



DISPLACED

INDIGENOUS PEOPLES AND THE
COLOMBIAN PEACE PROCESS

Witness for Peace Solidarity Collective is a nation-wide grassroots movement of more than 20,000 supporters, members and activists in all U.S states and territories who campaign to end U.S policies and corporate practices that contribute to violence, poverty and oppression in the United States, Latin America and the Caribbean.

We are independent of any government, political party, economic interest or religion and are funded entirely by our grassroots base through small-dollar donations.



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METHODOLOGY

This report is the culmination of research conducted in Colombia from August 23 to August 26, 2019. For the purpose of this study, Witness for Peace Solidarity Collective International Team visited several regions of the country, including the departments of Valle del Cauca and Choco. The international team met with a cross-section of Colombian civil society organizations, including land claimants; victims of the armed conflict; representatives of human rights organizations; community leaders; human rights lawyers; and indigenous community members.

To prepare this report thousands of cases of forced displacement, between January 2016 and December 2018, were analyzed. This report is also based on dozens of conversations with human rights defenders working with indigenous communities throughout Colombia. Witness for Peace Solidarity Collective's active participation in a number of international observation missions was also a source of information.

Witness for Peace Solidarity Collective would like to thank all those who gave their time to talk to our international team. In particular, Witness for Peace Solidarity Collective thanks the victims of forced displacement, and human rights NGOs accompanying them, who shared their experiences courageously, despite the risks involved. Some of their stories appear in this report.

INTRODUCTION

The violent struggle to control territory for economic, military and political reasons, coupled with extreme levels of marginalization of the rural poor coupled with high concentrations of land ownership, has been one of the root causes of Colombia's 55-year-old internal armed conflict.

This struggle has pitted the Colombian security forces and their paramilitary allies against guerrilla groups, resulting in extraordinary levels of human rights abuses and violations of international humanitarian law, with civilians by far the main victims.

Those disproportionately affected by the mass violence have been Indigenous People and Afro-Colombian and peasant farmers, as well as human rights defenders, social leaders and trade unionists.

According to a 2013 report by the Colombian National Center for Historic Memory (Centro Nacional de Memoria Historica), between 1985 and 2012 there were almost **220,000** casualties - **80%** of which were civilians - and at least **25,000** forced disappearances, mainly carried out the Colombian security forces and their paramilitary allies.

According to the report some **27,000** people were kidnapped between 1970 and 2010, mostly by guerrilla groups, and more than **7.7 million** people forcibly displaced, at least **719,000** since the signing of the peace agreement between the FARC-EP and the Colombian government.

Human rights defenders, including Indigenous community leaders, continue to face grave dangers. According to the human rights non-governmental organization (NGO) **Indepaz**, more than **702** human rights defenders, including **97** Indigenous community leaders have been assassinated since 2016. According to the Colombian NGO National Trade Union School (Escuela Nacional Sindical, ENS), at least **173** unionists were killed and over **1,662** threatened since the U.S-Colombia Trade Promotion Agreement came into effect in 2011.

These attacks, as well as ongoing death threats and misuse of the legal system to bring trumped up charges against human rights defenders, undermine the work of human rights organizations and promote a climate of fear amongst civil society organizations and peace advocates.

The U.S government's support for various physical protection programs for trade unionist and human rights defenders have been a step in the right direction, although have proven to be inadequate given the alarming rates of violence against these groups.

However, the best form of protection remains elusive; namely a demonstrated commitment by the U.S government that it will not tolerate human rights abuses and violations, and will pressure the Colombian government to bring to trial those suspected of criminal responsibility in such crimes.

The Havana peace agreement between the Colombian government and the FARC-EP, remains the best chance in decades to put an end to armed hostilities.

However, human rights must be a central component of the implementation of the peace agreement.

An effective and long-lasting peace will not be possible without a verifiable adherence to the Havana peace agreement and international humanitarian law, as well as guarantees for victims of the armed conflict of access to truth, justice, and reparations.

