

# Colombia

Quarterly Newsletter  
Peace Brigades International Colombia

Nº 9 November 2008

**TRUJILLO:**

**Reconstructing the  
memory of violence**

**Commemoration  
for the disappeared  
in Bogotá**

**GUAMOCÓ**

**Rich in gold, poor in  
defending human rights**

**The impact of impunity**

# IMPRINTS & RESISTANCE

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**The importance of justice, truth and memory**

Impunity continues to be the norm in most cases of human rights abuses in Colombia, according to various national and international organisations. In its latest report, Amnesty International emphasises that impunity lies at the heart of the Colombian conflict and highlights the fact that the civil population has been most affected by the fighting between the army, paramilitary and guerrilla groups. In order to illustrate how impunity affects Colombian victims, PBI gives various NGOs dedicated to psychosocial work within the country, the opportunity to tell their side of the story. One of the elements they stress is that there have been attempts to create a massive “forgetfulness” within society, thus suppressing the truth related to the crimes committed during more than 40 years of internal conflict.

The importance of justice and memory is highlighted in the article about the 20 year anniversary of the Trujillo (Valle del Cauca) massacre, in which, according to the victims, 342 people were assassinated, tortured or disappeared. In spite of the fact that the state has admitted responsibility for these crimes, the families of Trujillo are still fighting for justice and respect for the memory of their loved ones. The minimal importance given to the recent history of this region is demonstrated by the attacks on the park, built in memory of the victims of Trujillo, which has been attacked four times in the course of this year.

The articles published in this newsletter also highlight the contrast between the economic exploitation of natural resources in some regions and the survival of species and indigenous peoples. The organisations accompanied by PBI across the country describe how the extraction of gold in Guamocó and coal in the Guajira and the single-crop “arracacho” vegetable plantations in the Cacarica river basin have resulted in or could cause human rights violations and irreparable environmental damage.

This newsletter also reports on intimidation suffered by human rights defenders who continue to receive death threats via pamphlets sent by new illegal armed groups. It is worth mentioning the attack on Jesús Emilio Tuberquia, legal representative of the San José de Apartadó Peace Community in the full light of day in the centre of Apartadó, a few weeks after the paralysation of the region by the self-named ‘Gaitanistan Self-Defence Forces of Colombia (Autodefensas Gaitanistas de Colombia).

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HRW: Analysis of the demobilisation process

# ¿Breaking the grip?

In its latest report<sup>1</sup>, Human Rights Watch (HRW) analyses the paramilitary demobilisation process. It begins with a reminder of the alliances between the paramilitary groups and the «powerful political, military and economic elites» and the devastating role they have played in Colombia, as well as the fact that they «have profited immensely from drug trafficking, land takings, and a host of other criminal activities» achieved on the pretext of the fight «against left wing guerrillas».

Furthermore, the report raises the question of the initial gaps in the 975 'Law, known as the 'Justice and Peace Law', approved by the Colombian Congress. In spite of the improvements made as a result of the ruling of the Constitutional Court, HRW regrets the attempts by the Uribe administration to «water down some aspects of the Court ruling via executive decrees». Recalling that the process began to show significant results from the middle of 2008, the report emphasises

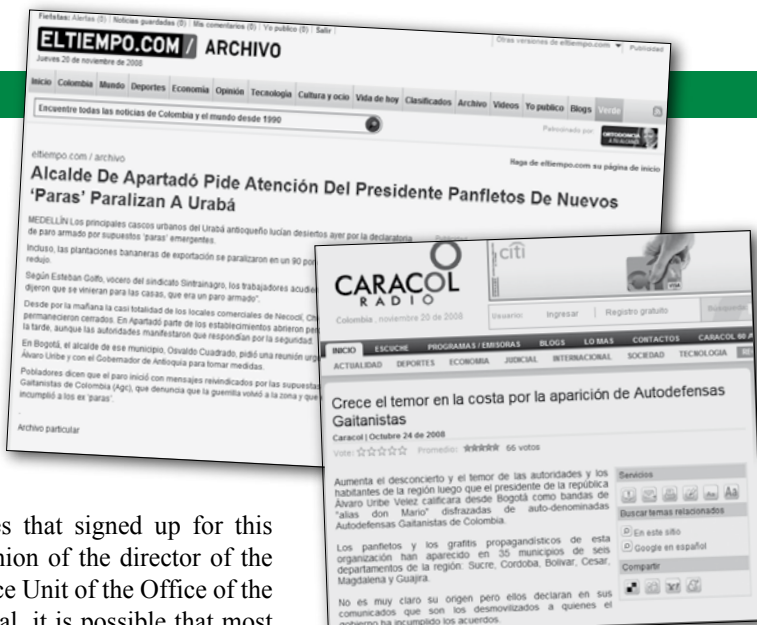
both the difficulties and inconsistencies related to the lists of paramilitaries that signed up for this law. In the opinion of the director of the Justice and Peace Unit of the Office of the Attorney General, it is possible that most of them will withdraw, leaving only 1200, maybe fewer, paramilitaries in the Justice and Peace process.

The report also suggests that there are still many question marks over several cases of reports made by the Justice and Peace Unit against officials in the Colombian army for their paramilitary connections. Surprise is shown about the decision of the Colombian government to extradite paramilitary leaders only when they began their spontaneous declarations and that the government had not done so previously, when there were indications that these paramilitaries were continuing to participate in illegal activities. Today,

Several articles highlight the presence of new armed groups - a fact that gained credibility after flyers were distributed in different parts of the country

«the impact of the extraditions on accountability and the ongoing investigations in Colombia remains far from clear, and will depend largely on how the US Department of Justice handles the cases». With regard to parapolitics, HRW expresses surprise at the government's response, which threatens to: «undermine the investigations and let politicians linked to paramilitaries off the hook. •

<sup>1</sup> "Breaking the Grip? Obstacles to Justice for Paramilitary War in Colombia", Human Rights Watch, New York, October 2008



## Conclusions of the visit of an Amnesty International delegation

# Civil population, victim of the armed conflict

This report<sup>1</sup>, that was produced as a result of the visit of delegates from Amnesty International, stresses that in «Colombia's internal armed conflict (that) has pitted the security forces and paramilitaries against guerrilla groups (...) civilians (have been) by far the principal victims» and that «these crimes bear witness to the disregard shown by all parties to the conflict for international human rights and humanitarian law». The report criticises the Colombian government's refusal to accept that there is an internal

armed conflict and stresses

that «the work of human rights defenders and social activists has been undermined and they themselves have been put at increased risk of attack by repeated accusations and verbal attacks by the most senior government and state officials, as well as senior military officers». For Amnesty International, it is clear that «all the warring parties have failed to avoid drawing the civilian population into the hostilities».

Bearing in mind that impunity is at the centre of the conflict, the report frequently criticises the current paramilitary demobilisation process, the legal framework and some of the actions of the Colombian government. In spite of the fact that «the government claims that paramilitaries are no longer active, and that any violence is attributable to criminal gangs involved in drugs trafficking (...) there is also strong evidence that many of these

so-called «former» paramilitaries continue to operate as «traditional» paramilitaries – often with new names such as the New Generation Organization (Organización Nueva Generación) and the Black Eagles (Águilas Negras).

These groups continue to use the threat of force and actual violence to further their economic and political objectives. Indeed, many paramilitary groups operate on two distinct yet inter-related levels; they pursue criminal activities linked to the drugs trade while at the same time supporting the security forces' counter-insurgency strategy». Furthermore, «the evidence suggests that the victims of such groups are the same human rights activists, trade unionists and community leaders targeted in the past by paramilitary groups». •

<sup>1</sup> "Leave us in Peace! Targeting Civilians in Colombia's Internal Armed Conflict", Amnesty International, London, October 28th 2008



Increase of attacks and intimidations

## Threats in different regions of the country

Organisations accompanied by PBI have received pamphlets and threats signed by new illegal groups in various regions of Colombia.

