



February 8, 2024

Anupama Rajaraman  
Mission Director  
USAID Colombia

**Re: XIX USAID/Colombia Human Rights Consultation with U.S. Civil Society**

Dear Ms. Rajaraman,

We thank you for inviting us to present our perspective at the XIX USAID/Colombia Human Rights Consultations. Prior to each, we prepare by surveying our Colombian partners about developments in Colombia and USAID programming. This letter is a summary of the information we received along with our analysis given our expertise in monitoring U.S. assistance to Colombia.

The Petro government has now been in office for nearly a year and a half. While the ambitions and proposed reforms of this government remain, there is concern that institutions are not advancing their agendas quickly enough. As such, there is much criticism of the Petro government and a certain level of disillusionment in areas affected by conflict. It was emphasized that the government needs to improve its capacity to govern, coordinate within itself on issues, strategically communicate, and show more results on the ground.

The issue areas that respondents highlighted are as follows:

***2016 Peace Accord***

Advancing implementation of the 2016 peace accord particularly the ethnic chapter. For this to occur, the High-Level Special Instance with Ethnic Peoples (IEANPE), requires funding. The Integral System for Peace is vital to preventing the re-occurrence of grave violations. As such, the Special Jurisdiction for Peace (JEP), the Unit for the Search for Missing Persons, and implementation of the Truth Commission's Report's recommendations are needed. Still pending is the development of a security policy and actions that protect ex-combatants and civil society that work to advance peace from harm.

***Protection of Social Leaders***

Protection of social leaders with a differentiated ethnic, gender, and rural focus. The development and support of collective measures especially for rural communities at risk. Support for the Afro-Colombian and Indigenous collective measures (the Cimarrona and Indigenous

Guards) found in the Ethnic Chapter and self-protection mechanisms. Collective self-care and psychological support were also mentioned. Respondents also noted that the U.S. government should demand that the military and police show results in dismantling criminal organizations that attack leaders and communities.

### ***Combating Impunity in Human Rights Cases***

Pushing the judicial system so it works to prevent violations of human rights and guarantees the protection of social leaders. Colombia's Constitutional Court declared a new unconstitutional situation in response to the ongoing socio-political violence affecting social leaders and the participation processes they represent. Ruling SU 546 of 2023 orders the construction of a new protection policy in the face of the "persistent, serious, and generalized violation of the fundamental rights of the population of leaders and human rights defenders." The orders are directed to the national and territorial governments, the Attorney General's Office, the Attorney General's Office, the Ombudsman's Office, and the Comptroller General's Office. USAID and the U.S. government should help to advance the Court's orders. Any policies arising from these orders must be developed in consultation with human rights organizations to guarantee their efficacy.

The Prosecutor's Office should play a key role in identifying and prosecuting persons who are behind attacks committed against social leaders.

### ***Strengthen Civil Society***

While USAID's focus on strengthening governmental institutions including the Vice President's Office is seen as needed, it is important for international cooperation to support the independent civil society ecosystem. A special emphasis is needed on strengthening the capacities of organizations in the territories and of building new generations of civil society leaders. For peace and government policies to advance, a strong civil society that monitors and pushes policies and programs forward is needed. It was stated that USAID should guarantee greater technical support for the construction of actions and political support for advocacy with the national government and the international community. It was suggested that USAID promote greater articulation between civil society organizations to strengthen social and community actions.

### ***Total Peace and Dismantling Illegal Armed Groups***

Advancing the peace processes aimed at ending pending armed conflicts and dismantling illegal armed groups to avoid the development of emerging multiform violence. While total peace is difficult to achieve, it is a historical effort to move the country towards a civil solution to the accumulated conflicts and existing social and political controversies. Civil society support so they can participate and influence the peace dialogues was mentioned. Accompaniment and assistance are required for the implementation of the policy for dismantling criminal structures and implementation of its plan of action.

### ***Rural Land Reform***

Continued support for rural development policy and processes. Land issues remain the means to resolve multiple problems. It is a central issue in peace-building agendas and helps to create conditions needed to improve Colombia's capacity as a food-producing country and the creation of social and cultural economic alternatives compatible with energy transition policies and resilience in the face of climate change and its consequences.

