

The background of the cover is a photograph of a woman with dark hair, looking off to the side with a serious expression. She is holding a white sheet of paper that has a dark, blurry image on it. The scene appears to be outdoors, possibly in a public square or a similar setting. The overall tone is somber and focused on human rights issues.

ISSN: 1549-3317

Colombia

Peace Brigades International in Colombia. Quarterly Newsletter

No. 1, October 2006

New threats, new signatures

OHCHR in Colombia, towards a restricted mandate?

PBI participates in the evaluation of the EU guidelines

**Third assembly of the national victims' movement towards
an ethical commission**

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PEACE BRIGADES INTERNATIONAL

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Trocaire

Colombia: “fear and intimidation”

On September 7th Amnesty International (AI) published a special report about the dangers associated with Human Rights related work in Colombia entitled “*Fear and Intimidation*,” in which it defined human rights defenders as “essential” to the elimination of human rights violations. It highlighted the persistent attacks against them, which create an environment of terror and dissuade other defenders from carrying out their work. Despite the demobilization process, they say, the threats made by paramilitary groups continue, and the authorities seem to be by opening illegal investigations of defenders based on false or unfounded charges, with the aim of stigmatizing them and impeding their work. “*They not only discredit them, but also put them at risk of suffering physical aggression*”. AI considers the Program for the Protection of Human Rights Defenders implemented by the Ministry of Interior as “*not created to have long term effects*.” Additionally, it highlights the contradiction between public guidelines that urge civil servants to support the work of the defenders while the President himself repeatedly accuses the defenders of having links with guerrilla groups.

AI’s recommendations are aimed at gaining public recognition of human rights defenders’ work, impeding their arbitrary arrests, and fighting against impunity. **Peace Brigades International Colombia supports these recommendations and shares Amnesty International’s concern for the climate of intimidation in which Human Rights defenders live.** It is these very people who put their own lives at risk in order to build a more just Colombian society.



OHCHR in Colombia, towards a revised mandate?

On June 18th, Vice-President Francisco Santos, in Geneva for the first session of the new Human Rights Council, stated that “*on various occasions, the diplomacy of the (OHCHR) office has led to unproductive accusations*.” He continued, “*we receive Rapporteurs who arrive to the country with preconceived notions that they refuse*

to change even when they have direct experience of the reality”. These statements, issued only three months before the deadline for the renovation of the Office’s mandate, produced unease and concern among Colombian society.

After a petition from the United Nations Human Rights Commission to the High Commissioner, the Office was created on November 29th 1996 through an agreement between the Colombian Government and the UN. Since 1997 it has implemented more than 1300 field missions, over more than 1500 days in different regions, departments, municipalities and towns across Colombia. According to a statement issued by Colombian civil society, “*The recommendations have achieved important results: they have encouraged the Colombian State to take steps to overcome the Human Rights crisis, they have demanded that armed groups respect civilians, and they have encouraged dialogue between the international community, the Colombian government, and civil*

society. They have also led the way in fruitful discussions, resulting in the implementation of public policies favoring the respect, protection and realization of Human Rights.”¹

This declaration came alongside many others made by the international community (i.e., the declaration issued by the President of the Human Rights Commission of the European Union², as well as by members of the US Senate³). These declarations supported those of Louise Arbour, High Commissioner, about the necessity of renewing the Office’s full mandate.

OHCHR has worked for the nine years in Colombia with impartiality, independence, objectivity and transparency, as outlined in its mandate. Therefore, **PBI is concerned about the impact that a change in its functions and/or the mandate of the Office could have on the protection of Human Rights in Colombia** (as suggested by the Vice President⁴ after the announcement of its renewal for another year). We should question what their observation role of the will be in the mandate. Based on our experience in protection of Human Rights defenders and Internally Displaced Persons, PBI considers OHCHR’s role of observer, its recommendations, its reports, and its press releases as essential to its mandate. Without these tools, the international community’s Human Rights accompaniment in Colombia would be seriously weakened.

¹ Public statement by Colombian civil society in favor of the continuity of the Office of the UN High Commissioner for Human Rights in Colombia, with its full mandate, (including universities, the Church, NGO human rights platforms, political parties and trade unions) (Date: July 5 2006).

² (Date: June 26th 2006)

³ Letter from the US Senators Leahy and Dodd to Louise Arbour (Date: September 08 2006)

⁴ “to see what kind of adjustments need to be made to the mandate and to give us adequate time to negotiate it calmly.” Announcement of the one-year extension to the mandate of the Office of the High Commissioner. (Date: September 12 2006).

Increased harassment

During 2006, threats against Human Rights defenders increased, taking different forms: information theft¹, emails², monitoring³, arbitrary detentions⁴, forced disappearances and murder⁵. The majority of the threats were claimed by a group of ex-United Self Defense Forces of Colombia (AUC) called “Autodefensas Colombia Libre” formed by the former AUC blocs in Sur Caribe, Llanos, Centro, Capital, Oriente, Nueva Generación and Pacífico, according to their messages. In these email messages, they make many references to the support they enjoy from the Armed Forces and President Álvaro Uribe, a claim that the Government has never denied. The President of the Human Rights Commission stated: “*The Government must publicly recognize the positive and crucial role that Human Rights defenders and non-governmental organizations, in general, play in the strengthening of democracy. Additionally non-governmental organizations contribute greatly to the Rule of Law.*”⁶

Through its work with the diplomatic corps and international institutions, PBI witnessed the concern for the security conditions of human rights defenders through various public statements.

*The **European Union** expressed, at a press conference, their deep concern for the “*recent intensification of the threats and attacks against human*

rights organizations and individuals by illegal groups”⁷.

*The **Office of the High Commissioner for Human Rights** (OHCHR) also expressed its concern for “*the fact that some civil servants make statements meant to disqualify the activities of the defenders or to minimize the threats they receive*”⁸.

*The **Interamerican Commission of Human Rights** (IACHR) called on “*the State to increase efforts to protect human rights defenders (...), to make sure that they have the guarantees they need to continue with their activities in defense of Human Rights (...) through the judicial clarification of the truth*”⁹.

