2.2.1 Rural Identity, Sovereignty and Food Autonomy in the Colombian Southeast, “Vereda Chaparrito”

Coordinated by: Southeastern Colombia Regional Social Ministry

Photo 25: Sunset in Vereda Chaparrito

I. Introduction:

Thanks to its fertile land, geographical location, climatic conditions, and access to a significant amount of natural resources, Colombia is, undoubtedly, an agricultural country. Indeed, it is to such a degree that the United Nations Food and Agriculture Organization (FAO) has stated that Colombia “is one of the five most important countries as a global food pantry.”

Nevertheless, national strategy has seemed to target the growth of sectors such as mining, hydrocarbons and large-scale agriculture with a focus on agrofuels.100

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99 In collaboration with Haszel Dallas Contreas Sierra.
100 The following map shows the political and administrative divisions of the Department of Meta, Colombia.
The needs of rural populations are not taken into account even though, according to the 3rd National Agricultural Census,\textsuperscript{101} they live in poverty, are forgotten by the State government, and are the most affected by the armed conflict.

However, with the signing and implementation of the Final Peace Agreement, an opportunity has arisen to improve living conditions, in particular for peasant communities, this, according to the agreement’s first point: \textbf{Towards a New Colombian Countryside: Comprehensive Rural Reform}, which proposes, as fundamental goals, access to and use of land, national rural plans, and development programs with a territorial focus (PDETs), including a strong component of monitoring and demanding the point’s fulfillment by the State.

The Southeastern Colombia Regional Social Ministry, in its efforts to accompany, assist and train communities which cover over 42% of the country’s national territory, has witnessed how strong national and international economic interests, in their fight to control territory, evict peasants, indigenous peoples, and settlers from their lands, in order to gain access to natural riches, which in this case, belong to the Orinoco and Amazon Regions.

\textsuperscript{101} https://www.dane.gov.co/index.php/estadisticas-por-tema/agropecuario/censo-nacional-agropecuario-2014
II. Context:

a. Land and Territory

“Many times we associate the notion of territory with rivers, roads, mountains, streets, buildings, and in general, with physical places, seldomly with culture, and almost never with our emotions, feelings and fears. Yet people always appear who make us aware that our territories are full of these things that motivate us to take care of it and protect it.” -- Father Henry Soler.

Everything that the human being does is related to the Earth, which is of great importance for our lives. Without it, we would not have access to food, we would not have a place to live and build our homes, and all those who work in the fields would not be able to do so.102

No, taking a holistic view of things, the land cannot be recognized without territory. Darío Fajardo proposes the following way of understanding this: “Two intimately related concepts. By land, [we mean] the physical and productive basis of a territory. By territory, we mean the set of relations and representations built from the land.”

In understanding the right to land and territory, the active subject is the peasant, indigenous or Afro-descendant who has the right to own land individually or collectively, safely, without risk of being evicted, to work their own land and obtain its products, and to administer and preserve the forests (Article 4 of the Declaration on the Rights of Peasants).

b. Peasant Identity.

“My crop is my wealth and my land is my identity.”

Jesús Pimentel, a young peasant and member of the Antorchas de Montes de María Youth Network in Colombia, wrote this musical theme for his land, a theme with which the peasants identify themselves:

“I am a working man, I am a young worker, of the fields and of peasants, I reward my sweat harvesting my crop. Young people, children, women, we tell about the resistance of the peasant who demands the rights of his land, and if I sing, I sing of my land, of my identity. Young man, I want you to analyze the customs of your grandfather. Go and defend your roots, take care of our soil. Joy and long life to the peasant! Listen to those beautiful phrases. By their cultivation [of her], the Earth identifies them.”

According to the Declaration on the Rights of Peasants,\textsuperscript{103} “a peasant is any person who engages or who seeks to engage alone, or in association with others or as a community, in small-scale agricultural production for subsistence and/or for the market, [...] and who has a special dependency on and attachment to the land.” But it is the concept of territory that allows us to understand the peasant identity, because one of the relationships generated between the land and the peasant is cultural: defined by the customs, beliefs and ways of life of the inhabitants, according to the trajectory of the community, and which generates roots and identity tied to the territory and the appropriation of that territory.\textsuperscript{104}

The identity of the peasants must arise from their own perspective, they need to be recognized as analytical subjects of their own development. It must be understood that they construct themselves through their own narrations, stories and histories, which make up family and communitarian life, a set of ideas that emerge through their culture, their history, as children of Mother Earth. We desire, using contributions from the same people who inhabit these territories, to show the social construction of the rural identity as told by its protagonists, since they are the ones who are an integral part of it.

