due to these direct, traumatising experiences of human rights abuse.

Interviewee 11 also speaks about the role of the state in this situation. In this regard, they address the situation of statelessness and the apparent monopoly over violence accomplished by armed actors.

> "*This is a context of complete abandonment by the state, so armed groups continue controlling and threatening the population.*" (Interviewee 11)

In this sense, the participant is stressing the presence of state institutions as a condition that would challenge local and regional armed actors. This research is not interested in judging whether this statement is true, but to highlight that statelessness is conceptualised by some communities as a condition that worsens the experience of human rights within a conflictive context.

Ultimately, I want to highlight a quotation by Interviewee 1. The reason why I consider this quotation to be relevant for this research is that the participant is approaching the war from a constructivist standpoint, highlighting that it is a process that has been created and "implanted" in space by interest groups.

> "*For me it is important that people understand that we are living wars that were implanted, and that we are having a hard time reprogramming our culture.*" (Interviewee 1)

The idea of "reprogramming culture" seems to refer to the ability of communities to challenge existing structures. Indeed, it is important to highlight that challenging war economies and the territorial control achieved by long-lasting criminal groups is "hard". However, this quote highlights the relevance of socio-spatial structures for the reproduction of rights practices, as far as they understand the development of the armed conflict as something produced by specific interest groups that have constructed a specific context for rights practice.

Conclusively, this section began by introducing the role of the symbolic production of Barranca's space for the development of the urban war. On this subject, I argue that the local culture around insurgency and the presence of the two main *guerrillas* in the city constructed specific meaning around the space and its inhabitants – they are all *guerrilleros*, or used to *paros,* as Interviewee 8 highlighted. This quality of Barranca's space, together with the high value of local natural resources and industrial activity, fomented the presence of paramilitary groups in the region. With the formation of AUC, the military, economic and political power

of right-wing paramilitary groups increased significantly. For AUC, controlling a territory like Barrancabermeja, with such a strong symbolical value for *guerrillas* and social insurgency in general, constituted a statement to Colombia: communities that engage with these groups and ideas suffer the worst of the war. Hence, in this sense, AUC has also used space instrumentally through the production of meaning and value around the city of Barrancabermeja.

In the next section, I will discuss in more detail these processes. The data extracted from *Noche y Niebla* allows me to analyse the development of the conflict in Barrancabermeja from the year 2000, specific practices employed by armed actors, and the fundamental differences and effects of the methods employed to control and instrumentalise space. Furthermore, the data also suggests that there are specific spatial features that controlled the activities of armed actors. Therefore, this constitutes crucial information to understand the war in Barranca and support the thesis' main arguments.

2.   The spatial analysis of war in Barrancabermeja.

This section features the conflict in Barrancabermeja from a spatial standpoint, using data extracted from *Noche y Niebla*, interviews, and participant and non-participant observation. The role of this section is to analyse the spatial experience of the war and its effects over the reproduction of rights practices in the city. On this matter, I argue that the confrontation of AUC and the principal *guerrillas* within the city produced space and constructed a socio-political context where political persecution was normalised. This situation deeply disturbed the reproduction of local rights practices, seeing the end of *paros cívicos* in the city. As it has been previously discussed, the figure of *paros cívicos* is semantic for Colombians (Bonilla Vélez and García Raya, 1998) and, specifically, for local culture and identity. Hence, the end of social mobilisation in the shape of *paros cívicos* due to political violence and persecution showcases how the instrumentalisation of space by armed actors influenced the reproduction of rights practices. It is important to highlight that there are sectors of the population that still engage with human rights activism; nonetheless, the deterioration of the relational facet of Barranca's space during the war limits the scope of local social movements.

I present results from two different standpoints. First, I introduce the statistical data, showcasing that initial tests provide further evidence to support my argument that space is relevant for the reproduction of rights practice. Secondly, I outlay hot spot analysis maps of incidences of human rights abuse in three blocks that relate to the development of the conflict in the city. I begin analysing the years 2000 and 2001 as the end of the urban war between FARC-EP, AUC and the ELN. Next, I group the data from 2002 to 2010 to illustrate the process of completing paramilitarisation and social control by right-wing paramilitaries, highlighting the use of political violence and *limpieza social* (social cleansing) murders as a means to control social practices. Ultimately, from 2011, I argue that war dynamics progressively become less intense and move to peripherical regions, being less visible for local communities and others outside of Barrancabermeja. However, I highlight the election period of May to June 2018 as a reignition of the conflict in Barranca and other areas in Colombia.

In this section, I discuss the quality of human rights abuse exercised by armed actors, arguing that *guerrillas* and AUC tended to use different methods to instrumentalise space. Again, this relates to Kalyvas' (2006) approach as far as it showcases different armed actors exercising power over space simultaneously. Hence, this process degraded local social networks and civil society's ability to organise widespread collective action.

This analysis showcases how the symbolical production of space by armed actors during the last decades produced or transformed local rights practice. Therefore, this section continues to feature the tight relationship between the production of space and the construction of rights, highlighting the centrality of the experience of war for local rights practice.

Introducing the data.

At this point, it is important to introduce the data in order to construct a narrative. For this purpose, I have prepared a series of tables that gather the frequency of the type of abuse, the *comuna* where it happened, victims' gender and the alleged perpetrator. Likewise, I have prepared visualisations of some statistical results. Altogether, the data showcases that there is a spatiality in the experience of human rights abuse by armed actors in Barrancabermeja.

Comuna	Frequency	%
Out of bounds	29	3.1
Comuna 1	226	23.9
Comuna 2	29	3.1
Comuna 3	171	18.1
Comuna 4	62	6.5
Comuna 5	99	10.5
Comuna 6	111	11.7
Comuna 7	114	12
River	33	3.5
Refinery	6	0.6
Total	947	

Gender of victims	Frequency	%
Not applicable	153	16.2
Male	747	78.9
Female	47	5
Total	947	

Armed actor	Frequency	%
Paramilitaries/ State forces	831	87.8
Guerrilla	116	12.2
Total	947	

Tables 11, 12 and 13: Frequencies of geographic (comunas), gender and alleged perpetrator variables of incidences of human rights abuse in Barrancabermeja. Source: *Noche y Niebla,* journals number 15 to 57, CINEP/PPP.

The descriptive analysis of the categories in which the data has been classified provides useful information. First, it is important to highlight that assassinations account for most of the condemnations. On the one hand, assassination for political persecution represents those cases where illegal armed actors (paramilitaries or *guerrillas*) murdered an individual for political and/or ideological reasons. Trade unionists, human rights activists, journalists, community leaders, lawyers or educators account for a great percentage of the registered 529 victims. On the other hand, assassination for social intolerance, or murders for *limpieza social,* refer to murders that targeted individuals due to their everyday lifestyles. These individuals were normally members of marginalised communities or small gangs that engaged with micro trafficking, unofficial pawnbrokers or unofficial taxi drivers that managed wealth and/or strategic information.

Besides this, it is important to highlight that most of the registered victims of the conflict were men. Women have been significantly less targeted within the conflict in Barrancabermeja as part of the strategies behind civil war violence. Also, most of the female victims were not assassinated, but threatened or tortured. This difference is likely in response to a series of cultural reasons; however, this research has not collected enough data to present a strong argument for the distribution and calls for further research on the issue.

Type of Human Rights abuse	Frequency	%
Urban combat	31	3.3
Assassination for political persecution (covered by IHL)	529	55.9
Extrajudicial execution by state forces and abuse of authority (covered by IHL)	5	0.5
Arbitrary detention by state forces (covered by IHL)	16	1.7
Attack of military objective	4	0.4
Forced disappearance (covered by IHL)	33	3.5
Individual threats to personal integrity (covered by IHL)	19	2
Collective threats to personal integrity (covered by IHL)	54	5.7
Torture (covered by IHL)	11	1.2
Torture and assassination for political persecution (covered by IHL)	23	2.4
Pillage (covered by IHL)	14	1.5
Displaced collective for political persecution (covered by IHL)	4	0.4
Assassination for social intolerance (*limpieza social*) (covered by IHL)	152	16.1
Use of illicit warfare and destruction of property (covered by IHL)	18	1.9
Sexual violence	1	0.1
Attack to installations containing dangerous forces (covered by IHL)	10	1
Blockage of access routes and destruction of property (covered by IHL)	22	2.3
Armed general strike	1	0.1
Total	947	

Table 14. Frequencies of human rights abuse by type. Source: *Noche y Niebla,* journals number 15 to 57, CINEP/PPP.

This dataset also shows that there is an uneven concentration of incidences of human rights. It communicates that *comunas* adjacent to institutional and/or industrial facilities regularly register more incidences. The *comuna* with more incidents is *Comuna* 1, which locates the official and unofficial ports, the commercial centre, the main institutions and the entry to the refinery. It is the oldest part of town and known as "the city centre" (although it is not located in the geographic centre of the city). *Comuna* 3 follows, its periphery adjacent to the industrial centre itself. *Comuna* 6 and *Comuna* 7 show similar frequencies, locating industrial facilities and important access routes. Ultimately, *Comuna* 5 and *Comuna* 4 appear as those in the middle ground, which suffered violence at a different level than any of the previous areas. Ultimately, *Comuna* 2 showcases a significantly low number of incidences of human rights abuse. Although the reasons for this are unclear, it is important to highlight that it has traditionally been the area hosting communities of higher buying power and that some of the territory corresponds to Ecopetrol housing. The distribution showcases that

comunas adjacent to institutional and/or industrial facilities regularly register more incidences.
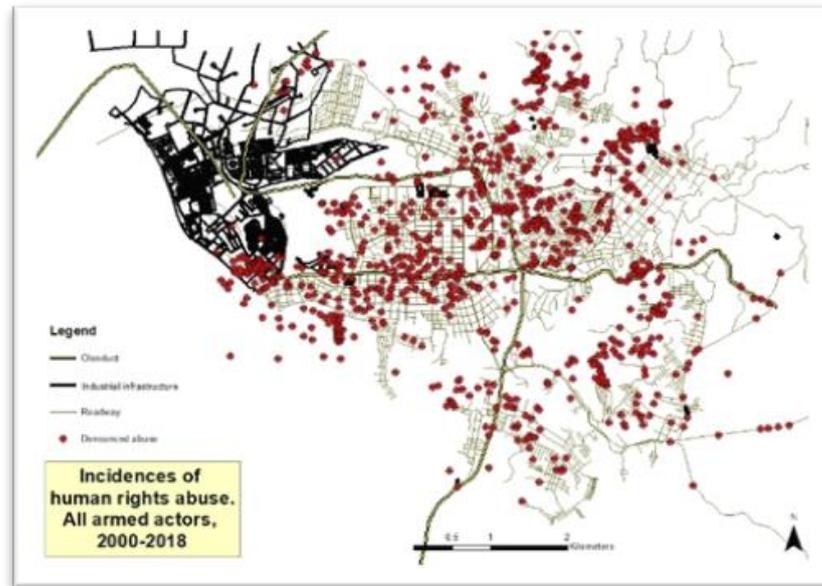
Map 2: Geographic location of incidences of human rights abuse. Source: *Noche y Niebla,* journals number 15 to 57, CINEP/PPP. Geographical datasets for boundary information, hydrology and industrial facilities ©Instituto Geográfico Agustín Codazzi, 2016.

The map above shows all the incidences of human rights abuse without distinguishing perpetrator, kind of human rights abuse (as in International Humanitarian Law) or date. The data set has been interrogated using "Average Nearest Neighbour" test in the Spatial Statistics toolbox of the software ArcGIS 10.7. Average Nearest Neighbor measures the distance between each point. If its value is less than the average distance for a hypothetical random distribution, the features are considered clustered. If it is greater, they are considered dispersed. Therefore, the test allows us to determine whether a distribution is significantly clustered or dispersed, or if it is random.

The results of this test are significant and several tests were run to discard errors or software malfunctions. The results are a z score of -41 and a p value of 0, communicating that "there is less than 1% likelihood that this clustered pattern is the result of a random chance". The results imply that there is a spatial element that determines where human rights abuse has been experienced in Barrancabermeja from 2000 to 2018.
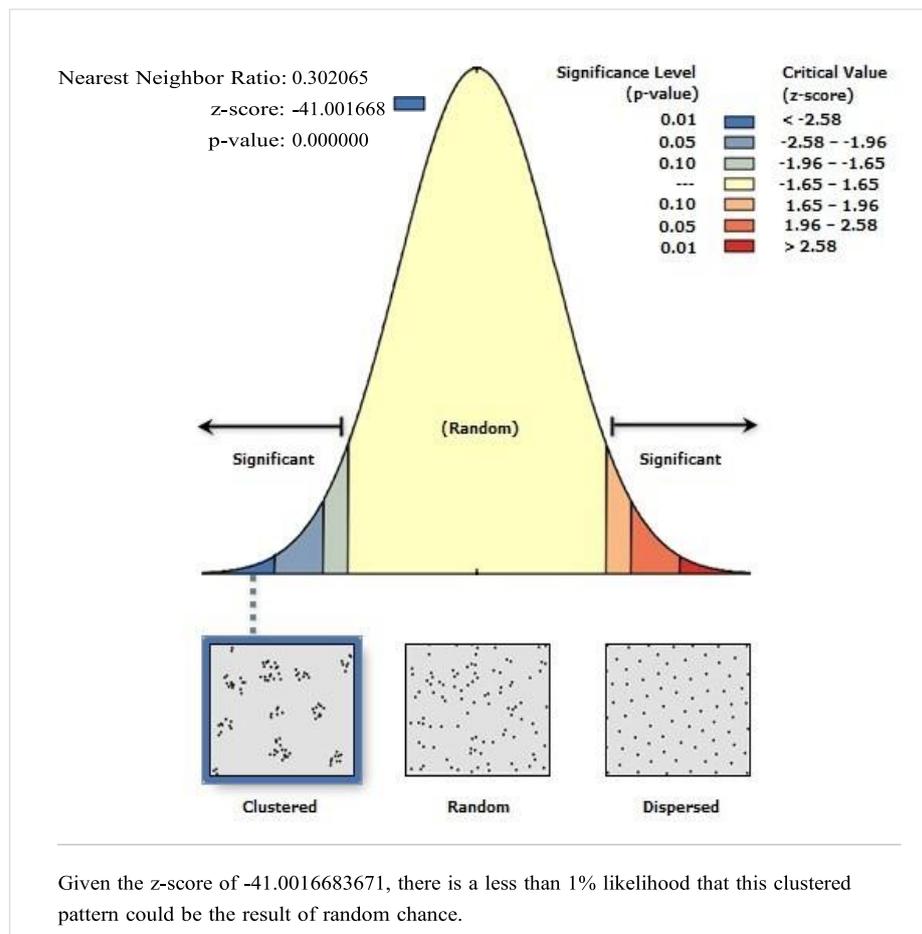
Figure 1: visual representation of statistical results of Average Nearest Neighbour. Source: *Noche y Niebla,* journals number 15 to 57, CINEP/PPP.

However, grouping all the incidences of human rights abuse, making no difference between the perpetrators and ignoring temporal lines, hides relevant information. For this reason, the data has also been analysed following temporal criteria, the type of human rights abuse denounced – as in International Humanitarian Law (hereafter, IHL) – and the perpetrators listed as introduced in Tables 10, 11, 12 and 13.

The use of IHL language by human rights activists and *Noche y Niebla* to denounce the abuse experienced in Barrancabermeja showcases the effect of armed conflict for human rights' meaning at a local level. However, it is important to highlight that IHL and human rights law are two distinct international legal frameworks. Human rights law refers to all existing mechanisms that serve to protect inherent rights from abusive power, while IHL regulates armed actors' behaviour in war (Droege, 2007). Nevertheless, they continuously overlap and

relate in practical scenarios, making their conciliation a must in specific contexts (Droege, 2007).

> "In general, one can say that the expansion of the scope of application of human rights law, combined with the monitoring machinery and individual complaints procedures existing in the human rights system have led to the recognition that human rights, by their nature, protect that person at all times and are therefore relevant to and apply in situations of armed conflict." (Droege, 2007:312)

Hence, I argue that IHL is a legal system that legitimised human rights abuse experienced in Barrancabermeja at an international level. IHL is based on two general principles collected in the Geneva Conventions and additional Protocol II: the Purpose Limitation Principle and the Principle of Distinction. The Purpose Limitation Principle states that the only legitimate objective of armed actors must be to weaken the military forces of the adversary. Likewise, the Principle of Distinction mandates actors to acknowledge individuals' non-integration in belligerent parties and respect civilian private property (Trejos Rosero, 2011). Therefore, IHL can be understood as an instrument used by civil society and *Noche y Niebla* to articulate the abuse suffered as the outcome of armed actors' actions in relation to civilians and the public space.

However, and as it has been previously noted, the conflict in Barrancabermeja progressed in phases. I have noted that the temporal development of civil war dynamics provides relevant information on the spatiality of human rights abuse in Barrancabermeja. This is shown by the calculation of yearly median centres with the data set created for this research.

The results show incidences of abuse migrated during the period of analysis. Up until the last part of the 2000s, violence and human rights abuse were widespread, showcased in the central location of the median centre. Afterwards, violence and abuse migrated towards north-eastern areas. This change in the geographical concentration of abuse represents the transformation of civil war dynamics from city-wide urban war to a conflict fundamentally based on political persecution.

This principle suggests that there may be hot spots or areas with a significant concentration of instances of human rights abuse. For this reason, the following sub-sections present the results of the analysis of hot spots in the data set. The results continue to support the fact that there is a spatial element in the experience of human rights abuse derived from local civil

war dynamics in Barrancabermeja, illustrating that space influences the practice of civil war by armed actors and, consequently, collective experiences around abuse and well-being.
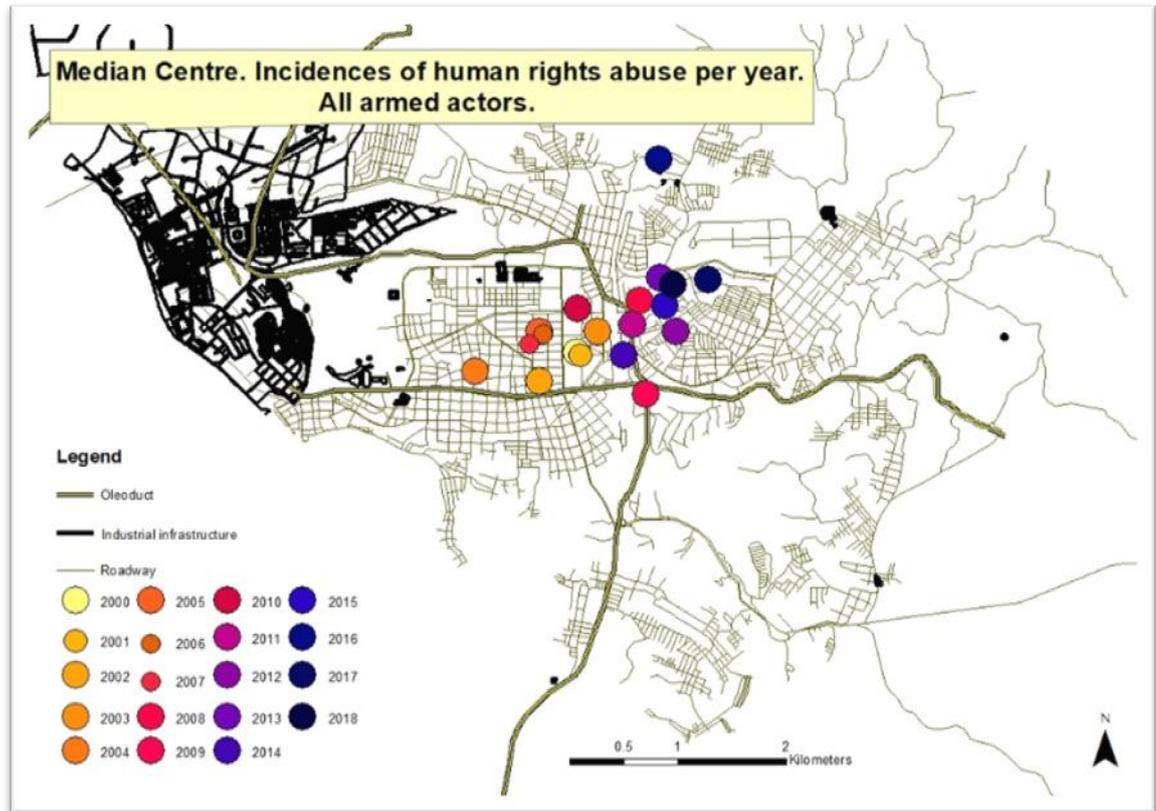
Map 3: Median centre incidences of human rights abuse per year. Source: Noche y Niebla, journals number 15 to 57, CINEP/PPP. Geographical datasets for boundary information, hydrology and industrial facilities ©Instituto Geográfico Agustín Codazzi, 2016.

As I have previously introduced, I present the civil war in Barrancabermeja in three different phases. I define the conflict during the years 2000 and 2001 as "urban war", as far as armed actors frequently engaged in direct armed combat within the city boundaries. From 2002 to 2010, I define the conflict as "dirty war", referring to widespread political and social persecution, kidnapping, blackmailing and torture. Ultimately, I highlight that the conflict degraded from 2010 to 2018, as Colombia began pursuing a resolution to the civil war through negotiation. With this, I do not aim to convey that civil war dynamics were not prevalent, but that the actions of armed actors were less visible, and that there are less reports filed by the journal *Noche y Niebla*. This tendency was disrupted during May to June 2018 as a consequence of the presidential elections.

Performing hot spot analysis of human rights abuse in Barrancabermeja allows us to define statistically significant areas where abuse is concentrated. These areas change as the conflict moves from one phase to the other, showcasing a direct relationship between armed actors' practice and space itself.

Years 2000 and 2001: the end of the urban war.

From 1996, the conflict in Barrancabermeja escalated to a full urban conflict (Vargas, 2009). During this time, *guerrillas* confronted the state institutions and attacked industrial facilities intensively (Vargas, 2009). For this reason, there was a strong state military presence (Vargas, 2009). At the same time, AUC dominated rural areas surrounding Barranca, directly attacking civilians and provoking a flood of migrants towards the city (Gill, 2009). However, the disarticulation of ELN's presence in the city in 1998 and the progressive connivance of AUC and state forces contributed to decreased control of FARC-EP over the oil port. The data gathered for the year 2000 still shows that a full urban war was taking place.. In contrast, 2001 sees a decrease in methods of war. Nonetheless, it is important to highlight that this is a space contested by the four main armed actors in Colombia. Interviewee 6 described this context:

> "*In that time* [early 2000s], *confrontations among illegal groups inside the comunas of Barrancabermeja were very common… they went around giving each other fire and lead. But, sometimes, it was the state itself. Military forces went around giving lead in the streets of Barrancabermeja. That was very difficult because we* [human rights organisation] *only wanted to defend people's rights and life.*" (Interviewee 6)

Here the participant is describing a civil war context within an urban area. The interviewee is making a direct relationship between this situation and the ability of human rights groups to continue with their work. This matter has been previously discussed in academia (van Isschot, 2015); however, this research articulates it as an example of how space conditions rights practice.

Table 14 supports the previous argument. From the 162 incidences of human rights abuse reported in the year 2000, 48 are directly related to urban war methods (urban combat, attack military objective, use of illicit warfare and destruction of property, attack to installations

containing dangerous forces, and blockage of access routes). This represents a context where direct confrontations between AUC, *guerrillas* and the state were very common (an average of four incidences a month).

Type of human rights abuse	2000	%	2001	%
Urban combat	22	13.6	4	2.9
Assassination political persecution (IHL)	97	59.9	91	65.9
Extrajudicial execution by state forces and abuse of authority (IHL)	2	1.2	1	0.7
Arbitrary detention by state forces	1	0.6		
Attack military objective	4	2.5	1	0.7
Forced disappearance (IHL)	3	1.9	10	7.2
Individual threats to personal integrity (IHL)	1	0.6	2	1.4
Collective threats to personal integrity (IHL)			9	6.5
Pillage (IHL)	1	0.6	2	1.4
Use of illicit warfare and destruction of property (IHL)	12	7.4		
Attack to installations containing dangerous forces (IHL)	8	4.9	2	1.4
Blockage of access routes and destruction of property (IHL)	1	0.6	4	2.9
Torture (IHL)			3	2.2
Torture and assassination for political persecution (IHL)			9	6.5
Total	162		138	

Table 15: frequency of human rights abuse by type during the years 2000 and 2001 in Barrancabermeja. . Source: *Noche y Niebla,* journals number 15 to 18, CINEP/PPP.

Comuna	2000	%	2001	%
Out of bounds	6	3.7	5	3.6
Comuna 1	39	23.5	31	23.2
Comuna 2	24	14.8	21	15.2
Comuna 3	28	1.6	14	10.9
Comuna 4	9	5.6	14	10.1
Comuna 5	14	8.6	25	18.8
Comuna 6	15	9.3	10	7.2
Comuna 7	26	16	14	10.1
River		1.9	3	0
Refinery	1	0.6	1	0.7
Total	162		138	

Table 16: Frequency of human rights abuse by comuna during the years 2000 and 2001 in Barrancabermeja. . Source: *Noche y Niebla,* journals number 15 to 18, CINEP/PPP

The year 2001 describes a slightly different image. Vargas (2009) notes that, in 2001, AUC changes its tactic from a combat-based approach towards a targeted persecution of *guerrilleros* and sympathisers. This is shown in the statistical data, as far as the number of incidences related to urban war methods decreases to 8. However, targeted violence increases to 125 incidences (assassination for political persecution, forced disappearance, individual and collective threats, torture and assassination for political persecution). The rise of targeted and political violence can be appreciated in several variables: assassinations for political violence represent 65.9% of the total incidences of human rights abuse in 2001 (as opposed to 59.9% in 2000); forced disappearances increased from 3 to 10; collective and individual threats increased from 1 to 11; and there were 12 registered cases of torture in 2001. Hence, this data supports Vargas' (2009) description of the conflict and signals 2001 as the end of the urban war as it was experienced in 2000 and previous years.

