

Land in Colombia
Between usurpation and
trade

*Current situation of a central issue within
the conflict*

March 2013

Land in Colombia – Between usurpation and trade

Current situation of a central issue within the conflict

Colombia is a country with a high level of [land concentration](#), which is [under-used for agricultural purposes](#). This concentration is due to historical reasons and has been increased and assisted by the armed conflict, which has contributed to high rates of [dispossession and forced displacement](#). Today, Colombia and Sudan have the highest number of internally displaced people in the world. In light of this situation the present government has adopted a [policy of land restitution](#). However, this policy has significant limitations and [to date has not been as effective as was hoped](#). Meanwhile, impunity for this crime is almost complete and displacement continues. In addition, the Colombian government's [current policy on development and trade](#), based on “megaprojects” could strengthen and deepen further dispossession and land concentration. The issue of land, central to the Colombian armed conflict, is currently on the agenda of the peace negotiations.

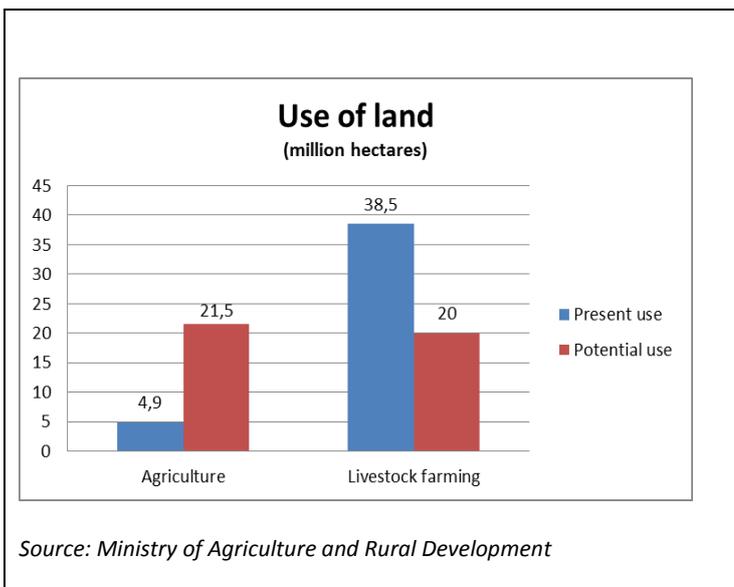
Recommendations

- Urge the Colombian authorities to investigate and punish the crime of forced displacement; to undertake effective restitution of land and territories as part of a comprehensive development policy based on fundamental rights; and to ensure the protection of people who defend these rights and work for land restitution.
- Encourage and provide opportunities for the participation of Colombian civil society, primarily small-scale farmers, indigenous peoples, Afro-descendant communities, women and human rights organisations, in the context of the peace process and during the peace talks, in particular on issues such as land, territories and rural development.
- Adopt a normative framework to: prevent and sanction in civil and criminal courts, direct and indirect human rights violations and regulations for environmental protection for European companies and their subsidiaries both within Europe and in other countries; prevent access to the European market for products whose origin is related to human rights violations; ensure access to justice for victims of human rights violations caused by companies.
- Adopt efficient legislative measures to fight against financial speculation on land, agricultural production and natural resources; and the use or direct and indirect change of use of agricultural land for other purposes than growing food.

Colombia, a country with high level of land concentration:

- *“The control and the concentration of land are central elements in Colombia’s rural history. The historic spatial occupation of land, the processes of agrarian colonisation and population settlements, and the absence of the State, have led to a high concentration of land, are critical elements in the rural and agrarian reality and have caused violence”* (Third Peace Laboratory)ⁱ.
- Figures on land ownership reflect this extreme situationⁱⁱ:
 - o The GINI index for land in Colombia is 0.87 (the nearer the figure is to 1, the greater the concentration of land in the hands of the few) – one of the highest in the worldⁱⁱⁱ.
 - o 86.3% of landowners have 8.8% of the land surface area with properties of less than 20 hectares
 - o 10.7% of landowners have 14.6% of the land surface area with properties of between 20 and 100 hectares
 - o 2.6% of landowners have 14% of the land surface area with properties of between 100 and 500 hectares
 - o 0.4% of landowners have 62.6% of the land surface area with properties of more than 500 hectares

Under-use of land suitable for agriculture in Colombia



- The surface area used for agriculture amounts to 4.9 million hectares, although it is estimated that 21.5 million are suitable for agriculture, that is to say only 22.7% of the area suitable for agriculture is used for growing crops.
- The opposite is true in the case of livestock farming, for which 39.2 million hectares are used, although only 53.8% of the area used is suitable for this work^{iv}.
- The FAO estimates that worldwide there are around 2,600 million hectares of land suitable for agriculture which is not being used for crops. Of these, 900 million are located in

seven countries: Brazil, Congo, Angola, Sudan, Argentina, Bolivia and Colombia^v. Land in Colombia is firmly within the sights of international speculative investment^{vi}.

