

**Colombia**

# *Ethnicity in Colombia*

## *Group selection*

The following politically relevant ethnic groups were identified:

**Mestizos and Whites:** The largest ethnic group are Mestizos and Whites with roughly 70 percent of the population (<sup>1173</sup>,43). First of all, a subtle distinction should be made between “mestizo” and “mulatto”. The former describes people of mixed ancestry with a white European and an indigenous background. While the latter commonly refers to a mixed-race ancestry that includes white European and black African roots (<sup>1174</sup>, <sup>1175</sup>).

<sup>1173</sup> [Van Cott, 2000]

<sup>1174</sup> [Pew Research Center, 2015]

<sup>1175</sup> [Smith, 1996]

**Indigenous peoples:** According to the 2018 Census, 1.905.617 (4.4%) individuals belong to diverse indigenous communities. There are about 115 groups recognized, which is an important increase in terms of recognition from the last census in 2005 which only recognised 87 indigenous peoples. Among those groups, the most predominant ones are: Wayuu (380.460), Zenu (307.091), Nasa (243.176) and Pastos (163.873). Overall, these indigenous groups benefit from special legal protection and governmental assistance programs. However, they still suffer from discrimination and live on the margins of society (<sup>1176</sup>).

<sup>1176</sup> [USDS, 2017]

**Afro-Colombians:** Colombia has the largest proportion of black population in South America (<sup>1177</sup>,43). According to the most recent census (2018) by the National Administrative Department of Statistics (also known as DANE) approximately 4.5 million persons, i.e. 9,34% percent of the country’s population, described themselves of African descent (<sup>1178</sup>). This number also takes into account the “raizales” which is an indigenous population from the Archipelago of San Andres and are descendants of the original settlers, enslaved Africans, Amerindians and British Immigrants (<sup>1179</sup>). Nevertheless, according to Freedom House, the United Nations and The Minority Rights Group, Afro-Colombians represent in reality 25 percent of the Colombian population and are the largest segment of the more than 7 million people who have been displaced by violence (<sup>1180</sup>, <sup>1181</sup>). One of the main reasons why these figures are higher is because they tend to include the mulatto population as well (<sup>1182</sup>,43). In the case of Colombia, the Mulattos are included towards the Afro-Colombians.

<sup>1177</sup> [Van Cott, 2000]

<sup>1178</sup> [DANE, 2019]

<sup>1179</sup> [Minority Rights Group International, 2020a]

<sup>1180</sup> [Freedom House, 2020]

<sup>1181</sup> [Minority Rights Group International, 2020b]

<sup>1182</sup> [Van Cott, 2000]

## *Power relations*

### *1946-1979*

During this period, Afro-Colombians were politically irrelevant, indigenous groups were discriminated, and Whites/mestizos had the monopoly on power. More precisely, the two traditional parties (Liberals and Conservatives) dominated the national politics through the formal monopoly created by the National Front Pact (1957-74) (<sup>1183</sup>, 181). Indigenous people were not recognized as equal citizens within the Colombian state. They were treated by the terms of a law created in 1890 which reduced indigenous people to the status of children or “minors” (<sup>1184</sup>).

<sup>1183</sup> [Van Cott, 2005]

<sup>1184</sup> [Minority Rights Group International, 2014]

### *1980-1991*

Colombia’s contemporary indigenous organizations emerged from the peasant land movement of the 1960s and 1970s. By the 1980s, the indigenous movement had a substantial cadre of educated leaders, this was in part due to the government spending on education in the 60s and 70s, as well as the institution of ethno-education programs (<sup>1185</sup>, 179).

<sup>1185</sup> [Van Cott, 2005]

During the same period, Afro-Colombians had engaged in an extraordinary process of political mobilization and start to coordinate to take advantage of the new political openings promised by the new constitution of 1991 and the passage of Law 70 (article 55) in 1993 (<sup>1186</sup>, 191). Despite their activism, Afro-Colombians lack of technical assistance and general sympathy for their cause from state officials will make it rather difficult for them to take full advantage of the upcoming political reforms (<sup>1187</sup>, 93).

