



Vichada
Meta
Casanare
Cajamarca
Ibague

BRIEFING

COMMUNITY VISITS

ABCOLOMBIA DELEGATION

Contents

Vichada and Meta	2
Human Rights	3
La Primavera: Sikuni Indigenous Peoples.....	4
Sikuni en La Primavera - Vichada.....	5
El Porvenir, Meta.....	5
Matarratón in El Porvenir	5
El Porvenir, Meta.....	5
History of Matarratón	6
El Porvenir Meta - Sikuni Kubeo	8
Sikuni- Kubeo land rights and threats against the community	9
End notes:.....	9

Details of the places and communities that we will visit in Vichada, Meta and Casanare. The region is referred to as *Llanos Orientales*.

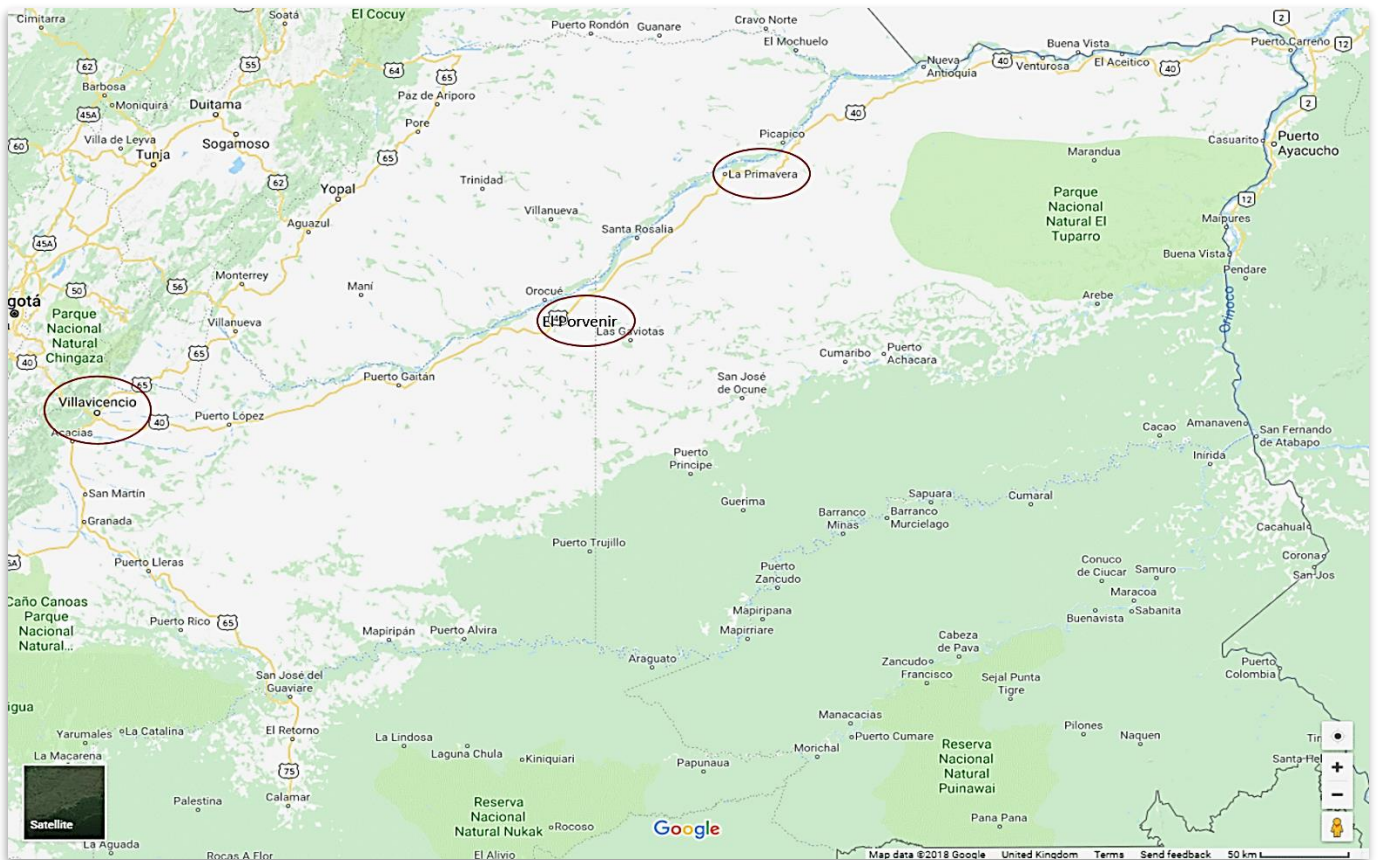


Figure 1: Map of route Vichada, Meta and Casanare

Vichada and Meta

The department of Vichada is the second largest in Colombia, it contains approximately 8.7% (100.242 km²) of Colombian territory. Vichada is situated in the east of the country and has 4 municipalities (Puerto Carreño, Cumaribo, Santa Rosalía and la Primavera). It is limited by the rivers Meta on the east and the Orinoco on the west, and borders the departments of Meta, Casanare, Arauca, Guaviare and the Republic of Venezuela.

The department of Vichada is important as it borders the Amazon and contains important ecological areas such as the Orinoquía, the second largest savanna system to be found in South America. There are major limitations in access to public services: only 32 per cent of the rural population have electricity and 18 per cent have drinking water (compared with 77 per cent and 47 per cent respectively at the national level). The infrastructure is also very poor: many of the roads are passable only during the summer months (December to April), and the Meta River (the main river transport corridor) is navigable for only eight months a year. This results in high transport costs and contributes to the region's isolation.

The area has been considered by some as the “final agricultural frontier” in Colombia. This view, along with the government’s plan to develop ZIDRES in this region, has attracted interest from private investors. The government would like to reproduce the Brazilian *Cerrado* model in the Altillanura. However, this large-scale plantation model runs counter to the region having been allocated to small-farm production and much of it belonging to the Puinave, Sikuani, and Kurripacos Indigenous Peoples.

