Caught in the Crossfire: Indigenous and Afro-Descendent communities should, among other steps:

- Know their rights and get organized. Drawing on the work of social activists, a transformation, and action research developed by the NSI-PNC-RICL Project (see this link).
- Work towards the affirmation and recognition of collective territories.
- Obtain information about concessions in their area, and update this constantly, monitor companies with impacts in the area.
- Build alliances with national and international organizations, and in this way, support communities to get better informed, organized, and make self-defence decisions about their future.
- Undertake land-use planning that considers whether territories should be open to extractive activities, and whose use and control should be included. If there is conflict about the territory, companies and communities must underwrite their own investment management and management planning (as undertaken by Resguardo Lomaprieta).
- Implement precautionary measures to protect social leaders and communities, and where the Inter-American Court of Human Rights has issued early warnings that areoperative.
- Be willing to deploy government officials to the area, if there is active armed conflict, or if there is conflict, consider (because of conflict, increasingly explicit ethnic rights, and pressures and potential violence continue to rise).

Looking toward the future, doing the right thing — Consent and self-determination in Colombia

The right way to do the right thing and informed consent to be implemented in Colombia is to ensure that social leaders and communities can freely determine the rights that they see fit over the territories they hold, that these decisions are respected, and that the application of the appropriate framework to recognize and foster self-determination is undertaken. Among other things, these frameworks must:

- Ensure that rights to self-determination are recognized.
- Acknowledge the rights to seek and maintain their ancestral lands.
- Provide them with a system to recognize their rights, and how to ensure these rights are respected.
- Establish the legal framework that will ensure the rights of these communities.
- Give the government the right to negotiate.
- Provide for the public interest.
- Ensure that the rights of these communities are respected.

The policy brief synthesis research by Vincent Wilke, former NSI-PNC-RICL Counsellor

Negotiate community consent-making

If there is active armed conflict in their area, consider (because of conflict, increasingly explicit ethnic rights, and pressures and potential violence continue to rise).

Endnotes
2. Ibid.
3. Ibid.

Bibliography & Further Reading
1. For Canada, this includes reconsidering the mandate of the CSR Council outlined below as a starting point.
2. The current system for issuing concessions so it becomes aligned with ILO Convention 169’s consent requirement; the parameters establishing the myriad issues plaguing national consultations and overwhelming the capacities of ethnic organizations to respond.
3. Concessions that are operating is available from military maps; information on places criminal groups disguised as small-scale miners.
4. Among others, regulations on prior consultation and FPIC; the empowerment of Indigenous Traditional Authorities — police and military must obtain consent to remove the Indigenous and Afro-Descendent People. These People have recognized their own Riosucio-Caldas — the rights in resource management, and protected areas are underway.
5. The rights of Miners’ territory — which includes an unacknowledged in the Land Tenure plan of Suesca, Sanatocan have been covered by consular services. In 2009, Colombia recognized the indigenous- and ethnic-based communities.
6. The people’s mine land as compensation to make way for large-scale mining. Indigenous- and ethnic-based communities.
7. The rights of Miners’ territory — which includes an unacknowledged in the Land Tenure plan of Suesca, Sanatocan have been covered by consular services. In 2009, Colombia recognized the indigenous- and ethnic-based communities.

On the frontline

On August 11, 2011, Diana Márquez spearheaded the ancestral lands and the Miners’ territory neighborhoods that have stood collective for 35 years, and led a huge clash. Together with other community activists, the young miner and lawyer-in-training had

In the context of armed conflict, implementation of human rights protection stems from the claim of the People of Miners’ territory — which includes an unacknowledged in the Land Tenure plan of Suesca, Sanatocan have been covered by consular services.

The policy brief synthesis research by Vincent Wilke, former NSI-PNC-RICL Counsellor

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"in terms of human rights guarantees, nothing can be voluntary — it’s an obligation."
Intensification of violence against ethnic peoples

Despite the widely-held view that Colombia is a relatively peaceful country, there is a great deal of violence affecting the human rights of ethnic peoples. The country is characterized by a profoundly complex political, economic, and social reality, which gives rise to different contexts for the exercise of human rights, particularly for human rights defenders. In fact, human rights defenders in Colombia are exposed to attacks not only from illegal armed groups but also from companies with extractive activities, and are often victims of violence for their activism. The intensity of the violence against human rights defenders in Colombia is such that the United Nations human rights mechanisms have described Colombia as an “extreme risk” country for human rights defenders.

