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HUMAN RIGHTS COMPASS

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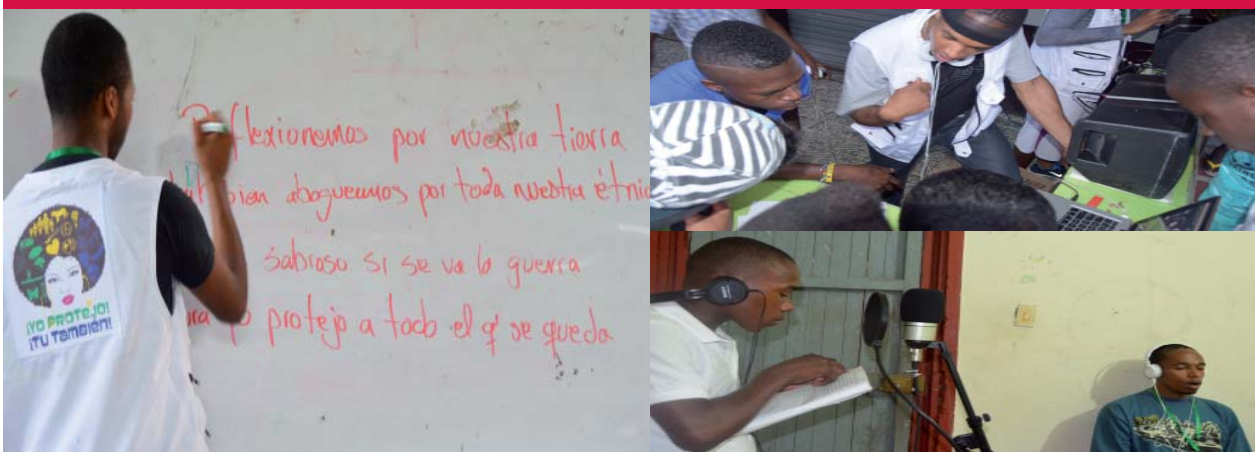

Youth creating rap lyric and video and audio production.
Photo: USAID HRP III

Youth Champion Messages of Human Rights through Hip Hop and Rap

In April 2013, USAID's HRP III awarded a grant to nationally-recognized youth and arts organization, *Familia Ayara*, to launch a unique human rights promotion campaign via the elements of hip hop and rap that would engage Afro-Colombian youth from five municipalities in Chocó and Tumaco in Nariño. Working with these youth meant investing in young men and women born into communities enclosed by high levels of violence due to illegal armed group activity prone to implementing terror tactics such as threats, extortions, murders, forced child recruitment, gender-based violence, and force displacement. Dialogue on human rights and peace are unfortunately distant concepts in these parts of the country where choices for a prospect-filled future are limited for youth.

Easily forgotten and as part of *Familia Ayara's* target group, the youth from Chocó and Tumaco quickly took to learning about and embracing the culture of hip hop and rap as a means of mobilizing peace and human rights in their communities. As part of the "*Yo Protejo, Tu También*" campaign, *Familia Ayara* trained 107 Afro-Colombian youth in human rights issues and how to use hip hop and rap to generate change through music video productions, radio messaging, and promoting community solidarity. While the end products comprised a media campaign of rap videos, posters, brochures, and literature on promoting human rights, the creation process itself revealed to be the most impactful for these young men and women. Participants took these tools and messages directly to their communities through six community festivals which they helped organized gathering 1,200 community members.

Reflecting on his participation with the project, Tumaco youth Emere Quiñones shares, "Through this project of working together to compose, sing and discuss peace and human rights many good things have happened in the *barrio*. We are now more united and invisible boundaries were broken down or in other words we now can openly go into other areas of the community that we didn't before because we all know each other now. We are now recognized as artists and peace promoters in neighboring *barrios*."

At the grant closing event ceremony, USAID Mission Director Peter Natiello applauded youth leadership and their courage in driving forward motivating initiatives using the arts as a vehicle to reconstruct their environments. Through a lens of youth-inspired hope, these communities now have voices, lyric, and dance as outlets and symbols projecting the futures and environments they want to live in. With infectious rhythms and beats, messages of peace and solidarity now vibrate and continue to engage youth towards an outlook of possibilities and hope.•

The opinions expressed by the author may not necessarily reflect the views of the United States Agency for International Development or the United States Government

First Inter-institutional Dialogue to Advance Land Restitution in El Bagre

Luis Cano vereda
Photo Credit: USAID HRP

In spite of the fact that Law 1448 of 2011 is recognized as one of the world's most comprehensive legislations addressing victims' rights and land restitution, its implementation has proven that protecting and/or enforcing land rights in Colombia is far from being a black and white issue. The law, in fact, has boldly taken on this fundamental issue that encompasses decades of conflict, massive forced displacement, land dispossession, unregulated colonizations and re-colonizations of same areas, and widespread human rights violations. In areas of the country such as El Bagre of the Bajo Cauca region in Antioquia, the added dynamic of settled communities living on territories that are, by law, protected as forest reserve areas further complicates matters in resolving land restitution cases. Given the myriad of obstacles posed by any combination of these elements, inter-institutional response plays a pivotal role in advancing land restitution cases for affected communities. Unfortunately, the absence of inter-institutional coordination with regard to Bajo Cauca's land restitution processes has been a critical missing piece and setback.