“The agrarian worker can only be subordinated as a laborer, as a worker for some businessman, and we say no, the peasant has a cultural construction that leads them to have a direct relationship with the land, linking the family to the activity of food production, to taking care of seeds. They are protectors of the environment, while an agrarian worker is none of these things. Thus, our commitment to reform the Constitution for it to say that peasants have preferential rights because they are a specially protected group,” explains Senator Castilla.

\textsuperscript{103} https://digitallibrary.un.org/record/1650694
Therefore, we must recognize the indestructible union between land and peasants, the value of their local agricultural knowledge, the value of their agriculture and their relationship with nature, their cultural forms and ways of life, which must be preserved and protected as the nation’s local cultural heritage, because not only their own existence is at risk, but that of our own history.

Ways of Protecting Land, Territory and Peasant Identity

The ties between the peasants and their territory should not only be understood as the love they have for their land, but rather that this land give them what is necessary for their survival and family economy, which creates the following alternatives:

• **A solidarity focused economy:** Unlike the current economic system that favors individualism, this type of economy defends organizational and solidarity-based processes for developing members’ economic projects. This includes proposals like community stores and revolving credit.

• **Sustainable production:** That responds to the current need for environmentally friendly agriculture and reflects responsible relationships with the land and the consumer. An example of this alternative is agroecology.

• **Citizen participation:** The guarantee of the rights to land and territory is linked to social processes of association and participation of the rural population exercising their capacity to make decisions and influence the State regarding the destiny of the land and those who inhabit it. One of the country’s most powerful mechanisms for this, in the hands of the peasant communities, has been the popular consultations showing their rejection of mining and oil exploitation in their territories, which are mainly dedicated to agriculture.

c. Food Sovereignty and Food Autonomy

The Via Campesina International Movement defines food sovereignty as peoples’ right to healthy and culturally appropriate food, produced with sustainable methods, as well as their right to define their own agricultural and food systems. It is based on the development of a model of sustainable peasant production that favors both communities and their environment, and which places the aspirations, necessities and ways of life of those who produce, distribute and consume food in the center of food systems and dietary policies, ahead of the demands of markets and companies.

This understanding highlights the role of the peasant as the central axis of the agro-food process, not like previous understandings in which decisions are taken by transnational food producers. To confront this reality, some of the peasants of southeastern Colombia, as active subjects, have brought about changes in this static model of rural development imposed on them by others, which does not take into account their realities. Instead of giving up, they have
taken steps towards the self-determination of their food and agricultural systems. These developments have taken place in the areas of: seed care, environmentally friendly production methods, the strengthening of local markets and knowledge exchange.

Ways of Protecting Peasants’ Food Sovereignty

Human and Natural Agriculture is the art of cultivating people, harvesting the sun, strengthening and preserving the soil and its natural foods, water, native seeds, local knowledge, flora and fauna in the ancestral territory; in order to design and implement diversified productive systems in harmony with NATURE!

-- William Velásquez Pérez, Bioagriculture

• Taking Care of One’s Own Seeds

Seeds constitute the foundation of food production for all human beings; their importance lies in the fact that they do not die, but are renewed, giving birth to hundreds of replacements for the original seeds. This is why man, since the dawn of civilization, has kept the best seed samples to re-cultivate them, an ancient technique that in light of new policies is illegal, a fact that opposes the peasants’ right to keep, sow, and develop their own seed/plant varieties and to exchange, give away, or sell them.

In this area, peasants’ resistance is evident in the use of strategies such as community seed houses and seed custodians, which favor the rescue and storage of local seed varieties, important for maintaining the agro-ecological and sociocultural diversity of communities and peoples.