The **Altillanura** (also known as **Orinoquía** or the **Eastern Plains**) is one of the six natural regions that make up Colombia. It borders Venezuela and Brazil and covers a good part of the departments of Meta and Vichada. The area is one of low-lying plains (between 150 and 250 meters above sea level) and contains one-third of the country’s water resources. It has a very low population density: just 0.3 per cent of the Colombian population (133,000 people) live in around 12 per cent (13.5 million hectares) of the country’s territory. **Sixty per cent of the region is home to indigenous peoples, who make up 30 per cent of the population (see below a map of the Indigenous *Resguardos* in Vichada).**



Human Rights

The Meta and Vichada departments have been, and remain, the scene of serious human rights violations. As in other regions of Colombia, the armed conflict and socio-political and economic violence, linked to disputes over drug trafficking, have led to the presence of armed groups fighting each other over territory and the economic activities carried out within each area. Isolation, and the size and location of this department, have favoured the intensification of illicit crops, which the government sought to eliminate through aerial spraying.

Geographical conditions, which link the area to the borders with Venezuela and Brazil, make it a strategic corridor for outgoing traffic in narcotics and incoming traffic in arms, supplies, food, and fuel, particularly for the armed groups.

The human rights violations and breaches of international humanitarian law mostly go unreported in this region, so official statistics tend to be significantly underestimated. Forced migrations due to the conflict have obliged small farmers and indigenous peoples, including the Puinave, Sikuani, and Kurripacos, to abandon their land and territories. In some cases, people have been dispossessed by force, fraud, or purchase at a price lower than the real value of their land.

