

# Black and Indigenous Territorial Movements

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## Women Striving for Peace in Colombia

SHEILA GRUNER AND CHARO MINA ROJAS

*Cet article rapporte les procédures employées par les femmes indigènes et les Noires de concert avec l'organisation ethnoterritoriale qu'elles représentent, dans le but d'établir la paix en Colombie. Elles ont travaillé durant les récentes négociations ainsi que durant la phase d'implication de ce qui s'est appelé « L'ultime accord pour en finir avec le conflit autour de l'élaboration d'une paix durable ». (Les accords de paix de la Havane) Dans cet article, les auteures examinent la base de ces ententes et quelques unes des contributions de la Commission ethnique pour la paix et la défense des droits territoriaux et rapportent des problèmes soulevés depuis cette signature. Finalement les auteures abordent des stratégies pour devancer les défis surtout ceux qui touchent les indigènes et les afrocolombiens dont on néglige les besoins particuliers.*

In this article, we will explore Black and Indigenous peoples' efforts at peace building, particularly women, as a reflection of ethnoterritorial organizational struggles in Colombia during the recent peace negotiations and during the subsequent and ongoing “implementation phase” of the “Final Agreement to End the Conflict and Construct a Stable and Lasting Peace” (or Havana Peace Accords). First, we offer some historical context to the conflict from the perspective of Indigenous and particularly Black communities, followed by some general background on the peace agreements, emphasizing the role that women and ethnoterritorial organizations have played and are playing to ensure an “ethnic” and gendered perspective in the construction of peace. We then focus on some of the grassroots mobilization and advocacy/lobbying pivotal to the achievements related to the ethnic chapter. We also reflect briefly on how “gender” was constructed as a threat

to conservative elements of Colombian society during the referendum on the peace accords. Following this, we explore contributions of the *Ethnic Commission for Peace and Defense of Territorial Rights*, which was formed to lobby the Havana negotiators for self-representation in the peace process.

Followed by this, we examine problems that have arisen since the signing of the peace agreements related to women, rural, Indigenous and Black movements, whose social leaders have been targeted by violence and whose communities continue to live within generalized conditions of war. Systematic threats, assassinations and significant levels of violence continue in, and against, ethnic communities, including the recent massacres of rural and Indigenous coca workers, and the selective assassinations of Black leaders in the region of Tumaco, an Afro-descendant coastal area in the Colombian south pacific and site of geopolitical and narco industry interests, and related territorial conflicts. Finally, we will conclude with considerations for advancing towards the realization of peace that includes Indigenous and Black peoples in face of significant challenges.

### **Historical, Black and Indigenous Perspectives on Colombia's Conflict**

The internal armed conflict in Colombia has been waged for close to 60 years. The now well-known Havana Peace Accords were so named for having been negotiated largely in Havana, Cuba, between the Revolutionary Armed Forces of Colombia-Popular Army (FARC-EP) and the Government of Colombia, between 2012 and 2016,

and eventually passing through Colombian Congress in November of 2016. There is a second peace process underway in Ecuador, between the National Liberation Army (ELN) and the Colombian government, which achieved a temporary bilateral ceasefire until January 9, 2018. It is yet unknown where this peace process will lead.

For Afro-descendant and Indigenous peoples however, violence and displacement imposed against them by dominant ruling elites has a much longer history than the various wars that have unfolded in Colombia, which have also come to bear on their lives and lands. For these communities, and with all of the historical, political-territorial, racist, discriminatory and gendered implications, this violence and displacement inflicted against them stems back to the period of colonization, with significant consequences and expressions in each historical period since, most currently in the context of the development and implementation of the Havana Peace Accords. These “ethnic” territories, have been those most disproportionately affected by war, as have Indigenous and Black women been similarly disproportionately affected by violence and displacement, a reality that has been acknowledged as under-researched. As noted by the Inter-American Commission on Human Rights:

Women from the Indigenous and Afrocolombian population suffer multiple/intersectional discrimination on the basis of gender, race, color and ethnic origin and as internally displaced persons .... The conflict reproduces and deepens discrimination between the different groups and women suffer intersectional discrimination on the basis of their gender, and their ethnic and cultural origin.<sup>1</sup>

Africans were brought to Colombia as early as 1500s to work the gold mines, in the sugar cane plantations and as domestic labourers, a similar history of slavery that Indigenous people faced in the region. Many Africans would escape slavery and form “maroon” settlements known as *Palenques*, or buy their freedom—and lands—from earnings secured through gold mining, forming what was known as “free towns” (Reiter). Since then, Afro-descendant people have been located mostly in the hinterlands of the slave entry port in Cartagena, on the Caribbean coast, and all along the rim of the Pacific Coast region in the Western part of the country. Today, Black, Afrocolombian, Raizal and Palenquero peoples make up more than 20 percent of the forty-four million total population of Colombia. Of the more than ten million Black population, half are women.

