

Public Opinion Announcement

The Major Community Council of the Popular Peasant Organization of the High Atrato-Chocó-Colombia (COCOMOPOCA), informs the national and international public opinion that it rejects the exaggerated delay on the part of the Colombian Institute for Rural Development (INCODER) in the transmission of collective titles according to law 70 of 1993¹

Since December 1999 we have made the tremendous administrative effort to have our collective lands titled. This is the longest collective titling process to take place in the history of Colombia since law 70 of 1993 came into affect. We want it to be resolved favorably. In December 23, 2010 INCODER in an administrative act that goes against legal norms and the interests of this Council, denominated some “40 persons to be “possessors of good faith” of these lands. These are persons who are not deserving of these titles. The legal representative of COCOMOPOCA presented within the legal process and counter legal argument on February 4 whereby he opposed this decision made by INCODER. While article 60 of the Contentious Administrative Code of Conduct places a 60 day timeframe to resolve this via the government and inform the petitioners, it is now April 5th and we have not received notification of any decision.

We therefore announce that we are gravely concerned about this situation since it is a violation of our rights. It also highlights a significant step backwards in the application of our collective title that we have tried to obtain for the past eleven years from the Colombian State. This delay also contradicts the verbal willingness to grant us this title expressed to us in a meeting that took place between representatives of our Council and the INCODER on January 17, of this year in Quibdó. At that meeting we were told that there was disposition on the part of the government to grant us our titles in a clear and broad manner.

For these reasons we ask all who have the competencies to do so to encourage INCODER to complete its legal obligation to expedite our Collective Title Resolution and to finally implement the request we made to it in December 1999 within the framework of law 70 of 1993 and decree 1745 of 1995.

We ask the Prosecutor General of the Nation and Human Rights Ombudsman to guarantee our human rights and comply with the law and the political constitution in particular articles 277 and 282. We hope that they can encourage INCODER to meet its legal obligations.

We urge INCODER to grant us the titling of our territory in accordance with the norms and the request realized by COCOMOPOCA.

April 5, 2011, Atrato

The Major Community Council of the Popular Peasant Organization of the High Atrato-Chocó-Colombia (COCOMOPOCA)

¹ Translated into English by WOLA.