

Proposed Humanitarian Agreement

Now in Chocó!

From the civil society of Chocó, directed to the national Government and the National Liberation Army (ELN)

CONSIDERATIONS

Civil Society activists and the ethnic-territorial and social organisations of Chocó are tired of the profound consequences generated by the armed conflict within their communities and territories. Despite the Colombian legal system, the 1991 Constitution, along with, Law 70 of 1993 and Law 89 of 1890¹, establishing the recognition of their fundamental rights and freedoms and the duty of the State to respect to guarantee these rights. Also remembering that, under the Colombian Constitution, treaties and international agreements recognising human rights and the application of international humanitarian law (IHL) take precedence over internal laws. The undersigning civil society organisations, among others, put forward the present proposal.

PRINCIPLES

1. Respect for and guarantee of human rights and international humanitarian law (IHL).
2. Respect territorial autonomy and their forms of governance.

CONTEXT

With the departure of the FARC-EP from Chocó, the dynamics of conflict have changed between the illegal armed groups, paramilitary successors / dissidents and the National Liberation Army (ELN), which are in dispute for territorial control. At the same time, there have been combats between the State Security Forces and the aforementioned groups.

Within this context, there is also evidence of continuous human rights violations and breaches of International Humanitarian Law, which are generating: forced displacements, confinements, restrictions on free movement within the territory, torture, murders, threats to leaders, kidnappings, gender-based violence, forced disappearance, contamination by weapons (antipersonnel mines, unexploded ammunition), and the recruitment and use of children and young people, among others.

Likewise, the violation of women's rights continues; many of whom are victims of exploitation and sexual abuse. Although the violence is the same for all women, this violence is exacerbated and differentiated among black, indigenous, mestizo and LGBTI women.

The illegal use of land for the exploitation of natural resources and extractive activities persists, as well as the sowing, collecting and controlling of routes for the commercialisation of illicit crops, which affect environmental sustainability and the survival of the ethnic communities.

It is important to highlight that the precarious presence of the state, and the armed conflict, have been factors in the increase of unemployment, poverty and citizens' insecurity in Chocó, all of which have affected the organisational and social fabric.

¹ Conc, S.-025/2004, Auto 04/09, D 4633/11, D. 4335/11 y Art. 22 C.N.

CIVIL SOCIETY'S DEMANDS FOR A HUMANITARIAN AGREEMENT

NOW IN CHOCÓ

The following humanitarian demands reflect a differentiated, ethnic-territorial perspective because the department of Chocó, in all its territorial range, is composed of black, indigenous and mestizo communities.

A) Bilateral ceasefire

1. We urgently and immediately demand a ceasefire and end to all hostilities, so that we, the communities, can be calm and have faith in the negotiation process being carried out in Quito.

B) Dismantling of illegal armed groups

1. We demand that the Colombian State dismantle the structures of paramilitary successors / dissidents in the department.

2. We demand that the Colombian states dismantles new structures of illegal armed groups in the department.

C) Respect for the territorial autonomy and rights of communities, and respect for their sacred spaces

1. We demand respect and protection for the civilian population and property, and that the following are not subject to armed attacks: homes, schools, the educational community (teachers, students and parents), health centres and medical staff, houses and community shops, places of traditional cultural practices and production, non-governmental, social or community centres and assets, transport, and all goods intended for civil use.

2. We demand an end to all attacks against traditional authorities, against the organised activities of the indigenous and black communities, human rights defenders, social leaders, and against the autonomy of the indigenous *cabildos* and community councils.

3. We demand that armed actors do not locate or establish - not even temporarily - military assets, or that they serve as the basis for carrying out military operations of attack in the interior, in the vicinity of populated areas or protected premises, or individual or family plots within the territories of the communities.

4. We demand that the parties do not carry out actions that change or alter the productive livelihoods of the communities.