Due to the effects of fifty years of internal armed conflict, forced displacement, and economic migration, more than 70 percent of the Black population has been displaced (especially over the last fifteen years) and is now found

scattered throughout the country, many living in major cities like Bogota, Cali, and Medellin. Despite the undeniable productive, cultural, and intellectual contributions towards the construction of the Colombian nation, people of African descent were rendered politically and socially invisible, often via the discourse of miscegenation or *mestizaje* that disguised the structural racism reproducing colonial and capitalist social relations and the ongoing marginalization of large regions where Black-African descendants are located.

Black people gained recognition of territorial and political rights via Law 70 of 1993, through which approximately twelve million acres (nearly six million hectares) of land have been collectively titled. Through this law, a comprehensive legal framework was established asserting the protection and promotion of collective cultural, territorial, environmental, economic and political rights, drawing on Colombian Constitutional Court rulings, and the umbrella of international provisions and standards such the ILO Convention 169 signed and ratified by Colombia. Rich natural and bio-genetic resources as well as its geo-strategic location has made of the lands of Afro-descendants the center of legal and illegal economic interest and consequently, the center of armed conflict and extreme violence, which must be understood as an extension of colonial violence of previous periods.

Colombia’s more than half century of internal armed conflict is undeniably deeply rooted in structural social, economic and political inequalities, racial discrimination and endemic corruption at all levels of governance. The main guerrilla group in Colombia—Fuerzas Armadas Revolucionarias de Colombia, FARC-EP—and also the oldest guerrilla group in Latin America, faced a major military challenge in the late 1990s with the formation of paramilitary forces known as the Autodefensas Unidas de Colombia—AUC, linked to illegal economic activities as well as to military operations, who were emboldened by Colombia’s engagement in the United States’ war on terror and the anti-drugs policies, programs and funding.

The establishment of paramilitary structures lead to increased military presence and intervention in Black and Indigenous ancestral and traditional territories. Over the course of the war, and in its aftermath, Black and Indigenous men and women, community leaders, human rights defenders and activists became military targets for guerrilla and paramilitary structures, and victims of State terrorism that wrongly identified them as part of rebel structures. Pressure from violence along with the imposition of neo-liberal economic development models that contravene the collective economic and cultural rights of these communities, have generated gross violations of human rights and international humanitarian law,

creating an unprecedented humanitarian crisis in ethnic communities, accelerating loss of dominion by the communities over their territories, and increasing the threat of disappearance as peoples, among Indigenous as well as Blacks, Afrocolombians, Raizales and Palequeros.

In this context, February 23, 2012 marked the starting point of what has been denominated the “peace process” in Colombia with the dialogues in Habana, Cuba, between the government of President Juan Manuel Santos and FARC-EP, a process that completely excluded Indigenous

the peace dialogues to ensure that the rights and interests of Afro-descendants would be taken into account in the negotiations and final agreements. Nine national and regional such organizations came together to form the AfroColombian National Peace Council (Consejo Nacional de la Paz Afrocolombiana [CONPA]), established as a vehicle to articulate and channel the specific demands and proposals of Black communities, and to connect the peace dialogue process and posterior agreement with the traditional authorities and communities on the ground.

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and Afro-descendant people until the very last moment (“Final Peace Accords”). Although the peace process formally began in 2012, Indigenous and Black ethno-territorial movements and their representative organizations have emphasized the importance of having the sides in the conflict come to a negotiated solution, long before the Havana peace process began. It was clear to these movements that the negotiated solution needed to recognize and reaffirm Indigenous and Black cultural, political, and territorial rights as established in the Constitution of 1991. These rights include the right to participation, to autonomy and difference, the right to territory and self governance, the right to be consulted on issues that could come to affect territories or culture and the right to cultural objection (the right to object to policies or projects based on a distinct collective/cultural perspective) which also serves as a guarantee for the non-repetition of human rights violations. Activists understood that the two sides negotiating issues within the peace negotiations, such as the zones for demobilization of guerrilla fighters, territorial development plans, reintegration strategies, rights for victims, the substitution plans for crops produced for illicit drug use, among other elements, had very deep implications for indigenous and black territories, communities, organizations and jurisdiction. Yet they were not being afforded a voice on matters that would have direct territorial and governance repercussions, which was effectively potentially unconstitutional.

