

COUNCIL OF AFRO-COLOMBIAN ORGANIZATIONS



PUBLIC STATEMENT

Organizations for victims of violence and displacement and associations and organizations of afro-descendants from the departments of the Caribbean Coast (Atlántico, Bolívar, Cesar, Córdoba, La Guajira y Sucre) met during July 8 and 9, 2011, in the city of Cartagena, for the workshop, “Victims Law Decree for Afrodescendants: Contributions to the creation of a decree for victims of African-descent and to the progress of free, prior, and informed consultation.”

Considering:

1. The approval of Law 1448 of 2011 (Victim’s Law and Restitution of Lands) violated, as it is now almost customary, our communities’ right to prior consultation and prior, free, and informed consent. An initiative contained in that Law (Art. 205), which is an executive decree with the force of law that should be developed with participation and agreed upon within 6 months of the passage of the law, constitutes a shortcut and a negative precedent for the rights of our communities. Keeping in mind these precedents, we are committed to drawing upon our experiences and organizations to create an autonomous proposal.
2. The grave situation that has arisen in rural zones, populated areas, and cities in the region due to death threats, targeted assassinations, forced displacements, and other violations of human rights and infractions of International Humanitarian Law has affected leaders of the Afro-descendent movement on the Caribbean coast and in other regions of the country, among others. These acts are perpetrated throughout the region by paramilitary groups with new names.
3. The threats to our survival as a distinct ethnic group in our territories, as presented by large-scale economic projects in the tourism, agro-industrial, mineral, and infrastructural sectors, endanger our ability to rise above historic discrimination and maintain our culture and traditional ways of life.
4. The necessity of creating autonomous consensus-building spaces regarding the issues that affect the human rights of Afro-Colombians, black people, *palenqueras*, and *raizales* requires the commitment of our associations, organizations, and leadership to give visibility to our demands for historical reparations that originate in structural racism deepened by human rights violations and infractions of international humanitarian law.
5. We observe with concern the lack of political will on the government’s behalf to fulfill the mandates of the Constitutional Court, especially those contained in the Order 005 of 2009, which seeks to move beyond the present state of unconstitutionality that distinctly impacts Afro-descendants through forced internal displacement, violations of human rights, and international humanitarian law.

We Resolve

1. To express our unwavering desire to continue with the process of coordinating at the municipal, departmental, and regional levels in the Caribbean in order to create our own proposal addressing the significance of our historic victimization, the forms and ways in which we will receive complete compensation, the search for truth, access to justice, and the guarantees of non-repetition.
2. To declare that our presence, actions, and perspectives in constructing our own proposals against the causes and consequences of racism, and the combined forms of racial discrimination and socio-political violence are legitimate and based in a direct and permanent dialogue with the Afro-Colombian victims, individuals, groups, and communities that have been built over many years. Therefore, we do not accept

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that the government's dialogue remains only in settings such as the High Level Consultative Commission that, although legal, are not legitimate because they do not consult with the communities. They do not represent us, nor are they invested with power in the decision making process on issues such as the National Development Plan for Black, Afro-Colombian, *Palenquera*, and *Razial* communities; the creation of the Victims Law's decree for Afro-Colombians; the position regarding Order 005; and the issue of prior consultation, among others.

3. To reiterate to the national government that we demand the inclusion of the National Afro-Colombian Council as a space for dialogue and decision-making on political issues of economic, social, and cultural importance that concern over 10 million Afrodescendants. In particular, we declare that Afrodescendent victims of forced displacement and other violations of human rights or humanitarian law do not feel represented in the High Level Consultative Commission, nor do we require intermediaries in order to be heard.

4. To reject the intentions of some members of the High Level Consultative Commission, in agreement with governmental authorities, that are pressuring the state institutions to end the full and effective participation of the diverse expressions of the Afro-Colombian movement which are distinct from those represented in the Departmental Consultative Commissions and the High Level Consultative Commission.

5. To invite state institutions, governmental bodies, civil society organizations, and international cooperation agencies to recognize our voice and positions in all of the decisions that might affect our form of life according to the conditions of free, prior, and informed consultation granted to us by national and international regulations.

Comité Departamental Desplazados- Bolívar

OAREL

Narrar para Vivir

MFOPD-Afrodos

Asoroblista

Kusuto – Atlántico

Consejo Comunitario Los Cardonales

Manuel Salvador Suarez

Asopalmas

Conosice

Movice-Sucre

Asociacion Kusuto

Kike – Avila

Jupoco y Afrocomp

Red de Consejos Comunitarios del Caribe

Niche

Fumuscrigua

Oeacor

Red de Mujeres Cristianas

Afrodos

AfroAriguani

Consultiva de Alto Nivel –Bolívar-pcn

Palenque Kusuto