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U.S. Office on Colombia
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June 15, 2007

Jonathan D. Farrar
Principal Deputy Assistant Secretary
Bureau of Democracy, Human Rights and Labor
U.S. Department of State
2201 C Street NW
Washington, DC 20520

Dear Mr. Farrar,

On June 11, WOLA and USOC met with Dr. Carlos Franco, the Director of the Presidential Program on Human Rights of Colombia. At that time we raised the following cases of concern, all of which have occurred in May and June of this year in Colombia (more information on each of these can be found in the attached letter):

- May 7: Break-in at home of Black Communities Process (PCN) founder
- May 17: Harassment of members of Jiguamiandó and Curvaradó communities of returned IDPs by palm companies operating on illegally appropriated lands
- May 23: Extrajudicial execution and violations against indigenous peoples in Alto Comboy
- May 24: Police brutality against IDPs in Barrancabermeja
- May 25: Death threat received by members of the Corporación Jurídica Libertad (CJL) located in Medellín
- May 26: One dead and two missing due to police repression of an indigenous protest in Chocó
- May 29: Attack on Afro-Colombian leaders in Guapi, Cauca, by members of the local municipal government
- May: Death threats received by indigenous leaders in Riosucio, Caldas department, from suspected paramilitaries
- May: False legal charges brought against human rights defenders, including Ivan Cepeda
- June 2: Break-in at the Fellowship of Reconciliation (FOR) office in Bogotá
- June 7: Anti-riot police arrive with automatic weapons to respond to a peaceful gathering in Suárez
- June 9: Urgent action issued by human rights ombudsman to protect Afro-Colombian communities in Bogotá surrounds from illegal armed groups
- May/June: Increased threats against political figures in eight departments due to upcoming elections undermine the democratic process

Since the date of this letter, we are also worried to learn of the June 14th break-in and theft of two computers at the office of JustaPaz (Christian Center for Justice, Peace and Non-Violent Action) in Bogotá. These computers contained highly sensitive information on human rights cases, their victims, and documentation of the cases. Other objects of value were not removed from the office, leaving the clear impression that this crime was politically motivated due to the human rights work carried out by JustaPaz.

At this time, we wish to share this information with you in order to respectfully request your close and continued attention to these and other cases of concern in order to protect the lives of those who peacefully work for the defense of human and civil rights in Colombia. We believe these cases highlight an ongoing and increasing trend of intolerance for dialogue around human rights issues in Colombia. Threats and attacks against human rights defenders, violent police responses to peaceful public protests, and other forms of intimidation against those who seek justice and advocate for the rights of victims of violence in Colombia is unacceptable.

We also request that the Colombian government's progress in investigating and prosecuting those responsible for these cases be evaluated by the Department of State when considering certification of Colombia for compliance with all necessary conditions for receipt of U.S. foreign aid under the Foreign Operations, Export Financing, and Related Programs Appropriations Act.

Sincerely,

Heather Hanson
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June 11, 2007

Dr. Carlos Franco Echavarría
Director Programa Presidencial de Derechos Humanos
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Bogotá, Colombia

Dear Dr. Franco,

Over the past several weeks, the Washington Office on Latin America (WOLA) and the U.S. Office on Colombia (USOC) have received news of a number of threats and of violence being carried out against human rights organizations, individuals, civil society groups and ethnic minority communities that peacefully work for the defense of human rights, civil rights, and justice for victims of violence in Colombia. The rate of occurrence of these attacks and violent responses to peaceful civil protest within the past several weeks indicates a growing intolerance for dialogue around human rights issues in Colombia. We are very concerned that the human rights situation is getting dramatically worse.

At our meeting today, we would like to bring the following cases to your attention:

Break-in at U.S. organization Fellowship of Reconciliation (FOR) office in Bogotá: A June 2, 2007 break-in and the resulting theft of two computers containing confidential files about human rights cases from the Fellowship of Reconciliation (FOR) office in Bogotá appears to be politically motivated. The FOR Colombia program provides unarmed accompaniment for human rights organizations and peace communities in Colombia under threat from armed actors, and recently has worked to compile information on delicate issues such as the rearmament of paramilitary groups and paramilitary collaboration with Colombian military forces. Unidentified individuals were seen watching the house several times in the week leading up to the break-in, which has yet to be thoroughly investigated. It is particularly disturbing that this incident took place after a round of visits to foreign Embassies in Bogotá by members of the San Jose de Apartadó peace community, a community that FoR accompanies.

Attack on Afro-Colombian leaders in Guapi, Cauca: On May 29th, 2007, Afro-Colombian community leaders were physically assaulted in the city of Guapi in Cauca Department, after participating in a meeting with a delegation of members of institutions of the Colombian government including Acción Social. At this meeting, the leaders had expressed their grave concerns about the lack of protection of Afro-Colombian human and territorial rights by local government officials. They have identified their attackers as local politicians and others with connections to the municipal government. The leaders expressed their communities' concerns to the institutions of the government. It is problematic that they would be attacked in this manner for doing their jobs.

