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INDIGENOUS ISSUES

**Written statement* submitted by the Latin American Human Rights Association
(ALDHU), a non-governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[16 January 2004]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

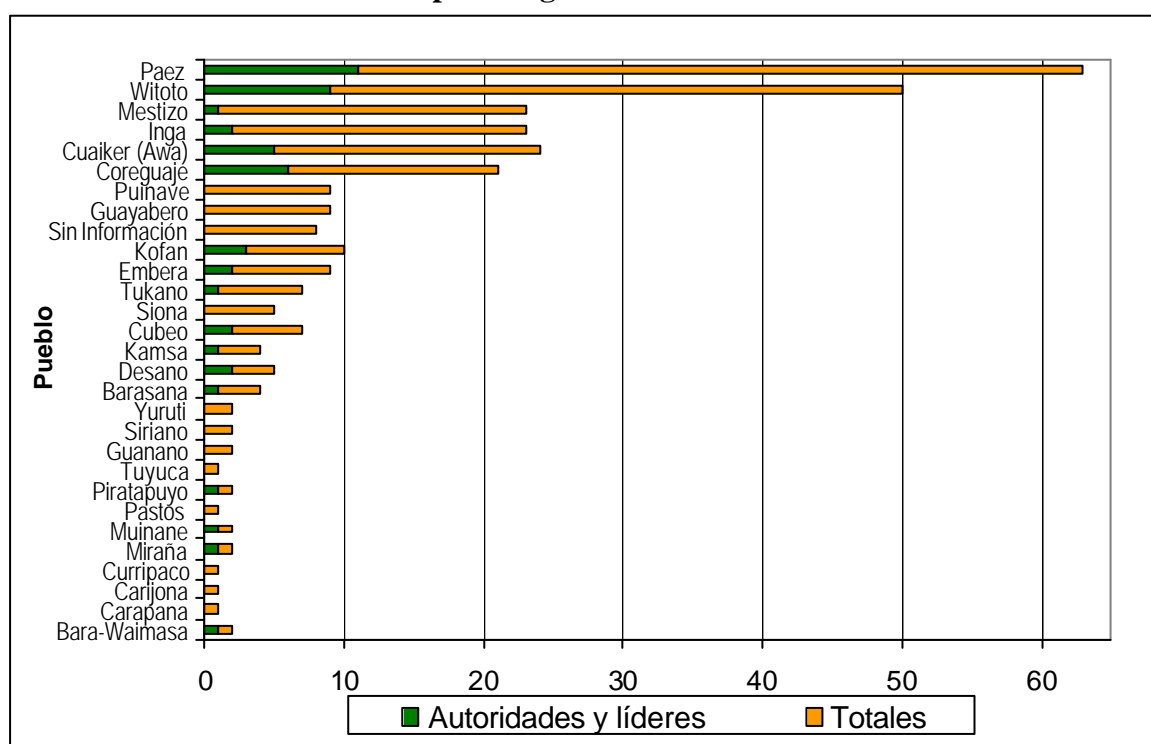
The Human Rights Latin American Association - Aldhu-, within its Project of Promotion and Protection of the Human Rights of the Indigenous People, sponsored by the European Union, carried out the Forum "The Jaguar's Agony", in which a report of the implications of the Colombian armed conflict on the Indigenous People of the Amazon was presented. The team of Aldhu together with indigenous promoters representing every Amazon State Department of Colombia and several indigenous nationalities of Ecuador prepared the document. The following were some of the most significant results:

Due to the armed conflict the indigenous people constantly face violations to the human rights and to the DIH, such as: harassment and exile of the communities; armed confrontations within their territory; loss of autonomy and internal social control; lack of access to areas of food supply, hunting, fishing and gathering zones and sacred places; threats; murder of traditional authorities and community leaders (out of the 250 cases of violations to the Human Rights of indigenous of the Amazon between 1997 and 2003, 50 comes from the violation of the rights of shamans, leaders and authorities of popular election); slaughters, forced recruitment, loss of territories, new conflicts among ethnic groups and other non indigenous populations; planting of anti-personal mines or abandonment of explosive devices in their territories; invasion of properties and of indigenous territories; expansion of illicit crops economy, illicit use of drugs and drug trafficking and weaken of the economy of subsistence.

