



## National Indigenous Organization of Colombia – ONIC<sup>1</sup>

The National Indigenous Organization of Colombia (ONIC) respectfully greets US Members of Congress and the audience. We are thankful for the opportunity to present our perspective on the Indigenous Communities of Colombia.

The Colombian Constitutional Court's Orders 004 and 092 of 2009 and Order 008 of 2010; the reports of the United Nations Rapporteur for Rights and Freedoms of Indigenous Communities from their visits to Colombia in 2004 and 2009; Amnesty International's February 2010 report; and several international and Colombian human rights organizations confirm that indigenous communities in Colombia face a humanitarian tragedy that worsens by the day.

At least three factors determine this situation: the economic model, the armed conflict, and the lack of specific policies that respect the rights of indigenous people.

Indigenous communities conserve the equilibrium, harmony and property of Colombia's diverse geological territories (jungles, mountains and plains) which are seen by the current economic model as a source of wealth.

The government's search for investment and extraction of natural resources implies the proliferation of mining concessions and infrastructural large scale economic projects or "mega-projects"; the expansion of agricultural boundaries for industrial cash crops; and the legalization of violent expropriations committed by armed actors.

In many parts of the country, the Colombian armed forces lead violent military occupations against communities in order to facilitate the implementation of mega-projects. The actions of guerrilla and paramilitary groups who seek control of our territories in order to secure the extortion of multinational companies are of equal concern. These confrontations, far from achieving an ideological objective, are over territorial control. This is the primary motivation for violence against the civilian population and forced displacement in Colombia.

More than 80% of our territories have been conceded for the implementation of economic projects without respect for our right to previous consultation. In September 2009, the Colombian state decided that the colonial reserves, which are over 190 years old, **DO NOT EXIST**.

Between 2002 and 2008, over **70,000** indigenous people were registered for individual or collective internal displacement; in 2009 alone, **6,201** indigenous people were violently expelled from their ancestral homelands.

During 2009, **114** indigenous people were murdered, a 63% increase from 2008.

While we have a normative framework that is progressive and legally constituted consultation processes, we do not have policies that favor the indigenous peoples that help resolve the historical abandonment, segregation and exclusion that we've experienced in decision making processes.

On the contrary, despite orders from the Constitutional Court, the Colombian Government has not complied. The Colombian Government's reservations, which were exposed by their abstention during the vote on the Declaration on the Rights of Indigenous People in the United Nations, remain valid.

32.4% of the indigenous population is not covered by healthcare. In 2009, 45 children from the Puinave, Curripaco, and Sikuni communities died from lack of medical attention.

Education is implemented using external models. High levels of illiteracy and drop-outs, in addition to low coverage, persist in indigenous communities. Teachers' salaries are discriminated against because of their ethnic background or because they are working with our communities.

US Members of Congress have already made statements on internal displacement specifically addressing indigenous populations. The situation becomes more worrisome because many indigenous people do not denounce violations; limitations of language and geography, in addition to the presence of armed actors, prevent them from doing so.

We are worried about the role of the United States in supporting policies that affect our cultures and can put our existence at risk. The Colombian Constitutional Court has signaled at least 34 indigenous groups that are at risk of *physically and culturally* disappearing. According to ONIC, the figure exceeds more than 64 groups. It is unthinkable that humanity would permit tragedies such as this in the 21<sup>st</sup> century by not revising cooperation policies with the Colombian Government.

We recommend that the United States Congress call on the Colombian Government to fully and without reservations apply the sacred rights in the United Nations Declaration on the Rights of Indigenous Populations through policies that are urgent, effective and agreed upon.

We also recommend that the US Congress make a statement on the situation of the communities that are at risk of extinction and acts to support our campaign in favor of these communities.

We are very pleased to see the introduction of House Resolution 1224 by Representative Hank Johnson of Georgia on *Recognizing and honoring the important work that Colombia's Constitutional Court has done on behalf of Colombia's internally displaced persons, especially indigenous peoples, Afro-Colombians, and women*. We hope that all Members of the US Congress co-sponsor this resolution and that the House of Representatives passes it soon.

We suggest that the US Congress ask the Department of State not to certify military assistance to the Colombia given the high number of abuses committed by the Colombian armed forces in indigenous territories; (extrajudicial executions and not applying the principle of distinguishing themselves from the civilian population). The Department of State should first verify that effective changes have been made in the conduct of the armed forces and that they have resolved the cases of violations already committed.

Similarly, we solicit that you revise the assistance given to fumigation policies because their implications are very grave for indigenous populations and nature.

We recommend that you do not consider discussing the Free Trade Agreement, with this government or whichever other one, without first complying with the fundamental right to previous consultation with the indigenous groups.

Just like the rest of the civilian population, the indigenous populations consider that the extradition of paramilitary leaders to the United States cannot be turned into an excuse for impunity for crimes against humanity committed against us. We recommend that you support truth, justice and reparation processes and peace initiatives through political dialogue.

Cooperation should be direct and in accordance with the priorities of civil society and indigenous groups.

Finally, we reiterate our thanks and urge you to continue these kinds of meetings with more frequency and impact.

Thank you.

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<sup>1</sup> Translation from Spanish to English by Anthony Dest, Program Assistant, Washington Office on Latin America.