However, at time of publication, PBI has not heard of any concrete progress in the investigations carried out by the Colombian Government. On the contrary, new threats¹⁰ have appeared, made by the same groups, detailing dates of when action will be taken and addresses of several organizations. This has increased insecurity and fear within the Human Rights movement. The organizations regret that, despite this climate of harassment, they could not get a meeting with President Uribe.

In this context, **PBI appeals to the international community to demand clarification of these events in their meetings with the Colombian Government, in order to hold those responsible accountable, as well as to guarantee the security of Human Rights Defenders.**

FEDEFAM, 25 years of struggle

Under the slogan “25 years of struggle, no forced disappearance or impunity”, the Latin-American Federation of Organizations of Relatives of the Detained-Disappeared (Fedefam) held their XVIII Congress in July. It took place in Bogotá presence of representatives from different countries and organizations such as PBI participated. In this meeting, the participants chose a new Board of Directors. They also evaluated the state of forced disappearance and impunity in the region. Fedefam is looking forward to the celebration of a Convention on Forced Disappearance, which only needs the approval of the General Assembly of the United Nations (New York, December of 2006) and the ratification of twenty Member States. The Fedefam Congress called upon the struggle for truth, justice and recovery of historical memory continuing the struggle against impunity initiated 25 years ago.

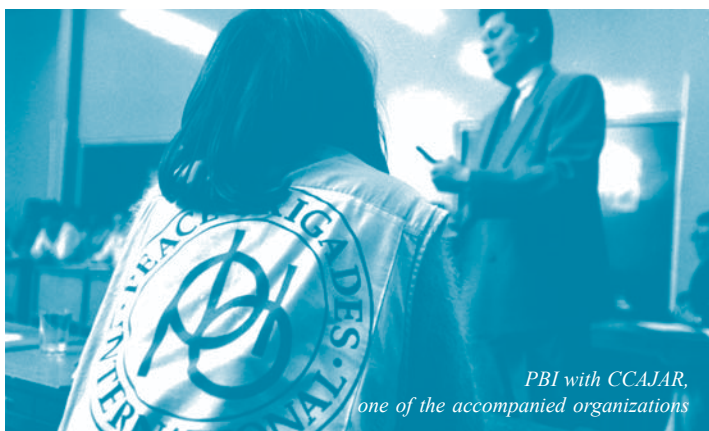
FEDEFAM is a humanitarian and independent ONG integrated by the Associations of Relatives of victims of forced disappearance in Latin America.

Towards an ethical commission

In July, Bogotá hosted the Third National Assembly of Victims of State Crimes. More than a thousand delegates, from various regions of

Colombia, participated in the joint effort to fight against impunity. For Iván Cepeda, member of the Manuel Cepeda Foundation, it not only represented an important step forward on a quantitative level (increased participation from regions such as Magdalena Medio, the Santanderes, Sucre and Antioquia) but also on the qualitative level. Increasingly, accusations and claims are made more clearly and strongly. The participants, besides expressing their disagreement with the “Justice and Peace Law,” worked on new strategies; among the eight proposals presented at the closure of the Assembly, the **creation of an Ethical Commission** for ten years stands out. It will be made up of 25 nationally and internationally recognized people and organizations, who will keep the memory of the victims alive, look for the clarification of the events, pursue justice for those responsible, as well as reparation for the victims.

PBI talked to some of them:



PBI with CCAJAR, one of the accompanied organizations

¹ Stealing of laptops from CODHES’s office and from the house of a member of the Colectivo de Abogados José Alvear Restrepo CCAJAR (April 26th 2006).

² Several emails sent by “Colombia forever free of the left” presenting themselves as AUC arrived to the offices of CCAJAR, ONIC, ILSA, MINGA, CUT, OFP, USO, IPC, Anthoc, and several Universities (Dates: 8th, 17th, 20th, 23rd y 24th of May 2006, 14th of June and 4th of August).

³ Iván Cepeda’s body guard (Mayo 2006)

⁴ To Príncipe Gabriel Gonzales Arango, coordinator of the Santander Section of the Comité de Solidaridad con los Presos Políticos (CSPP) (January 4th 2006)

⁵ On the 21st of March 2006, Yamile Agudelo member of the Organización Femenina Popular (OFP) was disappeared and her body was found in a dumpster on the 22nd of March 2006.

⁶ Recommendation 300 of the Presidency of the Commission of Geneva during the 2002-2006 period.

⁷ Introduction note by the Presidency and the European Union Delegation on their concerns for the threats made against human rights defenders (May 23rd 2006).

⁸ OHCHR in Colombia’s press release (June 8th 2006).

⁹ IACHR’s press release no 21/06 (June 16th 2006).

¹⁰ CCAJAR’s press release (Date September 18th 2006).



Don Petro

Enrique Petro Hernández was born 67 years ago in Montería, Córdoba. He grew up on a farm in Andalucía near the Curvaradó river, in Chocó. There, with his wife and 9 children, he reared cows, sheep, pigs and chickens and he cultivated rice, corn, manioc and bananas. Today, he only has a small parcel of land in the midst of huge palm oil plantations. His old

neighbours, 44 families, were not even that lucky. Those who survived had to run away, threatened by paramilitary groups. Together with Justice and Peace, this year some of those neighbours begun to go back to their lands. While the struggle continues, don Petro has lent them a small parcel where they live. There they face new threats, and hope that some day somebody gives them what is lawfully theirs. Don Petro traveled by bus to Bogotá in order to participate in the III National Assembly of Victims of State Crimes. He told PBI about his experiences.

"You can't compensate for the loss of sons and daughters. And I do not want more than what is fair".

-I do not know if you identify yourself with the word victim, some do not, but how would you summarize your experience as a victim of the armed conflict in general and of the Colombian State in particular?

Yes, we are victims. And victims of the State!. They sent armed groups to take our land! And our people. The paramilitaries killed my son and my brother. And the guerrilla killed another son, even though we had been accused of collaborating with them. I wouldn't sell my land so they sent paramilitaries to my home they painted graffiti on my walls.