In Barrancabermeja, in July, a new pamphlet directed at the Grassroots Women's Organisation (OFP), Regional Corporation for the Defence of Human Rights (CREDHOS) and the Peasant



Jesús Emilio Tuberquia: recent security incident

Farmer's Association of the Cimitarra River Valley (ACVC) and other civil society organisations was distributed by hooded men on motorbikes

in various neighbourhoods of the town. This pamphlet, signed by 'Don Mario – Commander of the Castaño Heroes' declared «the guerrilla and the left-wing human rights civil society organisations (OFP, CREDHOS, PDP<sup>1</sup>) military objectives». <sup>2</sup> Whilst the Police insist that there are no illegal armed groups operating in the town<sup>3</sup>, the OFP asks how this can happen in a «totally militarised» town.<sup>4</sup>

Between September 2007 and January 2008, six members of the Board of Directors of the ACVC were arrested on charges of rebellion and although four of them were absolved and freed<sup>5</sup>, Andrés Gil and Miguel Huepa are still under arrest and a further 18 arrest warrants were issued for members of the ACVC.<sup>6</sup> In September, Gil and Huepa were moved to another prison, days before their hear-

ings began. During the transfer, according to a report made by the ACVC, some of the prisoners were beaten, the prison guards used tear gas and did not allow the political prisoners to take their belongings with them.<sup>7</sup> The legal persecution of the leaders of the ACVC has weakened the organisation and has forced them to deflect their attention away from their work in defence of the human rights of the small farmers in the Cimitarra valley to focus on their own defence.

In Bogotá, various members of the National Movement of Victims of State Crimes (MOVICE) were harassed and followed.<sup>8</sup> In addition to this, a particularly difficult situation was reported by the Association for Alternative Social Promotion (MINGA) after the news programme *CM&* published a report entitled *The government launches an initiative against the FARC* in which it mentions that MINGA is responsible for «helping members of the FARC and the ELN to emigrate to Canada». <sup>9</sup> According to reports from the organisations, the data shown comes from intelligence reports received by state security bodies that are disseminated through the media,<sup>10</sup> in spite of reiterated requests from the High Commissioner for Human Rights of the United Nations High to establish review mechanisms of such files by the Colombian authorities.

In August, members of the Inter-Church Justice and Peace Commission (CIJP) received threats and one of its members was the victim of a kidnap for around an hour. In October, the tense situation in Urabá culminated in the assassination of Ualberto Hoyos Rivas, a com-

munity leader accompanied by CIJP.<sup>11</sup> Hoyos and his brother, Miguel, were witnesses in the case of Orlando Valencia and were victims of an attempt on their lives in September 2007. Hoyos had just returned to the Bajo Atrato area after his recovery and had received protective measures from the Ministry of the Interior, but his bodyguards were not there when he was assassinated.<sup>12</sup> In addition, the transport services were paralysed during a strike on October 15th, sparked by the self-named Gaitanistan Self-Defence Forces of Colombia (Autodefensas Gaitanistas de Colombia) in various municipalities in Urabá, including Turbo, where PBI volunteers live.

Days before the strike, the San José de Apartadó Peace Community reported that «more than 100 paramilitaries arrived at the Unión hamlet». <sup>13</sup> Prior to this, on August 31st and September 2nd, there was fighting between the guerrilla and alleged paramilitaries close to the Esperanza hamlet.<sup>14</sup> On November 1st, in the full light of day in the centre of Apartadó, two armed aggressors pointed a gun at and threatened to kill Jesús Emilio Tuberquia, legal representative of the Peace Community. Tuberquia escaped unharmed, but, in the attempt, his bag was taken by his aggressors, containing documents and money belonging to the community. •

### Investigation into Operation Genesis

The retired general Rito Alejo del Río, who was the commander of the XVII Brigade in Urabá, has been imprisoned for presumed crimes against humanity and links with paramilitaries.<sup>1</sup> According to human rights organisations,<sup>2</sup> del Río directed Operation Genesis in the Bajo Atrato region, a military operation with alleged paramilitary collaboration that resulted in the deaths of various members of the civil population and massive displacement.<sup>3</sup> In September of this year, a media leak reported the contents

of a telephone conversation between Río and the ex-Minister of the Interior, Fernando Londoño Hoyos, where he explains his intention to harm CIJP.<sup>4</sup>

1 "Medida de aseguramiento contra general Rito Alejo del Río", Revista Semana, September 12th 2008.

2 Comunicado "Declaración Peregrinación Encuentro Internacional 9 años Operación Génesis", Encuentro Internacional de la Red de Alternativas a la Impunidad y a la Globalización Cacarica-Darién.

3 Comunicado "Sin Olvido 74 Operación Génesis 24 al 27 de febrero de 1997, tortura y asesinato de Marino López Vega", Comisión Intercesarial de Justicia y Paz, February 27th, 2007.

4 "Intercepción telefónica compromete a General (r) Rito Alejo del Río", Noticias Uno, November 5th, 2008

1 PDP is the incomplete abbreviation for The Magdalena Medio Peace and Development Programme (PDPMM)

2 Urgent action: The observatory for the protection of human rights defenders, July 23rd 2008

3 "81 nuevos policías patrullan la ciudad", Vanguardia Liberal, July 13th 2008

4 Voces de Mujeres: Ronda la amenaza y la muerte en los sectores populares de Barrancabermeja", OFP, July 22nd 2008.

5 Press release "Celebramos liberación de tres dirigentes. Rechazamos acusaciones contra Andrés Gil", Humanidad Vigente Corporación Jurídica, April 24th, 2008

6 Public statement "Persecución estatal contra la Asociación Campesina del Valle del río Cimitarra", Coordinación Colombia-Europa-Estados Unidos, December 27th 2007

7 "Andrés Gil, dirigente preso de la ACVC, fue trasladado a la cárcel de alta seguridad de Palo Gordo", ACVC, September 6th 2008

8 Continúan las amenazas contra miembros de FENSUAGRO-CUT", Movimiento Nacional de Víctimas de Crímenes de Estado, 14th August, 2008.

9 "Las ONG colombianas detienen interlocución con el gobierno por nuevas calumnias en su contra", Programa No Gubernamental de Protección a Defensores de Derechos Humanos, September 3rd, 2008.

10 ColomPBl a special on Curbaradó - October 2008

11 "Informe 93 Curbaradó – Asesinado Ualberto Hoyos – Paramilitares asesinaron a líder de Curbaradó", CIJP, October 14th, 2008.

12 ColomPBl a especial Curbaradó– October 2008

13 Comunicado "Los Paramilitares están en nuestras fincas", Comunidad de Paz de San José de Apartadó, September 30th, 2008.

14 Comunicado "Combates colocan en riesgo a nuestra comunidad", Comunidad de Paz de San José de Apartadó, September 3rd 2008.

Never forget

# Trujillo: reconstructing the memory of violence

It is not a coincidence that the Historical Memory Group decided to start its work with the Trujillo massacre; publishing its first report, entitled *Trujillo, a never ending tragedy*.<sup>1</sup> This group, directed by the historian, Gonzalo Sánchez, and set up by the National Commission for Reparation and Reconciliation has the job of reconstructing the memory of violence in Colombia. They show how certain crimes have become invisible, such as the extermination of the members of the Patriotic Union political party, the massacres of La Rochela and Bojayá or gender based violence. «There is a national lack of memory related to these events, which is what the victims have experienced».

Through this report, which sections we include in this article, the Historical Memory Group aims to tell these stories to readers who have not lived through these experiences.

According to the Memory Group, «to return to Trujillo is the first step in the mission to call upon citizen solidarity and to show the country that what happened in Trujillo belongs to the national past. Trujillo is, in more than one sense, Colombia (...). It is also imperative to go back to Trujillo because the memory of the victims continues to be violated, such as the four attacks on the park built in their memory. The latest attack that took place in January of this year was the violation of the grave of father Tiberio Fernández, a local community leader. His assassination on April 17th 1990 is considered to be a symbolic crime because of the role this priest played as a community spiritual leader and also because of the cruelty of such a crime.