FORCED DISPLACEMENT

Each year, hundreds of thousands of women, men and children join the millions of people forcibly displaced in Colombia. The incidence of forced displacement in Colombia is one of the highest in the world.

The phenomenon has been widespread and systematic and, as such, a crime against humanity. Almost **8 million** people have been forced to flee their homes - nearly **42,000** Indigenous People, since 2016 alone - and seek refuge elsewhere in the country.

According to official figures, it is estimated that around **93%** of forcibly displaced persons are from rural or semi-rural areas, which amounts to more than **20%** of the total population, while over **6%** are from Indigenous communities.

The reasons people are forced to leave their homes vary. However, the overwhelming majority flee violence related to the Colombian armed conflict. Historically, the U.S-backed security forces' counter-insurgency strategy has been largely based on the premise that those living in conflict areas are enemies, simply because of where they live.

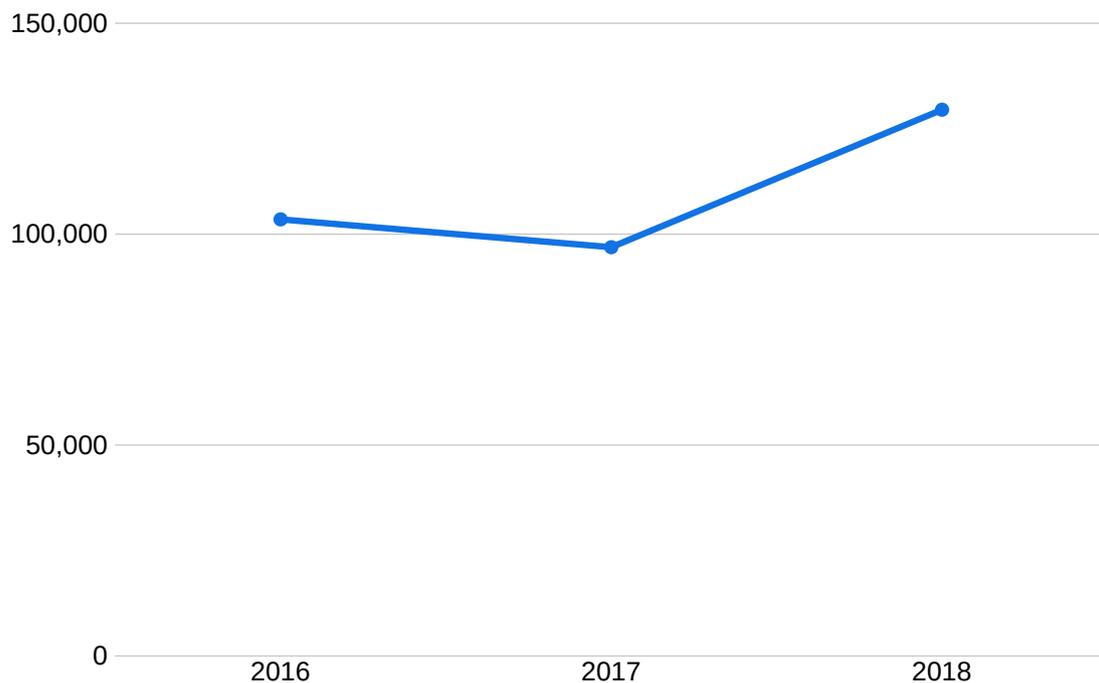
However, forced displacement in Colombia is not simply driven by military confrontations; economic and political interest have also been a major factor.

For Indigenous Peoples, whose identities and livelihoods are intimately linked with the land on which they live and work, the trauma of displacement has been particularly acute.

Many of these communities have been targeted as part of deliberate policies aimed at removing people from areas believed to be of strategic importance or under "enemy" control, such as the U.S-sponsored **aerial glyphosate fumigations** and other counter-insurgency operations.

Another factor pushing communities off their land is the rich natural resources they hold; forcibly removing the inhabitants to open up land for exploitation and profits. It is precisely this reason that Indigenous Peoples, many of which live in areas earmarked for large economic projects, such as mineral and oil extraction, and large agro-industrial projects, have been systematically targeted.

