

March 1, 2021

President Joseph Biden
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear President Biden,

As you move to establish a principled foreign policy, we urge you to pay attention to preserving and strengthening peace in Colombia and protecting the nation's endangered human rights defenders.

The historic 2016 peace accords, a major legacy of the Obama-Biden Administration due to its groundbreaking support for negotiations, are at risk due to weak implementation. As of January 2021, 252 FARC ex-combatants have been killed since laying down their arms. Moreover, Colombia remains the most dangerous country on earth to be a human rights defender, according to Frontline Defenders' Global Analysis 2020. Colombia's community leaders are in danger precisely because they are building peace on the ground—while the government has failed to meet its promises by protecting communities, dismantling paramilitary networks, and bringing civilian state presence into former conflict zones.

We urge you to restore peace and protection of human rights as the principal goals of U.S. policy in Colombia. This would start with whole-of-government messaging focused on the following priorities: urging the Colombian government to fully implement the accords; encouraging a humanitarian accord with the ELN, as well as encouraging negotiations on a peace agreement should circumstances permit; through the U.S. role in the UN Security Council, promoting consolidation of peace in Colombia; and continuing to provide substantial U.S. assistance for implementation. We are pleased to see early statements and social media from your administration along these lines, and we recognize that the U.S. Embassy never neglected to emphasize the importance of accord implementation and protection of social leaders. Top-line public messaging regarding the U.S.-Colombia partnership should be careful not to overshadow acknowledgment that major obstacles remain to peace accord implementation, military reform, and protection of human rights defenders. Appointment of a new special envoy for peace for Colombia would help to put this vision prioritizing the consolidation of peace into practice.

A welcome and overdue signal of U.S. support for peace would be to remove the demobilized FARC (its political party, now called "Partido Comunes") from the terrorist list. The majority of demobilized combatants have remained faithful to their commitments to abandon arms and reintegrate into civilian life. Removing the ex-FARC party and its members, who have renounced violence, would send an important signal of support for the accords and would make it easier for the United States to provide support for reintegration, crop substitution, reconciliation and other programs for or involving ex-combatants.

The United States should continue assistance to the Truth Commission and the Unit to Search for the Disappeared **and should begin assistance for the Special Jurisdiction for Peace,** which is advancing to bring significant accountability to emblematic and collective cases of crimes against humanity. USAID's excellent

human rights program and direct funding for Afro-Colombian and indigenous communities and organizations must continue. We urge you to direct the National Security Council to issue an **interagency executive order for declassification** of U.S. documents on the conflict for the Truth Commission, as was ordered for such commissions in Guatemala, El Salvador, Argentina, and Brazil. This must be initiated quickly given the commission's short timeframe.

Given the disproportionate negative impact of renewed violence and displacement on Afro-Colombian and indigenous communities' territories as well as the urban areas that ethnic minorities inhabit, the United States **must make the implementation of the 2016 peace accord's ethnic chapter a priority, strengthen and renew the U.S.-Colombia Racial Action Plan with a human rights focus, and promote humanitarian dialogues and agreements that protect civilian populations.** Such humanitarian agreements help protect civilians from being caught in the crossfire in combat operations and being forcibly recruited and protect social leaders and women from gender-based violence. Your administration should advance the implementation of civic accords reached between the Colombian government and the Buenaventura and Chocó Civic Strike Committees and indigenous and Afro-Colombian authorities. At the same time, to protect ethnic minorities from abuses linked to drug trafficking, the U.S. government should insist upon the dismantlement of paramilitary and guerrilla successor organizations and cutting links and corruption that exists between illegal armed groups, organized crime, and members of the public forces. Members of the public forces who do not carry out their duty to protect ethnic populations should be sanctioned. The U.S. government should work with Colombia to address the structural racism that leads to the impoverishment of ethnic minorities and their status as second-class citizens.

The U.S. should renew its visible support for advancing the women, gender, and LGBT+ provisions in the peace accords. The U.S. government should work with Colombian counterparts to help them reduce femicides and gender-based violence and guarantee justice for victims in both the transitional and regular justice systems. The U.S. Embassy and USAID should make sure that human rights and development actions and programs are implemented with a differentiated approach for women, gender, and LGBT rights. The U.S. government should become once again a voice that stands up to hatred and bullying of LGBT populations and urges justice when crimes are committed against them.

The U.S. government should insist that Colombia fulfill the peace accords' principle of "democratization of appropriate use of and access to land," not only to address the problem of illicit crops but to eliminate the structural causes of the conflict and the violence still perpetuated in rural areas. The comprehensive approach required to ensure that rural reforms achieve the structural transformation needed to attain lasting peace, as set out in the accords, is absent in practice. **We urge your administration to press for full and timely compliance with the accords' rural reforms, with attention to accelerating provision of property titles for campesinos, women in particular,** and directing technical assistance to those populations. At the same time, Colombian government initiatives to permit land intended for landless farmers to be distributed to agroindustry instead should be discouraged, as this contravenes the spirit of the peace accords and can increase rural conflict.