While the exact number of human rights defenders killed is not known, estimates vary. The United Nations High Commissioner on Human Rights has noted that there are roughly 200 human rights defenders killed in Colombia each year. This figure includes both those killed by illegal armed groups and those killed by companies with extractive activities. The exact number of human rights defenders killed by companies with extractive activities is not known, as this information is not systematically collected.

In 2020, the Colombian government announced that it would create a new National Human Rights Defender, with the aim of providing greater protection for human rights defenders and addressing the challenges they face.

Despite the recognition of Colombia's human rights defenders, the country remains a challenging environment for the exercise of human rights, particularly for ethnic peoples.

Ethnic peoples in Colombia often have no idea that extractive projects are planned for their territories or what their environmental and social impacts will be. This lack of information and access to the decision-making processes is a significant barrier to the protection of human rights.

There are also significant challenges in accessing justice. Even when victims have evidence of human rights violations, they often face difficulties in accessing justice due to a lack of accountability mechanisms.

Recommendations - Holding to account extractive companies with interests in Colombia

The following recommendations focus on promoting accountability for human rights violations committed by extractive companies in Colombia.

1. **Strengthen internal policies and practices.** Companies should develop strong internal policies and practices that go beyond the minimum legal requirements. This includes the establishment of grievance mechanisms and the implementation of human rights due diligence.

2. **Enhance transparency.** Companies should provide clear and accessible information on their activities, including the location of their projects and the communities affected.

3. **Engage with communities.** Companies should actively engage with affected communities to understand their needs and concerns, and to develop strategies for addressing these issues.

4. **Promote human rights due diligence.** Companies should implement robust human rights due diligence processes to identify and address potential human rights risks.

5. **Support victims.** Companies should provide access to justice mechanisms and support victims in exercising their rights.

These recommendations are intended to promote greater accountability for human rights violations committed by extractive companies in Colombia, and to help ensure that the rights of ethnic peoples are respected and protected.

Conclusion

The Colombian government has made commitments to promoting human rights and accountability, but more needs to be done. The following recommendations call for greater action by companies, governments, and civil society to ensure that the rights of ethnic peoples are respected and protected in Colombia.
Caught in the Crossfire:

Photo: Viviane Weitzner

practising “La Tonga,” collective mining that has its roots in Africa.

an Embera Cham and the Resguardo Inda, a national Black organization working in the
to examine these issues, The North-South Institute
• Sheds new light on the debate around human rights
“Towards the Development of Standards and
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a, Caldas. Our 30-month (2009-
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amomo Lomaprieta, Cauca; Resguardo,	Cauca;...
Caught in the Crossfire:
Project activities were undertaken through intercultural, and prior consultation in the context of the Colombian Extractives: Implementing free, prior and informed consent entitled Riosucio and Sup32 communities located in the municipalities of an Embera Chamí, Caldas.

Marked increase in investments in extractives
Case studies in the border area of Colombia demonstrate that new extractive projects are merging with the existing illegal armed conflict; extractives are thus a place for a two-year window until a new Constitutional Court decision on prior consultation have been established for meaningful consideration of human rights to self-determination concludes that voluntary implementation suffers from systemic corruption and operational. Despite Colombia’s progressive legislative framework dealing with national planning and the Interior’s Office of Prior Consultation as it has been implemented further reveals that most companies are not a voluntary responsibility for companies — it is an investor oversight — from Canada’s encouraging Home governments have a spectrum of approaches for ensuring ethnic rights are respected.

Voluntary CBR frameworks do not protect human rights
Aftafair, I am not only interested in our gold and our lands, in our water, in our air — that we have.

Effectiveness of the CSR frameworks is assessable for extractive rights are respected.

Consenso y Practica

We have very different interests in our gold and we are interested in the life of our community. in the life of our community. we are interested in the life of our community. we are interested in the life of our community.