Forced Displacement in Colombia from January 2016 to December 2018



Source: Unidad Nacional de Víctimas

Forcibly displaced women are at exponentially higher risk of experiencing sexual abuse, rape, or be forced into prostitution. The increased risk of rape and other forms of sexual violence that displaced women face is especially true for Indigenous women, which was acknowledged by Colombia's Constitutional Court in 2008.

While seeking refuge in other communities, displaced women face serious barriers that prevent them from accessing goods and services in a climate where they are often stigmatized and pushed to provide sexual services in exchange for protection.

Colombia is home to **102** distinct Indigenous Peoples, at least **65** percent are at risk of extinction, according to a report presented to the Inter-American Commission on Human Rights (IACHR).

In 2009, the Constitutional Court issued a ruling on the rights of Indigenous Peoples displaced by the armed conflict - Judicial Decision 004 (Auto 004) of 2009. The court linked forced displacement with the extinction of entire Indigenous societies and urged the government to prevent such displacements and to pay particular attention to displaced Indigenous communities.

TERRITORIAL RIGHTS FOR INDIGENOUS PEOPLES

Indigenous communities have a spiritual and cultural attachment to their land that transcends its productive value. As such, there has been an acknowledgement, in both international and national law, that these communities have special rights over their ancestral lands.

Colombia's 1991 constitution asserts that communal lands of Indigenous Peoples are "inalienable, inextinguishable, and immune from seizure". According to official figures, there are nearly **1.4 million** Indigenous People in Colombia, roughly **3.4%** of Colombia's total population and almost **6%** of the total displaced population.

Because of Indigenous Peoples' spiritual and cultural attachment to their ancestral lands, a number of international treaties have recognized that such communities have special rights over their territory and its future development.

The **2007 UN Declaration of the Rights of Indigenous Peoples**, which is not legally binding but carries significant legal weight, state: "1. Indigenous People have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired. 2. Indigenous Peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired". The Declaration was endorsed by the Colombian government in April 2009.

ILO Convention 169 on Indigenous and Tribal Peoples, which is a legally binding treaty, also asserts, among other things, the right of Indigenous Peoples to their lands they traditionally occupy and calls on governments "to identify the lands which the peoples concerned traditionally occupy, and to guarantee effective protection of their rights of ownership and possession." **ILO Convention 169** was ratified by the Colombian government in 1991.

PICHIMA QUEBRADA

CASE STUDY



On June 2nd 2019, the Wounaan community of **Pichima Quebrada**, found themselves caught in the middle of a crossfire between FARC dissidents and the ELN, guerrilla forces that are still active in Colombia despite a peace agreement signed between the national government and the FARC in 2016.

The day after this confrontation, fearing for their safety, **95** families and a total of **417** people were forced to leave their territory and seek refuge in the nearby municipality of Santa Genoveva de Docordó, located at the southern end of the Chocó department and inhabited largely by an Afro-Colombian population. They took only the clothes they were wearing.

After more than **100** days of being forcibly displaced from their ancestral land, the indigenous Wounaan community of Pichima Quebrada says they are ready to return home.

However, the Colombian government has failed to guarantee of return or access to basic human rights such as security, food, and healthcare — a common occurrence for communities suffering displacement.

This is not the first time that **Pichima Quebrada** has experienced forced displacement.

In April 2016, the community was forced to flee their homes after a U.S.-made, Colombian army helicopter began firing high-caliber rounds near their village, causing the displacement of **457** community members belonging to **95** families.

Pichima Quebrada sits on a strategic site for armed groups that use the San Juan River as a corridor for drug trafficking. Communities living along the river have systematically been subjected to violence and confinement over the years as various groups vie for control of the corridor.

First, the river was used by the **FARC**, then **right-wing paramilitary** groups and the **ELN**; now, the corridor is frequented by an increase in dissident ex-FARC combatants, three years after the signing of the Peace Agreement.