Consequently, Afrocolombian activists representing some of the most prominent Black organizations, including territorial-political, women, labour, religious, and displaced people’s organizations, took the stage during

Two national Indigenous organizations also rallied for representation and worked together with CONPA to present an allied “ethnic and territorial” perspective on peace.

As the Colombian government and FARC-EP advanced the peace negotiations, it was clear that a common “ethno-territorial” front was essential to ensure that participation was not relegated to “victimhood” (as “victims” became a centerpiece of the peace process) but rather that, for example, traditional Black and Indigenous authorities would be able to dialogue at the same level with the parties involved in the conflict, given their status as ethno-territorial authorities, in order to ensure key issues for Indigenous and Afro-descendant communities would be highlighted and addressed, and that they would have a say on other important elements expected to be included in the final peace accord that would have a bearing on ethnic populations and territories.

With this purpose, the *Ethnic Commission for Peace and the Defense of Territorial Rights* was launched on March 8, 2016, to lead and position an inter-ethnic voice demanding the inclusion of specific safeguards for Indigenous and Black people’s rights in the peace agreements (“Formalizada la Comisión”). The Ethnic Commission engaged in an intense campaign that included international lobby, inter-ethnic strategies including national strikes and a massive national mobilization in May, 2016; and several trips to Habana, Cuba, mostly toward the end of the peace talks, all efforts that resulted in the eventual inclusion of the *Ethnic Chapter*, as a comprehensive part of Chapter 6 of the Accord related to implementation.

The Ethnic Chapter makes ethnic, gender, women’s, family and intergenerational perspectives and rights

obligatory in relation to the interpretation and implementation of the Peace Accord. This implies the obligation to respect for Indigenous and Afro-descendant peoples' political and territorial rights and full compliance with national and international legislation directed to their protection, their full participation and application of their right a free, prior and informed consultation and consent (ILO 169).

More than a year after Colombia's peace agreement, negotiated in Havana between the Colombian government and the Armed Revolutionary Forces of Colombia—Popular Army (FARC-EP), was finalized, Black and Indigenous ethno-territorial organizations, and women from these grassroots groups in particular, still have much of their story to tell and many of the elements proposed in the Ethnic Chapter to be realized. Racialized women and their communities in Colombia—Black and Indigenous in particular—come from a long history of resistance and organization, of popular mobilization for the defense of life and territory, for participation on their own terms, for freedom, autonomy and self-governance. Having survived centuries of colonial violence including forced enslavement, marginalization, exclusion, forcible displacement and a plethora of forms of discrimination for the sake of dominant society's "development." Black and Indigenous communities continue to live the consequences of this history, while making great strides in efforts to define Colombian society in new and transformative ways.

### **Black and Indigenous Ethno-Territorial Movements, Women and Peace Building**

The grassroots organizational and mobilizing capacity of Black, Indigenous, and rural movements in Colombia has essentially been their protection. Ethno-territorial movements refer to those who have a longstanding historical relationship with land and a political-economic and cultural approach to the defense of their ancestral territories. Indigenous and Black peoples in Colombia have been racialized through the process of colonial and capitalist productive relations, with particular "ethnicity" or a racialized identity. It is the rural territories—some six million hectares of collectively titled land in the case of Afro-descendant people (Black, Afrocolombian, Palenquero and Raizal), with more collective title pending; and some thirty million hectares in the case of Indigenous peoples, along with the rural and urban Black and Indigenous communities, that give meaning to the national organizations' lobbying efforts. Essentially when it comes down to threats to territorial integrity or an affront to jurisdiction, ethnic organizations can count on their communities to respond, and draw on decades of organizing, mobilizing, and a strong history of

popular, participatory, culturally-oriented, decolonizing peace education.

Black and Indigenous women have been playing an under-recognized yet crucial role in building peace in Colombia, both historically throughout the internal armed conflict, and during the peace negotiations. The Havana Peace Accords, signed in August of 2016, passed through Colombia's Congress in November of that same year, after narrowly losing a popular referendum. The result of the referendum on the historic, fragile and complex peace process between the guerrilla groups and the Colombian state, demonstrated that there remained deep ideological divisions in Colombian society (Giraldo). The forces opposing the peace agreements used arguments denouncing a "gender ideology" they perceived as a threat "permeating the Accord," threatening family and religious values of conservative sectors of Colombia's society. LGBTQ rights were seen as problematic by the conservative, right-wing parties who campaigned heavily denouncing gender rights and "castro-chavismo" (referring to the influence of Venezuela) which they argued were driving forces of the Accord and threats to their children (Giraldo). Further to this were arguments that private property was under attack and that the FARC would be "getting away with too much" if the accords were to pass (Stunt). The close vote put into evidence a nation deeply divided by racism, sexism and patriarchy, and essentially, entrenched class-based and economic (territorial) interests.

