

URGENT ACTION NEEDED BY COLOMBIAN AND U.S. GOVERNMENTS

HUMAN RIGHTS ORGANIZATIONS DEMAND GUARANTEES FOR LIFE AND THE DEFENSE OF INDIGENOUS AND AFRO- DESCENDANT TERRITORIES OF NORTHERN CAUCA

Human rights organizations demand that the Colombian and U.S. governments take immediate action to guarantee the right to life and territory of indigenous and Afro-descendant territories of Northern Cauca.

The grave act of violence that took place on Thursday evening, March 14, 2012, in the rural area of Santander de Quilichao, Cauca, has generated new concerns regarding the presence and control of armed groups in ancestral territories. It also corroborates the concerns expressed by indigenous and Afro-descendant organizations regarding the lack of guarantees for them to remain in their territory.

During 2011 and 2012, focusing on the most recent cases, the communities have publicly decried the grave risks involved in the multiple indiscriminate attacks, threats, surveillance, and persecution of victims of the Colombian Public Forces, the guerrillas, and the paramilitaries. The Colombian and U.S. governments have received important alerts, information requests, and legal proceedings which the Colombian authorities have not effectively responded to.

Indigenous and Afro-descendant communities have publicly participated in demonstrations, public hearings, working groups for protection guarantees, and inter-ethnic working groups without effective results and their constitutional rights have not been applied. Despite the obligations recommended to the State by Colombia's Constitutional Court through Orders 004, 005, 092, these are not applied.

We are concerned that national and departmental governments are negotiating the concession of ancestral territories in order to implement large-scale economic extractive industries with multinational companies. Also of concern is the U.S.-Colombia Free Trade Agreement that was not consulted with ethnic minorities. This is part of the so-called "Internal Agenda for the Productivity and Competitiveness of Cauca," which did not

respect indigenous and Afro-descendant communities' right to free, prior, and informed consultation and consent.

**2011 STATISTICS FROM THE ASSOCIATION OF THE
INDIGENOUS CABILDOS OF NORTHERN CAUCA (ACIN)**

Murders	Displacements	Injuries	Homes Damaged	Temporary suspensión of studies due to armed confrontations.
37	617 Families	30 Under the age of 18	825	5,200

*Tejido de Vida

Recent Violations:

1.) On the morning of March 15, the bodies of David Eduardo Gómez (25), Edwin Carrillo (33), Gildardo Yandi Sánchez (20), and Lizel Heider Becoche (25) were found by the indigenous communities of the town of San Isidro, Mondomo. The community notified the Indigenous Guard which immediately reported the situation to the authorities who then transferred the bodies to Popayan for autopsies.

The investigations report that these bodies were found face down with their hands and feet bound. The bodies contained signs of torture and bullet wounds in the back of the head. The modus operandi of the armed groups adds to the fear and terror of the inhabitants of Northern Cauca who have constantly denounced the extermination plan against the indigenous and Afro-descendant communities. They have demanded that the

government provide the communities with guarantees to remain in their territories.

2.) On January 12, unknown men on a motorcycle murdered Miciades Trochez Conda, a member of the Indigenous Guard and husband of a traditional authority from the *cabildo* of Jambaló, El Palo.

3.) On February 7, three students under 18 were injured by an explosion at the Agricultural Technological Institute of Jambaló. The minors were 10 and 15 years old and belong to the indigenous *resguardo* of Jambaló.

4.) On February 5, 15 year old Edward Ipia Quitumbo lost his life when he slipped in a ravine and fell upon an explosive devise that blew of his legs. The explosion also wounded one of the victim's brother and another youth who were present at the time of the incident.

5.) In the first two months of 2012 the Association of Indigenous Councils of Northern Cauca (ACIN)'s leaders have received six death threats from paramilitary groups (Block Capital of the Black Eagles) and guerrillas. The threats came as leaflets, phone calls, text messages to cell phones, graffiti and other means.

Given the above we support the indigenous and afrodescendant communities of Northern Cauca's call that the armed forces, paramilitaries and guerrilla respect their autonomy and guarantee the permanence of these communities in their territories:

We condemn the death threats made against the indigenous authorities, council members and guard in northern Cauca.

Colombia

1. - We demand that the Colombian government refrain from granting mining licenses to multinational companies in these territories.
2. - Insist that the Colombian government immediately implement Constitutional Court Orders 004, 092 and 005 and the ILO Convention 169.
3. - Demand that the State observe its constitutional norms and implement

the various conventions it has signed and ratified that guarantee respect for civil and political rights and adherence to economic, social, cultural and environmental rights for these communities.

United States

1. - We ask the U.S. government to implement the human rights conditions tied to military assistance to the Colombian armed forces.
2. - We recommend that the U.S. delegation that will participate in the Sixth Summit of the Americas in Cartagena on April 2012 publicly insist on the physical and territorial protection of indigenous and Afro-Colombian communities.
3. - We urge the U.S. Congress and Barack Obama Administration to monitor the implementation of the FTA between Colombia and the U.S. and if this agreement is causing negative impacts against ethnic communities that it immediately suspend it. In particular, the U.S. should insist that Colombia comply with ILO Convention 169 and Constitutional Court Orders 004, 005 and 092.

International Community

1. Systematically monitor Colombia's compliance with constitutional and international conventions that call for respect for the rights indigenous and Afrodescendant peoples residing in northern Cauca.
2. That UN agencies, UN Special Rapporteurs on ethnic minorities and indigenous peoples, the OAS's Inter-American Commission on Human Rights and the diplomatic corps residing in Colombia visit and accompany the indigenous and Afro-Colombian communities inhabiting northern Cauca.

March 23, 2012

WASHINGTON OFFICE ON LATIN AMERICA (WOLA)

ASOCIACION PARA LA INVESTIGACION Y ACCION SOCIAL (NOMADESC)

CAMPAÑA PROHIBIDO OLVIDAR

The following organizations support this appeal:

MOVICE CAPITULO VALLE DEL CAUCA

SINTRAUNICOL

FCSP

SINTRAEMCALI

COMITÉ DE MUJERES CORTERAS DE LA CAÑA

**ASOCIACION DE MUJERES DE LOS ACENTAMIENTOS DE BRISAS DE
NAVARRO Y BRISAS DE CORDOBA**

MINGA DE RESISTENCIA SOCIAL Y COMUNITARIA