According to the Colombian Human Rights Ombudsman’s office, large agribusiness projects for the production of biofuel crops, timber and rubber, together with oil exploration, have triggered social conflicts over land, which in turn nurture and transform the armed conflict at the local level. **Notably, the purchase of land by oil palm and forestry companies were responsible for both the displacement of small-scale farmers and indigenous populations and the increased presence of illegal armed groups.**

There is often a lack of clarity regarding property rights due to the conflict amongst other things, the process of land titling for farmers is extremely slow, there is often a confusion regarding the boundaries of the indigenous *Resguardos*. Indigenous Tribes are applying to have their ancestral territories legally recognised, but there is a lack of legal resolution in respect to many of these requests. There is

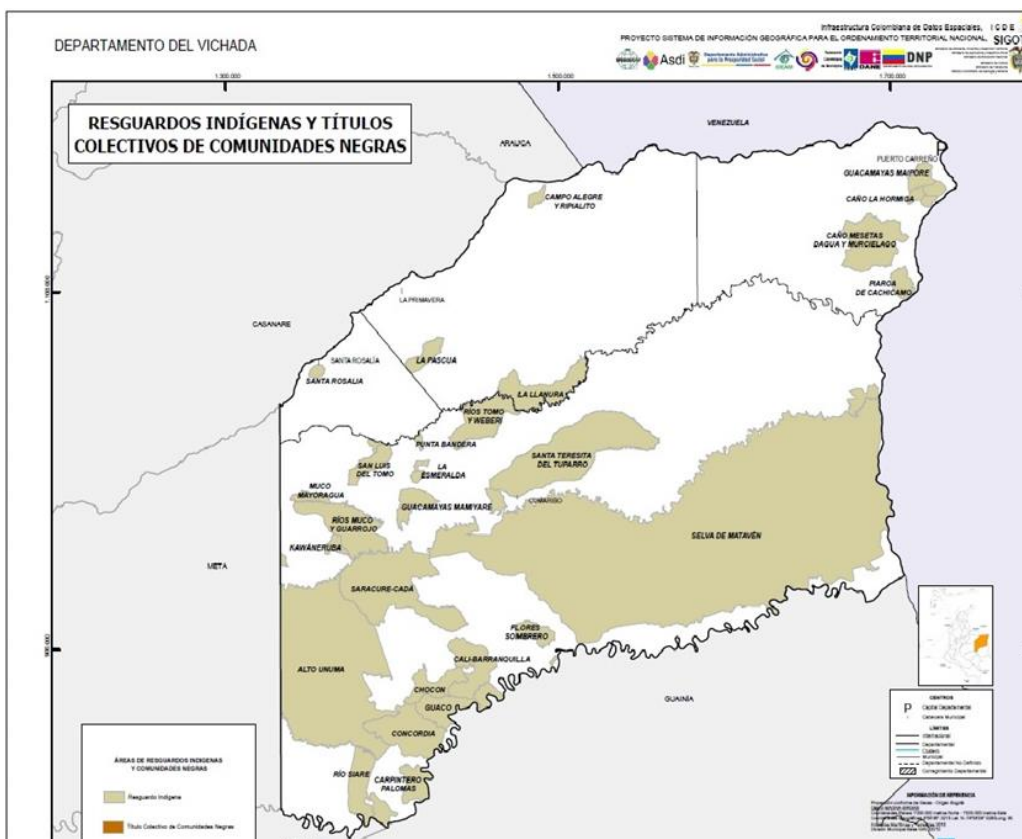
disagreement between indigenous tribes and the “colonos”, as the peasant farmers are known, as to who owns certain areas of land.

The situation with land in Vichada has a history of conflict from at least the 1960s. There was conflict between small settlers (known locally as “colonos”) and indigenous communities, followed by conflicts between large-scale cattle ranchers and small-scale settlers, and now the conflicts between the state (and its interests in expanding the agroindustry), the small-scale farmers and illegal actors. Ranchers vs indigenous people, settlers vs large-scale ranchers and the presence of *narcos* and paramilitaries who seek to control land, people and resources.

Working with the Communities in Vichada and Meta are La Corporación Claretiana Norman Pérez Bello (Corporación Claretiana) and Yira Castro. Oxfam supports various organisations working in this region including the Corporación Claretiana.