• Environmentally Friendly Production

In Colombia, small-scale farmers are the ones that dedicate the greatest percentage of their land to agriculture, and many have started to use alternative agricultural production practices in harmony with nature. There are several strategies. One is the planting of circular orchards in terraces with the objective of maintaining, conserving and/or increasing the biodiversity and fertility of the soil, forging food security in the territory, and serving as a strategy to weather climate change.

Another is the implementation of successional agroforestry systems (SAFS), which help establish rural family economic mechanisms that not only include the cultivation process up

until the moment of harvest but also the transformation and commercializing of these products in peasant markets. There are also Diversified Edible Forests (DEFs) which are made up of diverse plant species. These species, according to their condition and function, are categorized by level or strata. The DEFs start with the planting of short-cycle pioneer species (first level), which establish the necessary and specific conditions for the establishment of the next level of plant species, and so on, until a last level or strata is reached made up of primary species in a so-called climax forest.108

**Picture 27:**

**Local Commercialization: Farmers’ Markets**

“Dear Chaparrito, Old Chaparro where I began to work on the farm in the spring, the spring when I formed my home in the company of my husband, and the social ministry, with its beautiful teachings, put us to work in the Peasants’ Plaza to be able to progress. My dear municipality awaits with joy for us because we bring it the freshest products of the region, and with these coins we can take something home and thus succeed. I give thanks to my 

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God and to the Social Ministry for having taught us this better culture.” -- Norley Sánchez, Vereda Chaparrito.

Peasant markets improve the rural family economy with the sale of healthy, quality products, without intermediaries, at fair prices that favor friendships, histories of life, and customs, in the process helping to unify families and strengthen their identity, and highlighting the role of women as protagonists in the consolidation of unity and identity.

• Exchange of knowledge and flavors

Through food we can get to know the way of life of the peasant communities, their rituals, their celebrations, their work and customs. Food and its preparation have to do with strengthening peasant identity, founded on what the families produce on their farms and the resources in their territories. It is an element that guarantees food security, food autonomy and food sovereignty. In this sense, it is a permanent process which the communities make use of.

III. The Legal Framework for and Violations of Peasants’ Rights

a. Legal Framework for the Protection of Peasants’ Rights in Colombia

The legal protection of peasants has been advancing internationally with the Declaration on the Rights of Peasants and Other People Working in Rural Areas, pushed in 2013 by the General Assembly of the United Nations. Even if this instrument does not have a binding character, “It is an essential step towards the recognition, promotion and protection of the rights of peasants”.
The Political Constitution of Colombia also provides a legal framework for protecting peasants. Amongst its most important provisions are: (1) the social function of property (Article 58), (2) guarantees of agricultural workers’ progressive access to land, and the provision of education, health, housing, social security, recreation, credit, communications, product marketing, technical and business assistance services (Article 64), (3) special protection for food production (Article 65), and (4) the obligation to provide agricultural credit (Article 66), which constitute the basis for State action to improve peasants’ income and quality of life.

According to the Constitutional Court, agrarian property is supported by constitutional provisions 60, 64 and 66, establishing that access to land not only implies securing legal titles for but also improving the quality of life of rural people. The Constitution summarizes the guarantees of rural property as:

1. The right of agrarian workers to not be stripped of their property nor driven to get rid of it on the pretext of its lack of productivity, without first offering alternatives to make such property productive;
2. The right to not have the enjoyment of property affected without sufficient and powerful justification;
3. The right that the State adopt progressive and not regressive measures aimed at stimulating, promoting and favoring agricultural workers’ access to property, and improving their quality of life and human dignity; and
4. The right to the protection of their food security by these same means (C-644-2012).

Regarding the provisions of Article 65 of the Constitution concerning the right to adequate food and food security, the court assures that: “The protection of food production is based on two rights: the social individual right to adequate food and to not suffer hunger, and the collective right to food security, which can be recognized in the Constitution in various precepts which clearly reflect international human rights law” (C-644 of 2012).

Although the Constitution has these guarantees, it has still not been possible to translate these precepts via legislation and public policy into concrete protection of the Colombian peasantry.

b. Acts That Violate Peasants’ Human Rights

The rights of peasants are at risk; this is happening as a result of regulations being used as instruments of oppression as well as omissions by the State government regarding peasants’ reality. These situations can be described as follow:

109 http://www.constitucioncolombia.com/
• The ZIDRES Law

Law 1776, passed in 2016, creates and develops zones of rural, economic, and social development (ZIDRES). This law is in force after passing constitutional examination (C-077 in 2017). The national government will proceed to delimit these zones through a CONPES document.

