



PARALLEL REPORT ON COLOMBIA FOR THE COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION –CERD-

CLIMATE CHANGE AND ETHNIC COMMUNITIES IN COLOMBIA

The objective of this parallel report is to show how the Colombian State has not carried out a wholistic approach to climate change in the national territory and has ignored the existence of ethnic communities and their high vulnerability to the current climate crisis.

Racial, ethnic and indigenous communities are at the frontlines of the impacts of climate change since they frequently live in geographical regions and ecosystems which are the most vulnerable to climate change and their livelihoods and cultural and social activities rely on natural resources, which are threatened by global warming. Those groups are also at the frontlines of climate mitigation projects (eg: wind farms, solar and biofuels projects) that often adversely impact the rights of local communities through displacement, pollution or depletion of natural resources. As a consequence, the rights to water, health, housing, food and life and the cultural rights of racial and ethnic minorities and indigenous peoples across the world, are disproportionately threatened by climate change. Therefore, a comprehensive and human rights-based approach to this crisis must include ethnic communities as participants in the design and implementation of public policies aimed at mitigating and adapting to climate change.

Specifically, the report will describe the Colombian State's obligations regarding climate change, human rights and the rights of ethnic populations, the inadequacy of the regulatory and public policy framework on climate change and ethnic communities, the main impacts of climate change for these populations and a series of conclusions and recommendations to urge the Colombian State to comply with its international obligations regarding climate change, human rights and racial non-discrimination.

1. Presentation of signatory organizations

1. **AIDA:** The Interamerican Association for Environmental Defense (AIDA) is a *regional organization* that uses the law and science to protect the environment and communities suffering from environmental harm, primarily in Latin America. We provide *free legal*

expertise and scientific support that bridges the gaps between communities, local movements, national organizations, governments, and international authorities. AIDA's team has *20 years of experience* in wielding the power of international law to win conservation gains for the region.

2. **CAJAR:** The “José Alvear Restrepo” Lawyers' Collective Corporation (Corporación Colectivo de Abogados “José Alvear Restrepo”) is a non-governmental human rights organization in Colombia with over 40 years of experience in prevention, defense, and promotion of human rights. Its general objective is to defend and promote human rights from a comprehensive standpoint based on the indivisibility and interdependence of all rights and freedoms, in order to contribute to the fight against impunity and build a just, equitable society, from a perspective of political, economic, social, and cultural inclusion, and to promote respect and the full enjoyment of peoples' rights to sovereignty, self-determination, development, and peace with social justice.
3. **GI-ESCR:** The Global Initiative for Economic, Social and Cultural Rights (www.gi-escr.org) is a human rights advocacy NGO focusing on economic, social and cultural rights. It advocates for economic, social and environmental justice through the protection, promotion and fulfilment of ESC rights.

2. Introduction to the theme of Climate Change, Human Rights and the Rights of Racial and Ethnic Populations

The adverse impacts of the climate crisis threaten a wide range of rights, including the rights to life, food, housing, health, water and the right to a healthy environment.¹ Ecosystems affected by climate change, in turn, generate greater risks to human systems that depend on the integrity of those ecosystems, thus affecting the enjoyment of other rights.² The risk of harm is particularly high for those segments of the population already marginalized or in vulnerable situations or who, due to discrimination and pre-existing inequalities, have limited access to decision-making or resources, such as women, children, ethnic communities, persons with disabilities, and persons living in rural areas,³ despite the marginal contribution to greenhouse gas emissions of many of those groups.

3. Climate change and Colombia's obligations under the International Convention on the Elimination of All Forms of Racial Discrimination

Colombia is a multicultural and multi-ethnic country. According to information from the National Administrative Department of Statistics (DANE, 2007), there are 710 titled *resguardos*, located in 27 departments and 228 municipalities, covering an approximate area of 34 million hectares (29.8

1 Cfr. Office of the United Nations High Commissioner for Human Rights, ‘Report of the Office of the United Nations High Commissioner for Human Rights on the Relationship between Climate Change and Human Rights’ (United Nations Human Rights Council 2009) Annual Report of the OHCHR A/HRC/10/61.