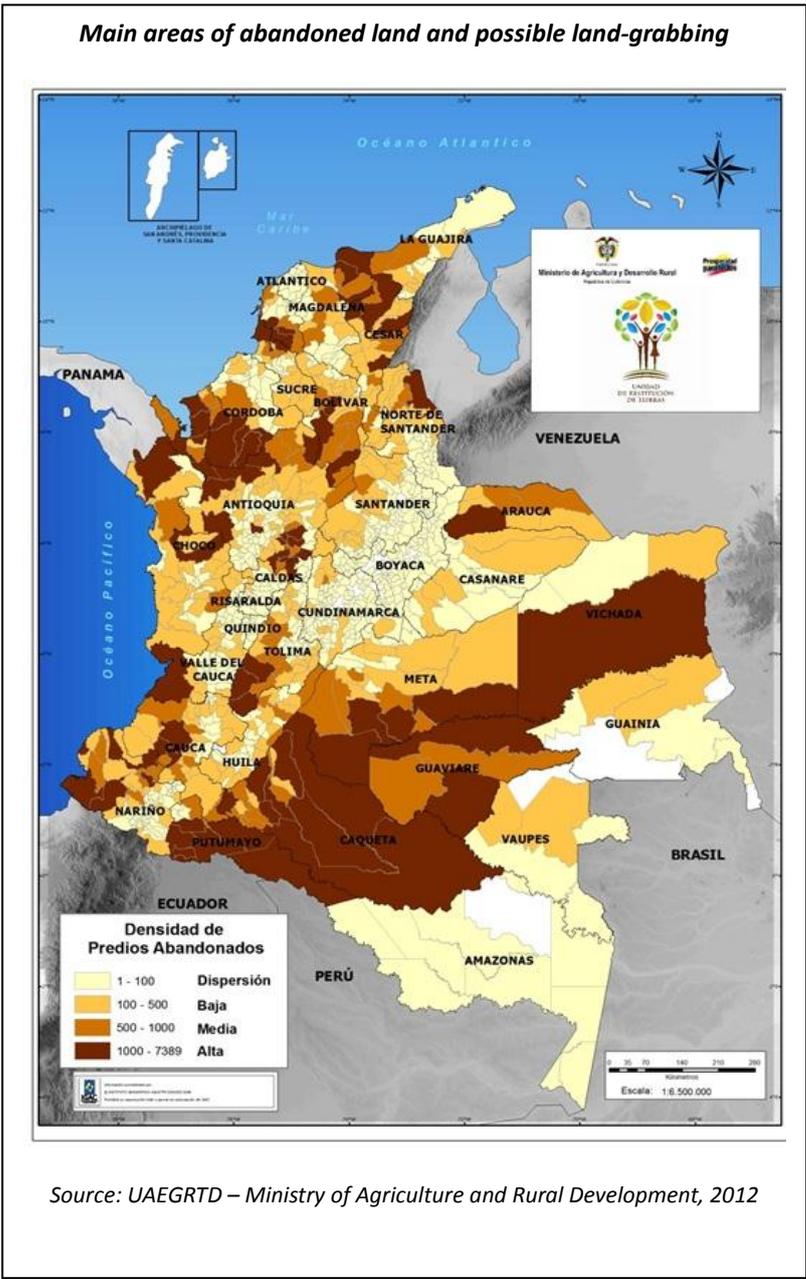
This under-use of land with agricultural potential is of concern, given that around the world it is considered that small-scale farmers supply food for 70% of the population^{vii} and as noted by the UN Special Rapporteur on the right to food *“we won’t solve hunger and stop climate change with industrial farming on large plantations. The solution lies in supporting small-scale farmers’ knowledge and experimentation, and in raising incomes of smallholders so as to contribute to rural development”*^{viii}.

In Colombia the proportion of people facing hunger is 12.6% (higher than the average rate for countries in Latin America and the Caribbean, which stands at 8.3%), and the figure did not improve from 2007 to 2012 despite economic growth which was greater than 4%^{ix}.

As noted by UNDP, these figures show that land in Colombia is a complex problem that requires more than restitution and land titling, but rather needs a “transformational rural reform”^x.

Forced Displacement – Land Grabbing

- Forced displacement remains massive, with between 3.9 and 5.5 million people internally displaced^{xi}, including 259,146 additional cases in the year 2011^{xii}, or 155,692 cases according to official records.^{xiii} An increase in mass displacement has also been reported (displacement which affects more than 10 households or 50 persons) in 2011^{xiv}.



