

168 Afro-Colombian Grassroots Groups and Community Councils Reiterate their Opposition to the U.S.-Colombia Free Trade Agreement

April 17, 2008

Dear Members of Congress,

We, the undersigned U.S. organizations and individuals, are concerned about the grave human rights situation facing Colombians of African descent. We wish to reiterate our opposition to the U.S.-Colombia FTA and to call attention to the negative consequences this Free Trade Agreement will have on Afro-Colombian communities.

In a letter sent to Representative Nancy Pelosi this week, 168 Afro-Colombian grassroots groups and community councils reiterated their opposition to the U.S.-Colombia Free Trade Agreement. The Afro-Colombians believe this agreement is a “grave” threat to their human, territorial and cultural rights. These rights are protected by the Colombian Constitution and the law of the Black Communities (Law 70- 1993). In this letter the Afro-Colombians underscore points which we summarize and explain below:

The FTA will have the unintended consequence of validating illegal appropriation of Afro-Colombian titled lands by illegal armed groups.

Since the implementation of Law 70, land titling of Afro-Colombian territories has coincided with violent displacements by illegal armed groups seeking control of Afro-Colombian lands. Methods such as gruesome massacres, killings, threats and intimidation have resulted in an internal displacement rate of approximately 79% from Afro-Colombian collective territories. Over 5.6 million hectares of Afro-Colombian territory are vulnerable to exploitation due to conflict and internal displacement. Because these lands are bio-diverse and resource rich, national and international companies have sought the rights to use these lands and exploit their resources. It has only been subsequent to internal displacement, in large part, that multinational, U.S. and domestic corporations have been able to access Afro-Colombian land in order to implement large scale economic projects, including the cultivation of monoculture crops. This seizure occurs without the knowledge or consent of internally displaced Afro-Colombians.

Effects of changes in Colombian legislation, which severely weaken the achievements of the Afro-Colombian civil rights movement and their territorial rights found in Law 70 of 1993, would be exacerbated if the FTA is passed.

Since the passage of Law 70, the Colombian government has undertaken measures and passed legislation that have weakened the rights of Afro-Colombians. This legislation includes the Forestry Law which opens Afro-Colombian territory to logging interests and interests of “corporate squatters” over those of the internally displaced. A new change in the mining code further undercuts Afro-Colombian rights to mined resources on their territories. The Rural Development Statute allows land that was illegally obtained by armed actors to be legalized and titled by land invaders. Recently, Colombia’s Constitutional Court ruled that the Forestry Law was unconstitutional because the State failed to consult with Afro-Colombian and Indigenous communities as required by the law. In retaliation, the State took steps to pass another law that would have similar effects on Afro-Colombian territories. The FTA would privilege multinational investor rights over those of the Afro-Colombians. Presently, albeit difficult, Afro-Colombians can challenge rulings and statutes in domestic courts. The FTA would supersede domestic laws, providing no relief to these communities when their rights are violated.

Present economic policies created by the Colombian government have rolled back many of the civil rights victories achieved by Afro-Colombians. The U.S. Congress must not pass the FTA given the Colombian government’s track record of regressive policies towards Afro-Colombians.

Historically, the Colombian government has shown limited political will to address the socio-economic conditions of Afro-Colombians and their grave humanitarian and human rights situation. Officials of the State have denied that racism exists in Colombia. Although Colombian law states that Afro-Colombians must be consulted in all economic projects that involve their territories, the reality has been that little real consultation takes place. In the case of the FTA, the previous consultation process was not followed. Afro-Colombians are at a great disadvantage when it comes to powerful state mechanisms and companies, some of whom are allegedly backed by both paramilitaries and local politicians. The traditional practices, knowledge and cultural survival of Afro-Colombian people are threatened by the imposition of economic projects in their territories. National and international economic projects that ignore the Afro-Colombian local governance structures (community councils) are detrimental to Afro-Colombian

internal economic planning processes, culture and the environment.

Rather than support an FTA with Colombia, the 168 signers urge Members of the U.S. Congress to:

- 1) Publicly oppose any consideration of the FTA with Colombia until the Colombian government can demonstrate major changes that guarantee the participation of the Afro-Colombian grassroots and community councils in determining all economic projects that are to be implemented in the collective territories.
- 2) Urge the Colombian government to immediately and unconditionally return the illegally appropriated collective territories of Afro-Colombian communities in Jiguamiandó and Curvaradó, Naya, Mira, Border and Maria la Baja. These collective territories were expropriated by violence, massacres, assassinations and internal displacement.
- 3) Establish periodic U.S. Congressional hearings to evaluate the information the Colombian government presents to the U.S. in terms of steps taken for Afro-Colombian rights. The Afro-Colombian grassroots and community council leaders should be invited to participate at such hearings to present their point of view.
- 4) Establish a U.S. Congressional delegation to visit the collective territories and meet with community councils affected by the internal armed conflict and violence. Such a delegation should be coordinated with the organizations that form part of the Network for Advocacy in Solidarity with Grassroots Afro-Colombian Communities (NASGACC).

