



PCN



Colombia Nation of Nations Voices of Black Colombia

The rights of Afro-Colombians are found in the 1991 Colombian Constitution and Law 70 (1993), commonly known as the “Law of the Black communities” and in Convention 169 of the International Labor Organization (ILO). Historically, Afro-Colombians have suffered racism, racial discrimination and social exclusion. They have also been negatively impacted by Colombia’s internal armed conflict. Regarding the armed conflict, our communities have suffered massacres, displacements, assassinations, harassment, and arbitrary disappearances. Our leaders are persecuted; many have been killed and others have been forced to flee the country.

Our rights to truth, justice, and reparations are not guaranteed in Colombian legislation. In spite of the paramilitary demobilization and Justice and Peace Law, these individuals continue to be active in many of our territories.

Our fundamental, as well as social, economic, and political rights, are found in various international human rights treaties. The rights of our internally displaced brothers and sisters are articulated in the UN Guiding Principles on Internal Displacement.

Even though our collective and human rights are recognized in legal instruments and our community processes are legitimate, the Colombian State has systematically undermined the collective rights and interests of black communities. The recent negotiations for the Free Trade Agreement did not include consultation with our leaders and communities. As such, the Agreement does not guarantee that our collective rights or the economic sustainability of the resources found in our communities will be protected. Recent Colombian legislation such as the Forestry Law, Water Law and reforms to the Mining Code undermine and violate the rights stipulated in Law 70 and our overall human rights. The Forestry Law was developed with economic assistance from the United States.

The grassroots Afro-Colombian organizations that participated this weekend in the First International Conference of Afro-Colombian Grassroots Leaders in Washington, DC are greatly concerned about the negative consequences of the internal armed conflict and the human rights situation our communities are confronting. The Afro-Colombian territories are being negatively impacted by the development of large scale economic projects including the “African” Oil Palm. The implementation of the Andean Counter-Drug Initiative does not reflect the reality of the economic, social and environmental needs of our communities and has increased the suffering of our people. The fumigation program is destroying our natural environment, health, and the livelihood of our communities.

We have come to the United States to develop joint strategies for how to address this negative situation. We call upon US citizens to work with us, so that we can prevent further abuses against our communities and preserve our culture for future Afro-Colombian generations.

To that end, we have the following recommendations for Members of the United States Congress:

Do not Approve the Free Trade Agreement

Given that the Afro-Colombian communities were not consulted in the Free Trade Agreement negotiations process, we ask that you do not support or approve it. In its present form, the agreement does not guarantee that Afro-Colombian, indigenous and small farmers and their communities will benefit. It will also undermine the territorial rights of Afro-Colombian and indigenous communities.

Financially Support the Integral Plan for Ethnic Development

We recommend that the US appropriate \$250,000 to Colombia to support the Integral Plan for Ethnic Development. Such a plan will help guarantee the human rights of Afro-Colombian communities and promote the development of national policies that favor our communities.

Cease US Funded Fumigation Programs in Afro-Colombian Territories

The US should cease fumigation programs in Afro-Colombian territories and work with our communities to develop alternative programs that help to prevent the cultivation of illicit crops.

Protect the Human Rights of Afro-Colombians

The US should urge the Colombian government to develop and implement a policy that addresses the protection and humanitarian concerns of Afro-Colombian internally displaced persons. Such a policy should be a “differentiated approach” that targets their special concerns and addresses the needs of persons who are “confined” in their communities and cannot flee within the country to seek protection.

Increase technical assistance and funding to Afro-Colombian internally displaced leaders and their organizations/associates.

Insist that the Colombian government consult with Afro-Colombian displaced leaders when formulating policies and programs that are targeted for their communities.

Include the protection of Afro-Colombian territories and their human rights in the conditions for disbursement of US aid to Colombia. Monitor that such conditions are upheld and urge that effort is made to bring Afro-Colombian human rights cases to justice.

Integrate a program for persecuted Afro-Colombian leaders within the protection program for human rights defenders that allows for leaders to leave Colombia for a short period of time to ensure their physical safety.

The US economic assistance package for Colombia, 80% military aid and 20% economic aid, does not reflect the necessities of the most marginalized peoples.

June 21, 2006