- More than 80% of the displaced population are women and children^{xv}. And the Constitutional Court has recognized that “ethnic groups are the sector of the Colombian population most affected by forced displacement”^{xvi}.
- According to different estimates, between 6.6 and 10 million hectares of land have been grabbed^{xvii}. It should be noted that these figures do not take into account land grabbing during the period of Violence between 1948 and 1960 which caused 2 million people to be displaced and 400,000 plots of land to be abandoned^{xviii}. Moreover, the land restitution law restricts compensation for dispossession of land to events subsequent to January 1, 1991.
- The Constitutional Court, in its judgment T-025 of 2004, stated that there was an “unconstitutional state of affairs”, recognizing the systematic and massive violation of the rights of forcibly displaced persons. The Constitutional Court subsequently issued a series of *Autos* (orders), urging public bodies to adopt measures to prevent and punish this crime. However, in light of continued displacement and the many human rights violations which it causes, the Constitutional Court in 2011 reconfirmed the unconstitutional state of affairs^{xix}.

- Impunity in cases of forced abandonment and land grabbing is widespread. According to the Constitutional Court, for every 200 cases, less than one reaches the prosecution stage, in other words more than 99.5% remain in impunity^{xx}. In its November 2012 report, the Office of the Prosecutor of the International Criminal

Court (ICC) stated that there is a “*reasonable basis*” to believe that crimes against humanity have been committed by the actors in the armed conflict, including forced displacements. Given this situation, the Office of the Prosecutor of the ICC announced that legal proceedings related to forced displacement will be among the cases examined during its preliminary review on Colombia^{xxi}.

Law on Victims and Land Restitution – General Considerations

- Although the government through the new Law on Victims and Land Restitution in Colombia (Law 1448 of June 10, 2011) announced that it will recognize the land titles of victims of forced displacement demanding the return of their lands, this law contains many limitations^{xxii}. And if it is not implemented impartially and independently, could, as highlighted by the OHCHR “*have a re-victimizing effect*” and “*become an instrument of legalized plunder, instead of providing justice to the victims*”^{xxiii}.
- One of the positive aspects of the law was the reversal of the burden of proof, a provision which establishes that the burden falls to the person currently in possession of the land claimed by the victim, to show that they did not gain possession of the land through land grabbing. The burden of proof has been reversed, in recognition that the victim lacks the resources to collect and provide evidence to prove their ownership of the land. Indeed, informality in land ownership in Colombia is common, as shown by research carried out by the Universidad de los Andes, which shows that “*total informality stands at 32.8%*”^{xxiv}. However, this reversal of the burden of proof disappeared in decree 4829 of 2011 on the implementation of the law and was replaced by a simple indication that the state could help gathering evidence. This change, supported by the Ministry of Agriculture,^{xxv} is of serious concern and leads to a lack of protection for the rights of the victims.

Article 99 of the Law on Victims and Land Restitution limits land restitution in cases where industrial projects are present on the victim’s lands. In these cases, victims will not be able to return to their lands, since the agribusiness project will have priority over their right to return^{xxvi}. As noted in the Follow-Up Report to the law made by the Colombian state supervisory agencies, in these cases “*it is possible that the recipient of the restitution will end up agreeing to the terms set by the third party and the situation will result in a re-victimization*”^{xxvii}.

Law on Victims and Land Restitution – Few results after one year of implementation

- It is important to note that the law only stipulates the return of 2 million hectares of land^{xxviii} when the full spectrum lies between 6.8 and 10 million hectares^{xxix}. What will happen then, to the other families dispossessed of their lands?
- By December 2012, the Administrative Unit for Land Restitution had registered 31,111 restitution requests corresponding to 2,246,664 hectares of land^{xxx}. However, according to the organisation Shaping the Future (*Forjando Futuro* – National Peace Prize in 2012), in the year since Law 1448 was adopted, less than 1% of the land claimed by the victims in the country has been returned to them (corresponding to 33 properties totalling 162 hectares)^{xxxi}.
- To date the cases presented as emblematic for restitution by the Office for Restitution, are actually titling processes, not the return of grabbed lands. While it is difficult to gain access to the exact figures relating to

the return of lands within the framework of the Land Restitution Law, the data at the end of 2012 shows very minor results.