La Primavera: Sikuni Indigenous Peoples

The Sikuni had to displace from their territory as a measure of self-protection or because of forced displacement both of which were caused by the violence. This displacement left their sacred sites in the hands of settlers (referred to as “colonos”) and other people who arrived with the guerrillas and later with the commercialisation of their territory.



The guerilla arrived in the 1980s; they pushed the indigenous peoples out of a lot of their ancestral territory and into what are now the defined borders of their *resguardos*. Once established in the region, the FARC started to cultivate large swaths of land with coca. At the end of the 1990s the paramilitaries and army arrived and displace the guerilla.

According to the Colombian Constitutional Court (Auto 004 of 2008) the Sikuni indigenous peoples have suffered multiple forms of violence, such as forced displacement, enforced

The shaded areas on the Map above are indigenous *resguardos*

disappearances, assassinations, forced recruitment and dispossession of their ancestral territories, **which has placed their ethnic survival at risk.**

In addition to the violence and displacement, in 2008 the indigenous peoples in Vichada suffered from the contamination caused by the fumigation of the coca crops with glyphosate. These crops were grown extensively in Vichada due to the occupation by armed groups, all of whom benefited from this crop.

The Sikuni are demanding their right to recuperate their sacred sites and the land that is their ancestral inheritance.

Sikuni en La Primavera - Vichada

“un indígena sin tierra no es indígena” (an indigenous person without land is not indigneous)

There are four *resguardos* in La Primavera: Campoalegre-Ripialito; La Llanura, el Trompillo and La Pascua. All four *resguardos* are applying for an extension of their territory in order to include their ancestral territory.

- **Resguardo La Llanura** (9 communities and 3 ethnic groups) with approx. 850 inhabitants and was constituted in XXXX and has 74,000 hectares of land (although it appears that the land registry only has recorded 71,000 hectares of land – they are trying to find out what happened to the other 3,000 hectares).
- **Resguardo La Pascua** (10 communities and 4 ethnic groups) was constituted in 1981 via Resolution 0108. 19,400 hectares and in 2009 it had 955 inhabitants.
- **Resguardo El Trompillo** (2 communities and one ethnic group) it has not yet been constituted.
- **Resguardo Campoalegre-Ripialito** (2 communities and one ethnic group)

El Porvenir, Meta

We will visit two communities: the Sikuni Kubeo, who are living in their ancestral territory, known as the Ancestral Territory and Sacred Places of the Indigenous Settlement in El Porvenir Meta (*El Territorio Ancestral y Sitios Sagrados del Asentamiento Indígena El Porvenir Meta – ASEINPOME*) and the peasant farmer community of **Matarratón**.

Matarratón in El Porvenir

The history of El Porvenir is an excellent example of the land conflict in Colombia.

El Porvenir, Meta

The peasant farmer community of Matarratón in El Porvenir arrived in the *Atillanura* (Meta) in the 1950s and 1960s, fleeing from political violence. They settled in the region opening a new agricultural frontier. After 5 years of working *baldío* land, these peasant farmers under Law 160 have the right to request a land title. Although Matarratón had applied for their land title, they experienced considerable resistance from INCORA (former state land management agency) and still have not managed to obtain it.

Background

In the 1960s, there were land conflicts between ranchers that were arriving on in Vichada and Meta and the indigenous communities that lived there who were at the



time nomadic. These conflicts were followed by conflicts between large-scale cattle ranchers and small-scale settlers, and now the conflict for land has moved to incorporate the State and its interests in expanding the agroindustry, and small-scale farmers, who want to recuperate their land and continue with their farming traditions – producing food.