-What has the National Assembly of Victims signified? Of all the things that were said, what has meant the most to you?

We were told that we will soon start to recover our land, and that they will start to pay us for damages. I received an estimate of my losses. But I am more worried about my neighbors who are having a really hard time spread out all over the place. This Assembly has been exciting because I've seen a lot of people denouncing together; that means that they're getting over the fear of talking. And that is good.

-What do the words Truth, Justice and Reparation mean to you?, Do you believe that, in your particular case, justice could be served after what you've been through? If it's possible, how could they make up for everything that you've lost?

You can't compensate for the loss of children. And I do not ask for more than what it is fair.

-Where or with whom (institutions, organizations, entities...) have you been able to lean on and whose help have you lacked?

At the beginning we went to the National Ombudsman and he talked a good talk. Then they spoke with the palm oil companies, and their attitude changed. One day some foreign NGO workers came and they put me in contact with Justice and Peace. They've helped me, and given me travel allowances and...hope. And the support of foreign NGO workers has been a pleasure for me. I do not feel so alone, they make me feel safer and they have shown me and my people so much love.

-Where do you think this process is going? Are you optimistic?

I think we are going to recover our land. But it's a complicated process. And besides, even if we recover the land, it's been too damaged by the oil palm. We will have to turn it over with machines and start all over again. The oil palm isn't for our lands and we don't want it.

-With all this experience behind you, what do you see for the future of Colombia?

I don't see changes, at least not while Álvaro Uribe is President. I think that the first time he was elected by paramilitaries. Now they've been legalized, and they supported him again.

-In your opinion, what is the pending Human Rights issue of the Government?

They're finishing off the peasants. The President is only interested in the landowners. If they kill me they won't do it to rob me, but instead because I refuse to be robbed again.

-A wish for your grandchildren's future.

I hope that we will work the land as we use to.

Libertad Sánchez is the spokeswoman of the Association for the Recovery of Historical Memory in Mérida (Spain). She was invited to come to the Assembly by Justice and Peace (organization accompanied by PBI) to contrast the experience of the victims of the Franco regime in Spain and the victims of the Colombian armed conflict.

1.- What similarities and differences have you found between the process in your country and in Colombia?

Basically, the techniques have been modernized. But there are still many similarities. In both regimes, the fight is against the left. And Uribe's international coverage is very similar to that which Franco had. Of course, that was a "dictatorship"...

2.- The struggle is not easy at all, on the contrary, it can be very frustrating sometimes. After decades of this, what do relatives hold on to, to continue this work?

We need to have closure. There are more than 20,000 bodies still missing in Spain and their families have not been able to bury them or grieve for them.

3.- In your experience, what does it mean to have an Assembly like this and to adopt measures such as the Ethical Commission which was proposed here?

In situations like this, there is little shared information. We don't want them to repeat our mistakes. We took too long to start collecting testimonies. There are barely any witnesses left and those left are very old or very sick. Here you can still do it.

"It's a bit frustrating that decades later, history repeats itself in another part of the world".

4.- In all the years of your work of your association, what has been the biggest moment of hope?

Maybe now. The Senate is debating a possible Law for the Recovery of Historical Memory that would create working groups aimed at getting testimonies and searching for graves, as well as for the exhumation, identification and burial of corpses. This would be a very important step.

5.- And, on the contrary, the biggest disappointment?

The previous President, José M^a Aznar, said in Congress that our movement "smells like mothballs". He said this as he spent millions on bringing home bodies of those killed in Russia during the Franco regime. That was really painful.

6.- How do you think that countries so different and in such different historical moments could share their experiences?

Being able to share provides a kind of shelter. But it's still a bit frustrating that decades later, history repeats itself in another part of the world.

7.- Have you felt alone in your struggle? Have you had the support from the international community?

In Paris, the Council of Europe Parliamentary Assembly (PAEC) unanimously approved a proposal for an international condemnation of the violations committed by the Franco regime. It may not be very applicable, but it does suppose recognition for the victims.

8.- This is your first visit to Colombia. What has most struck you about this moment Colombians are experiencing and, in particular, of the work of the National Victims of State Crimes Movement?

The image offered by the media outside of Colombia only speaks of the crimes of the guerrilla, but never of the victims of State Crimes. The pain of the victims is very similar here and there.



Libertad Sánchez



International Mission for Verification

Communities in resistance

This September, the **International Mission for the Verification of the Humanitarian and Human Rights Situation of Indigenous Peoples of Colombia** was took place. It included human rights and civil society organizations from Europe, Latin America, United States, and Canada, with observers from United Nations agencies, the Swiss and German Embassies, a delegation of the European Commission and the MAPP-OEA. Travelling through Arauca, Córdoba, Sierra Nevada, Cauca and Guaviare, the mission put the constant Human Rights and International Humanitarian Law violations that the indigenous peoples of Colombia suffer on the table. There are more

than a million indigenous Colombians, divided into 80 ethnic groups of which at least 18 are at risk of extinction. These peoples, “*guardians of the environment, with a peaceful way of life*” denounce that they are being harassed by all armed actors: military and police officers, guerrillas and paramilitaries (including the supposedly demobilized) and additionally, by transnational corporations who do not request permission of the indigenous people to carry out their operations there. Among the 10 recommendations adopted at its conclusion, the Mission urges the Special Rapporteur on Human Rights and Fundamental Freedoms of Indigenous Peoples to conduct a follow-up visit, demanding that the Colombian State answer to what they consider an “*intensification of the humanitarian crisis of the indigenous communities in Colombia*”.

