



U.S. Office on Colombia  
connecting civil society to policymakers



Ambassador Carolina Barco  
2118 Leroy Place, NW  
Washington, DC 20008

October 31, 2008

Dear Ambassador Barco,

We asked to meet with you today because as human rights organizations that follow Colombia closely we are deeply disturbed by the recent deterioration in the human rights situation in your country. Reports from the ground indicate that Colombia is experiencing a wave of threats, attacks and killings of Colombian civilians and human rights defenders. We are equally troubled by the disproportionate use of force on the part of Colombia's public forces to peaceful protests in Valle del Cauca and Cauca in recent weeks, reports of increase paramilitary activity throughout the country and the alarmingly high rates of internal displacement. We are calling on the Colombian government to take immediate actions to prevent further killings of human rights defenders and Afro-Colombian and Indigenous community leaders from taking place, investigate the recent murders of ethnic minority leaders and peacefully resolve the sugarcane cutters and indigenous protests in a manner that results in improving the labor and human rights of these two sectors of Colombian society.

Reports and media footage including a recent video by CNN show that Colombian security forces are exerting unnecessary force against the protesting indigenous communities. Such force has resulted in deaths and injuries. Information we received from the ground indicates that at least five people have died and 89 have been wounded due to actions taken by Colombian security forces against protesting indigenous persons in the La María Indigenous Reservation, Department of Cauca. As you are aware, sugar cane cutters in Valle del Cauca and Cauca have also been protesting since September 15 in order to improve their labor conditions. Reports from the ground indicate that more than forty workers and their families have been injured by public security forces sent in to disperse the protests. On September 25, 130 members of the anti-riot squad of the National Police allegedly encircled two sugar mills and attacked workers, injuring four more people. Human rights defenders monitoring the situation, including 1998 Robert F. Kennedy Human Rights Laureate Berenice Celeyta from NOMADESC were reportedly verbally abused by military personnel and barred from monitoring several of the demonstrations

We are very disturbed by the unfounded public allegations made by officials of your government concerning the sugarcane cutters, their supporters, and human rights defenders monitoring the situation. In particular we are worried that officials have publicly linked human rights defenders supporting the sugarcane workers to insurgent groups. We understand that two of Senator Lopez Maya's aides remain under house arrest for their efforts in supporting the workers. We are troubled that behind these legal claims made against the Senator and his staff is an effort to criminalize social protest and silence their legitimate work in favor of bettering labor rights.

Colombia remains dangerous for human rights defenders, labor activists, Afro-Colombian, indigenous or religious leaders. We believe that the Colombian government needs to be more proactive and publicly assert its support for human rights defenders in order to send a strong preventative message against the current violence and threats faced by these sectors of civil society. The recent wave of assassinations is particularly problematic. On October 14, alleged paramilitaries murdered Walberto Hoyos Rivas, a community leader from the Afro-Colombian collective territory of Curvaradó, who formed part of your government's protection program. Three prominent Afro-Colombian leaders were killed in recent months in Tumaco and Buenaventura. According to CAOI, nineteen indigenous civilians were killed in the first fifteen days of October<sup>i</sup>. In September at least two human rights defenders were assassinated, including Olga Marina Vergara, from the *Ruta Pacífica de Mujeres* in Antioquia. In the shanty town of Villa Esperanza in Floridablanca (Santander), paramilitaries reportedly killed six people between May and August. In addition to an alarmingly high number of threats against human rights defenders this year, we find it very troubling that defenders' family members are increasingly becoming the targets of threats and attacks.