<sup>1186</sup> [Van Cott, 2005]

<sup>1187</sup> [Jordan, 2008]

Overall, during this period indigenous and Afro-Colombian political and social movements start to become more stable and consolidated (<sup>1188</sup>, 179). Enabling them to articulate coherent strategies for the defence of their cultures, land rights, identities, languages and autonomy (<sup>1189</sup>).

<sup>1188</sup> [Van Cott, 2005]

<sup>1189</sup> [Minority Rights Group International, 2020a]

### *1992-2021*

The era of multicultural constitutionalism in Latin America began in Colombia in the early 1990s. At the beginning of this period, the national indigenous organization of Colombia (ONIC) and the Cauca-based AISO ran candidates in the seventy-member national constituent assembly elections after their demand for reserved seats was denied (<sup>1190</sup>, 190). However, the indigenous delegates from the National Constituent Assembly in alliance with other leftist groups were able to successfully lobby for the constitutional recognition of a wide spectrum of indigenous rights (<sup>1191</sup>, 190-91).

<sup>1190</sup> [Van Cott, 2005]

<sup>1191</sup> [Van Cott, 2005]

In July 1991, a new Constitution was enacted as a result of intense internal social and political conflict combined with violent confrontations (<sup>1192</sup>, 162). The new Constitution gave place to a more comprehensive recognition of indigenous languages and cul-

<sup>1192</sup> [Hybel, 2019]

tures, their rights over their territories, and political representation for indigenous peoples and Afro-Colombians in the Congress (ethnic quota). Additionally, the 1991 constitution allows social movements to contest elections and provides state financing and free media for all parties and movements with political representation (<sup>1193</sup>, 191). Moreover, during the 1991 elections, the first indigenous individuals got elected at the local level and in 1997 one regional governor was indigenous.

Indigenous peoples are coded as having **territorial autonomy** status starting in 1992 (January 1st rule). Colombia's new constitution provided a high degree of legal and political autonomy to specified indigenous and Afro-Colombian territories (the latter to a much more limited degree), but the groups were not represented in the national executive. Indigenous peoples managed to gain title to more than 24% of the national territory while Afro-Colombians gained title to 2% of the national territory (<sup>1194</sup>, 76-7). In 2009, indigenous peoples were able to augment their officially recognized lands to 29.8% of Colombia's territory thereby gaining more regional autonomy (UN Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people 2010). There are cases where this autonomy was ignored and the necessary prior consultation procedure was not applied by government officials (e.g. in the case of oil prospecting or drilling). In 2014 the government issued a decree aimed at the protection of land rights in indigenous areas and consultation mechanisms of minority groups were included in the 2016 peace accord (<sup>1195</sup>: 120; <sup>1196</sup>: 4; <sup>1197</sup>: 7).

Overall, beyond recognizing the multi-ethnic and multicultural character of the Colombian nation, the 1991 Constitution granted **differentiated rights to minority groups**. As a result, Afro-Colombians failed to gain the same collective rights as the indigenous groups during this reform, resulting in policies of difference and multiculturalism for indigenous peoples and policies of racial integration for black populations (<sup>1198</sup>, 76-7, 276; <sup>1199</sup>, 750). The 1991 Constitution gave indigenous peoples regional autonomy rights, but did not give the same rights to Afro-Colombians and instead created a Transitory Constitutional Article, which was a scaled-down version of the innovations applicable to the indigenous communities and that could only apply if it was passed permanently by the Congress (<sup>1200</sup>). Therefore, a new period is introduced as a result of the Transitory Constitutional Article 55<sup>1201</sup> that led to the adoption of Law 70 in 1993. This law is important for the status of Afro-Colombian communities, among other things the law emphasises on “the access of black communities to collective land, guarantees some level of political autonomy and the implementation of affirmative action measures aimed at the preservation of their culture” (<sup>1202</sup>;117).