We recommend that you take into account the Afro-Colombian grassroots and community councils' point of view when determining your position on the Colombia FTA. Also we ask that you implement the four recommendations they propose.

Sincerely,

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Executive Director

TransAfrica Forum

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Washington Office on Latin America (WOLA)

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American Friends Service Committee (AFSC)

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Eunice Escobar

Afro-Colombian activist, Chicago-Illinois

Gerald Rudolph and Cassandra Fralix

Carolina Peace Resource Center

Below you will find the list of the Afro-Colombian organizations that signed the letter:

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1. **Afroherencias, Santander de Quilichao**
2. **AMUFROCA, Puerto Tejada**
3. **Afrotambo, Tambo, Cauca**
4. **Asociación de Afrocolombianos Desplazados (AFRODES)**
5. **Asociación de Desplazados del Pacifico, Sur-Costa Pacifica Caucana ASODESPASUR, Guapi**
6. **Asociación Agropecuaria El Palenque, Guachené**
7. **Asociación de Afrodescendientes de Barrancabermeja y el Magdalena Medio–AFROBAM-CNOA**
8. **Asociación de Parteras Unidas del Pacifico, ASOPARUPA, Buenaventura**
9. **Asociación de Mujeres Afrocolombianas, AMUAFROC**
10. **Asociación de Mujeres Campesinas, Indígenas y Negras del Cesar – ADMUCIC**
11. **AMUCIB, Buenaventura**
12. **Asociación Municipal de Mujeres –ASOM. Buenos Aires, Cauca**
13. **Asociación de la Mujer Trabajadora ASOMUTRALP, Buenaventura**
14. **Asociación de Mujeres Afrocolombianas AMAFROCOL.**

15. **Asociación de Mujeres, Buenaventura**
16. **Asociación de Mujeres Cabeza de Familia Comuna 3 y 4, Buenaventura**
17. **Asociación Mujeres Jefes de Hogar ASOMUJEH, Buenaventura**
18. **Asociación de Concheras de Francisco Pizarro-Salahonda, Nariño**
19. **Consejo de Mujeres de Buenaventura**
20. **Corporación Caminos de Mujer, Tumaco**
21. **FUNDEMÚJER, Fundación para el Desarrollo de la Mujer de Buenaventura y la Costa Pacífica, Buenaventura**
22. **Grupo de Mujeres Flor del Campo Vereda La Balsa, Buenos Aires, Cauca**
23. **Grupo de Mujeres Las Orquídeas Vereda Cascajero, Buenos Aires, Cauca**
24. **Grupo de Mujeres Productoras en Acción vereda la Alsacia, Buenos Aires, Cauca**
25. **Grupo de Mujeres RENACER de Honduras, Buenos Aires, Cauca**
26. **Grupo de Mujeres Sonrisa Campesina Vereda El Silencio. Buenos Aires, Cauca**
27. **Mujeres Protagonistas del Desarrollo, MUPRODEB, Buenaventura**
28. **Red Nacional de Mujeres Afrocolombianas, KAMBIRI, Buenaventura**
29. **Asociación de Jóvenes Afrodescendientes Charqueños. Charco, Nariño**
30. **Asociación de Jóvenes Afrodescendientes del Departamento del Cesar, KUMAGENDE**
31. **Asociación de Jóvenes Comunitaria – ASJUCOM**
32. **Asociación para el Desarrollo Juvenil de la Costa Pacífica Juventud 500, Buenaventura**
33. **Asociación de Jóvenes, ASOJUN, Puerto Tejada**
34. **Asociación Cadhubev Benkos Vive, Cali**
35. **Colectivo de Estudiantes Universitarios Afrocolombianos, CEUNA**
36. **Comité Juvenil, Guachené**