Ultimately, Table 15 supports the same narrative around the progressive debilitation and fragmentation of *guerrillas* in 2001. It is significant that the incidences of human rights abuse for which *guerrillas* had been identified as the perpetrator half (38.8% in 2000 to 19.6% in 2001). Even though these numbers may not be a direct representation of the context in Barrancabermeja, they are useful to identify the concurrence of different narratives.

This change is represented in the spatiality of the conflict. In 2000, most of the hot spots of incidences of human rights abuse are located in key spaces like the entry of the refinery, public institutions, and areas adjacent to one of the main communication routes (Street 52), along which one of the main oil pipes crosses the city. Hence, the data represents *guerrillas*' attacks to key political, economic and industrial assets and subsequent conflict. In contrast, the war in 2001 has a distinct quality. Hot spots spread to residential areas, and a decrease in incidences located along communication infrastructures and public instructions can be observed, representing AUC's change of tactics towards targeted violence.
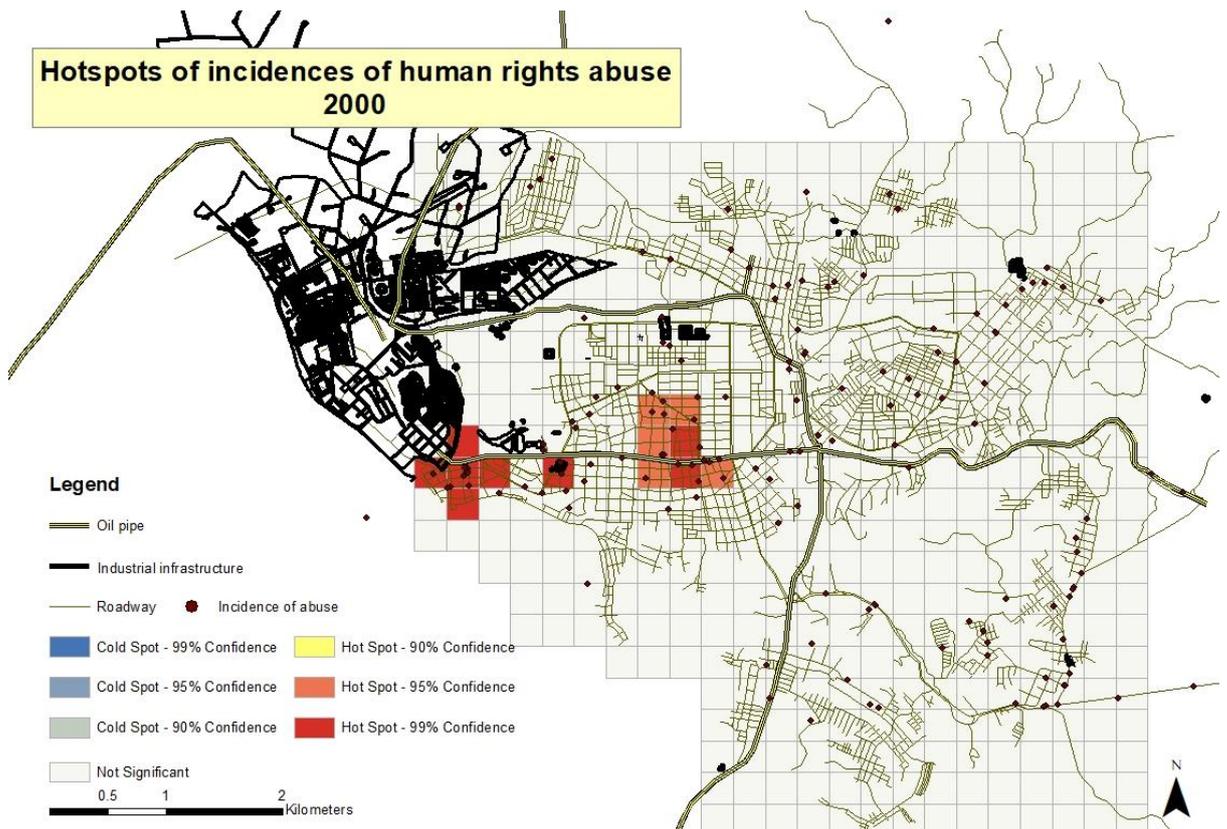
Map 4: Hot spots of incidences of human rights abuse in Barrancabermeja during the year 2000. Source: *Noche y Niebla*, journals 15 to 18, CINEP/PPP. Geographical datasets for boundary information, hydrology and industrial facilities ©Instituto Geográfico Agustín Codazzi, 2016.
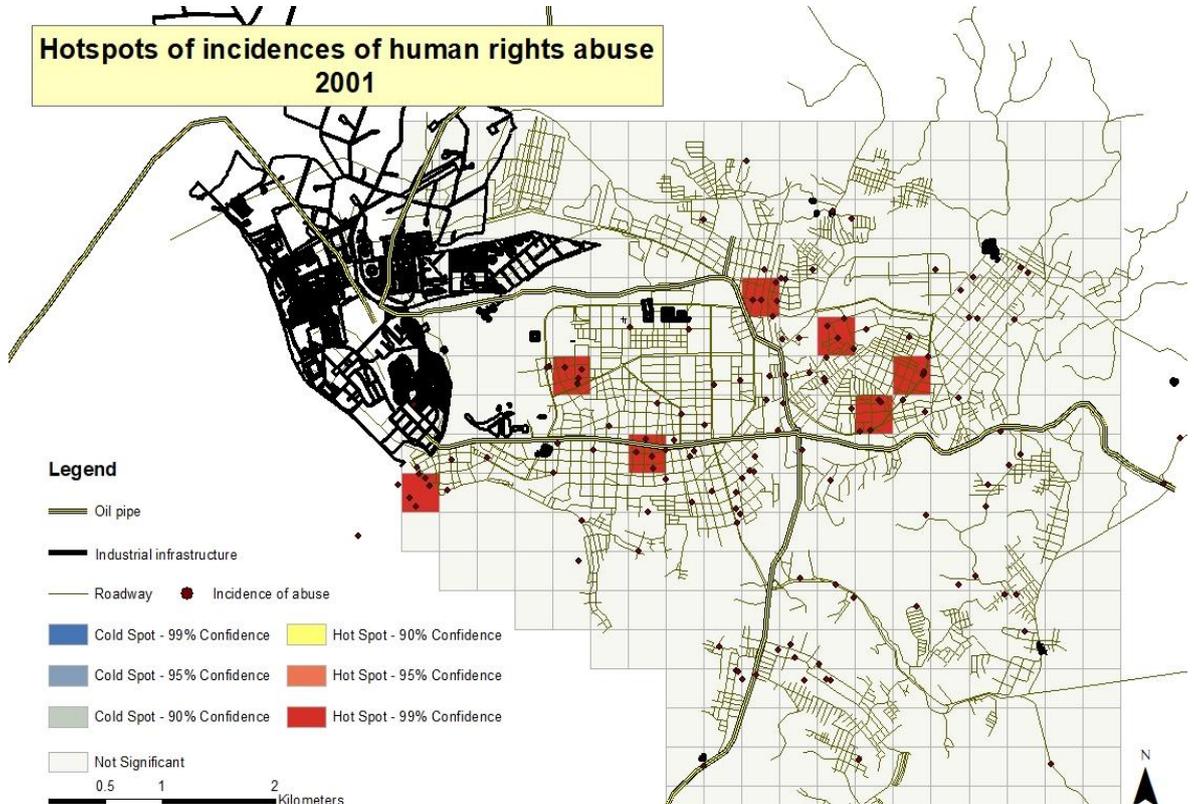
Map 5: Hot spots of incidences of human rights abuse in Barrancabermeja during the year 2001. Source: *Noche y Niebla*, journals 19 to 22, CINEP/PPP. Geographical datasets for boundary information, hydrology and industrial facilities ©Instituto Geográfico Agustín Codazzi, 2016.

Gill shares a quotation that helps to understand the rationale behind these methods and their effect on the symbolic production of space (2009). One of her participants stated that a paramilitary leader "[…] had given the order to capture me alive. He needed me alive so he could tie me to a post with barbed wire and destroy me piece by piece so the community would understand how *guerrilla* leaders died" (Gill, 2009:320). Hence, the use of torture and targeted violence were employed to communicate information to Barrancabermeja's civil society: e.g. this can happen to you if you get involved with insurgency. This behaviour relates to Bourdieu's work around the symbolic production of space (1989).

In this paper, Bourdieu uses an analogy with drinks to explain how agents hold and create meaning around spaces and about themselves: by drinking expensive drinks in exclusive venues, agents organise themselves into status groups and associate a specific habitus and capital to those spaces, creating a qualitative different meaning around this specific venue than that of a regular pub (Bourdieu, 1989). Hence, Bourdieu concludes that the reproduction and endurance of social practices defines a space's meaning (1989). In Barranca, paramilitaries defined themselves as a status group capable of controlling the reproduction of social practices through violence and terror. Every instance of abuse perpetrated by paramilitaries bears meaning to the other social agents: paramilitaries are capable of inflicting violence, and those that represent a threat to the para-state will suffer violence. Furthermore, the inaction and/or collaboration of state forces also bears meaning: there is not a protective state.

Barranca and the region of Magdalena Medio are recognised at a national scale as highly paramilitarised areas – if not the most. It explains why many Colombians look away, lower their heads or negate when they hear about Barrancabermeja (Gill, 2016): the symbolic production of Barranca's space throughout decades of civil war has caused Barranca to be associated with war and violence for many. Paramilitaries used violence to instrumentalise the symbolic aspect of social space, transform social practices and communicate the city's experience to others. These agents wanted Barranca to stop being a rebel city, and used terror for that purpose. They also wanted to tell others what happens to a rebel city. Consequently, the reproduction of violence and terror by paramilitaries, with the connivance of sections of the state, was effective in transforming and controlling the reproduction of social practices.

The hot spot analysis of incidences of human rights abuse, gathered from the journal *Noche y Niebla,* supports previous academic research depicting the development of the urban war in Barrancabermeja (Vargas, 2009; Gill, 2009; 2011). It highlights that the experience of civil war in the city had a clear spatiality. First, it showcases that space controlled armed actors' practice in 2000 as far as incidences of human rights abuse are concerned, concentrated in areas with industrial, infrastructural and/or institutional assets. Secondly, it highlights that the generalisation of targeted violence and persecution drove armed actors to migrate towards residential zones. Hence, this indicates that armed actors concentrated in specific areas based on their spatial functions.

Ultimately, and as the participant indicated, the instrumentalisation of Barranca by armed actors gravely impacted the reproduction of human rights practice. Political violence and persecution infused fear in many social sectors that would have engaged with human rights activism in previous years. Therefore, I conclude that the methods used by armed actors to produce space had a direct impact on the reproduction of local rights practices during this period.

From 2002 to 2010: the dirty war.

Gill (2009; 2011) has long referred to the conflict in Barrancabermeja in a similar fashion. This illustrates a conflict where armed actors directly attack civilians and use torture, blackmail and persecution as principal means of war (Gill, 2009; 2011; van Isschot, 2015). Combat among armed actors was not as frequent; rather, they engaged with targeted murders, forced disappearances and torture. This is why, often, research in the case of Barrancabermeja has interpreted this situation in terms of "terrorism", highlighting that terror was the main war strategy at the time (Kunkel, 2007).

This is illustrated by the spread of hot spots of incidences of human rights collected by *Noche y Niebla* across the city. Gill discusses how the use of terrorism "ruptured social networks in the city" (2009:314), highlighting that the production of space by armed actors degraded the relational capabilities of Barranca's space and society's ability to organise in collective human rights mobilisations. This point further supports the principle that the relational facet of space is central for the construction and endurance of rights practices. In this regard, it is important to highlight that the last *paro cívico* in Barrancabermeja was organised in 2004.

This is a *paro* that addressed the liberalisation of the oil industry, which took place in 2003, and wider local concerns around political violence. However, it did not generate as much support as other *paros* due to the intense reproduction of civil war violence. Hence, this context continues to evidence that the instrumentalisation of space by armed actors had a direct effect over traditional rights practices.

Type of human rights abuse	2002/2004	%	2005/2008	%	2009/2010	%
Urban combat	3	2.4				
Assassination political persecution (IHL)	74	58.3	67	44.7	69	53.9
Arbitrary detention by state forces	13	10.2	1	0.7	1	0.8
Assassination for social intolerance (*limpieza social*) (IHL)	2	1.6			45	35.2
Forced disappearance (IHL)	12	9.4	4	2.7	1	0.8
Individual threats to personal integrity (IHL)	2	1.6	2	1.3	1	0.8
Collective threats to personal integrity (IHL)			6	4	8	6.3
Pillage (IHL)			11	7.3		
Use of illicit warfare and destruction of property (IHL)			2	1.3	1	0.8
Displaced collective for political persecution (IHL)	3	2.4	1	0.7		
Blockage of access routes and destruction of property (IHL)	5	3.9	3	2	1	0.8
Torture (IHL)	2	1.6	5	3.3	1	0.8
Torture and assassination for political persecution (IHL)	9	7.1	2	1.3		
Total	127		150		128	

Table 17: Frequency of human rights abuse by type during the periods 2002-2004, 2005-2008 and 2009-2010. Source: *Noche y Niebla,* journals number 23 to 42, CINEP/PPP.
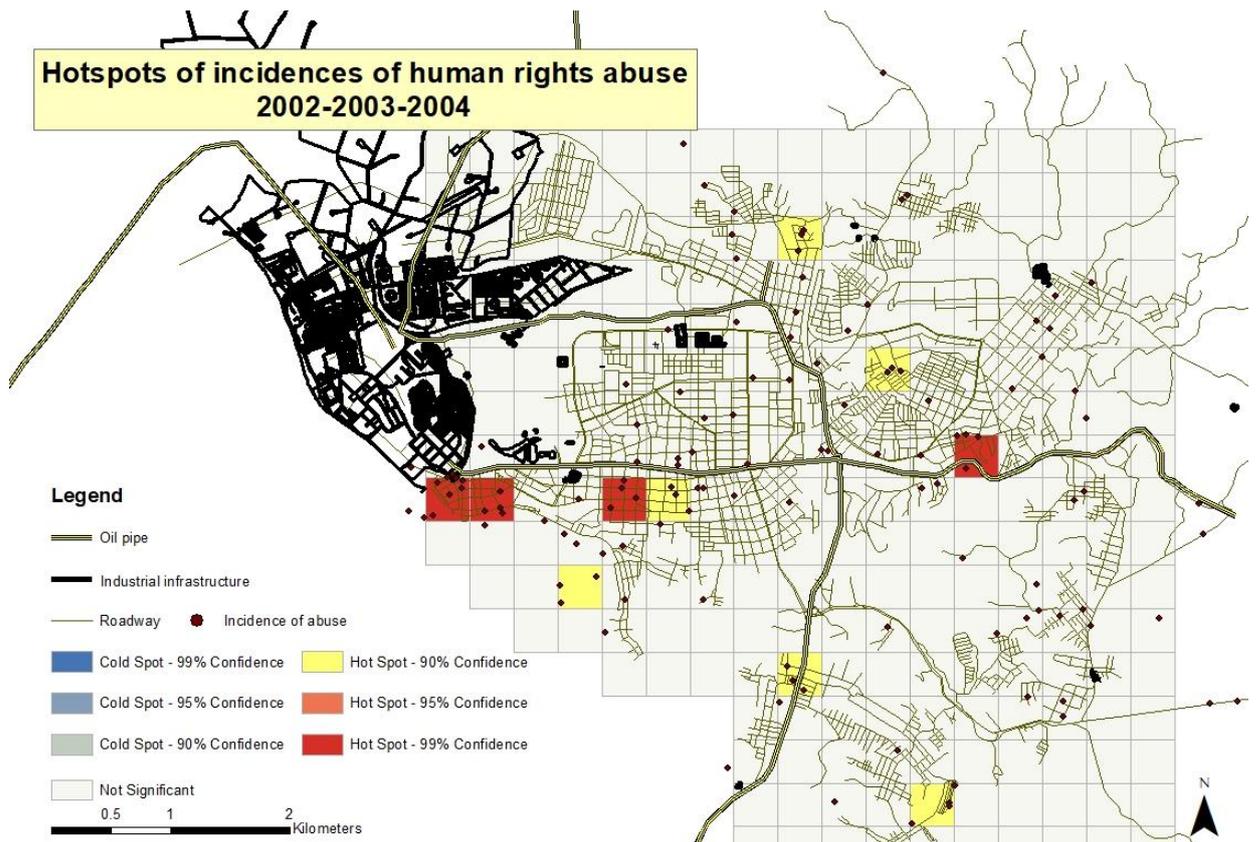
Map 6: Hot spots of incidences of human rights abuse in Barrancabermeja during the years 2002, 2003 and 2004. Source: *Noche y Niebla*, journals 23 to 30, CINEP/PPP. Geographical datasets for boundary information, hydrology and industrial facilities ©Instituto Geográfico Agustín Codazzi, 2016.
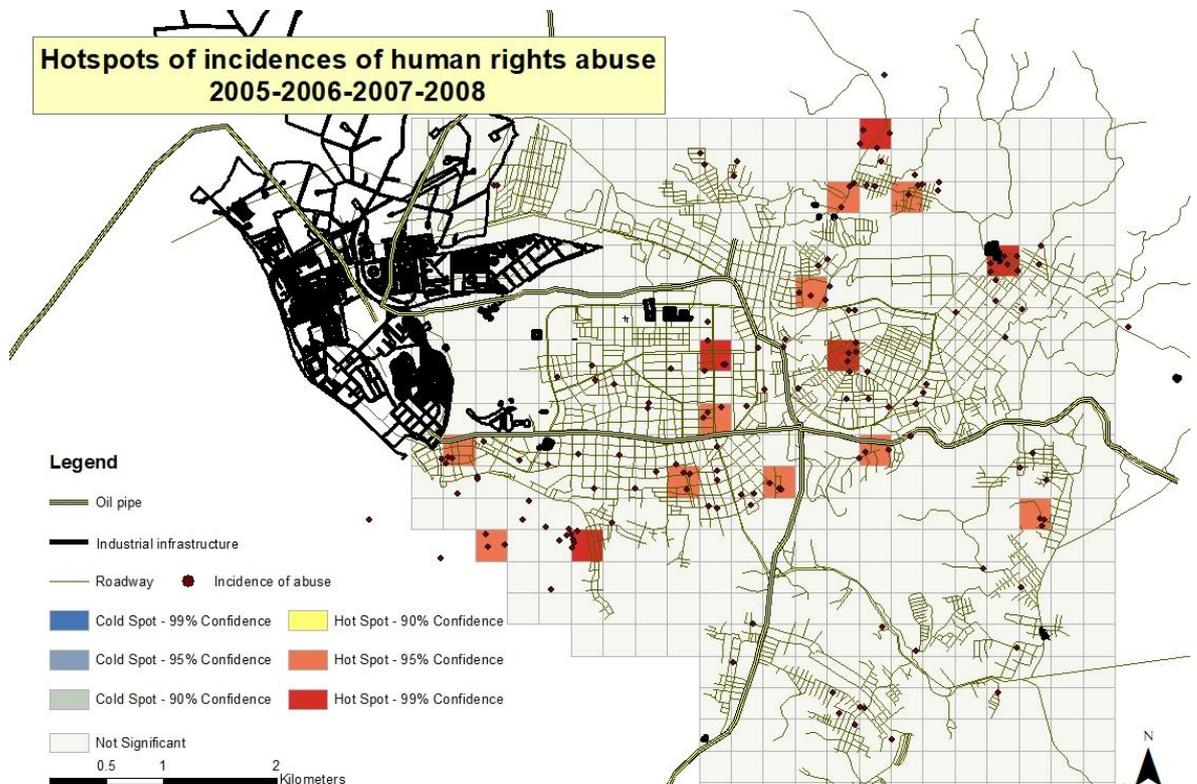
Map 7: Hot spots of incidences of human rights abuse in Barrancabermeja during the years 2005, 2006, 2007 and 2008. Source: *Noche y Niebla*, journals 31 to 38, CINEP/PPP. Geographical datasets for boundary information, hydrology and industrial facilities ©Instituto Geográfico Agustín Codazzi, 2016.
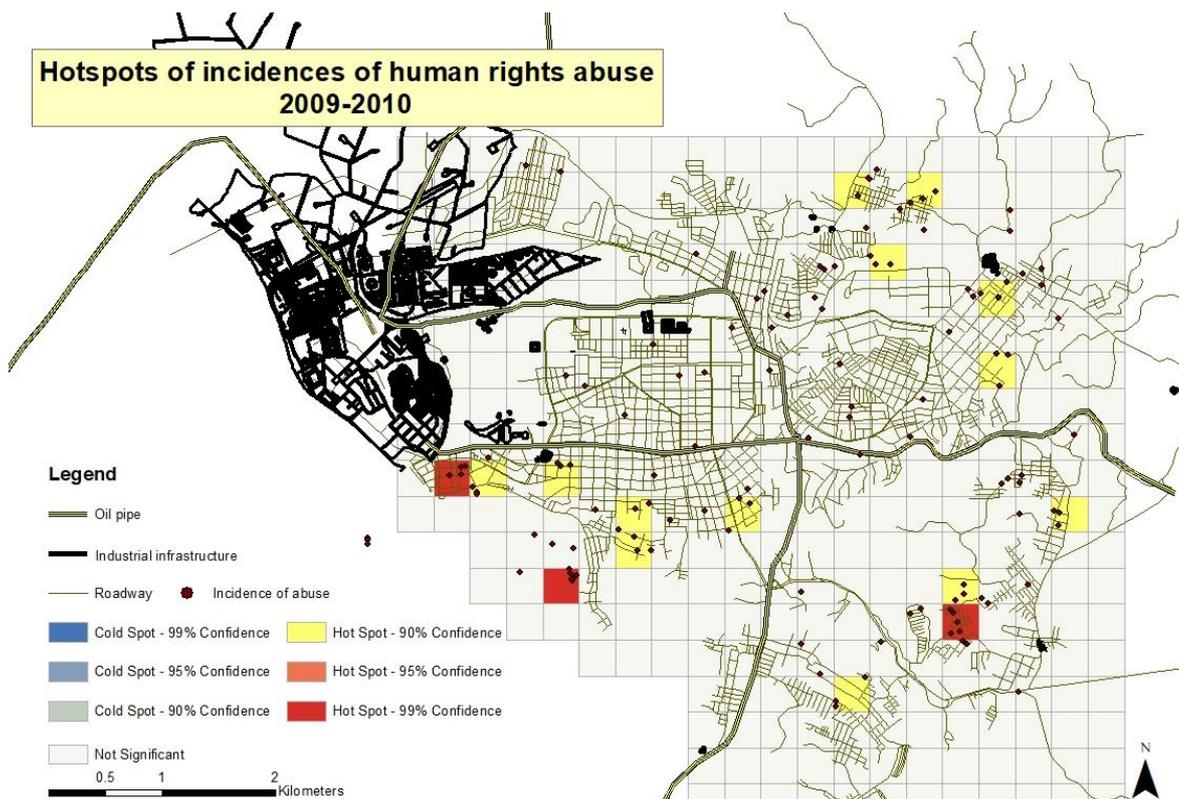
Map 8: Hot spots of incidences of human rights abuse in Barrancabermeja during the years 2009 and 2010. Source: *Noche y Niebla*, journals 39 to 42, CINEP/PPP. Geographical datasets for boundary information, hydrology and industrial facilities ©Instituto Geográfico Agustín Codazzi, 2016.

Comuna	2002/2004	%	2005/2008	%	2009/2010	%
Out of bounds	12	8.7	2	1.3		
Comuna 1	32	23.2	42	28	35	27.3
Comuna 2	15	10.9	18	12	9	7
Comuna 3	17	12.3	30	20	25	19.5
Comuna 4	11	8	10	6.7	9	7
Comuna 5	13	9.4	19	12.7	7	5.5
Comuna 6	8	5.8	13	8.7	15	11.7
Comuna 7	13	9.4	10	6.7	24	18.8
River	2	1.4	6	4	4	3.1
Refinery	4	2.9				
Total	138		150		128	

Table 18: Frequency of human rights abuse by comuna for the periods 2002-2004, 2005-2008 and 2009-2010. Source: *Noche y Niebla,* journals number 23 to 42, CINEP/PPP

Alleged perpetrator	2002/2004	%	2005/2008	%	2009/2010	%
Not known	11	8				
Paramilitaries and military	115	83.3	146	97.3	123	96
Guerrillas	12	8.6	4	2.7	5	4
Total	138		150		128	

Table 19: Frequency of human rights abuse considering the alleged perpetrator for the periods2002-2004, 2005-2008 and 2009-2010. Source: *Noche y Niebla,* journals number 23 to 42, CINEP/PP

During this period, violence against trade unions, human rights groups and civil organisations increased in line with the implementation of Uribe's Democratic Security Policy, which gave social mobilisations a public order status. This is the period when more arbitrary detentions were denounced in Barrancabermeja, most targeting trade unionists. I acknowledge that I cannot assess the arbitrary character of these detentions. Nonetheless, it is useful to describe the effect of the Democratic Security Policy for the organisation of social movements.