- Indeed, as highlighted by the first follow-up and monitoring report published in August 2012 by the state supervisory bodies for Law 1448 of 2011 on Victims and Land Restitution, by August 2, 2012, the preliminary study had only been undertaken for 2.2% of the 18,295 applications (i.e. 402) for the simple reason that the other applications were not located in “*micro-targeted*” areas, that is, areas prioritized by the government for restitution. The report notes that this concept established under the law “*has become a strong obstacle to progress (...) Thus, the speed of the process, which is one of the objectives of the Law, has been compromised and victims will not have a quick solution to the return of their lands*”^{xxxii}.
- The monitoring report also highlights the lack of participation of victims’ organisations. “*The coordination of the system can not imply the absence of substantive participation of both land authorities and victims’ organisations. Participation is not only a question of political legitimacy of the process but is a vital aspect for the successful implementation of the policy, since it allows for a differential perspective both at the level of the land and the population, which is essential*”^{xxxiii}.
- Of the utmost concern is the lack of security for the leaders of processes for land restitution: between 2006 and 2011 at least 71 leaders were killed,^{xxxiv} including 28 in 2011.^{xxxv} Between 2007 and March 2010, 1,499 displaced people have been killed^{xxxvi}. As these figures show, there is no real system for protection and prevention.

The current government’s land restitution policy lacks a clear concept of agrarian reform which includes farmers who have not been victims of the internal armed conflict. Back in 2010, the UN Committee on Economic, Social and Cultural Rights expressed concern in its observations on Colombia “*about the unequal distribution of lands owned by a minority of the population, as well as about the absence of a genuine agrarian reform, as recommended in the previous concluding observations of the Committee*”^{xxxvii}.

Moreover, development policy, which prioritizes sectors such as mining and oil extraction, limits access to land by small-scale farmers, indigenous people and Afro-Colombian communities, and could aggravate the current situation^{xxxviii}. As recalled by the UN CESCR when they examined Colombia, “*the policy encouraging agro-exporting goods, such as agro-fuels, may deprive peasants from cultivating their lands*”.

Promotion of megaprojects: an economic policy which threatens human rights, development and the environment

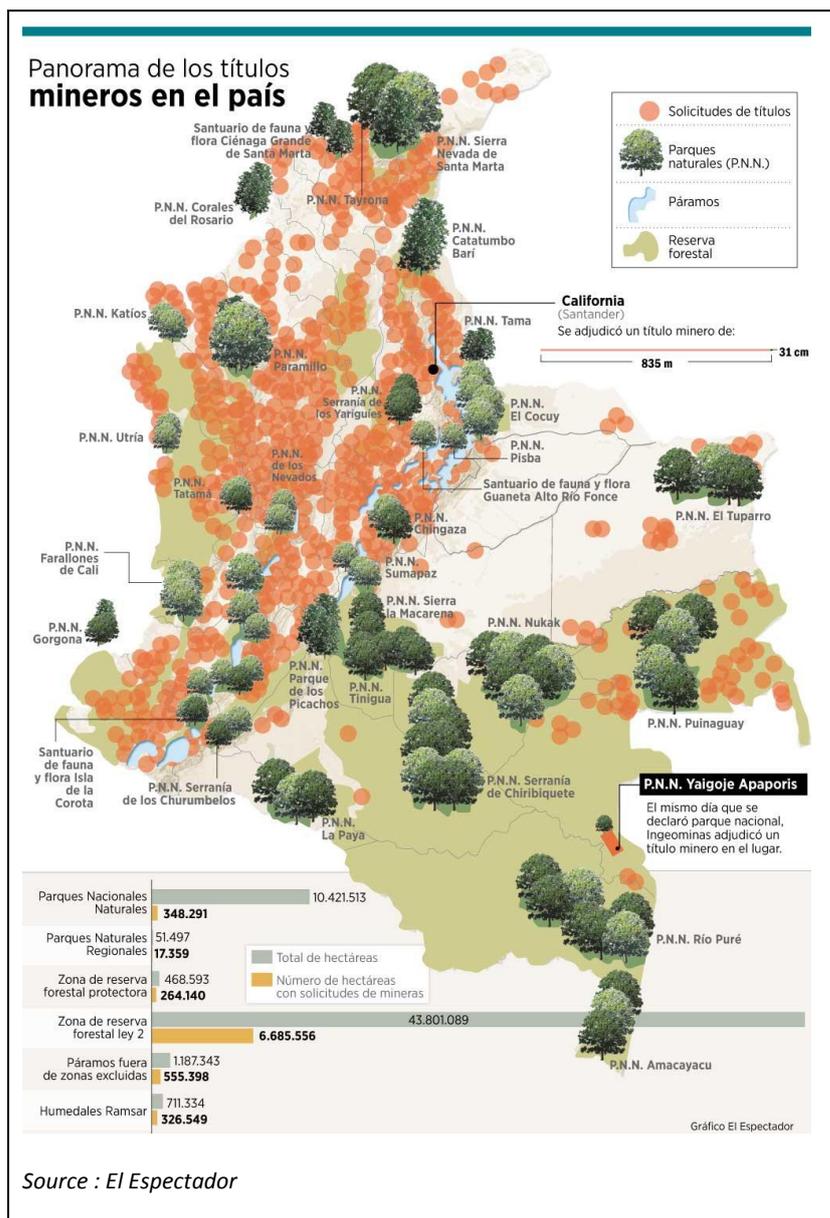
- Colombia is a country of great biodiversity and richness in its sub-soil, and because of this its land attracts investors, transnational mining companies, ranchers and agribusiness. It is also why armed actors (State armed forces, paramilitaries and guerrillas) fight for control over natural resources.
- Land grabbing in the context of armed conflict, favours the high concentration of land required for mining and agribusiness activities. In some cases it is clear that areas of extensive crops are the same areas where land has been grabbed. And the 5 “engines” of the national development plan 2010-2014 of the current government (infrastructure, housing, agribusiness, mining/energy and innovation) could consolidate and deepen further this dispossession.