37. **Grupo Juvenil KASIMBA. Cali**
38. **Red de Jóvenes Afrocolombianos, Tumaco**
39. **Colectivo Local de Jóvenes, Buenaventura**
40. **Asociación de Negros Unidos del Río Yurumangui, APONURY**
41. **Asociación de Comunidades Negras Unidas del Rio Raposo ACONUR, Buenaventura**
42. **Asociación Campesina Nuevo Porvenir**
43. **Asamblea de los Resistentes, El Charco**
44. **Asociación Nacional de Pescadores Artesanales, ANPAC, Buenaventura**
45. **Asociación de Organizaciones de Comunidades Negras del Cesar "Ku – Suto"**
46. **Asociación de Víctimas Renacer Siglo XXI, Buenos Aires, Cauca**
47. **Asociación Ku-Mahaná, Cali**
48. **Asociación Integral de Gestores Comunitarios, ASOGEDINCO, Suarez, Cauca**
49. **ASOCUREN, Cali**
50. **Benkos Biojó, Puerto Tejada**
51. **Centro de Pastoral Afrocolombiana "CEPAC", Buenaventura**
52. **Asociación de Consejos Comunitarios del Bajo Atrato, ASCOBA**
53. **Asociación de Consejos Comunitarios, Timbiqui**
54. **Red de Consejos Comunitarios del Pacifico Sur, RECOMPAS, Tumaco**
55. **Asociación de Consejos y Organizaciones Étnico Territoriales de las Zonas Centro y Norte de Nariño, ASOCOETNAR**
56. **Federación de Organizaciones y Consejos Comunitarios del San Juan, FOSAN, Chocó**
57. **Foro Interetnico Solidaridad. Chocó**
58. **Consejo Comunitario Mayor Asociación Campesina del Atrato, COCOMACIA**
59. **Consejo Comunitario General del Rió San Juan, ACADESAN, Chocó -Valle**

60. Consejo Comunitario para el Desarrollo de Comunidades Negras de la Cordillera Occidental de Nariño y Sur del Cauca, COPDICON
61. Gran Consejo Comunitario del Río Patia Grande, sus Brazos y Ensenada de Tumaco, ACAPA
62. Capitanía de Páez. Belalcazar, Cauca
63. Comunitario Alto Mira y Frontera, Tumaco
64. Consejo Comunitario Bajo Mira y Frontera, Tumaco
65. Consejos Comunitario Cortina Verde Mándela, Tumaco
66. Consejo Comunitario de Ladrilleros, Buenaventura
67. Consejo Comunitario La Toma. Suarez, Cauca
68. Consejo Comunitario Cerro Teta. Buenos Aires, Cauca
69. Consejo Comunitario de Pilamo. Guachene, Cauca
70. Consejo Comunitario La Alsacia, Buenos Aires, Cauca
71. Consejo Comunitario del Alto y Medio Río Dagua, Buenaventura
72. Consejo Comunitario del Río Calima, Buenaventura
73. Consejo Comunitario Córdoba y San Cipriano, Buenaventura
74. Consejo Comunitario del Río Mallorquín, Buenaventura
75. Consejo Comunitario de Puerto España y Mira Mar, Buenaventura
76. Consejo Comunitario del Río Raposo, Buenaventura
77. Consejo Comunitario del Río Yurumangui, Buenaventura
78. Consejos Comunitario Imbilpi del Carmen, Tumaco
79. Consejo Comunitario La Nupa, Tumaco
80. Consejo Comunitario Mayor del Río Anchicayá, Buenaventura
81. Consejo Comunitario Negros en Acción, Timbiqui
82. Consejo Comunitario Negros Unidos. Timbiqui
83. Consejo Comunitario Parte Alta Sur del Saija, Timbiqui
84. Consejo Comunitario Patia Norte San Bernardo, Timbiqui
85. Consejo Comunitario Recuerdo de Nuestros Ancestros, Tumaco

86. Consejo Comunitario Renacer Negro, Timbiqui
87. Consejo Comunitario Rescate Las Varas, Tumaco
88. Consejo Comunitario Río Caunapi, Tumaco
89. Consejo Comunitario Río Chagui, Tumaco
90. Consejo Comunitario Río Gualajo, Tumaco
91. Consejo Comunitario Río Rosario, Tumaco
92. Consejo Comunitario Tablón Dulce, Tumaco
93. Consejo Comunitario Tablón Salado, Tumaco
94. Consejo Comunitario Veredas Unidas Un Buen Común, Tumaco
95. Junta Central Bajo Mira y Frontera, Tumaco
96. Consejo Comunitario de Unicosta, Santa Bárbara
97. Consejo Comunitario El Progreso, Roberto Payán
98. Consejo Comunitario El Progreso del Campo, La Tola
99. Consejo Comunitario Manos Amigas del Patía Grande, Magui Payán
100. Consejo Comunitario de Agricultores del Patía Grande, Roberto Payan
101. Consejo Comunitario Sanquianga, Olaya Herrera
102. Consejo Comunitario La Amistad, Magui Payan
103. Consejo Comunitario del Río Satinga, Olaya Herrera
104. Consejo Comunitario Manos Unidas del Socorro, Barbacoas
105. Consejo Comunitario Unión de Cuencas de Isagualpi, Roberto Payan
106. Consejo Comunitario Integración de Telembí, Roberto Payan
107. Consejo Comunitario Catangueros. Roberto Payan
108. Consejo Comunitario la Esperanza del Río La Tola, La Tola
109. Consejo Comunitario el Progreso del Río Nerete, La Tola
110. Consejo Comunitario Bajo Río Guelmambí. Barbacoas
111. Consejo Comunitario Alto Río Sequihonda, El Charco