### ***Alternatives to Ilicit Economies***

Transformative productive projects, especially for rural residents, women, and young people are needed to combat illegal economies. There is a strong need for youth intervention projects especially in areas where recruitment by illegal armed groups is high. In terms of the Pacific region (urban and rural), it was recommended that USAID generate economic opportunities so that people are not integrated into the violence and armed conflict.

### ***Afro-Colombian and Indigenous***

A lot of expectations were raised when the U.S. government announced that it would be the first international companion to the Ethnic Chapter. There is some disappointment that this has not translated to an increase in funds for efforts to advance the Ethnic Chapter. There is also criticism that the Colombian government does not have a clear strategy for advancing the Ethnic Chapter. While the signing of the Pact is seen as a step forward, there is concern that each entity or ministry is carving out its own pet projects without following an overall strategy that involves the participation of the High Instance for Ethnic Peoples and ethnic grassroots organizations. At the same time, it is recommended that the U.S. government develop an integral strategy for advancing the Ethnic Chapter. There is a sense of urgency given the opportunity to make a dent in these issues under the Petro administration. Further, antiracism efforts are explicitly missing from the programming and should be incorporated.

Further, after 20 years of USAID support on Afro-Colombian and Indigenous issues, it is recommended that the agency work with ethnic organizations to develop a future agenda. This new agenda will need to take into account technological advances like AI and biases built into these technologies that would perpetuate racism. Beyond the Ethnic Chapter, Law 70, and other initiatives, what is the Afro-Colombian and Indigenous movement striving to reach by 2050? Where would these communities like to find themselves in terms of rights, development, and climate change in 2050? Given that international cooperation is not eternal, helping to position the leadership of these communities towards a common future agenda that can auto-finance itself or seek other forms of funding including from the private sector is suggested.

That said, we received positive feedback on multiple efforts achieved in the last year. One is the agreement made with the Ministry of the Interior to characterize 39 Afro-Colombian community councils. Another is that after all these years. Finally, two chapters of Law 70 of the Black communities were regulated, and an integral decree for the same advanced. More chapters are planned to advance to regulation soon. USAID financed technical assistance and consultants that helped make this possible.

In terms of Indigenous communities and comprehensive rural reform, it is encouraged that the decentralization and implementation of the Indigenous territories be taken up again.

### ***Victims and Reparations***

In terms of victims, the acceleration of collective reparations especially for ethnic groups is needed. This implies advancing the PIRCs and implementing measures contemplated within the already formulated PIRCs.

### ***Focus on Youth***

USAID's focus on youth is fundamental. The lack of opportunities for this population makes them a critical audience because they are subject to forced recruitment into armed groups and micro/narco-trafficking networks. Some flee and join the ranks of migrants in search of new opportunities. More intervention is needed for the young population. Local administrations do not have the capacity to provide education/job opportunities or the infrastructure for sports, education, and entertainment. Colombia has the 2nd highest rate in the world where young people are neither studying nor working.

### ***Durable Local Integration of Internally Displaced Persons***

Support is needed for sustainable returns, relocations, and local integration of internally displaced communities. It is time for Colombia to shift from a durable solutions approach to the promotion of integration and rooting of the internally displaced population. Their social fabric must be conducted with the host communities. International cooperation needs to address the barriers that exist in terms of access to social services for IDPs. It should help construct social fabrics with the host community. An effort is needed to reduce the gap in terms of access to rights for IDPs and to address the specific needs that arose due to internal displacement.

The United Nations Secretary-General has called for the adoption of a durable solutions approach for countries with massive and prolonged situations of internal displacement since these populations find themselves with great social vulnerability. Mr. Robert Piper, the High Advisor to the Secretary-General visited Colombia with the hopes that it will become the first country globally to achieve this for IDPs. Colombia was picked due to its institutional will and the high-level organization of IDP victims and the expertise of its civil society organizations. The Colombian government agreed and included this approach in the National Development Plan and its attention to victims' policy. Its immediate goal was to overcome the vulnerability of two million internally displaced persons and to implement over 800 collective reparation processes. The United States is one of the 12 countries that have so far decided to support the UN in this approach.