2 IPCC, 2014: Cambio climático 2014: Informe de síntesis. Contribución de los Grupos de trabajo I, II y III al Quinto Informe de Evaluación del Grupo Intergubernamental de Expertos sobre el Cambio Climático [Equipo principal de redacción, R.K. Pachauri y L.A. Meyer (eds.)]. IPCC, Ginebra, Suiza, p.

3 Oficina del Alto Comisionado de las Naciones Unidas por los Derechos Humanos, “Five UN human rights treaty bodies issue a joint statement on human rights and climate change: Joint Statement on “Human Rights and Climate Change”, 16 de septiembre de 2019, disponible en: <http://bit.ly/2kNpp4C>

per cent of the national territory). The departments with the highest percentage of indigenous communities are: Guainía, Vaupés, Amazonas, Vichada, La Guajira, Cauca and Nariño. The general census of DANE 2018⁴, reports a total of 1,905,617 indigenous people. On the other hand, the departments with the highest percentage of Afro-Colombians are: Chocó, San Andrés and Providencia Archipelago and Santa Catalina, Valle del Cauca, Bolívar and Cauca (DANE, 2007). According to DANE (2005), 4,311,757 Afro-Colombians, equivalent to 10.6% of the Colombian population, were registered in Colombia⁵.

The State of Colombia ratified the Convention on the Elimination of All Forms of Racial Discrimination on 2 September 1981, which was approved by Law 22 of 1981. Consequently, Colombia has the obligation "to prohibit and eliminate racial discrimination in all its forms and to guarantee the right of everyone to equality before the law, without distinction as to race, colour or national or ethnic origin, particularly in the enjoyment of rights [...]".

A decade after ratification, Law 21 of 1991 was enacted, which approved ILO Convention 169 in which some of the rights of indigenous and tribal peoples were recognized.

Internally, the Political Constitution of Colombia recognizes the principle of ethnic and cultural diversity of the Colombian Nation (art. 7); the right to equality and the principle of non-discrimination (art. 13). In addition, there is a normative framework⁶ and an extensive jurisprudence of the Colombian Constitutional Court⁷ which recognizes and develops the content of the rights of ethnic communities in Colombia. In addition, Law 1482 of 2011, which modified the Colombian penal code, penalizes acts of discrimination on the grounds of race, ethnicity, religion, among others.

Notwithstanding the foregoing, as documented by several organizations and denounced before bodies such as the IACHR⁸, the implementation of development projects in the territories and the expansion of the extractive policy, has deepened the conditions of inequality of ethnic communities in the country, since such policies and concrete projects have generated, among other things, the environmental deterioration of the territory, and sometimes contribute to climate change, resulting in phenomena such as environmental racism and climate apartheid⁹.

4. Colombia's climate change commitments

On the other hand, Colombia has specific international obligations in the area of climate change, which derive from the United Nations Framework Convention on Climate Change - UNFCCC

4 DANE. (2018). Información de los grupos étnicos en Colombia. Tomado de: <https://www.dane.gov.co/index.php/estadisticas-por-tema/demografia-y-poblacion/grupos-etnicos/informacion-tecnica>

5 IDEAM. (2010). Segunda comunicación nacional ante la convención marco de las naciones unidas sobre cambio climático .

Tomado de: http://www.cambioclimatico.gov.co/documents/40860/528488/2%C2%AA_Comunicaci%C3%B3n_Cap_1.pdf/725740a3-e782-44b0-8bc1-100f6b097112?version=1.0

6Legislación colombiana para comunidades étnicas. Tomado de:

<https://www.urosario.edu.co/jurisprudencia/catedra-viva-intercultural/ur/Legislacion-colombiana-para-comunidades-etnicas/>

7 Entre estas las sentencias T-129 de 2011, C-389 de 2016, SU-133 de 2017, SU- 217 de 2017, T-298 de 2017 y T-103 de 2018.