Threats against human rights defenders: On May 25, the Corporación Jurídica Libertad (CJL), an organization which provides legal counsel to victims of violence by illegal armed groups as well as victims of state crimes and political persecution, received a death threat in the form of a letter at their office in Medellín. All of CJL's lawyers were threatened with death after recently publishing a report on 110 cases of extrajudicial executions by the Colombian armed forces in Antioquia. This is the latest in a series of threats against CJL; yet rather than responding with proper protection mechanisms for its members, Colombian government officials have made repeated public statements that undermine their work.

Threats against indigenous leaders: In May 2007, Dario Edgardo Tapasco, indigenous leader and mayor of Riosucio; Hector Jaime Vinasco, indigenous leader and governor of the Canamono reservation in Riosucio; and other **indigenous local councilors in the Riosucio municipality of Caldas Department received threats of death or kidnapping from people believed to be involved with paramilitary groups.** The government has not yet fully investigated the threats. We find it disturbing that such threats continue to take place after the demobilization of the paramilitaries.

False prosecutions of human rights defenders: Ivan Cepeda, director of the National Movement for Victims of State Crimes, organized a public forum for victims of violence in the city of San Onofre, Sucre department, in November 2006, where victims presented evidence that Jorge Blanco, the mayor of San Onofre, was connected to paramilitary groups and threatening to kill political opponents. Cepeda has since called for the resignation of the mayor. **While the accusations against Mayor Blanco have not been investigated, authorities have brought charges against Dr. Cepeda for slander and libel.** On May 3, 2007, the prosecutor in charge of the case tried to raid a Senate human rights commission to obtain confidential information for use in its investigation against Dr. Cepeda. Just last week Dr. Cepeda was awarded the prestigious Baldwin Prize due to his courageous work on behalf of human rights in Colombia.

Another recent example of a false prosecution involves Principe Gabriel Gonzalez, the Santander Regional Coordinator for the Political Prisoners Solidarity Committee. Mr. Gabriel Gonzalez was released from prison on March 30, 2007 after 15 months of unjustified detention. Judge Jose Alberto Pabon Ordonez of the 8th Criminal Circuit found that the rebellion charges against Mr. Gonzalez were baseless and relied on witness evidence and government reports that lacked impartiality and credibility. **The judgment indicates there was insufficient evidence to support the charges and demonstrates that the Prosecutor should never have initiated the charges against Mr. Gonzalez.** The proceedings against Mr. Gonzalez stigmatized him as being a rebel guerrilla and put him at high risk of reprisal attacks from paramilitary forces. Despite this high risk, it took the Interior Ministry over two months to provide Mr. Gonzalez with protective measures. His detention is emblematic of many other cases where human rights defenders are subject to baseless charges which appear motivated to discredit and deter them from performing their work. We find the false prosecution of human rights defenders to be an attack against the legitimate work of human rights organizations.

Continued harassment of community members by persons linked to oil palm companies in Jiguamiandó and Curvaradó: Land under legal title to members of the Jiguamiandó and Curvaradó communities of returned internally displaced persons continue to be occupied by the oil palm companies operating in these regions. On May 17, 2007, oil palm company employees began to use an area of the land legally owned by Mr. Enrique Petro as the route across which to transport oil palm fruits extracted from their plantations. On numerous occasions in the past, Mr. Petro, his family, and other members of the community have received death threats through members of the private security forces employed by the oil palm companies – many of them recognized as former paramilitaries – due to their continued presence on their legally titled lands and refusal to allow their lands to be planted with oil palm plantations. We think it is unacceptable that given the international outrage on this situation and statements by Colombian government officials that this situation is being resolved taking account the rights of these communities that this type of harassment and coercion continues to take place.

Break-in at home of Founder of Black Communities Process (PCN): Mr. Carlos Rosero and Ms. Elizabeth García are both members of the Black Communities Process (PCN) in Colombia. **On May 7th, 2007, their Bogotá home was broken into, their belongings searched and tampered with, and sensitive information regarding ongoing human rights cases may have been copied from their home computer.** This could put victims of and witnesses to human rights crimes at great personal risk. Ms. García, Mr. Rosero, and other PCN members have suffered attacks, intimidation, and threats in the past; there have been no arrests in connection with any of these incidents, and prosecutors have yet to investigate the break-in that occurred more than a month ago. It is particularly worrisome the members of a group that has protective measures from the OAS should be in such a situation.

One dead and two missing due to police repression of indigenous protest: A 6 month old baby was killed, 4 women suffered miscarriages, and 2 young girls ages 6 and 8 are missing as a result of the ESMAD's (Colombian anti-riot police) violent disruption of a civil protest of indigenous Embera Katío communities in the western Department of Chocó that began on May 26, 2007. Around 900 indigenous people set up road blocks to demand compliance with agreements they had made with the government related to bettering their living conditions, healthcare, and education in the region. The ESMAD responded by using disproportionate force against demonstrators. According to reports our organizations have received there are two young girls missing and who are believed dead after being pushed into a river. We are concerned about the ESMAD's treatment of civilians engaged in non-violent protests.

