



## **Report on Colombia's defense of the collective rights and interests: the right to enjoy a healthy environment, the fundamental social right to water, and respect of human rights for the Economic, Social and Cultural Rights Committee**

The notorious biotic, water and physical wealth at the Macarena's Special Management Area (Área de Manejo Especial de la Macarena - AMEM) called for the State's need to adopt enforceable measures to protect its environmental values, yet acknowledging the importance of agricultural and other economic activities developed prior to the definition of the grounds that would integrate the Macarena's Special Management Area -AMEM- .

Nowadays, almost 30 years later, the AMEM is a territory affected by multiple issues not only related to the armed conflict, but also to indiscriminate deforestation and the environmental pressure placed on the ecosystem by high-impact economic activities such as the extraction of hydrocarbons. All of these pose a threat to the area's impressive biodiversity, the regional environmental balance and the livelihoods of many communities which source their goods and services from the surrounding areas.

As a result of the public actions and omissions by the Colombian regional and national State such as the abandonment of a systemic, special administration and the tolerance for disordered interventions lacking any adequate planning, prevention and precaution criteria, the collective rights of the inhabitants at the AMEM are not being guaranteed.

The present allegation requests the protection of the Macarena's Special Management Area from the Colombian State, according to the applicable law and jurisprudence, considering the particularities of each *in situ* protection and environmental management strategy, the facts prompting this claim, the legal grounds and violated collective rights.

The following collective human, social, economic and cultural rights considered to be violated by the State within the Macarena's Special Management Area -AMEM- are contained, mainly, in articles 1 and 11 of the International Covenant on Economic, Social and Cultural Rights:

1. The right to enjoy a healthy environment;
2. The right to self-determination of the peoples;
3. The right to defend the public wealth;
4. The right to pursue and safeguard access to food and income sources to support an adequate standard of living;
5. The right to public health and;
6. The right to due process in the awarding of environmental licenses in zones of armed conflict prior to the signature of the peace agreement in La Habana.



## Recommendations to the Colombian State

1. Adopt preventive, precautionary and progressive approaches to guarantee the enjoyment of a healthy environment as mandated by the Constitution, the law, the jurisprudence and normative.
2. Adopt an environmental management tool for the assessment and control of the cumulative impacts generated by human activity on the AMEM. The tool should have a rights approach in defense of vulnerable and indigenous communities in the area. Its objective, to protect the ecological balance and encourage the rational exploitation of renewable natural resources, their conservation, restoration or substitution; the conservation of animal and plant species; the protection of areas of special ecological importance as well as other community interests related to the preservation and restoration of the environment and the defense of the public wealth.
3. Design Integrated Environmental Management Plans for the AMEM integrated management districts.
4. Encourage dialogue with all interested stakeholders prior to the execution of investment projects.
5. Safeguard the integrity of leaders and civil society organizations advocating for the defense of water and land resources.
6. Refrain from issuing licenses for the development of exploration and / or exploitation of minerals and hydrocarbons within the AMEM territory and revoke the existing ones as they were awarded during the ongoing development of a 50-year armed conflict.
7. Execute precautionary measures to suspend, with immediate effect and undefined period, all exploration and / or exploitation of minerals and hydrocarbons within the AMEM territory.
8. Recognize the existence of a social-environment conflict within the AMEM territory and Departamento del Meta, where human, social, economic and cultural rights are being violated.
9. Explain (the Government) why licenses were issued in zones of armed conflict for which, only until this year, international organizations started demining activities.



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Following, the list of social organizations and institutions supporting this allegation of abuses of economic, social and cultural rights at a local, regional, national and international level:

**In Spanish:**

Alcaldía del municipio de Granada departamento del Meta, Concejo municipal de Mesetas departamento del Meta, Asociación municipios del Ariari departamento del Meta, Central Unitaria de Trabajadores de Colombia seccional departamento del Meta, Federación Nacional de Arroceros seccional municipio de Granada – Meta, Fenalse Comité regional del Ariari – Meta, Frutas del Ariari – Meta, Fondo de Empleados de la Comunidad Educativa del Meta -Feceda-, Asociación de ganaderos del Ariari – Meta, Asociación de Policías de los colombianos en uso de buen retiro del Ariari – Meta, Asohofrucol municipio de Granada – Meta, Asociación de educadores del Meta seccional minicipio de Granada, Revista Oro, Asociación de campesinos Agroguejar – Cafre municipio de Puerto Rico – Meta, Frutorinoquia municipio de Granada – Meta, Tv Orinoquia, Noticiero Primera Plana, Periódico Tierra Mágica, Organizacion ambiental CORPOHUMADEA, Corporación Geoambiental TERREA, Fundación hidrica ambiental de Colombia, Asociación de paneleros del Meta seccional del municipio de Granada – Meta, Mesa Hídrica Ambiental de Mesetas – Meta, Resguardo indígena de Villa Lucia municipio de Mesetas – Meta, Cooperativa Multiactiva Agrícola y Pecuaria del Meta seccional municipio de Granada, Comisión pedagógica de formadores de juntas de acción comunal municipio de Granada – Meta, Corporación por la Defensa Ambiental y el Desarrollo Sostenible en el AMEM – CORPOAMEM, Ecoturismo Comunitario – ECOAMEM, Alianza de lideres en beneficio del agua – ALBA, The work that re-connects, Red de medios alternativos de prensa popular – REMA, Asociación campesina ASCAL – G municipio de La Macarena – Meta, Mesa de Unidad Cívico Agraria y Popular del Oriente Colombiano – MUCAPOC, Jardín Botánico de la Macarena, Corporación manos por la paz internacional, Colombia sin asbesto, Mesa por la Defensa del Agua y el Territorio del Caqueta – MEDDAT y Capítulo Colombia de la Sociedad Internacional de Biodiversidad del Escudo Guayanés.

**In English**

Alcaldia municipality of Granada department of Meta, Municipal Council of Plateaus department of Meta, Association of Ariari municipalities department of Meta, National Union of Workers of Colombia sectional department of Meta, National Fermentation of Arroceros sectional municipality of Granada - Meta, Fenalse Regional Committee of the Ariari - Target, Fruit of the Ariari - Goal, Employees' Fund of the Educational Community of Meta - Feceda - Association of livestock farmers of the Ariari – Meta, Association of Police of Colombians in use of good retirement of the Ariari - Meta, Asohofrucol municipality of Granada - Meta, Association of educators of the sectional minicipio of Granada, Gold Magazine, Association of peasants Agroguejar - Cafre municipality of Puerto Rico - Meta, Frutorinoquia CORPOHUMADEA, Geoenvironmental Corporation TERREA, Environmental Foundation of Colombia, Association of paneleros of the sectional Meta of the municipality



of Granada - Meta, Environmental Water Table of Mesetas - Meta, Tv Orinoquia, Newspaper First Floor, Newspaper Tierra Magica, Meta, Indigenous protection of Villa Lucia municipality of Mesetas - Meta, Multiactiva Agricultural Cooperative and Livestock of the sectional target municipality of Granada, Pedagogical committee of formators of communal action councils municipality of Granada - Meta, Corporation for Environmental Defense and Sustainable Development in The AMEM - CORPOAMEM, Ecotourism Community O - ECOAMEM, Alliance of leaders for the benefit of water - ALBA, The work that re-connects, Alternative media network of the popular press - REMA, Asociación campesina ASCAL - G municipality of La Macarena - Meta, Agrarian and Popular Civic Unity Bureau Of the Colombian Oriente - MUCAPOC, Macarena Botanical Garden, Corporación hands for international peace, Colombia without asbestos, Mesa for the Defense of Water and the Territory of Caqueta - MEDDAT and Chapter Colombia of the International Biodiversity Society of the Guayanés Shield.

Finally they also support the Organizations, communities and processes that are part of the Energy and Environmental Minerals for Peace:

**In Spanish:**

Sindicato de los Trabajadores de la Energía de Colombia –SINTRAELECOL-, Sindicato de Trabajadores de la Industria del Carbón –SINTRACARBÓN-, Sindicato Nacional de la Industria Minero, Petroquímica, Agrocombustibles y Energética –SINTRAMIENÉRGICA-, Sindicato de Trabajadores de la Empresa Cerromatoso S.A. –SINTRACERROMATOSO-, Sindicato Nacional de Trabajadores de ISAGEN –SINTRAISAGEN-, Sindicato de Trabajadores de ISA –SINTRAISA-, Sindicato Nacional de Trabajadores de la Industria Química, Agroquímica, Gases, Ramas Afines y Derivados –Sintrainquigas-, FUNTRAMIEXCO, Sindicato Único de Trabajadores de los Materiales de Construcción -SUTIMAC-, IndustriALL Global Unión –Industriall-, Asociación de Afectados por el Proyecto Hidroeléctrico el Quimbo –ASOQUIMBO-, Comité Cívico por la Dignidad de la Guajira, Asociación por la Defensa del Río Ranchería, Fuerza de Mujeres Wayú, Mesa Hídrica del Meta, Proyecto Gramalote, Federación Agrominera del Sur de Bolívar –FEDEAGROMISBOL-, Asociación Campesina del Norte de Antioquia –ASCNA-, Asociación de Hermandades Agroecológicas y Mineras de Guamocó –AHERAMIGUA-, Cinturón Occidental Ambiental –COA-, Corporación Aury Sará Marrugo –CASM-, Corporación para el Desarrollo y la Investigación Social –CORPEIS-, Congreso de los Pueblos, Marcha Patriótica, Constituyentes Minero Energética y Ambiental por la Paz, Coordinador Nacional Minero Energético –CORDINAME-, Asamblea Regional Caribe 2, Asamblea Nacional por la Paz -2 ANPP-, Asamblea Regional Chocó 2 ANPP, Asamblea Regional Putumayo 2 ANPP, Asamblea Regional Magdalena Medio 2 ANPP, Asamblea Regional Arauca 2 ANPP, Asamblea Regional Norte de Santander 2 ANPP, Asamblea Regional Suroccidente 2 ANPP, Movimiento Político y Social del Centro Oriente, Asamblea Regional Centro de la 2 ANPP, Subdirectiva USO Orito, Putumayo, Subdirectiva USO - Meta, Secretariado Nacional de Pastoral Social-Caritas Colombia, Comité Chucureño por la Defensa del Territorio y la Vida Digna, Grupo de Estudios Extractivos y Ambientales de Barrancabermeja, Fundación Paz y Democracia, Coordinación Colombia Europa Estados



Unidos –CCEEUU-, Plataforma de Derechos Humanos, Democracia y Desarrollo –DESCA-, Comunidades del Crucero de Explotación de Gas Córdoba, Asociación Ambiental de Campesinos del Tolima, Comité Cívico Río la Ceiba, Comunidades Unidas de Colombia –COUNCO-, Clamor Social por la Paz, Frente Amplio por la Paz, Colectivo Soberanía y Naturaleza, Asociación Comité Ambiental Agrario y Comunitario de Pto. Gaitán –ACAAC-, Movimiento Social por la vida y la Defensa del Territorio, -MOVETE-, Colectivo Soberanía y Naturaleza, Sindicato de Trabajadores y Empleados de Servicios Públicos, Corporaciones Autónomas, Institutos Descentralizados y Territoriales de Colombia –Sintraemsdes-, Comité Permanente por la Defensa de los Derechos Humanos –CPDH Boyacá-, Federación Sindical Unitaria Agropecuaria -Fensuagro Boyacá-, CORPOHUMADEA, Meta, Central Unitaria de Trabajadores – CUT-, Sindicato de Trabajadores de Chivor – Sintrachivor/Sintrae-, Sindicato de Trabajadores de la Energía – Sintrae-, Instituto Popular de Capacitación –IPC Medellín-, Federación de Mineros del Chocó –Fedemichocó-, Programa de Paz del Magdalena Medio –PDPMM-, Foro Interétnico Solidaridad Chocó – FISCH-, Movimiento Ríos Vivos, Red Caribe de Usuarios de Servicios Públicos, Iglesia Presbiteriana, Red de Universidades por la Paz Capitulo Antioquia/Chocó, Pueblo Camtsa del Alto Putumayo, Corporación Minga, Asociación de Acueductos Comunitarios de Tasco –ASOACTASCO-, Comité de Integración del Macizo Colombiano –CIMA-, Minga Bakata Urbana, Mesa Pro Defensa del Recurso Hídrico del Guaviare, Corporación para la defensa del agua, los territorios y los Ecosistemas de San Martín, Cesar – CORDATEC-, Sindicato de Trabajadores Agrícolas de Sumapaz – SINTRAPAZ.