112. Consejo Comunitario Gualmar, Olaya Herrera
113. Consejo Comunitario Odemap Mosquera Sur, Mosquera
114. Consejo Comunitario Prodefensa del río Tapaje, El Charco
115. Consejo Comunitario de Pilamo, Guachené
116. Comunidad Negra del Pilamo, Guachené
117. Colectivo Libertarios Afromagdalénicos -Afrolibertarios del PCN y la CNOA en Barrancabermeja- Magdalena Medio
118. Comité Local, Buenaventura
119. Comité Municipal de Derechos Humanos, Buenos Aires
120. Corporación Ancestros, Cauca
121. Corporación Cultural Quinto Elemento, Medellín
122. Corporación Festival de Tambores y Expresiones Culturales de Palenque. Bolívar
123. Corporación para el Desarrollo de las Comunidades Afrocaribeñas "Jorge Artel"
124. Corporación Carabantu, Medellín
125. Corporación para el Bienestar Integral, CORBIP
126. Corporación para la Infancia del Pacífico FIP
127. Corporación Palenque Siglo XXI, Bogotá
128. Corporación Vive, Buenaventura
129. COOAMBIENTE, Buenaventura
130. Empresa Comunitaria Brisas del Río Agua Blanca-ECOBRA. Buenos Aires, Cauca
131. Ecotambor
132. Federación Integral de Organizaciones Etnico Territoriales Urbanas de la Costa de Nariño "FIOCEPNAR"
133. Fundación Huellas Africanas, Buenaventura
134. Fundación Organizativa Afroeducadores del PCN y la CNOA, Magdalena Medio
135. Fundación Colectiva de Organizaciones Esperanza Negra, "COEN", Buenaventura

136. **Fundación Massai, Puerto Tejada**
137. **Fundación Pacifico Sin Cadenas "PSC", Buenaventura**
138. **Fundación Pacifico Multicultural Center, "PMC"**
139. **Fundación para el Desarrollo Social e Integral Unidos por Palenque. Bolívar**
140. **Fundación para el Desarrollo Integral de la Población Afrocolombiana**
141. **Fundación Renacientes, Tumaco**
142. **FUNDESCON, Guachené**
143. **FUNDESCODES, Buenaventura**
144. **Gestores y Asesores Ambientales, CAMBIE, Buenaventura**
145. **Grupo de Integración Rural, Buenos Aires**
146. **JOPROMAR, Buenaventura**
147. **Junta de Acción Comunal de la Vereda de Paloblanco. Buenos Aires, Cauca.**
148. **Junta Acción Comunal Vereda Honduras. Buenos Aires, Cauca**
149. **Junta de Accion de la Vereda de Yolombo, Suarez, Cauca**
150. **Kombileza**
151. **Movimiento Cultura Sinecio Mina, Puerto Tejada, Cauca**
152. **Movimiento Palenquero Universitario Afrodescendiente del Cauca-Unicauca**
153. **Movimiento Nacional Cimarrón Regional, Antioquia**
154. **Movimiento Gente Unida, Tumaco**
155. **Organización de Comunidades Negras del Charco, ORGANICHAR, El Charco**
156. **Organización Campesina del Río Satinga, ORISA, Olaya Herrera**
157. **Organización Mina Vieja, Buenaventura**
158. **Organización Negra Campesina para la Protección del Rio Calima, ONCAPROTECA**
159. **Palenque El Congal, Buenaventura**

- 160. Palenque Alto Cauca, Valle y Cauca**
- 161. Palenque Ku Suto, Costa Caribe**
- 162. Palenque Kurrulao, Nariño**
- 163. Petrona y Sebastián Cárdenas, Cerrito, Valle**
- 164. Proceso de Comunidades Negras en Colombia (PCN)**
- 165. Red de Etnoeducadores de Bogotá**
- 166. Unión Veredal del Río Sanquianga, UNIVERSAN**
- 167. Humberto Villa Vásquez- Líder Comunitario, Miembro Consejo Comunitarios RIO NAPI**
- 168. Concejo Municipal de Buenaventura, Rolando Caicedo, Presidente**

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