

September 10, 2008

Dear Members of Congress,

It is our understanding that a delegation of more than seventy Colombians, including some Afro-descendants, is visiting the Hill to advocate for the approval of the US-Colombia FTA. We want to take the opportunity to reaffirm and echo the position of 168 Afro-Colombian grassroots organizations that the FTA, in its current form, is highly problematic for the Afro-Colombian community.

Historically, Colombian governments have seen Afro-Colombian lands are good sites for environmentally damaging monoculture projects oil palm cultivation and other large scale economic projects (legal or illegal) and held the position that such projects have to be implemented in Afro-Colombian territories at all cost. This point of view deliberately ignores the human rights of Afro-Colombian peoples and their legally recognized authorities who have the right to determine how to best manage and develop their lands. The imposition of economic projects against the will of many Afro-Colombians living in those territories also helps explain why there is such a high rate of violence and internal displacement in our communities.

In 1993 through the passage of Law 70, Afro-Colombian grassroots communities gained the legal right to determine their own future. Nevertheless, these legal mechanisms have not been fully developed or implemented due to a strong lack of political will by successive Colombian governments. There are no opportunities for Afro-Colombians as long as there is no will to respect their territorial, environmental, cultural and political rights, and most importantly the sacred right to live, in peace and with dignity. Afro-Colombian leaders have presented four sustainable economic development proposals and several plans of territorial management that respect their rights and re-affirm Afro-Colombians' cultural identity. Two of these plans were presented during the Uribe Administrations tenure yet none of these plans were given sufficient resources nor implemented by the Colombian governments.

This government has systematically disrespected Afro-Colombian territorial and human rights. President Uribe's campaign for the FTA in the US is one example of the lack of real interest in securing these rights. President Uribe's administration has ignored the Colombian Constitution, as well as national and international laws pertaining to Afro-Colombians so that the FTA may prevail. The Uribe Administration has neglected the Constitutional Court's ruling regarding the need for a differentiated policy to attend to the needs of internally displaced ethnic groups (T25/04). It has also ignored the Constitutional Court's ruling on the right of the ethnic groups to be previously consulted regarding economic and other decisions that involve their territories (Decree 1320/98). During Uribe's tenure, laws that erode the rights of Afro-Colombians have been passed thus increasing the risk of Afro-Colombians losing their lands, their cultural values and traditional way of life. The lack of respect for Afro-Colombian rights has also led to massive displacement of the Afro-Colombian people and systematic threats, harassment and killings of their leaders.

While President Uribe and his delegates spend millions of dollars promoting a free trade agreement that violates territorial, cultural and economic rights of Indigenous and Afro-descendant grassroots communities, an internally displaced family of 10 people survives with only \$51 a whole month. We hope that the following questions will guide you in your conversations with Colombian government officials and other Afro-Colombian personalities, when they visit you this week in order to convince you that the FTA as in idea of progress for our people.

- Why is there a delay in the material return of the collective lands of Curvarado and Jiguamiando to their rightful owners?
- When will the Colombian Government take steps to ensure that all of the Afro-Colombian collective lands unlawfully and violently occupied by guerrillas and paramilitaries, oil palm plantations, mining, and other large scale projects are returned to the communities?
- Where are the plans to guarantee the safe and secure return of Afro-Colombians peasants who want to return to lands?

- How is the government guaranteeing the effective implementation of the right of Indigenous and Afro-Colombian communities to be previously consulted on economic projects designated for their territories?
- What measures has the Colombian Government taken to deal with internal displacement of Afro-Colombians from their collective territories?
- Why do the illegal armed groups continue to terrorize Afro-Colombian communities, organizations and leaders if they are supposedly demobilized? The Colombian armed forces are located in many areas where the paramilitaries and guerillas operate? Why are they not preventing such groups from harming Afro-Colombian communities?

In terms of Afro-Colombian institutional advancement:

- Why has the Colombian Government not implemented specific public policies to attend the particular needs of the Afro-Colombian population?
- What is the status of implementation of the Community Councils' Economic Development Plans, and the Long Term Developmental Plan for Afro-Colombian, Raizal and Palenque population?
- How does the Colombian Government plan to integrate the Afro-Colombian Community Councils' economic management plans into the FTA?

Please find a summary of the letter from the 168 Afro-Colombian organizations on FTA, at <http://www.afrocolombians.com/pdfs/168organizationsvsFTA.pdf> , and the complete version of the letter in Spanish at <http://www.afrocolombians.com/pdfs/CartaTLCaPelosi-04-08.pdf> .

Please contact Charo Mina Rojas at (434) 760-0663 for additional information and questions.

Respectfully,

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