The massacre of Trujillo does not refer to a single massacre, but to several acts of terror that took place between 1986 and 1994 in the municipalities of Trujillo, Bolívar and Riofrío, in the north east of the Valle del Cauca

department. According to family members and humanitarian organisations, 342 homicide, torture and forced disappearance victims were registered. The ‘José Alvear Restrepo’ Lawyer’s Collective, accompanied by PBI, represents various family members of the victims of these crimes against humanity.

According to the report, the Army and the Police were allegedly involved «in 34.7% of the crimes against victims of the Trujillo massacre (1986-1994) whose cases have been clarified». Whilst the action of the Army followed «principally an alleged contra insurgency campaign», the Police also carried out «social cleansing» operations and «elimination of witnesses». These massacres, that took place during the 1990’s, followed the broader strategies of territorial control by those responsible for carrying them out, such as Diego Montoya, alias ‘Don Diego’ and Henry Loaiza, alias ‘the Scorpion’ and local and regional members of the Armed Forces, as established by the Investigation Commission for Violent Acts in Trujillo (CISVT) in 1995.

## The State, in debt to the victims

«I accept, as President of Colombia and in defence of International Humanitarian Law, the responsibility for the serious violations committed by public servants in the course of these events», with these very words, the then President, Ernesto Samper, accepted the responsibility of the State for the massacre of Trujillo in 1995. An event that was considered to be: «a black mark in the long nightmare of violence and pain that has accompanied us for many years»<sup>2</sup>. In spite of the creation of the CISVT, the first effort to reconstruct memory and the fruit of agreements between the State and the victims’ commu-

## The massacres followed broader strategies of territorial control



Photo: CCAJAR

Since it was built, the monument to the Trujillo victims has suffered four attacks

nity, according to the family members of the victims of Trujillo, after 20 years, these crimes remain in impunity.

The Association of the Family Members of the Victims of Trujillo has recognised the value of this report that gives them the opportunity to tell their story and to recover the truth and memory of everything that has happened. However, they highlight the fact that «little of what was promised by the government in 1995 has been accomplished. The same corrupt people as always stole the funds destined for material reparation and we, the families, continue to build the memorial park, as best we can, as an expression of dignity for those we have lost, who were either killed or disappeared».<sup>3</sup>

According to the conclusions of the report, «the history and the memory of Trujillo can be reconstructed and narrated today as a testimony to accumulated impunity, tolerated by the State and Colombian society. Fragments of truth have come to light and the mechanisms of terror that marked the chain of violations perpetrated have been revealed, some justice has been done and the hundreds of victims of the massacre have received some compensation. However, the State, that of yesterday and of today, is still in their debt».<sup>4</sup> ●

1 Trujillo, una tragedia sin fin. Primer Informe de Memoria histórica de la Comisión Nacional de Reparación y reconciliación, Planeta, 2008, Bogotá.

2 «Informe anual de 1994 - OEA/Ser.L/V/II.88, Doc. 9 881 PERIODO DE SESIONES», Inter-American Commission on Human Rights, February 17th 1995

3 «Comunicado de la Asociación de Familiares de Víctimas de los hechos violentos de Trujillo, presentando durante la entrega del informe del grupo de memoria histórica», September 16th 2008

4 Trujillo, una tragedia sin fin. Primer Informe de Memoria histórica de la Comisión Nacional de Reparación y reconciliación, Planeta, 2008, Bogotá, p. 301..

The impact of impunity on Colombian society

## Imprints and resistance: a psychosocial analysis

According to various human rights organisations, impunity continues to be the norm in most cases of human rights abuses in Colombia.<sup>1</sup>

The reflections and experience of recognised Colombian psychosocial organisations during their process of accompaniment of organisations and individuals, victims of the political violence, show how deep the serious implications of impunity are on the lives of individuals and on Colombian society.

The Inter-Church Justice and Peace Commission states that impunity is a planned and thought-out strategy that aims to send a message both to the individual and to society to continue to maintain an established order.

The AVRE Corporation (Psychosocial Accompaniment and Mental Health Support for Victims of Political Violence) has pointed out that in the course of its therapeutic work, the effect of the lack of justice and truth for the victims is manifested in various ways. Some examples include the impotency in terms of making their truth be valued, a lack of trust in others, a feeling of being unprotected, processes of revictimisation and reliving the trauma, difficulties in being able to mourn, self-doubt, feelings of guilt and the rupture of personal, family and community life plans.

Impunity constantly brings back the violent events they have lived through, reactivating feelings of vulnerability and establishing within the individual evasive mechanisms of managing fear and anxiety, including silence, social isolation, addictions and over-identification with other victims. This generates affects on, or deterioration of, physical symptoms, with serious consequences.

Often, however, this same pain, indignation and feeling of hope have made self-recognition, the strengthening of self-worth and resistance and confrontation strategies possible. This can be seen in the recovery of solidarity groups, assuming an active role in

collective work that allows for common struggles and processes of denouncement to be strengthened. «We continue to resist here, because they will have to finish us off here, it's all we have left, a piece of land where we can be, walk, sow crops, where our children can go to the river, they have water, they can play,

it's all we can see, it's all we have left and we will fight for it to the bitter end, it's the hope we have», a mem-

ber of the Communities for Self-determination, Life and Dignity (CAVIDA) explained.

According to these organisations, impunity has caused Colombian society to distance itself from the real history of victims of the violence, in particular in the context of social relationships and the construction of the social fabric of the community. The suffering of the victims is denied, a door is therefore opened for the human rights violations to be repeated and for the past to be forgotten.

Impunity promotes a transformation of the truth and accuses victims, as when people say «there must be a reason why this happened to them», and the search for scapegoats to avoid finding those responsible. All of the above mentioned can be found in the social context of Colombia, according to AVRE

### The magnitude of impunity

The failure of the state to punish crimes means that victims do not see it as a capable of guaranteeing social order. According to the CIJP, the absence of justice causes a sensation of insecurity in the victim, there is no-one to protect them, but, furthermore, who should they trust if the institutions that were created to protect them as citizens do not carry out this role? This has a direct effect on the

community where the victims lives and tends to feed despair. As long as there is no punishment, as long as there is no public understanding of what has happened, anti values are being established, words lose their meaning, strengthening extremist, intolerant views, justified by their own norms to carry out justice. This theory may explain the alarming levels of theft, domestic violence and abuse, especially of women.

According to AVRE, this scenario explains the reason why it is so difficult to build a fair and equal society, that promotes the values and universal consensus' of human rights, a society that will have difficulty in finding peace, because although the armed groups may no longer exist, the social constructs laid down will continue to exist through impunity.

The sharing of traumatic experiences within a context of justice would allow the victims to take ownership of their processes, giving them back their role as social actors and allowing them to continue to be active in dignifying their rights and in building a new society. «Should the State publicly assume that our rights have been violated, we would find peace, without forgetting about those we have lost (...) that is our way, not to heal the wound, but to mitigate the pain because our dead will not return, they will live with us, this feeling will enable us to strengthen our resolve, but only if there is justice, this is how we feel and is the way in which this terrible damage can be repaired a little», concluded another member of CAVIDA.●

<sup>1</sup> Leave us in Peace! Targeting Civilians in Colombia's Internal Armed Conflict, Amnesty International, London, October 28th 2008



The situation in the Eastern Antioquia region

## Two members of Asoproa murdered in one year

This year, Gerardo Antonio Ciro and Enrique Giraldo were assassinated, both community leaders and members of the Association of Small and Medium Sized Producers (farmers) in the Eastern Antioquia region (Asoproa).<sup>1</sup> This small farmer organisation has around 300 members in the municipalities of Cocorná, Granada, San Carlos and San Luis.

