



## TOUGH DISCUSSIONS IN BOGOTÁ

In the third week of August, the department of Indigenous Affairs of the Ministry of Interior Affairs was able to receive a delegation about the application of San Martin de Amacayacu and Palmeras to get their ancestral lands recognised as an indigenous reserve.

The reason why Mr. Mamian of the Colombian United Nations Indigenous Human Rights commission was pushing for this meeting (so he commented a few weeks ago during a visit in San Martin (with the blue hat on the pictures to the right)), was that Indigenous Affairs had still not written the second concept. The first concept came out in July 2017 and according to the communities, the National Land Agency (*Agencia Nacional de Tierras – ANT*) and the UN, ample reply was given by the end of last year (Newsletter 75).

The trip to Bogotá was arranged and at 9am on August 24 the meeting started in a small room of the Ministry of Interior Affairs. There were four indigenous and a Dutch representative of the two communities and the Ticuna Cocama en Yagua (TICOYA) indigenous reserve, two of the UN, three of Colombia's National Parks, two of the ANT and five of the Ministry of Interior Affairs.

San Martin and Palmeras, the UN and ANT believed that this morning a conversation would take place with arguments and so on. There would be explanations from all parties and there would be clarity, as a result of which the Ministry would understand the situation of



San Martin and Palmeras better and eventually write a positive concept.

Unfortunately the vibe was extremely distant and hostile from the start. The representatives of Indigenous Affairs turned out not to be interested in any conversation at all. They were simply impatient, impolite and mostly busy with their cell phones (picture above on the next page). The scenario offered little hope. The participants presented themselves and tried to repeat the history of San Martin and Palmeras in the context of the TICOYA indigenous reserve. Why is the recognition of the ancestral lands as an independent reserve



a better option than the enlargement of the TICOYA reserve?

Already in 1982 San Martin and Palmeras pursued the recognition of the ancestral lands as an independent reserve. However without any decent dialogue the two communities were included in the large TICOYA reserve anyways.

During a meeting in April 2013 it was decided (under the watchful eye of the then INCODER!) that this time the ancestral lands of San Martin and Palmeras would be constituted as an independent reserve (Newsletter 49).

At the Wone Congress in October 2014 (Newsletter 58), in the presence of the same Indigenous Affairs and INCODER representatives, it was proposed that the 22 communities would vote for the options (1) no action will be taken, (2) the enlargement of the TICOYA reserve or (3) independent recognition. Can it be expected under these circumstances that each of these three options are actually viable and legal?

Because San Martin and Palmeras are now part of the collective TICOYA reserve, there are many conflicts about the use of natural resources by people who are not from these

communities and sometimes do come from the other communities of the TICOYA reserve.

In July 2017 Indigenous Affairs wrote a concept in which it was suggested that San Martin and Palmeras should renounce administratively from the TICOYA reserve so that they could belong to their to be constituted independent reserve. The two communities assumed that this was just another step in the procedure. The necessary documents were gathered (Newsletter 75).

Unfortunately during this meeting on August 24 the three representatives of Indigenous Affairs did not listen. To the surprise of the ANT, the UN, the communities and the TICOYA reserve, they maintained that it is illegal to constitute an independent reserve without the actual presence of the applying communities in these lands.

The course of the meeting was clear. It is now completely not relevant (anymore) that:

- San Martin and Palmeras have pursued an independent reserve since 1982,
- the government never really had a dialogue with the two communities at the time of the constitution of the TICOYA reserve (which unfortunately has led to many conflicts for the two communities),



- representatives of Indigenous Affairs were present at the Wone Congres in October 2014 and proposed the three options,
- the 22 communities voted autonomously for the independent recognition,
- the administrative renunciation by San Martin and Palmeras of the TICOYA reserve, which was required by the concept of 2017, was properly approved by the stakeholders,
- the independent recognition of the ancestral lands can guarantee the management of natural resources in this area much better
- there are more multi-ethnic reserves with similar problems, which could also be solved with independent recognitions.

At first people spoke politely to the five Indigenous Affairs representatives and afterwards they were simply angry, but it did not matter anymore. Any argument was completely ignored. Collaboration will simply only be provided when the two communities agree on the enlargement of TICOYA reserve with the ancestral lands.

The representatives of the Amacayacu National Park were rather silent and hardly took part in the discussion. The indigenous leaders and the representatives of the ANT and UN left the Ministry completely disillusioned. Was this a dialogue? Is this how business works in Colombia? No wonder that there are so many conflicts in this country.

It was decided the next day to meet again, but only with the representatives of the ANT and UN. The meeting of the day before was discussed and the current situation was put under a magnifying glass. Everyone agreed on one thing: The extreme attitude of Interior Affairs probably has something to do with the recently (July) elected president Duque. His political position does not seem to have much interest in the indigenous people. This may be in part because these voted mostly for his opponent Petro and in part because Colombia's Peace Agreement focusses mostly



on the farmers. There is a lot of international pressure to give all these farmers land back as they had to flee from their lands over the last decades due to the armed conflict in the country. At this moment Colombia's focus is on these farmers and not (anymore) on the indigenous people.

Insisting on an independent recognition at this moment could lead to a definitive negative rejection by the board of the ANT (for whom the concept of Indigenous Affairs is practically decisive), with which all efforts by San Martin and Palmeras would be completely in vain. The process will be filed in the archives and who knows if it will ever appear again, especially when the government has no more interest in the case.

After a long and emotional debate it was decided in this meeting to go along with the only option provided by Indigenous Affairs to enlarge the existing TICOYA reserve with the ancestral lands of the two communities. So with this they are basically back with the application as it was signed on June 28 (Newsletters 44 and 46) and handed to the INCODER on July 2012 (Newsletter 45).



San Martin and Palmeras mostly want to avoid that the ancestral lands (with all natural resources and culturally important sites!) will just become parte of the collective lands of the TICOYA reserve (which is basically the case with the enlargement). The only tool they have left to guarantee this (or at least a little), is by lobbying for a separate paragraph in the describing papers, so that the ancestral lands with which the TICOYA reserve will be enlarged will be under the exclusive management of San Martin and Palmeras.



A special Wone Congres of the TICOYA reserve has now been scheduled for the beginning of October and this event will probably be financed with money from Indigenous Affairs. According to its representatives, the case will be closed and the describing papers will be drafted as soon as possible afterwards. This is when the real management of the ancestral lands start for San Martin and Palmeras...



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The contributions will be spent exclusively on the development and realization of local initiatives in San Martin de Amacayacu in the Colombian Amazon. No wages are being paid to anyone. The expenses will be mentioned as much as possible in the newsletters. For alternative contributions, please contact Heike van Gils at: [heike\\_van\\_gils@hotmail.com](mailto:heike_van_gils@hotmail.com).

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