

Justice for Those on the Margins

They live in one of the most remote and impoverished regions of Colombia, a stretch of dense jungle on the country's Pacific coast. Yet the Afro-Colombian subsistence farmers who belong to the Community Council of the Rural Peoples' Organization of the Upper Atrato (the Cocomopoca) have resisted armed soldiers, guerrilla groups, paramilitary groups and drug traffickers—while navigating a distantly administered justice system to secure their rights to their ancestral lands.

Last fall, some 12,500 descendants of escaped and freed African slaves who settled in the Department of Chocó in the mid-1800s were granted the legal collective title to 73,000 hectares of their territory by the Colombian Institute for Rural Development.

It's a partial victory after 12 years in the courts, secured with the support of DFAIT through the Global Peace and Security Fund (GPSF), as well as assistance from a host of other international, national and local groups.

The GPSF, which is administered by DFAIT's Stabilization and Reconstruction Task Force (START), works in countries that are experiencing armed conflicts, as well as in post-conflict and fragile states, to build sustainable peace and strengthen security and justice systems. It does this, for example, by financing legal services for the poor and vulnerable, says Jennifer Peirce, a START program officer based in Ottawa.

Colombia has taken important steps toward peace and security, notably through a comprehensive justice and compensation plan for victims of the conflict, but it continues to be beset by a six-decade-long internal armed conflict that affects civilians. About half of the \$5-million annual GPSF budget supports justice and victims' rights for people "on the margins of society," says Peirce, such as indigenous and women's groups.

"Through the GPSF and other programs, Canada assists both victims claiming their rights and the Colombian government in its challenging task of turning ambitious peace and justice policies into reality," she explains. "There's a humanitarian imperative there," she says, adding that the programming reinforces the values of respect for human rights and the rule of law.

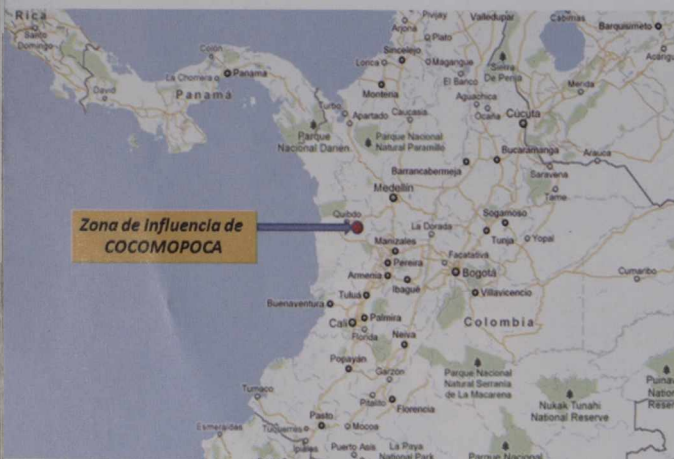
The Colombian constitution for the last two decades has recognized rights to ancestral lands, but groups like the Cocomopoca have struggled to gain title.

"These people feel helpless and marginalized; they really need our support," says Natalia López, one of two GPSF program officers at Canada's mission in Bogotá. "You need justice to achieve peace."

In the case of the Cocomopoca, the GPSF supported an international NGO called Project Counselling Service (PCS), which works with community groups and organizations on the ground in Chocó. The struggle is not over, says Kimberly Stanton, executive director of PCS, with "big obstacles" still remaining—from disagreement over how the region's rich natural resources, such as gold, lumber and water, are used, to the fact that the settlement includes less than half the territory that the Cocomopoca claim and leaves out some 17,500 members of the community who were forced off the land.

Stanton says international attention gives people a better understanding of their rights as it brings pressure to bear on the situation. "Unorganized victims and communities can really get steamrolled," she says, adding that "the goal is not just to win at the local level but to help people exercise their rights through systems of judicial and political power."

This case and others that Canada is supporting also set legal precedents and establish practical examples to follow, adds Peirce. "It makes the path easier for those who come after."



Many Afro-Colombians in the Department of Chocó have been displaced by the country's protracted armed conflict and are forced to live far from their ancestral lands.
photo: SCIAF