«Following these two assassinations, terror has returned to these municipalities», Benito Guarín, Vice President of Asoproa commented. Both had received a series of threats against their lives, according to the Corporation for Legal Freedom (CJL) that has worked with Asoproa for many years. Gerard Ciro was forcibly displaced after being threatened by paramilitaries in 2002. On his return in 2005, demobilised paramilitaries began to ask as to his whereabouts and, at the beginning of 2006, they said they would kill his family if he did not leave the village.<sup>2</sup> Enrique Giraldo was forcibly displaced in 2004, after members of the Army accused him of being a guerrilla sympathiser.<sup>3</sup>

Ciro was found shot dead on the way to his farm in the municipality of Corcoraná on March of this year. «As a result of his death, his family left immediately and another two families left as well» says

**With these assassinations, terror has returned to these municipalities**

Guarín, talking about the consequences. Five months later, on September 17th, three people on a motorbike shot Enrique Giraldo dead in Los Medios hamlet, in Granada municipality, close to Cocorná.<sup>4</sup>

According to CJL, a month before Ciro was assassinated, members of the army and police were asking about this small farmer. In September, CJL once more reported that the army were patrolling together with common criminals and accusing small farmers of being guerrilla sympathisers.

For Asoproa, the presence of the military in the Eastern Antioquia region does not necessarily mean greater security. «We do not want the army to militarise our communities. They are encouraging people to become informers about the politics of the violence and that is very dangerous. Although it is true that the guerrilla

has been decimated, it is also true that they could arrive at any moment and shoot someone», Guarín explains the problems faced by the civil population in the region.

These threats and obstacles placed in the way of community work in the Eastern Antioquia region is not only limited to Asoproa. The Eastern Antioquia region Peace and Reconciliation Observatory reported in July that the Army tried to block the delivery to the community shop in San Luis.<sup>6</sup> Furthermore, as the Observatory pointed out, there is concern «that malicious comments have been made by some members of the armed forces suggesting that the accompaniment of the Association of Small and Medium Sized Producers (farmers) in the Eastern Antioquia region by the Corporation for Legal Freedom is linked with the guerrilla».<sup>7</sup> This type of accusation goes against directive 09 issued by the Ministry of Defence, which established that all armed forces personnel should not make unfounded statements that may put human rights defenders at risk.<sup>8</sup> Compliance with this directive is of crucial importance

given the current situation in the Eastern Antioquia region. According to the Observatory, there are groups made up of demobilised Self-Defence Forces of Colombia (AUC) and others who never demobilised that move around «with a list of people to execute for alleged links with the guerrilla» and furthermore «they move around in an area with considerable military presence and where there are supposedly no guerrilla».<sup>9</sup>

Apart from the 9th and 47th FARC fronts that have a presence in some parts of this region, according to the Observatory and the media, there are also illegal paramilitary groups: the Black Eagles (Águilas Negras) in the municipalities of La Unión, San Francisco, San Luis, Cocorná y Guarne,<sup>10</sup> the Reborn (Renacer) in San Rafael,<sup>11</sup> and in the neighbouring municipality of San Roque, there are armed actors under the command of alias ‘Duncan’ or ‘Jerónimo’, a demobilised paramilitary from the Heroes of Granada bloc of the AUC.<sup>12</sup>

In view of the current situation, the Observatory emphasises «the permanent risks to protected property and the life and integrity of civil society leaders. This is how armed groups are trying to break up community organisations and destabilise the structure of small farming communities in the Eastern Antioquia region»,<sup>13</sup> and concludes that during the first six months of 2008 the «many communities are not yet able to live in peace».<sup>14</sup> ●



Giraldo was murdered in Los Medios

- 1 Corporación Jurídica Libertad: "Denuncia Pública", April 2nd 2008; Corporación Jurídica Libertad: "Denuncia Pública", September 19th, 2008.
- 2 Corporación Jurídica Libertad: "Denuncia Pública", April 2nd 2008.
- 3 "Denuncia Pública", Corporación Jurídica Libertad, September 19th 2008.
- 4 Corporación Jurídica Libertad: "Denuncia Pública", April 2nd 2008; Corporación Jurídica Libertad: "Denuncia Pública", September 19th 2008. See also: Observatorio de Paz y Reconciliación del Oriente Antioqueño: "Riesgos Sobre Bienes Protegidos y Sobre la Vida e Integridad de Líderes Civiles en el Oriente", Boletín no. 6, May 2008.
- 5 Corporación Jurídica Libertad: "Denuncia Pública", 2 de abril de 2008; Corporación Jurídica Libertad: "Denuncia Pública", 19 de septiembre de 2008.
- 6 Observatorio de Paz y Reconciliación del Oriente Antioqueño: "Balance de Hechos del Conflicto Armado, DDHH y DIH en el Oriente Antioqueño Durante el Primer Semestre de 2008", Boletín no. 8, July 2008.
- 7 Ibidem
- 8 Defence Minister: Directiva 09, July 8th 2003.
- 9 Observatorio de Paz y Reconciliación del Oriente Antioqueño: "Balance de Hechos del Conflicto Armado, DDHH y DIH en el Oriente Antioqueño Durante el Primer Semestre de 2008", Boletín no. 8, July 2008.
- 10 Ibidem.
- 11 Observatorio de Paz y Reconciliación del Oriente Antioqueño: "Situación de los Derechos Humanos y DIH en San Rafael", Boletín no. 9, agosto de 2008. See also: Instituto Popular de Capacitación: "La coca quiere echar raíces en el Oriente de Antioquia", Press Agency, September 18th 2008.
- 12 El Colombiano: "Alias 'Jerónimo', el nuevo azote de los desmovilizados", September 2008; El Colombiano: "Las bandas tienen nuevos jefes y están identificados", October 5th 2008.
- 13 Observatorio de Paz y Reconciliación del Oriente Antioqueño: "Riesgos Sobre Bienes Protegidos y Sobre la Vida e Integridad de Líderes Civiles en el Oriente", newsletter no. 6, May 2008.
- 14 Observatorio de Paz y Reconciliación del Oriente Antioqueño: "Balance de Hechos del Conflicto Armado, DDHH y DIH en el Oriente Antioqueño Durante el Primer Semestre de 2008", newsletter no. 8, July 2008.

Interview with representatives of CAVIDA: Marco Velasco y Elver Mora



Marco Velasco

## Papyrus, a choice between money and the environment diversity

The inhabitants of the Cacarica river basin are lucky; they live in one of the most biodiverse regions of the world. Furthermore, they have collective land rights according to Law 70 of 1993 that aims to protect the environment and culture of afro Colombian communities. However, it is precisely these resources that have attracted the attention of various companies. One of them wants to exploit papyrus (*arracacho*), a river plant that grows there and that is used in paper production.

PBI spoke about the current situation with Marco Velasco y Elver Mora, human rights defenders from the Community for Self-determination, Life and Dignity (CAVIDA) in the *Nuevo Espacio* and *Nueva Vida* humanitarian zones.

**PBI: What is happening with the papyrus project?**

**Elver:** Five leaders from other river basins have already signed contracts; only the representative of the Cacarica river basin has refused to sign. There has been no prior consultation, nor has there been an environmental survey to assure the communities that the project will not have a negative impact on the environment.

**According to Colombian law, is it not essential that an independent survey be carried out prior to beginning such a project?**

**E:** That is correct. A consultant from Codechocó<sup>1</sup> participated in the preparatory meetings for the project and he tried to suggest that a survey should be carried out, but he was not taken seriously. Anyone who asks questions is silenced.

**Marco:** Some guarantees were included in Law 70 that any company must consult with the communities before starting their project.

In fact, the law grants communities every right to demand that their lands be respected.

**«The animals will be the most affected; papyrus can always be replanted and it will grow, but they can't reinvent the animals»**

**And what do you think will happen next? What effects will the project have?**

**E:** We know that there will be considerable pressure. However, we think we are ready for it. We will have to continue to be a thorn in their side, fighting, at all costs, against everything that threatens our lives and the environment. We also know that the animals will be most affected, papyrus can always be replanted and it will grow, but they can't reinvent the animals that will disappear and make them out of plastic. When there is no more papyrus, those animals won't say: «ok, we have been displaced, we will go to Turbo, until the papyrus grows again».