8 Véase la última audiencia de país en la materia: Denuncias de asesinatos, amenazas y desplazamiento forzado de personas defensoras de los derechos a los territorios afrodescendientes e indígenas en Colombia en el 169 Período de Sesiones. Recuperado de: <https://www.youtube.com/watch?v=1pSegUpYaTe&index=33&list=PL5QlapyOGhXvdhUdWzbrMdhNQU-Fs3U-2>

9 Término acogido en el informe sobre Cambio climático y pobreza del relator especial de la ONU sobre la pobreza extrema. (2019). Hacia el Apartheid climático. Tomado de: <https://news.un.org/es/story/2019/06/1458411>

(ratified in 1994 and approved through Law 164 of 1994); the Kyoto Protocol (ratified on November 30, 2001 and approved through Law 629 of 2000) and the Paris Agreement (ratified in July 2018 and approved through Law 1844 of 2017).

Internally, Colombia initiated the publication of the National Communications on climate change by IDEAM in 2001. To date, 3 communications have been published (2001, 2010, 2016). In the first communication it was recognized that the cultural heterogeneity in Colombia, is a factor that must be taken into account in the analysis of the vulnerability of the population to climate change.

After the second communication was published, the National Planning Department issued CONPES 3700 in 2011, which proposed: i) a coordination framework through which sectors, territories and communities would understand climate change as a matter of economic and social development and would therefore integrate this problem into their planning and investment processes; ii) the articulation of information production entities, sectors and territories in such a way that the information generated would be relevant, accessible and of quality; and iii) an adequate coordination framework so that the actions prioritized at the time by the country could be implemented.

The National Development Plan 2014-2018 "All for a new country", adopted the "green growth" approach as a "transversal and enveloping" pillar for the country's development, aiming for "sustainable economic development, competitiveness and the reduction of vulnerabilities to the impacts of climate change".

In 2016, the National Climate Change Policy was issued, whose objective is to incorporate climate change management in public and private decisions to advance in a path of climate-resilient and low-carbon development that reduces the risks of climate change and takes advantage of the opportunities it generates. This policy sets national targets for low-carbon development and climate resilience. This policy also establishes 5 strategic lines, 4 of which are aimed at rural, urban, mining-energy and low-carbon and climate-resilient infrastructure development. In addition, it addresses the management and conservation of ecosystems and ecosystem services for low-carbon and climate-resilient development.

In the same year, Decree 298 of 2016 was issued, which establishes the organization and operation of the National System of Climate Change - SISCLIMA - that is, the set of state, private and non-profit entities, of policies, norms, processes, resources, plans, strategies, instruments, mechanisms, as well as information related to climate change, which is applied in an organized manner to manage the mitigation of greenhouse gases and adaptation to climate change in the country.

In July 2018, Law 1931 was issued, the Climate Change Law, which established the guidelines for climate change management, mainly the mitigation of greenhouse gases, with the aim of reducing the vulnerability of the population and ecosystems of the country to the effects of climate change and promoting the transition to a competitive economy, sustainable and low-carbon development. The Law also establishes Integrated Plans for Management of Territorial and Sectorial Climate Change.

In addition, there are several initiatives in Colombia on climate change adaptation and mitigation: Colombian Low Carbon Development Strategy, the REDD+ program, the National Plan for Adaptation to Climate Change - PNACC and the Territorial Management of Climate Change program.

Finally, in the current National Development Plan 2018-2022 "Pacto por Colombia, pacto por la ciudad" (Pact for Colombia, Pact for the City), the Sustainability Pact is proposed, in which it is proposed to "advance towards the transition of productive activities committed to sustainability and the mitigation of climate change".

Despite the normative and public policy development described in the previous paragraphs, Colombia's climate change policy does not address the structural problems that contribute to the deepening of the climate crisis and does not sufficiently take account of the rights of racial and ethnic minorities in Colombia who are at the frontlines of climate impacts and responses to the climate crisis.

- Colombia has not incorporated in its environmental policy and in the necessary regulations to evaluate the viability of a project, the impact on climate change; thus, new projects of extraction of minerals and hydrocarbons (that generate the highest contributions of greenhouse gases) continue to be approved without considering the impact on climate change.
- Colombia maintained a target that allows the same percentage of annual deforestation growth.
- The current government established a pact for mining and energy resources, which includes goals for increasing the tons of coal extracted from the subsoil, increasing reserves and production of hydrocarbons, and the use of thermal coal as a source of electricity generation in cases where the capacity to generate hydraulic energy decreases.

