

The 1st UN Forum on Minority Issues  
Geneva, 16 December 2008

THE HUMAN RIGHT TO EDUCATION IN AFRICAN DESCENDANT COMMUNITIES= -  
BLACK COMMUNITIES / AFRO-COLOMBIAN, RAIZAL- PALENQUERA AND THE ROM  
PEOPLE AND INDIGENOUS PEOPLES  
OF COLOMBIA

Context:

Cultural diversity in Colombia has historically been made up of:

The hometowns or indigenous communities are currently made up of 84 villages with their respective language, account for the 3.3% of the population, around 1,378,884 people

From enslaved African origins including black / Afro-Colombian communities, Palenquera and Raizal. The latter two with their own languages, palenquera and creol respectively. The populations who self recognize as black community, afro, palenquera and raizal according to the official 2005 census is 4'316.592, corresponding to 10.3% of the population (DANE 2005). But according to the organizational dynamics of the Afro-Colombian population, they are actually 26% ie a population of approximately eleven million people.

The people Rrom - European immigrants - who preserve their language of origin, with a population of 4,832 people -0.012% of the population - in different kumpeniyi - (DANE Census 2005)

Crossbreeding in is found in most of the population.

The categories of indigenous and tribal peoples in Colombia (OIT Convention 169) are recognized ethnic groups of indigenous and Afro-descendants.

Despite the recognition of cultural diversity in the Constitution of 1991 and ratification of major international treaties for the protection of the rights of the most vulnerable groups and special segments of the population (Article 93 of the Constitution). Social factors such as poverty and armed conflict, which has affected the country in the last 15 years displacement, relates mainly to black communities and indigenous peoples. Although official figures on forced displacement do not match those presented by the Committee Displacement CODHES both agree that the largest displaced population is Afro Colombian population followed by the indigenous and peasant population.

In this context, the rights and fundamental freedoms, including the right to education of black / Afro-Colombian communities, palenquera and raizal as indigenous peoples has been seriously affected and restricted.

General considerations and recommendations.

## 1st Consideration:

-An important issue for afros peoples in Colombia is the guarantee of the right to education in the context of the social and armed conflict in the country. But there has been severe damage caused to the black communities and Palenquera, an estimated 47% of three million experienced forced displacement in the last seven years.

-Forced displacement itself constitutes a flagrant violation of fundamental rights and freedoms against the black community because it tears apart identity, the integrity, and cultural diversity, jeopardizing its very existence as an ethnic group.

## Recommendations.

For the Colombian government to guarantee people of African descent the right to education along with identity protection cultural integrity, self-respect and implementation of remedial measures in the meantime.

-Promote the development of adaptive capacities without loss of identity to new cultural environments among children, youth and displaced youth, linking parents in this educational process.

-Advise the education system in the implementation of an education in a diverse classroom in which displaced people and host cities interact, addressing cultural clashes and developing skills of intercultural dialogue for building coexistence and respect for difference in conflict environments.

Make the necessary calls for respect for international humanitarian law to who are using the school as a shelter or military operations centers.

There is a worrying divorce between national and international legal recognition of the rights of peoples and minorities and the political will of governments for effective and sustained implementation of the rights of black / Afro-Colombian communities, Palenque and Raizal (which are part of descendants) African peoples, indigenous peoples and people Rrom in the case of Colombia.

## 2nd Consideration.

Keep in mind that the normative recognition for specific population groups has generally been the product of their demands and needs, therefore, it is necessary to protect the right to participate as a guarantee of development and implementation of inclusive legislation on educational issues .

#### Recommendations:

The adoption of instruments such as the right to consultation prior, free and informed (OIT Convention 169) in the formulation and implementation of policies, plans, programs and educational projects can be a strategy to follow with States to give a binding character this right, ensuring the full participation, and respect for the cultures of the people directly affected.

And insist on the promotion among all Member States of the adoption of instruments of further progress in the recognition of rights to the people as the UN declaration on indigenous peoples - that Colombia abstained from ratification-. But it is also necessary to emphasize to the United Nations system that instruments such as the declaration must also be implemented for people of African descent in the Americas, meaning the inclusion of 150 million people who have been recognized as an ethnic group, peoples or minorities for their State.

#### 3 and 4 Consideration:

The State and governments in Colombia have often confused the right to education with educational, ethnic education with the coverage of educational services. When organizations and leaders ask for the right to an appropriate education in accordance with the culture the government responds with figures on the number of people enrolled by localities where there is more of an African or indigenous population. On the people Rrom no answer. In all cases there are no indicators to monitor policies, programs and projects, registration is not differentiated so there are no reliable data on what the actual state of the afros peoples and minorities from policies, plans and projects on the right to education on issues such as access and retention in education levels.

#### 4th consideration:

Affirmative action such as special quotas for the African population in higher education remain

## Recommendations:

State institutions as the main duty bearer for a full exercise of the right to education, must technically and financially implement an educational process whose content and methods correspond to reality and cultural diversity as to the requirements of a cultural and environmentally sustainable development.

The construction of indicators on relevance and quality of education should be carried out with the participation of organizational expressions of African descent peoples and ethnic minorities as the people Rrom.

Ethnic education is not an exercise only for peoples and minorities, is a process that must involve all of society in ways that facilitates knowledge with which relationships are built within principles of equality, fairness, reciprocity and respect for difference.

In countries like Colombia, who are affected by the social and armed conflict, education plays a key role in building pluralistic democracy whose basis is respect for cultural diversity and autonomy of peoples.

Provide the means and conditions for teachers, managers and institutions responsible for education to assume ownership of the instruments and mechanisms for intercultural education universal basis of pluralistic democracy.

Perform monitoring compliance of affirmative action measures achieved in the negotiation processes between organizations of black communities as effective methodologies for them so that the right to education at all levels is ensured.

general comment.

It is necessary to review state actions that drive poor education that reproduce poverty, a materialistic education produces material goods and not life.