

Colombia

Response to Information Request Number:	COL02001.IGC
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Subject:	Colombia: Information on Juntas de Acción Comunal (JACs), Community Action Boards
From:	INS Resource Information Center
Keywords:	Civil society / Community development / Extrajudicial executions / Paramilitary forces / Guerrilla forces

Query:

What are the Juntas de Acción Comunal (JACs), Community Action Boards; how are they formed; what is their function and authority; to what degree are they targeted by right-wing paramilitary organizations or left-wing guerrilla groups?

Response:

Juntas de Acción Comunal (JACs), Community Action Boards, have a long tradition in Colombia as a basic unit of social organization at the community and village levels, dating back centuries. In the late 1950s legislation was passed to give legal status and to JACs as instruments of community development under the authority of various government ministries. The JACs, however, were soon absorbed into the corrupt political machinery of the Liberals and Conservatives, Colombia's two main political parties, with JACs becoming agents of local political bosses in each party's patronage pyramid. In the 1980s and early 1990s, in response to mounting popular pressure for political reform, the Liberals and Conservatives amended the constitution and changed other laws to allow for more decentralized government and greater latitude for independent civic organization. Municipal elections were held for the first time in 1988 and have been held regularly since then in the country's nearly 1,100 municipalities (El Colombiano, "La Ayuda del Estado"; FLACSO; Latin American Regional Reports: Andean Group 1986).

At the same time, community activists and non-governmental organizations pressed for greater autonomy for the JACs, resulting in new laws passed in recent years which limit government oversight. Laws and statutes pertaining to the JACs can be found on the Acción Comunal web site run by the current president of the Confederación Comunal Nacional. Today there are as many as 45,000 JACs throughout the country, from urban barrios to isolated rural areas. Each board has a president and a number of other officers called dignatarios, all elected for three-year terms, as well as many afiliados, often hundreds of people, who sign up to participate in JAC projects. The elections are overseen by the Dirección General para el Desarrollo de la Acción Comunal y la Participación (DIGEDACP), a unit of the Ministry of the Interior. However, it is up to the JACs themselves to determine the type of elections, e.g., simple majority, candidate slates, proportional representation, and to conduct the balloting and counting. JACs also can organize themselves into confederations or associations at the municipal, departmental and national levels (Acción Comunal; El Colombiano, "Hoy Se Renuevan las Juntas Comunales en Todo el País").

The general mission of the JACs is to promote development and collective well-being for the communities they represent and by law they have significant latitude in how they approach their mission, raise funds and operate. They can seek funding and negotiate all

manner of contracts with public and private entities both in Colombia and internationally. Contracts might involve provision of services such as water or construction of infrastructure such as schools and sports fields, as well as emergency services such as cleaning up oil spills. JACs frequently receive support from Colombian non-governmental organizations that channel assistance from agencies abroad such as the International Committee of the Red Cross and the U.S. Agency for International Development (Acción Comunal; CCONG; El Tiempo February 1998; USAID).

JACs have been the targets of violent attacks by the Colombian military and allied, illegal right-wing paramilitary organizations at least since the early 1990s. In 1993, Human Rights Watch stated that the Colombian military "adopts a broad definition of 'the enemy' to include not only armed guerrillas, but also members of the UP [Unión Patriótica], community activists and local leaders, particularly those elected to Community Action Councils (Juntas de Acción Comunal)" (Human Rights Watch 1993). In September 2001, Human Rights Watch stated, "Human rights defenders, trade unionists, journalists, and community leaders continue to lead the lists of people killed because of their work," with most of such killings attributed to "paramilitaries who continue to enjoy, at the very least, the tolerance of the Colombian Armed Forces (Human Rights Watch 2001). The U.S. State Department reported that in 2000, "Paramilitary groups targeted teachers, human rights activists, labor leaders, community activists, national and local politicians, peasants, and other persons whom they accused of supporting or failing to confront guerrillas" (US Department of State 2001).

Many JACs are involved in peace efforts and in reporting rights violations to non-governmental organizations in Colombia and abroad. That, in addition to their emphasis on collective action for community development, has led the military and paramilitary groups to view the JACs as supporting or at least sympathetic to left-wing guerrilla groups. Colombian journalist and commentator Alfredo Molano Bravo recently wrote that for the paramilitaries, "any form of collective property...and any form of social resistance to violence must be liquidated," including "trade unions, community action boards and cooperatives" (Derechos Human Rights September 1998; CEUDES; Voz 1998; El Espectador July 2001).

JACs are particularly vulnerable to attacks in the numerous departments where paramilitary groups and guerrillas are directly contending for control. An official with the DIGEDACP underlined this in 2001, stating with regard to JAC members, "It's very difficult to be a leader and very dangerous because the conflict is very polarized" (El Colombiano "El Conflicto Frena el Trabajo Comunal").

