

Civil society condemns the kidnapping of indigenous children from the “Huellas” Cabildo in the Cauca region.

Public Statement

Bogotá D.C. the 11th of March 2022

We, the undersigned organizations, hereby declare our condemnation against the forced recruitment of six indigenous children from the northern area of the Cauca region between the ages of 11 and 16. These children were recruited between the 9th and 10th of March. Four of them were taken by armed men away from the “CREDO” educational institution located in the Huellas Cabildo territory in the Caloto Municipality. Regarding the other two children, they were recruited on the road to San Pedro when on their way to the “LAS AVES” educational institution.

In the events of March 9, the indigenous guard managed to recover two of the children recruited in the Tambo Municipality (in the center of the Cauca Department). This was reported by the *Network for the Protection of Life and Human Rights Çxhab Wala Kiwe-ACIN*¹. To this date, the whereabouts of the other recruited children are unknown.

We remind that the Ombudsman’s Office, through early warning No. 007-21, had already highlighted the risk of human rights violations and violations of international humanitarian law faced by the population of the rural area in the Caloto Municipality, especially in the area located in El Palo, where the “Huellas” indigenous Cabildo people lives. In its report the Ombudsman’s Office stated in the Early Warning No. 067 the persistent reconfiguration of the risk scenario due to the rearrangement or arrival of illegal armed groups. This was reflected in the evident impact on the civilian population, including the illegal recruitment of children and adolescents. It should also be noted that the Inter-American Commission on Human Rights granted precautionary measures (MC 255/11) on the indigenous Nasa People living in the Resguardos located in Toribio, San Francisco, Tacueyó and Jambaló. These measures were repeated in the T-030/16² Sentence of the Constitutional Court and should be extended to the entire northern area of the Cauca Department.

We insist that educational centers must be respected by all armed actors in confrontation, understood as safe spaces that promote cultural values, social constructs and the exploration of other ways of being, believing, transforming and building, free from abuse and violence. In this regard, the United Nations Security Council in its (S/PRST/2009/9) Resolution has called upon: " *all those parties involved in armed conflict to desist from any action that obstructs children's access to education, in particular, attacks or threats of attacks on pupils or teachers in their capacity as teachers, the use of schools in military operations and attacks on schools, all of which are prohibited by applicable international law*"³.

We also emphasize that constitutional law has recognized that in the context of the Colombian armed conflict: i) children and adolescents face serious problems of structural lack of protection in relation to various risks and dangers, which are intensified when they belong to ethnic groups - indigenous or Afro-descendants, situations that create exposure to forced recruitment by armed groups⁴; ii) numerous indigenous peoples in the country are threatened with cultural or physical extermination. Indigenous and Afro-descendant children and adolescents play a fundamental role in the preservation and reproduction of their cultures, they are subjects of special constitutional protection, so the lack of application of a differential ethnic and age approach, which is sensitive to their specific and individual needs and those of their communities in the State spheres, exposes them to a situation of greater vulnerability and increases the risk of suffering violations of their rights by armed groups.

We, the undersigned organizations, stand in solidarity with the girls and boys suffering from kidnapping and forced recruitment, with their families and with the community and ancestral authorities of the Huellas territory. In addition, we urgently call on the Colombian State to deploy the necessary protective measures, in coordination with the relevant indigenous authority: i) to restore the rights of those who

¹ Tejido de Defensa de la Vida y de los Derechos Humanos Çxhab Wala Kiwe-ACIN.

² United Nations Security Council. Statement by the President of the Security Council of April 29 2009. Available at: <https://undocs.org/pdf?symbol=es/S/PRST/2009/9>

³ Constitutional Court Order 251 of 2008.

⁴ Constitutional Court Order 04 of 2009.

have been victims of these events immediately, in accordance with the principle of the best interests of the child; and ii) to provide appropriate security guarantees to prevent such violations from continuing to be committed against this indigenous people. Additionally, we request that the necessary investigations be carried out as a priority so that the children who have not yet returned to their community do so promptly and their families receive the necessary accompaniment.

Furthermore, we demand that the Colombian State ensure the implementation of the ethnic chapter of the Final Agreement for the termination of the conflict and the construction of a stable and lasting peace; we also request the urgent need to subscribe to the "Declaration on Safe Schools" (Declaración sobre Escuelas Seguras). Finally, we request all actors in confrontation to respect the current IHL norms and to keep children and adolescents out of the armed conflict.

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