This was the period when paramilitaries achieved a monopoly over violence in Barrancabermeja. This is made clear by Table 18, which states that paramilitaries were responsible for 83.3%, 97.3% and 96% of the total number of instances of human rights abuse for each period. This is linked to *limpieza social* murders, a term mostly used by right-wing paramilitary groups (Rocha Buitrago, 2009). This is an important issue. The phenomenon of *limpieza social* or social cleansing is not specific to this timing or to Barrancabermeja; there are reports of armed actors engaging with this terminology to justify assassinations from the 1980s (Rocha Buitrago, 2009). Nonetheless, from the mid-2000s, a new wave of threats – often in the form of pamphlets – and assassinations flooded the nation (Fernández and Otero Bahamón, 2009).

> "*The conflict by mid 2000s… 2004, 2005, changes. It changes because of the process of demobilisation of the government of Uribe Vélez and the auto-defences* [paramilitaries]. *So then they started with the political theme, the theme of politically coercing people's spaces, social spaces. Even hiring people, all was controlled then by the paramilitaries with the connivance of plenty of state agents.*" (Interviewee 6)

Interviewee 6 depicts this situation and introduces a relevant process for Barrancabermeja – the demobilisation of AUC. Moreover, this quotation relates to Interviewee 2's argument around public space being a human right. Interviewee 6 highlights that, with the formal demobilisation of AUC, segments of the late paramilitary group started to "politically coerce people's spaces". This idea can be understood from a fascist, extreme right-wing ideology: specific social groups were targeted to eliminate their presence from the urban centre. Vulnerable groups, like the homeless, drug addicts, small narcotraffickers and *mototaxistas* (unofficial taxi drivers that use motorbikes instead of cars) were targeted. Likewise, human rights activists, LGBTQ+ communities, journalists and educators suffered persecution. The reason being that their ideas, life choices and economic activity threatened the social order

imposed by the para-state. This is what Interviewee 6 describes as "the political theme", articulating the coercion of civil society's access to public space as a political movement.

Within this context, it becomes clearer why Interviewee 2 articulated public space as a human right. Armed actors' methods to control social practice in space represent a direct abuse of the fundamental rights of the targeted communities. The fact that LGTBQ+ communities, for instance, were negated the right to freely navigate public space showcases how this can drive local communities to articulate public space as a human right. This idea conveys that human rights are a language used to defend people's life choices within the public realm, independently on whether these "human rights" have been legitimised by the law or formal human rights institutions. Consequently, this showcases that human rights narratives are constructed in tandem with the everyday experience of space which, in the case of Barrancabermeja, drives understanding public space as a human right.

Besides, *limpieza social* is a method by which paramilitaries could control not only the reproduction of political discourses, but local illegal economies and unofficial transport and communication networks. Considering that paramilitaries obtained funding from narcotrafficking, maintaining dominance was a strategic decision. For instance, *mototaxistas* were widely used to send messages and carry out vigilance for armed actors. Controlling pawnbrokers implied acquiring power over the population's access to funding. Therefore, these are methods by which paramilitaries were transforming the social space of Barrancabermeja from many different standpoints, controlling inhabitants' everyday life.

The previous statements are reflected in maps 6, 7 and 8. The maps showcase hot spots of incidences of human rights abuse as far as social and political control were extended to all areas in the city. It is significant that, during the years 2009 and 2010, hot spots were more widespread and less significant, meaning that incidences of human rights abuse were so widespread that hot spots had lower statistical significance. Hence, this indicates that the narrative around the civil war depicted by *Noche y Niebla* and the data used in this research represent dominant discourses around the development of the war in Barrancabermeja.

Ultimately, I want to highlight an element of Interviewee 6's quotation. They address space as "people's space" or "social spaces", highlighting that they conceptualise the urban space as "owned" by civil society. This relates to the right to the city standpoint as far as "the urban" is understood in similar terms as the commons (Harvey, 2012), articulating the situation of control of social space as a political strategy. The right to the city helps us

understand this situation in terms of the production of urban space, highlighting that the physical and social control of public space shapes the development of social practice and everyday life. Conclusively, the period of the dirty war is featured by a prevalence of political persecution and control of social spaces as means to dominate social practice and local insurgent attitude.

2011 to 2018: de-escalation, the peace process and the effects of the 2018 presidential elections.

The end of Uribe's government and the start of Santos' contributed to the de-escalation of the conflict in Barrancabermeja. This is evidenced in the data gathered from *Noche y Niebla*, which shows a decrease in overall violence in comparison to previous years. Likewise, the data suggests that *guerrilla* groups had stopped being active in the city and that right-wing paramilitaries continued controlling the city. However, and as map 3 introduced, incidences of human rights abuse begin to concentrate in peripherical areas. Political persecution continues to be a reality for some, but it is becoming less widespread and, therefore, less visible. While there is a great deal of academic research focused on the conflict until the mid-2000s (Gill, 2009; 2011; Vargas, 2009; Kunkel, 2009), recent literature has not scrutinised the conflict during the 2010s. Hence, this research aims to contribute to the construction of knowledge around the case of Barrancabermeja by analysing this period.

I argue that decreasing "visible" violence in Barrancabermeja corresponds to state efforts to construct peace and/or the use of peace as a means to attract foreign investment. I use the term "and/or" because this research's data points both directions. First, Interviewee 3 highlighted that peace is a language used by the state and media for different reasons, one of them economic, representing a narrative around the issue. Secondly, it needs to be acknowledged that, during Santos' government, sectors of the state put into practice strong measures for the construction of durable peace (Soto Arroyave, 2020). In particular, I believe the correct connector would be "and"; however, this research is not concerned with providing a definitive answer on this issue, but on reporting that these are two major narratives.

During this period, assassination for political persecution allegations decreased before the increase of *limpieza social* murders. Some of the 90% confidence hot spots identified for the

years 2009 and 2010 – especially those located in *Comuna* 3 and 6 at the north-eastern region and affecting the neighbourhoods of 22 de Mayo, San Silvestre and Las Granjas – developed into 99% confidence hot spots. It is important to highlight that, from the five 99% confidence hot spots identified on the map, three are adjacent or are significantly close to industrial facilities. The other two are a marginal neighbourhood by the river in *comuna* 1 (Arenal) and a central area of *Comuna* 5. This area corresponds to a public football pitch, a common place of encounter for the youth. Most of the points located in that football pitch represent vulnerable minors.

There is also an increase of both individual and collective threats, communicated through pamphlets, phone calls or personal approach. However, the number of registered threats in this research does not convey their actual extent because only cases with available geographic information were gathered, and many were never reported. Threats to personal integrity would be accompanied by defamation campaigns on social media, ridicule and even legal complaints. It constituted a new form of abuse suffered by community leaders, members of civil organisations, human rights activists, trade unionists and journalists.

Alleged perpetrator	2011/2014	%	2015/2018	%
Not known				
Paramilitaries and military	138	98.6	101	99.1
Guerrillas	2	1.4	1	0.9
Total	140		102	

Table 20: Frequency of human rights abuse by alleged perpetrator during the periods 2011-2014 and 2015-2018. Source: *Noche y Niebla,* journals number 43 to 50, CINEP/PPP.

Comuna	2011/2014	%	2015/2018	%
Out of bounds	2	1.4	2	2
Comuna 1	34	24.3	13	12.7
Comuna 2	6	4.3	3	2.9
Comuna 3	26	18.6	32	31.4
Comuna 4	5	3.6	4	3.9
Comuna 5	35	25.0	20	19.6
Comuna 6	14	10.0	15	14.7
Comuna 7	18	12.9	13	12.7
River				
Refinery				
Total	140		102	

Table 21: Frequency of human rights abuse by comuna during the periods 2011-2014 and 2015-2018. Source: *Noche y Niebla,* journals number 43 to 50, CINEP/PPP.

Type of human rights abuse	2011/2014	%	2015/2018	%
Urban combat			1	1
Assassination political persecution (IHL)	60	42.9	71	69.6
Assassination for social intolerance (*limpieza social*) (IHL)	50	35.7	9	8.8
Armed strike			1	1
Forced disappearance (IHL)	3	2.1		
Individual threats to personal integrity (IHL)	6	4.3	5	4.9
Collective threats to personal integrity (IHL)	16	11.4	15	14.7
Use of illicit warfare and destruction of property (IHL)	2	1.4		
Blockage of access routes and destruction of property (IHL)	1	0.6		
Torture and assassination for political persecution (IHL)	3	2.1		
Total	140		102	

Table 22: Frequency of human rights abuse by alleged perpetrator during the periods 2011-2014 and 2015-2018. Source: *Noche y Niebla,* journals number 43 to 50, CINEP/PPP.

The median for incidences of human rights abuse across these years is 26 (considering yearly frequencies), which is significantly lower than that of previous periods (98 for the years 2000 and 2001 and 48 for the years 2002-2010). Besides this, the total number of incidences of human rights abuse for which *guerrillas* had been accused to be the perpetrator falls to 3 in the almost 9-year period. The most relevant change can be seen in *limpieza social* murders, which decrease from 50 (2011/2014) to 9 (2015/2018). Hence, the period with lower incidences of human rights abuse is that which immediately preceded and followed Santos' peace agreement with FARC-EP. This is the situation I referenced in the first section of Chapter 4: until 2018, Colombia appears to be making relevant steps towards the consolidation of peace.
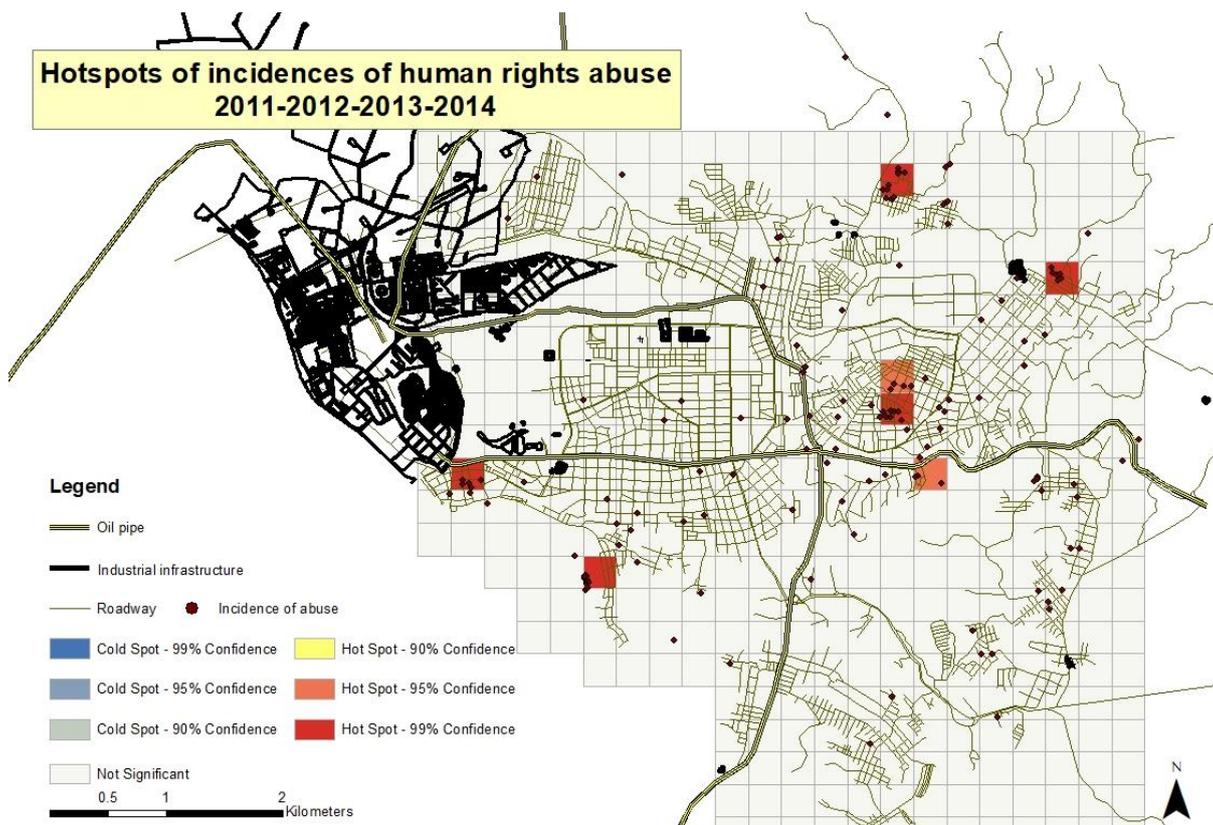
Map 9: Hot spots of incidences of human rights abuse in Barrancabermeja during the years 2011, 2012, 2013 and 2014. Source: *Noche y Niebla*, journals 43 to 50, CINEP/PPP. Geographical datasets for boundary information, hydrology and industrial facilities ©Instituto Geográfico Agustín Codazzi, 2016.
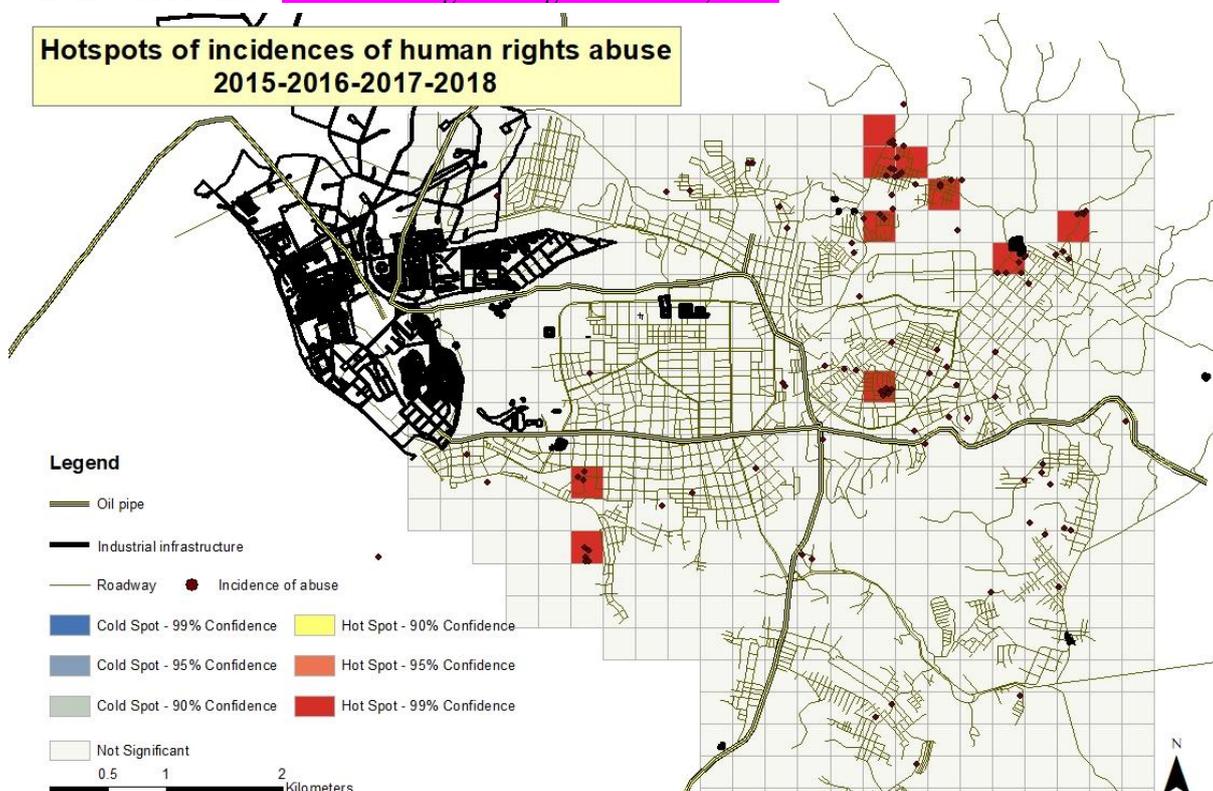
Map 10: Hot spots of incidences of human rights abuse in Barrancabermeja during the years 2015, 2016, 2017 and 2018. Source: *Noche y Niebla*, journals 51 to 57, CINEP/PPP. Geographical datasets for boundary information, hydrology and industrial facilities ©Instituto Geográfico Agustín Codazzi, 2016.

However, the presidential elections of May-June 2018 and the prospect of Gustavo Petro (candidate of the party *Colombia Humana,* Bogotá's ex-major and ex-member of *guerrilla* M-19) winning the elections radically changed the context. Right-wing paramilitaries became more active than in previous months and years, actively persecuting community leaders, politicians, activists, journalists and educators. The following pamphlet, which was sent through social media platforms during June 2018, showcases this situation.

"Black Eagles

Northern Block

June 2018
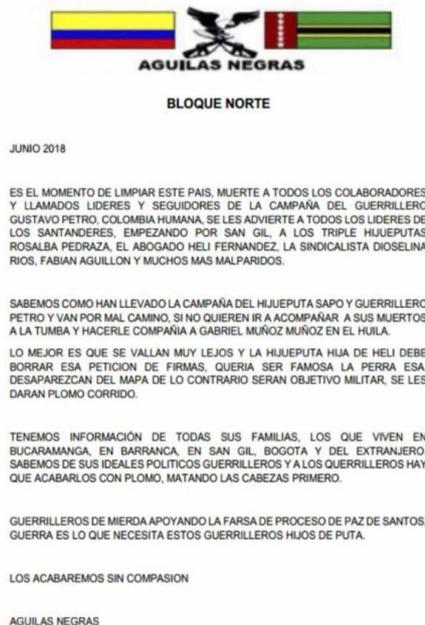
It is time to clean this country, death to all the collaborators and called leaders and followers of the campaign of the guerrillero Gustavo Petro, Colombia Humana, it is warned to all leaders of the Santanderes, starting with San Gil, to [insults] *person 1, the lawyer person 2, the trade unionist person 3, person 4 and many others* [insults].

We know how you have run the campaign of [insults] *guerrillero Gustavo Petro and you are taking a bad path, if you don't want to accompany your dead to the grave or make company to Gabriel Muñoz Muñoz in the Huila.*

The best is that you go away and far away and that [insults] *person 2 should delete that petition, she wanted to be famous* [insults] *disappear from the map or you will become military objective. You will be given lead.*

We have information of all your families, those that live in Bucaramanga, in Barranca, in San Gil, in Bogota and abroad. We know about your guerrillero political ideas and guerrilleros should be finished with lead. Killing the heads first.

Guerrilleros [insults] *supporting Santos' FARC-EPe of peace process. War is what these guerrilleros* [insults] *need.*

We will finish you without compassion.

Figure 2: pamphlet by paramilitary group *Águilas Negras*, showcasing the rise in political persecution during the presidential election's period in the region of Barrancabermeja.

This pamphlet mentions key elements that support my argument. First, it openly states that those threatened by the pamphlet find themselves in this situation due to their collaboration with Gustavo Petro's campaign. Secondly, it addresses Gustavo Petro as a *guerrillero*. Thirdly, it describes Santos' peace project as a "farce". Lastly, it uses language that indicates the existence of a political-based conflict. This is specially clear on the sentence "we know about your *guerrillero* political ideas and *guerrilleros* should be finished with lead", which directly references ideology as the reason for targeted violence.

These kinds of pamphlets seem to fulfil two main functions: one, to threaten a series of individuals; and two, to remind civil society in general of the presence and power of right-wing paramilitaries. It is a way by which paramilitaries make themselves present as an active armed actor in the region, stressing their military capabilities. And this is only an example of these communications by paramilitary groups, since I am aware that similar pamphlets were sent through social media platforms, or printed and delivered to marginal communities during the presidential elections. Hence, the threat I suffered, which forced me to finish fieldwork early, can be seen as a further confirmation of the widespread political persecution at the time. In the end, Gustavo Petro did not become president. Instead, Iván Duque Márquez took the presidential seat.

Therefore, this research contributes towards narratives that challenge the articulation of the Colombian conflict as something from the past. The information gathered in this research confirms that there is a continuation of political persecution, targeted murders and use of terrorist methods to impact social practice and political participation. Furthermore, sections of FARC-EP have rearmed and the ELN has yet to agree a peace agreement. Ultimately, there is a significant number of paramilitaries (or Bacrim) that still have a relevant presence in territories. Therefore, with this research I aim to highlight that Colombians still find themselves within a political conflict exacerbated by long-stablished war economies and narcotrafficking. Pressure by the international community is a fundamental tool, and I encourage others to continue undertaking research on the experience of civil war in the city of Barrancabermeja and other affected areas.

3. Findings and final thoughts.

In this chapter, I have addressed several of the main arguments of this thesis through the case of civil war in Barrancabermeja. First, spatial statistics showcase that spatial features influenced the actions of armed actors and, thus, are relevant to understand the incidence of human rights abuse in Barrancabermeja. This exercise unveiled that there is a spatiality for the experience of human rights and civil war violence. Secondly, it discusses how the symbolic production of space by armed actors through violence and terrorism had a relevant effect over the reproduction of local rights practices. This is represented in the disarticulation of intra-relational networks that made possible the organisation of *paros cívicos* and other kinds of widespread social mobilisations. Thirdly, it explores a period (2011-2018) that has not been carefully researched in academia, aiming to give visibility to ongoing experiences of abuse and violence. Altogether, this chapter has explored the context of civil war and the actions of armed actors as symbolically and materially producing Barranca's space, transforming local practices and territorial meaning.

This chapter provides explicit evidence to answer research question 3 in this investigation. Fundamentally, it showcases that armed actors instrumentalised the symbolic production of Barrancabermeja's space to dominate the reproduction of local rights practices – among other purposes. This empirical case provides strong support for the theoretical discussion started in Chapter 2 while demonstrating the validity of this research's framework to analyse rights spatially. Altogether, it gathers significant evidence that supports the idea that spatial actors intervene with social practice by controlling space, having relevant effects over the process of construction of rights.

Additionally, the definition of a spatiality of rights abuse in Barrancabermeja through the application of spatial statistics has the potential to impact several conversations and rights research. This research showcases that the use of non-traditional methodology has the ability to create complementary and valuable knowledge around rights struggles. Reading the conflict from a spatial standpoint can support policy-makers, NGOs, civil society and private organisations to tackle, plan and address distinct experiences around the same context. It can help to target the most affected areas and communities, and to design strategies that adapt to the territorial and cultural characteristics of those spaces. Therefore, spatial statistics for rights research proves that it is a valuable indicator of human rights geographies,

contributing towards the opening up of new perspectives to understand rights practices and experiences.

Likewise, this chapter has explored one of the main arguments of this thesis through the case of civil war in Barrancabermeja. I have discussed local identities, the relationship of *guerrillas* and the city of Barrancabermeja and the use of terrorism and persecution by armed actors as symbolically producing space and impacting the reproduction of local rights practices. On one hand, local culture related to insurgency and FARC-EP's and ELN's definition of Barrancabermeja as a stronghold of political insurgency produced meaning around the space and its inhabitants. This is something that Interviewee 8 portrayed by noting that other Colombians understand "'that one that comes from Barranca, that man [English in original], is used to *paros*, is a *guerrillero*…' That's what they say."

This situation had two main effects. One, civil society is ascribed political ideas related to insurgent groups. Two, right-wing paramilitaries understood the city as one of the fundamental areas, ideologically and militarily, to defeat *guerrillas*. Hence, *guerrillas*' construction of meaning around the local space had a central effect for the development of the urban and dirty wars. The paramilitarisation of Barrancabermeja represented both a symbolical and territorial win for right-wing paramilitaries and the state, as far as it communicated to the rest of the country that they were able to control a major stronghold of civil and political insurgency.

However, the paramilitarisation of Barrancabermeja also had key effects over the reproduction of rights practices. As Gill (2009; 2011) argues, torture, persecution and terrorism were used as a semantic statement by paramilitaries, showing civil society what could happen to them if they chose to participate in activism or political insurgency. From a Bourdieusian standpoint (1989), this context can be understood in terms of production of social space as far as paramilitaries as a status group define themselves as able to exercise violence and control the reproduction of social practices. This is illustrated by targeted political and social violence, being the case of *limpieza social* murders a clear example of the extent of paramilitaries control. This process can be understood as a strategy to instrumentalise space by transforming social dynamics through persecution and abuse.

This process had a significant effect on the relational facet of space and civil society's ability to organise. Therefore, the transformation of meaning and general social practice in Barrancabermeja as a result of civil war dynamics highly influenced the reproduction of

rights practice. Considering that local rights practices traditionally involved space appropriation methods, strikes and significant participation of civil society, it is understandable that urban or dirty war as a socio-spatial context will determine the ability of civil society to engage with these practices. Furthermore, political violence contributed to the isolation of communities and the destruction of local networks fundamental for the organisation of these movements. Consequently, the experience of the civil war in Barrancabermeja highlights that the symbolical production of space can become a central factor for the reproduction of rights practices. This reflects the direct relationship between the production of space and the construction of rights, referencing one of the fundamental theoretical propositions in this investigation.

Lastly, I consider this research also fills a gap in the literature discussing the case of Barrancabermeja by addressing the quality of the war during the last decade. I highlighted that, while during Santos' government, violence de-escalated and several steps towards durable peace were made, the situation in Barrancabermeja during the presidential elections in May-June 2018 shows that the conflict is still a reality for many communities. Therefore, this thesis calls for further research in recent experiences of political violence and armed conflict in Colombia, and specifically Barrancabermeja, to make visible and denounce systematic human rights abuse.

For all these reasons, this is a central empirical chapter in this investigation. It is also very relevant for the next chapter, which discusses access to spatial information and the communication of spatial rights struggles. In this regard, the context of civil war and statelessness sets the basis to discuss information and legitimate human rights language. Therefore, this chapter has not only addressed the principal theory behind the research, but provided crucial background for the upcoming analysis.

Chapter 7. Spatial information and knowledge in Barrancabermeja: a rights struggle.