The durable solutions approach implies going beyond classic humanitarian assistance and transitional justice to seek solutions that allow internally displaced people to live a dignified life with a suitable livelihood and guaranteed participation in society. For such integral solutions to work a greater commitment is needed from national and territorial governments, more

participation by the private sector, and access to non-concessional sources of cooperation resources with a development perspective. A reconstruction approach is required in Colombia where nearly 20 percent of the population—8.5 million people—are internally displaced victims of the conflict. The challenges in terms of financing and overcoming the dispossession of IDPs in Colombia are great. USAID can help catalyze the support of other donors, local and regional governments, and the private sector to begin to bridge these gaps to prevent the inequalities and desperation that lead to the perpetuation of conflict.

### ***Purging the Public Forces***

Separation from service of military personnel credibly implicated with links to paramilitaries, drug traffickers, or human rights violations is still required. Helping to structurally transform the Police and transferring this force into a ministry of a civilian nature is still pending. A larger societal discussion that rethinks the military and police doctrines should occur.

On USAID programming, we received mostly positive opinions from those who know the work and/or work with USAID. Confusion over how USAID operates through contractors and how it funds organizations remains. Among the feedback received was:

### ***Consolidation of the Local Ownership Strategy***

In recent years, the participation of social and human rights organizations seeking support from USAID programs has increased. In turn, USAID has deployed initiatives to encourage the participation of these organizations within the framework of the local ownership policy. It is important to consolidate this work perspective in the definition of new programs, per the current needs of the country.

### ***USAID Dialogues with Civil Society Are Appreciated***

Organizations that have participated in the USAID dialogues in different parts of the country and Bogotá felt heard by the U.S. Embassy. It was recommended that such dialogues expand to other organizations and networks beyond those that receive USAID funds.

### ***USAID Contractors***

Some pointed out that USAID contractors are concentrated in the capital cities and less in the areas where interventions are needed. Partners such as social pastoral and grassroots organizations should always be part of the efforts to have an impact on local communities. Others insisted that it is necessary to advance direct financing to organizations and to avoid intermediaries as much as possible. Those respondents felt that an important percentage of the resources remain with the intermediaries. It was suggested that better coordination take place between contractors and other actors located in the same areas to avoid the proliferation of dispersed actions on the ground. In rural areas, interventions should take advantage of the local institutional coordination efforts. Rural areas have poor road communication infrastructure, and the dispersion of the intervention is expensive and inefficient.

### ***Directly Fund Civil Society***

Many spoke very well of the organizations that directly received funds from USAID in the past or present namely Pastoral Social and CODHES. Also, ACDIVOCA subcontracts to AFRODES, Cimarrón, COCOMACIA, CONPA, PCN CRIC, CTC Sierra Nevada, ONIC, and OPIAC. Such direction in financing is seen as positive and should continue.

However, the burden USAID places on these organizations in administrative terms is very heavy. It requires a lot of learning and adaptation, and monitoring under the conditions that USAID requires is time-consuming and bureaucratic. Meeting the requirements takes a lot of time and money, producing demands that organizations did not previously consider. Recipients of USAID assistance feel there is too much paperwork and bureaucracy compared to other international donors. At times, groups feel micromanaged. While some ask that USAID expand the organizations it funds, it must be done so in a manageable way that does not spread its resources so thin there are fewer results.

It was mentioned that USAID should be very discerning of who they fund. There is a proliferation of foundations and organizations including some funded by criminal groups that are trying to get international cooperation funds. A rigorous process to make sure that all who are funded are legitimate organizations is still required.

### ***Further “Ethnocize” USAID and its Contractors***

Several noted that USAID and its contractors have progressed in hiring a more diverse professional workforce. However, that further “ethnification” is needed. More of this is needed in key personnel roles.

We hope that this input is helpful in improving USAID programming in Colombia. We appreciate the civil society consultation process.

Sincerely,

Gimena Sánchez  
The Washington Office on Latin America