The forced displacement is another of the great problems that affects these communities: until September 2003, near 1500 natives of Caquetá, Guaviare, Putumayo and Vaupés were forced to leave their territory.

According to the study carried out by Aldhu, "these factors affect the dignity of the individual and collective life of the indigenous people of Colombia, brake up and harm their whole social, political, economic and cultural structures."

Victims per indigenous town. Amazon 1997-2003

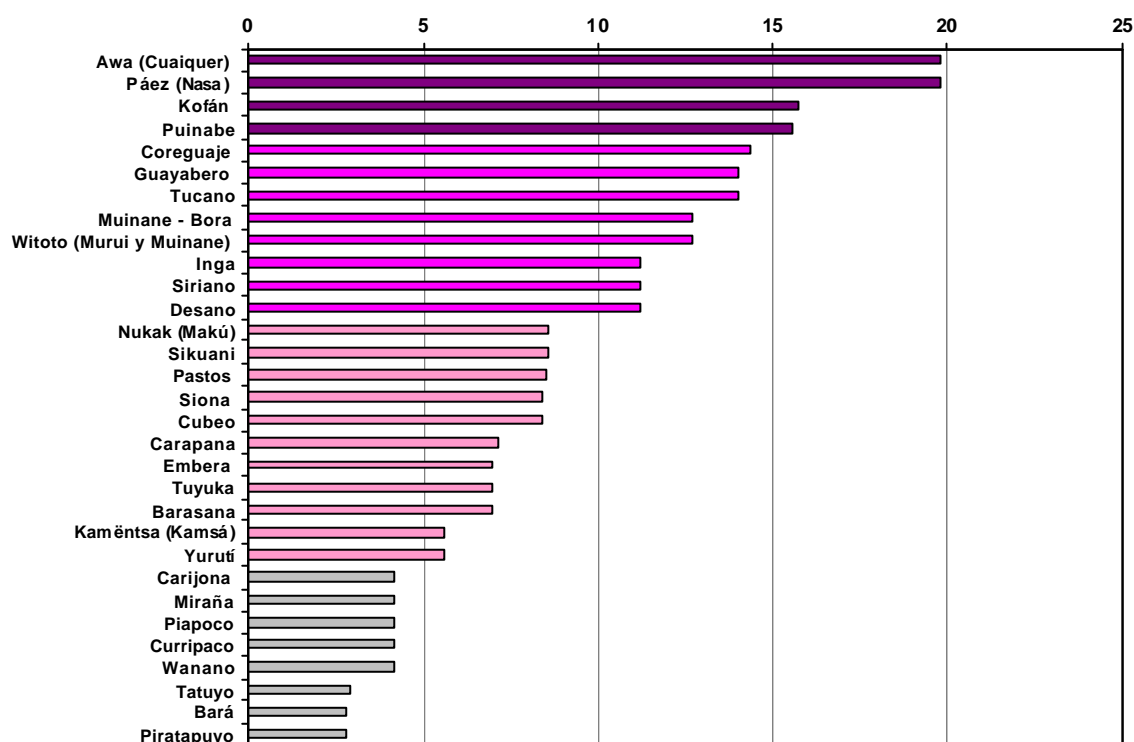


To analyze the effects of the internal conflict on the indigenous people and their risks, two categories were designed: the category of human rights affectation (ISADH) and the category of risk of the indigenous people of the Colombian Amazon (IRPIAC).

The ISADH is calculated on the variables concerning the serious violations to the human rights, based upon the cases registered within the period 1997 - 2003. It shows the damage caused to each town in the context of the internal conflict. It is calculated based on the net rates of serious violations (homicides, displacement, disappearances, recruitment, and other violations), estimated on the Amazonian population of each indigenous town.