### **In English**

Union of Workers of the Energy of Colombia -SINTRAELECOL-, Union of Workers of the Coal Industry -SINTRACARBÓN-, National Union of the Mining Industry, Petrochemical, Agrofuels and Energy -SINTRAMIENÉRTICA-, Union of Workers of the Company Cerromatoso S.A. -SINTRACERROMATOSO-, National Union of Workers of ISAGEN -SINTRAISAGEN-, Union of Workers of ISA -SINTRAISA-, National Union of Workers of the Chemical, Agrochemical, Gases, Related Branches and Derivatives -Sintrainquigas-, FUNTRAMIEXCO, Single Union of Workers Of Construction Materials -SUTIMAC-, IndustriALL Global Union -Industriall-, Association of Affected by the El Quimbo Hydroelectric Project -ASOQUIMBO-, Civic Committee for the Dignity of Guajira, Association for the Defense of the Rancheria River, Women's Force Wayú, Meta Water Table, Gramalote Project, Agrominera Federation of the South of Bolívar -FEDEAGROMISBOL-, Asociación Campesina del Norte de Antioquia -ASCNA-, Association of Agroecological and Mining Brotherhoods of Guamocó -AHERAMIGUA-, Occidental Environmental Belt -COA-, Corporación Aury Sará Marrugo -CASM-, Corporation for Development and Social Research -CORPEIS-, Congress of the Peoples, Patriotic March, Energy Mining Constituents And Environmental for Peace, National Energy Mining Coordinator -CORDINAME-, Caribbean Regional Assembly 2, National Assembly for Peace -2 ANPP-, Chocó Regional Assembly 2 ANPP, Putumayo Regional Assembly 2 ANPP, Magdalena Medio Regional Assembly 2 ANPP, Regional Assembly Arauca 2 ANPP, Regional Assembly Norte de Santander 2 ANPP, Regional Assembly Suroccidente 2 ANPP, Political and Social Movement Of the Centro Oriente,



Regional Assembly of the 2 ANPP, Subdirectiva USO Orito, Putumayo, Subdirectiva USO - Goal, National Secretariat of Social Pastoral - Caritas Colombia, Chucureño Committee for the Defense of the Territory and the Dignified Life, Group of Extractive and Environmental Studies Of Barrancabermeja, Peace and Democracy Foundation, Coordination Colombia Europe United States -CCEEUU-, Platform for Human Rights, Democracy and Development -DESCA-, Communities of the Gas Exploitation Cruise Cordova, Peasants Environmental Association of Tolima, Rio la Ceiba Civic Committee , United Communities of Colombia -COUNCO-, Social Clamor for Peace, Comprehensive Front for Peace, Collective Sovereignty and Nature, Association of Agrarian and Community Environment of Pto. Gaitán -ACAAC-, Social Movement for Life and Defense of the Territory , -MOVETE-, Sovereignty and Nature Collective, Union of Workers and Employees of Public Services, Autonomous Corporations, I Decentralized and Territorial Governments of Colombia -Sintraemsdes-, Permanent Committee for the Defense of Human Rights -CPDH Boyacá-, Unitary Agricultural Union Federation -Fensuagro Boyacá-, CORPOHUMADEA, Meta, Central Unitaria de Trabajadores -CUT-, Union of Workers of Chivor -Sintrachivor / Sintrae-, Energy Workers 'Union -Sintrae-, Popular Training Institute - IPC Medellín - Chocó Miners' Federation - Fedemichocó - Magdalena Medio Peace Program -PDPMM-, Chocó Solidarity Forum - FISCH - Movimiento Ríos Vivos, Caribbean Network of Public Service Users, Presbyterian Church, Network of Universities for Peace Chapter Antioquia / Chocó, Pueblo Camtsa del Alto Putumayo, Minga Corporation, Association of Community Aqueducts of Tasco -ASOACTASCO-, Integration Committee Of the Colombian Massif - MIMA - Minga Bakata Urbana, Mesa Pro Defense of the Guaviare Water Resource, Body San Martín, Cesar - CORDATEC-, Agricultural Workers' Union of Sumapaz -SINTRAPAZ.