Defensoría — such as National Contact Points, established by ‘Protect, Respect and Remedy’ and other companies to respect human rights in Colombia. Despite Colombia’s progressive legislative framework underscores, respecting human rights is making, leading to polarization and violence. and conquer tactics are often used, which disrupt participation in the resource allocation and conquer tactics are often used, which disrupt effects, leading to polarization and violence. and conquer tactics are often used, which disrupt effects, leading to polarization and violence. and conquer tactics are often used, which disrupt effects, leading to polarization and violence. and conquer tactics are often used, which disrupt effects, leading to polarization and violence. and conquer tactics are often used, which disrupt effects, leading to polarization and violence. and conquer tactics are often used, which disrupt effects, leading to polarization and violence. and conquer tactics are often used, which disrupt effects, leading to polarization and violence.
Caught in the Crossfire: Indigenous Peoples, Black Communities and Extractives in Colombia

On the frontline

On August 18, 2011, Francisca Ramírez seized the ancestral lands she and the Multi-Ethnic neighborhood have staked their collective and individual futures on; under the watchful eye of the guerrilla, a large tug of tractor. Together with other community activists, the young woman and her fellow residents – fiercely managed – put the fragile education of her community on the line for the future of their children.

“...the people have been moving their lands since the declaration of [Colombia’s] mining law, and we risk our lives every day to defend our ancestral territory,” says Ramírez. “I’m going to die in this battle, that’s clear to me.”

This despite Colombian Constitutional and ethnic rights protections being among the most progressive in the world, and the country’s Constitutional Court recently striking landmark decisions on consultation and consent. In December 2015, for example, a landmark decision by Colombia’s Constitutional Court suggested the country was on track to meet the Colombian Indigenous and Afro-Descendent Peoples. These have been recognized as one of the 10% of the world’s nations that have promised to protect the nation’s forests, its peoples’ rights, and the rights of an estimated 400 million people around the world, who are in the process of securing their rights to their ancestral homelands.

What guidance is there for communities, the State, and the international community to ensure respect for human rights in Colombia? The answer is found in the Resguardo Indígena Cañamomo Lomaprieta, Caldas.

Defining the future.

Looking toward the future, the doing the right thing – Consent and self-determination in Colombia

This policy brief synthesizes research by Vinicio Blasins, former UN human rights

In the era of human rights guarantees, nothing can be voluntary – it’s an obligation.

The right thing — Consent and self-determination — Research brief synthesized by Vinicio Blasins, former UN human rights

In 1975, the United Nations General Assembly adopted the International Covenant on Economic, Social and Cultural Rights, which for the first time included an explicit commitment to the principle of voluntaryconsent for the development of extractive industries. In 1982, the United Nations adopted the United Nations Declaration on the Elimination of all Forms of Racial Discrimination, which obligates States Parties to respect and ensure the effective enjoyment of all human rights and fundamental freedoms by all members of the Afro-Descendent communities, and to protect their rights by all necessary means.

In 2010, the United Nations General Assembly adopted the United Nations Declaration on the Rights of Indigenous Peoples, which obligates States Parties to respect, recognize and ensure the right of Indigenous peoples to freely pursue their development in harmony with nature and their cultural values.

In 2011, the United Nations General Assembly adopted the United Nations Declaration on the Rights of Persons with Disabilities, which obliges States Parties to respect, recognize and ensure the right of persons with disabilities to have access to all rehabilitation services and to have their human rights to life, health, education, work and social inclusion, as well as their physical, mental and cultural health, protected.

In 2015, the United Nations General Assembly adopted the United Nations Global Compact on Business and Human Rights, which obliges States Parties to respect, protect and promote human rights, and to ensure that companies respect human rights, including the right to self-determination, and the right to life, health, and education, among others.

In 2016, the United Nations General Assembly adopted the United Nations Declaration on the Rights of Future Generations, which obligates States Parties to respect, protect and promote the right to a secure and healthy environment, and to ensure that companies respect human rights, including the right to life, health, and education, among others.

In 2017, the United Nations General Assembly adopted the United Nations Treaty on the Prohibition of Nuclear Weapons, which obligates States Parties to respect, protect and promote the right to a secure and healthy environment, and to ensure that companies respect human rights, including the right to life, health, and education, among others.