The empirical data and analysis presented in the last two chapters define Barranca as a contested space. There are several groups competing to attach meaning to Barranca's space; therefore, spatial representations, information and knowledge are also contested. In this chapter, I focus on the role of spatial information and knowledge of the development of human rights narratives and the acknowledgement of spatial rights struggles as human rights issues. In this sense, this chapter relates to Cook's (2013) approach, which articulates spatial information and knowledge as crucial to evaluate human rights policies and contexts.

I focus on legitimate human rights information and knowledge and how preconceived ideas of how it looks like and how it should be formatted prevent the validation of spatial rights struggles as human rights struggles. Whilst, in the case of the civil war, human rights struggles and abuse were communicated in terms of IHL – the principal legal framework to assess the ethics of war – spatial rights struggles have not been included in human rights law or other international frameworks of justice. As a result, this situation contributes to their delegitimisation. The empirical data gathered in this chapter relates to the conversation of legitimate human rights language in Chapter 1, arguing that the absence of space in official human rights frameworks and the law invalidates spatial rights struggles as human rights issues.

I discuss these issues through the case of the production, management and communication of spatial information and knowledge around the oil spill of Lisama 158 (March 2018). For this purpose, I begin analysing local narratives around the outcrop to introduce the problematic. Specifically, I focus on the theme of fracking and its effects on natural watercourses, as far as it represents an ideal case that relates spatial processes with rights struggles. Then, I introduce the case of Lisama 158, scrutinising the occurrence itself and the role of UN institutions on the delegitimisation of spatial rights struggles as human rights issues. In this specific case, I argue that civil society has access to spatial knowledge that is crucial for the articulation of human rights struggles. However, official human rights institutions are struggling to accept such information as legitimate. I develop this idea using Bourdieu's framework around capital and habitus, noting that the members of the UN mission and local communities have had access to very different sets of capitals. This

situation led these individuals to develop a habitus that informs what they understand as legitimate information and knowledge. Ultimately, I argue that the integration of the right to the city can promote the legitimisation of these issues in human rights frameworks.

The meeting between local communities and a UN mission responsible for assessing the effects of Lisama 158's outcrop provided empirical data that allows me to discuss in depth the topic of legitimate human rights language. Due to the damages consequence of the outcrop, local communities organised and requested UN Environment to assess the context. The resulting meeting drove the UN mission to conclude that the outcrop did seriously compromise the enjoyment of human rights, obviating the knowledge around the everyday rights challenges derived from spatial and environmental (mis)management of the petroleum industry that local communities shared with the UN officials. Implicitly, this process showcases the role of the relational facet of space for the existing and independent relationship between the local scale and international human rights institutions.

This is a fundamental case that allows me to explore the platform-canvas and relational facets of space. I articulate processes affecting the material form of space from a human rights standpoint, arguing that the transformation and contamination of the physical space can represent significant challenges over the enjoyment of rights. As a response, Barranca's civil society exploited the relational capabilities of space to overcome local, national and regional institutions and ask for the intervention of human rights officials in the situation. However, the fact that local communities articulated their arguments over community-based spatial knowledge that does not meet the Western criteria of legitimate environmental information contributed to the UN mission's conclusion that the outcrop did not represent a threat to fundamental rights. This situation highlights that existing hierarchies among types of information and knowledge intervene in the process of evaluation of human rights contexts, and ultimately impede the acknowledgement of spatial struggles as human rights issues.

Hence, this discussion is useful to address research questions 1 and 2. In short, I understand that community-based spatial knowledge on the platform-canvas facet of space motivated local communities to exploit the relational capabilities of Barranca's space to affect the human rights situation in the area. It is interesting that the rationale used by local communities is intrinsically related to the right to the city, as far as they understand spatial management following capitalist principles as a threat to the fulfilment of human rights.

Hence, this empirical case further illustrates the influence of the right to the city in human rights practices, addressing the main argument in this thesis and its main research question.

In conclusion, the chapter concentrates on spatial information and legitimate human rights language through the empirical case of Lisama 158's outcrop, a consequence of negligent spatial management (*Autoridad Nacional Licencias Ambieltales*, 2018). On this subject, I defend that the full integration of space and the right to the city into human rights has the potential to contribute to the legitimisation of human rights struggles that have a spatial basis, widening the scope of the human rights project. Therefore, the empirical case of Barrancabermeja continues to prove useful to discuss the themes presented in the theory chapters, highlighting how the platform-canvas facet of space affects the experience of rights and how the relational capabilities of spatial structures shape human rights practice.

1. Spatial information and knowledge on the effects of fracking in the experience of rights.

Since the case of Lisama 158 centres on the petroleum industry and its effects over the regional environment, it is crucial to analyse the local context in this regard. Up until now, Ecopetrol and the petroleum industry have been portrayed as capitalist actors controlling aspects of the material and symbolic production of space, paying special attention to the industry's effects over the construction of local culture (Vargas Cantor et al., 2009a; 2009b; Serrano Besil, 2013). However, it is important to acknowledge that Ecopetrol and the petroleum industry have also had a significative effect over local environments (Sarmiento Cristancho, 2019; Pinzón Guevara, 2021). In particular, in this section I highlight the effects of fracking on environmental health, introducing key environmental concepts and academic literature that frame environmental organisations' arguments around fracking. This is a crucial exercise that analyses existing narratives around fracking and the environment, and discusses the principles that support them.

Barrancabermeja is located in an area that is mostly tropical jungle and has dense hydrological networks. It is a rich ecosystem part of the International Corridor of the Jaguar and home to other endangered species, like manatees. If one ventures out of the city, they will see themselves in a dense jungle spotted with marshes and petroleum-extracting wells. Hence, industrial and environmental structures have been interconnected for more than a

hundred years, which has intensively damaged local ecosystems and threatened the ecological and social balance. This has always been a point of discussion in the region; however, the recent introduction of fracking has intensified the debates. The effects of fracking – and the petroleum industry in general – have been repeatedly denounced as impacting the enjoyment of inhabitants' fundamental rights through the degradation of the environment, highlighting that local communities engage with the platform-canvas facet of space to articulate rights struggles.

Fracking is a form of petroleum extraction based on the hydraulic fracturing of rocks that contain hydrocarbon (Zou, 2017). It is especially harmful to the regions' soils and subterranean and superficial hydrological networks, greatly impacting flora and fauna (McDermott-Levy and Kaktins, 2013; Mazur, 2016; Yasnó Arias, 2019). For these reasons, local communities in Barrancabermeja organised protests against fracking when Ecopetrol suggested its introduction. Civil organisations like *Ríos Vivos* or CRY invoke the Precautionary Principle and Principle of Environmental Prevention comprehended in the Constitution to argue against fracking, referencing the potential damage to underground water.

Law 99 of 1993 – which includes the Precautionary Principle for environmental matters – is to be enforced by the General Comptroller of the Republic (hereafter GCR), a superior audit organ of the state's administration independent from any other state bodies (included the executive). The GCR declared in June 2019 that "[…] fracking should be done when we are ready, and today we are not ready. Pilotage is needed to see what is in the underground [referring to aquifers] […]. Until we are ready, it is preferable not to do it […]" (Forero Oliveros, 2019). From the declarations, it can be understood that the GCR is not categorically against fracking; however, it highlights as crucial the production of spatial information to carry it out safely. From the declarations, it can also be deduced that there is no spatial information on the location of aquifers.[3] Notwithstanding this, there is a close relationship between petroleum reservoirs and water that makes the existence of aquifers in Magdalena Medio very likely.

The risks and hazards derived from this form of petroleum extraction have been discussed intensively during the last years in academic literature (McDermott-Levy and Kaktins, 2013; Mazur, 2016; Yasnó Arias, 2019). Particularly, Short et al. (2015) highlight the impact of

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[3] Conglomerate of permeable rocks in which water can be stored and/or permit the flux of underground water.

fracking and extreme energy economies on human rights fulfilment, making an interesting appreciation with regards to other spatial effects of fracking. Short et al. note that:

> "[…] 'fracking' has come to mean petroleum extraction companies turning up where they [local communities] live and coating the area in hundreds or thousands of well-pads, compressor stations and pipelines alongside large volumes of truck traffic with some likening it to an 'invasion' and 'occupation'." (Short et al., 2015:702)

Extreme resource extraction brings space into human rights and, with it, the right to the city principles. Unconventional petroleum extraction methods need extensive use of land (Short et al., 2015; Zou, 2017), implying that these agents are increasingly occupying, managing and producing space. Therefore, communities do not just have to deal with environmental contamination, but with landscape transformation (possibly threatening natural or culturally produced landscapes that are highly valued by local communities), land occupation (changing environmental process affecting traditional economies) and general alterations to everyday life.

CRY and *Ríos Vivos* share the views of Short et al. (2015) and openly reject fracking due to the landscape transformation and the environmental damage it implies to underground water, flora and fauna. To understand this process, some background information on environmental processes is useful. Petroleum (referring to both oil and gas) is produced in source rocks[4] through diagenesis;[5] however, it tends to migrate upwards within the rock column (Gluyas and Swarbrick, 2004; Zou, 2017). This is due to petroleum's density, which is regularly lower than water; therefore, gravity layers them respectively (Gluyas and Swarbrick, 2004). Thus, petroleum migrates upwards until it finds a seal – that is, a hard material with low porosity and permeability that traps oil allowing high saturation of petroleum within the underlying rock's pores and cavities (Gluyas and Swarbrick, 2004; Speight, 2011). The result is an area where the rock's inner fluid has a medium to high saturation of oil or gas; it is what is known as a petroleum reservoir (Gluyas and Swarbrick, 2004). It is important here not to visualise a reservoir as a void, hollow area underground filled with liquid oil or gas. To imagine it like a sponge, a compound of rocks with large numbers of pores, chambers and channels, is more accurate. It is most normal that reservoirs have leaks and that the resource may spill (Zou, 2017), and, in the case of Barrancabermeja, it used to flow to surface

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[4] Body of rock where petroleum originates.
[5] Final stage of process of sedimentation, when materials suffer a chemical and physical alteration that changes their properties.

level in various locations. This is so because Magdalena Medio's phreatic level[6] is very close to the surface, pushing the resource up.

Photo 1: Tropical Oil Company oil well (Tapias Cote, 2012).

Therefore, the theory suggests that there must be water accumulated underneath the petroleum reservoirs. Otherwise, Barranca's petroleum reservoirs would not be located so close to surface level. Consequently, petroleum exploitation in the region has the potential to permanently damage the health of underground water. However, petroleum extraction has been ongoing for more than 100 years, so why is it that communities are especially against fracking and no other petroleum-extracting methods?

Photo 2: Fracking installation in Barrancabermeja (Barrancabermeja Virtual, 2019).

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[6] Depth at which soil is saturated with water. The expression "high phreatic level" refers to soil that is saturated close to surface level.

CRY, *Ríos Vivos* and local communities argue that fracking can be harmful to underground and superficial hydrological networks due to fluid migration since it is almost impossible to predict where the substances will deposit. Considering Barrancabermeja's environment, where soils are often saturated with water at surface level, contaminants injected in the underground can travel to areas where they are in direct contact with populations, flora and fauna (Bustamante, Chaparro and Peláez, 2015).

> "*It is known by everyone that mercury is one of the heavy metals you can find in higher concentrations, but we also found high levels of arsenic, cadmium, lead, phenol… these lixiviates are, after radiation, perhaps the worst form of contamination a human being can be exposed to. Is a mix of metals that mixed with substances normally use to make water potable can generate even higher levels of toxicity. Now we have around 25,000 chickens drinking this water. Chickens that drink water from these contaminated sources. When they are consumed, these metals go through a process called biomagnification, what creates methylmercury, which is 30 time more toxic. Reason by which we believe this clearly poses a risk to human health.*" (Interviewee 5)

In this quotation, the participant is explaining how contamination derived from the petroleum industry represents a threat to human health and, consequently, the enjoyment of the human right to health. This context explicitly highlights the role of spatial management and environmental health for the experience of rights, highlighting that it affects everyday life. The participant understands pollution from a spatial standpoint, relating environmental processes to the social use of the space – production of food – and public health. This is the rationale that supports the understanding of fracking and pollution as a process that directly impacts the experience of rights, showcasing that sectors of civil society understand rights from spatial, structural standpoints.

Problematically, spatial knowledge in this regard is contradictory and conflicting. In this regard, it is important to highlight that the main different groups contesting spatial information on the topic are civil society, Ecopetrol and the state. On one hand, civil society has constructed a narrative around fracking that highlights the negative spatial effects and their impact in everyday life – as in Interviewee 5's interview. On the other hand, both Ecopetrol and powerful sectors of the state support fracking as a method to maximise the production of energetic products (Gómez, 2019). On this subject, the Interdisciplinary

Commission (public infrastructure that assesses the viability of socioeconomic projects) highlighted that public institutions did not have access to enough spatial information to safely put fracking in practice in Magdalena Medio (Orduz Salinas, 2019).

Hence, this context drives me to conclude that legitimate information around the environmental effects of the petroleum industry in Magdalena Medio and, specifically, Barrancabermeja, is fragmented and insufficient. It is significant for this research, though, that the term "environmental information" is often understood from a scientific position, building expectations about seemingly "better" spatial information extracted from (preferably) quantitative data. It is expected to be the outcome of complicated tests that quantify the physical characteristics of the environment. Hence, legitimate spatial information is constructed through the application of the scientific method, which facilitates enunciating results in a positivistic and "objective" basis.

However, this is not the only kind of environmental or spatial information available. There is spatial knowledge held by inhabitants and reproduced through generations that showcases a complex and sophisticated understanding of their surroundings. In many of the environmentally themed events I assisted, people would ask me to "explain" things to them only because of my background on environmental sciences and my ability to use the term "phreatic level" in a sentence. Whilst I would fulfil their request, it made me feel uncomfortable, since these were people who had a much deeper knowledge of their environment. I understand that this experience was a reflection of the hierarchy ranking the legitimacy of spatial and environmental knowledge, what I consider a limitation to understand environments.

Hence, it is important to make a distinction between the availability of "legitimate" spatial information on the effects of fracking, and the petroleum industry in general, and the availability of community-based spatial knowledge. Local communities in the extracting region of Barrancabermeja are very knowledgeable of the impacts of the petroleum economy on the environment and traditional economic practices. However, they do not have the resources to undertake the necessary and systematic tests to format it in scientific terms. With this, I do not aim to convey that they do not have the knowledge – individuals like Interviewee 5 clearly have – but the material and technological means to translate it into environmental data and information.

Braganza states that the hierarchy data-information-knowledge is "limited because knowledge is more than data and information" (2004:355). She makes a distinction between "information" and "knowledge", understanding the first as targeting specific variables and the latter as addressing the wider context (Braganza, 2004). I consider this difference very useful to analyse the case of fracking in Barrancabermeja: the focus of institutions and private organisations to access "information" around specific environmental variables makes them overlook the vast spatial knowledge held by civil society and constructed by everyday experiences. The matter is that this knowledge is rarely validated in official spaces. It is taken as subjective, personal and biased, and therefore not fit to inform the choices of political and economic elites. It is, in this sense, that I believe it is understood as "illegitimate", as far as it is not formally acknowledged as correct and reliable.

With this, I aim to ask: is local spatial knowledge about the effects of the petroleum industry for rights fulfilment legitimate to make human rights claims? Throughout the rest of the chapter, I highlight that, in the case of Barrancabermeja, public and human rights institutions have shown a preference for scientific information around environmental variables before communities' spatial knowledge. In this regard, I argue that the introduction of space and the right to the city in human rights frameworks can empower this knowledge through the integration of space in human rights discussions and the provision of direct political agency over the production of space to the people that hold such knowledge.

The implementation of fracking and the outcrop of Lisama 158 prompted local communities to reignite claims for spatial self-management. For these people, it is clear that the space they inhabit has a direct effect over the enjoyment of fundamental rights. Affected communities make space a human rights matter by claiming one of the most basic elements of the right to the city: capability to manage the inhabited space. The human rights struggles of communities inhabiting petroleum-rich areas are extreme cases where the relationship human rights-space is at the centre of the tensions. In these contexts, communities often interpret space from its platform-canvas facet: the inhabited space serves as the encounter point of a great numbers of social and natural processes that transform the immediate experience of life and rights. Therefore, managing its transformation is deemed a human rights matter.

On this subject, I argue that the convergence of environmental and social processes modify space, everyday life and the experience of rights, driving Barranca's communities to address

the role of space for human rights. However, the lack of validation of community-based spatial knowledge, and absence of legal or formal mechanisms that articulate space in human rights, prevent the acknowledgement of spatial struggles as human rights struggles. Therefore, the right to the city can be interpreted as a framework with the potential to legitimate these struggles within human rights conversations.

Conclusively, the rights struggles of communities affected by the outcrop in Lisama 158 and the interaction of UN officials provide valuable insights into the topic of legitimate human rights language. This is why this event in particular features one of the empirical chapters in this research, becoming a central element of this thesis' argument.

2. Lisama 158.

In this section, I concentrate on the oil outcrop in the area adjacent to the oilwell Lisama 158 as integrated into the Lisama-Nutria Hydrocarbons Exploitation Covenant, one of the main frameworks for hydrocarbon exploitation in the country. This event is key as far as it allowed investigating the way information and knowledge about the outcrop was generated, disseminated and communicated, the viewpoint of some communities and the state before the situation, and the outputs of the UN mission. This case enables a debate on the flow of information and knowledge between communities and human rights institutions, configuring key empirical data to discuss theoretical discussions presented in the first chapters of this thesis.

The outcrop outlines the challenges civil society faces around accessing and communicating legitimate spatial information and knowledge on processes that directly impact rights fulfilment. Besides this, it enables a discussion on how access, reproduction and communication of spatial information and knowledge in distinct formats can influence decisions taken by human rights institutions. This case highlights how differences in cultural, economic and social capital among members of human rights institutions and communities in Barrancabermeja jeopardise the effective communication of human rights struggles.

First, this section provides a brief description of the oil outcrop, its location and its effects over human rights. This exercise informs the analysis of the production, dissemination and/or restriction of spatial information on the area. Then, I argue that the relational capabilities of Barrancabermeja allowed the communication of marginal communities'

rights struggles with international actors such as the UN. Next, I provide an insight into the effects of oil outcrops for affected ecosystems, and how those affections can lead to third parties' rights abuse. Finally, I concentrate on the dynamics and discourses reproduced during the meeting between the UN mission, local communities and members of CRY. It represents an ideal empirical case to investigate the differential authority that spatial knowledge and information have when reproduced in different formats, and its effects over the construction of human rights.

The outcrop and the affected area.

Lisama 158 is an abandoned well in the camp of Lisama Profundo and adjacent to the *corregimiento* (township) of La Fortuna in Barrancabermeja. The estimated value of Lisama Profundo, referring to remaining resources, was approximately \$USD 177 million on 31st December 2017 (GCR Compliance Audit Report, 2018). Its approximate cost of extraction was \$USD 28 million, representing a potential benefit of \$USD 149 million to Ecopetrol (General Comptroller's Office, 2018). Thus, the area is a significant economic asset for Ecopetrol and the ANH.

Lisama 158 started extracting petroleum in 2007 and produced an average of 52 barrels a day until it closed in August 2015 due to leaks in the well's coating (General Comptroller's Office, 2018; Ecopetrol S.A. Technical report, 2018). Ecopetrol sealed the well in October 2015 and applied for its suspension in December 2015 (General Comptroller's Office, 2018; Ecopetrol Technical report, 2018). The General Comptroller's Office, on the compliance of Ecopetrol and the ANH with Lisama-Nutria Hydrocarbons Exploitation Covenant, highlights that Ecopetrol applied for four six-month extensions to the ANH to accommodate for the well's formal suspension (2018). At the end of the last extension, the ANH demanded Ecopetrol to recondition the well for its safe suspension before December 2017 (General Comptroller's Office, 2018). Ecopetrol did enforce a series of measures, but technical faults during the process (November 2017) escalated to a full leak (General Comptroller's Office, 2018; Ecopetrol S.A. Technical report, 2018).

The first petrol outcrop (a mix of water and oil) was notified on 2nd March 2018. It initially affected an approximate area of 284 square metres (estimate to be 3.7 oil gallons = 140 litres) (General Comptroller's Office, 2018). However, on 12th March 2018, intense tropical storms

in the area of Madgalena Medio increased water runoff, facilitating the transport of crude to other streams like La Lisama, Caño Muerto and Sogamoso. Finally, on 30th March 2018, Ecopetrol announced that the outcrop had stopped flowing (General Comptroller's Office, 2018; Ecopetrol Technical report, 2018). The *Autoridad Nacional de Licencias Ambientales* (translated as the National Authority in Environmental Licenses, hereafter ANLA) and media reports announced that the oil outcrop had affected 30km of riverside along 49 different water bodies that discharge on the Magdalena River, significantly damaging natural watercourses and adjacent ecosystems (ANLA, 2018; General Comptroller's Office, 2018).

Ecopetrol published a Technical Report on July 2018 on the reasons that led to the outcrop, though it did not specify the total quantity of petroleum spilled. The precise amount of spilled petroleum is crucial and contested information for this event, and the fact that Ecopetrol concealed this information suggests the company's interference in the process. Estimations provided by other actors calculate the spill represented between 500 and 550 barrels (the equivalent to 79,500/87,450 litres) (Marcos, 2018). The four main reasons given by Ecopetrol for the occurrence of the outcrop were: 1) over-pressured well as a consequence of the fall of some tools during reconditioning; 2) fault of the mechanical integrity of the well due to corrosion and exposure to high pressures in an area with no hydraulic insulation; 3) the natural system of geological faults of the area of la Salima, which facilitate the flow of petroleum to the surface; 4) long-time exposure of the over-pressured well to surface level conditions (Ecopetrol, 2018). This technical report does not provide complete, accessible information on the causes of the outcrop the affectations to flora, fauna and adjacent communities, nor does it specify recuperation or prevention plans. However, Ecopetrol's acknowledgement that the well was under high pressure and had no hydraulic insulation relates to the CRY and *Ríos Vivos* argument that the introduction of fracking contributed to increasing pressures in existing extraction wells and a resulting outcrop from a structurally weak point, namely Lisama 158. Nonetheless, these claims have been either ignored or undermined by Ecopetrol and public institutions.

ANLA published a report for Lisama 158's spill on 27th March 2018. This report served as an environmental punitive action against Ecopetrol for the following reasons: 1) not activating immediate contingency plans with regards to the real magnitude of the event; 2) not informing the pertinent public institutions about the circumstances that hampered initial contingency and falsely stating that the outcrop was controlled on 3rd March, possibly aiming to prevent the intervention of ANLA; 3) for damaging superficial and subterranean

hydrological bodies, as well as soils; 4) for damaging and killing flora and fauna; and 5) for having caused unnecessary damage by failing to activate immediate contingency plans (ANLA, 2018:5).

The two first points relate to Ecopetrol's management of spatial information when the outcrop started. This showcases that communities and public institutions have restricted access to information about significant events that have a negative effect on their environment and well-being. Therefore, I conclude that the information around the geography of the area of Barrancabermeja is produced and disseminated by competing agencies, institutions and organisations with competing interests, leading to exclusionary representations of the territory. For this reason, determining the authenticity of information and sources becomes a crucial matter. However, defining authenticity falls into the interpretivist side of information systems practice, which is highly defined by personal ethics and individual interests (Mingers and Willcocks, 2004). Hence, in situations where conflicting information is available, actors will often rely on subjective attributes and will tend to trust information that reproduces their belief system or benefit their interests.

In this situation, I understand that Bourdieu's framework on taste and habitus is complementary to the interpretivist side of information system practice. Essentially, Bourdieu argues that the development of different tastes (e.g. social preferences) and habitus (e.g. everyday routines) is highly dependent on the social, economic and cultural capital of individuals (Bourdieu, 1984). On the one hand, economic capital provides differential access to experiences, and cultural capital defines how those experiences are being understood, internalised and reproduced/challenged (Bourdieu, 1984). On the other hand, social capital likely serves as a source of reinforcement for specific values, knowledge, tastes and habitus (Bourdieu, 1984).

This framework can be used to understand the reasons why individuals and institutions interpret information as legitimate. The kinds of capital that individuals are able to access defines their experiences around what legitimate knowledge and information looks like, influencing the interpretivist side of information systems practice. This can be understood in terms of taste and habitus, highlighting that access to capital defines people's taste around information out of the experience they have had with it. Hence, habitus and capital are fundamental to understand how different groups develop distinct tastes around information, and how this affects the interpretation of knowledge as legitimate.

Lisama 158's outcrop allows me to investigate this idea on the theme of spatial knowledge and the relationship between discourses reproduced by powerful institutions (Ecopetrol) and by vulnerable communities. In this interaction, Ecopetrol seems to be looking to present the outcrop as a lesser inconvenience that did not greatly affect the environment or inhabitants before public and UN institutions. At the same time, inhabiting communities articulate as a major disruption of their everyday life, livelihoods and well-being. Hence, there are two very different narratives on the scope of the effects of the outcrop based on two very different experiences of the same. For communities inhabiting affected areas, their lives and property were at stake; Ecopetrol as an entity, however, did not suffer great losses. However, the acknowledgement of the outcrop as a human rights issue by an official UN mission could severely jeopardise the prestige of the company and it is likely that, for that reason, the company dedicated resources to the production of environmental information that would support their argument.

An initial report on the effects of the outcrop for the local ecosystem proves very useful to begin dissecting the difference between environmental information and community-based spatial knowledge. Ecopetrol provided an evaluation of the damage: in terms of flora and fauna, 3,157 trees were affected, 2,442 animals died and 1,429 were rescued (ANLA, 2018). Local inhabitants strongly negate or challenge those claims, stating that 2,442 animals cannot possibly account for the total amount of fish, birds, insects, small lizards and mammals that died in up to 30km of rain forest riverside, one of the richest ecosystems in the world.

