**Submission to**

**U.N. Office of the High Commissioner on Human Rights**

**in response to**

**Human Rights Council Resolution 47/24 –**

**Human Rights and Climate Change**

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**Adverse Impact of Climate Change on the**

**Human Rights of the Indigenous Raizal People**

**of San Andres, Old Providence, and Santa Catalina Islands, Colombia**

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**Information Submitted and Provided by:**

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**Prepared by and Contact:**

Nicole Friederichs, Legal Representative

Joe Ruggiero, Student Attorney

Human Rights and Indigenous Peoples Clinic

Suffolk University Law School

120 Tremont Street

Boston, MA 02108, USA

nfriederichs@suffolk.edu

1 (617) 305 1682

**I.  Introduction**

1. As indigenous peoples whose ancestral territory is the Archipelago of San Andres, Old Providence, and Santa Catalina in the Caribbean Sea, the Raizal already feel the adverse impacts of climate change on their ability to fully enjoy their human rights. At stake are the Raizal’s rights to food, water, culture, housing, life, and self-determination. Recent examples of this impact are the back-to back hurricanes that hit these islands within a two-week period in 2020, Hurricanes Eta and Iota. The Raizal are still struggling to rebuild houses and infrastructure, access their traditional food sources, and access clean drinking water. All the while, the Raizal’s right to self-determination is threatened as Colombia opportunistically takes greater control over the governance of the islands.
2. The San Andres Archipelago is the Raizal’s home. It consists of the three inhabited islands of San Andres, Old Providence, and Santa Catalina; a large oceanic area; and numerous uninhabited cays, banks, and reefs. The Raizal have a distinct history, language, culture, and set of customs and institutions that predate Colombia. They identify as the first people of the San Andres Archipelago, which land and sea sustains and provides for them spiritually, economically, and nutritionally. Rising sea levels and hurricanes that were once unlikely to affect their islands are becoming more frequent and more powerful. As a result, the Raizal are in a vulnerable situation due to their reliance as an indigenous community on their land and sea territory for physiological needs, cultural practices, and survival, and their lack of power, self-governance, and autonomy.
3. Two back-to-back hurricanes in 2020 serve as examples of the adverse impact that climate change is having on small island communities. Hurricane Eta hit San Andres on November 2, 2020, and brushed the other islands. Two weeks later, on November 16, Hurricane Iota directly hit Old Providence and Santa Catalina, devastating these small islands, and affected San Andres but less severely. When Iota struck, it was a high-end category 4 storm with sustained winds of 250kmph. Hurricane season is inevitable. Beginning in June and extending through the end of November, islands and coastal regions along the Atlantic Ocean brace for extreme windstorms brought on by warm ocean water and Earth’s eastward rotation. The continuity of weather patterns is changing, and global warming is a contributor to the changing climate. As a result, tropical storms and storm surges that were negligible in some regions are forming insurmountable advances on low-lying communities.
4. On the one-year anniversary of these climate change-fueled storms, hundreds of destroyed and damaged houses have yet to be rebuilt; food, water, and properties are unsecured; hurricane shelters and viable disaster preparedness measures are still non-existent, and Colombia continues to increasingly restrict the Raizal’s ability to participate in decision-making processes regarding the present and future of their homeland. The need for climate change-related adaptation, disaster planning, and mitigation measures are urgent. Even a year after the hurricanes hit, the Raizal community is still unable to fully enjoy rights to food, water, culture, property, and self-determination.
5. Even though small oceanic contribute negligible greenhouse gas emissions,[[1]](#footnote-1) they are among the most vulnerable populations to the impacts of climate change. Some of the climate change impacts island communities are likely to encounter include sea-level rise, coastal erosion and inundation, tropical weather storms, increasing air and sea surface temperatures, and changing rainfall patterns.[[2]](#footnote-2) As a result, climate change-related effects will alter ecosystems, natural resources such as fresh water and soil, and biodiversity – aspects of life that are essential to the Raizal’s independence and culture as indigenous peoples. Columbia has inadequately provided adaptation measures or natural disaster preparedness and response for the inevitable storms, storm-related surges, and other climate change-related events to come.[[3]](#footnote-3)

**II.      The Raizal Peoples Are Vulnerable to Climate Change as a Coastal Community Reliant on Their Territories and Natural Resources**