Women, and racialized women from collective and ancestral territories particularly, played a pivotal role despite their ongoing marginalization, in contesting the dominant views on gender and ethnic rights. Perhaps particularly because they have faced continued systematic exclusion and entrenched historic obstacles, organized racialized women have taken to task both parties on opposing sides of the negotiation process. We argue that these are the voices that need to be paid special attention: as principal and differentiated victims of the armed conflict, both individual and collective; as knowledge holders of the peaceful coexistence historically embodied in regions now affected by violence and resource/land conflicts; and as members of ethno territorial movements that represent alternative forms of organizing, producing and self-governing, expressed in emerging discourses of "buen vivir" (good life) and "Ubuntu" (we are the extension of each other) based on historical cultural practices and ontologies. (Escobar; Perez).

### **Gender, Racialization, and the Peace Accords**

The Havana Peace Accords included a Subcommission on Gender, which sought a deepened gender analysis

throughout the Accords, including on issues such as property rights, violence based on gender within the armed conflict, recognizing the specific experiences of women and LGBTQ. The Subcommission fought hard with some success to have the voices of women heard in a largely male dominated political and institutional dialogue between commanders of armies. Its success in raising the bar on gender issues is a significant precedent for peace processes around the globe (Salvesen and Nylander).

However, Black and Indigenous women who repre-

and asserting as much political pressure they could. It is through the efforts of vocal, organized Black women that an Afrocolombian woman was finally appointed to the commission in December 2017. Through these efforts, a significant result is increased consciousness—and concrete action in face—of the need for representation of racialized women in institutional processes for the implementation of peace, such as the High-Level Body for Gender. This is a major step forward.

A High-Level Body for Ethnic People was also agreed

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sented national, regional and local territorial movement organizations, expressed dismay at their lack of inclusion during peace negotiations and as part of the Subcommission on Gender. The voices of women who represented pivotal perspectives on violence, territory, racism and racial discrimination in relation to internal armed conflict, in the construction of peace, and in Colombian society generally were largely often absent. Attempts from these voices to be heard by the Subcommission on Gender in the Havana process, were stymied by historical and continuing structural inequities and of processes established by the main negotiating teams for establishing the terms of peace, that were hard for women of the subcommission to change and especially difficult for racialized women to access. The Subcommission invited, but did not guarantee, involvement of grassroots Black and Indigenous women from popular organizations who faced obstacles including financial resources to travel extensive distances and time and other supports required for producing written materials. They faced terms of participation that seriously limited or virtually blocked their involvement.

In the implementation phase of the accords a High-Level Body for Gender was established in April 2017, which includes women regional representatives from throughout the country—another major achievement (Ávila). Initially this formal body was made up of seven representatives, including one Indigenous woman, however there was no representation from Black communities—a further major and deeply problematic exclusion.<sup>2</sup> This was left unaddressed by the High-Level Body on Gender until Black women mobilized and protested, appealing to the High-Level Body through media, public statements

upon as a necessary step during the implementation, written into the Ethnic Chapter of the Peace Accords. Yet more than a year after the signing of the accords the details of this High-Level Body have not been hashed out. Ethnic groups, and particularly Afro-descendant people, have been left out of real participation in the “fast track” legislations that were set out to lay the legal ground work for implementing the Peace Accord. Indigenous jurisdiction and justice approaches were ignored as the Special Jurisdiction for Peace (JEP) advanced. The right to free, prior, and informed consent concerning the legislation and other issues of the peace accord’s implementation was effectively denied to Black and Indigenous communities. Massive mobilizations have resulted and ethnic communities have declared themselves to be on maximum alert facing their exclusion from the implementation of this Peace Accord to which they contributed significantly.

### **Ethnic Commission for Peace and Defense of Territorial Rights and the Havana Process**

As the original proposed date for the signing of the Accords neared in March 2016, after years of lobbying separately, national representative Black and Indigenous organizations came together to launch the Ethnic Commission for Peace and the Defense of Territorial Rights<sup>3</sup> in order to demand they be heard in Havana. These groups included CONPA (the Afrocolombian National Peace Council, a network of nine national and regional Afrocolombian organizations),<sup>4</sup> the National Indigenous Organization of Colombia (ONIC) and Autoridades Tradicionales Indígenas de Colombia Gobierno Mayor. These groups

were able to state in no uncertain terms, that there would be significant problems for the plans to establish demobilization or transition zones in or near Indigenous or Black territories if there was no consultation or recognition of the jurisdiction of ethnic groups, who held collective title to these areas.