> "[Mr. X, CRY representative] 'And how did they count the animals? Do they mean that they went round 30km of jungle looking for dead bugs? It's easy to count dead manatees, I give them that. But the rest? It's ridiculous!' Discomfort, mistrust and sadness." (Ethnographic notes, 25/05/2018, self-produced)

If one stops and thinks about it, this activist raised a relevant methodological question. How did they count the animals? Perhaps, for someone that does not know the jungle, statements about the number of dead animals could make sense as far as they follow a familiar structure. However, the people that know the jungle seemed to be very confused about the idea of anybody actually trying to cover 30km looking for dead bugs and lizards, and expecting to find them all. Here, the conversation around legitimate information and knowledge begins to be represented. Ecopetrol presented data (evaluation of damage) formatted according to

familiar standards to Western individuals that do not have knowledge about jungle environments. In contrast, civil organisations do not have the means and resources to challenge those claims on the same basis, and therefore ground their arguments on the lived experiences and practical knowledge.

The effects of the previous situation were outlined by UN Environment, when it declared that the outcrop did not imply outstanding damage:

> "[…] visually, it [the outcrop] makes a strong impact, however we consider it to be more a media phenomenon and we believe the process of recovery will take approximately one year […] There has been great work done in recuperation in terms of fauna, although there are some numbers that may be scary, like the total number of fish dead; we have observed that is a very rich, biodiverse environment and with proportion with that biodiversity the environmental damage, or the impact on fauna, is something that with natural processes can be recovered." (Ecopetrol Oficial, 2018)

With this statement, the mission sent by UN Environment dismissed and undervalued the affected communities' claims. It showcases how subjective preferences build narratives around what does or does not constitute a human rights abuse. Choosing to understand Ecopetrol's data as veridical implies a preference for a closed number of dead animals than for the prospect of not being able to count dead animals. This difference is founded on the knowledge that different groups have over the affected space.

Besides this, there is significant academic work and research that contest the fact that the environment will promptly recover. Burns, Garrity and Levings (1993) state that it can take more than 20 years for deep-mud coastal ecosystems to recover from an oil spill and, in the case of Lisama 158, river shores and soils were severely affected. Venosa et al. (2002) state:

> "Salt-marshes and fresh water wetlands are low-energy environments subject to little turbulent mixing, and as such are particularly vulnerable to stress from exposure to organic chemical pollution. The restoration of impacted wetland systems is often problematic due to the fragile nature of the marsh substrate. In addition to the detrimental impact of contaminant hydrocarbons to wetland vegetation, there is evidence that traditional oil spill clean-up activities may do more damage to the highly sensitive marsh than the contamination itself due to trampling of vegetation,

burying of oil into reduced sediments, and the compaction of the sediment." (Venosa et al., 2002:261)

Furthermore, 21 families had to abandon their homes temporarily (they were granted accommodation by Ecopetrol) and their farms (cattle and crops) were severely affected. Cattle was not relocated and the availability of safe pastures in the area reduced significantly, threatening the well-being of up to 16,000 livestock animals. It is also important to note that many communities gain most of their income from traditional fishing along the riverside of Sogamoso, one of the worst affected locations. The effects of the outcrop on hydrological networks and flora and fauna forced them to stop, as observed during fieldwork. The individuals and families that had the option of moving to relatives or friends' households in less affected areas did, however, have to resort to extreme survival strategies, sometimes related to unofficial economies, with the dangers they imply. Thus, the UN's statement describing this matter as a "media phenomenon" openly undermines the socioeconomic and environmental effects of the oil spill; it brands Ecopetrol's data as "authentic", misses an opportunity to integrate spatial issues in human rights, and overlooks the struggles faced by communities to make environmental and spatial struggles human rights issues.

To conclude this section, it is important to highlight that the GCR's audit stipulates that Ecopetrol had failed to meet several criteria reflected on the ruling covenant, estimating that the response must include: investment of COP 959.34 million (approx. £236,336) in resources for immediate intervention, investment of COP 18,403.23 million (approx. £4.5 million) in operations of well control, and sealing previous definitive abandonment and investment of COP 31,535.5 million (approx. £7.8 million) in community support and provisioning the services needed for cleaning, decontamination, recuperation, contention and control (General Comptroller's Office, 2018). Regarding this last matter, Ecopetrol created a system by which affected communities could be contracted to perform cleaning, decontamination and recuperation work. This was proposed as a compensatory measure to communities that saw their income compromised due to the oil outcrop. A year after the outcrop, there is no information on how much Ecopetrol invested and there has not been a subsequent mission by the UN that evaluates whether the territory has recuperated in the time they estimated.

In conclusion, by introducing the outcrop and the affected area, I have been able to introduce empirical conversations illustrating my argument regarding legitimate human rights claims.

I highlight that the inclusion of space in official human rights frameworks can participate towards the acknowledgement of community-based spatial knowledge as legitimate means to make human rights claims.

Meeting the UN mission: on what is valid human rights knowledge.

The empirical data gathered during this event is fundamental to further support previous claims. The resulting findings and conclusions are crucial to illustrate how legitimate language, as put forward by Bourdieu (1991), influences what is understood as a human right struggle. In this regard, I highlight that the absence of space from human rights law and official frameworks prevents the legitimisation of these struggles as human rights struggles. However, space is a central feature for the experience of rights and space for many communities in Barrancabermeja, as it has been previously demonstrated. As Bantekas and Oette (2016) noted, human rights law does not represent all philosophical and political conceptualisations of human rights, which provide some frameworks with a seemingly higher status within a "human rights hierarchy".

In this regard, I argue that this particular UN mission preferred environmental information extracted from quantitative, scientific data to make a decision on whether the outcrop affected inhabiting communities' enjoyment of rights. I understand this as a result of habitus concerning legitimate information, highlighting that UN official taste around information and knowledge has a significant effect over the decisions taken. Hence, this seems to create a hierarchy between different kinds of knowledge and information, deeming community-based spatial knowledge to be not as legitimate as other kinds.

The meeting between CRY, community representatives and the UN took place on 17th April 2018. I note that individual and collective preferences based on distinct social, economic and cultural capital, related to specific habitus and geographies, helped them to understand and value spatial information with regards to the format it is presented in. In this meeting, I observed that there are segments of the human rights system that seem to engage with hierarchies of knowledge and information that identify the scientific and quantitative presentation of data as more valid than qualitative and narrative-based knowledge. This situation represents a fundamental limitation to understand wider contexts, since knowledge

provided by communities that may not have engaged, or may choose not to engage, with scientific formats to communicate human rights issues is often regarded as illegitimate.

In the meeting, two organisations were present, CRY and the UN, and an independent researcher, me. On the one hand, three members of CRY (men born and raised in the municipality of Barrancabermeja) acted as representatives of affected local communities. On the other hand, the UN mission comprised four officials: three men and one woman, all of them white and from Western countries. The first thing that caught my attention was the fact that not all the members of the UN mission were fluent in Spanish; just one of them (a national from Spain) was perfectly fluent. However, it is important to note that different cultural references and local slang between variants of Spanish can make direct, straightforward communication difficult. Responding to this situation, I assumed a "translator" or communication facilitator role. Nonetheless, it is significant that the UN mission did not send a team able to efficiently and independently communicate with the required actors. Therefore, one of my first observations was focused on communication itself. Was the UN genuinely interested in communicating with these groups, in fully understanding their opinions, concerns and rights struggles? I raise this question because linguistic, cultural and historical knowledge is needed to interpret and comprehend local rights challenges.

There was a separation of functions between the members of the UN mission. The woman (with a medium understanding of Spanish) was taking notes, while the men were trying to communicate with CRY. The man that appeared to be in a position of authority did not speak any Spanish and I had to translate most of the information shared by CRY to him, while translating back his questions and highlights. Why the Spanish man did not do that, or did not assist me while doing so, is unknown. The fourth man maintained a distant attitude and intervened very little.

The meeting began with a presentation by CRY on the history of petroleum-related environmental and social secondary harmful effects in the area as a result of the Lisama 158 outcrop, referencing events that took place at the beginning of the 20th century. The UN representatives did not show much interest in this and mostly ignored the information that did not directly reference Lisama 158 outcrop. When the conversation reached the subject of Lisama 158, the dynamics changed. CRY framed the outcrop and environmental damage as a threat to the human rights to health, work and a safe environment. The response of the

UN mission was to request environmental data that supported such claims. Reactions by members of CRY were varied: the incapability of fisherfolk to gain a livelihood because of the pollution of the river and the death and contamination of fish did not seem to need to be supported by environmental data. However, and as the conversation dwelt on environmental themes, I made other significant observations.

At this point, I was certain that none of the members of the UN's mission had professional, specialised knowledge on environmental sciences, environmental impact assessments or petroleum systems. This was made clear throughout the conversation: environmental concepts vital for a basic understanding of natural environments, which I referenced in this thesis, had to be explained by me to this evaluation mission. I had to introduce the characteristics of braided rivers and freshwater wetlands, and explain why the contention of pollutant agents is highly complicated in these environments – that high connectivity of streams and water bodies, both at the surface and subterranean levels, makes it very difficult to estimate where petroleum may flow to and even more during the wet season, when tropical storms abruptly change water runoff. I discussed how pollutants can penetrate in soils and mud and that, once this happens, clean-up methods can damage the characteristics of natural riverbeds and, with them, very sensitive ecosystems; this resulted in an indistinct conclusion as to whether it is best to apply them or not. Furthermore, once these pollutants have penetrated soils, they can be absorbed by growing vegetation which is likely to be used as pasture. Bustamante, Chaparro and Peláez (2015) already demonstrated that cattle viscera and meat farmed in the municipality of Barrancabermeja and surrounding areas are highly contaminated with heavy metals due to the consumption of highly contaminated pastures, resulting in meat being potentially harmful for human health. Mancera Rodríguez and Álvarez León (2005) also demonstrated the high concentration of heavy metals (especially mercury) in fish in Magdalena Medio, and their potential effects on human health, signalling petrochemical activities and oil spills as detrimental factors.

This drives me to conclude that the mission fundamentally relied on positivistic and legal standpoints to reach conclusions. This idea is further supported by the fact that the mission focused on legal environmental frameworks and model environmental parameters rather than the first-hand accounts of the environmental processes occurring in the field.

Legal environmental frameworks and model environmental parameters address space; however, a spatial analysis of the effects of Lisama 158 produces qualitatively different

information and knowledge. A spatial analysis would articulate how the spill has had an effect over the platform-canvas, and relational and instrumental facets of space, highlighting that pollution has transformed landscapes and traditional economies, transport routes and cultural uses of land. Besides this, the spill affects the quality of the physical structure of the space and, therefore, has a direct effect on inhabitant communities' health. From this standpoint, the specific volume of spilled petrol, or whether model environmental parameters have been breached, are not a definitive factor. The focus is the challenges the spill represents for the realisation of inhabitants' rights on an everyday basis. Consequently, this context illustrates that spatial approaches are qualitatively different and have the potential to create alternative readings and knowledge around rights struggles. In this research, I do not argue for the substitution of legal analysis, but for spatial analysis to complement them.

In the meeting, CRY representatives stressed that Ecopetrol had not met their requirements regarding the provision of accurate information on the outcrop. Following the OAS, it can be interpreted as a direct breach of the fundamental right to information from a legal, positivistic standpoint.

"[…] 3. Every person has the right to access to information about himself or herself or his/her assets expeditiously and not onerously, whether it be contained in databases or public or private registries, and if necessary to update it, correct it and/or amend it.

4. Access to information held by the state is a fundamental right of every individual. States have the obligation to guarantee the full exercise of this right. This principle allows only exceptional limitations that must be previously established by law in case of a real and imminent danger that threatens national security in democratic societies. […]

9. The murder, kidnapping, intimidation of and/or threats to social communicators, as well as the material destruction of communications media violate the fundamental rights of individuals and strongly restrict freedom of expression. It is the duty of the state to prevent and investigate such occurrences, to punish their perpetrators and to ensure that victims receive due compensation […]." (OAS, 2000)

These are relevant human rights principles for the case of Lisama 158. Regarding Principle 3, the oil spill caused important damage to communities' assets, whether that be farming

land, access to natural resources or any other type. However, information on the actual extent of the damage of those assets, environmental recovery rates and retaliation was highly controlled by Ecopetrol and the ANH and difficult to access by local communities. Therefore, the fact that Ecopetrol and ANH failed to provide accurate information on the extent of the environmental damage the outcrop provoked in cultural landscapes and on private land constitutes a breach of Principle 3. Considering Principle 4, it can be argued that the state has failed to provide fundamental information on the characteristics of regional hydrological networks. Failing to provide accurate information on the characteristics of underground hydrological networks prevents experts and communities from assessing the damage the outcrop may have caused in aquifers and underground streams, omitting a fundamental component of the local environmental structure from the evaluation of damage.

Ultimately, Principle 9 explicitly addresses the state as the actor responsible for facilitating an environment where actors do not use violence or any intimidation means to prevent civil society from fulfilling its right to access information. Although the meeting did not concentrate on this issue, two of the representatives of CRY in the meeting had experienced political persecution due to environmental activism, a fact that appeared to be overlooked by the UN mission.

I discussed the matter regarding the legitimate human right to information for two reasons. First, it constitutes a breach of human rights standards following the approach by the UN mission. Secondly, it addresses political persecution regarding access to information as a human right issue. CRY had highlighted the harassment that local communities and members of the same civil organisation had experienced as a consequence of the articulation of the outcrop as a human rights issue, and the efforts towards achieving an independent study by the UN. Therefore, I want to stress that, even from a positivistic standpoint that does not understand community-based knowledge as legitimate, the situation regarding the outcrop in Barrancabermeja can be articulated as human rights abuse following the legal principles of the right to information. Considering that ANLA (2018) also deemed Ecopetrol to have failed to fulfil its responsibilities with regards to the accurate provision of environmental information on the effects of the outcrop, I want to highlight that the UN mission failed to understand this context following the legal basis of the human right to information.

In spite of the above, I am most interested in the matter of legitimate human rights language rather than in the specific fulfilment of human rights legal frameworks. At this point, I debate

how differences in standards of what constitutes valid information among the parties in the meeting impacted the outcome. I argue that access to different forms of capital have defined the parties' taste around information (Bourdieu, 1984; 1992), which had a significant effect on the interpretation of local communities' knowledge as authentic. In short, it appeared that the UN representatives likely expected a more European, Western kind of dynamics based on the cultural habitus reproduced in "official" and "formal" meetings. They requested CRY to provide scientifically articulated information on the outcrop and adopted a negative attitude when it did not. In contrast, Ecopetrol was able to provide information framed on a positivistic and scientific format.

Here is where the matter of legitimacy from a Bourdieusian standpoint becomes crucial: legitimacy and authenticity are constructed by the definition legitimate language and authority within parties, which can be understood as symbolic relation of power (Bourdieu, 1992). The UN mission's decision about the authenticity of the information shared by CRY and Ecopetrol falls into the interpretivist aspect of information systems practice and, therefore, is greatly defined by subjective elements (Mingers and Willcocks, 2004), highlighting that giving authority to Ecopetrol's information was highly controlled by the personal values of those involved. Nonetheless, this practice reproduces habitus around what legitimate language and information looks like, deeming non-scientific, collective narratives as illegitimate information to assess human rights struggles.

Bourdieu's framework of taste and habitus is effective when deciphering this matter of legitimate language. Arguably, CRY and the UN are organisations consuming very different cultural, economic and social capital. Therefore, their practice is embedded within different tastes and habitus around the language of legitimate information. This situation challenged the capability of these groups to understand each other – language barriers aside. The members of the UN mission showed a taste for information based on Western practices: they were looking for a "bullet-point" presentation of facts produced by the application of some form of methodology. However, I want to stress that this is not necessarily a matter of education, since most CRY members had at least one degree issued by a higher education institution. Independently, the local communities' approach to spatial information articulated the situation from a rather historical, discursive standpoint, creating a narrative around outcrops in the area of Magdalena Medio. This can be understood in terms of crude empiricism versus factual analysis, where the UN prioritised the methods to achieve legitimate information (crude empiricism), whereas local communities highlighted facts,

like the displacement of inhabitants' communities or the interruption of economic activity because of the outcrop, as legitimising evidence.

The local communities' decision, to use a narrative and historical format for the representation of spatial information, was to present Ecopetrol's management and production of space as systematically jeopardising the realisation of fundamental rights of inhabiting communities. Therefore, for CRY and the represented groups, Lisama 158's outcrop was just another example of the systematic spatial and environmental mismanagement of Ecopetrol. Interestingly for the arguments I held throughout this thesis, this rationale showcases the interrelation of human rights and the right to the city practices: the control of the production of space by a capitalist actor is framed as a situation of injustice and human rights abuse by inhabitants. Of course, the outcrop that occurred in March 2018 represented an immediate threat to the realisation of individual rights of affected groups. Nonetheless, local communities were stressing that similar events had occurred over the decades.

It is significative that two participants in this research, Interviewees 5 and 12, acknowledged a cultural dependency in the way spatial information is articulated.

> "*The UN has fulfilled a role of monitoring regarding environmental issues, but I think that… well, we saw that together in the meeting about Lisama 158* […]; *even though we explained very well the situation, the fear and overall the inconsistencies of the accident* [outcrop]; *there is obviously something that they are not seeing and… And this has created loads of mistrust.*" (Interviewee 5)

Here, the participant – who was present in the meeting – is openly stating that they felt the UN "did not see" what made communities' information legitimate. Explaining the context and affected space with first-hand information by inhabiting communities, expressing their fears and articulating the inconsistencies of the material provided by Ecopetrol, is understood by the participant as "explaining the situation very well". However, Interviewee 5 acknowledges that the UN is not valuing the information, resulting in mistrust towards the human rights system. Hence, the participant is directly addressing the delegitimisation of spatial information provided by local communities as a reason to mistrust UN institutions. This quotation highlights the relevance of discussing what constitutes legitimate information in human rights procedures, as far as it does not only prevent formal mechanisms from

effectively monitoring human rights contexts, but also erodes trust in human rights institutions.

> "*We have a simple way of presenting information: all is graphs, all is maps. We don't present, as you white people do, 300 pages and there is the study. We transform that into maps. The stories as well. […] And we make decisions based on that, and that is what we present to public environmental hearings, to the petrol industry, to the coal industry…*" (Interviewee 12)

This interviewee is explicitly referencing a cultural difference with regards to producing spatial information and knowledge. This ties into the discussion of legitimate language as far as they understand reports following Western models as different from what local communities create and use to make choices. Thus, the unacknowledgement and non-negotiation of these differences prevent the effective communication of human rights struggles. Hence, this research calls for directly addressing the matter of communicating legitimate spatial knowledge as central for human rights monitoring and to build trust between local communities and international human rights institutions.

In this meeting, there were also matters of gender that went unnoticed. It references the idea of gender blindness (Mehta, 2013) and meaningful marginalisation (Byrnes, 1988; 1992) as discussed in Chapter 1, as far as the account of women's experiences of the outcrop went unnoticed. On one hand, local communities' rights struggles were communicated exclusively by men. On the other hand, those struggles were mostly evaluated by men. Throughout the 1990s, feminist human rights literature highlighted the matter of meaningful marginalisation of women in human rights (Brynes, 1992; Connors, 1997). Connors pointed out the "poor relations" women have with international legal frameworks and stressed that "[…] current regulations ignore and critically reject the experiences of women […]" (Connors, 1997:114). The Convention on the Elimination of all Forms of Discrimination Against Women is aimed to address such situations; however, this has proved to have limited effects for some women (Merry, 2003). Meaningful marginalisation refers to the interpretation of "women's issues" as "the poor cousins of 'real' human rights organs and procedures" (Brynes, 1992:205), illustrating a context where struggles mostly faced by women are undervalued, and/or women's interpretation of a human rights issue is overlooked (Brynes, 1992; Connors, 1997).

Although these conversations started almost 30 years ago, this meeting showcased the meaningful marginalisation of women's experience of the outcrop. In which ways did the outcrop affect the experience of dignity and injustice of women inhabiting the affected area? How did it affect their work and private properties? Furthermore, and considering that women are the primary caregivers in Colombia, how is it to provide a safe environment for children in an area destroyed by a petroleum outcrop and battered by civil war? It seems like a fundamental human rights conversation that does not only involve women, but their families. I did not get to know, and no one from the UN mission asked.

This is one of the most significant aspects of this analysis: it seems as if it did not occur to the members of this UN mission to ask, highlighting what is meaningful from the marginalisation of women. Some UN officers seemed to continue to forget or ignore that, although women may not be present in official procedures, they hold essential knowledge on local human rights issues and everyday challenges from both an individual and family/collective standpoint. In countries where sexist attitudes and cultures prevail, the UN must proactively integrate women in human rights conversations (Morris, 2013). However, the UN failed to fulfil this function in this particular meeting. Women seem not to be deemed as individuals or a collective with a legitimate view of human rights struggles, reproducing structures that build human rights knowledge based on male experiences and discourses. Therefore, this is a situation that effectively represents gender blindness in practice.

This case sparks significant theoretical observations. One of the main findings is that rights practice that integrates elements of human rights and the right to the city brings communities to comprehend space and the territory as constitutive elements of the experience of rights. However, it does so in a broader sense than the right to the city, supporting my theory that the right to the city can introduce space in wider terms into human rights practice. While many conversations on the right to the city concentrate on the political economy of urban development in capitalist societies and its effects over spatial justice and democracy (Purcell, 200; 2014; Mitchell, 2003; Harvey, 2012), here local communities are articulating this rationale towards the extraction of natural resources, environmental contamination, the destruction of cultural landscapes and the disruption of traditional-rural economic practices.

This rationale is not exclusive of Barrancabermeja or Colombia, but it is put in practice by many groups with different interests and motivations. Members of UK's Extinction Rebellion are calling for local assemblies for city development to protect the environment

and rights fulfilment. UN-HABITAT has recently rephrased its objectives and has introduced the concept of space. Spanish, Italians and Greeks, among others, are denouncing the effects of agents like Airbnb for mobiliary markets and their effects on the fulfilment of fundamental rights. The convergence of social and environmental processes at a local scale and its effects on people's everyday life is increasingly bringing space and the right to the city into human rights debates. The infiltration of these values and ideas in the human rights system would help to adapt it to current ethics and concerns while extending the existing protections. Nonetheless, and as it has been previously argued in this thesis, the current international structure of political and economic actors would suffer significant transformation and this may pose an obstacle for the development of the project.

This section gathers relevant findings related to both the theoretical framework and the research questions of this project. First, it highlights that spatial information is used instrumentally by Ecopetrol and some state institutions as far as the non-publication of information about aquifers supports the employment of fracking and prevents the application of the Precautionary Principle. Secondly, it articulates a way in which water contamination, as an effect of environmental mismanagement by the hydrocarbon industry, is a crucial effect process within the platform-canvas facet of space that affects rights fulfilment. Lastly, it identifies the right to (spatial) information as an encounter point between the right to the city and human rights practices, since it supports active and informed citizen participation in the politics of rights and space. However, the main conclusion of this chapter calls for the right to information to expand and contemplate communication: being able to communicate information and knowledge to human rights and public institutions without it being deemed as illegitimate due to its format or purpose is a fundamental part of the experience of human rights. Therefore, this thesis calls for a right to be listened to, or a right to frame information on the individual/collective's desired format to complement existing frameworks to assure that human rights struggles are valued from any cultural standpoint.

3. Findings and final thoughts.

Throughout this chapter, I had the opportunity to discuss legitimate human rights language, information and knowledge. Thirty years ago, Charlotte Bunch asked the question "[...] who decides what are legitimate human rights?" (1990: 491) and, up until now, we still seem to not have a clear answer. Generally, human rights literature has referred to the law and institutionalised norms as instruments that legitimise human rights, as far as they have been

conveyed and approved by human rights institutions and states (Bantekas and Oette, 2016). In this thesis, I discussed this process from a Bourdie*usi*an standpoint, arguing that the institutionalisation of claims of justice into human rights law can be seen as a process of standardisation.

However, the previous statements imply that claims of justice that have not been institutionalised, or standardised, may not be seen as legitimate human rights struggles. In this regard, I argue that the introduction of space and the right to the city into human rights frameworks can participate in the legitimisation of spatially based rights struggles. Notwithstanding this, the case of Lisama 158's outcrop also allowed me to analyse legitimate information and knowledge in official human rights practice.

Throughout this case, I have discussed two themes directly related to the cited academic debates: legitimate human rights and legitimate spatial knowledge for human rights. First, I highlight that spatial and collective struggles are not understood as human rights struggles by some sectors of the human rights system. Secondly, I note that the human rights system understands spatial information gathered through the application of scientific methods as legitimate. This implies that community-based spatial knowledge may be dismissed and/or not considered to be as valid as the previous one.

The implications of these statements can be seen in Barrancabermeja. Whilst human rights abuse derived from the civil war in the region of Barrancabermeja, articulated in terms of IHL or human rights law, it catalysed the intervention of the Inter-American Court of Human Rights and other high-end human rights institutions (van Isschot, 2015; Gill, 2016); rights struggles derived from Lisama 158's outcrop have been dismissed. Hence, this city has experienced both the beneficial and negative effects of international law as a legitimising tool for the articulation of injustices and abuse.

One of the matters I want to stress in this research is the need to consciously review community-based spatial knowledge for human rights. As Cook (2013) noted, spatial knowledge constitutes a fundamental resource to assess, monitor and understand the human rights context and communities' needs. The communities affected by Lisama 158's outcrop are likely to be more knowledgeable of the socioenvironmental effects of oil spills for two main reasons: outcrops are a relatively frequent occurrence, and communities directly

experience the negative effects. Therefore, they are an important source of knowledge that can help human rights institutions assess and monitor the local experience of rights.