The internal conflict in Colombia played into this complexity of violence. In the early 1980s, the FARC moved into a large portion of these departments and grew coca. In 1982 a powerful paramilitary leader and “Emerald Czar” moved from the region of Boyacá and Magdalena Medio into the region – [Victor Carranza Niño](#). He led the paramilitary group *Autodefensas Campesinas de Meta y Vichada (ACMV)* and was widely considered to have been one of the co-founders of the AUC.¹ **However, he was never tried or convicted for any of the crimes that he allegedly committed.** He is however notorious and was greatly feared by people in the region. He died in 2013.

History of Matarratón

Testimony of local people combined with the information presented to the Constitutional Court

The community of Matarratón had been working the land since the 1960s. As the lands were *baldíos*, they had the right to the land after 5 years of working it. However, unbeknown to them, a large ranch owner, Victor Machado, had applied to INCORA (now replaced by ANT is the agency responsible for agrarian reform and administering state land), and the 27,000 hectares of land, where their farms were situated, were adjudicated to him in 1970. This was not a legal transaction because he had accumulated large areas of State land (*baldíos*). *Baldíos* could only be adjudicated, in specified small amounts, to peasant farmers. The community continued to work the land unaware it had been adjudicated to Machado. At the time, the land was all open, there were no fences demarking it. Machado died in 1979 and his widow sold the 27,000 hectares of land to Víctor Carranza Niño, “the Emerald Czar”.

In the 1990ies and beginning of 2000s, El Porvenir was completely controlled by the paramilitaries. But somehow, the campesinos continued to cultivate the land at the shores of the rivers and to fish. Some of them also managed to maintain their cultivations of the savannah that were very close to the village.

1980s: After the land titles of 27,000 hectares were transferred to Carranza, the communities noticed the presence of paramilitary groups in the region. These groups started harassing the population that had historically occupied the lands acquired by Carranza. A range of violent acts were directed at the farmers of Matarratón by Carranza’s paramilitary group.

1986: The first attempt of the campesinos to claim their land rights was in 1986. The leader in that moment that filed the claim for land titles, was threatened and he had to leave El Porvenir. At first people thought he was disappeared, but, he had fled for his safety. The officials of INCORA who received the paperwork/ the application were allegedly “bought” by the Carranza family and others were threatened.

1987: 10 key community members from El Porvenir were killed by Carranza’s paramilitaries; at that time the village of El Porvenir was a large and wealthy village. The whole village was threatened, and the majority displaced to Orocué.

“Carranza started putting fences and to portion the savannahs of the communities. He started threatening people, and he told people he would kill them. The property was fenced, and the people were kicked out. This happened during the 1980s.” (testimony collected in May 2018)

¹ In a [briefing for the commander of U.S. Southern Command](#), Gen. Charles Wilhelm, an Embassy staffer "remarked that Carranza is considered more powerful than [AUC leader Carlos] Castano because he is a billionaire; is twice Castano's age; controls more people under arms; and won a bloody war in the late 1980s against druglord Gonzalo Rodriguez Gacha." Carranza was "content to operate behind the scenes, allowing Castano to play a higher-profile public role."

1990s:

15 January 1992: Knowing that the land was originally *baldíos* and that the community of Matarratón wanted to recover it, Victor Carranza divided up the property into smaller farms and had them adjudicated to 27 people, who all had some relation to him. INCORA (subsequently INCODER and then ANT) awarded land titles for the 27,000 hectares to 27 persons who had no relation whatsoever with the lands and had never been part of the community of El Porvenir. The land was divided into 5 large farms called “Mi Llanura”, “El Pedregal”, “El Rincón”, “Campo Hermoso”, and “Las Corocoras”. However, the communities say that, these farms were **worked and controlled by the family business of Victor Carranza, the “Ganadería La Cristalina”**.

