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Dr. Jaime Bermúdez Merizalde
Minister of Foreign Affairs of Colombia
Calle 10 No 5-51
Palacio de San Carlos
Bogotá
COLOMBIA

15 May 2009

Dear Minister,

ENDORSEMENT OF THE UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES

Amnesty International welcomes the Colombian government's recent decision to endorse the *United Nations Declaration on the Rights of Indigenous Peoples*. This endorsement dispels any confusion arising out of Colombia's "abstention" vote at the time of the Declaration's adoption on 13 September 2007.

Drafted over 20 years with significant input from both Indigenous Peoples and states, the *Declaration* provides a clear, authoritative statement of the human rights of Indigenous Peoples. These human rights include the right to culture, identity and traditional lands. The *Declaration* also reaffirms that Indigenous Peoples are to enjoy all of their human rights without discrimination. In this regard, Amnesty International welcomes the Colombian government's commitment to "the concepts of equality, respect for diversity and non discrimination that constitute the foundation of the [Declaration]."

Amnesty International has repeatedly expressed its serious and ongoing concern about the vulnerable status of Indigenous communities in Colombia, mainly as a consequence of the country's long-running internal armed conflict. Indigenous Peoples and their leaders continue to be killed and threatened by all the parties to the conflict, including the security forces, paramilitaries and guerrilla groups.

In particular, Indigenous Peoples are disproportionately at risk of forced displacement because such communities are often located in areas of intense military conflict, most of which are rich in biodiversity, minerals and oil. All parties to the conflict are failing to respect the right of Indigenous Peoples not to be dragged into the conflict. A lack of secure title to their ancestral lands, as well as discrimination and marginalization, has only served to exacerbate the precarious situation in which Indigenous Peoples in Colombia find themselves. These actions threaten the way of life and the very survival of these communities, some of which are on the verge of extinction.

The *Declaration* establishes a principled framework for working with Indigenous Peoples to address these specific concerns and promote their human rights. We encourage the Colombian government to work in partnership with Indigenous Peoples in Colombia to ensure full and effective implementation of

the *Declaration* in addressing this concern. An important first step in demonstrating the Colombian government's commitment to respect the human rights of Indigenous Peoples is to comply fully with the recent ruling of the Constitutional Court on Indigenous Peoples and displacement (Auto No.004 of 2009, 26 January 2009). In this respect, we would welcome hearing what specific measures the Colombian government is taking to comply with the Court's ruling.

Yours respectfully,

Susan Lee
Director, Americas Programme
Amnesty International

Cc:

H.E. Ms. Claudia Blum, Permanent Mission of Colombia to the UN in NY

H.E. His Excellency Mr. Angelino Garzón, Permanent Mission of Colombia to the UN in Geneva