The right to the city can also be understood as a tool to instrumentalise this knowledge. The integration of these communities into the production of space through direct political agency would provide them a political arena where decisions are taken, considering their knowledge and experiences. It represents a format that would clearly integrate their narratives and information into rights discussions and the production of space, gaining a more central role in the overall process of construction of rights.

However, this knowledge is being dismissed by sectors of the human rights system, causing mistrust and resentment towards human rights institutions. This is expected if one has their land, home, well-being and livelihood affected by a powerful industry and, in return, human rights institutions side with Ecopetrol. It is crucial for human rights to directly address the issue of legitimate human rights, and for legitimate information and knowledge to overcome the present limitations and avoid the repetition of cases like Lisama 158.

Ultimately, I want to specify that the analysis of the empirical data presented in this thesis is helpful to provide answers to research questions suggested in this research. First, it provides an alternative view on the role of space for the experience of rights than that developed through the analysis of civil war dynamics. Essentially, this chapter highlights that the experience of the platform-canvas facet of space, from an environmental and/or ecological standpoint, informs rights struggles. Therefore, it is useful to answer research question 1, as far as it conceptualises how the platform-canvas facet of space intercedes in the experience of rights and rights practice. This fact calls for a more explicit integration of these agents into human rights frameworks. Furthermore, it showcases that spaces at other scales than the national are able to relate to international human rights institutions independently of the state. This relates to research question 2, since it highlights how the relational capabilities of space shape human rights practice. Hence, I support the formalisation of these relationships to promote the expansion of the scope of human rights' legitimate conversations, integrating community-based knowledge developed from the empirical experience of local space.

In conclusion, this chapter has served as a way to back up central theoretical arguments in this research while upholding the value of the spatial, theoretical framework introduced in Chapter 2. The case of Lisama 158 highlights the practical struggles derived from existing structures around legitimate human rights information, underlining the reasons why it is

important to expand related practices. Furthermore, it showcases why the right to the city can become a crucial instrument for the legitimisation of similar rights struggles, as far as it represents a rationale that would place space at the centre of human rights conversations. Lastly, the methods for the integration of civil society in the production of space can be understood as a means to empower the knowledge held by inhabitants in decision-making processes. Altogether, this case continues to underpin the fact that the right to the city can become the rationale to understand the spatial aspect of human rights.

Chapter 8. Water as part of life, livelihoods and cultural landscapes.

To this point, the relationship between human rights, space and the right to the city has been discussed from different standpoints. First, I addressed Barrancabermeja as an oil enclave, highlighting the crucial effects of the material and symbolic production of space by the petroleum industry for the city and local culture. Then, I analysed the role of local culture and social practice for the development of civil war dynamics, and armed actors' production of meaning around Barranca. Next, I referred legitimate human rights language and knowledge through the case of Lisama 158. Now, I concentrate on the environmental effects of the petroleum industry over local water sources to discuss how spatial resources participate in everyday rights struggles.

There is vast academic literature that refer to the right to the city and water, frequently addressing water as a socioenvironmental resource that "carries" rights struggles (Swyngedouw, 2004; Bond, 2010; 2012; Sultana and Loftus, 2013). Likewise, human rights literature has looked into the theme in depth, often analysing states' obligations and ability to fulfil the human right to water, and the relationship between the right to water and other fundamental rights (Filmer-Wilson, 2005; Hall, van Koppen and van Houweling, 2014). This research bridges both sets of literature by using a spatial approach to water and rights.

In short, I argue that water, as a spatial resource and socio-environmental good needed on an everyday basis, conditions the enjoyment of a range of fundamental human rights. The originality of this research is that I do not understand water exclusively in human rights terms (Hall, van Koppen and van Houweling, 2014) or as a socio-environmental commodity that impacts rights fulfilment (Bond, 2010; 2012). Instead, I articulate water as a spatial agent that produces both space and rights. Therefore, in this analysis I showcase a spatial reading of rights contexts in relation to water.

Water may have a negative effect over the experience of rights in spaces where pollution or deficient service infrastructures jeopardise its quality and inhabitants' ability to access it. Likewise, the transformation of natural hydrological networks can impact the health of inhabited territories. While human rights frameworks have legitimised struggles related to individuals' access and intake of safe drinking water, spatial water struggles related to the role of water in the development of landscapes are still to be introduced in human rights frameworks. Therefore, with the empirical case of water, I want to demonstrate that spatial

approaches to rights have the potential to revolutionise the way these resources are understood in relation to human rights.

These themes can be illustrated through the case of Barranca since the city has long suffered the effects of environmental contamination and insufficient and unreliable water services. For instance, any high-state medical and biological organisations indicate that safe drinking water should be transparent, colourless and odourless (WHO, 2011). Often, piped water in Barranca is none of those three. Consequently, inhabitants are forced to treat the water before consumption or avoid consuming it at all, making daily access to safe water a challenge for those with fewer resources. Similar situations have been previously discussed as the negative effects of the marketisation of the access to water in the right to the city literature, highlighting how the political economy of urban areas impacts the provision of safe water (Sultana and Loftus, 2013). This is one of the ways in which the right to the city framework complements human rights, as far as it helps articulating rights struggles around the human right to water.

Collective struggles for safe drinking water and healthy natural hydrological networks in Barrancabermeja have been ongoing since the 1960s (van Isschot, 2015). It is ironic, because Barranca is surrounded by water. It is a city built between marshes, swamps and the biggest river in Colombia, with a variable and season-dependent number of secondary streams (*quebradas*). Nonetheless, water feels scarce. There are frequent water supply outages around which the public does not receive information. Furthermore, the contamination of local watercourses (Bustamante, Chaparro and Peláez, 2015) is threatening the integrity of local cultural landscapes and attached socioeconomic practices.

For these reasons, Barranca's case is useful to understand access to water and the transformation of cultural landscapes both from spatial and rights-based approaches. I argue that lack of access to safe water and sanitation is jeopardising the enjoyment of rights by local communities. Besides, I identify local cultural landscapes as the spatial representation of the economic, social and cultural rights – specifically, the right to cultural integrity. I also discuss how Ecopetrol's spatial management can result in the violation of these rights.

In this chapter, I begin by noting that the acknowledgement of water and sanitation as fundamental rights constituted a giant step towards the reconceptualisation of water justice and governance at an international scale after two decades of increasing privatisation (Perera, 2014). However, as the human right to water moved along formal UN mechanisms, it

became disposed of its most radical proposition: a rejection of neoliberal water management (Clark, 2017). This could be understood under the same rationale presented in Chapter 3 regarding the de-radicalisation of the right to the city by human rights institutions (Kymulu, 2013; Purcell, 2014). Hence, it can be said that the "standardisation" of the conceptualisation of the human right to water following official human rights practice limited its ability to influence water management practices.

For this reason, I agree that the introduction of the human rights to water and sanitation has not catalysed a global revolution in water and spatial governance. However, I consider it important to acknowledge that it has provided individuals with crucial legitimate resources to demand healthy environmental goods. In this regard, I argue that the right to the city can provide further mechanisms to impact experiences around the human rights to water and sanitation. The inclusion of communities in spatial and resource management can empower them more than situations of privatisation or injustice, contributing towards the diversification of actors intervening in water management and the production of space.

I support these ideas by analysing existing mechanisms for the protection of. This exercise also brings sanitation into the picture, as far as the two originally understood as a single right – although, the human right to water and sanitation are now acknowledged as two separate human rights (Bos et al., 2016). This is interesting, because the provision of water and sanitation in urban areas is directly involved with the production and the political economy of space. Nonetheless, human rights mechanisms do not have a direct influence over these processes, aiming to support rights realisation.

However, it is important to highlight the role of civil society and social movements in the process of legitimisation and legalisation of the human right to water. Colombian grassroots movements for the integration of water as a human right into the Colombian Constitution (2007-2010) are a good example of the participation of civil society in the construction of human rights. Moreover, the nationwide mobilisation is representative of the high social and cultural value that water and hydrological networks have for inhabitants. It showcases that Colombians understand water from rights-based and spatial perspectives. In this regard, I argue that Colombians' cultural attachment with the inhabited space and their conceptualisation of the territory as a constitutive element of the experience of rights drove the collective effort for the recognition of water as a human right.

Ultimately, I will present and analyse the empirical data collected for the case of Barrancabermeja. Processed data from questionnaires, interviews and qualitative and quantitative environmental data identify principal practices and discourses around water, provide evidence of the state of the resource and illustrate collective experiences around accessing safe drinking water and sewage. Thereafter, I debate the state of local cultural landscapes associated with local hydrological networks and how water contamination and overall environmental transformation represent a threat to inhabitants' economic, social and cultural rights.

This data supports the idea that water is a socio-ecological resource that interconnects populations among themselves and with their lived space. Throughout the chapter, I analyse how the production of the space of Barrancabermeja is limiting rights: shortcomings in sewage and piped water service networks and the destruction of landscapes and environmental mismanagement are all outcomes of how local space has been produced, which directly influence the experience of rights.

Ultimately, I conclude that the case of water in Barrancabermeja effectively represents how the right to the city can legitimise rights struggles derived from the material production of space. The fact that Barranca's space has been traditionally instrumentalised and transformed by the petroleum industry has produced a space that is not functional for the realisation of the human rights. Hence, the political economy of the production of Barrancabermeja is directly impacting the enjoyment of human rights. This understanding of rights contexts highlights the strengths of the right to the city, which has the potential to legitimise rights struggles based on a spatial basis as human rights issues, further supporting the argument introduced in Chapters 1 and 7.

1. The collective origin of the human right to water.

To develop the analysis above, it is important to understand the construction of the human right to water and legitimate mechanisms and language around it. In this process, I make special reference to civil society as a crucial actor in the construction of the human right to water through social mobilisation (Sultana and Loftus, 2013; Bond and Dougar, 2008; D'Souza, 2018). The case of Colombia is particularly relevant, particularly as a nationwide social movement for the recognition of water as a human right by the Colombian

Constitution took place before UN's integration of water and sanitation in the human rights framework (Perera, 2012; 2015; Bautista Justo, 2013). As well as this, the Colombian Constitutional Courts' long tradition of setting legal precedents for the acknowledgement of a right to water contributed to the validation of these discourses. This showcases the process of construction of the right and the relevance of institutions in its legitimisation, illustrating a case where institutional human rights language served for the inclusion of civil society's spatial rights struggles.

The UN acknowledged water and sanitation as human rights in 2010, fulfilling long-standing demands (Perera, 2015; Boss et al., 2016; Bautista Justo, 2013). The failure of states to secure minimum standards for water supply and quality, together with the progressive privatisation of water treatment and supply from the 1990s, encouraged international struggles for the standardisation of these entitlements as human rights (Bakker, 2007; Clark, 2017). These civil and political movements started to influence human rights frameworks at the beginning of the millennium, effects that can be observed in General Observation 15 by the UN's Committee on Social, Economic and Cultural Rights in 2002 (Bautista Justos, 2013). The General Observation articulates access to water and sanitation as implicit for the fulfilment of existing human rights treaties and formulates availability as essential for rights realisation (Bautista Justos, 2013), answering to global cries for the UN's position on the issue.

The rights to water and sanitation were finally legitimised as human rights in 2010 through Resolution A/64/292 by the UN General Assembly, becoming explicit rights obligations for states (Bos et al., 2016). However, in 2015, the UN's Special Rapporteur on the Human Right to Safe Drinking Water and Sanitation Catarina de Albuquerque (2008-2014) pressured for the excision of the right to water and sanitation into two separate entitlements (Bos et al., 2016). It was argued that separating the right to water from the right to sanitation in practical and legal terms facilitates the creation of increasingly specialised criteria and protocols for their application and monitoring (Bos et al., 2016). Nonetheless, it is important to note that there is consensus in the interdependency of the rights to water and sanitation in practical and legal terms (Bos et al., 2016).

However, Resolution A/64/292 does not regulate the participation of either the private or public sphere in the provision of human rights, despite the fact that the movement for the rights to water and sanitation was a reaction against mercantilist water and sanitation supply

models (Baustista Justos, 2013). For some, this constituted an opportunity for the human rights' system to advance towards the acknowledgement of collective, environmental and/or spatial features that repercuss the everyday experience of rights (Clark, 2017). Nonetheless, the introduction of the rights did not challenge existing market supply chains and practices (Clark, 2017).

Hence, the human rights system has acknowledged water as a human right, but does not provide mechanisms to transform space under the authority of the human right to water. Considering that the provision of safe drinking water and appropriate sanitation facilities depends on spatial resources, this illustrates another case where the exclusion of space from human rights frameworks directly impacts the realisation of the rights.

In contrast, and as it was evidenced in Chapter 5, Colombian communities understand space, or the territory, as a fundamental element of their experience of rights. For this reason, they are likely to uphold spatial issues as human rights struggles. This is something that can be seen in the case of water, as it was also observed through the case of Lisama 158. The grassroots movement for the acknowledgement of the human right to water in the Political Constitution was inspired by other Latin American experiences, like the Cochabamba water wars (Bekker, 2007) and the Uruguayan movement (Perera, 2012). Bekker (2007) conceptualised this string of social movements related to water in Latin America as a reaction to the neo-liberalisation of water, which, for many, resulted in a worsening quality of life.

Privatisation regarding water management and supply was introduced in Colombia by Law 142/94, which facilitated the privatisation of the sector. The law introduces the figure of *Empresas de Servicios Públicos* (translated as Public Services Companies) as organisations by shares able to supply water, sanitation or electricity. However, it is important to note that the law identifies municipalities as having the ultimate responsibility for the provision of public services. Therefore, this law is a principal element that regulates the politics of water in Colombia, which was rejected by many Colombians as far as it does not specify the companies' environmental and social accountability.

Hence, the grassroots movement constituted a response to Law 142/94 on public services and the new Water Law proposed in 2003 by Uribe's government (Gómez Bustos, 2014). The inability of the state and the market to guarantee access to safe water and sanitation, together with the prospect of increasing privatisation, threatened access for marginal, remote or deprived communities (Gómez Bustos, 2014; Perera, 2015). Consequently, access to

water and sanitation became central topics of the II Colombian Social Forum celebrated in 2004, a space that enabled the organisation of resources for a social movement for the right to water (Gómez Bustos, 2014). It culminated in the creation of the Campaign for National Unity for the Defence of Water and the National Committee for the Defence of Water and Life (2007). These "institutions" overcame the previous model of social activism for water rights in Colombia, which were mostly at a local scale (Gómez Bustos, 2014). The Committee for the Defence of Water and Life initiated a legal process for the acknowledgement of the right to water through *acción de tutela,* bringing the case to the Colombian Constitutional Court.

Nonetheless, it is crucial to acknowledge that this movement was first developed by initiatives at a local and regional level that organised into collective, national action from 2007 (Gómez Bustos, 2014). A common motivation – the introduction of the human right to water in the Constitution – encouraged the establishment of strong ties between communities and territories that, although geographically distant, were facing the same challenges (Perera, 2015). Spaces and peoples affected by poor water quality and lack of access to basic supply services interrelated as political agents in a social movement. They created their own political identity by intertwining human rights and environmental narratives around water. They independently related to governmental institutions, social organisations and other actors to have a political effect on the Constitution.

Therefore, the movement for the human right to water in Colombia demonstrates that spaces are not only encounter points, but politically significant nodes in wider social networks, showcasing the relational facet of space, and that these nodes are a relevant feature in the construction of human rights. The movement addressed problems with accessing aqueducts (Perera, 2015), water quality concerns (Gómez Bustos, 2014) and rejected further privatisation (Motta Vargas, 2010). Some of these issues are more prevalent in distinct nodes, creating spatially dependent experiences around accessing water. However, the relational capabilities of space enabled these nodes to share their experiences and construct a political discourse and movement. The political discourse addressed everyday rights struggles faced by communities across the country, received strong social support and became a symbol of modern civil struggles for human rights and sustainability (Verónica Perera, 2014; Gómez Bustos, 2014, Motta Vargas, 2010). Nonetheless, Congress rejected it.

However, Colombians reacted by stating: "We are a movement, not a referendum" (Perera 2012:242). This is an interesting idea, as far as it can be interpreted as civil society emphasising the social quality of the acknowledgement of the human right to water. This process directly relates to the social constructivist standpoint used in this research, highlighting that there are sectors of civil society that uphold rights as something developed by people as much as by legitimate human rights or political institutions.

A few months after this, however, Resolution A/64/292 was passed. Sectors of civil society in Barrancabermeja have strong criticisms around how the human right to water is conceptualised, as far as human rights frameworks focus on "access" to safe drinking water.

> "*Access to safe drinking water is a human right and, with this word, 'access'; they change the rules of the game. Because they say, if you got access to a shop to buy bottled water, coke; you have access to safe drinking water. […] That is the way it was explained to me, that this language is being used by the government to legitimise loads of bad stuff they are doing to water and that's what they refer to: access. So I... in my opinion, for me it is fundamental that water is a right, that safe drinking water is a human right. And that the state has a duty to provide safe drinking water to all the population. And, for me, it should be free.*" (Interviewee 11)

Indeed, Resolution A/64/292 calls upon states to "provide safe, clean, accessible and affordable drinking water and sanitation for all" (UN, 2010:3). The participant effectively identifies how states can rely on the market to meet the terms "access" and "affordable", as far as buying a bottle of water does not seem a big investment. However, this does not seem to fit the participant's understanding of the human right to water, who later on enhanced the everyday need of water for life in general.

> "*So the air… water, they are rights. Because you can actually take away any other right from me: you can take away health from me and I might be able to go around and find some plants that will make me better. But if you take away safe drinking water from me, I die. And there is no way around that. So, for me it is a right, that the state gives safe drinking water to everybody.*" (Interviewee 11)

It is around this idea, namely the marketisation of a resource that is needed on an everyday basis, that the right to the city literature has centred their main criticisms. Sultana and Loftus understand the social movement around the right to water as akin to the right to the city, as

far as both call for civil society's "democratic participation in producing the flows of water and social power on which life itself depends" (2012:13). Hence, we can see in the human right to water elements of the right to the city practice, showing that the right to the city is useful to both interpret the political economy of water and its effects over the everyday experience of rights, and to introduce instruments for civil society to impact water management.

However, this focus on "access to safe drinking water" hides the role of water in the production of space as such. I understand that introducing space and the right to the city in human rights frameworks has the potential to transform the way water is conceptualised. I consider that it is important to understand water as a socio-environmental resource that produces the space people experience rights in. Consequently, water influences the enjoyment of rights beyond access to safe-drinking water. This idea is in line with the "spatial turn" in human rights conversations discussed previously in this thesis. Therefore, the case of water, as analysed in this chapter, represents an example of how this "spatial turn" would look like over resources that have already been integrated in human rights legitimate frameworks, in contrast to the conversation on the right to public space held in Chapter 6.

In conclusion, this section has centred on analysing the role of civil society in the construction of the human right to water, arguing that the right to the city has informed and influenced some of these struggles. In Barrancabermeja, activism for water is becoming more prevalent, as disasters such as Lisama 158 damage water courses, or the population not having reliable access to safe drinking water from the public sector. Hence, it is an empirical case that points to the central position of space in everyday rights struggles, and addresses how the political economy of the production of space impacts the realisation of the right to water.

2. The problem of water in Barranca.

In Barrancabermeja, many sectors of civil society do not have daily access to potable water, and the urban population in general is confronted by deficient services and quality. Likewise, the contamination of natural water basins constitutes a direct threat to cultural landscapes and related everyday life. In the following, I will analyse empirical data on water that

supports the previous statement. This exercise backs the interpretation of the right to water as an everyday right challenge directly related to the material production of space. It is a central facet of this research, since it further demonstrates that spatial features and processes have a direct impact over rights.

For this purpose, I analyse empirical quantitative and qualitative data that reference the state of watercourses and urban services in Barrancabermeja. Hence, this section discusses local narratives around water quality in depth, highlighting that there are sectors of Barrancabermeja that understand rights mobilisations for water as the new stage of local rights movements, which had regularly focused on the experience of civil war and on civil and political rights. This showcases the development of local rights practice and the centrality of the platform-canvas facet of space in this process. Therefore, it can be understood within the process of expansion of the idea of the "human rights victim" introduced in Chapter 5.

Next, I analyse the cultural relationship of local communities, water and associated cultural landscapes. Local and regional communities live in between marshes, rivers and islands, creating cultural landscapes that are dependent on water itself. Therefore, if something negative happens to that water, the people inhabiting those landscapes will see their everyday practices and well-being disrupted. This leads onto a conversation about cultural landscapes as political and as an asset for social justice (Mitchell, 2003), highlighting that the right to the city principles of direct political participation in spatial management can contribute to the protection of economic, social and cultural rights by conserving cultural landscapes.

Consequently, this research impacts the referenced literature as far as it talks about water as a spatial resource that impacts rights, whether that be because of lack of access to potable water, or as an element that can modify the lived environment. Hence, the focus is not uniquely on the human right to water, but on the role of water for rights. This is the kind of knowledge that spatial approaches can provide to human rights literature, which complements and aims to expand previous conversations on water struggles.

Access to basic services and water quality in Barrancabermeja.

In this section, I analyse the data on water quality and supply and access to sanitation in Barrancabermeja. First, I analyse the empirical data extracted from questionnaires,

interviews and the production of photographic material to explore accounts on access to safe drinking water in Barrancabermeja. Next, I present the results of the water samples taken from the city's piped water and natural water courses, aiming to triangulate the information provided by other research instruments. Altogether, it constitutes a strong set of empirical notes that prove helpful to understand everyday rights challenges experienced in Barrancabermeja due to water scarcity and pollution.

Incidence of water scarcity					
		Frequency	%	Valid %
Experienced water scarcity	Very few times (less than 5 ever)	13	12.4	18.8
	Annually	30	28.6	43.5
	Monthly	20	19	29
	Weekly	6	5.7	8.7
	Total	69	65.7	
Never experienced water scarcity		36	34.4	
Total		105		

Table 23: frequencies of the questionnaire responses to questions on the incidence of water scarcity in Barrancabermeja.

The data retrieved from the questionnaires is sufficient to introduce the context. Table 15 represents the frequency at which inhabitants experience water scarcity in Barrancabermeja.

It is significant that almost two-thirds of the sample experienced water scarcity at some point while living in Barrancabermeja. The 19% of the sample stated that they suffered water scarcity monthly, and the 5.7% weekly.

This distribution is indicative of the social divide regarding access to water in the city of Barranca: water is not supplied equally among all city inhabitants. Unequal access to water creates a wide spectrum of experiences and illustrates an urban space where a privileged minority has private swimming pools, while others face water scarcity on a weekly basis. This situation highlights the unequal realisation of the human right to water in Barrancabermeja, as well as the widespread experience of water scarcity.

Experiences on access to public services				
		Frequency	%	Valid %
Experienced lack of access to basic public services at some point in their lives	Electricity	5	4.8	15.6
	Gas	6	5.7	18.8
	Sewage	12	11.4	37.5
	Electricity and gas	2	1.9	6.3
	Electricity and sewage	2	1.9	6.3
	Gas and sewage	5	4.8	15.6
	Total	32	30.5	100
Never experienced lack of access to public services		73	69.5	
Total		105		

Table 24: Crosstabulation on experiences around lack of access to public services in Barrancabermeja

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Hence, and considering the gender of the majority of the participants, this data suggests that water scarcity is a common experience for women in Barrancabermeja. Miletto et al. note that "water scarcity translates into poorer livelihoods, food insecurity and loss of employment opportunities, in particular for the young and for women" (2017:8) due to their more vulnerable position before other actors. The fact that more the 65% of the sample stated that they had experienced water scarcity while living in Barrancabermeja communicates that large numbers of women are seeing their overall development hampered by the challenges related to water scarcity. Furthermore, it provides a view of family life -because women are the primary caretakers- in the city where water filters, bottled water or pans full of boiling water (depending on status) are as common as kettles in the UK. Therefore, this data does not only represent some women's accounts on water scarcity but their families' too.

Additionally, the questionnaires have provided valuable data regarding limited access to other basic urban services affecting water quality and the enjoyment of rights, such as sewage, supporting the idea that material production of space is key for the enjoyment of rights. Some 30.5% of the participants stated that they had not had access to basic urban services (sewage, electricity and/or gas) at some point in their life. Likewise, 53.3%

indicated that they knew at least one family without access to one or more of those services at the time of completing the questionnaire. However, a more careful analysis of the tables above shows the extent to which the participants experienced a lack of access to sanitation facilities. They highlight that 68.7% of participants had no access to sewage. This data suggests that there is a considerable number of families struggling to access sanitation in the city. This situation represents an abuse to the human right to sanitation (Sentence T-093, Bos et al., 2016; OAS, 1988), a threat to the realisation of the human right to water (Sentence T-093), an infringement of Law 142/94 and a context of urban and environmental injustice that may be interpreted as a rights violation (Advisory Opinion OC-23/17).

Knowledge of families without access to basic urban services				
		Frequency	%	Valid %
Valid	Yes	56	53.3	54.4
	No	47	44.8	45.6
	Total	103	98.1	100
Missing		2	1.9	
Total		105	100	

Table 25: Crosstabulation of participant's knowledge of families with no access to basic urban services at the time of completing the questionnaire.

Therefore, these questionnaires provide a detailed account of the extent of the lack of access to basic urban services in Barrancabermeja. Mehta (2013) argues that local knowledge held by women on water scarcity and its impact on family and everyday life is critical to develop water strategies adapters to the areas where access to these services is not universal. Hence, with this questionnaire I aim to reduce gender blindness on water scarcity struggles at the micro level, and enhance the value of local knowledge held by women to understand the local rights context with regards to water scarcity in Barrancabermeja.