**M:** Even though they say that the environmental damage will be minimal, we say that it is irreparable. If the papyrus disappears, which is not only the refuge of fish, but of many other species, it means that they will die out. We will benefit, but our children that are growing up now, will have to survive in absolute poverty. What can you do with your money if you can't buy yucca, fish, plantain or rice? Your money is useless. You can't eat paper.

**E:** Another important issue is protection. We ask that our land be free of armed actors. We know that whilst crop areas become battlefields, it will be very difficult for us to go about our work, because there is no security.

**If there is no security, is it difficult to talk about development?**

**E:** Yes. At the moment, the only security we have been offered is armed. And that is not the kind of security we asked

for; we asked for to feel safe. There are people living in the collective lands of Cacarica that are war victims. It should be a negotiation zone, where the actors in the conflict stop fighting and find alternatives to conflict. There are going to be social projects and many people will return to the area. We know that this project could increase military presence. Our history shows us that whenever a company comes along, whether it is oil, logging or others, if there were 50 members of the armed forces protecting their interests, they will employ 1000 or 2000 more. Conflict arrives with the companies. They also bring other groups, legal or illegal. For me and the other members of Cavida, megaprojects don't bring peace of mind. They bring problems. ●

Autonomous Regional Corporation for Sustainable Development in the Chocó region (Corporación Autónoma Regional para el Desarrollo Sostenible del Chocó)



Papyrus: Economic development without environmental sustainability?



Strikes and demonstrations in various parts of the country

# Indigenous peoples raise their voices

The last few months have been characterised by a series of demonstrations and strikes in which various sectors of Colombian society have expressed their discontent. The first to strike on September 3rd were workers from the Judiciary, causing the Colombian government to react by declaring a state of «Internal Disturbance» on October 9th, stating that there was a situation of «serious disturbance to public and social order».<sup>1</sup> It is the second time that the government, under Álvaro Uribe Vélez, has used this legal measure, which allows them to pass legally binding decrees from the Executive, without having to call upon

the Colombia Worker's Federation (CUT) – the largest trade union agglomeration in Colombia, together with Fecode - the teachers union, the National Health and Social Security Workers Union and Anthoc – the National Association of Colombian Hospital Workers.

Moreover, on October 10th, Colombian indigenous peoples began the National Minga for Popular and Indigenous Resistance. A *minga* is a traditional gathering of indigenous peoples, to discuss problems or to celebrate together. Indigenous families from different regions of Colombia, decided to, in their words «peacefully cross mountains, rivers, valleys and jungles, to defend national sovereignty as ancestral peoples» and they marched «to celebrate diversity of thought, to uphold traditions and demand that their rights be respected».<sup>3</sup> The reasons behind this *minga* are the defence of the territorial rights of indigenous peoples, the fulfilment of agreements made with the Colombian State, and awareness raising on the systematic violations of the human rights of indigenous peoples, with the figure standing at 1,125 indigenous people murdered during the last six years.<sup>4</sup>

As the days went by, the demonstration grew, until it covered most of the country. A number of indigenous communities gathered along the Pan-American Highway, and in the indigenous territory of La María, declared a peace territory by the Colombian government in 1999. As reported by both the National Indigenous Organization of Colombia and the International Federation for Human Rights, «at least 1,000 armed men (from the state security forces) were deployed to these areas, backed up by tanks and helicopters. After giving the protesters an ultimatum to clear the highway, warning that, if they did not comply, these armed men would be sent in, the protesters were then attacked with rifles, tear gas and hand grenades, causing the death of one protester and injuring dozens».<sup>5</sup> In a public statement, the International Coordination

Photo: ONIC



Group DIAL, rejected «energetically the acts of violent repression which indigenous peoples' demonstrations have been subject to. These acts have already caused the death of 27 people, several have been disappeared and numerous people injured».<sup>6</sup>

At first, the government reacted by denying these reports and accused indigenous people of having used violence against members of the police, through the use of homemade explosives. Several state officials began a smear campaign against the demonstrators who numbered more than 25,000 people, declaring that they were infiltrated by the FARC guerrilla, or by terrorists.<sup>7</sup>

Indigenous people then began a march along the Pan-American Highway towards the city of Cali, where they demanded a meeting with the President of Colombia. The first meeting which was to be held in Cali did not take place, and the second, held in the indigenous territory of La María on 30 October, did not resolve the different points of negotiation on the agenda. For this reason, the indigenous peoples announced they would continue marching towards Bogotá.<sup>8</sup>

It is worth pointing out that, faced with these expressions of discontent from several sectors of Colombian society, Diego Palacio, Minister for Social Protection, declared that these protests were «a planned and organised coincidence (...) there is an interest in destabilising, confronting and creating opposition to the Government».<sup>9</sup>●



Indigenous peoples from around the country marched together to draw attention to the Colombian state's failure to implement agreements on territorial rights

the Judiciary for approval. The President took this decision using the argument that «[the current situation of the Judiciary] places institutional stability, state security and civic coexistence at risk».<sup>2</sup> This highly controversial move is currently being examined by the Constitutional Court. Asonal Judicial – the trade union for workers from the Judiciary – ended the strike on October 16th after 43 days. In spite of this decision, at the time of writing, the State of Internal Disturbance continues.

Other sectors also went on strike or held demonstrations, including the sugar cane cutters (who called a strike in their general assembly on September 15th), miners from the Sur de Bolívar region (protesting since October 15th), and workers from the National Registry - DIAN (since October 16th). On October 24th, there was also a national strike called by

1 Public Comunicado N°178, Ppresident of the Republic, October 9th 2008.

2 'Uribe decreta Conmoción Interior', El Tiempo.com, October 10th 2008, <http://www.eltiempo.com/archivo/documento/MAM-3133364>

3 'Comenzó la Minga nacional de resistencia indígena y popular', ONIC, October 10th 2008.

4 'Por qué nos movilizamos: Minga Nacional de Resistencia Indígena y Popular', ONIC, October 10th 2008.

5 'No más asesinatos de indígenas en Colombia', FIDH, October 17th

6 'Comunicado público de solidaridad con la Minga Indígena del Cauca', DIAL – Diálogo Inter-Agencial en Colombia, October 24th

7 'Diálogo sí; violencia y bloqueos, de ninguna manera: Presidente Álvaro Uribe', Press Secretary, President of the Republic, October 15th, <http://web.presidencia.gov.co/sp/2008/octubre/15/09152008.html>

8 'Gobierno anuncia reunión con los indígenas', El Espectador.com, October 28th 2008, <http://www.elespectador.com/noticias/nacional/articulo86591-gobierno-anuncia-reunion-los-indigenas>

9 'Ola de paros llega en la difícil coyuntura económica mundial', El Tiempo.com, October 19th, <http://www.eltiempo.com/archivo/documento/MAM-3145475>

Guamocó, resisting against mining

# Rich in gold, poor in defending human rights

**G**uamocó is the name given to the South-Western region of the San Lucas mountains, situated between the departments of Antioquia and Sur de Bolívar. The region is inhabited by 9,000 people, in the main men and children, according to information gathered by human rights organisations.<sup>1</sup>

Among the main ways of earning a living are, in order of importance, small-scale mining, logging, mule-driving and agriculture. As one of the areas in the country with the largest gold reserves, almost 100% of the inhabitants of the region live either directly or indirectly from gold, prospecting mining and trading.

According to the Luis Carlos Perez Lawyers' Collective (CALCP), «the abundance of natural riches in Guamocó and the presence in the region of a mining and small farming population, have not prompted the government to create

the contrary, the government has used these conditions to promote large-scale development projects».<sup>2</sup>

At the beginning of 2006, faced with the arrival of transnational companies to Guamocó, community and mining leaders worked towards the creation of the Association of Agro-ecological and Mining Workers in Guamocó (AHERAMIGUA) in June 2007, to show their concerns and look for solutions to the human rights and humanitarian crisis which was affecting the region.

The Association was formed with the support and accompaniment of organisations including the Peasant Farmers

Association of the Cimitarra River Valley (ACVC), CALCP, the Regional Corporation for the Defence of Human Rights (CREDHOS), the Magdalena Medio Regional Association of Victims of State Crimes, among others.