The law proposes a model of rural development in which it is possible to allocate public lands to the execution of agro-industrial projects. These projects can be proposed by any person or associated company. However, large companies would have many more advantages in executing them. Stringent requirements such as financial and administrative viability, land acquisition capacity and access to technical assistance are established. There is no support for peasant associations to fulfill these requirements.

The ZIDRES would radically reduce the amount of land available to give as property to landless peasants or postpone the guarantee of progressive land access to peasants, probably until the end of the concession contracts, which last 10 to 20 years.

These zones assume, without having proven the fact, that peasant production is inefficient by nature and that it is therefore necessary to favor production on a larger scale. The biggest risk is that it sends the message that the peasant economy has no place in the country’s rural development model. Either the peasants become big businessmen or they will be replaced by them.

• Certified Seeds

“We are Seeds. When the government issued this law and prevents us from exchanging seeds it’s as if they were taking away our identity, our roots as the peasants that we are.” -- Marco Martínez, Vereda Chaparrito.

The controversy started with resolution 970/2010 which obliges farmers to store, commercialize and use only certified seeds (those produced by large domestic or foreign companies), which generates two problems: it makes both the use of local, traditional seeds and the storage of seeds for future planting illegal.

Although this provision was repealed, the fight continues since there are forces that continue to insist on the elimination of these traditional, millennia-old practices because of the economic benefits that the intellectual property rights to certified seeds produce.

110 http://es.presidencia.gov.co/normativa/normativa/LEY%201776%20DEL%2029%20DE%20ENERO%202016.pdf
111 http://www.corteconstitucional.gov.co/relatoria/2017/C-077-17.htm
113 Ibid.
• **Mining and Hydrocarbon Exploitation in the Colombian Amazon**

In an investigation done by Rights, Diversity and Rainforests (DEDISE), of 147 projects identified as being implemented in the Amazon, 70% correspond to the mining and energy sector, consisting of mining and hydrocarbon extraction projects. According to data from 2008, 106 mining titles had been awarded in the Caquetá, Guaviare, Putumayo, Amazonas, Guainía, Vaupés, Cauca, Nariño, Meta and Vichada Departments; these titles sum to 95,300 hectares. In the year 2011, the current titles were 128, equivalent to 100,600 hectares, or 0.20% of the Colombian Amazon. In 2013, there were 180 titles covering 107,900 hectares.\(^{116}\)

Development Law 1450 of 2011, and Resolution 045 of 2012 declared almost 22.3 million hectares as strategic mining areas (AEM), of which 17.5 million correspond to the Amazonas, Guainía, Guaviare, Vaupés, Vichada and Choco Departments. They are distributed in 202 blocks, corresponding to 15.4% of national territory. The AEM overlap with 70 indigenous reserves, in addition to four National Natural Parks: Túparro, Puinawai, Nukak, Yaigoje Apaporis.

• **The Land Decree**

Although Point 1, Comprehensive Agrarian Development Policy, of The Final Agreement to End the Armed Conflict and Build a Stable and Lasting Peace, is an opportunity to solve the historical problems of rural communities, the regulations passed to implement it do not meet the expectations and guidelines of the agreement. One such case is Decree 902 of 2017, which creates measure to facilitate the comprehensive rural reform envisaged in the Final Agreement with regards to land issues, specifically the procedure for accessing and formalizing land access and the land fund.

So far it is the most important regulation concerning agrarian reform, as it seeks to resolve the issue of formalizing land ownership, including vacant plots; this issue was central to the origin of armed conflict in Colombia. The regulation has received quite a lot of criticism but, correctly, academics have presented a more impartial debate, which can be summarized as follows:

• Among the advances: The decree gives legal support to the Land Fund, offers faster and easier ways of resolving agrarian conflicts, such as the use of a single procedure for all matters, structures a massive plan towards free formalization of land ownership, and centralizes information about the beneficiaries of state programs in rural areas in the Registro de Sujetos de Ordenamiento - RESO.

