



## **PRESENTATION OF BLACK WOMEN FROM BLACK COMMUNITIES PROCESS IN COLOMBIA (PCN) TO THE 100TH SESSION OF THE CERD COMMITTEE**

Geneva, November 27, 2019

With our traditional greeting of well-being, hope, and freedom, Proceso de Comunidades Negras in Colombia presents to the honorable Committee on the Elimination of Racial Discrimination three main concerns and recommendations for the Colombian government in relation to the extreme situation of vulnerability faced by Afro-Colombian, Black, Raizal, and Palenquera women as a result of patriarchal violence and structural racism on the part of society and the State.

### **1. Sexual and gender-based violence committed against Afro-Colombian women, and their access to healthcare, protection, and justice.**

First, Afro-descendant women have been disproportionately impacted by the armed conflict in the territories, increasing the risks of multiple forms of violence, including sexual violence, we face. The Government has not adequately consulted with our authorities and women's organizations to jointly implement effective security measures incorporating a racial perspective, and community self-protection mechanisms. Rural areas with Afro-Colombian and Indigenous survivors of sexual violence lack access to adequate healthcare services, protection, and justice as a result of racial stigmatization and re-victimization by State institutions, and a lack of adequate health infrastructure in many Afro-Colombian communities.

#### ***We encourage the Committee to call on the Government to:***

- Provide economic and institutional resources in consultation with Afro-descendant authorities and Black women's organizations to ensure that victims of sexual violence and other forms of violence in Afro-descendant territories have full Access to protection, medical care, psychosocial support, legal support, justice and comprehensive reparation.
- Ensure access to comprehensive care with an ethnic focus to Afro-Colombian survivors of sexual violence and other forms of violence related to the conflict, and guarantee that transitional justice mechanisms receive and prioritize cases of gender-based violence against Afro-Colombians.
- Take steps to enact Law 1719 of 2014 to educate health care providers about its provisions and ensure that Afro-descendant survivors of gender-based violence receive comprehensive, accessible, and affordable medical and psychosocial care with dignity.



## **2. Protection of territorial rights and for Afro-descendant women and our communities.**

Second, the Government has violated the territorial rights of Afro-descendant communities. The Government has established administrative obstacles that prevent us from officially registering collective titles under Law 70 of 1991, and it has not guaranteed our communities access to illegally seized territory. The Government has also taken measures that threaten our communities' territorial rights, without implementing free, prior and informed consent processes, such as granting titles for large scale mining and other mega projects in our territories. This has led to forced displacement, threats, and forced disappearances by armed groups.

The constant attacks against defenders of collective rights, including our rights as Black/Afro-Colombian women, continues to be a matter of disinterest to the Colombia state. The violation of our territorial rights, the lack of significant State protection, and the environment of impunity in which the attacks against human rights and territorial rights defenders occur has increased the insecurity we face.

### ***We encourage the Committee to call on the Government to:***

- Finalize the regulation of Law 70 of 1993 as a way to guarantee the collective rights of Afro-Colombian Black, Raizal, and Palenquera women and our communities, and in particular ensure access to and benefits from collective titling of urban and rural ancestral territories for the 271 Community Councils that have applied for collective titling.
- Develop and plan in consultation with Afro-descendant authorities and Black women's organizations to guarantee their right to free, prior and informed consent for any administrative action, law program, project or activity that could affect us.

## **3. Compliance with the peace agreement and participation of Afro-Colombian women.**

Third, the Ethnic Chapter of the Peace Accord recognized the disproportionate impact of the conflict on ethnic peoples; generated key safeguards for territorial and individual rights and our effective and meaningful participation in the implementation of peace; and incorporated gender-based human rights protections and women's participation in the implementation of the agreement. Unfortunately, the Government has not significantly implemented the Ethnic Chapter, nor has it dedicated sufficient resources for its implementation in its national budget.

### ***We encourage the Committee to call on the Government to:***

- Dedicate adequate funding and technical support for the implementation of peace, in accordance with the Ethnic Chapter and the racial and



gender justice indicators in the Framework Plan for Implementation, accelerating its implementation.

- Pay special attention to the safeguards and guarantees for women leaders and defenders in urban and rural, ancestral territories under the Accord.