1. The land area of the Archipelago is only 57km2 so the inhabited islands are very small and highly susceptible to sea-level rise and storm events. The highest elevation on San Andres is 84m while Old Providence has small mountains rising to 360m but the islands’ towns, residences, and infrastructure are heavily concentrated along the densely populated coastline. The Archipelago has well-developed coral reefs including rare atolls and oceanic barrier reefs and banks.[[4]](#footnote-4) The reefs stretch for more than 500km and are the largest and most productive open ocean coral reefs in the Caribbean. These natural shelters provide nurseries and protection to an abundance of sea-life, as well as coastal barriers.
2. The extraordinary environmental significance of the region led to the San Andres Archipelago’s designation as the Seaflower Biosphere Reserve by the United Nations Educational, Scientific, and Cultural Organization (UNESCO) Man and the Biosphere Program in 2000.[[5]](#footnote-5) The area is an expansive coastal and marine ecosystem, supplying an abundance of food to the Raizal. In the past, these inhabited islands were rarely affected by tropical storms as they reside in the southwest corner of the Caribbean, below the Atlantic hurricane belt. However, in recent years changing weather patterns have increased the risk of direct hits from tropical storms.[[6]](#footnote-6) Hurricanes are disruptive to all land and marine ecosystems because they destroy habitat and displace nutrients and shelter. With changing weather patterns, the Raizal are unable to uninterruptedly enjoy the right to food.
3. Due to the region’s vast marine biodiversity, the Raizal’s local economy is dependent on artisanal and small-scale industrial fishing and agriculture. With limited freshwater and arable land, dependence on the sea is especially crucial to right to life, food, and culture. Yet, the limited land area of the islands has suffered tremendously from the increase in population over the years, coupled by the impacts of the free port and uncontrolled tourism, which have greatly increased demand and decreased availability of staple products. Since nearly half of the population lives in poverty, the limited natural resources, levels of importation, and increase in market prices of goods and services has placed a high burden on the Raizal.
4. Furthermore, fishing has declined rapidly due to overfishing and ecosystem degradation from anthropogenic sources of pollution and frequent storm surges. The increasing population of the islands (primarily driven by non-Raizal individuals moving to the islands from the mainland of Colombia), coupled with the deterioration of the abundance of fish and seafood negatively impacts the rights to food and life, which is likely to continue to increase as climate change becomes more severe.

**III.      The Impact of Hurricane Iota Foreshadows the Future Negative Effects of Climate Change on the Full and Effective Enjoyment of Human Rights**

1. Drawing on the experience of Hurricane Iota, future powerful storms will make it difficult, if not impossible, for the Raizal to fully enjoy their rights. Regarding the right to housing, Iota destroyed or damaged over 90% of residences. While Colombia promised to help rebuild and repair, only approximately 18% of the rebuilds and 70% of the repairs are finished. As a result, an estimated 600 community members still reside in tents. The Raizal are prepared and eager to rebuild their own homes, but the cost of building materials has doubled or are unavailable for purchase. Further, the central government-hired contractors refuse to take recommendations or suggestions from Raizal on how to rebuild their homes.[[7]](#footnote-7)
2. Additionally, there are no hurricane shelters. Rather, Colombia’s response has been to rebuild 330 small private homes with steel frames that will serve as public storm shelters. Furthermore, few of the repaired or rebuilt houses are equipped with hurricane-mitigation roof straps­–required by housing codes in most hurricane-prone locations. Due to the current sheltering practices, hostility is growing as community members are forced to live in tight quarters with others. Families are beginning to stay in their unsafe homes to refrain from “bothering” their community and to avoid communal conflicts.
3. The Raizal are further impacted by the lack of medical care. The only hospital on Old Providence and Santa Catalina was destroyed by Iota and a temporary tent facility acts as a makeshift field hospital and clinic. Health concerns are growing as the tents deteriorate after more than a year into their temporary placement. Also, the waste created by Iota remains prevalent on the islands: 18,000 tons have been removed, a large majority of which was sold as scrap by the central government for profit. The remaining, less-profitable waste is piled in makeshift dumps and fenced, attracting mice, rats, roaches, and mosquitoes. Residents located nearby are subjected to immense air pollution and a reported increase in respiratory issues.
4. Access to food also remains a concern. While Colombia has promised food vouchers, only three deliveries occurred in the past year. “Temporary” contractors, construction workers, social services workers, military and police personnel, and others sent to the islands from the mainland to handle relief and reconstruction are paying for the best of what is in the supermarkets, leaving inadequate supplies for inhabitants reliant on the food vouchers. While Raizal are active fisher-people, they cannot adequately access the sea due to the loss of their boats, equipment, the dock and landing which have yet to be rebuilt. Colombia has given priority to its navy-coastguard, first by constructing a new dock for its coast-guard next to where the fisher-people’s dock was located and now by planning for the construction of a new naval base at the mouth of the Old Town Gully where the Raizal’s central fishing dock, cooperative, and landing area were located before they were destroyed by Hurricane Iota.
5. Further, water supplies are limited. Groundwater tables underneath the islands are too deeply imbedded for extraction. Drinking water is traditionally collected by rainfall and stored in cisterns and tanks. Roofs, while necessary as a protective measure, are also an underestimated utility for water capture; however, the lack of rebuilds and repairs means less drinkable water is collected. And the repaired and rebuilt houses do not include cisterns, which are extremely expensive to construct, so there are no ways to store water. A freshwater reservoir, locally known as the Dam, in the southwest section of Old Providence, is highly polluted. Currently, the only way to obtain fresh water is buying bottles, which are in short supply. Following the hurricanes, water is becoming a scarce commodity for the Raizal.
6. Finally, the Raizal are not able to fully participate in decision-making processes in a meaningful manner following the hurricanes. They are forced to rely on the central government’s decisions. As a result, priorities are misplaced, and it is easier for the central government [previously not prone to consultation], not to consult with the Raizal at all because of the crisis. Climate change is only going to increase the likelihood that category storms will recreate similar disasters, and the Raizal’s voice will be further retracted from the narrative. These human rights impacts are alarming and Eta and Iota will not be the last natural disasters to strike.