• Among the failings: It allows large landowners the right to use currently non-productive land without the restrictions that apply to family agricultural units (UAF); it opens the possibility of juridical persons requesting the use of barren land; forest preserves can be handed over; and it allows large entrepreneurs to have property in projects in association with small farmers without taking into account the relative size of the partners at the moment that earnings are divided.\(^{117}\)

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\(^{117}\) Leon, J. (April 4, 2017). Los avances, los retos y los micos del decreto para aterrizar el punto agrario [The Advances, the Challenges and the Failings of the Decree Concretizing the Agrarian Point]. La Silla Vacía.
c. Vereda Chaparrito

The Vereda Chaparrito Community is located in the municipality of Puerto Concordia-Meta. The area legally consists of three land plots: Panfilera, Angosturas I and Angosturas II, which total approximately 1,100 hectares. The territory that forms Chaparrito was once classified as non-productive land, and the Colombian Institute of Agricultural Reform (INCORA) handed it out in the following way:

- In Resolution No 1021, emitted on September 26, 1996, INCORA awarded the Panfilera Plot, covering 636 hectares, to José Edilberto Rey Baquero and María Elena Ríos Guativa.
- In Resolution No 1000, emitted on September 25, 1996, INCORA awarded the Angosturas II Plot, covering 280 hectares and 4764 square meters, to Mr. Luis Enrique Gómez Alvarado.
- In Resolution No 079, emitted on March 24, 1998, INCORA awarded the Angosturas I Plot, with an extension of 187 hectares, to Mr. Luis Enrique Rodríguez Martínez.

The beneficiaries of these awards never took material possession of the land since peasant farmers had already lived there since before 1996. What the new beneficiaries did was to pay no attention to the rights of the farmers, selling the titles to the land to other people (Panfilera on December 12, 2005 with Real Estate Registration 236-38510 in San Martin-Meta; Angosturas II on June 15 of 2007 with Real Estate Registration 236-41167 in San Martin-Meta; and Angosturas I on July 3, 2007 with Real Estate Registration 236-41588).
The above demonstrates the phenomenon of land concentration in a few hands; it is worth highlighting that the person who bought the aforementioned plots has other properties around the Chaparrito area, mostly used for cultivating African palm. It is possible to visualize palm production at the entrance to the plot and around the Casa Verde area.

At the same time, it should be noted that this municipality was one focus of the armed conflict, with the presence of illegal armed groups, both FARC-EP and paramilitaries, who encouraged farmers in the area to illicitly cultivate coca, assuming that they had no economic alternatives, although it must be recognized that with such poor infrastructure conditions and lack of technical capacity, it would have been very difficult for them to produce and sell their agricultural products.

These illegal processes have consequences in the personal and collective lives of the communities because they generate a culture focused on speed, on ease, on doing things the wrong way, laying aside communal work, solidarity and the proper exercise of political roles, whether this be as part of a communal action board or in forming associations to manage productive projects.

Nevertheless, the advent of the national government’s coca-growing eradication policies, which included no plan for substituting this crop’s production, led to difficult situations and hunger.

This situation, in which the peasant families living in the Vereda Chaparrito Community are at risk of being evicted from their lands, even though they materially possess them, due to apparent legal issues related to property titles, violates a whole series of rights and constitutional guarantees that converge on the right to food.

The basic content of the right to food includes: **The availability of food in sufficient quantity and quality to satisfy the nutritional needs of individuals, without the presence of harmful substances, and in a way acceptable to a given culture; and the accessibility of these foods in ways that are sustainable and that do not hinder the enjoyment of other human rights.** Availability implies that people can obtain food for themselves by exploiting productive land or by the proper functioning of food distribution, elaboration and marketing systems. It includes nutritional sufficiency, the cultural acceptability of the food, and sustainable food practices. Accessibility implies physical, geographical, economic, and non-discriminatory access.
IV. Proposals

a. Legal – Political

These strategies should be aimed at working on the implementation of the Havana Accords in order to achieve the desired territorial peace in the areas most affected by the conflict.

In this sense, Part 1 is vital. Towards a New Colombian Countryside: The Comprehensive Rural Reform established the following measures for transforming rural areas and comprehensive rural reform:

1. Access to land, through the formalization, restitution and equitable distribution of it, together with promoting the proper use of land in accordance with its aptitude.

