



UNITING FOR
LAND RIGHTS IN

COLOMBIA

HOW OUR MEMBERS ARE CONTRIBUTING TO CHANGE



INTERNATIONAL
LAND
COALITION



From its onset in 2016, the NES Colombia platform - Collaborative Strategy in Colombia for the Guarantee of Land and Territory - has emphasised efforts to strengthen the political representation of the peasantry by building the capacities of civil society organisations. By focusing on the implementation of the Peace Agreements after they were signed in 2016, the platform has successfully consolidated its relationship with other actors working in the Colombian land sector.

BIOS EN POLÍTICA

2016

CONGRESO APOYA
AL CAMBIO DEL
ART. 64 DE LA
CONSTITUCIÓN

2016

FIRMA ACUERDOS
DE PAZ

IMPLEMENTACIÓN
ACUERDOS DE PAZ

INCLUSIÓN DE
PROPUESAS SOBRE
ESO A TIERRA Y
CHOS SOCIALES EN
LOS PATR

BIOS EN PRACTICA



THE MAIN CHANGES ACHIEVED BY THE NES COLOMBIA INCLUDE THE STRENGTHENING OF CIVIL SOCIETY FOR GREATER POLITICAL REPRESENTATION OF THE PEASANTRY; ADVOCACY TO AMEND THE CONSTITUTION (ARTICLE 64) IN ORDER TO RECOGNISE PEASANTRY; AS WELL AS THE INCLUSION OF 17 PROPOSALS ON ACCESS TO LAND AND SOCIAL RIGHTS IN THE ACTION PLANS FOR REGIONAL TRANSFORMATION (PATR - PLANES DE ACCIÓN PARA LA TRANSFORMACIÓN REGIONAL).

THE CONTEXT IN THE LANDex ANALYSIS¹

In Colombia, civil society and governmental actors have been hesitant to collaborate in the development of joint actions. This mistrust stems from the State's inability to protect the rights of poor rural communities, and to implement an agrarian or redistributive reform. The Colombian government seldom includes the civil society in the peace-building processes, where the current government is clearly not aligned with the civil society's agenda on the land question.

Data from the Global Land Governance Index (**LANDex**) illustrates how such low levels of participation in decision-making and policy implementation have led to the poor implementation of regulatory frameworks needed to support diverse land tenure systems. LANDex further outlines how the sophisticated regulatory frameworks and high standards of property protection nevertheless hold significant deficiencies in their implementation. Indicators 1B and 1C underscore these shortcomings in achieving the rural reforms necessary to address the needs of local communities and peasants, and to close the wide gaps in inequality.

¹ <https://www.landexglobal.org/en/country/170/>



THE COLOMBIAN CONTEXT

The problem of land tenure in Colombia has colonial origins. Over the past 70 years, high property concentration, unequal land distribution, and a lack of access to land and its resources have prompted widespread armed conflict. Recent studies indicate that 0.44% of the Colombian population own 46% of the productive land, with more than half of the land remaining in the hands of the 1% (OXFAM 2017). There is furthermore a high level of informality in land tenure, with approximately 60% of the rural population lacking land titles, and with rural women only owning 25%. The productive area is concentrated in large Agricultural Production Units, whilst small units have fragmented and lost land,

decreasing the size of the productive plots—especially in the Andean region.

Ethnic groups formally depend on Free, Prior, and Informed Consent (FPIC) to establish bottom-up consultation and participation. The Constitution provides protection to **agrarian workers**, a figure that - according to the interpretation of judicial bodies such as the Constitutional Court - would include peasants. However, the fact that they are not explicitly recognised as such prevents the **construction of the identity of the peasant as a political, social and cultural subject**. The precarious political representation of peasants - in line with the recently approved **United Nations declaration**² - impedes

them to access institutional channels to participate in public debate, and to have their proposals recognised in the public agenda and in policies and programs, as well as the institutional inability to generate a policy that promotes the guarantee of their rights.

The **reasons for this political marginalisation** are diverse: from a public policy that regards businesses and agro-industries as the main actors in rural development; the constant human rights violations regarding the peasantry; the destabilisation of the peasant movement through violence; as well as the centralist nature of rural development policies that impede dialogue on the configuration of rural territories at the local and regional level.

Access to, and decisions on the use of land, are among the main areas of **dispute between rural social organisations and the Colombian government, who hold conflicting visions of territorial development**. While rural organisations have denounced land and territorial grabbing by large extractive and infrastructure projects supported by Colombian public policy, the national government has generated a context of **favourability with large mining operations**. These extractive agrarian development models are carried out by multinational companies and the private sector, who hold a high capacity to represent their interests in public decision-making bodies.