To this end on May 9, USAID's HRP III provided needed support to the Bajo Cauca region to begin an overdue dialogue to ignite inter-institutional coordination and response. At the First Regional Land and Forest Reserve Forum organized with the support of HRP III, participants included El Bagre's mayor, *campesino* leaders, Afro-Colombians, indigenous communities. Great emphasis was placed on bringing key government players to the table particularly from the Land Restitution Unit (LRU), INCODER, and the Ministry of the Environment.

The daylong forum fostered dialogue the issue at hand by taking into account the impact of fundamental legislation and policies as well as the status of land restitution processes and bottlenecks. While Law 1448 passed three years ago, the LRU only became operational in the Bajo Cauca region as of 2013 and has since received 1,540 cases. Since then and with critical HRP III support, only one of the three areas, Luis Cano *vereda*, in Bajo Cauca has been microfocalized, an essential and difficult step to achieve towards restituting lands to claimants. In fact, it was through the dedicated efforts of HRP III grantee *Forjando Futuros* that the necessary groundwork of documenting and presenting 12 land restitution cases from this *vereda* before the LRU that resulted in its microfocalization. However, for many of the remaining outlying areas, microfocalization remains a distant reality as the uncontrolled and heavy presence of illegal armed groups is rampant. Meanwhile, 50% of the municipality of El Bagre lies within a forest reserve park protected by law, which sharply restricts use of land and natural resources and, yet as is often the case, home to scores of settlers due to forced displacement. In the context of land restitution, areas such as these are additionally subject to a land "subtraction" process to formally divorce this land from protected areas so as to enable occupants to properly own and utilize the land.

USAID/Colombia representative , Diego Garcia, at Forum
Photo Credit: USAID HRP

Particularly concerning for El Bagre's Secretary General, Jairo De Jesús Álvarez Montiel, regarding the reserve areas he stated, "…there is a need for normative solutions which falls under the purview of INCODER and Ministry of the Environment which likewise lack the necessary administrative and financial infrastructure." It is these sorts of challenges, according to Mr. Álvarez Montiel, which make this forum critical to advocate for creating the institutional conditions in resolving these issues. Encouraged by the momentum of discussion and progress made at this forum, participants committed to scheduling future forums with greater national government representation to advance land restitution processes for all involved.•

Ethnic Communities Join Forces to Resist Illegal Mining

Accords' signings between government officials and ethnic community leaders. Photo Credit: UOAFROC

On April 25, three men were killed and five others injured after an illegal mine in the rural area of Santander de Quilichao, Cauca involving 80 tons of earth and rock trapped dozens of miners. The uncanny timing of this most recent illegal mining collapse accidents in Colombia took place on the heels of an HRP III-supported public hearing a day prior on the perils faced by surrounding Afro-Colombian and indigenous communities due to illegal mining. For these two ethnic communities that cohabitate fairly independent of each other, the pressing call for a joint meeting, facilitated with HRP III support, speaks volumes of a dilemma spiraled out of control and impacting the survival of their communities, lands, and way of life.

The gradual rise of illegal mining in recent decades in areas such as northern Cauca has evoked outcries from local surrounding communities negatively impacted by this booming informal industry. The center of these illicit activities takes place within the resource-rich territorial limits of some of Colombia's most vulnerable populations: Afro-Colombian and indigenous communities. As historically marginalized and impoverished communities, these affected areas are prime for illegal armed groups and opportunistic profiteers seeking economic gain where enforcement of laws and /or sanctions is lax or non-existent.

Traditional artisanal mining in these areas dates back to at least the 1600s and remains a vital and traditional form of trade and livelihood for these communities. However, now more and more commonly dotting the landscape of these remote mountainous areas are large heavy apparatus such as excavators, backhoes, generators, pumps and other equipment used to illegally extract gold, minerals and other resources. With this new ever-growing dynamic, these areas have become centers of violent conflict demarcated by an invisible sex trade of women and girls, illegal arms trade, unregulated and unsafe mines for laborers, labor exploitation, and irreversible environmental degradation, among others.