2000s:

- **2012:** A member of Congress, together with a human rights organisation, asks INCODER (previously INCORA) to revoke the 27,000 hectares of land titles owned by the five farms, because they were obtained by irregular means.
- **4 April 2013:** Victor Carranza dies
- **30 July 2014:** By Resolution No. 6423, the 27 titles were qualified **as illegal and revoked**. They became state property.
- **April 2015** it was announced that the family of Carranza had returned the land to the state.
- **13 June 2015:** The legal representative of “Ganadería La Cristalina”, Holman Carranza (family member of Victor Carranza), voluntarily handed over the property to the sub-director of INCODER.
- However, the State did not officially take back the land, which is why unknown persons began to arrive in the area, to install ranches and claim the land as theirs. (*This is something that has happened in other parts of Colombia and it is often those who have been forced to hand over land that they had accumulated illegally who are implicated in encouraging or bringing others into the region in order that the traditional inhabitants are enmeshed in a legal quagmire in relation to who now has the right to the land*). Faced with the violation of their land rights, the traditional inhabitants of El Porvenir went to the Constitutional Court.
- **9 September 2015:** the Matarratón peasant farmers in El Porvenir filed a *tutela* with the Constitutional Court demanding their right to land restoration.
- **January 2016:** President Santos [sanctions the ZIDRES law](#); the first ZIDRES project was announced by the President in a speech he gave in Orocué, in an event with large industrial businesses. The first ZIDRES was to be called “El Porvenir”.
- **6 July 2016:** the Procuraduría responsible for Environmental and Agricultural Issues called urgent attention to the situation pointing out that the slowness of the authorities to title these lands to the community was generating additional threats and worsening the environment in which they were living.
- **11 August 2016:** The Constitutional Court (Sentence SU-426/16) ruled in favour of the traditional owners of El Porvenir. However, this decision was not made public until November 2016. The Court ordered the State to take possession of the land; to undertake a census to establish who the traditional occupiers are; and, together with the Land Restitution Unit, restore the land to the traditional owners.

Sentence SU-426/16 ruled in favour of the 72 peasant farmer families in El Porvenir and Matarratón. The Court ordered the state to return 27 thousand hectares of land belonging to these 72 campesino families. It also ordered that these families should be subjects of the Agrarian reform, which meant that the state had additional responsibilities to ensure that the land recuperated by them (designated as *baldíos*) should be officially registered and the land titles given to the families.

In this decision, the Constitutional Court ordered the land registry (INCODER now ANT) to continue with the process of adjudication of land titles to the campesinos which had been suspended in favour of the formation of a ZIDRES recently decreed by the Colombian Government. It also ordered that the ANT should suspend the ZIDRES process until the issue of adjudication of the land claim by the Campesinos had been resolved.

The only aspect that the State has advanced to date is that of the census to identify the victims. In spite of the NGOs accompanying the communities lodging a right of petition to insist the state fully implements sentence SU-426 of the Constitutional Court., the slowness of the State to comply with the sentence has exposed the victims to continuing actions of paramilitary groups, which have favoured the illegal occupation by presumed heirs of the Carranza² family.

El Porvenir Meta - Sikuaní Kubeo

The 27,000 hectares of land that the ANT (National Land Agency) was ordered to restore do not only cover the land belonging to the 72 families Matarratón, but also an area of land that belongs to the Sikuaní-Kubeo Indigenous Peoples. At the moment, the Sikuaní-Kubeo are occupying 5,000 hectares. However, they are experiencing violent actions against them, including attempts to displace them from this land. It is reported that the interests behind these violent actions are from relatives of Víctor Carranza.

Approximately 60 Sikuaní Kubeo families are living in their ancestral territory, known as the Ancestral Territory and Sacred Places of the Indigenous Settlement in Porvenir Meta (***El Territorio Ancestral y Sitios Sagrados del Asentamiento Indígena Porvenir Meta*** – ASEINPOME). The local organisation working with the Sikuaní-Kubeo are La Corporación Claretiana Norman Pérez Bello (Corporación Claretiana).



Photo: ASEINOPME

The situation for the settlement of ASEINPOME in terms of managing their land is complicated as a result of them not having legal recognition from the State that this is their land. As long as these lands are not

recognised as an indigenous *resguardo* they are at risk of being “grabbed” by others or incorporated into a ZIDRES project.