CHANGES

The work of the National Engagement Strategy (NES) in Colombia - *Estrategia colaborativa en Colombia por la garantía de la tierra y el territorio*³ - is divided into **two main phases** and outcomes (2012-2016 and 2016-2018), as a result of its adaptation to on-going developments in the country's political context.

The strengthening of the peasantry as a collective political subject, and of civil society's capacities for advocacy and participation, has been both an objective and a tool of the NES Colombia since its inception.

The platform's **theory of change** outlines an explicit linkage between capacity building, communication efforts, and advocacy.

The NES Colombia focuses on **strengthening the capacities** of the platform's organisations, with the aim of having their agendas and demands taken into account, and incorporated in public policy measures. This strengthening, together with **communication efforts**, serve as the basis for liaising with other social actors and public entities interested in land governance.

Finally, in response to the exclusion of rural people's organisations in government-led processes, NES members have successfully united civil society efforts through the formulation of a cohesive platform to jointly influence decision-makers and other relevant actors in the Colombian land sector.

The analysis shows that the **NES has contributed to connecting civil society and strengthening its capacity for self-management, in having a single and clearer voice in front of the various actors that influence land issues.**

NES
NATIONAL
ENGAGEMENT
STRATEGY

THE NES PLATFORM

The NES has taken advantage of several opportunities offered by existing consultation mechanisms (including the Public Hearings in Congress, and the PDETs), articulating its work with international actors. However, the interactions within civil society remain misbalanced, due to circumstantial participation depending on the political agenda under discussion; organisational and institutional weaknesses; as well as individual rather than joint proposals. Some of these internal civil society challenges are being addressed (see "Lessons Learned"), while obstacles remain in engagements with the Colombian government.



ACCESO A TIERRA Y
DERECHOS SOCIALES EN
LOS PATR

CAMBIO EN PRÁCTICAS

It is considered successful that a good part of the decisions about the **communication contents** are defined by the social organisations in the framework of a direct accompaniment work by the NES. The organisations have appropriated the main discourses and issues, since they have been built in a participatory manner.

CHANGES IN POLICIES

The NES has been heavily shaped and prompted to respond to the various external factors in the Colombian land sector, including conservative government elections; the flailing interest in land issues; as well as the different approaches to public policy- from a "land" reform government to the signing and implementation of the peace agreements.

The history of the NES can be divided into two phases. The first considers the time before the signing of the peace agreements, during which the platform's work focused on reforming the Constitution to recognise the peasant as a political subject, in part thanks to the election of Senator Alberto Castilla, who participated in peasant movements himself.

In 2016, a commission within Congress supported this change in the Constitution, yet the proposal was ultimately rejected due to a lack of interest in the issue.

