

When existing is at risk:

Indigenous Peoples at risk of extinction in Colombia

Although the demographic and sociocultural vulnerability of Colombia's Indigenous population is often attributed to the ill-fated times of the conquest and colonization, their gradual disappearance continues relentlessly amidst the urban diaspora, the long internal armed conflict, forced displacements, loss of territories and the lack of guarantees for their rights to autonomy, self-determination and self-government. In recent decades, the spiral of violence on the Indigenous peoples' territories allows us to speak of a deliberate extermination as a strategy for the appropriation of their natural resources for extractivism and drug trafficking with the complicity of the State.

By Diana Mendoza - June 1st 2022

"It is not a question of repairing some damages caused in certain periods of violence by some people and agents of governments to certain people and communities – it is a question of crimes and abuses of all kinds perpetrated permanently for two centuries against entire peoples".

-Misak People

One of the main achievements of the 1991 Political Constitution was the recognition of Colombia's ethnic diversity, its diversity in languages, systems of organization, production, health, transmission of knowledge, food and legal plurality. However, this cultural exuberance is trapped in the vulnerability that comes from having a dispersed and quantitatively small population in relation to the rest of the predominantly mestizo nation.

The 2018 National Population and Housing Census reported [112 Indigenous Peoples totaling 1,881,676 people](#), or 4.4% of Colombia's total population. This figure does not include precise data for the three peoples in voluntary isolation identified so far (Jurumí, Páse and Yurí), nor for Indigenous People coming from other countries. Only four peoples account for 58.1% of the country's Indigenous

population (Wayuu, Zenú, Nasa and Pastos), while in huge regions such as the Amazon and Orinoquia, there are peoples with fewer than 50 members.

Stavenhagen's and the Court's warning

In 2004, a report by the then Special Rapporteur on Indigenous Rights, Rodolfo Stavenhagen, drew attention to the risk of extinction of several Colombian Indigenous Peoples. During a visit to the country, the anthropologist was able to demonstrate the humanitarian crisis aggravated by the internal armed conflict: "At least twelve small-numbered Indigenous Peoples in the Amazon are on the verge of extinction as a result of these various processes (armed conflict, illicit crops, environmental destruction, economic megaprojects) and their impact on the subsistence conditions of the population".

Stavenhagen added at the time that the most vulnerable peoples were the Awá, Kofán, Siona, Páez, Coreguaje, Carijona, Guayabero, Muinane-Bora, Pastos, Embera and Witoto in the departments of Putumayo, Caquetá and Guaviare. At the same time, it indicated that the measures that had been taken by the State and private and international agencies seemed insufficient to deal with the humanitarian emergency.

Taking up this report and dozens of *tutela* petitions (legal action that can be taken in Colombia to demand the protection of constitutional rights), the Colombian Constitutional Court issued Ruling T-025 of 2004 by which it declared an Unconstitutional State of Affairs in terms of forced internal displacement, and warned about the risk of extinction of 35 Indigenous Peoples who presented severe affectations associated with the armed conflict and various extractive activities in their territories. In 2017, [the High Court extended its concern to other peoples and noted that the government continued to fail in its duty to protect peoples at risk of physical and cultural extinction.](#)

However, the outcome of this historic ruling, which held the State jointly responsible for the threatened disappearance of dozens of Indigenous Peoples, is still far from preventing their risk of extinction. In fact, the efforts and resources allocated by successive governments to comply with the Constitutional Court's orders have basically focused on a series of interventions aimed at the elaboration of diagnoses and the formulation of Safeguard Plans, Return Plans and Collective Reparation Plans, most of which

are not effective and consistent in terms of restoring the violated rights and safeguarding the existence of these peoples.

The unstoppable homicide of Indigenous Peoples

Beyond the precarious governmental action, it is undeniable that since the Political Constitution of 1991, important advances have been made in relation to the recognition of factors that threaten the contemporary existence of Indigenous Peoples. However, true genocides committed in the 20th century still remain in total impunity. Crimes such as that of the "[Cauchería](#)" (rubber industry/boom) in [the Amazon](#) and the so-called "[Guahibíadas](#)" show not only the barbarity of the perpetrators and the judicial recklessness of the time, but also the impunity of today.

The [La Rubiera Massacre](#), which occurred in 1967 against the Cuiba people and was documented by historian Augusto Gómez, is a stark example of how, despite having been brought to justice, the accused were exonerated because "they did not know that killing 'Indians' was bad. While one of those responsible alleged that he had killed more than 40 'Indians' and that nothing had ever happened, another defendant based his defense on the fact that everyone there thought that killing 'Indians' was like "killing monkeys".

