

April 28, 2016

Ambassador Juan Carlos Pinzon
1724 Massachusetts Ave NW
Washington, DC 20036

Dear Ambassador Pinzon,

As non-governmental organizations, activists, academics and others who follow the situation of Afro-Colombian communities we are outraged by the actions taken by the ESMAD police against pacific protestors in northern Cauca on April 26 and 27. We have received reports that multiple civilians were injured and two children, including a baby 3 weeks old, were victimized. While we understand that by Colombian law protestors must not block any roads, we find that there is no justification for such an aggressive, disproportionate attack against peaceful protestors. Furthermore, we received reports that a series of attacks took place precisely while Afro-Colombian leaders were meeting with representatives of the Colombian authorities in order to find a mutually beneficial solution to this situation and that the ESMAD entered persons' homes. The aggressive and excessive use of force and teargas utilized by the ESMAD not only provoked the community but reinforced the notion that the Colombian government does not care about the rights of the Afro-Colombian community.

It is worth noting that this demonstration was organized by 41 Afro-Colombian Community Councils in northern Cauca grouped into ACONC after several years of exhausting all of the relevant internal mechanisms to try and resolve the issues at hand. For years, members of this community have suffered assassinations, massacres, displacements, death threats, illegal encroachment of mining operations with the collusion of armed groups in their lands, environmental damage and mining accidents and the Colombian authorities have not addressed their concerns. They have taken legal actions and the Constitutional Court has ordered Colombia to take actions and Colombia has not abided by the Court's will. The concerns of these communities are repeatedly raised to Colombian authorities directly by these leaders but also by international actors including the United Nations, Organization of American States and the U.S. Congress.

In 2014, over 70 Afro-Colombian women marched from Cauca to Bogota to get Colombia to respond to the environmental degradation linked to illegal mining operations, violence and threats taking place in their ancestral territories. The Black Women's Movement for the Protection of Life and Ancestral Lands (*Movilización de las Mujeres Negras por el Cuidado de la Vida y de los Territorios Ancestrales*), negotiated with the Ministry of the Interior various points that once the international pressure subsided just remained on paper. A member of this community, Francia Marquez travelled to Havana to provide input to the Victims and Justice Accord that parties in Cuba were negotiating. In 2015, Ms. Marquez was awarded the 2015 National Human Rights Prize for her outstanding advocacy efforts.

Since these communities repeated demands have not been met ACONC and the Black Communities Process (PCN) had no other choice but to protest. They should be allowed to protest freely without being harmed and treated as criminals. In essence, these communities are just asking the authorities to do what it has promised and is mandated for them to do within the Colombian constitution, subsequent laws and Court orders. It is asking that the authorities treat them with dignity, respect and uphold their rights.

Among the demands of the protestors are the following:

- 1) That their Afro-Colombian community councils are recognized and that their ancestral lands are collectively titled to them.
- 2) That the projects planned in this area that affect their territories, livelihood and way of life are previously consulted with them. These include: the Villa Rica-Santander de Quilichao to Popayan highway; Regional Afro-Caucan Water Aqueduct and projects proposed by the Plan Pazifiko initiative; companies operating in the area due to the Paez law and trade zone.
- 3) That the authorities develop a timeline to implement the agreement that came out of the Black Women's March and that it be adhered to.
- 4) That the Afro-Colombian Peace Council (CONPA) and Ethnic Commission are invited to dialogue with the parties negotiating peace in Cuba so as to establish mechanisms that guarantee that the accords are implemented in a differentiated manner in Afro-Colombian and indigenous communities.

We urge you to take immediate action to guarantee that your government set up a high-profile commission containing all the relevant agencies that can constructively address these demands of the protestors. We also ask that you request that the Attorney General's office immediately investigate the allegations of abuse committed by the ESMAD against these communities during these protests and that cases of death threats, attacks and other forms of intimidation against members of ACONC and PCN are immediately investigated and perpetrators brought to justice.

We thank you in advance for your attention and look forward to receiving your response regarding this important matter.

Sincerely,

Gimena Sanchez and Adam Isacson, Senior Associates, and Darryl Chappel, Member of the Board, Washington Office on Latin America (WOLA)

Fred Redmond, Vice President, and Daniel Kovalik, Associate General Counsel, United Steelworkers, AFL-CIO (USW)

Carlos Quesada, Executive Director, and Dominic Procopio, Latin America Program Officer, International Institute for Race and Equality

Lisa Haugaard, Executive Director, Latin America Working Group (LAWG)

Anthony Dest, Founder, Colombia Land Rights Monitor

Arturo Escobar, Professor of Anthropology, UNC- Chapel Hill

Joseph Jordan, Professor, UNC- Chapel Hill

Marino Cordoba, Director, AFRODES International

Willie Baker, member of Coalition of Black Trade Unionists (CBTU) delegation to Colombia
October 2015

Tianna Paschel, Professor of African American and African Diaspora Studies, UC Berkeley

Gail Phares, Witness for Peace Southeast

Ajamu Dillahunt, Black Workers for Justice

Theresa El-Amin, Regional Director, Southern Anti-Racism Network

James Early, Institute for Policy Studies Board and Member Regional Articulation of Afro-
Descendants in the Caribbean and the Americas

Miriam Jimenez Roman, Executive Director, AFROLATINO FORUM

Marian Douglas-Ungaro, AFROAMERICAS Network

Valentina Pernet, Georgetown University Graduate Student

Kevin Healy

Verny Varela

Lezli Baskerville, President & CEO, NAFEO

Paige Shell-Spurling, Coordinator of the Colombia Section of the Portland Central America
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Elise Roberts, Witness for Peace Midwest

Eunice Escobar, Afro-Colombian activist

John P. Walsh, Chair, National Board of Directors, Witness for Peace

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