**IV.      How Future Climate Change Effects Will Impact the Raizal’s Territories, Natural Resources, and Human Rights**

1. Hurricanes and Rainstorms.Increased sea temperature has a significant impact on the frequency, duration, and strength of each hurricane season. Specifically, warmer waters lead to more precipitation and stronger winds. Warmer surface water temperatures are directly correlated to climate change. Since the 1970s, sea surface temperatures rose an average of .11˚ C per decade.[[8]](#footnote-8) As temperatures continue to rise, so will the occurrence of powerful hurricanes. Sea-level rise will exacerbate inundation and storm surges, which will threaten existing homes and infrastructure and those currently being reconstructed in the Raizal community, particularly as building standards to withstand hurricanes are not being met.
2. Sea-level Rise, Rain, and Ocean pH Fluctuation.Climate change causes a rise in sea level mostly due to the combination of meltwater from glaciers and ice sheets and the thermal expansion of seawater as it warms.[[9]](#footnote-9) As a result, global sea level has risen approximately 21-24 centimeters since 1880.[[10]](#footnote-10) Small islands have characteristics that make them extremely vulnerable to sea-level rise. San Andres has a fairly flat topography, and development is concentrated in the densely populated coastal zone.[[11]](#footnote-11) The combination of an increase in sea-level rise and flat topography means smaller increments in sea-level rise will have disproportionately larger impacts on island communities and their space for buildings and agriculture. As a result, the lack of space will increase competition for arable farming land and space for homes and businesses.[[12]](#footnote-12)
3. Fish fauna around the Caribbean thrive on the health of coral reefs. Thus, any changes in rain, water temperatures, and oceanic pH dramatically impact both the coral reefs and fish biota. Monitoring of the region shows a steady reduction in live coral coverage in San Andres’s coastal waters – retracting from over 70% live coverage in 1970s to 22% live coverage in 2000.[[13]](#footnote-13) Less coral leads to reduced fish populations, ultimately hurting the fishing industry. And, warmer water temperatures are causing some species to migrate to cooler seas. At stake are the Raizal’s livelihoods, their identity and culture, if they become increasingly dependent on imported food.
4. Agriculture and Food Scarcity.Freshwater supply is already extremely limited on small islands, and the Raizal’s islands are no exception. As described above, freshwater tables underneath the land are too deeply imbedded for extraction in Old Providence and Santa Catalina and becoming progressively more polluted in San Andres, so drinking water is shipped or collected by rainfall. The Intergovernmental Panel on Climate Change (IPCC) predicts islands in the Caribbean are likely to experience increased water stress due to climate change. Further, the change in occurrences and intensity in El Nino Southern Oscillation events are likely to be impacted by the change in surface temperature and rising sea level. As a result, scientists predict increased turbidity, nutrient loading, and chemical pollution, which will in turn alter the composition and abundance of fish. The impact will devastate Raizal fishers who are dependent on fisheries for their livelihoods. Agriculture will also be affected as erosion, saltwater intrusion, and altered rainfall patterns impact soils and growing seasons. The negative impacts of climate-change related harms are just a few of the overriding challenges the Raizal will encounter as climate change continues to alter their environment.

**V.  As Indigenous Peoples, the Raizal Must Lead Effort on Climate Change Adaptation Measures and Disaster Preparedness and Response Plans**