2. The provision of public goods and services such as education, health, recreation, infrastructure, technical assistance, food and nutrition, among others, that provide well-being and quality of life for the rural population; to be accomplished through Territorially- Focused Development Programs (PDETs), and National Plans for Comprehensive Rural Reform.

3. The implementation of a system for the progressive guaranteeing of the right to food

With regards to Point 2: Political Participation, it should focus on helping people participate in spaces such as the Special Transitory Electoral Districts for Peace and local Councils for Reconciliation and Coexistence in order to present territorial needs for debate.

The same focus applies to the other measures that are included in the Agreement, such as the points concerning the solution of the illicit drug problem and reparation for victims. We foresee an opportunity to improve conditions in rural areas as long as the Agreement’s implementation includes a strong component of citizens and competent entities monitoring and demanding the State’s fulfillment of it.

b. Additional/Alternate Proposals

Along with the previously mentioned proposals, there also need to be additional strategies, such as those that facilitate processes of comprehensive human development, integrating organizational, productive and other important processes in such a way that people dedicate themselves, day by day, to improving their internal relationships (with their families and communities) and external relationships (with nature and territorial entities). Maintaining this dialogue between nature, people, and community will help to develop more harmonious and satisfactory relationships, which translate into a good quality of life and people and creation being in harmony.

One current project, in cooperation with Caritas Luxembourg, offers support to 85 families living in the Departments of Meta and Guaviare, specifically in Chaparrito, Alto Mielon and Mereles in Meta and Simón Bolívar, Acacias, La Dos Mil and Baja Unión in Guaviare. These communities have been affected by the presence of different armed groups but have managed to overcome this wave of violence and are in search of better living conditions. They are made up of territories used for agricultural and livestock raising purposes in the Plains and Amazon Regions. The soils are very acidic and there are two very well-marked seasons: one is summer, with a scarcity of water, and the other is winter, with excessive rainfall.

This project seeks to help families overcome their dependence on and eliminate illicit crops that, for more than a decade, were their main source of income. The project focuses on generating new agricultural production experiences that respect and coexist with all forms of life and allow these families to deal adequately with the area’s weather conditions; it also focuses on strengthening food security and the local economy. Additionally, a plan for training and field work forms part of the process in order to motivate the communities to generate a new lifestyle and to recover, in their families, a farmer-producer culture and rootedness in the territory, strengthening the union in and between communities, promoting reconciliation and peace.

At the same time, due to the challenges stemming from the lack of formal land ownership (which is not only a problem for these communities but in general for the country’s rural population; there are families in possession of their land for more than 10, 15, or even 20 years, and because of a lack of legal title, are constantly at risk of being evicted), the project accompanies communities with legal assessment concerning the process for formalizing their land ownership.

All of the above actions have stimulated these communities to begin the process of learning about and demanding the fulfillment of their rights, and to suggest strategies for defending their land and territorial resistance. They are crafting an economy based on family farming, resistant to climate change; this is why these strategies are worthy of being reproduced, in order to propagate these beneficial effects to more communities and regions.
Testimonies:

“I am a coffee grower. This comes from family tradition: my parents had coffee crops and my mom roasted it and milled it. I helped with that chore and it was where I learned this art of coffee. Now I am a producer for the peasant market. I plant “Pure Breeze” coffee. On my farm, called “Los Alcaravanes”, we have owned and worked the land for more than 19 years. We have circular orchards where we plant pineapple, cassava, banana, fruit trees, grasses, sugarcane and giant elephant ear.

We have a problem related to the issue of land [ownership]. We want to have the titles for our lands. A wealthy landowner who produces palm oil wants to take our land away from us, push us out, not let us work or cultivate our plantations, but all peasants have the right to work in a dignified manner to be able to raise our children.

We, the farmers of Chaparrito, feel very sad. We are being run over; this person does not consider that some families have lived here for more than 22 years, that there are elderly people, disabled, children. We have nowhere to go. We feel violated in our rights to housing, free expression and the threat of being displaced again from our territory which we love, as we have built our families here.” -- Peasant farmer in the Vereda Chaparrito Community.

Photo 31: Coffee producer at a peasant farmers’ market P.S.R. Photo Archives