I consider that Photo 3 represents aspects of Barrancabermeja's 'space': one, I could see how informal structures intertwined with natural water courses; two, it validates information that I had previously gathered. Hence, I was able to see an area where key spatial infrastructure was produced by local communities. This showcases that, although there are powerful political, economic and paramilitary actors in the area, civil society is actually taking a

significant responsibility over the material production of space. Interviewee 8 also highlighted this issue with housing, noting that informal urbanisation was a fundamental

Photo 3: point of discharge of an informal sewage pipe in the neighbourhood of Arenal, *comuna* 1 (04/05/2018). The water is discharged in an open canal that receives waste from other dwellings within the area.

problem in the city. Conclusively, this showcases that there are aspects of the production of space over which civil society has needed to act before the absence or inaction of public institutions. In these contexts, the right to the city can suppose an instrument for communities to challenge the negative effects of statelessness and intervene in the production of space with administrative resources.

The data informs that approximately 22% of Barranca's inhabitants are not able to dispose of waste water derived from domestic use in the local infrastructure of water treatment. As a solution, communities tend to informally build channels – often at surface level – that drain neighbourhoods' waste water into the river Magdalena, close-by *ciénagas* and/or *quebradas*. This situation implies that there is a daily discharge of faecal material and waste water into the natural environment.

This series of photos are more effective in describing the intertwining of natural environments and urban life in the city. This is important because of the rationale presented previously in this chapter: water is analysed as a spatial resource affecting rights. The contamination of natural hydrological networks implies a progressive change in the regional ecosystem than can impact traditional economic practices. Likewise, the discharge of faecal

material in open water supposes serious risks to public health, representing a threat to various fundamental rights.

Photo 4, 5 and 6: series of pictures that illustrate the context to Photo 3 in Arenal (04/05/2018). The photos on the left and middle represent the immediate area where the wastewater is discharged, whereas the picture on the right represents the intersection of different informal, wastewater discharge canals.

The health hazards derived from the presence of faecal material in watercourses and the natural environment have been documented for more than a century. Diarrhoea and digestive health issues are some of the most common affectations derived from the ingest of Escherichia Coli (hereafter, E. Coli), a bacteria present in the human digestive apparatus discharged in faeces (WHO, 2017; Ishii and Sadowskky, 2008). The fact that many communities in Barrancabermeja are unable to treat waste water is a result of a situation where E. Coli and other coliforms are present in socially used water basins, threatening communities' well-being. *Aguas de Barrancabermeja* has acknowledged the presence of coliforms in freshwater basins within the municipality; however, it did not provide data on their presence in public-supplied water and this project did not have the means to undertake the necessary tests. However, participants defend previous tests that prove the presence of coliforms in Barranca's water.

> "*The leads that we have, the studies of water quality in Barrancabermeja, are not very reassuring* […]. *There are studies that say that there is a high presence of coliforms in the water from the reservoir we use for supply. And coliforms are poo. The matter is very serious, because the actors governing water are unaware they are managing a human right.*" (Interviewee 7)

There are several interesting remarks in this quotation. First, Interviewee 7 highlights that there are "actors governing water", signalling multiplicity. Second, they chose the term "unaware", communicating that these actors obviate the relationship between water and rights. Thirdly, they imply people's ability to manage human rights through the administration of a spatial resource. Therefore, this further supports the idea that local narratives around rights struggles are significantly conditioned by the experience of the inhabited space, referring to one of the main arguments in this thesis.

The questionnaires also collected data around the health affectations that participants and/or their families suffered as a consequence of water or food intake. 55.2% of the sample communicated that they had had health problems derived from water intake or direct skin contact with water. Additionally, 36.1% declared they had experienced stomach and digestive illnesses as a result of eating food produced in the city. Generally, skin rashes and diarrhoea were the most common affectation. The data showcases that some of Barranca's inhabitants suffer typical health affectations derived from E. Coli contamination. This situation demonstrates that the production of urban space is key to preventing diseases that may be potentially deadly for vulnerable groups – especially young children (WHO, 2017; Ishii and Sadowskky, 2008) – and supports the realisation of fundamental rights.

Dominant narratives around water in Barrancabermeja inform that it is so contaminated it is undrinkable. This is observed in ethnographic and questionnaire data, with 61.1% of the participants stating they treat publicly supplied, piped water before consumption (the 45.6% use a filter, 12.6% boil it and the 2.9% use a different method).

"*We get water the colour of coffee two or three times a week*" (written declaration on a questionnaire).

Photo 7: picture of water sample taken from Barrancabermeja's public supply, *comuna* 1 at 10pm after an unannounced cut of the water service that lasted approximately 1 hour (03/05/2018). Results: Concentration heavy metals = 400-1000 µg/L; Ph = 5.

The participant is referring to piped water from the public supply. I can say that, in the area I lived in during fieldwork, we would get the brown water less often than that. However, it is important to note that the quality of the supply is very different across the city. Nonetheless, for most people in Barrancabermeja, finding water as in Photo 7 coming out of the tap is not surprising. These kinds of experiences cause local inhabitants to distrust public-supplied water, explaining how economies around water delivery and water purification have become a fundamental actor in local water politics.

Institutions have repeatedly addressed the matter as a temporary inconvenience as a result of the reinstauration of the water service after service cuts, which is pumped at higher pressures for a period and drags the sediments deposited in the pipes. My impression is that institutions give out these declarations in order to ease collective worries. However, they reflect another layer of the water problem in Barrancabermeja: not only is water generally contaminated, but the supply service is discontinuous and does not reach all urban inhabitants. The infrastructure is in such a state that it is detrimental to the delivery of a quality service.

Photo 8: self-built water tank of a dwelling in Patio Bonito, supplying water to a house and a commerce (17/05/2018).

However, communities living in *veredas*[7] and *corregimientos*[8] see themselves in worst situations since public supply infrastructure often does not cover those areas. This is the case of Patio Bonito, a rural community within Barrancabermeja's municipal boundaries. Photo 8 depicts a self-built tank that collects water from both the underground and rainfall, and is used to supply water for human consumption and the associated commerce. The water collected in these residential reservoirs is likely to show similar contamination levels to those of natural water basins (high concentrations of heavy metals and acidic pH levels). Therefore, communities like Patio Bonito are left outside the official water and sanitation supply system and are more exposed to the resulting health and environmental hazards.

The situation of Patio Bonito shows that the informal production of space to meet water and sanitation needs extends the city's boundaries. It reinforces the narrative around statelessness and institutional inaction before territorial management matters that condition the enjoyment of rights.

The analysis of this empirical data has highlighted relevant human rights issues in Barrancabermeja that are intrinsically related to space and can be articulated with the right to the city language. In this regard, I argue that the undemocratisation of water governance and the production of related infrastructures (sewage facilities and pipes) provide space for market alternatives to safe drinking water and other services. Consequently, this denotes an increasingly dominant presence of private actors in managing resources that condition the experience of rights. Participants have identified the situation as detrimental for the fulfilment of rights. It is, therefore, not surprising that the right to the city and human rights practices are frequently integrated in local narratives around rights, as far as everyday rights struggles are inheritably related to the production of space.

Water as an element of cultural landscapes.

In this section, I will explicitly address water as a spatial feature that is functional for the production of some cultural landscapes, around which many communities gain their livelihood. Hence, water is understood as a natural resource that produces space. For this

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[7] Rural settlements principally composed of scattered individual dwellings.
[8] A space that has urban and/or industrial qualities that is enclosed by rural communities and geographically separate from the main urban areas.

reason, the contamination, overuse or mismanagement of natural water courses can represent a threat to inhabiting communities. In this regard, I argue that Barrancabermeja has rich cultural landscapes that are being threatened by the production of space and environmental management. This can be interpreted from a rights-based approach, understanding that the destruction of cultural landscapes can hinder the reproduction of traditional economic and/or cultural practices. Therefore, this topic demonstrates that water, in producing space, can also construct rights.

The characteristics of hydrological networks and the navigability of the river Magdalena have had a huge impact on the local culture and traditional forms of economic activity. The low inclination of the terrain participates in the partition of watercourses and the creation of separated riverbeds, sediment islands and stagnant basins. It carves a thick network that allows transport, agricultural production and access to water, attracting settlers. River settlers' sense of identity and purpose is highly dependent on the space they inhabit, rivers being a principal element of their everyday life. Cadavid Bringe (1996) highlighted that river settlers (referring to communities living in *veredas* or *corregimientos* adjacent to hydrological networks, like those affected by Lisama 158's oil spill):

> "probably constitute the only cultural network [in Magdalena Medio] with significant levels of social cohesion, identity and belonging. It is composed by individuals and groups dedicated to many trades that have in common the need of the river: fisherfolk, farmers that combine agriculture with fishing, boatmen, traders that move along the rivers or have their posts on ports, port workers or areneros [translated as: 'sanders' or those that retrieve sand from the bottom of the river for different purposes], etc. They are united for many factors: their precedence, origin and 'costeña' culture. They generally belong to big families tightly related among themselves, may that be due to blood ties, in-law family members, neighbourliness, cronyism and/or political affiliation […] They feel profound love and entrenchment to the river, live by its shores and cannot conceive life away from it. Their life spins around it. This builds lifestyles, for instance, home and family life; outside of the family house and facing the river. […] Their idea of quality of life is very different from that of other groups." (1996:32)

Cadavid Bringe makes an observation that relates to the overall context of Barrancabermeja. The city has been traditionally inhabited by people coming from very different backgrounds

to work for the refinery. However, this is not the case for river settlers. Aside from aboriginal tribes, the area of Barrancabermeja has traditionally been inhabited by fishing communities and farmers that organised life around the river (Cadavid Bringe, 1996). Therefore, the identity and culture of present-day river settlers are dependent on the natural characteristics of the inhabited space.

There is some interesting literature that corroborates this idea. Roa García (2016) highlights that indigenous or *campesino* societies have a characteristic interpretation of culture and territory as integrated. For this reason, areas inhabited by *campesino* and indigenous communities locating extractive industries engage more with environmental activism than other petroleum-extracting regions (Roa García, 2016).

"*In Barranca, we are not oil; we are river.*" (Interviewee 3)

Photo 9: *Zona en el Puerto de Barrancabermeja. Year 1924* (Escobar, 1924). Translated as: Barrancabermeja's Port, year 1924.

Photo 10: Fisherfolk using traditional fishing methods in Barrancabermeja (Unidad de Víctimas, 2015).

The river and the landscape of sediment isles and marshes are integral parts of everyday life for many communities (Durán, 1996). This is what I aim to show with Photos 9 and 10, as far as they depict social uses of water in the area. However, the petroleum industry represents

a considerable threat to their sustainability. The river Magdalena at Barrancabermeja's level was dotted with small *chalupas* (traditional fishing river boats) and informal resting areas across the isles, producing a semi-socialised landscape functional for the reproduction of everyday life of river settlers. Currently, these practices and landscape elements are disappearing due to the high contamination of fish and pastures.

> "*It is indeed a big tragedy because people that used to live there* [areas affected by Lisama 158 oil spill] *cannot anymore because the river is so contaminated that they cannot fish because the fish are damaged. And they said that the land will be recovered in a minimum one year. Legally, they said one year. But the inhabitant population say that it will be at least ten years until they see proper recovery. And what does this cause? That people had to displace. And the state says: 'no, do not displace, the river is clean already'. But that is a lie and it is absurd. Because they are neglecting the river from people that live from the river, not purely to drink water or for the aqueduct; but to feed from the fish and go on with their economic life, with what it's productive.*" (Interviewee 3)

In this fragment, Interviewee 3 presents the difference between legitimate spatial information and community-based knowledge around the landscape affected by Lisama 158's outcrop, highlighting that they are contradictory. Besides, they note that "they are neglecting the river from the people that live from the river", which can be understood under the right to the city rationale. Lefebvre argued that the domination of the production of urban space from inhabitants prevented them not only from participating in central aspects of political and economic life, but in making the city their *oeuvre* (Lefebvre, 1996). This idea references the ability of people to create and manipulate their environment following their principles, understanding the process itself as liberating from an individual and collective basis (Lefebvre, 1996; Harvey, 2008).

Cultural landscapes in Magdalena Medio can be understood as the *oeuvre* of generations of river settlers, communities that organised their everyday life around the environmental qualities of the space they inhabited. The degradation and transformation of these landscapes through industrial development and the contamination of water is, in many ways, transforming the *oeuvre* of inhabiting communities. This can be understood as a disempowerment of river settlers within their living environment, conditioning their experience of rights and justice.

There are several documents, like the European Landscape Convention, the Latin American Landscape Initiative, or the Florence UNESCO Declaration, that conceptualise landscape as a human right (Menatti, 2017). Menatti argues that:

> "This new lexicon is a sign of how landscapes have recently been considered not as just an aesthetical and scenery-based patrimony, but as a good belonging to the community, shared and managed at the local level, with protection being extended out at the global level." (2017:664)

She is addressing the same rationale as I had presented previously, as far as cultural landscapes can be understood as the *oeuvre* of the community, which is collectively experienced. For these reasons, Menatti (2017) states that they should be managed at the local level, but protected by international human rights frameworks. Hence, literature in human rights is reproducing principles of the right to the city in themes that relate with space, independently on whether they are inherently urban. This is a fundamental finding in this research as far as it further portrays the right to the city rationale as valid to discuss spaces that are not urban, relating to Lefebvre's final writings where he called for the expansion of the right to the city across the rural-urban continuum (1991). Likewise, it identifies another set of academic literature in human rights that are engaging with the right to the city rationale, even though it is not explicitly mentioned.

And, although the human right to landscape is yet to make its way into legitimate frameworks, it is important to note that principles specified in the ICESCR can be jeopardised by the context experienced by Barranca's river settlers. For instance, Article 1 states that:

> "All peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law. In no case may a people be deprived of its own means of subsistence." (ICESCR, 1966:1)

Besides this, Article 6 stipulates:

> "The States Parties to the present Covenant recognize the right to work, which includes the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts, and will take appropriate steps to safeguard this right." (ICESCR, 1966:2)

Ultimately, Article 15 acknowledges every person's right to participate in cultural life (ICESCR, 1966:5). Considering the discussion above, it can be argued that the destruction of freshwater cultural landscapes in Magdalena Medio represents a threat to the realisation of the right to freely dispose of natural wealth, the right to work in one's desired position and the right to cultural life. For river settlers, the management, health and access to the river and associated landscapes are fundamental aspects for the realisation of economic, social and cultural rights since it is the landscape what defines social, cultural and economic activity for these groups.

Don Mitchell argues that landscapes are "[…]polities, with specific sets of rights , specific juridical relations, and certain conceptions of justice that derived from people living in and on the land, working with it, and possessing it" (2003b:787) and that "[…]landscape[s] represen[t] the desires and needs, the customs and forms of justice of the people who made it" (2003b:787-788). This approach continues to address landscapes as *oeuvres* under the Lefebvrian tradition, as far as it discusses the social construction of landscapes as a process that develops inhabitants' sense of ownership over the land, not in a material and/or economic perspective, but from a collective, political and identity standpoint.

Surprisingly, and considering his publication records, Mitchell does not address the right to the city in his discussion of cultural landscapes. Nonetheless, the topic of cultural landscapes has become increasingly popular in the right to the city literature (Grandinetti, 2019; Öz and Eder, 2018; Trumbull, 2012). Grandinetti identifies an "Indigenous" right to the city, based on the conceptualisation of land as an intrinsic part of culture by Kaka'ako (Hawaii) communities, as a "claim to urban space and Indigenous sovereignty" (2019:242). Besides, Trumbull (2012) discusses the process of transformation of St. Petersburg city centre and destruction of 18th and 19th century architecture as a process that is transforming cultural qualities of the urban environment, catalysing social movements, claiming "it's our city!" while standing before bulldozers in construction sites. Hence, this literature articulates cultural landscapes as central elements of social life, whether that be in urban or rural areas, that are often understood by inhabitants in terms of collective and historical *oeuvres* that condition everyday life. The significant impact of this research on this literature is that it addresses water as an environmental resource participating in the production of spaces as an *oeuvres*, highlighting that natural and social processes and agents converge in the development of these contexts.

In conclusion, this chapter has addressed water as a spatial resource functional for the maintenance of cultural landscapes in Barrancabermeja. These cultural landscapes are, therefore, understood to be produced by generations of inhabitants in consonance with environmental resources, noting the indispensable role of spatial resources in their construction. However, the transformation of natural water courses directly affects the conservation of cultural landscapes in the case of Magdalena Medio. This can be understood as a right struggle from both the right to the city and human rights frameworks. On one hand, the transformation of river settlers' *oeuvre* limits their experience of liberty to shape their environment and controls personal development. On the other hand, the destruction of landscapes has been linked to the experience of human rights and can be related to economic, social and cultural human rights struggles.

Therefore, this section is addressing a spatial element increasingly present in rights discussions due to its direct effect on everyday experiences of rights. In this regard, the novelty of my interpretation is that I have integrated the role of purely spatial-environmental resources (water) in the material production of cultural landscapes, arguing that water mismanagement or contamination can represent an obstacle to the functionality and conservation of cultural landscapes. Hence, I want to highlight the close intertwining of social and environmental processes, following the platform-canvas facet of space, for the production of spaces that participate in rights fulfilment, noting that cultural landscapes as social *oeuvres* often depend on environmental health and the sustainable management of spatial resources.

Water as political.

The previous section introduces the importance of water for some communities in Barrancabermeja. This is not something exclusive of Barranca's river settlers, but a sentiment also present within the urban boundaries. For this reason, social movements around water have had a crucial role in the development of collective social action in the region. In the following paragraphs, I discuss water as a principal resource that motivated the development of Barrancabermeja's intra-relational networks for the development of social movements. In this sense, I concentrate on the first *paro cívico* in the city (1963), which was motivated by the lack to access to water and other fundamental urban services.

In this regard, I argue that spatial and collective experience of water contributed to the development of rights practices that were later reproduced in seemingly unrelated topics, like human rights mobilisations responding to civil war dynamics.

This is an important point in this research, as far as it highlights that the production of space constructed local rights practice. The fact that Barrancabermeja's space did not provide access to safe environmental resources and basic urban services brought communities to engage with rights practices that engaged with space reappropriation and function disabling, setting the basis for later social movements. Hence, in this section I highlight that space has the ability to impact the development of rights practice at a local scale.

The section first addresses the *paro cívico* organised in Barrancabermeja in 1963. Previously in this thesis, *paros cívicos* were introduced as a method used by civil society to instrumentalise and reappropriate space, and as the breeding ground for the formation of the *guerrilla* ELN. However, the fact that the first *paro cívico* in Barrancabermeja was organised around public services, and specifically water, was not discussed in depth. This is a relevant point as far as it showcases the power of spatial resources, like water, to drive social action.

For this analysis, it is important to remember that the organisation of *paros cívicos* relies on strong intra-relational networks. In Barrancabermeja, shared experiences of water scarcity, insalubrity and degradation functioned as an encounter point for seemingly unrelated communities (Gill, 2016). Access to basic urban services became a fundamental pillar over which ideas of urbanity, quality of life and healthiness took shape, calling for collective action to demand what today many would call an incipient rights-based approach to urban planning. Therefore, during the 1960s, Barrancabermeja produced a very sophisticated network for civil society communication and organisation (van Isschot, 2015; Gill, 2016).

The civil strike organised in May 1963 was the first protest in Barranca that was not subordinated to trade unionism and had a clear, separate motivation (Martínez Castilla, 1998). It featured problematics that all city inhabitants could relate to, not just the refinery workers: water, sanitation, health, education, and road paving. These were the city's problems, not the refinery's. Therefore, the mobilisation of May 1963 attracted larger and more diverse groups (van Isschot, 2015). From a right to the city approach, the struggle addressed the spatial and ethical effects of the industry's production of space rather than petroworkers' employment conditions, representing a relevant step forward for social activism in Barrancabermeja.

Van Isschot highlights that, in May 1963, "individuals that were otherwise uninterested in politics were moved to join the protests" (2015:55). Individuals and groups with qualitatively different degrees of education, buying power, ethnic background and political affiliations associated and organised around a main common ground: the inhabited space. For this purpose, they developed strong ties and engaged in a particular form of protest, *paros cívicos*. Thus, *paros cívicos* became the main political, economic and territorial strategy for social movements in Barrancabermeja. This further explains the reasons why this *paro* catalysed the formation of ELN, highlighting the political relevance of these social movements for Colombia's modern history.

Social demands for urban services in Barrancabermeja intensified during the 1960s due to heavy demographic pressures: significant numbers of rural settlers migrated to the city to escape violence and look for a better life (van Isschot, 2015). Access to safety, potable water, sewage or paved roads are spatial assets regularly related to urban areas that imply an overall improvement of quality of life. In the case of Barranca, the urban structure was not fit – and still is not – to provide these services to all its inhabitants. This process creates a situation where Barrancabermeja does not embody the characteristics of "the urban" for many deprived communities, as they do not enjoy safe services and infrastructures. These circumstances produce exclusionary experiences around Barranca's urban space, which catalysed social mobilisations. This situation of spatial and environmental injustice drove Barranca's civil society to organise in *paros cívicos* to "buil[d] popular power and confron[t] the State" (Gill, 2016:73) through the instrumentalisation of Barranca's space.

During the 1970s, *paros cívicos* in Barrancabermeja continued to feature access to water and sanitation (Gill, 2016; van Isschot, 2015). However, and since the 1980s, social mobilisations in Barrancabermeja focused on violence (van Isschot, 2015). During this period, human rights activism exploited the intra-relational networks created in 1963 and sustained through the 1970 to organise collective action for human rights and against the war. The movements focused on the human right to life, and denounced military confrontations within the urban, civilian fatalities, targeted murders, political persecution, narcotrafficking and social intolerance.

This leads to an interesting observation: *paros cívicos* address collective socio-political territorial circumstances, whether that be a lack of access to basic urban resources or the generalisation of violence and terrorism. From a right to the city perspective, it can be

articulated as inhabitants organising and reappropriating space to challenge the status quo. Therefore, *paros cívicos* represent a method for spatial control that simultaneously upheld human rights and the right to the city values in Barrancabermeja.

Currently, the major social movements in Barrancabermeja are those for human rights and access to basic services. Thus, local narratives showcase an integration of the motivations that led to May 1963's *paro* and later activism around the human right to life and the experience of civil war. Nowadays, social movements for the human right to water and the right to life are part of the same effort. It showcases a structural understanding of human rights that is qualitatively different from the human rights mobilisations focusing on the civil war.

> "*If in the past there were mobilisations for the right to life, because there were murders, this century will be for the right to water, to have a prolonged life.*" (Interviewee 4)

This quotation refers to the argument in Chapter 5 around the construction of human rights in Barrancabermeja and the slow opening of the concept to structural, spatial conditionings. This represents the process of local construction of human rights, which is slowly expanding from civil and political rights to environmental matters, constructing wider meaning on what human rights are. Furthermore, Interviewee 4 is relating this meaning around human rights as a source of future social movements, making a direct connection between the social construction of meaning around rights and the development of collective action.

Therefore, in this section I continued to discuss the central role of space for the construction of rights practices and the development of the relational facet of spatial structures in the region of Barrancabermeja. The social movements organised in the 1960s around space and access to basic urban resources in Magdalena Medio did not only have an impact at the local and regional level, but saw the formation of one of the major *guerrillas* in the country. This process highlights the power of social organisations to impact the construction of rights practice at local scale, and condition the national political context. Hence, I interpret local and regional narratives around space and spatial resources in the 1960s as fundamental in the construction of the later political context at national scale, highlighting the agency of space in impacting the construction of rights and the development of political movements.

3. Findings and final thoughts.

With this chapter, I conclude the analysis of empirical data in this research, which has provided valuable insights around key theoretical arguments. First, I analysed the process of construction of the human right to water, highlighting the role of civil society. This relates to this thesis' empirical standpoint as far as it articulates the human right to water as socially constructed. Then, I discussed in depth water as a spatial feature that produces space and constructs rights. I debated access to safe drinking water and water as constructing cultural landscapes, presenting two different ways in which water as a spatial feature conditions the experience of rights. This is one of the ways in which this research impacts related literature, since it presents water as intervening with the experience of rights due to its spatial functions.

Furthermore, empirical data allowed me to discuss narratives around access to water and other urban resources, the role of cultural landscapes in the experience of rights, and the importance of water in the development of local practices around social mobilisations. These experiences seem to be understood by inhabiting communities through the platform-canvas of space. From this perspective, the focus lies on the convergence of socio-environmental processes, the transformation of their influence on the everyday experience of rights.

I applied the right to the city rationale to interpret the effect of spatial resources that feature in everyday rights experiences. This exercise drove me to conclude that access to safe drinking water articulates spatial resources from an individual standpoint, whilst the role of water in the production of cultural landscapes relies on collective, structural grounds. This is how this research relates to arguments like Menatti's (2017), who defends that a human right to landscape implies the acknowledgement of the "commons" or collective assets into human rights frameworks.

I consider that this is yet another example of a spatial rights struggle that could be legitimised through the full integration of the right to the city to human rights. The right to the city is conceptualised on the premise that urban space is produced and experienced collectively, and that its management conditions the experience of rights. If we are to expand the right to the city rationale to other spaces that are not necessarily urban, this can promote the acknowledgement of landscapes and other spatial assets as significant for the process of construction of rights and the enjoyment of human rights in general.