Largely orchestrated by illegal armed groups including FARC and criminal bands, namely *Los Urabeños* and *Los Duques*, illegal mining in northern Cauca has generated violence over territorial control through the relentless use of threats, forced displacement and land dispossession of surrounding communities. HRP III regional advisor Tatiana Lopez adds, "… the eight-year prison terms of most demobilized paramilitary member convictions who terrorized these areas are now up and consequently the area is witnessing a return of post-demobilized members and related criminal band activity with illegal mining as they are familiar with the terrain."

In light of this encroaching situation which prevails in the Santander de Quilichao, Cauca region, HRP III grantee UOAFROC organized a first-of-its-kind "town hall" session between indigenous communities and Afro-Colombians and regional and national authorities. With HRP III grant support to grassroots organizations from this area such as ACIN and PCN, this public hearing helped develop action steps including the establishment of roundtables covering issues of: human rights and protection; humanitarian assistance; and mining and the environment.

With these newly organized platforms which include regional government representation, communities will press for urgent response and fulfillment of guarantees. Roller Escobar, UAOFROC's peace and human rights coordinator, explained "Authorities need to clearly determine institutional responsibilities regarding a response to the issue and not leave it in limbo where no one takes any action. It is also necessary to engage civil society in talks regarding the national mining code to set clear rules regarding the social and territorial challenges they face." With open mechanisms of dialogue in place, all stakeholders have a renewed commitment to bring about results and change to restore security and rights to its local inhabitants.•

Ombudsman´s Office carrying out risk assessment
Photo Credit: Ombudsman´s Office

Revitalizing the Ombudsman's Office Capacity in Prevention and Response

In only the first half of 2014, the fruits of HRP III's labors to strengthen the Ombudsman's Office institutional response capacity have generated monumental transformations towards improved effectiveness. HRP III's hard work alongside this principal government entity focused on the promotion and protection of human rights for Colombian citizens has resulted in setting a new and updated course to better fulfill its mission. The signing of four decrees by President Santos earlier this year, made possible through critical HRP III support, represented the start of a wave of institutional reforms for a government institution that has gone unaltered since its establishment in 1991. The long overdue reforms will provide the Ombudsman's Office with increased capacity and resources to be concentrated at the regional level. Now, effective initiatives such as the gender-focused *duplas* will be fully supported by the Ombudsman's Office instead of relying on international cooperation funds and in so doing strengthening institutional sustainability.

HRP III's four-person consultant team played an instrumental role in drafting the decrees that were eventually approved by President Santos. On a broader scale, these decrees underscore the State's commitment to strengthened prevention and response of human rights violations as well as a raised consciousness regarding the magnitude of their plight given the dramatic changing dynamics and demands brought on by Colombia's internal armed conflict since the 1990's. With an eye on a potential signed peace agreement, these reforms will be critical for an increased and effective response during Colombia's period of transition.

Creating Sustainable Solutions for Human Rights Prevention

The moment a regional Ombudsman's Office receives word of an imminent threat or report of human rights violations in a particular area, specially trained Early Warning System (EWS) analysts heed the call. As the point person that conducts fact-finding missions, interviews victims or at-risk communities, and follows up on issued early warnings, the role of the EWS analyst is pivotal for the protection of individuals and communities. However, for years EWS analysts servicing some of the remotest areas impacted by conflict and violence lacked the necessary resources to carry out their jobs. Encumbering out-of-pocket expenses to cover transportation, lodging, and per diem to access hard-to-reach areas of the country resulted in the delay or absence of prevention, protection, and/or response mechanisms as well as follow-up on issued warnings.

Given this, USAID's HRP III saw an opportunity to assist the Ombudsman's Office to improve access to needed funds and resources for EWS analysts. In the short term, HRP III provided needed logistical and communications support including cell phones with GPS capacity, as well as supported 33 trips to carry out investigation and follow-up over the past two years. Meanwhile, a dedicated HRP III consultant tasked with evaluating organizational capacity challenges identified a fund access blockage and following recommendations a new $23 million COP supported Rapid Response Fund was organized and approved. While a seemingly modest internal reform, the ramifications of this newly established mechanism are far more profound in providing timely, appropriate and efficient services and prevention measures.

Felipe Vargas from the Ombudsman's Secretary General Office added, "It should not be understated that in most of these cases [involving EWS analysts] and for a very long time before that, staff members were supported by international cooperation…however, now the Ombudsman's Office has devised an effective response to the challenge." Operating with a new sustainable solution, remote areas in dire need are now that much more accessible to EWS analysts' reach and assistance. With critical structural support in place and tools provided on the ground, the Ombudsman's Office is better positioned to prioritize victims' needs.●