On August 23rd 2019, the Witness for Peace Solidarity Collective's Colombia International Team was part of an international observation mission to verify the state of the three shelters in Docordó where Wounaan families are currently living.

Our team was able to observe the shelters' utter state of decay, where the displaced community members lack proper access to food and clean drinking water.

"It is important to start calling things for what they are. We are talking about an ethnocide followed by ecocide. We are talking about the cultural and physical death of entire societies," said Santiago Mera, a human rights activist working with the Inter-Church Commission of Justice and Peace.

Mera added that "the critical situation of confinement and forced displacement in Bajo Calima and the San Juan river basin, in the case of the indigenous reservation of Pichima Quebrada, is further proof of this"



“We must return soon in order to continue our activities that our Mother Earth grants us as Wounaan peoples. That is what we want,”

Displaced community of Pichima Quebrada living in deplorable conditions in Docordo

Effects of Displacement

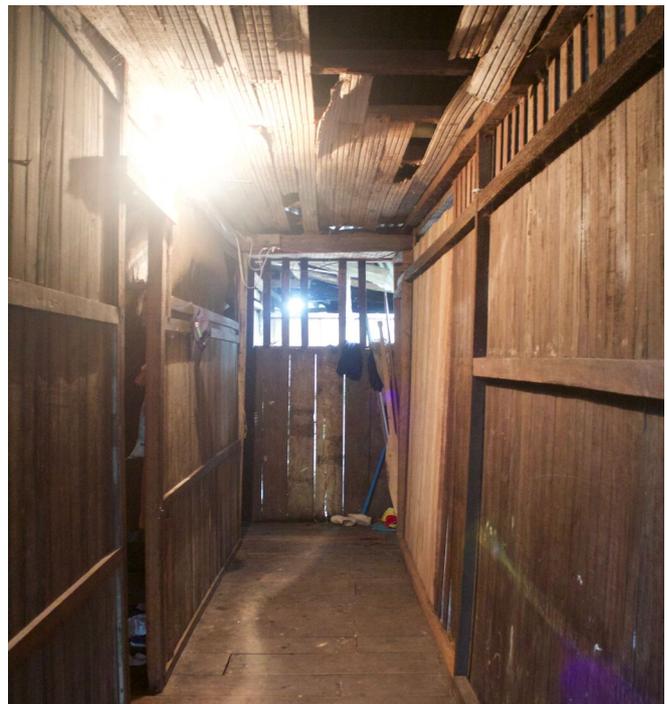
Articulated specifically in international human rights law are the right to access to food, work, healthy standards of living, and adequate housing.

However, many of these rights are dependent on access to land, particularly for rural and indigenous communities who are uniquely connected to their lands for cultural, economic, and spiritual reasons.

Colombia's 1991 Constitution asserts that the collective lands of Indigenous Peoples are “inalienable, inextinguishable and immune from seizure.”

The Victims and Land Restitution Law (Law 1448) was signed into law by the Colombian government in January 2012.

Decree 4633 of this law guarantees not only restitution of indigenous territories, but also established precautionary measures to protect Indigenous Peoples from displacements due to invasions by armed groups or exploitation of their natural resources.



State of disrepair of the shelters don't meet humane standards

Education

The community is also facing an education crisis, as their displacement has prevented them from continuing classes.



“The water is not enough for all the families. We are forced to depend on rain water for our survival”

Community Pichima Quebrada in Docordo lacks basic access to drinking water

This is a significant disruption in the sense of normalcy for the children and challenges their social and cognitive development.

Since there is not adequate space in the shelter to hold classes, the community depends on limited space provided by the educational campus of Docordó.

However, since the mental, emotional, and physical health of the youth cannot be effectively addressed due to the limited healthcare resources, the students are still unable to focus and learn.

Culture

The presence of illegal armed actors in the San Juan River has not only put the lives of the Wounaan people at risk, but also their customs and traditional practices, as seen time and time again with the displacement of Indigenous and Afro-Colombian communities.