Conceptualising water as it has been portrayed in this chapter helps us understand the effects of occurrences like Lisama 158 for inhabiting communities. In this sense, all the people that saw their cultural landscapes affected by the outcrop could see their *oeuvre* transformed. River settlers have traditionally taken care of secondary streams and organised their socioeconomic activity around the areas richer in fish, pasture and/or other basic resources. They have produced these spaces throughout generations to fit a series of purposes – not only economic purposes, but sociocultural, too. Hence, the damage of these spaces through water contamination neglects their *oeuvre* to river settlers which, under the language of landscape, has been already articulated as a human rights struggle.

Therefore, these statements showcase the close interaction of the right to the city and human rights, driving the "spatial turn" in human rights practice. This is why it is crucial to explicitly address space. Conceptualising space in human rights and articulating the role of the right to the city in the process fulfils a need for current human rights literature. Consequently, this research fills this gap in the present literature and provides a framework for the analysis of rights spatially, which this chapter has demonstrated can provide complementary readings to traditional human rights models.

Ultimately, in this chapter I have developed arguments that are useful to answer research question 1. In this regard, I argue that water contamination affects the fulfilment of human rights from different standpoints. On one hand, it represents a limitation to access to safe drinking water. On the other hand, it damages cultural landscapes and threatens the reproduction of practices that realise economic, social and cultural rights. Altogether, water is not interpreted uniquely in terms of the human right to water, highlighting that understanding rights through the platform-canvas facet of space implies evaluating how environmental and/or spatial resources intervene with the experience of rights on a structural level. This idea ultimately relates to the main arguments presented in this thesis' theoretical chapters, supporting the idea that the form of space is active in defining the experience and construction of rights.

Water is the perfect case in which to discuss all these issues, since Barrancabermeja is a space where one can directly see the symbiosis between local communities and hydrological networks. Water is not a right just because we need it to survive, but because it is part of the production of space. Hence, this research calls for the evaluation of environmental resources

from a spatial standpoint, looking to provide a complementary view on how spatial assets and environmental resources relate with rights experiences.

Conclusion.

Throughout this research, I made a number of statements that have the potential to impact current conversations in the fields of human rights and the right to the city. This is all thanks to the concept and structure of space, which has been presented as their encounter point and as facilitating the interrelation of both practices. To scrutinise this theme, I chose to use Barrancabermeja, a city that explicitly reveals the spatial aspect of human rights. Its enclave characteristics, together with the experience of civil war and the contamination of natural water courses, make it an ideal context to understand human rights from a spatial standpoint. What I observed is that local rights struggles were articulated using human rights language; however, they showcased practices and narratives related to the right to the city. That brought me to one of the principal conclusions of this research: rights struggles around space or spatial features bring the right to the city into human rights practice.

This statement led me onto a subsequent idea: the right to the city is useful to articulate spatial rights struggles, not only within the urban, but in all social space. The process of production of space as envisioned by the literature can be related to the process of construction of rights from a social constructivist standpoint, which highlights that, in producing space, one is constructing rights experiences (Lefebvre, 1991). This rationale can be applied to any space at any scale, and provides an extra layer of analysis to understand the development and experience of rights around the world. However, I acknowledge that the concept and material reality of "space" is complex and multifaceted. Zielienec highlights that "Lefebvre's spatial theory emphasises that what is essential for true knowledge of space is an overarching understanding of its complex features and elements involved in its production" (2018:12). The theoretical framework used in this research represents a step towards the careful identification and conceptualisation of the "complex features and elements involved in its production", contributing to the development of frameworks to understand rights.

To meet this aim, I introduced the three facets of space as different functional aspects of spatial structures. First, I discussed space as a platform-canvas, which refers to the physical properties and the process of production of material space. This concept conveys that space is a fabric over which natural and social processes collide and create landscapes. Second, I introduced the relational facet of space. This facet describes space as the support for intra-

relational networks and as an actor capable of interacting with others on an independent basis. Thirdly, I presented the instrumental facet of space, addressing the ability of actors to instrumentalise the material and symbolic production of space and the dissemination of spatial information to meet their needs and values. All these facets relate to the production of space as described by Lefebvre. He discussed the production of urban space as a process hosted by the platform-canvas of space, presenting the political economy of urban areas as means through which capitalist actors instrumentalise urban space for economic profit. All these processes create social networks through which inhabitants can share their experience of space and organise collective action.

Hence, the three facets of space are useful to apply the right to the city rationale to spaces and/or processes that may not be traditionally related to the right to the city literature. Furthermore, it allows a detailed analysis of the spatial experience of rights from different standpoints. This showcases that spatial approaches to rights research represent an opportunity to scrutinise the same process from distinct angles, building human rights knowledge that integrates several topics and themes.

Hence, and since my argument revolves around the spatial aspect of human rights, I began this thesis by discussing the epistemological and ontological basis for the consideration of space in human rights practice. For this purpose, I addressed two major names and a fundamental academic discussion in the field of the sociology of rights. First, I highlight that Waters (1996) sets the epistemological basis for a spatial analysis of human rights by presenting rights from a social constructivist standpoint, and considering that space is a significant conditioning platform for the experience of rights. Then, Turner's (1993) ontology of human rights, based on human frailty and experiences of justice, is embedded in space, which is a fundamental element for the development of collective and individual ideas around justice and well-being.

In Chapter 1, I also presented the role of spatial structures for human rights. In short, space as a structure is conditioned and conditions human rights practice, disclosing yet another way in which the relationship of space-human rights can be understood. The case of Barrancabermeja provided valuable empirical evidence to discuss this principle, showcasing that the economic functions of the urban space (petroleum enclave), the physical characteristics of the environment, and clashes among political interest groups have traditionally informed and created specific practices around spatial rights struggles.

Ultimately, in this chapter I introduced Bourdieu's work on legitimate language (1991) to interpret how different human rights agents (institutions, the law and civil society) understood spatial rights struggles. In this regard, I noted that authority-rich institutions and instruments do not integrate space in rights frameworks, which can be seen as an obstacle for the validation of spatial human rights struggles. This is what I observed with the case of Lisama 158, where the previous discussion on legitimate human rights claims and valid spatial knowledge proved useful to understand the dynamics between local communities and the UN mission. This was a perfect empirical case that supported the previous argument – the fact that space is not part of human rights frameworks prevents the validation of spatial rights struggles as human rights struggles. In this regard, I consider that the right to the city can serve as an instrument for the legitimisation of spatial struggles as a human rights issue. Hence, I subscribe to the body of literature that calls for the integration of the right to the city into human rights frameworks.

In Chapter 2, I concentrated on the spatial aspect of human rights and its predecessors in human rights literature. I highlight the literature on human rights cities as based on the spatial experience of rights in urban areas, highlighting that it engages with spatial approaches to human rights. However, I want to highlight Grigolo's (2019) conceptualisation of human rights cities as the urban practice of human rights, as far as it highlights that space conditions human rights practice. Again, this is a topic represented in the development of rights practice in Barrancabermeja, as far as spatial experiences of injustice within the urban have proven to significantly affect rights practice. From the arrival of the Tropical Oil Company and the importation of ideas around trade unionism, to 1960s social movements for urban services and to the human rights mobilisations that have been taking place since the 1980s, these rights practices are all related to people's experiences of space and rights. Hence, Barranca has its own urban human rights practice, although it is qualitatively different to that of cities like Barcelona or San Francisco due to its spatial context.

I continued the chapter by discussing the academic literature on human rights and the environment, as far as it is a constitutive layer of spatial structures. In this regard, I highlighted that this research is in line with academic literature as far as it highlights the ethical relationship between environments and societies, and how it may impact the enjoyment of rights. This theme is discussed with empirical data referring to water quality, environmental health and cultural landscapes, articulating environmental (mis)management of the petroleum industry as conditioning the enjoyment of rights of inhabiting communities.

In this sense, it is important to note that the empirical discussion revolves around water as a spatial resource affecting rights, not exclusively in the terms of the human right to water.

Studying the empirical data around cultural landscapes and the sentiment of communities regarding their destruction showcased a relationship between this empirical case and the idea of *oeuvre* as presented by Lefebvre (1996). Lefebvre understood that the domination of the production of urban space by capitalist actors denied inhabitants the ability to make the city their *oeuvre*. This ultimately relates to the depiction of the right to the city in the introduction of this thesis, as a framework looking to enhance the social value of space before its exchange value (Lefebvre, 1996). The social value of space is clearly observed in the case of Barranca's river settlers, which understand the rivers and related environments not only as fundamental assets and traditional economic practices, but as the collaborative creation of generations and the jungle. Hence, the destruction of these landscapes can be interpreted as threatening the realisation of the human rights to work, to participate in cultural life and to access safe environmental resources. Nonetheless, the purely human rights approach provides a limited view of the implications of the destruction of natural landscapes for the experience of rights. In contrast, the right to the city that formulates the destruction of the inhabitants' *oeuvres* is an act of dominance over space, where powerful actors demonstrate their practical capability to change social practice and overall everyday life.

These processes alienate inhabitants from the production of space and construction of rights (Aalbers and Gibb, 2014). Most worryingly, these experiences are beyond the actual protection schemes of human rights, which are constructed around individuals' entitlements over cultural, economic and social life. The idea of the *oeuvre* for rights brings forward the need of communities to feel ownership and be capable of shaping social lives and the lived environment. Its introduction in legitimate human rights protection frameworks would imply a revolution in international rights schemes, as far as it would contribute to the enhancement of the social value of space for the enjoyment of human rights before its exchange value within economic settings.

The integration of the right to the city and human rights in academic literature and official frameworks was discussed in Chapter 3. One of the most interesting aspects of this debate was the idea of the standardisation of the right to the city by human rights frameworks, which relates to Kymulu's (2013) and Purcell's (2014) criticisms. Fundamentally, they argue that human rights official frameworks are dispossessing the right to the city from its most radical

elements, such as the integration of the idea of collective *oeuvres* for the enjoyment of rights (Kymulu, 2013; Purcell, 2014). I agree with their arguments, as far as the *World Cities Report* (UN-HABITAT, 2020) and the *Policy Paper 1: The right to the city and cities for all* (UN-HABITAT, 2016) present the right to the city rather as a framework to further elaborate urban issues within existing human rights, like the human right to housing.

However, these documents do not fully integrate the right to the city, as far as the collective element of the experience of rights and the collective production of space are not discussed as such. This is what can be viewed as standardisation from a Bourdieusian standpoint, as far as human rights are re-articulating the right to the city following their own principles and rationales. In this regard, I argue that human rights are showing to be influenced by the right to the city practice; however, they are also impacting it, in turn.

Nonetheless, it is crucial to understand that this process has developed differently, depending on the spaces where human rights and the right to the city interact. This is discussed in the second section of Chapter 3, where I highlight that the interaction of human rights and the right to the city practice within international and legitimate human rights spaces is very different to that in spaces like Barrancabermeja. In Barrancabermeja, the right to the city practices are not being standardised to fit human rights frameworks, but transform human rights thought and practice. The empirical cases discussed throughout this thesis support the idea that the characteristics of spaces, as the platforms where the right to the city and human rights practice interrelate, have agency over the outcome. While international and legitimate human rights spaces are standardising the right to the city to fit traditional human rights frameworks, cities like Barrancabermeja are developing new human rights practices over the spatial and collective grounds of the right to the city.

This theme is discussed carefully throughout Chapter 5. In those pages, I argued that the spatial character of the experience of justice had a central role in the development of local rights struggles that relate to those of the right to the city. Experiences around predatory capitalist practices and the undemocratisation of the production of space have had a direct effect over the enjoyment of human rights, driving civil society to relate both rationales. This can be an explanation for the fact that local rights practice, even though it has been largely articulated in human rights terms, showcases elements of the right to the city. The reappropriation of space by civil society has been traditionally used to demonstrate the public ownership of the urban space throughout human rights movements during *paros cívicos* (van

Isschot, 2015). Hence, the *paro cívico* for the human right to live that took place in Barrancabermeja in 1987, the first of its kind in Colombia (van Isschot, 2015), represents an interesting empirical case to support this idea.

However, people in Barrancabermeja did not only have to reappropriate space from the petroleum industry, but from a variety of armed actors. In Chapter 6, I discussed how the production of space by armed actors through violence created a situation of para-state, where armed actors acquired significant power over the development of everyday life. This developed a rejection of all armed actors by sectors of civil society that, following Kalyvas' (2006) work, signifies a continuation of civil war as far as the conflict is considered over only when civil society willingly or unwillingly shows support for one of the parties.

Furthermore, in Chapter 6 I showcased an original element of the methodology of this research. I applied spatial statistics over a dataset recording specific instances of abuse, as reported in *Noche y Niebla* to: 1) acquire evidence on whether space and/or spatial features controlled the practices of armed actors; and 2) create spatial visualisations of an account of the civil war in Barrancabermeja. Significantly, it is a set of empirical data that is useful to support the view that space has a significant role in the experience of rights, as far as it showcases that inhabitants in specific areas, due to their spatial characteristics, were more affected than others.

Next, Chapter 7 discusses how spatial knowledge is produced and communicated in a region characterised by armed conflict and statelessness, looking into its effects in human rights claims. In this chapter, I also introduced Lisama 158's outcrop and discussed the rights struggles derived from the contamination of natural hydrological networks. This was useful information and enabled me to discuss water as a spatial resource that impacts rights, as far as the same argument had already supported different empirical data. This brought the analysis in this thesis to an end, as far as I had discussed a variety of empirical contexts in the city of Barrancabermeja that permitted me to support the main theoretical arguments in this thesis and answer the research questions, as specified in each of the chapters.

However, I want to highlight in this conclusion one of the findings I consider more representative of the story of Barrancabermeja and this research. In Chapter 5, I presented quotations where participants highlighted that they did not understand Barrancabermeja as a city; and the reason why Barranca is not a city is because it has not been produced for that purpose, but for economic profit. This situation detaches inhabitants from the space they

inhabit, creating strong barriers for civil society to make Barranca's urban structure their *oeuvre*.

Nonetheless, I want to stress that Barramejos have indeed created the concept of Barrancabermeja. The resilience before statelessness and the adequation of the territory, its *contestaria* and rebel attitudes, and the long tradition of social movements, have created meaning around Barranca. Barranca has a strong meaning in Colombian cultural, political and economic conversations, where the insurgent tradition of civil society is the fundamental point of departure. And that is the *oeuvre* of generations of Barramejos (gentilic): Barranca may not be a *city*, but it is definitely something. It is an idea, it is a practice and a narrative of modern Colombian history that shows that there is space in human rights, which is communicated with the right to the city rationale.

All the ideas, information and knowledge I have highlighted in this concluding section allowed me to provide direct and clear answers to this thesis' research questions. With regards to the main research question, I argue that space affects rights as far as it determines the context where they are experienced. Human rights and the right to the city are languages and practices used to articulate this situation, interacting and affecting each other. This process has participated in the spatial turn in rights literature, official frameworks and social movements, showcasing that space has become a central issue in rights debates.

Considering research question 1, I understand that the material production of space shapes landscapes and the economic, cultural and ecological characteristics of the inhabited space, which partly creates the context mentioned in the previous paragraph. The case of Barrancabermeja unveils the fact that the production of space by the petroleum industry has severely damaged water, catalysing rights struggles from the standpoint of access to safe drinking water to the maintenance of cultural landscapes and traditional practices. Likewise, it notes that the material and symbolic production of space has significantly influenced the construction of local rights practice.

Considering research question 2, I conclude that the relational capabilities of Barranca's space allowed local civil society to engage with collective rights practices in the shape of social movements, and attracted a wide variety of national and international organisations. This process participated in the construction of meaning around the space of Barrancabermeja and facilitated the interaction with institutions at different scales. The case of Barrancabermeja showcases the relevance of the relational facet of spaces for the

construction of rights practices at different levels, highlighting that this can be a crucial level of analysis to understand the development of rights practice.

Considering research question 3, I understand that economic actors in Barrancabermeja have instrumentalised space to exploit its exchange value to the detriment of its social value. Besides this, illegal armed actors have used civil war violence as a means to symbolically produce space (paramilitaries and *guerrillas*) and to disturb its economic functions (*guerrillas*). Ultimately, civil society decided to engage with space occupation and function disabling methods to reappropriate space from armed actors and the petroleum industry. Findings gathered throughout this thesis showcase that these methods have significantly affected rights practices, becoming a key level of analysis to understand elements of the construction of rights practices.

To finish this thesis, I state that this research portrays how space and rights practices relate. I understand that the right to the city can serve as a framework to understand this relationship, providing crucial mechanisms for the expansion of human rights. Furthermore, I showcased the validity of this investigation's theoretical framework to analyse the empirical case of Barrancabermeja. This is a crucial endeavour that showcases that this research represents an original contribution to rights discussions for several reasons. First, it scrutinises space for the experience of rights, and calls for the integration of the right to the city in human rights frameworks to legitimise spatial rights struggles. Secondly, it provides a functional framework to analyse rights contexts spatially. Thirdly, it applies methodology that is not regularly used in rights research. These three points prove that this research represents a push in existing rights discussions, participating in the construction and development of rights narratives and practices.

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Appendix A. Questionnaire copy

CUESTIONARIO EN CALIDAD DE AGUA Y ACCESO A SERVICIOS URBANOS EN BARRANCABERMEJA

Gracias por pensar en participat en esta investigación. Antes de comenzar a responder al cuestionario, es muy importante que conoxca las razones por las que esta investigación se está desarrollando y cómo los datos serán protegidos y mantenidos anónimos. Por favor, tome unos minutos para leer las características de la investigación de forma que pueda tomar una decisión informada sobre participar o no en la investigación.

¿DE QUÉ TRATA ESTA INVESTIGACIÓN Y POR QUÉ ES IMPORTANTE ?

Esta investigación versa sobre temas de derecos humanos y el derecho a la ciudad en relación con la calidad ambiental del territorio y acceso a servicios urbanos. La contaminación de los cursos naturales de agua en Barrancabermeja como consecuencia de procesos industriales ha llegado a niveles perjudiciales para la salud, lo que implica que afecta a los derechos humanos a la vida y a la salud de los habitantes de Barrancabermeja. Además, el acceso a servicios urbanos básicos como educación, sandad y servicios estructurales directamente afectan la calidad de vida y la dignidad de los habitantes. Este cuestionario forma parte de una metodología de investigaci,ón que pretende indentificat cómo los habitantes de Barrancabermeja entienden la contaminación al agua y su posición ante el derecho humano al además de determinar el acceso a servicios urbaos básicos. Es muy importante conocer sus experiencias si se quire producir conocimiento científico que potencialmente ayude a mejorar la situación del medio ambiente local, el acceso a servicios urbanos básicos y el cumplimiento de los derechos humanos.

¿QUIÉN DESARROLLA ESTA INVESTIGACIÓN ?

La investigación está siendo llevada a cabo por Fátima García Elena, estudiante de doctorado en Nottingham Trent University, Reino Unido. Ha sido diseñada por Fátima García Elena y sus supervisores después de visitar Barrancabermeja en el pasado y observar la magnitud de los daños medioambientales.

¿QUÉ SIGNIFICA EXACTAMENTE QUE LOS DATOS VAYAN A SER « ANÓNIMOS » Y CÓMO VAN A SER PROTEGIDOS ?

Significa que las respuestas (datos) que entregue con el cuestionario no podrán ser relacionados con su persona de ninguna manera después de la entrega del cuestionario. Los cuestionarios no son relacionados ni con nombres personales ni con direcciones postales, sólo contendrán la información de la comuna que habita/visita en Barrancabermeja.

Los datos derivados de los cuestionarios serán tratados de forma confidencial y mantenidos en un lugar seguro en todo momento.

¿QUÉ PASA SI DESPUÉS DE ENTREGAR EL CUESTIONARIO CAMBIO DE OPINIÓN Y NO QUIERO QUE LOS DATOS QUE HE PROPORCIONADO SEAN USADOS?

No se preocupe, puede retirar sus datos de la investigación y el método es muy sencillo. Si se fija, al comienzo del cuestionario, en la parte de arriba, encontrará una línea de puntos que dice "palabra de referencia". Esta palabra funciona como una contraseña: recuerde escribir una palabra de referencia en esa línea de puntos y, si quiere que si cuestionario se retire de la base de datos de la investigación, por facor contácteme en el email que encontrar,'a al final de esta información y escriba la palabra de rederencia antes del 1 de Agosto de 2019. Yo destruiré de forma inmediata el cuestionario con esa palabra de referencia de forma que sus respuestas no podrán ser utilizadas de ninguna forma.

¿LA PARTICIPACIÓN EN ESTA INVESTIGACIÓN A TRAVÉS DE CUESTIONARIOS IMPLICA ALGÚN PROBLEMA O RIESGO?

Contestar a este cuestionatio no implica ningún riesgo para useted teniendo en cuenta que sus datos (respuestas) serán anónimos. Lo único que requiere es un poco de su atención y tiempo para leer y enternder estas condiciones y rellenar el cuestionario.

¿QUÉ OCURRIRÁ DESPU ÉS DE CONTESTAR EL CUESTIONARIO ?

Utilizaré los datos para producir información sobre el tema del agua en Barrancabermeja, escribir una tésis doctoral y artículos científicos. Como participante en esta investigación, tiene derecho a pedir un informe en el reultado de la misma. Para pedir el informe, por favor contácteme en la dirección email al final de esta información y yo se lo mandaré en cuanto esté disponible.

Muchas gracias por su tiempo.

Por favor marque con una X si aplica

He leído este documento y entiendo los objetivos de la investigación y mi papel en ella. ☐

La investigadora me ha dado la oportunidad de hacer preguntas y las ha contestado. ☐

Entiendo que la participación es voluntaria y que puedo retirarme y retirar los datos

compartidos de la forma que se especifica en esta información. ☐

Quiero particioar en esta investigación.

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Firma del participante   Fecha

Certifico que he presentado y explicado la información recogida en este formulario al participante. ☐

Firma de la investigadora   Fecha

Contacto:

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CUESTIONARIO

Palabra de referencia para la retirada de datos:………………

Por favor, rodee con un **CÍRCULO** la respuesta que más se adapte a usted y/o escriba la información requerida en **MAYÚSCULAS**.

1. **¿De qué fuente proviene e lagua que toma para consumo diario en su vivienda?**

   -Suministro público de agua en Barrancabermeja.
   -Agua embotellada / embolsada.
   -Entrega de agua a domicilio.
   -Otro. Por favor especifique:……………………

2. **¿Realiza algún tratamiento al agua que toma para consumo diario?**

   -No.
   -Hervir.
   -Filtrar.
   -Otro. Por favor especifique:……………………...

3. **¿Ha sufrido alguna vez escasez de agua en su domicilio (tanto como para consumo diario cono para higiene o limpieza)?**

   Si   No

4. **¿En caso de haber contestado "Si" a la pregunta anterior, con qué frecuencia?**

   -Muy pocas veces (menos de 5 en su vida o tiempo viviendo en Barrancabermeja).
   -Alguna vez al año (ocurrencias anuales mantenidas).
   -Cada mes.
   -Cada semana

5. **¿Ha sufrido usted o alguna persona que viva en su mismo domicilio problemas de salid por ingerir o estar en contacto con agua suministrada en Barrancabermeja (grifo, ducha) o aguas de cursos naturales (el río, quebradas y/o ciénagas)?**

   Si   No

6. **Si ha contestado "Si" a la pregunta anterior, ¿le importaría especificar qué problema(s)?**

   …………………………………………………………………………………………
   …………………………………………………………………………………………
   …………………………………………………………………………………………
   ………

7. **¿Ha sufrido usted o alguna persona que viva en su domicilio problemas de salud o intoxicación por ingerir alimentos (verduras, frutas, carnes o pescados) producido en Barrancabermeja?**

   Si   No

8. **Si ha contestado "Si" a la pregunta anterior, ¿le importaría especificar qué problema(s)?**

   …………………………………………………………………………………………
   …………………………………………………………………………………………
   …………………………………………………………………………………………
   …………………………………………………………………………………………
   …………………………………………………………………………………

9. **¿Considera que el acceso público al agua porable es un derecho humano?**

   Si   No

10. **¿Considera que en Barrancabermeja el acceso a una educación pública y de calidad está asegurado?**

    Si   No

11. **¿Ha tenido usted o alguno de los miembros de su familia impedimentos a la hora de acceder a la educación, ya sea por parte de la administración o por un tema económico?**

    Si   No

12. **¿Considera que en Barrancabermeja el acceso a una sanidad pública y de calidad está garantizado?**

    Si   No

13. **¿Ha tenido usted o alguno de los miembros de su familia impedipentos a la hora de acceder a sanidad, ya sea por parte de la administración o por un tema económico?**

    Si   No

14. ¿Alguna vez durante su tiempo viviendo en Barrancabermeja no ha tenido usted acceso a servicios infraestructurales urbanos básicos como alcantarillado o acceso formalizado a electricidad y gas?

Si   No

15. Si ha contestado "Si" a la pregunta anterior, ¿le importaría especificar qué servicios ho ha podido acceder de forma formalizada?

Electricidad   Gas   Alcantarillado

16. ¿Conoce usted a algún grupo familiar que no tenga acceso a dischos servicios urbanos.

Si   No

17. ¿Con qué género se identifica usted?

Masculino   Femenino   Otro

18. ¿Cuál es su grupo de edad?

18-25   26-35   36-45   46-55   +56

19. ¿Con qué grupo étnico se identifica?

Latino   Afro-Caribeño   Blanco   Negro
          Otro:…………

20. ¿Cuántos adultos y niños viven en su domicilio ?

Adultos :…………   Niños :……………..

21. ¿En qué comuna vive usted ?

Comuna 1 – Comuna 2 – Comuna 3 – Comuna 4 – Comuna 5 – Comuna 6 – Comuna 7

Muchas gracias por su tiempo. Por favor, si tiene usted algo más que comentar que el cuestionario no ha cubierto y considera importante, utilice el resto de la hoja para escribirlo.