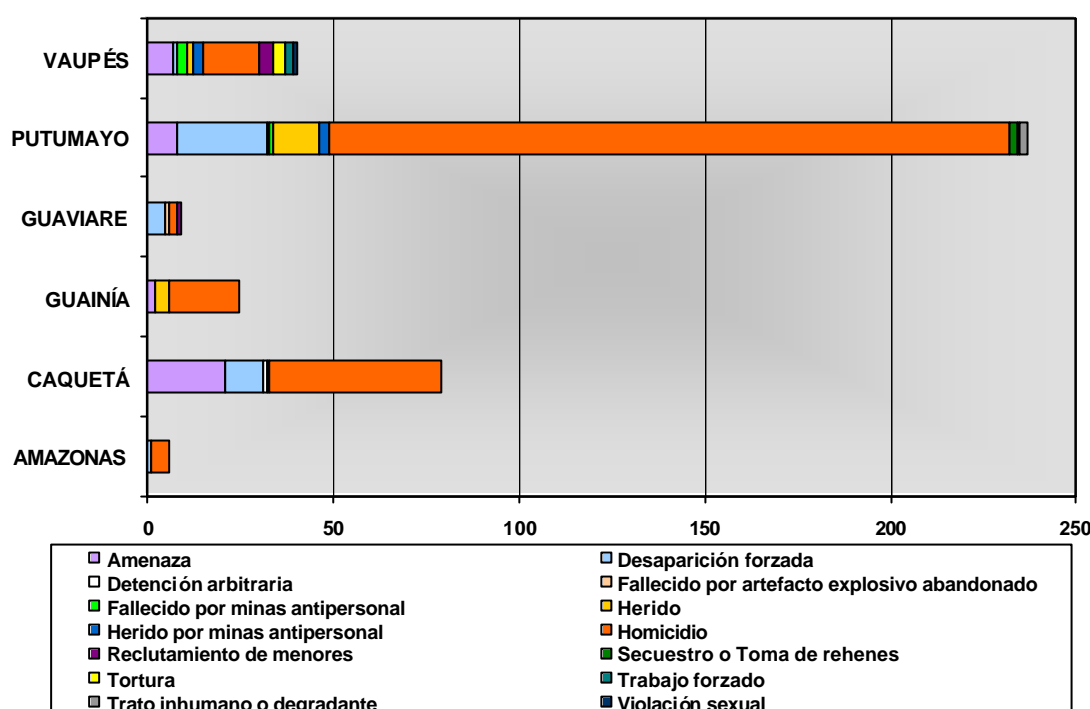
Simple human rights affectation rate, per indigenous town of the Amazon

As a result of the rate analysis, it is deduced that 12 of the 54 towns of the Amazon (22,2%), have high and very high affectation rates due to the internal conflict; 20,3% has been moderately affected and 14,8% has been low affected. On 23 of the towns (42,5%) there is not information available on the cases of serious violations to the human rights.



The most affected regions

The most affected indigenous areas are located in the State Departments of Putumayo, Caquetá and Vaupés, regions where the 12 towns with greater affectation rates are located and where there are strategic corridors in the struggle on territorial control among the armed actors.



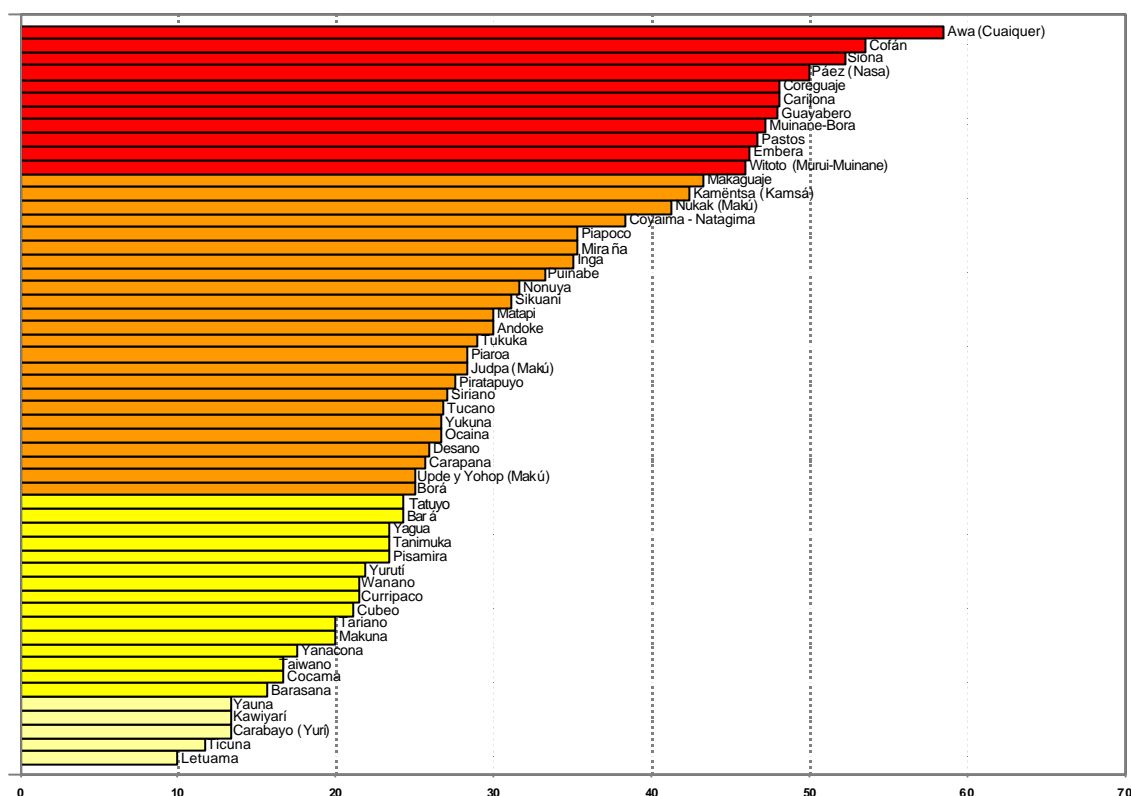
The presumed responsible of the violations to the human rights of the indigenous people of the Colombian Amazon are the AUC (33%), the Farc (35%), the Public Force (5%), and other 25% has not been detected.