Agrofuels

- Colombia is the fourth largest producer of palm oil in the world and the largest in Latin America^{xxxix}. In 2011, 427,367 hectares of land were sown with oil palm^{xl} and 233,905 with sugar cane – mainly dedicated to the production of ethanol^{xli}. Production is constantly on the increase. In 2011, the European Union was the third largest importer of palm oil in the world, after India and China (5,462; 6,745 and 6,173 thousand tonnes respectively)^{xlii}. Areas in which oil palm and sugar cane are grown for the production of agrofuels in Colombia are among the areas most affected by human rights violations and infractions of International Humanitarian Law. The production of sugar cane is concentrated in the Valley of the river Cauca.

Mining

- For several years there has been a mining boom in the country. By the end of 2010, around 60% of the country was under application for mining concession^{xliii}.



Source : El Espectador

- According to the Comptroller General's Office, 10,890 titles have been approved for 6.5 million hectares of land, of which only 22% have environmental authorization (corresponding to 6% of the total area approved for mining)^{xliv}. Therefore, 94% of the approved area for mining has no environmental clearance!

The same report says that 1.6 million hectares are licensed in nature reserve areas, such as moorlands, which are nature reserves of drinking water.

- Contrary to government statements, megaprojects are not synonymous with development. For example, in the department of La Guajira, after more than 30 years of operations by the Cerrejón company - one of the world's largest open-pit mines - there is one of the highest rates of poverty in the country with 57.4% of the population living in poverty, and 28.1% in extreme poverty^{xlv}. National average rates stand at 34.1% poverty and 10.6% extreme poverty^{xlvi}.

Violations of the right to consultation and the effects on indigenous peoples and afro-descendant communities

- Colombia has ratified ILO Convention 169, and has established the right to free, prior and informed consultation in its Constitution. Between 1994 and 2009, 121 prior consultation processes have been carried out between 1994 and 2009, some 83 have been made with indigenous peoples, yet the ONIC has stated that *“there is not one single example of good practice in this area”* and notes that *“more than 80 % of our territories have been given in concession, without consultation, for the implementation of economic projects”*^{xlvii}. Likewise, UNHCHR informed in its latest report that after a *“broad participatory process”* **on the right to consultation, “not a single best practice was identified”**^{xlviii}. In light of this situation, **UNHCHR “exhorts the Ministry of the Interior to apply a differential approach in the process of regulating the exercise of indigenous authority, and calls upon the State to carry out prior consultation not as a formality but based on protocols created with each ethnic community to ensure the fulfilment of their rights”**. UNHCHR also recalls that *“in the case of groups at risk of extinction, the right to prior consultation constitutes not only a right to participation but also a veto mechanism to guarantee their survival”*.
- Mega-projects (mining, infrastructure, etc.) are often located in the territories of indigenous and Afro-Colombian peoples^{xlix}, a situation which also aggravates their socio-economic situation. The reduced availability of arable land, fumigation and pollution from the increased exploitation of natural resources and lands affect crops, which increases vulnerability in terms of food security^l. 70% of indigenous children suffer from chronic malnutrition^{li} and between January and September 2012 the ONIC reported the death of 20 children due to a lack of medical care or linked to food security^{lii}.

Serious environmental impacts, social conflicts and attacks against human rights defenders

- It is striking that since 2005 social conflicts related to the extraction of oil, coal and gold have seen a steady increase with sustained growth since 2008^{liii}. UN Special Rapporteur Margaret Sekaggya, warned in her 2011 report that *“Defenders working on land and environmental issues are also highly exposed to attacks to their physical integrity, often by non-State actors, and many are killed because of their work on the environmental impact of extractive industries and development projects, or the right to land of indigenous peoples and minorities”*^{liiv}. The Rapporteur also noted the numerous attacks against journalists and media professionals who work in the defence of environmental issues in the Americas region, and she mentioned that Colombia was one of the countries in the region about which she had received most communications related to this issue^{liv}.
- Megaprojects cause serious environmental damage. It has been reported for example that the El Cerrejón mine (in the region of La Guajira) *“has caused desertification, the annihilation and extinction of a special ecosystem with wild plants, medicinal plants and animals that once lived in the area, the loss of land productivity and the emergence of many new diseases, especially respiratory illnesses”*^{livi}. The Colombian government itself warned that deforestation is advancing at an annual average rate of 238,000 hectares (data between 2005 and 2010), while according to experts *“there are no less than 470 hectares of forest cleared each year, a rate of destruction that could devastate the country's total forest cover in less than 146 years”*^{liivii}.