Violations against indigenous peoples in Alto Comboy: On May 23rd, Members of the National Army detained Miguel Moran Acosta and Marcelino Becerra in the Alto Comboy indigenous reservation, municipality of San Miguel-La Dorada. Miguel Moran's feet and hands were tied and he was taken by members of the military to a nearby mountain. The next day, members of the military presented Miguel Moran Acosta's body in la Hormiga (municipality of Valle de Guamuez, Putumayo) as the cadaver of a guerrilla killed in combat. Marcelino Becerra remains missing. The army also detained, without charges, 30 indigenous people from the Alto Comboy community, among them was the reservation's governor, Elen Ortiz Pasascal and his family. The Army

has impeded the free movement of those residing in this sector. As a result, 32 families (127 people) fled to La Hormiga, among which there are 25 are children younger than five years old, five elders and various pregnant women. These internally displaced people are staying in the San Francisco School building in precarious sanitary conditions and without adequate food supplies.

Police brutality against internally displaced persons in Barrancabermeja protest: On May 24, three people were hospitalized, including a three-month-old girl, when police violently broke up a peaceful protest organized by the Barrancabermeja Association of Displaced Persons (Asodesamuba) to bring attention to the unresolved needs of the internally displaced. Protesters sat down and sang the national anthem when police arrived, but nevertheless police fired percussion grenades and teargas into the crowd and began beating people. Members of Asodesamuba, including the President, María Socorro Abril, say they have suffered unjust political persecution and fear for their safety after they filed a complaint against the mayor of the city in 2005 for corruption and alleged collaboration with paramilitaries.

Human rights Ombudsman's issuance of urgent action in the surrounds of Bogotá: Recently the Human Rights ombudsman released a report calling on the national government and the Mayor of Bogotá to take urgent steps to protect and assist civilians, including many internally displaced persons, who reside in Altos de Cazucá, Ciudad Bolívar and surrounds. According to *El Espectador*, the alert emphasizes the need to protect Afro-Colombians residing in various neighborhoods. The report recommends that special protection measures are designed by the Ministry of the Interior and Justice to protect community leaders targeted by the illegal armed groups who are vying for control of the 252 neighborhoods of Ciudad Bolívar. It is of great concern that *El Espectador* reports that in addition to FARC militias and criminal groups, **there are eight paramilitary groups operating in this area: Bloque Central Santander, Bloque Centauros, Bloque Cacique Nutibara, Bloque Central Bolívar, Autodefensas Campesinas Nueva Generación, Bloque Capital, Los Urabeños and the Black Eagles.**

ESMAD arrives with automatic weapons in Suárez: On June 7, 2007, approximately 120 members of the ESMAD, Colombia's anti-riot police, arrived with tanks and machine guns to the municipality of Suárez, in Cauca department. Afro-Colombian, indigenous, and peasant communities of the Suárez municipality had called an open assembly for June 6 and 7 to discuss issues of concern for their respective communities with local government officials. It is of great concern that the ESMAD anti-riot police have arrived with weapons meant to inflict deadly force rather than tools with which to quell crowds, especially given recent events in which the ESMAD has used disproportionate and deadly force during peaceful public protests.

With regard to Suárez municipality it is worth noting that there also exists a continual threat against community leaders. Since June 2006, Afro-Colombian leaders, including Lissifrey Ararat, Edward Mina, Erley Ibarra, Edward Villegas, Jairo Charra, Arley Ortiz and Cristóbal Lucumí (the Fiscal of the Junta de Acción Comunal de la vereda Colombo) have been subjected to persecution and intimidation in the veredas of Toma and Colombo. These are persons who have peacefully resisted the implementation of economic projects by the

Electric Company of the Pacific (EPSA-Union Fenosa), the multinational company Sociedad Kedahda S.A. (Anglo Gold Ashanti) that the local communities find to be highly problematic. The most recent threat against these activists took place on May 16, 2007 when men tore down Mr. Lucumi's door and left graffiti stating that "he was lucky that they did not find him."

Increased threats against political figures in eight departments due to the October elections: On June 9, 2007 *El Tiempo* reported that a rise in attacks and threats against political candidates and politicians in the Departments of Antioquia, Valle, Meta, Caquetá, Cesar, Caldas, Risaralda and Sucre. We are concerned about the number and gravity of this situation and how such activity seriously undermines the democratic process including the forthcoming elections in the country.

We thank you for the opportunity to discuss these cases with you in person and respectfully ask that you take immediate action on all of the cases listed above. We think it is unacceptable that such a high number of incidents continue to take place in Colombia and that a U.S. organization has had their office broken into. We recommend that the Colombian government do its utmost to protect the lives of civilians, human rights defenders, IDP leaders and ethnic minority leaders and communities mentioned in this letter. Also that you ensure that all of these cases are thoroughly investigated and that the perpetrators are brought to justice. We look forward to hearing from you on the steps taken by the Colombian government to attend to these situations and to break the cycle of violence and intimidation against human rights defenders and peace activists in Colombia.

Sincerely,

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