It is indisputable that impunity for crimes that leave thousands of victims among Indigenous Peoples remains a constant, and is one of the causes of their risk of extinction. Between January 2020 and April 2022, [INDEPAZ](#) recorded the homicide of 185 Indigenous men and women in events known in Colombia as the "murder of social leaders" at the hands of illegal armed groups and the security forces. The largest number of victims (34.5%) are Indigenous, but justice does not react to the magnitude of this crime.

The slow extinction of the Indigenous Territory

In Colombia, Indigenous Peoples are recognized as collective subjects differentiated from hegemonic society, identified by self-recognition or self-ascription and possessing special rights. Among the advances in the legal dogma on the conditions necessary to make possible the existence of an

Indigenous people, the concept of collective territory stands out, that is, the space in which their identity and culture materializes.

In its [Decision T-384A/14](#), the Constitutional Court warned that "(...) the rights to cultural identity and autonomy of the aboriginal communities cannot materialize without the protection of the right to territory as a fundamental element for these cultures to survive and develop, precisely because of the special relationship that Indigenous Peoples have with their territories, since the land has a spiritual value for them and develops their worldview, since it is there where they exercise their own customs and religious, political, social and economic traditions in an autonomous and free manner".

Similarly, autonomy, self-determination, the full exercise of their uses and customs, their spirituality, their forms of governance and their economic systems, among others, have the status of fundamental collective rights that are indispensable for the existence of each of the peoples. However, both the restitution and recognition of their territories and the safeguarding of their other rights remain frozen. Meanwhile, high-impact events such as forced displacement to urban centers continue to be reproduced. Currently, about 44.6% of the Indigenous population, some 850,353 people, live outside their territories, especially in large or medium-sized cities.

Undermining the right to self-government

Another factor threatening the survival of Colombia's Indigenous Peoples is the systematic violation of their rights to autonomy and self-government. Paradoxically, the constitutional provision that established that communities would have a share in the nation's resources became like a sword of Damocles. Under the pretext of delivering resources and projects, "authorities" and election mechanisms were standardized and legitimized, even among peoples who traditionally lacked centralized political representation, leadership or election of representatives. This is common, for example, among nomadic or semi-nomadic hunters and gatherers of Makú-Puinabe descent, such as the Jupde, Kakua, Nukak and Yujup - peoples who have suffered severe aggressions, have been sedentarized and present high levels of risk.

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This imposition sponsored by the Ministry of the Interior undermines relationships, ties and flexible social control based on kinship systems, social hierarchies or shamanic figures. As these traditional forms of organization did not include mechanisms for electing representatives to be spokespersons for their communities, it has only contributed to generating lethal conflicts within the communities themselves. [This problem has penetrated societies as solid as that of the Arhuaco, one of the four peoples of the Sierra Nevada of Santa Marta.](#)

New forms of governance and representation that undermine communities have also been promoted by the government and extractive companies as a strategy to legitimize Prior Consultation processes where there are discrepancies or authorities adverse to the development of works or projects. This has been witnessed by the Wayúu communities of La Guajira, whose territorial integrity is seriously threatened by the gas, coal mining and, more recently, wind energy industries.

Threats to intangible assets

The cultural facts and contents on whose existence the survival of a people depends are intertwined and often unfathomable. The loss of one's own language can affect the material and immaterial assets that are fundamental to the transmission of knowledge in a society, and even affect control of territory when toponymic marks or the names of sacred places are erased. The suppression of forms of matrimonial exchange can jeopardize the exchange of seeds and food sovereignty. The destruction of a people's ecosystems can affect their forms of production, undermine their self-sufficiency and cause total defenselessness against diseases treated by their ancestral knowledge and medicines.

As already mentioned, in recent decades Colombia's Indigenous Peoples have suffered a spiral of violence that would allow us to speak, not of a process of extinction, but of deliberate extermination by legal and illegal actors. However, the rigor of armed violence as a strategy par excellence to appropriate their resources and territories or to turn them into parts of the drug trafficking business, has covered up these other subtle forms of extermination promoted and/or tolerated by the State itself. The imposed models of health, education and food; the massive evangelization; the urban diaspora as

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a consequence of poverty and forced displacement; the undermining of their forms of organization, authority and justice, are just some of the threats to their unique existence.

But it is also necessary to emphasize that even when separated from their territories and cultures, there are currently many Colombian Indigenous Peoples who are carrying out processes of self-recognition, decolonization and self-determination that transcend the denunciation of extermination. These peoples project themselves with a transgenerational horizon and are determined to continue living and rewriting the uniqueness of their own history.

Diana Alexandra Mendoza is an anthropologist, Master in Human Rights, Democracy and Rule of Law, and specialist in Cultural Management. She has extensive experience in individual and collective rights, environment and culture.