In addition to the arrival of the transnationals exploiting gold; a vital resource for the community, the persistent lack of social programmes and multiple crimes that are being carried out, such as those described in CALCP's report on the region: «mass displacements, such as the food blockades which were maintained for almost a year, causing a serious food crisis; the blockade of fuels and other materials necessary for the miners to extract gold, and extrajudicial executions carried out by the army and the police».<sup>3</sup> AHERAMIGUA has begun working on awareness raising and reporting these crimes outside of the region, showing the difficult situation in which they live.

PBI has accompanied ACVC, CALCP and CREDHOS in Guamocó during their many visits to different villages in the area, in which they work on political and organisational strengthening with AHERAMIGUA, raise awareness on and strengthen organisational processes within communities, and denounce serious human rights violations and infractions of international humanitar-

ian law, as well as lack of attention from the State's civil authorities in the region. These human rights organisations carry out training sessions on human rights and international humanitarian law, the humanitarian crisis and political violence, truth, justice and reparation, mining legislation, transnational companies and the mining code, the historical context in the region and small farmers' organisations. They also organise training sessions on the official reporting of

crimes, in which the community expose the serious human rights violations of which they have been victims.

According to the report published by CALCP after their

second visit to the region, «the communities are concerned about the presence of transnational companies in the region, as they are trying to take control of gold reserves, at any cost. [The communities] have expressed their fears over the risks they run, not only in terms of having their rights to mine the gold taken away, but also because the presence of the transnational companies also heralds massacres, executions, displacements and disappearances».<sup>4</sup> The organisation also highlights the fact that guerrilla combatants belonging to the ELN and the FARC groups are present in the area, and are forcing shops and mines to pay them taxes. Moreover, there are continued reports of the forced recruitment of minors by these guerrilla groups, and the use of anti-personnel mines.

To safeguard their lives, lands and natural resources, communities from Guamocó, together with ACVC, CALCP, CREDHOS and other organisations, feel it is a priority to continue strengthening their organisational process, by training the population of Guamocó to lead proposals and to resist the abuses and attacks from the State and other armed actors. ●

**«The presence of the transnational companies also heralds massacres, executions, displacements and disappearances», CALCP**



In spite of the region's wealth, Guamocó lacks basic facilities, such as road building.

clear and effective policies to remedy the situation of complete lack of attention this population receives in terms of their rights to healthcare, education, the construction of roads, agricultural programmes, and the right to work, etc. On

1 "Que se ha hecho en Guamocó", AHERAMIGUA

2 Report on the second tour for political and organisational strengthening, and the creation of relationships for life, CALCP

3 Ibidem

4 Ibidem



In October, people from different parts of Colombia and around the world walked alongside members of the Peace Community in a pilgrimage of solidarity

## ■ Urabá

# Pilgrimage for life in Urabá

The Peace Community walked through the villages of San José between October 1st and 6th to raise awareness about an area which has suffered displacement and violence at the hands of armed groups, since the 1970s. The community continues in its attempt to return to these villages, where some 3.000 people once lived. The march listened to the stories of small farmers and solidarity was forged between communities.

Farming and indigenous communities, and organisations from Antioquia, Cauca and Chocó, other victims' organisations, and representatives from solidarity groups from Portugal, Peru, Italy, Spain and the Netherlands took part in the pilgrimage. PBI and FOR accompanied the event.

On the first day, 500 people walked from the Community to the XVII Army Brigade to carry out a remembrance service for the victims. «We wanted to begin outside the XVII Brigade, saying a prayer and leaving the coffins and crosses of more than 180 people from the

community who have been murdered, in 90% of cases by State agents. On the way we were stopped for over two hours by the army and the police, who prevented us from continuing and carrying out this memorial event», members of the community declared.

The following day, the pilgrimage left for the Abibe mountains, arriving at Mulatos, where there was a massacre in February 2005, for which a captain of the XVII Army Brigade was sentenced, as anticipated, several soldiers are house arrested, and a number of paramilitaries have been detained. The next phase ended in La Esperanza. This hamlet has recently been caught in the midst of crossfire between the guerrilla and newly-emerging paramilitary groups. Over the next few days, witness statements were heard about life in the town of San José, and the group went on to La Unión where the community suffered a massacre in July 2000, in which five people were killed. Finally, they returned to the town of San Josesito. ●

## ■ Medellín

# Small farmers hold debate on the problem of displacement

For the sixth year running, the Antioquian Peasant Farmer Association (ACA), accompanied by PBI, held its Regional Forum on forced displacement and agrarian issues. Around 200 people from social

organisations, as well as displaced small farmers and students, took part in this event which was held in the city of Medellín.

A representative from the Colombian government's Land Commission was the



La Honda - displaced community in Medellín

first to make a presentation, in which she explained government policy on the subjects at hand. Her speech was heavily criticised by displaced small farmers, who pointed out that they have been sent from workshop to workshop, but that they have not received the guarantees they need in terms of security to be able to return to their lands.

«Each year a displaced person continues to live in Medellín, it becomes more difficult for them to go home», said Nicolás Castrillón of the ACA.

During the forum, he emphasised the fact that it is high time that the small farmers should be able to return to their lands in different parts of the country, but that to achieve this, they need to be well organised to demand recognition and guarantees from the State. ●

### Displacement in figures<sup>1</sup>

- 41% is the increase in internal displacement in 2008, compared to 2007
- 2.600.000 is the number of displaced people in Colombia, according to official figures from Acción Social, the government agency responsible for attending the needs of displaced people. The NGO Codhes estimates a figure of 4.000.0000.
- 10.000.000 is the total number of hectares of abandoned land, according to figures from the Movement of Victims of State Crime (MOVICE), the equivalent of 20% of land on the market in Colombia. The National Audit Office places the figure at 3.000.000 hectares.
- 7.000.000 is the total number of hectares of land the government should return to displaced people.
- 270.000 Colombians were forcibly displaced in the first half of 2008, implying an increase of 41% when compared with the same period in 2007.
- 280.000 pesos [equivalent to approximately 100 euros or 130 USD] is the level of subsidy received monthly by displaced people for up to three months. ●

<sup>1</sup>All the figures used were taken from the reports: "Tapando el sol con las manos", Codhes, September 2008, y "¿Qué le pasa al alma de un país de desterrados?" special report, Semana, September 15th 2008. <http://www.semana.com/noticias-nacion/pasa-alma-pais-desterrados/115543.aspx>

■ Bogotá

## La Guajira: massacre of the indigenous Wayúus

**P**BI has been accompanying the José Alvear Restrepo Lawyers' Collective (CCAJAR) for 14 years. The Collective is working on some of the most emblematic legal cases in Colombia, which have implications at the national and international level. Among these cases is the massacre of indigenous Wayúu People from the Guajira region, where PBI has been on several accompaniments with the Collective.

The Guajira is a region lying on the border with Venezuela, where a number



Indigenous peoples are the principal victims of fighting between armed actors

of economic interests coexist and where there is a long history of different illegal armed groups operating in the area.

According to the latest figures available from the Human Rights and International Humanitarian Law Programme in the Colombian Vice president's Office<sup>1</sup>, between the years 2000 and 2006, the Guajira was one of the regions with the highest murder rate and serious human rights violations. For many years, the Northern Block of the United Self Defence Forces of Colombia paramilitary group, led by 'Jorge 40', operated in the region, however, in spite of the demobilisation process, the Vice president's Programme mentions the presence of several illegal armed actors in the region, including non-demobilised paramilitaries

and newly-emerging gangs. This diagnosis also highlights the presence of criminal gangs associated with drug trafficking in the north of the Guajira, under the command of alias 'Pablo', which fight for control of drug trafficking with paramilitary groups who have not demobilised. The 19th and 59th Fronts of the FARC also operate in the region, as well as the 'Gustavo Palmesano' Front of the ELN.

