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Institution:	Inter-American Commission on Human Rights
Title/Style of Cause:	Jiguamiando Basin Community Council v. Colombia
Doc. Type:	Decision on Precautionary Measures
Dated:	7 November 2002
Citation:	Jiguamiando Basin Community v. Colombia, Inter-Am. C.H.R., OEA/Ser.L/V/II.117, doc. 1 rev. 1, Ch. III, para. 45 (2002)
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45. On November 7, 2002 the IACHR granted precautionary measures to protect the lives and persons of 515 families of Afro-Colombian descent (2,125 persons), members of the Jiguamiandó Basin Community Council, who reside on 54,973 hectares of land, and families in the Curbaradó Basin, who live on 25,000 hectares of land, in the municipality of Carmen del Darién, department of El Chocó, land collectively titled to them by the national government on May 21, 2001. According to the information received, starting in January 2001 and particularly after the collective titles were given for the territory of communities of Afro-Colombian descent, in accordance with Law 70 and the Constitution of 1991, there has been a series of acts of violence, murders, and forced displacements that had led nine communities in the Community Council of Curbaradó to seek refuge in the Collective Territory of Jiguamiandó and caused over 20 Afro-Colombian communities to flee deep into the jungle. In October 2002, armed paramilitary actions began to intensify and to occupy the collectively owned land, penetrate the communities' jungle refuges, and surround their departure routes. On October 16, 2002 approximately 160 men in military dress, wearing AUC armbands, entered the Uradá indian reservation and threatened the indigenous communities, saying: "either you join us or you leave. The next incursion will be into the communities of Puerto Lleras and Pueblo Nuevo; from there we are going to sweep these communities; either you join us or you leave; you have to plant palm and coca; you are either with us or you leave." In the last week of October and the first week of November, 2002, there was movement by "armed civilians" in the area around where the families from Jiguamiandó and Curbaradó had sought refuge, in some cases from paramilitary groups in Brisas, Cetino, Belén de Bajirá near the presence of the Seventeenth Army Brigade and the point where control actions are conducted on the Atrato River. The IACHR asked the State, inter alia, to take preventive measures for perimeter control and to fight paramilitary action in the Atrato River and other areas of influence, in order to protect the beneficiary communities; facilitate the operation of an early warning system, including an adequate, reliable communications system with humanitarian areas; ensure the institutional presence of entities such as the Office of the Ombudsman, and the Office of the Attorney General of the Nation in the humanitarian areas defined by the community (Remacho, Pueblo Nuevo, Nueva Esperanza); take humanitarian measures to return the displaced families to the humanitarian areas established by the communities; effectively investigate the acts of violence and threats justifying the adoption of precautionary measures; and prosecute and punish the

perpetrators. Nonetheless, the Commission has continued to receive information in connection with ongoing armed incursions into the territory of the protected communities and on the human crisis that has befallen the beneficiaries.