KANKUAMOS: recovery in the midst of the violence

The Kankuamo indigenous people inhabit the Sierra Nevada in northern Colombia. Over the centuries they have suffered various colonizations, but in recent years they have been particularly hit by the violence of armed groups. In 2003, the Interamerican Commission of Human Rights provided them with “*protective measures,*” requesting the Government take action to preserve their personal and territorial integrity. Due to the government’s failure to fulfill this request, in 2004 the Interamerican Court of Human Rights decreed “*provisional measures*” to guarantee their protection. The José Alvear Restrepo Lawyer’s Collective (CCAJAR) has supported them along the way. PBI has accompanied CCAJAR in its trips to the territory Kankuamo. Recently PBI spoke with Wilmer Daza, a displaced leader, currently living in Bogotá, about the current situation of his people and their process of cultural recuperation in the midst of violence.

- What is the current situation for the Kankuamos?

The presence of armed groups – army, paramilitary and guerrilla – and their dispute for the territory has provoked deaths, disappearances and displacements. Thanks to the protective and provisional measures of the IACHR, public order was somehow restored, but the Army continues to violate our rights.

- How long have you been in this situation?

The displacement began in 1998 with the first armed incursion of the AUC, even though previously the guerrilla had already displaced some people. The situation worsened in 2002, when the AUC directly retaliated against the population. From 7000 inhabitants in 1998, we were reduced to 3000 in 2004. That means that more than 50 % of the people have been displaced. Some of them have returned, but they are subjected to all sorts of situations.

- How has it been possible to return?

Thanks to the work of social organizations and international support. The ruling of the IACHR helped visibilize our situation and that of other Sierra Nevada communities.

- As a community leader you denounced Human Rights and International Humanitarian Law violations by the armed actors, what has that role meant for you?

When Victor Hugo Maestre was killed I had the responsibility of denouncing the Army. We issued a press release and we

thought that we had sent it to the President, but it was received by Colonel Figueroa from the Popa Battalion who answered “*Every day a thousand press releases like this are sent to the president, and I have a thousand answers*”. Then he said we were covering up for the guerrilla. This is when we began to really be afraid of the Armed Forces. Then I suffered an attack. One night a group of armed men dressed in civilian clothes came looking for me at home. Fortunately, some neighbors showed up, and they left. One month later, a member of the AUC came up to me and said that I had to take care of myself, because if I gave them the chance, they would kill me. I denounced all of this to the Armed Forces and the general public. After the follow up mission of the IACHR, they ordered a risk evaluation for me. A week later, I was arrested along with fourteen other people. In the hearings, we were supported by the Collective and the presence of PBI. The Judge ruled in our favor. The same day they released me, December 15th, 2005, a paramilitary prisoner told me that I could not go back to the territory, that he himself had received orders to kill me, but that now I had won his respect. This is why I had to come to Bogotá.



Wilmer Daza

- Today you walk the streets of Bogotá selling the traditional bags of your people, and you continue to work for your community. Like you, many Kankuamos have had to abandon their land. What does that mean for you?

For a Kankuamo, to leave his land means the end of his life. We have had to become merchants, but we don’t know how to live here.

Being a displaced person means practically forgetting your ancestors’ customs. It also means discrimination. The displaced are seen as “*delinquents*”.

- But you have the advantage of being organized?

We work not only for survival here, but also to strengthen our territory through our actions. We look after each other like a

Kankuamo family.

- The struggle for the recuperation of your culture, repressed for more than 200 years, has gone hand in hand with your struggle for your land, including the recognition of the protected territories (which was achieved in 2003), as well as an enlargement of its area. What has been your experience of this process?

We came from a colonization process. Western culture has been inculcated into our communities. The Church told us that believing in Kakaserankua (the God of the Kankuamo) was equivalent to believing in the devil. We had to speak our language in secret. The Kankuamo youth have even refused to speak our language and to dress in our clothing. However, in 1982 the Sierra Nevada Folklore Festival was founded and it began a process of cultural recovery.

Human Rights Violations for Economic Reasons

Continued pressure through oil palm plantations

The Minister of Agriculture, Andrés Felipe Arias, has announced the return of more than 25.000 hectares illegally occupied by oil palm companies in Chocó. These lands between the Jiguamiandó and Curbaradó rivers, will be returned to their original owners. The lands were misappropriated from the community, according to the Defensoría, through threats and forced displacements, among other tactics. This announcement has provoked a certain distrust amongst some oil palm companies from the region who accuse international NGO workers and CIJP of creating unemployment, misery and the return of violence to the area¹ by encouraging such an action. Some of the rightful owners, such as Enrique Petro, have already received direct threats by paramilitaries in which they alert: *“in this moment it is not possible to touch Don ENRIQUE PETRO because he is always with the gringos and with accompaniment, but it’s what hurts him more that we’ll touch: his children, his family”*². (See interview) This is only one example of what continues to occur in many parts of the country. Particularly in indigenous and afro-Colombian communities, citizens are harassed and displaced to make room for the implementation of agro-industrial



PBI volunteer with J&P in an oil palm plantation

¹ Report 72, Jiguamiandó-Curvaradó, Comisión Intereclesial de Justicia y Paz, July 21st 2006

² Report 75, Jiguamiandó-Curvaradó, Comisión Intereclesial de Justicia y Paz, September 22nd 2006

Impunity

“Impunity has hurt from the first moment until this last breath”

On August 30th it was the 19^o anniversary of the death of Nydia Erika Bautista –disappeared in military custody in 1987-. On this particular date, her son Eric Bautista, member of the movement ‘Sons and Daughters for Memory and Against Impunity’ wanted to share his testimony with PBI.

Next year it will be two decades since your mother’s disappearance. What keeps you going in the struggle?

The struggle against impunity has been a struggle throughout history. My family has only lived through 20 years of it. It is not only about punishing those who are guilty but also about studying the historical causes and consequences of their crimes. Society must re-evaluate how to deal with these crimes that deeply undermine human dignity. My family and I have lived uprooting, exile, lack of compassion, and the loneliness of exile. This sad situation has made us stronger and taught us that life is worth living when you find ways to transform repression, exclusion and the miserable conditions in which millions of human beings live. We have made a commitment to life, and this is why we continue to confront the power structures that let criminals enjoy benefits and forget the victims.