These contradictions have negative effects on the territories of racial and ethnic communities, given that it is generally in these territories that mining and energy development projects are implemented. Such projects continue to generate serious environmental damage, violations of human rights and contribute to climate change and deepen the vulnerability of ethnic communities to it.

Some examples of this include the large coal mining projects (open-pit and large-scale coal mines) in the Cesar and Guajira faces, which have negatively impacted the indigenous and afro-descendant population of the Caribbean region; the projection of hydrocarbon exploitation in rural areas of the departments of Caqueta and Putumayo which will impact the natural resources of the local indigenous communities or the serious deforestation figures that adversely impact the indigenous peoples of the Amazon region. Those impacts are described in more detail below.

5. Impacts of climate change on indigenous, Afro-Colombian and Raizal populations in Colombia.

IDEAM¹⁰ has registered an increase of mean temperatures of 0.2 to 0.3 °C per decade and a decrease in monthly precipitation between 2 and 3 mm per decade between 1961 and 1990. Recent projections based on changes in relation to the period 1961-1990 indicate that in the Colombian territory and due to climate change the temperature will increase between 1 and 4 ° C and will generate a significant variation (between 15-30 %) in precipitation for the period 2070-2090. Based on these data and the results of the First and Second National Communications, the areas and sectors most sensitive to climate change in Colombia will be:

- Coastal and insular zones: According to studies carried out by Invemar and IDEAM, Colombian coastal and insular zones are highly vulnerable to the impacts of climate change given that there is a threat of flooding over 4.9% of the cultivated and pasture areas of the coastal zone of the continental Caribbean, high vulnerability of most areas occupied by manufacturing industry and 44.8% of the terrestrial road network of the same coastline¹¹. These areas are, for historical reasons, inhabited, mostly by afro-descendant populations.
- High mountain ecosystems and availability of water resources.
- Health: The increase in areas vulnerable to the development of malaria and dengue fever will have serious impacts on human health in Colombia. Further, a greater percentage of the population will be affected by floods, resulting in increased threats to life, health and housing.¹²Transport, energy and agriculture: In addition, due to climate change, there will be an increase of 3,576,068 ha of areas with a high desertification potential, affecting one third of the areas that are currently agro-ecosystems.

i. Impacts on ethnic populations

Climate change particularly affects indigenous and other ethnic communities, given the socio-economic conditions of these groups, the geographical areas where they live and their culture and way of life which are closely connected to the land and natural resources. According to PAHO¹³ the greater vulnerability of these groups is due to the following causes:

- They rely heavily on subsistence agriculture, gathering and hunting.
- They are likely to live in flood plains.
- They may have a low socio-economic level and little infrastructure to cope with climate change (low level of adaptive capacity).
- They are often socially marginalized from access to services, including health care.

Some specific impacts on the territories and rights of ethnic communities are identified below.

ii. Melting of Glaciers:

Colombia, the Sierra Nevada de Santa Marta, the heart of the world, the birthplace of more than thirty rivers and home to four indigenous peoples on the northern coast of Colombia, is threatened,

¹⁰ IDEAM. Tomado de: <http://www.ideam.gov.co/web/atencion-y-participacion-ciudadana/cambio-climatico>

¹¹ IDEAM. Tomado de: <http://www.minambiente.gov.co/index.php/component/content/article/457-plantilla-cambio-climatico-13>

¹² Idem.

¹³ OPS. (2011). Lineamientos para evaluar la vulnerabilidad de la salud frente al cambio climático en Colombia. Documento de apoyo para las autoridades de salud en Colombia. Tomado de: https://www.paho.org/col/index.php?option=com_docman&view=download&category_slug=publicaciones-ops-oms-colombia&alias=1261-lineamientos-para-evaluar-la-vulnerabilidad-de-la-salud-frente-al-cambio-climatico&Itemid=688

at a point of no return, by increased mining activity and megaprojects that irreversibly affect the continuity of the ecosystem, producing melting ice and loss of glacial mass.