CHANGES IN PRACTICES

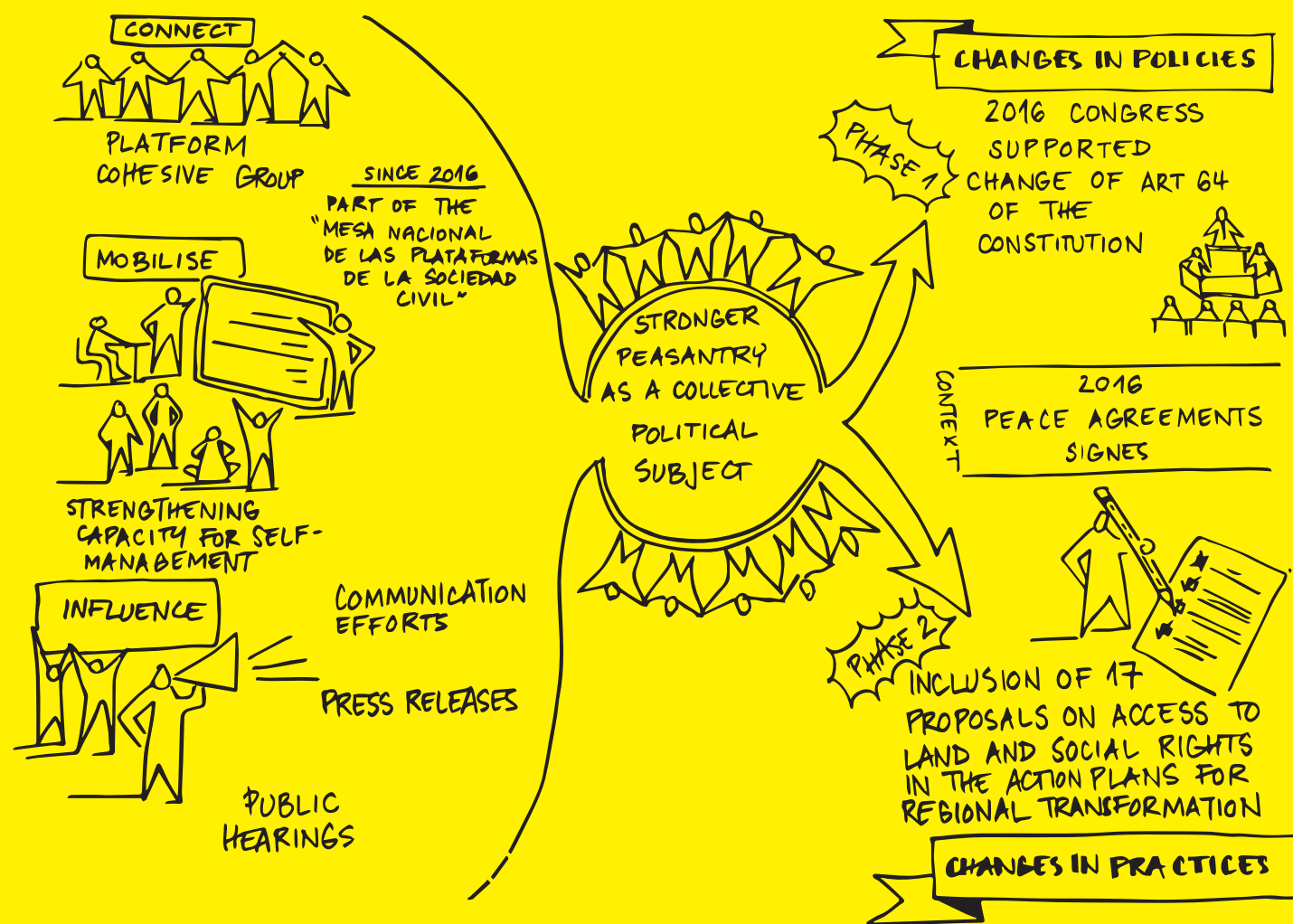
Since late 2016, the focus of NES efforts shifted to the **implementation of the peace agreements**. The platform prioritised the participatory construction of Action Plans for Regional Transformation (PATR⁴) through the National Table of Civil Society Platforms⁵ around the PDETs⁶, an initiative promoted by the NES that unites social, intergovernmental, and civil society organisations. The NES organised collaborative meetings with the institutions in charge of the implementation of the peace agreements, and the Public Ministry and announced **17 specific proposals on access to land and social rights in the PATR**. The NES contributed to this result by uniting civil society efforts, and establishing inclusive spaces for dialogue and advocacy.

In 2017, the NES expanded its membership through the incorporation of the two networks that operate both at the regional and national levels - *the Organisations of the Displaced Population, Ethnic and Peasant Organisations of the Montes de María sub-region (Colombian Caribbean)*⁷(OPDS), and the National Network of Family Farming (RENAF).

3 Collaborative Strategy in Colombia for the Guarantee of Land and Territory

4 Planes de Acción para la Transformación Regional
5 Mesa Nacional de las Plataformas de la Sociedad Civil
6 Programas de Desarrollo con Enfoque Territorial
7 Organizaciones de Población Desplazada, Étnicas y Campesinas de la subregión de los Montes de María (Caribe colombiano)

TIMELINE AND THEORY OF CHANGE



2019

LANDex results, planning of a new strategic cycle and contribution analysis

2018

United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas: the inclusion of over 17 initiatives in the PATR and the constitution of the peasant reserve zone of Montes de Maria as a pilot experience. National plans for the rights of rural women developed; preparation of the alternative report on rural women in Colombia for the CEDAW committee; LANDex launch

2016

5 April: The draft legislative act for the recognition of peasant rights is presented to congress, that is supportive of the constitutional amendment (Article 64), but which is ultimately rejected due to a lack of interest

2017

Expansion of the platform: inclusion of two network organisations that operate both at regional and national level: organisations of displaced, ethnic and peasant populations of the sub-region of Montes de Maria (Colombian Caribbean) (OPDS) and the national network of family agriculture (RENAF). Support to national and international advocacy actions of the alternative report to the CDESC in Colombia

2015

presidential elections; a pre-peace agreement is reached

2014

construction of the agrarian, peasant, ethnic and popular summit, decree 870/2014 – a national round-tables and regional workshops: regional program terra mujer

2012

Start of the peace dialogues and the formulation of the national engagement strategy - estrategia colaborativa en Colombia por la garantía de la tierra y el territorio

LAC land forum in Colombia, exchange of experiences on gender, access to land and rural women

2013

Collaborative strategy in Colombia for the guarantee of land and territorial rights and launch of the platform

2011

Creation of a land restitution policy observatory and a protection fund for land rights defenders in Colombia

NES platform is inaugurated following the dissemination of the UNDP 2011 report and the first dialogues on the need for transformative rural reform. Colombia is the first NES platform that

has a level of "territorialisation" and coordinates the dialogue at the national and territorial levels. Building of the NES platform – the NES has helped to connect civil society and strengthen its capacity for self-management, equipping it with a clearer voice in front of the various actors who influence the land sector.