On the other hand, the risk rate (IRPIAC), besides making up the simple human rights affectation rate (ISADH), weights the internal and external¹ vulnerability of the indigenous towns.

Risk rate of indigenous towns of the Colombian Amazon

On the whole, this rate allows to quantify the risk level of a certain indigenous town in the region, understood as the possibility of damage of its physical and socio cultural life, in the short or medium term, even when up to the moment, there are no victims registered due to the armed conflict.

¹ At the internal level, the following variables are considered: demographic weight respective to the indigenous town in the region, legal condition of its territory, violent acts against the indigenous authorities and the representation of the group in indigenous instances that can have initiatives on protection actions. The external vulnerability considers: institutional action in cases of serious violations to the Human Rights of the respective town, confluence of actors or armed forces in the indigenous territory, entrance of extractive economic interests in the territory and colonization in the indigenous territory.



The risk analysis allows to conclude the following:

- 40% of the indigenous towns of the Amazon has high and very high risk levels. The highest risk rates are among the towns Awa (Cuaiquer), Kofán, Siona, Páez (Nasa), Coreguaje, Carijona, Guayabero, Muinane-Bora, Pastos, Embera, and Witoto (Murui and Muinane).
- The areas where the towns with highest risk rates are located are the State Departments of Putumayo, Caquetá and Guaviare.
- Among the towns with more risk rates are all those that have been displaced of the Andean area and have been relocated in the Amazon hillside (Awa, Páez, Pastos and Embera)².
- The towns with higher risk rates that don't have population in any other department of Colombia neither in border countries are the Carijona, Siona and Muinane (Bora).
- All these towns have high external vulnerability (presence of armed actors, extractive projects in the territory, colonization and low institutional attention).

² Although most of the population of these towns is in other regions of the country (Nariño, Chocó, Cauca and Valle), the rate was applied on those located in the Amazon

- The rates of half and low risk come from the towns located in the interior of the Amazon, departments of Amazonas, Guainía and Vaupés.
- The towns located in the departments of Amazonas and Vaupés have the lowest risk rate (Carabayo, Kawayarí, Yauna, Ticuna, Letuama). Nevertheless it should be said that, except for the Ticuna whose population reaches more than 7.000 people in Colombia and 36.000 in Brazil, the demographic weight of the other four towns oscillates between 100 and 700 people.

Each of risk levels needs the intervention of the State and urgent actions of protection of organisms and specialized instances, for the protection measures for these towns is imperative. This way, the capacity of the State and of the protection organisms should be shown in order to carry out follow up actions, humanitarian attention, justice, protection and repair actions, or any other required, taking into account variables such as: areas of higher intensity of the conflict; armed actors presence; demographic weight of each town; affectation to the traditional authorities; characteristics of the social organization and of the strategy of territorial occupation (nomadic and riverside towns, urban or rural enclave).

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