According to the Institute of Hydrology, Meteorology and Environmental Studies, SNSM lost about 85% of its glacier between 1850 and 2012, and in 2017 that figure rose to 92%. Undoubtedly, the development of extractive activities in glaciers and moors produces melting and loss of glacier mass, representing a direct threat to indigenous peoples and the population that resides in the region that depends on those flows for water for domestic uses and animal husbandry and agriculture.

The same is true of over-exploitation of the soil, monopolizing irrigation districts, monocultures, direct dumping, and the absence of environmental policies that effectively protect the environment and water. These activities deepen the climate crisis by depleting the soil and biodiversity and reducing their potential as carbon sinks. They also impacts traditional lifestyles and their cultural relations with the land of indigenous communities and racial and ethnic minorities, Therefore it is essential that these activities be subject to a prior evaluation that measures environmental and human rights impacts from a cumulative approach.

i. Loss of beaches and coastal erosion:

As documented by the Ministry of Environment and Sustainable Development (MADS)¹⁴, as a consequence of climate change, 17% of the territory of the island of San Andrés is expected to be flooded, affecting main roads, airport, hotel infrastructure and the population located near the coastal zone. The island's aquifers, which supply 82% of the water for human consumption in San Andrés, would also be affected by saline intrusion. These impacts will directly affect the Raizal population¹⁵ who are the indigenous community living on San Andrés. A large percentage of this population lives on the seashore and is dedicated to fishing, as the main economic activity. fishing is also part of their world view, customs and cultural uses. These populations may be at risk of displacement due to flooding and consequently, sever their spiritual/cultural connection to the land.

ii. Vulnerability of water resources

As documented by the José Alvear Restrepo Lawyers Collective, the humanitarian crisis in Guajira, where more than 5,000 Wayuu children have died and another 40,000 are severely malnourished, has led to the Constitutional Court's declaration of an "unconstitutional state of affairs". The Court said (at paragraphs T-302/17 and T-466/16) that this declaration was necessary, , because the food and water security policies have been carried out without the participation of indigenous peoples.

¹⁴ MADS. Impacto de cambio climático en Colombia: Tomado de: <http://www.minambiente.gov.co/index.php/component/content/article/457-plantilla-cambio-climatico-13>

¹⁵ Los **raizales** son una comunidad étnica, porque tienen su propia lengua y cultura desarrollada a partir de sus raíces africanas, europeas y caribeñas. Sus raíces culturales afro-anglo-antillanas se manifiestan en una fuerte identidad cultural que se diferencia del resto de la población colombiana. Los raizales cuentan con una lengua propia, el **Criole** y representan entre el 30 y 35% del total de los 80.000 habitantes del Archipiélago (3). La lengua Raizal es uno de los dialectos caribeños del inglés, los cuales tienen muchos africanismos. Tomado de: <https://www.urosario.edu.co/jurisprudencia/catedra-viva-intercultural/ur/Comunidades-Etnicas-de-Colombia/Comunidad-Raizal/> de:

In fact, as the communities state, the largest coal mine in Latin America, Carbones del Cerrejón, appropriated the only river in the Department of La Guajira, the Ranchería River. To this end, 18 of its most important tributaries have intervened, and it has polluted at least 50 other relevant sources of water supply.

When we take into account the Climate Change that is going to impact the Caribbean region, melting the glaciers of the Sierra Nevada de Santa Marta for example, and impacting with severe floods and droughts, much greater than those previously seen, we find that tropical dry forests and important trees such as Guaimaro, have been brought to the brink of extinction. This will lead to the sterility of life in that department in the next 50 years, and puts at risk the lives, health, livelihoods and culture of hundreds of thousands of inhabitants in the Caribbean, particularly Afro-descendant communities, indigenous peoples and peasants.