The passing of the years only confirms that what we live is a consequence of what our ancestors lived, what the indigenous people lived, the peasants, the students, all of those who have raised their voices against oppression. This is why we must use our united strengths to stop this happening.

Years have passed since the death of your relatives, but you continue to work to bring to light the truth of these cases. Does impunity hurt more with the passing of time?

Impunity has hurt from the first moment until this last breath. It hurts to know that after so much time denouncing and pursuing justice, the labyrinth becomes more complex and has more and more false doors. We see how they continue to disappear people everyday, and there are no effective mechanisms to prevent it. It hurts just the same as the day they took her because she is not here anymore.

The recent reopened cases, such as the Law Courts case, or the discovery of the communal graves, are these not these examples of the Government’s will to search for the truth?

The remains of my mother were found in a graveyard for unrecognized bodies, of people they bury without having fully identified them, but no action was taken to identify the other bodies that were found there. The identification process doesn’t mean justice for the victims.

Regarding the Law Courts, there have not been any real results yet. There are only signs, no real progress towards reparation of victims. The truth has been written in different books.

We saw her leaving the Law Courts alive. The truth has been hidden. Maybe she is in the ashes of the Law Courts burnt to the ground by the military. Maybe she is in that final sentence made by a memorable President of the Supreme Court of Justice Dr. Reyes Echandia: “the President must order the cease fire”.

“We have made a commitment to life”

The Victims of State Crimes Movement has recently been the target of threats. So has another member of “Sons and Daughters” and Iván Cepeda, accompanied by PBI, who just commemorated this month the 12^o anniversary of the murder of his father, Senator Manuel Cepeda. How is the security/insecurity of “Sons and Daughters?”

It’s the same as that of thousands of Colombians who, as the teacher of all teachers, Sr. Eduardo Umaña Luna used to say “any man who works for socio-political change in this country is condemned to death”. We have been called many things by the intellectual and material authors of crimes against humanity, such as Mr. Rito Alejo del Río, but that does not mean that we accept their slanderous allegations against us.



Eric Bautista

Re-election in the midst of national controversy

In August, Álvaro Uribe took oath as President after being re-elected in the last general election. The re-election was only possible after the ad hoc modification of the Constitution of 1991, impelled by the President himself. According to members of the Liberal Party, a major reform which would create a balance and separation of powers is necessary.

Lack of clarity in the paramilitary demobilization process

This reelection took place in the context of negotiations with paramilitary groups. In July, the Constitutional Court published the final text of “Law 975” of 2005, called “Justice and Peace Law”, declaring that it is possible for the law to be executed but demanding some modifications before it is valid:

- Time served by demobilized paramilitaries in Santa Fe de Ralito (Córdoba) does not count as part of the sentence that they will receive.
- Paramilitaries that utilize the Law must confess to the totality of their crimes or otherwise lose the benefits of the Law.
- The reparation of the victims will be carried out by means of the return of both illicit assets and assets obtained legally.



Demobilization of a paramilitary group (Photo Surimages)

- The victims have the right to intervene and be informed during the entire legal process. In addition to those directly affected, their families will also be considered victims.
- It was not accepted that paramilitarism be considered a crime of sedition, meaning a political crime.

This ruling caused a new crisis and Ernesto Báez –political leader of the AUC- publicly expressed that the sentence meant a “mortal blow” to the process. So the Government transferred several paramilitary bosses to a vacation center in Antioquia, while they work the drafts of decrees that will fine tune the ruling of the Court; those that, as described by El Tiempo newspaper, “were not liked by the paramilitaries”. The decree published in September “*does not revive, as in the draft, the political nature of the crime. It speaks of full and truthful confessions and demands that the bloc answers on behalf of the demobilized individual when the assets of the latter are not enough. The front men will be forgiven*” (El Tiempo, September 30th 2006). It is important to note that **the Law will only affect 2.695 demobilized individuals registered by the Government, exempting more than 28.000 from any judicial process.** The country closely followed the debates, public speeches, editorials and opinion columns. The main issues: impunity for the perpetrators of crimes against humanity and the inclusion of drug traffickers (requested by the US for extradition) on the lists of paramilitaries who the law will benefit, as is the case of Juan Carlos Sierra or Víctor Manuel Mejía. Meanwhile, new self-identified paramilitary groups –who have maintained the names of supposedly demobilized groups – have been sending threats to organizations and individuals active in the social movement (ie, the Victims’ Movement, union leaders, and

the Externado University of Bogotá). There are still many open questions. El Tiempo, in September 7th editorial, summarized the situation by warning that “*the lack of clarity that has surrounded the demobilization process makes one worry that there will be little justice, little truth and little reparation*”. We will see.

Armed Forces affected?

These past few months, newspapers have carried headlines of several scandals involving members of the Armed Forces, the Attorney General, and the Administrative Department of Security (DAS). As an example, the Law Courts case has been reopened, implicating members of the Armed Forces (21 years later), thanks to a video taken at the time. The video shows one of the 11 disappeared, the manager of the cafeteria, Carlos Rodríguez, as he was taken out of the building by a member of the Army. What happened to him and his ten



Palace of Justice in Bogotá

coworkers has never been clarified. But this is not the only case. 14 members of the military were arrested in a case of the torture committed against 21 soldiers in a training camp in Tolima; on the other hand, alleged montages of attacks by the Army were made public and the Government’s response was that they were implementing intelligence activities; and it was even discussed a fake Army GAULA rescue (Anti-kidnap Group) that caused the death of six people.

PBI BARRANCABERMEJA

Looking for self defense measures

PBI accompanied the Luis Carlos Pérez Lawyer's Collective (CALCP) in the Catatumbo region on the occasion of the General Assembly of the Association of the Motilón Bari Indigenous People (ASOCBARI), in July. The Collective works for the protection of their rights and provides training to the community leaders – more than twenty- representing a total of 419 families. The abundance of natural resources in the area (oil, coal, emeralds, uranium, and great biodiversity) has attracted the interest of multinational companies. These multinationals have come to the region accompanied by military and paramilitary groups, wreaking physical and verbal violence in the communities.

