



## Statement of support for the Awá people

• *August de 2020* •

By means of this statement, we wish to express our solidarity with the binational Awá people, which has withstood human rights violations that have affected its integrity and that of its territory. The Awá people has suffered from historical pressure, threats, displacement, and dispossession. Reports about aggressions against its life, territory, and continued existence date back to 1524, 1899, and 1902, when there were massive displacements. These violent actions have been sustained over time, with echoes in 1930, 1950, and 1970, often related to the development of infrastructure.

Most recently, in 2009, over 40 people were massacred, calling the country's attention to the condition of the Awá. In the current year alone, the Indigenous Unit of the Awá People (UNIPA) has denounced, through 11 official statements released in February, March, May, June, and July, assassinations, threats, and confrontation with armed groups that seek to control and invade their territories. On April 22, May 6, and June 11 and 17, the National Organization of Indigenous Peoples (ONIC) filed four distinct complaints to demand immediate action on behalf of the authorities and the international community. In these complaints, ONIC has denounced the abuses occurring in Awá territory that UNIPA had previously condemned. Additionally, the Zona Telembí Awá Territorial Unit has made four pronouncements, as has the Organization of the Major Awá Assembly of Ricaurte (CAMAWARI), which has reported the assassination of leaders and their families, especially those who defend their territory and promote its conservation. These facts have been reported to the national authorities in at least 17 statements, complaints, and articles. All previous statements report the systemic occurrence of violent acts. Sadly, new reports arise every week, threatening the survival of a unique ancestral people in Colombia and Ecuador. CAMAWARI released its last statement on August 18, denouncing the assassination of three indigenous settlers of the Pialapí Pueblo Viejo Reservation. Since 2010, this reservation manages La Planada Natural Reserve, one of the key biodiversity areas of the tropical Andes, known worldwide for its high level of biodiversity and its critically threatened condition.

The Awá people represent an important facet of Colombian culture and ancestry, and they have a unique language that exists and is nourished through the territory. Its permanence is a fundamental part of their legacy, which is founded on the four ancestral principles of unity, culture, autonomy, and territory. Without the latter, the former three would not exist. Additionally, their territory, which sets the foundation for their culture, forms part of the so-called Tropical Andes Hotspot, one of the most biodiverse areas in the world. Nevertheless, they have been victims of acts that affect the area's cultural and biologic wealth.

Unfortunately, these recurrent aggressions further threaten the Awá people, which were consequently included in Writ 004/2009 of Colombia's Constitutional Court. In the writ, the court reported serious violations of the individual and collective rights of indigenous peoples after evidencing how displacement compromises their physical and cultural continued existence: *“Consequently, through Writ 004 of 2009, this high tribunal, aware of the fact that indigenous peoples are among the most vulnerable groups facing this problem and therefore deserve reinforced constitutional protection, ordered the implementation of: (i) a program to guarantee the rights of indigenous peoples affected by displacement and (ii) ethnic safeguard plans against conflict and displacement for each people identified in this writ, as well as (iii) the adoption of measures to curb impunity related to criminal acts against indigenous peoples, among others.”* Additionally, through Writ 174 of 2011, the court ordered the adoption of urgent precautionary measures to protect the Awá indigenous people after witnessing the grave humanitarian crisis it continued to face as a result of several issues, including the presence of illegal crops and armed actors from illegal groups, extreme poverty, the absence of social investment and public infrastructure, and the expansion of the legal and illegal agricultural frontier, among others.

Afterwards, the Awa people made several requests to the Constitutional Court's Special Division for the Supervision of Sentence T-025 of 2004, urging the court to *“adopt the measures needed to ensure the national government's compliance with the orders dictated in writs 004 of 2009 and 174 of 2011 to guarantee the individual and collective rights of the Awá people, as well as to charge the authorities related with Writ 174 of 2011 with contempt for breaching the court's order. Additionally, they claimed that this Corporation should exhort the Public Ministry to oversee government entities and their non-compliance with previous commitments, taking commensurate disciplinary actions if need be.”*

Even though the Supervision Division opted against declaring an incident of contempt, it recognized, by means of Writ 012 of 2018, non-compliance with previous writs. It notes, *“The Division evaluated the progress made, as well as lags and setbacks, to overcome the Unconstitutional State of Affairs (ECI) in the framework of monitoring orders dictated to protect indigenous peoples affected by, or in risk of, forced displacement. Concretely, Writ 266 of 2017 confirms a low level of compliance on behalf of the national government; the persistence of risks and violations of the rights to autonomy, cultural identity, and territorial rights, as well as flaws recording and characterizing indigenous peoples; it found that this situation is caused by institutional blockades and unconstitutional practices; therefore, it showed that the Unconstitutional State of Affairs regarding the rights of indigenous peoples persists, and it thus dictates new orders to overcome the situation. The national government was notified about this writ on December 7, 2017.”*

Taking into account the abovementioned, the organizations and people who sign this statement reaffirm our commitment to support the continuation of the work and processes that the Awá people have historically brought about to benefit the conservation and culture of their territory, working to maintain forests and ecosystems that are fundamental for life cycles. It is necessary and urgent, as a real guarantee of the safety and protection of the Awá people, to demand that the entities of the Colombian State comply with the Constitutional Court's writs that guide and dictate measures to protect the Awá community from risks that threaten their life and territories. The welfare state, based on the rule of law, should guarantee and must comply with these measures to protect and defend human rights.

Additionally, it is worth highlighting the commitment made by Colombia's government through the president's ratification of the Escazú Agreement in December 2019 and its establishment in July of this year. The Escazú Agreement, besides strengthening the implementation of fundamental rights like access to information, civil participation, and access to environmental justice, includes special dispositions regarding the protection of environmental leaders, since protecting the environment and its related rights would be impossible without the presence and dedication of these people. The Escazú Agreement reaffirms the political will of the government and the obligations that the country has assumed within systems for the universal and regional protection of human rights, specifically those related to defenders of the environment, life, physical integrity, and freedom, among others.

We call on the national authorities, cooperation organizations and the international community, human rights organizations, and Colombian civil society to observe this grave humanitarian situation and carry out corresponding actions to safekeep the life of the Awá people, joining efforts at all levels to halt the systemic violence perpetrated against this community that demands solely to maintain its way of life according to its tradition and autonomy, always defending the sacred space that is its territory.

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Asopalmar  
Fundación Ecovivero  
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RESNATUR - Asociación Red Colombiana de Reservas Naturales de la Sociedad Civil  
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