The Colombian government’s failure to provide mechanisms for community protection not only risks lives, but also compounds experiences of psychological trauma and damages communities’ social fabric.

These failings underscore a systematic devaluation of Indigenous and Afro-Colombian lives that the implementation of the Peace Agreement has yet to address.

The displacement has significantly disrupted the community’s traditional way of life. The art of basket weaving and jewelry making is a vital part of Wounaan culture, and women pass on weaving techniques to their daughters.

Since the community was forced to flee their home, women have not been able to weave. Furthermore, traditional doctors have not been able to treat members of the community as they do not have the medical plants needed. The native language, Woun Meu, of the Wounaan people has been declared at risk of extinction, putting their culture in danger.



"The children wake up in the middle of the night screaming 'mom they are coming they are coming!'"

Overcrowded shelters has resulted in outbreaks of infectious diseases, particularly among children and the elderly

Health

Overcrowding in the shelters has resulted in the outbreak of infectious diseases including respiratory infections, skin rashes, and diarrhea.

These illnesses disproportionately affect young children and the elderly, and have already resulted in the death of a one-year-old child.

Many members of the community also showed signs of severe psychological trauma after their community was attacked by illegal armed groups. The shootings lasted over two hours, according to members of the community, with several bombs also being detonated, including one near the local elementary school.

The structures of the shelters themselves have also been damaged due to weather and overcrowding. The community has aimed to address this issue on its own, but the constant rain in the region continues to cause flooding in the shelters, preventing them from sleeping night after night.

The medical center is intended to serve 54 communities of Bajo San Juan, but only sees ten people per day due to staff shortages. As a result, the Wouann community does not have access to medical treatment for issues such as skin infections, fevers, constant headaches, stomach ailments, and respiratory diseases.

The community has requested that a nurse be assigned to the community by the Ministry of Health. Additionally, other doctors and midwives must be raised up in the community to meet the increasing demands for medical treatment in a sustainable manner; however, without access to proper training this is an impossible goal to meet.

As such, the community is in desperate need of a health center to provide medical supplies and psychosocial support for those who have been victimized by this displacement.



“The displacement in 2016 didn’t affect us as much as this one... this displacement was worse, thank god there was no massacre but there almost was”

Member of the Witness for Peace Solidarity Collective holds one of thousands of rounds fired at the community of Pichima Quebrada

Spiritual

Indigenous communities are particularly impacted by forced displacement because of their distinctive spiritual relationship with their lands. The Wounaan people do not have access the places they use for spiritual strengthening and worship.

For example, their community traditionally uses sacred spaces such as the cemetery and water forest to worship and care for spirits. Because the armed conflict has restricted their access to these spaces, the community fears that the spirits will be enraged so that they may never return to their lands.

Furthermore, they do not have access to the essential plants and resources used in traditional rituals, stifling their spiritual practices altogether.