D) Mining / Demining

1. Armed actors should not re-plant bomb cylinders, anti-personnel mines or trap weapons in ANY part of the territory.

2. We demand that the places where mines or unexploded ammunition are laid are identified, and that humanitarian demining and mine-risk education be carried out, particularly in the vicinity of communities, schools, roads and rivers.

E) Permanence of both parties in the peace talks towards a definitive and non-military political solution

1. We demand that the parties remain in dialogue until they reach an agreement and that they guarantee the participation of the ELN Western War Front, which operates in the department of Chocó, at the negotiating table in Quito, Ecuador.

F) Recruitment of children and adolescents

1. We demand that the forced recruitment and use of children and adolescents is stopped.
2. We demand an end to all acts of violence against girls and young women in the context of the armed conflict.
3. We demand the recognition, military disengagement and immediate liberation by the ELN of the children and adolescents in their ranks.

G) Violence against women and the LGBTI community

1. We demand an end to all acts of conflict-related violence that threaten the personal integrity of girls, women and the LGBTI community.
2. We demand the immediate end of sexual violence against women and girls from indigenous communities, black and mestizo communities in the territories.

H) Murders and forced disappearances

1. We demand respect for the freedom, life and physical integrity of the population of Chocó and its leaders, as well as abstaining from the practices of forced disappearance and kidnapping.

I) Displacement, Confinement or restriction to free mobility

1. We demand that the parties do not carry out actions that cause displacement, confinement or restriction of free mobility to individuals, families or communities, due to threats, harassment, recruitment of children and adolescents, planting of antipersonnel mines and threats to our leaders.

J) Ending the cultivation of illicit crops and mining practices

1. We demand that the parties involved in the conflict abstain from promoting, encouraging or sowing crops for illicit use, as well as other crops and mining practices that are detrimental to black and indigenous communities, their cultural identity, collectively owned lands and the environment.
2. We demand that this Humanitarian Agreement be maintained over time, while activities for the substitution of illicit crops are carried out in a concerted manner with the ethnic-territorial authorities, with the aim of generating alternatives so that the communities can improve their socio-economic conditions.

K) Monitoring and verification

For the present agreement, a monitoring and verification committee composed of the signatories has been established, which will be accompanied by the OAS Mission to Support the Peace Process in Colombia (*Misión de Apoyo al Proceso de Paz de la Organización de Estados Americanos – MAPP-OEA*), the United Nations, and other organisations and institutions present in the territory.

THE FOLLOWING HAVE SIGNED THE PRESENT PROPOSAL:

INTER-ETHNIC SOLIDARITY FORUM IN CHOCÓ

ACABA	COCOMASECO	CONSEJO COMUNITARIO DE PILIZA
ADACHO	COCOMASUR	CONSEJO COMUNITARIO DE QUIPARADO
ASOCAMESAN	COCOMAUNGUIA	CONSEJO COMUNITARIO DE SALAQUI
ASOCIACIÓN DE CONSEJOS COMUNITARIOS Y ORGANIZACIONES DEL BAJO ATRATO -ASCOBA-	COCOMAUPA	CONSEJO COMUNITARIO RIO SANTO DOMINGO
ASOCIACIÓN DE DESPLAZADOS DEL BAUDO -ASODESBA-	COCOMINSA	CONSEJO COMUNITARIO DE TAPARAL
ASOCIACIÓN DE DESPLAZADOS DEL DOS DE MAYO -ADOM-	COCOMOPOCA	CONSEJO COMUNITARIO DE TRUANDO MEDIO
ASOMADERE	CODEGEVED	CONSEJO COMUNITARIO DE TURRIQUITADO
ASOVPICH	CONSEJO COMUNITARIO DE APARTADO BUENAVISTA	CONSEJO COMUNITARIO DE VIGIA CURBARADO
C.C. SAN JOSE DE QUERA	CONSEJO COMUNITARIO DE CACARICA	CONSEJO COMUNITARIO PAIMADÓ
CO.CO ACADESAN	CONSEJO COMUNITARIO DE CANTÓN DEL SAN PABLO - COCOGESAN	CONSEJO COMUNITARIO SAN ISIDRO
CO.CO ASOCASAN	CONSEJO COMUNITARIO DE CASIMIRO	CONSEJO COMUNITARIO VILLA CONTO
CO.CO BELLA VISTA DUBASA	CONSEJO COMUNITARIO DE CHICAO	CONSEJO COMUNITARIO VILLA MARIA DE PURRICHIA
CO.CO CUPICA	CONSEJO COMUNITARIO DE CLAVELLINO	CONSEJO DE GUAYABAL
CO.CO DE USARAGA	CONSEJO COMUNITARIO DE CUEVITA	CONSEJO MAYOR DE CONDOTO E IRO - COCOMACOIRO
CO.CO DELFINES	CONSEJO COMUNITARIO DE CURBARADÓ	CONSEJO MAYOR DE PIZARRO
CO.CO JURADÓ	CONSEJO COMUNITARIO DE DOMINGODO	CUGUCHO
CO.CO PUERTO ECHEVERRY	CONSEJO COMUNITARIO DE DOS BOCAS	FUNDACIÓN LGTBI
CO.CO RISCALES	CONSEJO COMUNITARIO DE JIGUAMIANDO	FUNDACIÓN MUJER Y VIDA
CO.CO SIVIRU	CONSEJO COMUNITARIO DE LA GRANDE	KAMBIRÍ
CO.CO VIRUDO	CONSEJO COMUNITARIO DE LA LARGA	MOVIMIENTO DE VICTIMAS
CO.CO VUELTA MANSA	CONSEJO COMUNITARIO DE LA MADRE	ORGANIZACIÓN DE BARRIOS POPULARES -OBAPO-
COCOILLO	CONSEJO COMUNITARIO DE LA MOLANA	PAVASA
COCOMACER - CONSEJO COMUNITARIO DE CERTEGUI	CONSEJO COMUNITARIO DE LA NUEVA	RED DE MUJERES CHOCOANAS
COCOMACIA	CONSEJO COMUNITARIO DE LA SOLEDAD	RUTA PACÍFICA DE MUJRES
COCOMAN	CONSEJO COMUNITARIO DE MONTAÑO	SAN AGUSTIN DE TERRON
COCOMANORTE	CONSEJO COMUNITARIO DE PEDEGUITA	UNIÓN DE DESPLAZADOS

MEMBERS OF THE NEGOTIATION TABLE AND INDIGENOUS PEOPLES OF CHOCÓ

Fedeorewa	Consejo regional indígena de Chocó CRICH
Asorewa	Organización indígena del Chocó OICH
Asociacion consejo de autoridades del pueblo Wounaan de Colombia – Woundeko-	

Departmental Women's Network of Chocó (RED DEPARTAMENTAL DE MUJERES CHOCOANAS)

Pacific Route Movement of Regional Chocó Women (MOVIMIENTO RUTA PACIFICA DE MUJERES REGIONAL CHOCÓ)

Departmental Round Table of Victims in Chocó (MESA DEPARTAMENTAL DE VÍCTIMAS)

Inter-Ethnic Alliance of San Juan (ALIANZA INTERÉTNICA DEL SAN JUAN)

Partners

PACIPAZ

CIEDERPAZ

MISSION TO SUPPORT THE PEACE PROCESS – ORGANIZATION OF AMERICAN STATES (MISIÓN APOYO AL PROCESO DE PAZ - MAPP/OAS)

THE UNITED NATIONS

DEFENSE OF THE REGIONAL PEOPLE CHOCÓ

REGIONAL ATTORNEY CHOCÓ

DIOCESE OF QUIBDÓ

DIOCESE OF ISTMINA-TADO

NATIONAL AFRO URBAN NETWORK