

## THE COLOMBIAN GOVERNMENT AND THE MOBILIZATION OF THE INDIGENOUS COMMUNITY

### 1. Total respect by the Government for the peaceful protest of the indigenous community.

- The Government has total respect for the civil right to peaceful protest. It has always authorized that the demands of the indigenous communities be made visible, with the sole condition that the rights of other Colombians be respected.
- The Government has, for several months, been ready to engage in dialogue with the indigenous authorities; indeed, a number of meetings have been held between Ministers and Vice-Ministers and representatives of the communities.

### 2. Concern at acts of violence during recent mobilizations

- The Government has used the forces of law and order to secure respect for civic rights and to protect the indigenous community from infiltrations by illegal armed groups into their marches and seizures of land.
- There have been incidents of violence against the police and against the local population in those areas and against smallholders. Since October 11, 32 policemen have been seriously injured..
- The weapons used by the marchers during the protest have been: “Molotov cocktails” , home-made grenades, mortars and rocket-launchers.
- Three people who were taking part in the protest died while handling explosives used to attack the Police. This is confirmed by examinations and expert reports from the Forensic Medicine Service. No deaths have been reported as a consequence of a confrontation with the Police.

### 3. The rights of indigenous peoples in Colombia

The 1991 Constitution adopted a multicultural approach (Art. 7) that expressly recognized the rights of the indigenous communities:

- Territorial autonomy and the inalienable right to the common lands of the reservations (formation of reservations as units of regional government, Art. 286)
- Capacity to be governed by their own authorities (Art. 287).
- Ability to manage their own resources (Art. 287).
- Participation in national budget allocations (Art. 287).
- Recognition of traditional languages as official languages within their territories (Art. 10).

- Preferential political rights with a special national election constituency (Art. 176).

4. Progress made in compliance with Agreements made with indigenous communities, and the challenges involved.

- Land:
  - The indigenous communities in Cauca represent 19.6% of the Department's population and they own 24.6% of the land there.
  - Colombia has a land area of 115 million hectares, of which 30,770,000 hectares belong to the indigenous communities. This means that 3.2% of the Colombian population is owner of the 27% of the total country surface.
- Commitments:
  - When this Administration came into office, it found that there were two commitments to the indigenous communities: first, the obligation to buy 15,663 hectares as a result of the massacre of El Nilo in 1991; and second, to buy another 8,000 hectares, established by a Decree in 1999.
  - The two commitments total 23,587 hectares and 16,539 hectares have already been bought. The remaining 7,048 hectares pose the problem that the budget earmarked for the purchase of these lands no longer matches the market price, because their value has risen substantially.

5. Government commitments and our demands

- The President will travel to Popayán on Sunday, October 26, in order to engage in public dialogue with the indigenous communities, at the latter's request, on conditions that will allow a return to respect and peaceful discussion.
- The Government has the political will to work towards long-term solutions of any social problems that may be present.