Upon publically stating this as the Commission was launched, the very next day the Colombian government reached out to Black communities and shortly thereafter approved plans for the Ethnic Commission to travel to Havana to state their positions to both sides of the negotiation table. Other Indigenous and Black organizations began to state their interest to also participate and voice their perspectives. After complex discussions, agreements were reached between the negotiating parties and the ethno-territorial groups, who were assured that an “ethnic” perspective would be taken into account.

Through subsequent lobbying, outreach, and mobilizations nationwide<sup>5</sup> the groups won the right to self represent, in person including a written submission. A chapter was embedded in the Final Accord itself that clearly stated key principles, safeguards and mechanisms for its implementation in ethnic communities (“Final Peace Accords”). The process demonstrated the determination, perseverance and political agency of Black and Indigenous movements together. This was arguably largely due to the fact that these groups, collectively, are title holders of more than 35 percent of the national territory of Colombia and, while the whole of Colombian society is a victim of the armed conflict, the communities in these territories have born the brunt of violence and displacement, and continue to bear the main burden of the consequences of the conflict even into the implementation phase.

The Ethnic Chapter was a hard fought and hard-won contribution to peace that was only included at the eleventh hour. After a major effort tightly overseen by Black and Indigenous women, it was included in the final point (Chapter 6) of the peace agreement related to Implementation and Verification—3 pages of the 304-page document. The operational piece included the creation of special mechanisms for consultation, free, prior and informed consent and the guarantee of participation in all institutions created for the implementation of the each of the Accords (including: comprehensive rural reform, political participation, victims, solution to the problem of drugs, and implementation and verification).<sup>6</sup> Further and perhaps most significantly for the operation side of things, was the establishment of the High-Level Special Body for Ethnic Peoples (Presidencia de la República de Colombia) as previously discussed, which was to ensure the effective participation by ethnic groups in all processes of implementation and verification of the agreements.

Through grassroots organizational efforts, national and international alliances and lobbying, ethno-territorial organizational leaders have been relentless in their dedication to the construction of peace, the inclusion of the most marginalized and victimized in the conflict, and in their efforts to ensure the Havana Peace Accords have relevance to them, and thus to the country.

The risk of being undermined is a continued one, especially as the peace process did not contemplate issues related to the “economic model,” undeniably the most significant driver of conflict in Afrocolombian and Indigenous regions. Indeed, one of the most important critiques of the peace process itself by human rights groups, social organizations, academics and others, was the fact that the President Juan Manuel Santos made it a condition of negotiation that the “economic model” would not be included in the agenda for discussion (Forero). This was deeply contradictory and disconcerting for all who understood the determinants of conflict as deeply embedded in land issues and thus in the economic model itself. Conflict over land/territory, resources and political-economic control were essentially the driving factors of all facets of conflict, violence and displacement in Colombia.

These groups, with significant inclusion of Black and Indigenous women, are now working to challenge the contradictions and exclusions during the implementation phase of the peace accords. As those whose lives and perspectives have been most hidden within the history of the war, and those who are dealing with the ongoing violence in the post-accord period, these are the voices that most urgently need to be heard. Indigenous and Black organizations have clamoured for a full accounting of the colonial, development-induced, gendered and land/territorial-oriented violence that has long affected, and been directed at, their communities. This includes projects for historical reparation, something that is an important and ongoing item on the agenda of ethnoterritorial movements generally.

### **A Global Model for Peace? Ongoing Violence in the Post Accord Period**

For many at the international level, Colombia’s Peace Accord has become a new source of hope for addressing armed conflicts, because of the comprehensive set of agreements and the possibilities for civil society engagement implied in the Havana Accords. Despite critique that the involvement in the peace process by civil society was prevented to flourish to the same level of business and economic interests, it was indeed the grassroots voices (women, Indigenous, Black, rural communities) that emerged from the territories and urban centres of

Colombia, as well as in Havana during the negotiations.

Despite the inclusion of gender perspectives and the aforementioned Ethnic Chapter in the Accords, which provide important safeguards to ensure the respect for autonomy, protection and promotion of Indigenous and Afro-descendant peoples' rights from a gender, family and generational perspective, there is a significant threat that Colombia might well be wasting the historical opportunity. The people most drastically impacted during the internal armed conflict and in the aftermath of the Peace

of 2017 (*Panorama*) found that there were 98 homicides of social leaders in total during 2016 alone, and three forced disappearances (15). These leaders include women, men and youth, largely from rural, Black and Indigenous communities, social organizations such as the Marcha Patriótica, or former guerrilla fighters that have since laid down arms. Communities in areas considered important for such industries as the cocaine trade, mining (illegal, legal and unconstitutional) and other geostrategic interests, are still hotbeds of violence, much of which targets unarmed

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Accord continue to be largely ignored. Indigenous and Black communities are under threat, rural movements and social leaders continue to be targeted by violence and assassination, without sufficient protection or support, during and after “peace” officially arrived (*Panorama*). What can the peace-building process offer if we continue to hear from people “qué la paz no nos cueste la vida!” (that “peace must not cost us our lives!”)?