The civilian population, in particular indigenous communities, has suffered a number of violations to their human rights, due to armed confrontations with illegal armed groups, the army and the police. As the Inter American Commission of Human Rights has pointed out, among these violations are extrajudicial executions, massacres, forced disappearance, and forced displacement.<sup>2</sup>

This land, inhabited in part by the indigenous Wayúu and Wiwa Peoples, is abundant in natural resources, which are exploited by Colombian and transnational companies. These include the Cerrejón Mine, known as the largest coal mine in the world, the salt mines of Manaure, and the latest project to explore oil and gas reserves in the peninsula, for which the company Chevron-Texaco have just finished a feasibility study, in association with ECOPETROL. This study will serve as the basis for the construction of a gas pipe, which will transport between 150 and 200 million cubic feet of natural gas daily.<sup>3</sup>

Coal mining operations have deeply affected the Wayúu People, who live in the Albania area. The community has reported that their health has worsened, due to the pollution produced by the rail and mining works. Moreover, the railway destroys pasture for goats, the community's main source of income.<sup>4</sup>

Taking these conditions into account, it is worthwhile mentioning facts relating to the Limón massacre<sup>5</sup>, in which 14 people died, mainly indigenous Wiwa People, with the rest of the community being displaced to the Divi-Divi district in the city of Riohacha, and the Albania massacre: these are two cases in which CCAJAR represent the victims and PBI has accompanied the lawyers often over the past year on working trips related to these cases.

The Albania massacre occurred on

January 21st 2006. On this day members of the Colombian army belonging to the Unified Action Group for Personal Freedom (GAULA), accompanied by detectives from the Administrative Department for Security and government officials from the Technical Investigations Unit of the Attorney General's Office, arrived during the night at the town of Ware Ware (Wasimal community), where more than 100 Wayúu People were celebrating a wedding. The authorities justified their abrupt arrival by saying they were carrying out a raid. That night, three young indigenous people were murdered and a further three people were arbitrarily arrested (among those the father of one of the murdered young people). To date, two soldiers have been imprisoned and their case is being investigated.<sup>6</sup> The case of this massacre has also been presented before the Inter American Commission of Human Rights.

A number of Colombian and international NGOs<sup>7</sup> have raised concerns about the human rights violations which are affecting indigenous communities in the Guajira region because of economic interests. Several villages and communities have disappeared, such as the village of El Tabaco, destroyed by the mine, and other lands, which legally belong to the Wiwa and Wayúu Peoples and are considered to be sacred places, are being used as part of large-scale infrastructure projects.<sup>8</sup> ●

1 Web site: Vice President of the Republic, Human Rights and IHL Programme, Regional Report: [http://www.derechoshumanos.gov.co/observatorio\\_de\\_DDHH/departamentos/2007/guajira.pdf](http://www.derechoshumanos.gov.co/observatorio_de_DDHH/departamentos/2007/guajira.pdf)

2 Inter American Commission on Human Rights, 2005 Report: "Throughout 2005, the situation of violence against indigenous peoples in Colombia continued to worsen, [...] There have been reports of massacres, selective murders, disappearances and kidnap which have affected ethnicities such as the Kankuamo, Wayúu, Wiwa [...]".

3 Report, May 20-24, 2005, from the "Expedición energética a la Guajira", CENSAT Agua Viva

4 Ibidem

5 Report on the Commission for the Observation of the Humanitarian Crisis in the Sierra Nevada de Santa Marta, Human Rights Ombudsman, 2003

6 «Orden de captura contra tres militares activos por el asesinato de tres indígenas Wayúu», Colectivo de Abogados José Alvear Restrepo, April 28th 2008

7 United Nations Office of the High Commissioner for Human Rights, 2005 report: Throughout 2005 the humanitarian situation of a number of indigenous communities was seriously affected. In several regions there were reports of forced displacements, acts of terrorism, threats and attacks against the civilian population, restrictions in the circulation of food, medicines, and people. The most affected communities were the Wayúu People [...].

8 «Carta Abierta de la comunidad de Tabaco (Guajira) desplazada por la Exxon», Junta Social Pro-Reubicación de Tabaco, October 16th 2004

■ Europe

# International Tribunal of Opinion holds session in the European Parliament

For the first time in its history, the European Parliament held public sessions of the International Tribunal of Opinion (ITO), between 15 and 17 September.

During the hearing, a number of cases of human rights violations in Colombia were presented, including the extermination of the small farmers' movement, violations carried out by transnational companies and large-scale infrastructure projects, mass detentions in the Arauca region, the murder of teachers, violations against lesbians, gays and transsexuals, the situation for afro Colombians, and the conditions for women, among other themes.

Lilia Solano, who has presented the verdicts of the ITO over the past four years, quoted from United Nations reports which show how the Colombian Government has fabricated figures, with the aim of creating public opinion in its

favour. According to Solano, human rights violations are carried out to serve the economic system. The consolidation of economic groups and large-scale capital goes hand in hand with the violence produced by the destruction of social movements in the country.

The international jury consisted of personalities such as François Houtart, Carmencita Karagdag, Ulrich Duchrow, Patricia Dahl, Mireille Fanon-Mendéz, Moira Gracey, Carlos Gaviria and José Luis Nieto. In their final conclusions, they found the Colombian government guilty of crimes against humanity and stated that «the situation is far from improving, instead it shows signs of becoming worse, and as such calls upon the conscience of European countries and their politicians to stop making deals with the Colombian government».

The jury also called upon economic actors and European politicians to «sus-



International Tribunal of Opinion Poster

pend funding for development cooperation projects which strengthen paramilitary groups and the politicians involved with them; to denounce the Justice and Peace Law and the National Commission for Reparation and Reconciliation as legal and political instruments which do not respond adequately to the needs of the victims of human rights violations, and to support a real process for truth, justice and reparation; to suspend military aid and the sale of arms and all military equipment from countries in the European Union to the Colombian government». ●

■ United States

Alice Garside, PBI's advocacy representative in Washington, gives her perspective on how a session in the IACHR works

## A look inside the Inter American Commission

The 133rd session of the Inter American Commission on Human Rights (IACHR) took place between October 15th and 31st, in Washington DC, United States. It was an extremely important event, with participants from all over the Americas, including human rights defenders, witnesses, victims' family members, and representatives of civil and military authorities.

In this session, the thematic hearings on Colombia considered cases of extrajudicial executions, the extraditions of paramilitary leaders, racial discrimination against afro Colombians, women and conflict, precautionary measures for the Inter-Church Justice and Peace Commission, cases related to the Patriotic Union political party, the massacre in la Esperanza (in the Antioquia region) and the rule of law in Colombia. When states ratify the American Convention of Human Rights, they assume responsibility to be moni-

tored by the international community, and to be scrutinised by the IACHR Commissioners.

In the IACHR hearing, the victims tell their stories. As for example the former mayor of Chigorodó who survived the genocide carried out against the Patriotic Union. He told of how he was tortured in the headquarters of the XVII Brigade who operate in the Urabá area, and how almost all of his colleagues in the region are either dead or forcibly disappeared. Next, the Colombian public officials give their version of the facts, and offer details on the measures which they have taken to respond to the case, so that the Commissioners can make their deliberations. It is a strange mix of cold professionalism and personal pain; violence and death reformulated into legal arguments; a supremely important mechanism in international law, accessible to all, in which on the one side sits the government, and

on the other the victims and their representatives, with the Commissioners in between. Sólo una semana después de la audiencia sobre ejecuciones extrajudiciales, y el mismo día del lanzamiento del informe de la Coordinación Colombia-Europa-Estados Unidos, el Gobierno colombiano anunció el retiro de 27 militares. ¿Funciona el sistema interamericano de derechos humanos? Just one week after the hearing on extrajudicial executions, and on the same day as the launch of the Colombia-Europe-United States report on the subject, the Colombian government announced the dismissal of 27 army members. Does the Inter American human rights system work? Without a doubt, and each time the Commission hears a case brought by Colombian civil society, it means that all of the national legal resources to safeguard the protection of rights, have been exhausted without success. ●

■ National Groups

# Colombian lawyers move British colleagues to action

«There is no justice without lawyers» is being heard in Britain with growing frequency, stirring politicians, lawyers and law students to take notice and take action. PBI UK has helped raise awareness among members of the British legal profession of the harsh conditions in which their Colombian counterparts struggle to practice. That work has advanced recently, with 42 British lawyers, from all sectors and levels of the profession, joining the international lawyers' caravana to Colombia, which was initiated by the Colombian Association of Human Rights Defence Lawyers (ACADEUM). PBI UK's Susi Bascon also participated as an observer.