² [Human Rights Watch reported](#) that a 1994 police investigation concluded that Víctor Carranza, a well-known emerald dealer and reputed drug trafficker, controls a so-called “private justice group” in his jurisdiction that is armed with guns licensed by the Defense Ministry.... Among the paramilitary leaders who reportedly maintain training bases is Víctor Carranza.

Sikuani- Kubeo land rights and threats against the community

2014: At the end of 2014, the Colombian government issued Decree 2333 of 19 November 2014, to protect indigenous territories: the right of possession of traditional and/or ancestral territory is protected through the adoption of administrative measures ensuring the full and effective enjoyment of land rights of Indigenous Peoples, while the processes establishing, expanding, reorganizing or restructuring of indigenous reservations are being advanced.ⁱ

Mid 2015: Having been forced off their land, the Sikuani-Kubeo decided to return. They have for years suffered many violations of their rights. However, despite this, INCODER **has not made any real effort to move the process forward** and restore the land to the Sikuani- Kubeo (*ASEINOPME*)

June 2016: A year after their return, the governor of the Sikuani-Kubeo, Marco Ardila was called by a representative of Holman Carranza offering him 20 million pesos for each house that had been constructed in the settlement. Stating they had to leave the settlement and could collect the money in Villavicencio but if they didn't accept the offer the whole community would be killed. In the subsequent days, there were further calls to Marco Ardila insisting that the indigenous community abandon the settlement and take the money. However, the community refused to leave. At the end of 2016, the community once again felt threatened - this time by the director of police from Puerto Gaitan, who arrived after dark and intimidated the community.

28 August 2017: several people from the entered their territory saying they had come to warn the governor that in the night armed men would arrive to displace the entire community, they were giving this warning to prevent a massacre. The Kubeo-Sikuani community took this as a clear threat, and were on high alert, reporting this to the authorities and the national and international community to ensure that these threats were not carried out. There have also been threatening pamphlets circulated.

December 2017: a group of men arrived in the settlement of *ASEINOPME* claiming to be the owners of the land, members of the police were present. On that occasion, the indigenous people reported that these men shot several times at them, without the police acting.

15 April 2018: five men entered looking for the Governor, Mauro Chipiaje - they wanted to speak to him personally. When they received no information as to his whereabouts they left saying that they would return. From experience of how things operate in Colombia this was clearly another threat. The police and the army were informed of what was happening by the Corporación Claretiana.

17 April: a meeting was organised by the police with the National Land Agency (ANT). Once again, the same men who had been to the community asking for the governor turned up, with a menacing attitude insisting that Carranza had the right to the land on which the indigenous settlement was situated.

26 April 2018 the ANT in Decision 004 ordered legal security and protection to the lands and territory which ancestrally belonged to the Sikuani-Kubeo indigenous community (*ASEINPOME*)

7 May 2018: Seven men arrived at the Indigenous Settlement of *ASEINPOME* in the company of the police, they entered violently into the territory and they cut down tree and constructed a makeshift room. This was reported to the various authorities of the municipality, such as the police, who denied that there had been accompaniment by the security forces in this incident. However, the indigenous people affirmed that in the different incursions that have taken place against their territory, the police have been present.

End notes:

ⁱ **Decrees 2333 of 2014**, in summary, the administrative measures to protect ancestral and/or traditional territories are aimed towards:

1. Protecting ancestral and/or traditional possessions.
2. Repealing of resolutions awarding public lands to private individuals where indigenous communities are established.
3. Preventing the allocation of public lands to individuals, where communities are established or where lands constitute part of their habitat, as well as in lands that will be allocated for the establishment of reservations.
4. Suspending police processes by INCODER at the request of a party, whenever there is a request for extension, constitution, reorganization or restructuring of a reservation, until the titling process is completed.
5. Titling and demarcation of territories of Indigenous Peoples living in isolation.
6. Creating an inter-agency coordination to unify information related to the property of indigenous territories and demographic issues.