We have heard over and over, since the signing of the Accords, the anguished call to ensure that the remedy is not more dreadful than the disease. This call comes from leaders and activists with life-long commitment to peace and social justice for communities experiencing the devastation of war who continue to be targeted, threatened, and assassinated in the post-accord period. The large and increasing number of assassinations of human rights defenders in Colombia is not only alarming, but quite frankly, appalling. Despite some variation in statistics, it is generally agreed that more than hundred leaders have been assassinated since the accords were formally passed. Although there has been a significant reduction in the overall number of deaths linked to the armed conflict, a collaborative study by a number of universities and research centres has found that “the selective and targeted assassination of social leaders and human rights defenders has increased since the signing of the peace accord” (*Panorama*).<sup>7</sup> The report clearly links these deaths primarily to ongoing disputes for territorial control.

The October 2017 study called *Panorama of Violations to the Right to Life, Freedom and Integrity of Social Leaders and Defenders of Human Rights in 2016 and the first semester*

and unprotected community leaders and women. Many of these affected areas are located in ethnic territories. There is also a proven and major threat that the vacuum left by the demobilized FARC fighters and lack of state presence is being filled by re-mobilized paramilitary groups and dissident former FARC guerrilla groupings who are vying for territorial control in these regions.

The ongoing assassinations of social leaders is a major threat to the peace process, although denied and played down by the Colombian government, including one recent explicit assertion by the Minister of Defense, that these killings are rather a problem of “skirts” or due to fights over women (W Radio), an assertion vehemently denounced by leaders and other government representatives, who considered this a reflection of a deeply rooted, racist, sexist attitude, and a systematic problem. A United Nations Refugee Agency spokesperson stated earlier in 2017 that “in all there are seventy-eight known deaths of leaders and members of social organizations this year and at least thirteen other suspected murders (“UNCHR concern”). By any measure this is alarming but different sources, including the human rights NGO *Somos Defensores (We Are Defenders)* and the UN talk of between 106 and 131 leaders assassinated during 2017 (*Piedra*). *Verdad-Abierta*, a Colombian journal that reports on conflict, peace, justice and related issues, states that since August 26 of 2016, when the Accord was finalized, threats and attacks have intensified in diverse regions against social and community leaders, especially those that defend their territories, against extractive projects, further learning or pedagogy for peace, and are committed to territorial peace (“Asesinatos”).

The rate of forced internal displacement has also increased as a consequence. UNCHR and the Internal Displacement Monitoring Center—IDM stated identified major displacements occur in areas with large presence of Indigenous and Afro-descendant peoples (UNCHR “Forced displacement”). IDMC, for instance, stated in its mid-year 2017 updated that “about of all people displaced by conflict in Colombia live in departments along the Pacific coast, including Valle del Cauca, Nariño, Antioquia, Cauca and Chocó. Some have been forcibly confined or endure restrictions on mobility due to hostilities, landmines and other threats” (IDMC). A country said to have more internal displaced persons than Syria, in early 2017, right after the signing of the Accord, reported 3,549 forcibly displaced, mostly from the mentioned regions. IDMC reported 56,000 people in condition of forced displacement related to conflict and violence between January and June 2017.

The fact that the targeted violence is playing out largely in regions historically affected by the conflict—Indigenous and Black ancestral, traditional and collectively titled regions considered wealthy in resources or strategic for other reasons (large scale infrastructure and other development projects, territorial control etc.)—demonstrates the need for the safeguards outlined in the Ethnic Chapter. The fact that conflict and development-induced displacement in the Pacific region, where Black and Indigenous people have significant concentrations of communities and lands, peaked after specific rights to collective land title were recognized in the '90s is also telling, indicative of what risks there are for the implementation of peace: the Pacific coastal area is one of the real litmus tests for peace.

Violence in this region has taken on a brutal gendered character, with women's bodies being used as weapons of war to infuse terror throughout their communities, with cases of extreme torture and gender violence targeting Afrocolombian women especially (but not only) on the Pacific Coast near areas of collective title, such as the port cities of Buenaventura and Tumaco and the upper Pacific region known as Choco. The transversal character of development, race and gender relations, as orienting elements of conflict and displacement, is dramatically evident and under-addressed in Colombia.