The visit to the UK of two Colombian human rights lawyers has coincided with the caravana's return and the publicising of its initial findings. Both guests met with influential people in London and beyond the capital. In public events at the Houses of Parliament and the Law Society, among

**«We will find ways of working together to protest immediately if there is abuse of human rights»**

other places, they spoke alongside the caravanista lawyers, who talked about their shock at seeing the indisputable evidence of the terrible difficulties faced by Colombian human rights lawyers.

As a result of their experiences, the participants committed themselves to continued monitoring and lobbying to support the investigation into assassinations of lawyers in Colombia.

«We will find ways of working together to protest immediately if there is abuse of human rights, if there is any threat to lawyers, if there is any way in which we can use international pressure, we can do that with the international network of support that has grown up among the caravanistas», said Sara Chandler, of the College of Law of England and Wales.

As well as extensive meetings with lawyers' groups, and the Federation of European Bars, Dora Lucy Arias, of the 'José Alvear Restrepo' Lawyers' Collective, met and with the coordinator of the All Party Parliamentary Group (APPG) on Human Rights. The APPG is currently in dialogue

with the UK government about military aid to Colombia.

German Romero, of the Inter-church Commission for Justice and Peace, also met with representatives of lawyers' groups, as well as with the MP Tom Brake and Lord Eric Avebury. Lord Avebury immediately tabled two written questions to the British Government, which included the threats against human rights defenders in Curburado, and the continued increase in the number of Colombia's internally displaced people – he asked whether the British Embassy would visit the region on a forthcoming delegation organised by the diplomatic community in Colombia and if it was going to mention this in the forthcoming United Nations Universal Periodic Review of Colombia.

The stories of German and Dora Lucy moved everyone who met them, generating commitments of action and support. Following Dora Lucy's visit the Law Society Charity also donated £10,000 to PBI UK's Human Rights Defenders at Risk Fund, helping us to continue our support to human rights defenders working for access to justice and the rule of law. ●

■ PBI International

## Guatemala:

PBI Guatemala is happy to announce significant advances to resolve the legal case against Julio Archila of the Peasant Workers Movement (MTC). Details of this case were published in PBI's Special Bulletin on unfounded legal accusations against human rights defenders in February 2008. Though the trial was cancelled at the last minute on three different occasions without clear explanation, on August 5th the case was resolved when the trial was dismissed. The Guatemala Project has also begun to accompany LESBIRADAS and the Association for the Protection of the Granadilla Mountains after both organizations received death threats. ●

## Nepal:

Since May 2008, the PBI Nepal project has acted as a monitor and observer of the human rights situation in the capital of Nepal. These activities respond to the national and international criticisms of the Government's actions during protests by the civilian population. PBI Nepal aims to reduce incidents of excessive use of force and to encourage respect for the rights of assembly and civil protest. ●

## Indonesia:

As a part of PBI Indonesia's work for access to the justice system and the fight against impunity, the project is in the process of publishing its research into the death of Opinus Tabuni, a human rights defender in Papua, a region where PBI is present. ●

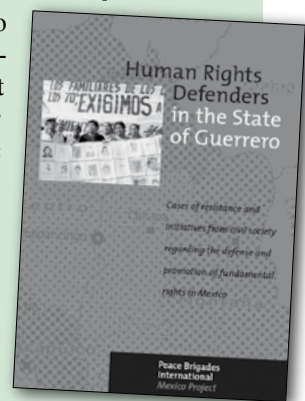
## Mexico:

### New PBI special report

The Mexico Project has published its report *Human Rights Defenders in Guerrero State: Civil Society Resistance and Proposals for the Defense and Promotion of Fundamental Rights*.

The publication describes the work of PBI in Mexico from the mid 1990s and underscores the problems faced by human rights defenders in Guerrero. ●

full report: <http://www.pbi-mexico.org>



# Communication as protection

*At the end of this year, PBI's communications department will go through a change in staff. Jöran Linderberg says goodbye after working for a year and a half as a volunteer in Bogotá and Medellín, specialising in communications, and Sebastian Niesar, who worked as a volunteer in the Bogotá team, will take on this role until 2009. The Project is in the midst of a recruitment drive to replace Mariana Nissen, the current Project communications officer. Mariana looks back on the most important moments during her time in the post, as well as considering the challenges and the importance of this area of work which is part of the protection of human rights defenders.*

**Sebastian:** How has the Project developed this area over the last three years?

**Mariana:** The changes began when the post was moved from London to Colombia. With this transfer, the post went from part time to full time, and as it was now based in Bogotá, that made for a closer relationship with the volunteers and accompanied organisations. During that time, we created our quarterly newsletter, thereby offering a new information channel for accompanied organisations and an important tool to raise awareness about our work. We have renovated our website to make it more accessible, informative and modern, and we have set up a network with international journalists, who have counted on the support of PBI to gain access to Colombian organisations. We do not limit ourselves in the project to producing publications; we make great efforts to discover new ways to send out information faster, with better designs, with more representative photos and well-written texts. Today we can say that communication is an integral part of PBI's protection work.

**Jöran:** Why does an organisation like PBI need an area dedicated to communication?



The production and distribution of information is one of PBI Colombia's four axes of work

**Mariana:** The publications support our advocacy work. You can share facts during a meeting, but leaving a publication which helps to illustrate the reality you are talking about, helps to leave a stronger and more effective message. Our aim is not to denounce, in the way that Amnesty International or Human Rights Watch do, but rather to write about subjects related to protection for human rights defenders, who often remain invisible in the media, or in other publications. Also, the communications work we do serves as a bridge between the organisations we accompany and our countries of origin. More than 300 volunteers have passed through the project in the past 14 years. If each of us gave even a small amount to show the harsh reality for Colombian human rights defenders in their own countries, we would create an enormous protection network so that individuals and governments were aware of the situation and acting to change the panorama for the future.

**Mariana:** What have been the main challenges in communications?

**Jöran:** We have a challenge to design and write interesting articles so that our publications are readable, but at the same time, without falling into sensationalism. We also have to treat highly complex issues and make them understandable for our public, who may or may not know the subject matter well.

**Mariana:** Sebastian, after a year as a volunteer in Bogotá, how do you feel beginning a new stage as a volunteer specialising in communications?

**Sebastian:** I hope that the post of volunteer specialising in communications offers the chance for a balance in giving and receiving, I would like to maintain constant communication between human rights defenders and the outside world, that is to say, to show the work of people who holds a more human vision inside the Colombian reality. On the other hand, I hope to learn a great deal in everything related to journalism, and work in a successful team dynamic with my colleagues.



[www.pbi-colombia.org](http://www.pbi-colombia.org)

Protecting human  
rights defenders in  
Colombia since 1994

### Accompaniment in the Curbaradó zone



Peace Brigades International (PBI) is a Non Governmental Organisation registered with the United Nations which since 1994 has a permanent team of international observers/accompaniment in Colombia. Its aim is to protect the space of legally recognised human rights defenders, who suffer repression for their non violent work on behalf of human rights.

To achieve this objective, the PBI Colombia Team accompanies (always through local petition) people or organisations who are threatened, distributes information on the evolution of the conflict, and carries out advocacy and lobbying activities with civil and military authorities, as well as with state organisms, NGOs, the Church, diplomats and other organisations, promoting international action.

If you consider that PBI's presence is useful to protect the persons who work on behalf of human rights, you could:

- Support us financially, as an individual or through an organisation
- Join the PBI group closest to you. Support the international network from your city
- Become a PBI volunteer (regardless of origin, race, sexual orientation or religion)

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