In April 2001, for example, the president of a JAC and two other civilians were killed, evidently by paramilitaries, during a clash between a paramilitary group and units of the Fuerzas Armadas Revolucionarias de Colombia (FARC), Revolutionary Armed Forces of Colombia, in the northwest rural region of Urubá, which encompasses Antioquia, Córdoba and Chocó departments (EFE News Service 26 April 2001).

According to the UN Commission on Human Rights, in 2000 those departments with the highest rate of paramilitary killings of civilians were Antioquia, Bolívar, Casanare, Cesar, Chocó, Magdalena, Norte de Santander, Putumayo, Sucre and Valle (UN Commission on Human Rights).

JACs are particularly vulnerable, as well, in those municipalities effectively controlled by paramilitary groups. The director of the Colombian Federation of Municipalities, Gilberto Toro, said in April 2001 that up to 20 percent of the country's nearly 1,100 municipalities were dominated by paramilitary groups and that citizens were "forced to submit to the rule of these illegal groups" (EFE News Service 12 April 2001).

Other reports of paramilitary targeting of JACs:

--In January 2001, six peasants, including the president of the local JAC, were killed by

paramilitaries near the town of Caldas in a rural area south of Medellín, capital of Antioquia department (EFE News Service 26 January 2001).

--In June 1999, in the Juan de Atalaya section of Cúcuta, the capital of Norte de Santander department, the president and other members of a JAC were forced to resign under threat by a paramilitary group carrying a death list. The JAC president's predecessor had been killed in September 1998 (Derechos Human Rights June 1999).

--In November 1997, in the city of Apartadó in the Urabá region, it was reported that paramilitaries attempted to assassinate a human rights activist, two of whose colleagues, members of a local JAC, had already been murdered and their homes destroyed (Derechos Human Rights December 1997).

--In January 1997, the office of Asocomunal, an association of community action boards in Medellín, was the target of a daylight bomb attack which left three dead and fifteen wounded (BBC January 1997).

With regard to human rights violations in general, it should be noted that nearly 80 percent of all such violations in Colombia in 2000 were attributed to paramilitaries, while about 20 percent were attributed to left-wing guerrillas—the FARC, the largest group; the Ejército de Liberación Nacional (ELN), National Liberation Army, the second largest group; and the much smaller Ejército Popular de Liberación (EPL), Popular Liberation Army (Human Rights Watch, December 2000; Colombian Commission of Jurists, December 2000).

Specifically with regard to guerrilla groups and JACs, there are about 200 JACs in the Switzerland-sized zone ceded to the FARC by the government of President Andrés Pastrana in an attempt to promote peace talks. The zone encompasses five municipalities in the south central part of the country and has a population of somewhat more than 90,000. Human Rights Watch has reported that the FARC does not tolerate those who question their domination of the zone, have threatened and abducted residents in the zone and committed extrajudicial killings. It is possible that some of the FARC victims in the zone have been members of JACs. In this regard it should also be noted that the FARC controls all police, judicial and governmental functions in dozens of other smaller rural areas. It is known, as well, that left-wing guerrilla groups target civilians they view as linked to right-wing groups, paramilitaries or the government, and that they have attacked “local elected officials” and “civic leaders,” according to the U.S. Department of State. This means that a JAC could be threatened or attacked by a guerrilla group. But as yet the RIC has found no solid evidence that JACs in general are being specifically targeted by left-wing guerrillas (Washington Post, August 2001; El Tiempo, March 1999; Financial Times, November 1998; Human Rights Watch, December 2000; U.S. Department of State, 2001).

This response was prepared after researching publicly accessible information currently available to the RIC within time constraints. This response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum.

References:

Acción Comunal. Web site operated by Guillermo Cardona Moreno, President of the Confederación Comunal Nacional. URL: www.gcardona.com. [Accessed October 2001].

BBC. SUMMARY OF WORLD BROADCASTS. “Three killed, 15 Wounded by Bomb Explosion in Medellín,” transcript of broadcast on 29 January 1997 by Radio Caracol in Bogotá (London: 31 January 1997) – as reported on NEXIS.

CEUDES - Corporación Unidades Democráticas para el Desarrollo. INFO-CEUDES: DESPEJE POR LA PAZ (Bogotá). URL: www.ceudes.org. [Accessed October 2001].

CCONG - Confederación Colombiana de ONGs. “Corporación Opción Colombia,”

Directorio de ONGs Miembros de la CCONG (Bogotá). URL: www.ccong.org.co/coc.html. [Accessed October 2001].

Colombian Commission of Jurists. Written statement submitted to the Secretary General of the United Nations (December 2000). Published by the United Nations (Geneva: E/CN.4/2001/NGO/136, 13 February 2001). URL: www.unhchr.ch. [Accessed 22 October 2001].

Derechos/Human Rights. "Asesinato del Activista de Derechos Humanos Jafeth Morales en el Municipio de Ocaña, Norte de Santander, Colombia" (30 November 1996). URL: www.derechos.org/ddhh/acciones/morales.txt. [Accessed October 2001].