With heroic effort on the ground in communities and territories most directly effected by the over half century internal armed conflict, Indigenous and Black regional and national organizations have achieved a number of collaborative “inter-ethnic” spaces for strategizing and lobbying for self representation.

Black and Indigenous peoples and cultures embody a distinct ontological orientation in the face of the violent

western euro-dominant colonial and capitalist oppression which shapes their experience of racialization, racism, and violence and direct targeting of leaders. Women represent collectivity and ways of being on land which has made them targets of particular brutality, as their communities' territorial and cultural rights to collective lands in key areas of development interest are seen as threats.

As one emblematic example, leaders and community members in the urban area and those from the Community Council of Alto Mira and Frontera, (located in the municipality of Tumaco, Nariño, on the Colombian South Pacific coast, near the Ecuador border), have become military targets of armed groups since early 2000. This is because their decisive and sustained struggle to defend the integrity of their communities and territory has implied a threat to those who seed crops used for illicit drug production. They are a threat to paramilitary groups and FARC dissidents, all of whom, are looking to exercise the territorial control that the Colombian government has been unable to assert.

In this municipality alone during October and November of 2017, a massacre of unarmed coca producers by Colombian police occurred; a Black leader of the local community council Jair Cortés, as well as a community leader from the urban area, Luz Yenny Montaña, and a youth leader, Juan Camilo Sevillano, were assassinated.<sup>8</sup> They are among more than ten targeted leaders who had been killed in last two decades of territorial conflict in this small area. Jair Cortés, for instance, was working to protect the rights of his community and had signed an agreement with the government for crop substitution (“Peasant Leader”). After this, several women leaders and their families had to flee for their safety.

### **Where Do We Go From Here?**

Firstly, integral and collective “security” must be guaranteed. For Afrocolombian women this means that the principles of autonomy, participation, respect, and application of national and international human rights standards must be adhered to, as well as the protection of the physical and cultural integrity of Black and Indigenous communities and their rights to prior consultation and consent ensured, including the right to have veto power in face of development projects and policies that stand to affect their territorial and political rights. These rights need to be fully respected and there must be a guarantee that they will not be, in any way, diluted or weakened, but rather, enhanced. Peace is not simply a matter of ending war and violence but implies an opportunity to find diverse ways to address the multiple sources of conflict and violence inherent in economic, gender and racial



injustice. Peace is built when a society and government set the conditions whereby solidarity, collectivity, respect and recognition of “otherness” is privileged. It requires truth and justice and recognition of, and reparation for, the crimes committed against Black and Indigenous communities and women in particular.

Security involves also the safety of leaders and communities and the respect and protection of territories and territorial rights.

Sexual and gender-based violence and the stigma that comes with it, especially for racialized women and their children, is also a matter of integral and collective security. The Colombian Constitutional Court recognized in the Judicial Decision (Auto 092) in 2008, that sexual violence against women and girls has been a “systematic and invisible practice” in Colombia’s armed conflict, which has normalized these crimes and silenced the victims (Moreno). The greater silence around these kinds of crimes committed against Black and Afro-descendant women and girls is as appalling as the crimes themselves. There have been deeply troubling sexual violence cases in Tumaco and Buenaventura and other conflict related areas, which remain in the shadows because of the risk for women activists to bring the cases before the justice system. Betty Ruth Lozano interrogates this violence against women in Buenaventura in relation to global capital accumulation and its consequences for the construction of peace.

Importantly the Special Jurisdiction for Peace (JEP) and the Commission for the Clarification of Truth, Coexistence, and Non-Repitition offer a line of direct communication between Indigenous and Afrocolombian authorities and representative women’s organizations. This may make it possible to more adequately address issues facing victims of sexual and gender-based violence in the conflict; ensure that these cases are prioritized; and ensure that data collection includes information disaggregated by race, ethnicity and gender (Madre).

Secondly, it is crucial that the framework plan for implementing the Peace Accord (point 6.1.1 of the Accord), contains measurable indicators, goals as well as a budget. This framework plan must be able to provide clear evidence of real positive progress in the lives and wellbeing of Indigenous as well as Black, Afro-descendant, Raizal and Palenquero peoples in a manner that corresponds with their needs, values, and collective rights, including gender-based rights.

Diverse entities of the United Nations system, including the UN Security Council and the Human Rights High Commissioner, as well as national authorities from the many countries involved in supporting the Colombian Peace Accord, can encourage the Colombian government

to ensure an ethnic perspective is effectively included in the implementation plan presented by the Special High Level Ethnic Body to the Commission for Monitoring, Promoting, and Verifying the Implementation of the Final Agreement (CSIVI) in December.