iii. Temperature changes and seasonality

One of the main causes of rising temperatures and global warming is deforestation. According to a report presented by IDEAM¹⁶, 70.1% of deforestation in 2018 occurred in the Amazon region. In addition, according to the entity, 76% of national deforestation is concentrated in the jurisdiction of 25 municipalities, and like in 2017, almost half of national deforestation (49%) was concentrated in 7 Amazonian municipalities. This situation generates an increase in temperature, a change in the seasonality of the climate and affects the cycles of water and ecosystems. This in turn has negative effects on the lives of indigenous peoples by reducing the availability of water and food and livelihood opportunities, as well as increasing their vulnerability to environmental phenomena such as floods and fires. The communities of the Amazon have a strong cultural connection with the forests, there they have developed their cosmovision, reproduce their uses and customs of survival and communicate with their ancestors.

In addition, with regard to changes in climatic seasons, MADS predicts an increase in rainfall by 15 per cent by 2050 and 20 per cent by 2080 in the San Andrés - Providencia and Santa Catalina Archipelago area. This increase would undermine the basic sanitation system on the island of San Andrés, affecting the Raizal population that inhabits this territory.

iv. Effects on traditional modes of subsistence

According to IDEAM¹⁷, in the department of Guaviare "biodiversity may be subject to strong thermal stress due to the impossibility of adaptation to higher zones, except those associated with the Serranías de Chiribiquete and La Lindosa. Bread crops could be affected, impacting the food security of ethnic minorities". In the case of Vaupés, according to the Institute, in relation to climate change, "The main effects may be manifested in possible droughts that affect bread crops and the food security of populations, particularly ethnic minorities settled in the territory".

¹⁶ IDEAM. (2019). Resultados monitoreo de deforestación del 2018. Tomado de: http://www.ideam.gov.co/documents/24277/91213793/Actualizacion_cifras2018FINALDEFORESTACION.pdf/80b719d7-1bf6-4858-8fd3-b5ce192a2fdc

¹⁷ IDEAM. (2015). Nuevos escenarios sobre cambio climático para Colombia 2011- 2100. Tomado de: http://documentacion.ideam.gov.co/openbiblio/bvirtual/022964/documento_nacional_departamental.pdf

6. Climate mitigation and adaptation measures that undermine the rights of racial, ethnic or indigenous communities

The Center for Information on Business and Human Rights - ICHRP - monitors the rise of clean technologies in Colombia and its effects on human rights. ICHRP notes that the government is encouraging the generation of energy through wind farms "projects that bring with them a series of effects on indigenous communities and their territory, as is the case of wind energy projects underway in the Guajira".

As documented by INDEPAZ¹⁸, "In the records of the Ministry of Mines and Energy, the National Environmental Licensing Authority (ANLA) and Corpoguajira, there are documents from eleven multinationals that are processing 65 wind farms in the municipalities of Uribia and Maicao, department of La Guajira, resguardo Alta and Media Guajira. At the same time the process has begun for the construction of transmission networks or collectors that will allow a first package of energy produced to the National Interconnected System that has a station in Cuestecitas.

In relation to the progressive installation of wind farms in Wayú territory, there is consent that the right to free, prior and informed consent, contained in Convention 169 and the Colombian regulatory system, may be unknown or carried out without the necessary requirements. For this reason, the INDEPAZ organization stated that it is necessary to carry out a process of revision of the previous consultations in progress and those that will be carried out in the future on the matter, in order to make "the necessary corrections so that we can speak of a guarantee of the fundamental and collective right to prior, free and informed consent that allows us to achieve consent and agreement with the communities".

7. Colombia's mechanisms to ensure the participation of ethnic communities in climate change issues

From the reading of the normative framework and public policy on climate change in Colombia, and from the viewpoint of implementation of the previous government, different instances are identified, such as for the REDD Program and ENREDD+¹⁹, the platform with Afro-Colombian communities in the Pacific, the Amazon Indigenous Roundtable, the Amazon Vision Program: dialogue with the Amazon Regional Roundtable for the discussion of the Pillar of environmental governance with indigenous peoples (PIVA), among others.