Militarization in the Sur de Bolívar region

In August, the municipality of Santa Rosa was the scene of a pre-trial of the Permanent Court of the People (TPP), in which the state of the mining industry in the region was analyzed. According to the organizations present, the transnational KEDHADA has obtained permits for the extraction of gold in the area. To safeguard its activities, military and paramilitary groups provide accompaniment, not only in the highlands, but also in the urban areas of San Pablo, Santa Rosa and Simití. PBI, who attended

the event as international observers, accompanying the Popular Feminist Organization (OFP), listened to the testimonies of the miners as they denounced the mistreatment to which they are subjected. These include embargos, torture and murder of some of the mining leaders. Alejandro Uribe, union leader of Fedegromisbol (Federación Agrominera del Sur de Bolívar), was murdered on September 19th by members of the Fifth Brigade of the National Army. This murder was recognized by their commander, José Joaquín Cortés. Alejandro's death was publicly regretted by the Mesa Internacional de Complementariedad del Magdalena Medio in which PBI participates as international observer.

March for Dignity in San Onofre

PBI accompanied Iván Cepeda on his visit to San Onofre, in the department of Sucre. The Colombian journalist, founder of the Fundación Manuel Cepeda, went to the area representing the National

Victims of State Crimes Movement. On August 26th, he participated in a march for Truth, Justice and Reparation organized by the victims of paramilitarism in the area.

Magdalena Medio Intersectorial Commission for Life

As observers at the Mesa Internacional de Complementariedad del Magdalena Medio, PBI attended the meeting of the Comisión Intersectorial por la Vida, summoned by the members of the Forum for Human Rights Workers (ETTDDHH), which took place in the city of Barrancabermeja in September. In addition to the local civilian and military authorities, Vice-President Francisco Santos and the director of the Presidential Program of HR and IHL-Carlos Franco- as well as delegates from the Ministry of Interior, the Attorney General's office, the Office of the Attorney General, the National Ombudsman, the AEO, United Nations, European Union and several Embassies and international organizations such as Christian Aid, Diakonia Sweden, CIVIS, Solidarity Network all participated. The principal agreement reached was the creation of a permanent mechanism that brings together all of the local, regional and international sectors to "revise the Human Rights situation and agree on common working strategies". The government committed to participate on a quarterly basis.



Iván Cepeda with a PBI volunteer in San Onofre.

PBI BOGOTÁ

Arauca: in the crossfire.

As international observers, PBI attended the anniversary of the death of three social leaders, murdered two years ago in Caño Seco, Arauca. In addition to family and neighbors, accompanied NGOs like MINGA or CCAJAR attended the commemoration. These organizations were also accompanied to this area in September, when they held workshops regarding human rights violations. PBI

met with the XVIII Brigade, the Pastoral Social and the National Ombudsman in the capital of Arauca to discuss the situation of local human rights defenders. The conflict in the region is particularly complicated, given that there are not only armed confrontations between the State and illegal armed groups, but there is also conflict taking place between the FARC (Fuerzas Armadas Revolucionarias de Colombia) and the ELN (Ejército de Liberación Nacional) guerrilla groups. The civil population has suffered from the militarization in the area and houses

and schools are frequently occupied by armed forces. There are many threats, murders and arbitrary detentions of Human Rights defenders, social and popular leaders, as well as forced displacement of peasants. This is discussed in the Joel Sierra Foundation's Report "ARAUCA: from 2004 to the 1st Semester of 2006", presented on September 28th, in their review in detail the 'principal war strategies declared against the people of Arauca'. Oil continues to be a dangerous attraction for the region. →

⇒ PBI BOGOTÁ

Military mistake?

On April 10th 2004, five people were massacred by members of the armed forces, including a six-month old baby, in the rural town of Potosí, municipality of Cajamarca (Tolima). In the days following the massacre, President Álvaro Uribe called it a military mistake. The Bogotá team has accompanied CCAJAR in the legal procedures and public hearings in this emblematic case, in which one of the soldiers confessed to having executed one of the victims illegally. This admission, according to CCAJAR, “reaffirms that the events in Cajamarca were not a military error during a military operation, but that the military unit planned this execution”.

Forced disappearance in Ciudad Bolívar

In the last few months, PBI Bogotá has accompanied the Asociación de Familiares de Detenidos-Desaparecidos

(ASFADDES) and the Fundación Comité de Solidaridad con los Presos Políticos (FCSPP) in several activities related to the disappearance of the social leader Luis Antonio Arismendi, president of the Sindimanuela Beltrán trade union. On April 28th, Arismendi (55) and Belquis Dayana Goyenech (22) were disappeared in Ciudad Bolívar, in southern Bogotá.

The day before, Arismendi had reported to the local police suspicious activity around his place of work. The police did not react to this report. The following day, a police operation was carried out in the area, in collaboration with these same “suspicious men”. Soon after, two bodies were found in Zipacón, a couple of hours outside of Ciudad Bolívar, whose were identified as those of Arismendi y Goyeneche. In a statement issued on May 15th, and signed by several



Exhumation in Zipacón

NGOs accompanied by PBI (ASFADDES, FCSPP, CCAJAR and OFP, amongst others) it was stated that “similar events have been carried out by the Armed Forces and paramilitary groups against the population of Ciudad Bolívar and its social organizations, adding to the murders and disappearances happened in the

area”. In a June 5th press release, OHCHR Colombia, condemned this crime stating their “concern for the serious human rights crisis that the inhabitants of the area face” and urged the relevant authorities to punish those responsible. PBI accompanied ASFADDES and FCSPP in the Attorney General’s office, at the exhumation in Zipacón on August 9th, and at the commemorative mass on September 1st.

PBI MEDELLÍN

“How do you speak to a disappeared person: with so many feelings bursting to get out” (R.Blades)

In the rural town of La Esperanza the debate on August 20th centered around 17 people, whose memory is still alive. The goal was to encourage remembrance and not to forget, after a decade of impunity. The event was organized to commemorate the anniversary of the massacre that took the lives of almost twenty people ten years ago.