Support for human rights should feature **an intensive focus on preventing violence against human rights defenders and community leaders**. We ask the U.S. Embassy to convene regular consultations by embassy staff with human rights defenders to develop effective strategies towards this persistent problem. **To advance in addressing this targeted violence against human rights defenders, the United States should urge the Colombian government to dismantle the paramilitary successor networks which fuel violence against them.** This includes setting a deadline for the National Commission of Security Guarantees set up by the peace accords to develop and implement a plan to dismantle these illegal groups and protect communities, human rights defenders, and demobilized combatants, using the extensive input already provided by human rights defenders and other civil society leaders during the four-year delay in implementing this crucial peace accord commitment. The government should also be urged to fully implement the 660 Decree to protect communities. It should ensure that the Attorney General makes measurable advances in investigating and prosecuting not just material but intellectual authors of the threats and attacks against human rights defenders and effectively investigates and prosecutes paramilitary successor and organized crime groups. The Colombian government's efforts to downplay the enormous number of killings of human rights defenders and social leaders should be dismissed as a time-wasting distraction. The protection program for human rights defenders must be improved through better consultation with beneficiaries and attention to collective and gender-sensitive protection measures. Continued U.S. financial and diplomatic support for the Colombia office of the UN High Commissioner for Human Rights is essential to promote protection of human rights defenders and advance human rights in Colombia.

In April 2011, the U.S. and Colombian governments agreed to an "Action Plan Related to Labor Rights" (Labor Action Plan or LAP) that outlined specific steps to be taken by the Colombian government within a concrete timeline. The U.S. and Colombian officials asserted that improvements in labor rights would be achieved through the LAP, particularly around labor formalization, freedom of association, and the protection of the lives of trade unionists. They spoke of a new era of civility in labor relations, where trade union freedoms could be exercised without violence and without persecution, and where other basic labor rights, such as direct hiring under legal conditions, would be the norm for more than 22 million Colombian workers. Ten years after the signing of the LAP, however, it remains inadequately implemented and has not strengthened or improved working conditions in Colombia as outlined or intended by the plan. In contrast, the situation for Colombian workers and trade unionists continues to deteriorate as the Colombian government has enacted regressive policies that actively undermine the LAP's implementation, and through a lack of political will it has failed to promote the necessary transformations for labor rights improvement. **In coordination and dialogue with the U.S. and Colombian labor movements, the U.S. government should put new emphasis on addressing the failure of the Colombian government to uphold its commitments outlined in the LAP and ensure that the plan is effectively complied with and implemented.**

The U.S. government, which provides Colombia's security forces with about a quarter billion dollars of assistance each year, should also press for **serious and lasting reforms of Colombia's military and intelligence services**. We urge you to use all mechanisms available to accomplish this, including withholding assistance per conditions in the State and Foreign Operations Appropriations Act to press the Colombian government to hold accountable high-level officials implicated in more than 6,000 extrajudicial executions, largely of young men killed and presented as enemy dead, and the persistent illegal surveillance of opposition figures, human rights

groups, journalists, and judges, which endangers Colombia's democracy. The Attorney General's office should continue to investigate high-level officials implicated in extrajudicial executions, as progress on these cases in the civilian justice system will help put pressure on military officials to cooperate with the Special Jurisdiction for Peace. **More than four years after the peace accords were signed, the U.S. military assistance package should be scaled down and support for civilian peacebuilding scaled up.**

We urge you to take advantage of the opportunity provided by the peace accords to help Colombia carry out a more sustainable solution to drug trafficking and production. U.S. support should adhere to the letter and spirit of the accords' drug policy chapter, which focuses on working collaboratively with farmers, using community buy-in to voluntarily eradicate and replace coca sustainably. This also means supporting the accords' rural reform chapter, which calls for a significant increase in civilian state presence in ungoverned territories, manifested in land formalization, farm-to-market roads, and other services. **We urge the United States not to restart the aerial spraying program, which will be seen as undermining the accords and will drive farmers and communities away from cooperating.** Instead, work with farming communities to voluntarily eradicate; support Colombian efforts to increase civilian state presence; and urge the Colombian government to dismantle the paramilitary and organized crime networks involved in drug trafficking and violence, which requires investigating and punishing official collusion with those networks.

The United States should value and increase support for Colombia's generous efforts to provide safe haven and humanitarian assistance for Venezuelan migrants and refugees. However, assistance should take into account and support local displaced and poor persons so as to mitigate tensions that may arise between migrants and refugees and local communities.

Finally, we urge you **to establish a climate change strategy for Colombia in consultation with civil society groups in the country,** particularly environmental, indigenous, campesino, and Afro-descendant organizations. This should include ensuring that U.S. investments, including through the Development Finance Corporation, bilateral aid, and multilateral loans, support climate-resilient strategies, consult with and respect the rights of local communities, and respect human rights. The intersection of investment and human rights violations in Colombia's conflict makes this a challenge that has to be navigated carefully. **And a climate strategy in Colombia must have as a central tenet helping to protect the nation's endangered environmental activists.**

Thank you for taking our perspectives into consideration and for working to strengthen the Obama-Biden Administration's important legacy of contributing to peace in Colombia.

Sincerely,

AFL-CIO

Amazon Watch

Center for Justice and International Law (CEJIL)

Chicago Religious Leadership Network on Latin America

Colombia Human Rights Committee

Earthrights International
Evangelical Lutheran Church in America
FOR Peace Presence
Global Exchange
International Institute on Race, Equality and Human Rights
Latin America Working Group (LAWG)
Mennonite Central Committee U.S. Washington Office
National Security Archive
Oxfam America
Pax Christi USA
Presbyterian Church (USA), Office of Public Witness
Presbyterian Peace Fellowship
The United Methodist Church - General Board of Church and Society
United Church of Christ, Justice and Witness Ministries
Washington Office on Latin America (WOLA)
Witness for Peace Solidarity Collective
Witness for Peace Southeast