Thirdly, the meaningful participation of ethnically diverse communities and especially the meaningful and qualified presence of women must be assured in all aspects of the implementation of this peace accord as well as in future peace accords such as those under negotiation between the government and the second guerrilla group, the ELN (National Liberation Army). As is the case in many other countries affected by internal armed conflict, women in Colombia, and particularly Afrocolombian women have been historically mobilized and are very actively working to make sure that violence and the violations of their rights are visible and addressed, and to ensure significant transformation in the way peace and security is approached in the country.

Having an ethnic and racially informed gender framework in the implementation plan of the accord will a) strengthen the authority and control of ethnic communities over illegal armed groups; b) ensure that the programs, projects, policies and resources for eradication and substitution of coca effectively transform the war-like conditions and environment preventing the well being and social development conducive to peace and integral security for the Indigenous and Black Communities, c) and provide environments free of harm for women. In order to have a chance at real and lasting peace the Colombian government must make a priority goal, the design and implementation of gender-responsive, community based security and self-protection systems as proposed by Indigenous and Black organizations.

Finally, the most important way to sustain the integrity of the Peace Accord and achieve real sustainable peace in Colombia as a model, is to acknowledge the deep roots of social, economic, racial, gender, and sexual injustice in the neoliberal capitalist system and the need for its transformation.

*Sheila Gruner is an Associate Professor in the Department of Community Economic and Social Development, at Algoma University in Ontario, Canada, and Visiting Professor at the Pontificia Universidad Javeriana (Faculty of Ecology and Rural Studies, Dept of Rural Development) in Bogota, Colombia, where she is a member of the Observatory for Ethnic and Campesino Territories, and participates in the research group “Conflict, Region, and Rural Societies”. She has been working in the area of political and territorial rights, decolonizing learning/education, and as collaborated with women’s, Indigenous and Afro-descendent movement*

organizations since the 1990s. She currently accompanies the Black Communities Process and the Ethnic Commission for Peace and the Defense of Territorial Rights in Colombia on issues related to human rights and the implementation of peace

Charo Mina Rojas is a member of the human rights team of the Black Communities' Process, the Afrocolombian Solidarity Network, the Black Alliance for Peace, and the National Afrocolombian Peace Council (Conpa). She is a representative of the Ethnic Commission for Peace and the Defense of Territorial Rights on the Special High-Level Body for Ethnic Peoples for the implementation of the peace accords in Colombia. Charo has been working for over thirty years for the promotion of Black communities and Black and Indigenous women's rights.

### Endnotes

<sup>1</sup>See Inter-American Commission on Human Rights.

<sup>2</sup>See Mina-Rojas.

<sup>3</sup>See Consejo Nacional (CONPA)

<sup>4</sup>The Consejo Nacional de la Paz Afrocolombiana (CONPA). CONPA is comprised by: Asociación Nacional de Afrocolombianos Desplazados (AFRODES), Conferencia Nacional de Organizaciones Afrocolombianas (CNOA), Foro Interétnico Solidaridad Chocó FISCH, Proceso de Comunidades Negras en Colombia (PCN), Asociación de Consejos Comunitarios del Norte del Cauca (ACONC), Red Nacional de Mujeres Afrocolombianas (KAMBIRI), Centro de Pastoral Afrocolombiano (CEPAC), Consejo Laboral Afrocolombiano (CLAF), Autoridad Nacional Afrocolombiana (ANAFRO).

<sup>5</sup>During the time that the ethnic movements were lobbying to have their voices heard in Havana, they were also working at the grassroots level on very core issues of survival: in face of new paramilitary and gang violence, illegal mining and other resource conflicts in their territories, lack of services and a plethora of other problems. In face of the lack of state attention and unkept promises, a national "Minga of Resistance for Life, Territory, Dignity, and Peace" (Minga, or collective action/popular mobilization) was organized in June of 2016. See "National 'Minga'."

<sup>6</sup>See: "Final Accord 24.08.2016, Page 181/297i 6.1.12. Ethnic Chapter."

<sup>7</sup>This report was written (in Spanish) by the Instituto de Estudios Políticos y Relaciones Internacionales of the National University (Iepri), the Centro de Investigación y Educación Popular (Cinep), the Instituto de Estudios para el Desarrollo y la Paz (Indepaz) and the Comisión Colombiana de Juristas (CCJ) (*Panorama de Violaciones*).

<sup>8</sup>See "Colombia Must Protect Community Leaders." See also, PCN ("El asesinato de un hermano Negro").

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