PBI Colombia accompanied CJL, the ASFADDES and the Fundación CSPP in the emotional event that took place in El Carmen del Viboral, in Eastern Antioquia. Iván Cepeda and Father Javier Giraldo other people accompanied by PBI were also present. A march, a religious ceremony, theatre, music, dance, poetry and a gravestone that said: “RESISTANCE IN LA



Gravestone

PBI URABÁ

Gaining ground

The PBI team in Urabá has been accompanying the Comunidad de Autodeterminación Vida y Dignidad (CAVIDA) in the process of delimitation and visibilization of their land. This process has been carried out by members of the humanitarian zones of Nuevo Espacio and Nueva Vida, between the Darién highlands and the Atrato River. This fenced area, where they grow manioc, corn, banana and rice, has been their home since 2000, where they returned after 3 years of forced displacement. For security reasons, they decided to settle together temporarily until they could recover each family's land. Even though this has yet to be achieved, this delimitation signifies a first step in protecting their lands, much desired because of their biodiversity (*one of the richest in the world*) and their geostrategic importance (*proximity to Panama- the objective of infrastructure*



PBI volunteer in the humanitarian zone of Cacarica

projects such as *the Panamerican highway, an inter-oceanic channel and an electricity transmission network*). The biodiversity of the area has allowed for the delimitation process to be carried out within the framework of environmental protection and international agreements such as the Kyoto Protocol and the Ramsar Convention on Conservation and Wet-

lands Use. However, these humanitarian zones comprise part of a collective territory recognized by Law 70 (1993) regarding rights of afro-Colombian communities and, they are also beneficiaries of protective measures through the Interamerican Commission on Human Rights.

e in La Esperanza

ESPERANZA ATERA DECADE OF IMPUNITY; those who are absent were present again: sixteen disappeared and one murdered.

Victims in Medellín fighting for remembrance

Organizations for victims of state crimes participated in the “V Conference pro Human rights and against Impunity,” which took place in Medellín between Sept. 4th and 9th, with the aim of encouraging initiatives to fight against impunity and demand that the government respect human rights. The meeting was organized by the Colectivo de Derechos

Humanos Semillas de Libertad (Codehsel), a working group in which Peace Brigades International participates as an international observer, and which includes several local NGOs (some of them also accompanied by PBI). They exposed the effects of the “Democratic Security” policy developed by the government, as well as their implications for civil society.

They highlighted the inclusion of citizens in intelligence networks, the manipulation of the media, Among other examples, and, as previously mentioned by CJL in their press releases, and also by OHCHR in Colombia in their annual report, they denounced the extrajudicial executions committed by soldiers of the IV Brigade in Eastern Antioquia, where peasants have been murdered and later dressed as guerrillas.

Fabiola Lalinde, representative of the Antioquian office of the Asociación de Familiares de Detenidos y Desaparecidos (Asfaddes), highlighted the irony that it took the Government only three days to identify the remains of the paramilitary chief Carlos Castaño, but it took them more than eight years to find the body of her son who was murdered by the Army, and another four years to perform the DNA analysis. The event ended with a march of more than 400 persons against “impunity and for remembrance of the disappeared that gathered.



March against impunity in Medellín

PBI INTERNATIONAL



PBI meeting in London

- i Laura Clarke, former coordinator of PBI Colombia, is PBI's new International Coordinator. She has considerable experience with Peace Brigades International, since she has worked with PBI UK and was a volunteer in the PBI Colombia's Medellin team.
- i PBI is preparing for the launch of its new web page, for which it formed a special working group. The new website will facilitate navigation and standardize the websites for each project within the organization.
- i The international fundraising conference took place in September in London. Representatives from the five projects, numerous country groups, the European Office and the International Office came together with the objective of improving coordination and collaboration amongst all the parties.

PBI COUNTRY GROUPS

PBI country groups continue to celebrate PBI's 25th year anniversary, celebrating its work in defense of human rights workers. To receive detailed information, please contact the national sections at www.peacebrigades.org



PBI's EUROPEAN OFFICE

PBI IN AFRICA

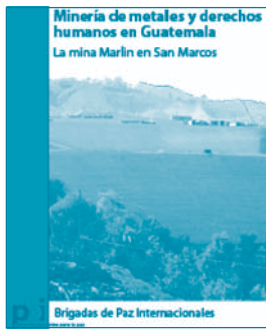


◀ *View of Kinshasa*

In July, the BEO (PBI's European Office) gave a seminar in Kinshasa (DRC) for human rights defenders in the Great Lakes region of Central Africa (DRC, Burundi, Rwanda and Congo Brazzaville). It focused on developing strategies and procedures for protection. The event created a space for defenders, state authorities, and international organizations to share information and to network. High-ranking representatives of the European Union, United Nations (Office of the High Commissioner for Human Rights in DRC and the MONUC), the African Commission of Human Rights and the Rights of the Peoples, as well as around thirty human rights defenders from different countries, attended the event.

OTHER PROJECTS

i Guatemala:



In its report “Metal mining and Human Rights in Guatemala”, the project presents the experiences of several initiatives (many of them accompanied by PBI), such as that of the Indigenous Mayor of Solalá, the Madre Selva Collective and the Asociación de Amigos del Lago Izabal. These entities defend the rights of indigenous communities by participating in the decision making process around mining exploration, which has a serious effect on their living conditions, contaminate their

water supplies, destroy their land and, furthermore, violate international agreements.

i Indonesia:

PBI was invited to present its work at the conference of the Indonesian Evangelical Church (*Gereja Kemah Injil Indonesia*, GKII), held once every 5 years. In addition to traditional accompaniment, the PBI Indonesia team offers participative peace education workshops and hosts cultural events and exchanges for local human rights defenders. The situation in Aceh, Jayapura and Wamena, the rural areas where PBI has presence, are more stable than in previous months.

i México:

The Mexico Project concluded its three-year strategic plan, integrating the recommendations in the 2004 external evaluation. As an integral part of their

strategy, the project has developed a wider concept of international accompaniment, similarly to other projects in Colombia, Guatemala and Indonesia. This will include observation and monitoring with the goal of enhancing the reach and the efficiency of PBI’s work in Mexico. The project has recently experienced a tense period because of the presidential elections.

i Nepal:

While the Maoist guerrilla and the political parties are starting to come together, civil society – as in Colombia – continues to debate issues such as impunity, justice and reconciliation after the ceasefire. In contrast with the relatively calm situation in Katmandu, in their exploratory trips to the west and fareast of the country, PBI has observed that the security situation is precarious, even though the situation there is supposedly in a “post conflict” phase.