LESSONS LEARNED

The NES platform mainly operates through civil society and grassroots organisations. It occasionally collaborates with intergovernmental organisations, such as the Food and Agriculture Organisation (FAO), and with governmental institutions. However, as noted by a representative of the German Agency for International Development (GIZ), a more sustained collaboration would require *“that the political will of the state is translated into human and financial resources to address a structural problem”*.

The problem further relates to the focus-areas, given that public land and agrarian policies are in many ways contrary to the political requests of the NES. Despite the opportunities brought about by the Peace Agreement (especially for the PDET), public policy continues to support extractive industries and agro-industries.

Platform members openly acknowledge that it has been closed, albeit not in its efforts to collaborate with numerous social actors. Through an internal reflection, NES members recognise that the platform has failed to project itself as a relevant space beyond its membership and as a space in which the subjects of popular change exist and make decisions. This has limited the projection of the platform beyond the actions financed through the resources mobilised by the ILC, and the realisation of the transformative opportunities of the strategy.

The need to adapt to a very dynamic political context and to periodically review its operations provide a key opportunity to reflect on the achievements, strengths and weaknesses of the platform.

The following key lessons have been identified by NES member organisations:

- 1 The ability to adapt the agenda to changes** in the Colombian land sector and context made it possible for civil society to have a greater impact.
- 2 The capacity to articulate with multiple actors in the face of a common objective**, allowed the NES to promote the creation of the National Table of Civil Society Platforms around the TEPs, in which the stakes of territorial planning were made visible through autonomous scenarios and dialogues with the authorities, which were also included in the PATRs.
- 3 The need to make the NES visible in the land sector.** It is difficult to identify the platform as a key actor in the Colombian land sector, as the efforts of individual members continue to be more widely recognised than those made collectively as a platform.
- 4 The Need to set specific and measurable goals.** The multiplicity of objectives and the consequent dispersion of actions has been strongly recognised as a weakness of the platform.

5 The Need to strengthen the institutional capacities of its member organisations.

Although it is part of one of the thematic areas of the strategy, the activities carried out formed part of the strengthening of the capacities of the participating organisations, but did not entail a process that deeply addressed the weaknesses and threats of the organisations and platforms.

6 Rural communication as a means of participation, appropriation and advocacy.



MEET OUR MEMBERS

The NES Colombia platform currently comprises 5 member organisations:
 2 Networks of social organisations: OPDS (non-ILC member) and Red Nacional de Agricultura Familiar (RENAF);
 1 Academic Institution: Observatory of Ethnic and Peasant Territories of the Universidad Javeriana (OTEC);
 2 Non-Governmental Organisations: Corporation for Solidarity Development (CDS), and the Center for Research and Popular Education (CINEP/ Program for Peace).

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NES

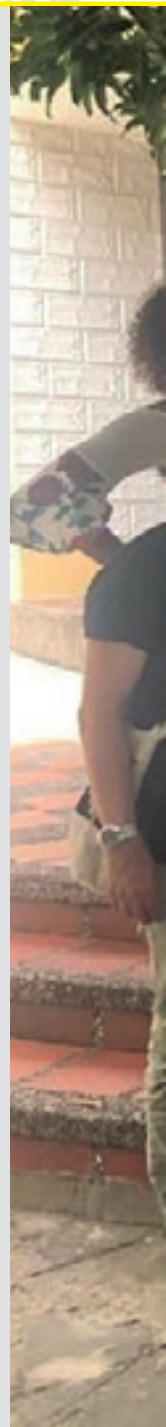
NATIONAL
ENGAGEMENT
STRATEGY

National Engagement Strategies - often referred to as “NES” – are multi-stakeholder platforms set in motion by the International Land Coalition (ILC). They are led by national actors, and include ILC members and partners to promote the Coalition’s joint goal of people-centred land governance.

NES platforms are helping to simplify and unpack land governance complexities by setting priorities and suggesting solutions to some of the most difficult land-related issues in a country. NES platforms are promoting collaboration and bridging the gap between government, the private sector, civil society including grassroots organisations, international agencies, traditional authorities and academia.

All ILC members have the opportunity to set up national platforms with the technical and financial support of the ILC.

These platforms use ILC’s 10 commitments to people-centred land governance as their compass, while promoting the Voluntary Guidelines for Land Tenure (VGGTs) and the Framework and Guidelines on Land Policy in Africa.



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