While the Constitution of 1991 did not define the “black communities”, Law 70 does this by clearly defining them as the group of families “of Afro-Colombian descent who possesses its own culture, shares a common history and has its own traditions and customs

<sup>1193</sup> [Van Cott, 2005]

<sup>1194</sup> [Van Cott, 2000]

<sup>1195</sup> [IWGIA, 2016]

<sup>1196</sup> [Freedom House, 2017]

<sup>1197</sup> [USDS, 2017]

<sup>1198</sup> [Van Cott, 2000]

<sup>1199</sup> [Paschel, 2010]

<sup>1200</sup> [Burgos, 2003]

<sup>1201</sup> Transitory Article 55 (AT55) mandated that Congress enact a law giving black communities collective title to the lands they occupied. AT55 led to the drafting of Law 70 in 1993.

<sup>1202</sup> [Pirsoul, 2020]

within a rural-urban setting and which reveals and preserves a consciousness of identity that distinguishes it from other ethnic groups” (1203, 118). Through this law, these communities also obtained collective property over the territories in which they settled down (1204, 138). This was implemented in part by the so-called “Community Councils” (Consejos Comunitarios) entities that were created by Article 5 to guarantee the administration of legally recognized Afro-Colombian territory and to offer autonomy to a certain degree but more on the local than regional level (1205). However, it is also important to mention that formally recognized Afro-Colombian territory did not augment significantly since 2009 (1206, 77).

Finally, while Law 70 guarantees both Afro-Colombian representation within the democratic institutions of the state, these communities are not entirely autonomous yet. That is because even though they gained over some competences via the community councils, they are not the recipient of direct fiscal transfers from the state nor are they recognised as and have the legal status of public entities (1207, 118).

To conclude, it is also important to mention that according to the OHCHR (2016a: 17) Colombia’s remarkable constitutional recognition of indigenous and Afro-Colombian rights to collective land, political inclusion as well as autonomy is not yet fully implemented in practice. Especially in the context of the armed conflict or/and resource extraction both groups remain disproportionately affected by displacement and violence. Furthermore, some of their rights continue to be challenged by interests of powerful stakeholders (1208: 125; 1209: 1; 1210: 5,7; 1211: 8; 1212: 30, 44). Nevertheless, even though progress remains slow, in recent years the government undertook a series of steps to incorporate indigenous and Afro-Colombian voices into national political debates. The 2016 peace accord included provisions for improving consultation mechanisms for marginalized groups (1213).

Indigenous as well as Afro-Colombian representatives have been elected to central political institutions (House of Representatives, Senate) in the 2010 elections. Taking into consideration that indigenous representatives occupy those two seats reserved to them by quota and Afro-Colombian representatives occupy slightly more seats than reserved by quota (1214). For both groups, actual influence on decisions on the national level has not increased significantly in recent years: Indigenous peoples as well as Afro-Colombians still lack representation in executive positions of national government (see 1215: 35) In 2007, President Uribe appointed the first black female minister but still Afro-Colombians cannot be considered more than “powerless” (1216). Indigenous peoples are also considered “powerless”, though whites/mestizos are politically “dominant” (1217: 35).

Since 2019, the situation for these communities has deteriorated significantly, as the government has been issuing regressive legislation on Indigenous People’s rights that seriously endangers their cultural rights and territorial integrity (1218, 383). Iván Duque’s new gov-

<sup>1203</sup> [Pirsoul, 2020]

<sup>1204</sup> [Burgos, 2003]

<sup>1205</sup> [UN expert on minority issues, 2011]

<sup>1206</sup> [González, 2011]

<sup>1207</sup> [Pirsoul, 2020]

<sup>1208</sup> [IWGIA, 2016]

<sup>1209</sup> [Minority Rights Group International, 2015]

<sup>1210</sup> [Freedom House, 2017]

<sup>1211</sup> [OHCHR, 2016b]

<sup>1212</sup> [USDS, 2017]

<sup>1213</sup> [Freedom House, 2020]

<sup>1214</sup> [US State Department, 2013]

<sup>1215</sup> [USDS, 2015]

<sup>1216</sup> [Minority Rights Group International, 2014]

<sup>1217</sup> [USDS, 2015]

<sup>1218</sup> [IWGIA, 2020]

ernment has also failed to ensure the implementation of the peace agreement and its Ethnic Chapter, this is mostly illustrated by the alarming number of murders of Indigenous leaders and the territorial rights violations by paramilitary groups (<sup>1219</sup>).