While members of your government indicate that paramilitary groups no longer exist, reports from the ground contradict these assertions. Paramilitaries continue to expand their operations throughout the country, exerting their growing power and influence. They are implicated in numerous recent killings and threats against human rights defenders and community leaders. Human rights experts from the international community and within Colombia's institutions find that the paramilitary phenomenon continues. The UN explains that the harassment and threats made by the so-called "Black Eagles" indicate that the demobilization process has not achieved the effective dismantling of illegal armed structures. The OAS monitoring mission recently expressed its concern for the "*incipient presence of remnant non-demobilized and rearmed groups in areas such as Cordoba and Urabá.*" According to the Municipal Ombudsman of Medellín paramilitarism has not disappeared in Medellín, a city often presented as a model of successful security policy. According to this office, in 2007, 66% of the 1000 intra-urban displaced persons in the city report that they were displaced by the paramilitaries<sup>ii</sup>. Demobilized paramilitaries are exerting control over the candidates to the Communal Action Boards and there are allegations that members of the police collaborate with these groups<sup>iii</sup>. Fighting between these groups caused a 16 percent increase in murders in Medellín during the first six months of 2008, compared to the same period in 2007.

A case concerning paramilitaries that we are particularly concerned with is the reported remobilization of over 100 armed men, bearing AUC armbands and assault weapons in the area around the Peace Community of San José de Apartadó. Locals also alleged that there exists a paramilitary base in Nueva Antioquia in close proximity to Army and police checkpoints. Reports from ground indicate that on October 30 paramilitaries threatened to kill 6 members of the Community of Peace San José de Apartadó and to commit another massacre in the area if members this community did not leave the area. Other examples of recent paramilitary activity that have come to our attention include the distribution of pamphlets in the past two months threatening community leaders and establishing their power in municipalities like Turbo, El Tres, Currulao, and Apartadó (Antioquia), Montería and Tierralta (Córdoba), Ibagué and Espinal (Tolima), and Quinchía (Risaralda). A paramilitary group which refers to itself as the “Gaitanista Self-Defense Forces of Colombia” imposed a shutdown of commercial activities on October 15th in several municipalities in Urabá. This same group has also been threatening civil society organizations in Nariño. Also very troubling is the recent paramilitary take over of five neighborhoods in Buenaventura. We are troubled by the lack of investigation into these cases and the March 6th threats made by alleged paramilitary against numerous civil society organizations and leaders.

Reports from the ground also indicate that the humanitarian crisis is worsening. CODHES reports that 9,000 people were forced to flee from the department of Córdoba in the first six months of 2008, mainly due to violence associated with re-organized paramilitary groups. The national Ombudsman’s Office warned that there has been an increase in paramilitary violence in Cúcuta and neighboring municipalities in Norte de Santander.

We believe that the current human rights crisis in Colombia requires immediate attention. We recommend that the Colombian government:

- 1) Ensure that authorities conduct a thorough and vigorous investigation that brings the perpetrators to justice for the March 6<sup>th</sup> threats, the assassinations of Walberto Hoyos Rivas, Olga Marina Vergara and Armenio Cortes of the Afro-Community Council of Alto Mira and Frontera (Nariño) and investigate the paramilitary remobilization in the Peace Communities of San José de Apartadó.
- 2) Call on the public security forces to refrain from using excessive force against protesting indigenous and sugarcane workers and to leave the María Indigenous Reserve.
- 3) Urge high level Colombian officials to make strong statements of support for human rights defenders in order to send a strong preventive message against the current violence and threats faced by these sectors of civil society.
- 4) Allow and encourage the Attorney General’s Office to investigate the security forces’ actions towards the sugarcane workers and the Indigenous protesters in Cauca and Valle de Cauca. With regard to the indigenous protest, we ask that Colombian authorities investigate the following: the murder of Taurino Ramos on October 15<sup>th</sup>, allegations of pillaging and robbing of 5 shelters within La María, the allegations of injuries caused to

122 indigenous persons due to misuse of gas cylinders and firearms against indigenous protestors in La María and the murder of Elber Idito and Jesus Antonio Nene on October 21.

We look forward to receiving a response to these very important matters.

Sincerely,

Kelly Nicholls  
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U.S. Office on Colombia

Gimena Sanchez  
Senior Associate  
Washington Office on Latin America

Marselha Gonçalves Margerin  
Advocacy Director  
Robert F. Kennedy Memorial Center for Human Rights

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i COORDINADORA ANDINA DE ORGANIZACIONES INDÍGENAS – CAOI  
ii Informe de la Personería de Medellín sobre situación de derechos humanos, 2007, p60.  
iii Ibid, page 43 and 174