

Understanding Colombia Series

THE IMPACT OF WAR ON INDIGENOUS COLOMBIANS

In Brief

- There are over 80 indigenous communities in Colombia. Due to the effects of the on-going war, many of the indigenous communities in Colombia face extinction.
- Indigenous people make up about 4% of Colombia's population, yet they account for almost 8% of the displaced.
- Illegal armed groups fight for control of indigenous land for economic gain, compromising the civil and political rights of the indigenous communities. Also, Paramilitary and guerilla blockades have isolated indigenous communities.
- Aerial fumigation has endangered the food security of many indigenous groups and has adversely affected their health.
- The Constitution of 1991 outlined judicial rights of indigenous communities, which often are not enforced.

Background

The indigenous peoples of Colombia are made up of over 80 different communities that inhabited the national territory before its discovery by the European *conquistadores*. Presently, indigenous communities hold title to large portions of Colombian land in the form of *resguardos* (reserves). The Indigenous Affairs division of the Ministry of the Interior has 567 reserves on record that cover about 365,004 km² and are home to over 800,000 people. Despite this, these groups have now become the victims of the on-going war between the paramilitaries, the guerillas, and the state. Indigenous communities are disproportionately displaced, isolated by blockades, and violently targeted and stripped of their traditional lands.



A Minga of 550 indigenous people from the Awá community found the bodies of 7 members who were massacred

Important Facts

Displacement: The consequences of displacement strike at the very root of indigenous society. According to the Colombian NGO CODHES, forced displacement leads to the erosion of culture, the break with traditional systems of agricultural production, and territorial fragmentation. The National Indigenous Organization of Colombia (ONIC) reports that 23,000 indigenous people were forcibly displaced in 2005 alone. Indigenous people make up about 4% of Colombia's population, yet they account for almost 8% of the displaced.

Confinement: Indigenous communities are struggling to survive blockades by the illegal armed actors. This growing trend is exemplified by the reported 1,400 civilians who have been confined by guerrillas in the community of Aquitania, Antioquia since March 2008. Paramilitary and guerrilla blockades, particularly in the northeastern part of the country, have led to the isolation of communities with serious repercussions on indigenous peoples' access to medicine and food.

Fumigation: Indigenous leaders attribute severe economic, environmental and health-related problems in their communities to fumigation campaigns. Not only does fumigation harm the area to which chemicals are directly applied, but its effects also spread to contaminate surrounding waterways and soil. According to indigenous communities in the Department of Putumayo, for example, aerial fumigation of specific fields in lower Putumayo has affected much of upper Putumayo: tomato, banana and medicinal plants have been decimated, and bean crops have died throughout the region. As subsistence crops wither, the food security of indigenous communities is put at risk and health indicators plummet.

Violations of civil and political rights: The UNHCHR has documented that the illegal armed groups bare responsibility for the majority of violence affecting indigenous groups. Both paramilitaries and guerrillas attack the rights of indigenous communities through extrajudicial executions, massacres, death threats, unreasonable restrictions on freedom of movement, illegal seizures of property, disappearances and forced recruitment. Illegal armed groups seek control of indigenous land for economic gain, to control arms and drug trafficking routes, and to wield social and territorial control over an area. Armed group presence in indigenous territories adversely affects communities' rights to independence and neutrality, erodes cultural identity, and exacerbates the precarious conditions in which they live.

Risk of extinction: A number of indigenous communities in Colombia face extinction. Waning numbers of indigenous Colombians require support from the government in order to maintain their languages, culture, way of life, and simply, to survive. According to ONIC, 32 ethnic indigenous groups are at risk of disappearing, with 18 smaller groups at risk of extinction in the near future.

Recent attacks:

- On December 31, 2008, there was a serious attack on the Kankuamo indigenous community in Atánquez, Valledupar (Cesar). A grenade exploded during a New Year celebration, killing five members of the Kankuamo indigenous group. An additional 81 individuals were injured, many of whom are in a critical condition. What is even more troubling is that the attack took place in the vicinity of three police installations: one police station is located just 15 meters from the site, another is 50 meters away, and a third 70 meters.
- Two brutal massacres of Awá indigenous peoples on February 4, 2009 and February 10, 2009 in Nariño left a reported 17 civilians dead. The FARC issued a statement claiming responsibility for this attack, alleging that those killed had collaborated with the army. Fact-finding and recovery of the bodies has been difficult due to the presence of landmines and confinement.

Opposition to the Free Trade Agreement: The indigenous communities in Colombia oppose impending Free-Trade Agreements between Colombia and the United States. Traditionally indigenous lands could be commercialized and expropriated to the new economic players. Moreover, the communities worry that these firms will gain access to plants and animals that are sacred to the indigenous people and that belong to a tradition of knowledge and wisdom passed down through the generations. It is feared that the collective knowledge of the indigenous communities of Colombia will be privatized and patented by private individuals and/or firms.

Colombian law: The Constitution of 1991 officially recognizes the unique status of the indigenous communities. For the first time, the Constitution acknowledged the existence of indigenous criminal justice systems. Articles 246 and 330 state that authorities within the indigenous communities have the right to exercise judicial functions inside the limits of the *resguardos* (reserves), so long as the indigenous rules and procedures are not in breach of Colombian national law. The recognition of indigenous judicial systems has, in effect, established parallel indigenous and national jurisdictions within Colombia. Therefore, there is a need for concerted coordination between the two. This has yet to be achieved. The alterations put forth by the Constitution of 1991 are seldom enforced. In fact, many state officials and authorities are unaware of indigenous legislation, thus making it impossible for them to enforce the law.

Constitutional Court: In *Auto* 004 of 2009, the Colombian Constitutional Court declared that many factors had caused the disproportionate displacement of indigenous, including actions by the armed forces in violation of international humanitarian law, fumigations, and economic ventures on indigenous lands. The Court urged the government to adopt measures, including protecting the human rights of affected indigenous populations, in order to address this serious issue.

“Each daughter and each son in our communities, has been born to love the earth, to protect it and to make sure it is respected. We will continue looking towards the future with eyes full of hope and we will work so that the ensuing generations live with joy and peace.”

—Organización Nacional Indígena de Colombia

For More Information

Center for International Policy

www.ciponline.org

Washington Office on Latin America

www.wola.org

Organización Nacional Indígena de Colombia

www.onic.org.co

United Nations High Commissioner for Human Rights

www.ohchr.org

Take Action!

- Write a letter or call your U.S. Congressmen/women asking them to encourage the US to increase its development aid to support indigenous groups in the areas of displacement, healthcare, and employment. To find the address and phone number of your senators and representatives, please visit www.congress.org
- Tell others about the issue of the impact of the war on indigenous Colombian communities.
- Ask your representative to vote no on any economic agreements that threaten the land, autonomy and lives of Colombia's indigenous people.

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