Land and agrarian policy in the peace dialogues

It is relevant and important that the first item on the agenda of the talks between the government and the FARC is a comprehensive agricultural development policy as reflected in the *“General Agreement for ending the conflict and building a stable and lasting peace”* signed on August 26, 2012:

1. Policy of comprehensive agrarian development

Comprehensive agrarian development is decisive to promote the integration of the regions and the social, economic and equal development of the country.

- Access to and use of land. Unproductive land. Formalization of property. Agricultural frontier and protection of natural reserves.
- Development programmes with a territorial focus
- Infrastructure and adaptation of land
- Social development: Health, education, housing, eradication of poverty
- Incentives for farming and stockbreeding production and jointly shared, cooperative economy. Technical assistance. Subsidies. Credit. Generation of income. Trade. Formalization of labour.
- A system to guarantee food security.

The Agrarian Forum held in Bogota at the end of 2012 with the participation of more than 500 organisations (the Colombian Federation of Livestock Owners (*Federación Colombiana de Ganaderos – Fedegan*) refused to participate in this event) was an important space for debate and proposals. Over 400 were delivered to the dialogue table in Havana. Nevertheless it is considered that the participation of civil society, and in particular rural sectors, indigenous peoples, Afro-descendant communities and women, cannot be limited to this one event for such an important issue for the future of the country.