1. The Raizal have voiced their concern over threats their environment, natural resources, culture, and survival for decades. In collaboration with CORALINA, a regional public corporate body responsible for managing the Archipelago’s environment and natural resources,[[14]](#footnote-14) the Raizal were able to contribute to Colombia’s national climate change project, the Integrated National Adaption Program (INAP).[[15]](#footnote-15) Their contributions to Colombia’s INAP, larger ignored, are still relevant today and offer Raizal driven solutions to avoid the adverse impacts of climate change:
* Acknowledge and protect Raizal rights to their property–the archipelago, islands, and marine territory of the Seaflower Biosphere Reserve and Marine Protected Area–environment, natural resources, and biodiversity;
* Involve the Raizal community in all actions pertaining to the management and control of their territory, environment, and natural resources;
* Promote indigenous self-determination and self-governance by ensuring prior consultation and ongoing collaboration with Raizal before and throughout project planning and implementation; and
* Develop adaptation measures that reflect the Raizal’s current and long-term risks associated with climate change in the archipelago, such as:
	+ Designing disaster preparedness and residential plans in consultation with the local community;
	+ Discouraging further immigration and encouraging emigration (repatriation) of non-Raizal migrants to the continent;
	+ Increasing sustainable livelihood opportunities and vocational and technical training;
	+ Building climate-resilient, sustainable infrastructure, businesses, and residences suitable in accord with the knowledge, needs, culture, and heritage of the Raizal;
	+ Advancing protected areas, zones, and regulations long protected and established in the community-based Seaflower Biosphere Reserve and Marine Protected Area and their other parks and reserves; and
	+ Respecting the rights of the Raizal fishers and farmers to manage and control their own territory and the natural resources on which their livelihoods depend.
1. *See Global Greenhouse Gas Emissions Data,* U.S. EPA (10/26/2021), available at: <https://www.epa.gov/ghgemissions/global-greenhouse-gas-emissions-data>. [↑](#footnote-ref-1)
2. *See* Nurse, L.A., et. al, 2014: Small islands. In: Climate Change 2014: Impacts, Adaptation, and Vulnerability. Part B: Regional Aspects. Contribution of Working Group II to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change, 1616. Cambridge University Press. [↑](#footnote-ref-2)
3. S*ee* Howard, M. 2010. Indigenous People’s Plan for the Raizal People of the San Andres Archipelago Colombia: Inclusion in the Integrated National Adaptation Program. Technical Report. Conservation Int’l & World Bank/GEF. [↑](#footnote-ref-3)
4. Geister, J. (1992). Modern reef development and Cenozoic evolution of an oceanic island/reef complex: Isla de Providencia (Western Caribbean Sea, Colombia). *Facies* 27, 1–69. [↑](#footnote-ref-4)
5. S*ee* Howard, M. *supra.* n. 3, 20 – 21. [↑](#footnote-ref-5)
6. The region was directly hit by Beta in 2005 and by Eta and Iota in 2020. [↑](#footnote-ref-6)
7. The Raizal’s suggestions included, in part, the types of rebuilds are necessary, what are the culturally appropriate homes to build, and the types of roofs to be constructed. [↑](#footnote-ref-7)
8. *See* IPCC, 2013: *Climate Change 2013: The Physical Science Basics. Contribution of Working Group I to the Fifth Assessment Report of the Intergovernmental Panel on Climate*, 1535. Cambridge University Press. [↑](#footnote-ref-8)
9. *See* Rebecca Lindsey, *Climate Change: Global Sea Level,* NOAA (Jan. 25, 2021), <https://www.climate.gov/news-features/understanding-climate/climate-change-global-sea-level>. [↑](#footnote-ref-9)
10. *See id.*  [↑](#footnote-ref-10)
11. *See Archipelago of San Andrés, Providencia and Santa Catalina (Colombia)*, LAC Latin America & Caribbean Geographic (Feb. 6, 2020), <https://lacgeo.com/archipelago-san-andres-providencia-santa-catalina>. [↑](#footnote-ref-11)
12. *See* Howard, *supra* note 3, at 32. [↑](#footnote-ref-12)
13. *See San Andres Indigenous Plan,* 13(*citing* Garzon-Ferreira; Cortes Nunez; Croquer; Guzmán, Héctor M., Leao, and Rodriguez-Ramirez, 2002. “[Status of Coral Reefs in Southern Tropical America in 2000-2002: Brazil, Colombia, Costa Rica, Panamá and Venezuela](https://repository.si.edu/handle/10088/6908).” in Status of Coral Reefs of the World: 2002, 344*).* [↑](#footnote-ref-13)
14. *See, e.g.,* Howard, *supra* note 3. The Seaflower Biosphere Reserve and Marine Protected Area are at the core of the Raizal’s identity, culture, and struggle for self-determination. The protection of the biosphere calls for thoughtful sustainable development projects, community-based conservation, promotion of sound management, local control of the territory, and self-governance. The Reserve is managed by CORALINA in collaboration with the local community. The efforts to establish the UNESCO Seaflower Biosphere Reserve (declared 2000) and Marine Protected Area (declared 2005) were led by CORALINA from 1996-2005. [↑](#footnote-ref-14)
15. This project was funded by the Global Environment Facility (GEF) and its objective was “to support Colombia’s efforts to define adaptation measures and policy options to meet the expected impacts from climate change.” *See* <https://www.thegef.org/project/integrated-national-adaptation-plan-high-mountain-ecosystems-colombias-caribbean-insular> [↑](#footnote-ref-15)