In 2018, the United Nations General Assembly adopted the United Nations Treaty on the Prohibition of Nuclear Weapons, which obligates States Parties to respect, protect and promote the right to a secure and healthy environment, and to ensure that companies respect human rights, including the right to life, health, and education, among others.

In 2019, the United Nations General Assembly adopted the United Nations Treaty on the Prohibition of Nuclear Weapons, which obliges States Parties to respect, protect and promote the right to a secure and healthy environment, and to ensure that companies respect human rights, including the right to life, health, and education, among others.

In 2020, the United Nations General Assembly adopted the United Nations Treaty on the Prohibition of Nuclear Weapons, which obliges States Parties to respect, protect and promote the right to a secure and healthy environment, and to ensure that companies respect human rights, including the right to life, health, and education, among others.

In 2021, the United Nations General Assembly adopted the United Nations Treaty on the Prohibition of Nuclear Weapons, which obliges States Parties to respect, protect and promote the right to a secure and healthy environment, and to ensure that companies respect human rights, including the right to life, health, and education, among others.

In 2022, the United Nations General Assembly adopted the United Nations Treaty on the Prohibition of Nuclear Weapons, which obliges States Parties to respect, protect and promote the right to a secure and healthy environment, and to ensure that companies respect human rights, including the right to life, health, and education, among others.

In 2023, the United Nations General Assembly adopted the United Nations Treaty on the Prohibition of Nuclear Weapons, which obliges States Parties to respect, protect and promote the right to a secure and healthy environment, and to ensure that companies respect human rights, including the right to life, health, and education, among others.

In 2024, the United Nations General Assembly adopted the United Nations Treaty on the Prohibition of Nuclear Weapons, which obliges States Parties to respect, protect and promote the right to a secure and healthy environment, and to ensure that companies respect human rights, including the right to life, health, and education, among others.

In 2025, the United Nations General Assembly adopted the United Nations Treaty on the Prohibition of Nuclear Weapons, which obliges States Parties to respect, protect and promote the right to a secure and healthy environment, and to ensure that companies respect human rights, including the right to life, health, and education, among others.
Caught in the Crossfire: Indigenous Peoples, Black Communities, and Extractive Industries in Colombia

**Preliminary Note:** This policy brief synthesizes research led by Viviane Weitzner, former NSI Senior Researcher. This policy brief synthesizes research led by Viviane Weitzner, former NSI Senior Researcher.

**Key Findings:**
- The right to free, prior, and informed consent (FPIC) is enshrined in the 2011 United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).
- The UN Declaration on the Rights of Indigenous Peoples (UNDRIP) provides a clear framework for implementing FPIC, emphasizing the need for indigenous peoples to consent to the implementation of extractive activities on their territories.
- FPIC involves a process that ensures the free, prior, and informed consultation and participation of indigenous peoples in decisions affecting their lands, territories, and resources, including those related to extractive industries.
- The UN Declaration on the Rights of Indigenous Peoples (UNDRIP) sets a high standard for FPIC, requiring states to consult with indigenous peoples in a meaningful and effective manner.

**Implications:**
- States must ensure that indigenous peoples have access to information about extractive activities, and that they are able to participate in decision-making processes.
- Indigenous peoples must be able to refuse extractive activities on their lands, territories, and resources.

**Conclusion:**
- FPIC is a fundamental right that must be respected in all cases.
- States must take concrete steps to ensure that FPIC is implemented in practice.

**Further Reading:**

**Policy Brief Synthesis:**

The right to FPIC is enshrined in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). FPIC involves a process that ensures the free, prior, and informed consultation and participation of indigenous peoples in decisions affecting their lands, territories, and resources, including those related to extractive industries. The UN Declaration on the Rights of Indigenous Peoples (UNDRIP) sets a high standard for FPIC, requiring states to consult with indigenous peoples in a meaningful and effective manner.

The policy brief synthesizes research led by Viviane Weitzner, former NSI Senior Researcher. This policy brief synthesizes research led by Viviane Weitzner, former NSI Senior Researcher.