Notes

- ⁱ [Campesinos, tierra y desarrollo rural. Reflexiones desde la experiencia del Tercer Laboratorio de Paz, \(Small-scale producers, land and rural development, reflexions on the experience of the Third Peace Laboratory\) April 2011](#) (Unofficial translation)
- ⁱⁱ UNDP, Notebook to the Human Development Report 2011 – Small-Scale Farmers
- ⁱⁱⁱ Absalon Machado, Director of the 2011 UNDP Report on Human Development “Rural Colombia, reasons for hope”
- ^{iv} Ibid.
- ^v DNP (2010) “Bases del Plan Nacional de Desarrollo 2010-2014: Prosperidad para todos”. (*Bases of the National Development Plan 2010-2014: Prosperity for all*.) Bogotá: National Planning Department (*Departamento Nacional de Planeación*), p. 171.
- ^{vi} Hector Mondragón, Coordinator of the Technical Group on Agriculture in the Continental Social Alliance (*Alianza Social Continental*), “Especulación con la tierra contra la soberanía alimentaria”, (*Land speculation against food sovereignty*) November 2011
- ^{vii} The Campesino Way (*Vía Campesina*), “[La Agricultura campesina sostenible puede alimentar el mundo](#)” (*Sustainable small-scale agriculture can feed the world*), February 2011
- ^{viii} “[La Agroecología puede duplicar la producción alimentaria en 10 años, según el nuevo informe de la ONU](#)” (*Agroecology can double food production in 10 years, according to a new UN report*), Geneva, February 2011
- ^{ix} [Panorama of food and nutrition security in Latin America and the Caribbean 2012 - FAO](#)
- ^x Absalon Machado, prec.
- ^{xi} Data from, respectively, the Consultancy for Human Rights and Displacement (*Consultoría para los Derechos Humanos y el Desplazamiento - Codhes*) and the Presidential Agency for Social Action and International Cooperation (*Agencia Presidencial para la Acción Social y la Cooperación Internacional*)
- ^{xii} Codhes, Bulletin No 79, Bogota, Quito, March 2012. 52.66% of the 142,963 people displaced by municipality of expulsion according to the Information System for the Displaced (SIPOD), come from the 86 municipalities in the areas in which the Centres for Comprehensive Coordination and Attention (*Centros de Coordinación y Atención Integral - CCAI*) are located, which represent 7.67% of the municipalities.
- ^{xiii} Department of Social Prosperity (*Departamento de Prosperidad Social*), based on: Register of the Displaced Population, 2011
- ^{xiv} The government agency Social Action (*Acción Social*) reported 80 cases between January and early November 2011, in contrast to the 59 reported during the whole of 2010 (Department of Social Prosperity, based on: Registration of Displaced Persons, 2011)
- ^{xv} [UNHCR. Balance de la Política Pública para la atención integral al desplazamiento forzado en Colombia. Enero 2004 – Abril 2007. \(Balance of Public Policy for comprehensive attention to forced displacement in Colombia, January 2004-April 2007\) Bogotá, August 2007, <http://www.acnur.org/biblioteca/pdf/6683.pdf?view=1>](#)
- ^{xvi} UNDP, Notebook to the Human Development Report 2011, Forced Displacement, lands and territories
- ^{xvii} According to Social Action figures, in the project for the protection of the land and heritage of the displaced population, 2005, the figure is 6.8 million hectares, and the figure is 10 million hectares according to the National Movement of Victims of State Crimes (*Movimiento Nacional de Víctimas de Crímenes de Estado – MOVICE*), in the Alternative cadastre strategy against impunity tool for comprehensive reparation, 2007) in [Área de Memoria Histórica, Comisión Nacional de Reparación y Reconciliación, Línea de Investigación Tierra y Conflicto, El Despojo de Tierras y Territorios. Aproximación conceptual, julio de 2009](#) (Area for Historical Memory, National Commission for Reparation and Reconciliation, Land and Conflict Research, dispossession of lands and territories. Conceptual Approach), July 2009
- ^{xviii} UNDP, Notebook to the Human Development Report 2011, Forced Displacement, lands and territories
- ^{xix} Constitutional Court Order 219 of 2011, Monitoring the actions taken by the national government for overcoming the unconstitutional state of affairs, declared by judgment T-025 of 2004. M.P.: Luis Ernesto Vargas Silva, Bogotá. The situation continues despite several follow-up orders.
- ^{xx} *In* Report of the Prosecutor of the International Criminal Court, Preliminary Report on Colombia, November 2012
- ^{xxi} Ibid.
- ^{xxii} Many constitutional challenges on various aspects of law 1448 are pending, for example on the exclusion of groups of victims.
- ^{xxiii} Report of the United Nations High Commissioner for Human Rights on the situation of human rights in Colombia, A/HRC/19/21/Add.3, January 31, 2012
- ^{xxiv} [University of los Andes, Encuesta Longitudinal Colombiana, Capítulo 7, Los mercados y la tenencia de la tierra en las áreas rurales \(Colombian Longitudinal Survey, Chapter 7, The market and land ownership in rural areas\), August 2011](#)
- ^{xxv} Sections of the book “[Política Integral de tierras, un viraje trascendental en la restitución y formalización de la propiedad agraria](#)”. Juan Camilo Salazar, Minister of Agriculture and Rural Development. Pp. 7, 8 and 9, November 2011.
- ^{xxvi} According to art. 99 of the law on victims and land restitution in the case of the presence of agro-industrial productive projects in the property subject to restitution and in order to fully develop the project, the judge either authorizes the signing of a contract between the victims and the “opposer” if they can prove their good faith, or gives the productive project to the Special Administrative Office for Land Restitution so that they can continue the project via third parties and the produced goods are then given to collective reparation programs for victims in the vicinity of the site
- ^{xxvii} Comptroller General's Office, Public Prosecutor's Office, Human Rights Ombudsman's Office: Primer Informe de seguimiento y monitoreo de los órganos de control a la Ley 1448 de 2011 de Víctimas y Restitución de Tierras (*First Follow-up and Monitoring Report by state supervisory bodies of Law 1448 of 2011 on Victims and Land Restitution*), 2012
- ^{xxviii} Amnesty International, “*The law on victims and land restitution*”, 2012
- ^{xxix} According to figures from the land protection Project of Acción Social (a state body in Colombia charged with attending to internal displacement), the amount of land belonging to the displaced Population in 2005 was 6.8 million hectares; while according to the

National Movement of Victims of State Crimes (Movimiento Nacional de Víctimas de Crímenes de Estado – MOVICE) in their 2007 report, the figure is 10 million hectares. In [Área de Memoria Histórica, Comisión Nacional de Reparación y Reconciliación, Línea de Investigación Tierra y Conflicto, El Despojo de Tierras y Territorios. Aproximación conceptual, \(Historical Memory, National Commission for Reparation and Reconciliation, Investigation into Land and Conflict, Land Grabbing, Conceptual Approximation\), July 2009](#) (in Spanish)

^{xxx} Unit for Land Restitution - [Ministry of Agriculture and Rural Development, Solicitudes de ingreso al registro de tierras despojadas y abandonadas forzosamente \(Requests for entry to the registry of forcibly usurped and abandoned lands\), December 27, 2012](#)

^{xxxii} Shaping the Future (*Forjando Futuros*), “[En un año de vigencia de la ley 1448 se ha restituido menos del 1% de la tierra reclamada](#)” (One year on since the approval of law 18 less than 1% of the claimed land has been returned), December 2012

^{xxxiii} Comptroller General's Office, Public Prosecutor's Office, Human Rights Ombudsman's Office: Primer Informe de seguimiento y monitoreo de los órganos de control a la Ley 1448 de 2011 de Víctimas y Restitución de Tierras (*First Follow-up and Monitoring Report by state supervisory bodies of Law 1448 of 2011 on Victims and Land Restitution*), 2012

^{xxxiv} *Ibid*

^{xxxv} Human Rights Ombudsman's Office, En la conmemoración del Día de la Memoria y Solidaridad con las Víctimas, Defensor pide agilizar investigaciones y sancionar a los responsables (*On the commemoration of the Day of Memory and Solidarity with Victims, the Ombudsman calls for investigations and sanctions for those responsible*), April 9, 2012.