<sup>1219</sup> [IWGIA, 2020a]

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Political status of ethnic groups in C

From 1946 until 1979

Group name	Proportional size	Political status
Whites/mestizos	0.955	MONOPOLY
Indigenous peoples	0.044	DISCRIMINATED



Figure 224: Political status of ethnic groups in Colombia during 1946-1979.

From 1980 until 1991

Group name	Proportional size	Political status
Whites/mestizos	0.73	MONOPOLY
Afro-Colombian	0.23	POWERLESS
Indigenous peoples	0.034	DISCRIMINATED



Figure 225: Political status of ethnic groups in Colombia during 1980-1991.

From 1992 until 2021

Group name	Proportional size	Political status
Whites/mestizos	0.71	DOMINANT
Afro-Colombian	0.25	POWERLESS
Indigenous peoples	0.04	POWERLESS



Figure 226: Political status of ethnic groups in Colombia during 1992-2021.

# Geographical coverage of ethnic groups in Colombia

From 1946 until 1979

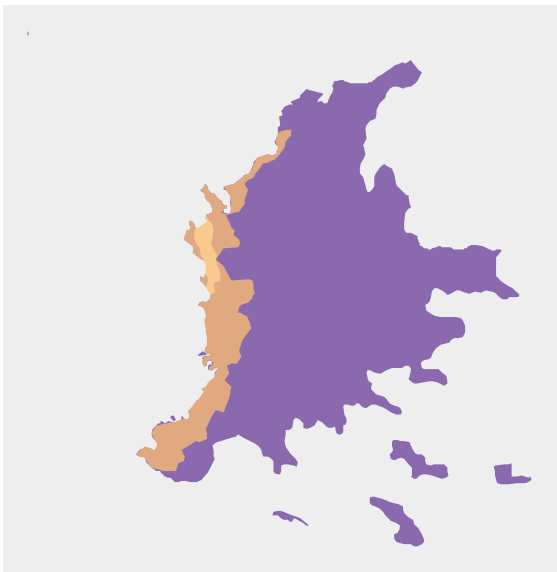


Figure 227: Map of ethnic groups in Colombia during 1946-1979.

Group name	Area in km <sup>2</sup>	Type
Whites/mestizos	558 386	Regional & urban
Indigenous peoples	79 425	Regional & urban

Table 78: List of ethnic groups in Colombia during 1946-1979.

From 1980 until 2021

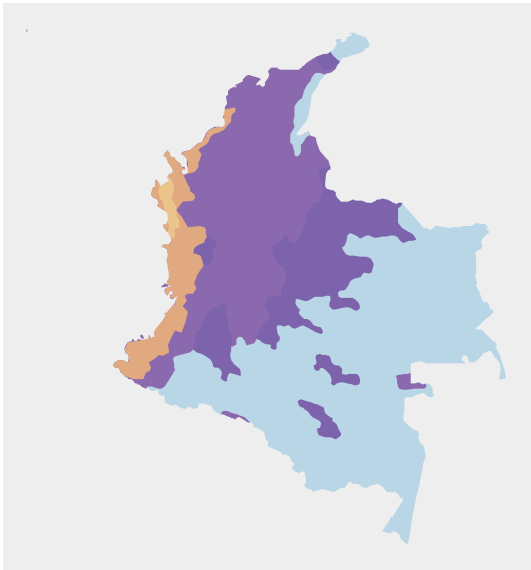


Figure 228: Map of ethnic groups in Colombia during 1980-2021.




Group name		Area in km <sup>2</sup>	Type
	Afro-Colombian	746 995	Regionally based
	Whites/mestizos	558 386	Regional & urban
	Indigenous peoples	79 425	Regional & urban

Table 79: List of ethnic groups in Colombia during 1980-2021.

# *Conflicts in Colombia*

*Starting on 1964-12-30*

Side A	Side B	Group name	Start	Claim	Recruitment	Support
Government of Colombia	FARC		1964-12-30			
Government of Colombia	ELN		1965-01-06			
Government of Colombia	EPL		1968-01-05			
Government of Colombia	M-19		1978-01-14			
Government of Colombia	EPL - Megateo		1991-09-08			
Government of Colombia	FARC dissidents		2017-04-07			