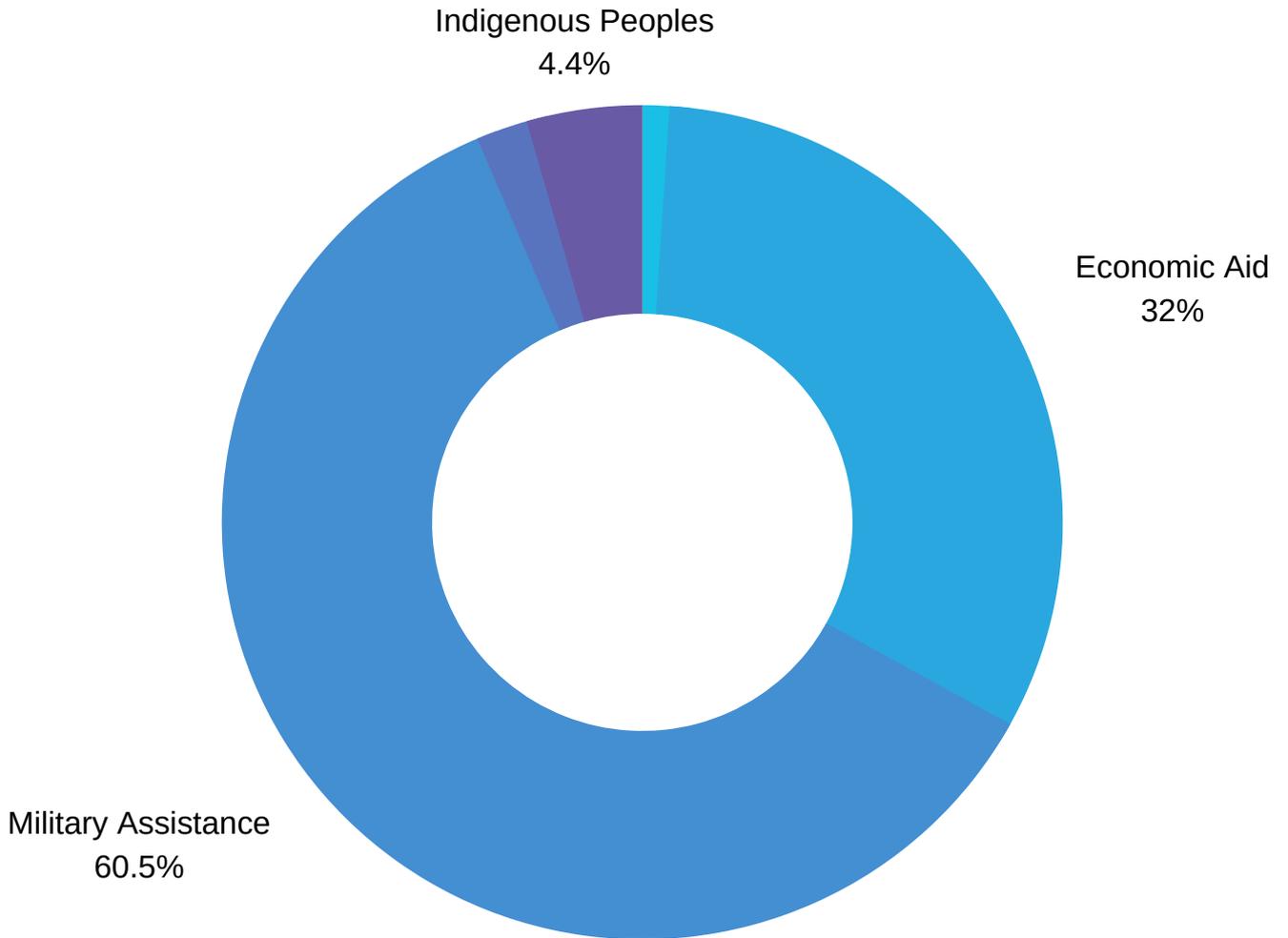
Additionally, there are several members of the community which they believe require spiritual treatments.

However, their traditional doctors, known as Jaivanás and Tongueros, cannot access the necessary elements used in these healings. Disrupting the religious norms of this community is detrimental to their way of life, compounding their traumas, and threatening the preservation of their culture.

Security

Since the signing of the Peace Agreement in 2016, the U.S government has spent over **1 billion** dollars on military and “anti-narcotic” assistance in Colombia, further militarizing indigenous communities like Pichima Quebrada to the detriment of its inhabitants who have been subjected to harassment, arbitrary searches, and even illegal confiscations of property by the Colombian armed forces who operate in the region.

U.S Government Aid to Colombia from 2016 to 2019



Source: U.S Department of State



“We felt the bullets fly above the roof and we were scared...we ran down and hid under the maintenance house for the electric plant”

Members of the Colombian armed forces patrolling the San Juan river near the community of Pichima Quebrada

Several displaced residents of Pichima Quebrada state that they witnessed members of Colombian armed forces illegally breaking into their homes and taking their property while using the village as an unofficial military encampment, all of which is prohibited under international humanitarian law.