As stated in Colombia's Third Communication on Climate Change²⁰, the Government will focus on providing public goods and protecting the most vulnerable population: the poor, ethnic minorities, and rural communities are the most vulnerable to climate change (CAF, 2014); therefore, actions must be generated to benefit these populations, articulated to adaptation strategies to climate change.

¹⁸ INDEPAZ. (2019) El viento del este llega con revoluciones. Tomado de: <http://www.indepaz.org.co/tag/energia-eolica/>

¹⁹ Ministerio de Ambiente y Desarrollo Sostenible. (2018). Po

²⁰ IDEAM. (2016). Tercera Comunicación sobre Cambio Climático. Tomada de:

http://documentacion.ideam.gov.co/openbiblio/bvirtual/023731/TCNCC_COLOMBIA_CMNUCC_2017_2.pdf

Beyond the spaces for participation reported by the Government, it is necessary to ensure that participation is not only addressed at the implementation stage of policy making, but is included at all stages, including policy design and formulation. Regional and local communities, and specifically racial and ethnic communities, should be understood as essential partners in the design and implementation of policy, and their meaningful participation in the elaboration of policy, should be mandatory. In addition, the few mentions of the Afro-descendant communities in these instances of participation are striking.

The foregoing ignores recommendations made by entities such as PAHO²¹ which recommended that, within the teams assessing health vulnerability to climate change, there should be indigenous knowledgeable people who know the territory and traditional practices.

In addition, IDEAM omits to act in accordance with its conclusions in the Third Communication, according to which, within the barriers of adaptation to climate change, there is a cultural barrier related to the scarce institutional and academic recognition of the imaginaries, rationalities, traditional knowledge and cultural abilities of indigenous, peasant and afro-descendant communities in the face of climate change. According to IDEAM, this must be transformed and must lead to a revaluation of the ancestral knowledge of ethnic communities and to the recognition that "ancestral knowledge, their capacity to adapt and the management of natural conditions, is undoubtedly one of the greatest values to be rescued as an adaptation strategy in the face of climate change within their territories". This implies that ethnic communities should no longer be understood as passive subjects and should be recognized as active and key actors in the formulation of climate change policy.

8. Conclusions and recommendations.

Climate change has effects on the rights of racial, ethnic and indigenous communities and must be managed in coordination with them. Whilst Colombia has an institutional framework for climate change, there are currently two major problems regarding its implementation:

1. contradictions in State policy, which promotes climate change adaptation and mitigation and the protection of ethnic communities, but in practice, designs a centralized climate change policy, with economic interests, which excludes ethnic communities in its design and in some cases in its implementation;
2. development measures and projects promoted from the central level present contradictions, given that only a small part of them are aimed at a transition process aimed at mitigating and adapting to climate change, and most of the projects promoted by the government, such as coal mining and oil exploitation, cause environmental deterioration and contribute to climate change in ethnic territories.

We therefore ask the Committee on the Elimination of Racial Discrimination to consider the following recommendations:

²¹ OPS. (2011). Lineamientos para evaluar la vulnerabilidad de la salud frente al cambio climático en Colombia. Documento de apoyo para las autoridades de salud en Colombia. Tomado de: https://www.paho.org/col/index.php?option=com_docman&view=download&category_slug=publicaciones-ops-oms-colombia&alias=1261-lineamientos-para-evaluar-la-vulnerabilidad-de-la-salud-frente-al-cambio-climatico&Itemid=688

1. Urge the Colombian State to guarantee the effective participation of ethnic communities in all phases of the elaboration and implementation of the institutional framework for climate change in accordance with its international commitments.
2. Urge the Colombian State to ensure that all its climate and energy policies, especially those mitigation, adaptation and just transition policies, take account of the rights of racial and ethnic communities, in both their formulation and implementation.
3. Recommend that the Colombian State address the serious humanitarian crisis experienced by the Wayú communities in Guajira as a result of large-scale coal mining and the negative effects on climate change that it generates.
4. Recommend that the Colombian State reevaluate mining and oil projects that contribute to climate change in the territories of indigenous or Afro-descendant peoples, especially those planned in the Sierra Nevada de Santa Marta, which could seriously affect the indigenous peoples who ancestrally inhabit it.