Derechos/Human Rights. "Colombia: Atentando Contra Defensora de DDHH" (8 December 1997). URL: www.derechos.org/ddhh/acciones/colo14.html. [Accessed October 2001].

Derechos/Human Rights. "Col - Paramilitares Ejecutan, Decapitan y Descuartizan a Población Civil en Tiquiso" (2 September 1998). URL: www.derechos.org/ddhh/acciones/col21.html. [Accessed October 2001].

Derechos/Human Rights. "Colombia: Grave Temor por Habitantes de Juan de Atalaya" (10 June 1999), an "urgent action" press release from the World Organization Against Torture, a Geneva-based human rights clearing house known by its French acronym, OMCT. URL: www.derechos.org/omct/esp/col/100699.html. [Accessed October 2001].

Derechos/Human Rights. "El Movimiento Social y de DDHH Denuncia el Bloqueo Alimentario y la Política de Exterminio de Que es Víctima la Población Civil Valle del Cimitarra" (24 March 2001). URL: www.derechos.org/nizkor/colombia/doc/cimitarra23mar.html. [Accessed October 2001].

EFE News Service. "Colombia: Six Peasants Killed in Town Near Medellín" (Medellín: 26 January 2001) – as reported on NEXIS.

EFE News Service. "Paramilitaries Control 20 Percent of Colombia's Municipalities" (Bogotá: 12 April 2001) – as reported on NEXIS.

EFE News Service. "Three Colombian Civilians Killed in Rebel, Paramilitary Strife" (Bogotá: 26 April 2001) – as reported on NEXIS.

EL ESPECTADOR. Molano Bravo, Alfredo. "La Dignidad de la Gente del Cacarica" (Bogotá: 15 Julio 2001).

EL COLOMBIANO. Gómez Ochoa, Gloria Luz and Echeverri Salazar, Dario. "Hoy se Renuevan las Juntas Comunales en Todo el País" (Medellín: 29 April 2001).

EL COLOMBIANO. Gómez Ochoa, Gloria Luz and Echeverri Salazar, Dario. "El Conflicto Frena el Trabajo Comunal" (Medellín: 29 April 2001).

EL COLOMBIANO. Gómez Ochoa, Gloria Luz and Echeverri Salazar, Dario. "La Ayuda del Estado" (Medellín: 29 April 2001).

EL TIEMPO. "Ecopetrol Estudia Daños Ambientes" (Cúcuta, Colombia: 13 February 1998).

EL TIEMPO. "FARC Busca Extensión de Zona de Despeje" (Bogotá: 29 March 1999).

FINANCIAL TIMES. Thomson, Adam. "Everything's Going Their Way: Colombia's Guerrilla

Army, Larger Than Ever, Has Promised to Talk" (Puerto Betania, Colombia: 7 November 1998) – as reported on NEXIS.

FLACSO. "Colombia: Organizaciones Sociales," *Mujeres Latinoamericanas en Cifras* (Facultad Latinoamericana de Ciencias Sociales, FLACSO-Chile: Santiago, Chile). URL: www.eurosur.org/FLACSO/mujeres/colombia/part-6.htm. [Accessed October 2001].

Human Rights Watch. *STATE OF WAR: POLITICAL VIOLENCE AND COUNTERINSURGENCY IN COLOMBIA* (New York: 1993).

Human Rights Watch. "Colombia: Human Rights Developments," *WORLD REPORT 2001* (New York: December 2000).

Human Rights Watch. *COLOMBIA: CURRENT HUMAN RIGHTS CONDITIONS* - Press Backgrounder for U.S. Secretary of State Colin Powell's Visit to Colombia (Washington: 10 September 2001). URL: www.hrw.org. [Accessed October 2001].

LATIN AMERICAN REGIONAL REPORTS: ANDEAN GROUP. "Election Fever That Never Was: Lack of New Ideas and a Lot of Corruption" (London: 28 February 1986).

UN Commission on Human Rights. *REPORT OF THE UN HIGH COMMISSIONER FOR HUMAN RIGHTS ON THE HUMAN RIGHTS SITUATION IN COLOMBIA* (Geneva: E/CN.4/2001/15, 8 February 2001), para. #31.

US Agency for International Development (USAID). *FIELD REPORT: COLOMBIA, OTI Country Reports* (September 1999). URL: www.usaid.gov. [Accessed October 2001].

US Department of State. "Colombia," *COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES FOR 2000* (Washington, DC: February 2001), URL: www.state.gov/g/drl/rls/hrrpt/2000. [Accessed October 2001].

VOZ. "Retos de la Acción Comunal" (Bogotá: 2-15 September 1998). URL: www.nodo50.org/voz. [Accessed October 2001].

WASHINGTON POST. Vivanco, José Miguel. "Colombia's Zone of Fear" (27 August 2001). URL: www.washingtonpost.com. [Accessed 27 August 2001].

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