^{xxxvi} These concerns were also expressed by Navi Pillay, United Nations High Commissioner for Human Rights at the meeting of the United Nations Human Rights Council in March 2012.

^{xxxvii} [Report of the High Commissioner of the United Nations for Human Rights on the situation of human rights in Colombia, February 3, 2011, A/HRC/16/22](#)

^{xxxviii} [ECOSOC – 44th period of sessions – Final Observations of the Committee on Economic, Social and Cultural Rights, § 22, June 7, 2010](#)

^{xxxix} [Plan nacional de desarrollo 2010-2014 - “Prosperidad para todos” \(National Development Plan 2010-2014 – “Prosperity for everyone”\)](#)

^{xl} [Fedepalma, Annual Statistics 2012](#)

^{xli} [Federación nacional de biocombustibles de Colombia, Cifras informativas del sector biocombustibles- Biodiésel de palma de aceite \(Informative Figures from the biofuels sector – Biodiesel from palm oil\), December 2012](#)

^{xlii} [Federación nacional de biocombustibles de Colombia, Cifras informativas del sector biocombustibles- etanol anhidro de caña \(Informative Figures from the biofuels sector – ethanol from sugar cane\), January 2013](#)

^{xliii} [Fedepalma, Annual Statistics 2012](#)

^{xliv} Comptroller General's Office: The State of Natural Resources and the Environment 2011-2012

^{xlv} *Ibid*

^{xlvi} [DANE, La Guajira: Pobreza monetaria 2011 \(The Guajira region, Economic poverty in 2011\), January 2, 2013](#)

^{xlvii} [DANE, Pobreza monetaria y multidimensional en Colombia \(Economic and multidimensional poverty in Colombia\), May 2012](#) – figures from 2011

^{xlviii} UNDP, Notebook to the Human Development Report - UNDP 2011 – Indigenous peoples

^{xlix} Report of the United Nations High Commissioner for Human Rights on the situation of human rights in Colombia, A/HRC/22/17/Add.3, January 7, 2013

^l [Observatorio Pacífico y Territorio \(OPT\), La minería en el pacífico colombiano \(Observatory on the Pacific and Land, Mining in the Colombian Pacific Region\)](#)

ⁱⁱ Roundtable for Indigenous Peoples, ESCR and the Indigenous Observatory for Public Policy on Development and Ethnic Rights, in (*Mesa Pueblos Indígenas, DESC y el Observatorio Indígena de Políticas Públicas de Desarrollo y Derechos Étnicos*), in ABColombia, Caught in the Crossfire, 2010

ⁱⁱⁱ UNICEF in ONIC, “*Sweet Words, Breath of Life*” Forging pathways for the survival of indigenous peoples at risk of extinction in Colombia, 2010, p.37.

^{iv} [ONIC, Human rights report, indigenous Peoples, January to September, 2012](#) (in Spanish)

^v Cinep, “*Minería, Conflictos sociales y violación de Derechos Humanos en Colombia*” (*Mining, Social Conflicts and Human Rights Violations in Colombia*) October 2012

^{vi} Report of Margaret Sekaggya, Special Rapporteur on the situation of human rights defenders, December 21, 2011, A/HRC/19/55, http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session19/A-HRC-19-55_en.pdf

^{vii} *Ibid.*

^{viii} The Association of Wayuu Indigenous Councils and Authorities in the South of Guajira (*Asociación de Cabildos y Autoridades Indígenas Wayuu del Sur de La Guajira - AACIWASUG*), press release on the occasion of international clean air day, 28 November 2012

^{ix} El Tiempo, La deforestación en Colombia se está convirtiendo en epidemia (*Deforestation in Colombia reaches epidemic proportions*), December 2, 2011, http://www.eltiempo.com/vida-de-hoy/ecologia/ARTICULO-WEB-NEW_NOTA_INTERIOR-10877084.html (in Spanish)

The International Office on Human Rights - Action Colombia, represents a network of more than 30 European organisations. From its headquarters in Brussels, Oidhaco accompanies Colombian civil society initiatives which work towards the full respect of human rights and international humanitarian law, and a negotiated solution to the internal armed conflict. Oidhaco has a Special consultative status with the United Nations Economic and Social Council since 2012.



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