Because of occurrences such as these, the community often feels more at risk when there is military present in their communities.

Residents of the San Juan River also expressed seeing suspicious vehicles navigating the river freely despite heavily armed military checkpoints going in and out of the river.

The **Fuerza de Tarea Titan** (Titan Task Force), a special military unit, which Solidarity Collective International Team members observed operating in the river, has faced serious accusations of systemic corruption by several members of the military who served in the force, including allegedly making deals with illegal miners and narco-traffickers.

Furthermore, General **Diego Villegas**, who headed the Titan Task Force from 2016 to 2018, was involved in a number of **extrajudicial killings**, most recently in the case of a demobilized FARC combatant, **Dimar Torres**, in northeastern Colombia.

Even in Docordó, the indigenous community often lives in fear. Members of the groups which clashed in their community on June 3, 2019 have been identified in the area they have been relocated to, causing them to worry about additional conflict.

Food Sovereignty

The food packages they have received contain products significantly different than the types of foods the Wounaan community is accustomed to consuming. This has caused members of the community to fall ill and has shifted family and social relationships that are so integral to the Wounaan way of life.

Finding sufficient clean drinking water also poses a challenge for the displaced families.



“The scar does not go away, the wound does not heal”

Community of Pichima Quebrada looking deteriorated after its members were forced to flee their homes

The aqueduct in Docordó relies heavily on rainwater, which is often contaminated and untreated, leaving it unfit to drink.

Beyond these basic hygiene issues, the storage tanks in the community can not hold enough water to support the 417 displaced individuals nor is there adequate transport to bring the water to the community.

Therefore, water is only supplied one time a day from 6:00 AM - 7:00 AM. Many have turned to the San Juan River as a source of water, which has a high degree of pollution, putting the community at further risk for medical issues.

Environment

Many armed groups deliberately displace indigenous populations to exploit the rich natural resources which have been preserved by these communities. These lands pose the possibilities of large profits for these groups.

A common example of this is **illegal mining** in which groups, often backed by guerrilla or paramilitary forces, neglect to apply for mining rights prior to carrying out mining activities.

Areas inhabited by Indigenous Peoples are disproportionately impacted by these operations, which threaten not only the environment but also their ways of life.

The Office of the Comptroller General and the Office of the Human Rights Ombudsman have published several reports denouncing the negative environmental impacts of these enterprises.

However, Witness for Peace Solidarity Collective has reported that when Indigenous community members speak out against these activities they are at a high risk for being forcibly displaced or killed.

CONCLUSIONS

As armed groups such as the paramilitaries persist in their fight for territorial control to exert their political power and exploit economic resources, vulnerable populations continue to be marginalized at disproportionate levels. Despite international and national laws guaranteeing indigenous peoples their rights to their ancestral lands, these groups are systematically displaced from their homes.

As they flee toward safety, the unique, intimate bond between these traditional cultures and their territories is torn. This leaves their children without an education, their lands unable to be cultivated or preserved, and the community itself unable to pursue the religious and social practices that hold their society together.

Furthermore, the conditions these groups are forced to live in as they await their return home are utterly inhumane, leading to severe health and nutritional issues that cannot be properly addressed as a result of the lack of medical resources.

The full implementation of the peace accords, along with its chapter protecting ethnic minority populations, is the best opportunity to protect these vulnerable communities from physical danger and cultural disappearance.

The U.S. government must stand strong in its support of this process and encourage renewed negotiations with the ELN to pacify the conflict and prevent further forced displacement of Colombia's most at-risk groups.

As in the example of the Wounaan community, militarization of conflict zones only further exasperates delicate security situations on the ground. Contributing aid to military and counter-narcotics efforts requires bringing in more weapons and armed groups into these territories which instigates conflicts and instills fear in the local populations.

To better address human rights violations and protect these communities from forced displacement, the United States must shift its aid efforts to a humanitarian focus that contributes to the welfare and preservation of these ethnic minority groups.