PBI Representative in the US

Celeyta in Washington

Berenice Celeyta, president of NOMADESC and winner of the Memorial Robert F. Kennedy (RFK) award, visited Washington D.C. in September to, amongst other things, update the information pertaining to “Operation Dragon”, a plan of assassinations of social, political, union and human rights defenders which was internationally recognized in 2004. The RFK Memorial, WOLA (Washington Office on Latin America) and PBI accompanied Ms. Celeyta in her meetings with several congressmen, senators, NGOs and international agencies. In these meetings, she asked them to urge the Colombian government and the Attorney General’s office to investigate and punish the material and intellectual actors responsible for the operation to ensure that the case will not end in impunity. An important step forward in the support of human rights defenders is reflected in the press release of the Director of the RFK: “*Human Rights defenders in Colombia are accused of being terrorists and are submitted to numerous death threats. The authors of these threats enjoy complete impunity while the Government makes false accusations against the defenders and illegally arrests them.*”



Celeyta and her son with Senator Alexander López and the Congressman Sam Farr.

PBI's European Representative

The EU honors Human Rights Defenders

PBI participated in the evaluation of the European Union Guidelines for Human Rights Defenders

On June 12th, the European Union Council approved new conclusions regarding their Guidelines for Human Rights Defenders, in which they condemned the assassinations of human rights defenders and called on States to assure their protection¹. The conclusions were accompanied by an evaluation of the guideline's implementation two years after their approval by the EU Council in June of 2004².

Evaluation of Guidelines

Application

After a petition from the Austrian presidency, PBI and other international organizations that work for the protection of human rights defenders participated in the evaluation of implementation of the guidelines. The invitation was extended to Embassies and Chancellors of the Member States in order to examine its progress. The evaluation takes into consideration the recommendations presented by the Special Representative of the Secretary General for Human Rights Defenders in one of her last reports.³

In their conclusion, the EU Council recognizes the *"enormous potential of the guidelines to highlight the efficiency of the EU performance in support of the defenders"* but it indicates that *"it is still hard to evaluate if they have made a significant difference"* and it makes a call for the creation of a *"central monitoring system of the EU efforts to carry out a more*

extensive evaluation of the repercussions of this EU action".

Likewise, the evaluation recognizes that one of the main obstacles for the full implementation of the guidelines is the lack of knowledge of the defenders themselves as well as of many Embassies and EU officials. The document draws together a list of 64 recommendations directed at Chancellors, missions and Embassies in the field, the EU Working Party on Human Rights (Cohom) and the European presidencies, in which they highlight the necessity of increasing the promotion of the guidelines, of adopting more proactive or anticipative attitudes by the Embassies in the field, of opening dialogue more institutionalized channels between the community of local defenders and the Embassies and EU field missions and of being

more open to financing Human Rights defenders.

A useful tool

The guidelines⁴ are a part of the process of intensification of the EU Human Rights policy in external relations and aim to provide practical suggestions to improve the EU action with regard to defenders and, concretely, to promote and stimulate the respect of the right to defend Human Rights.

These guidelines have their origin in the UN declaration on the *Right and Duty of Individuals, Groups and Institutions to Promote and Protect Human Rights and the Universally Recognized Liberties* of 1998. The EU has another set of guidelines previously approved on the death penalty, torture and other inhuman, cruel and degrading treatments; about Human Rights dialogue with third countries and on children and armed conflicts.³



Event about Colombia at the Human Rights Council.

¹ http://www.protectionline.org/IMG/pdf/EU_conclusions_guidelines_HRD_120606.pdf

² <http://register.consilium.eu.int/pdf/es/04/st10/st10056-re01.es04.pdf#search=%2210056%2F1%2F04%22>
(E/CN.4/2006/95/Add.5).

⁴ <http://www.consilium.europa.eu/uedocs/cmsUpload/web10056re01.es04.pdf>

“Colombia has... something”

Gabo Arora is of Indian origin and has lived in New York for several years. There, he fell in love with García Márquez’s novels and made the decision to come to Colombia. He has worked with PBI in Medellín and is now leaving Colombia to continue his studies.

¿What has it meant for you to work for PBI in Medellín?

I am uncomfortable with the fact that, just because I have a US passport, I can provide protection to Colombians at risk. It’s quite absurd, but we use this privilege in order to help others. I have often had to remind myself that my efforts here are focused on protecting the defender’s working space without interfering in their resistance work. It’s been hard to live in such a difficult context, where the victories are so few and the daily losses I wanted to support them more, but what I have done is enough because I know that it’s important to the defenders. “I have learnt the “power and powerlessness” of diplomacy”

What has been the best and the worst parts of this experience?

The best has been to wake up everyday in one of the most beautiful countries of the world culturally: the people, the energy..., Colombia has something. Every opportunity that I have had to meet Colombian people has been a learning process. The worst, paradoxically, has been to have to live sometimes with “white” paradigms more based on logic and reason than on heart and conviction.

If you had to summarize what you have learnt, what would you highlight?

I have learnt about the “power and powerlessness” of diplomacy: meetings, political work, reports...slow things that have value but create moments of “existential” crisis. Because the purposefulness is lost in such a difficult context. The defenders have to face a harsh reality where the truth does not even appear to exist.

You were born in India, another country with social and human rights issues. What similarities and differences do you find between the problems in both countries?

An accompanied person asked me once where I was from. (*This is a hard identity question: Am I American? Indian? Both answers are not complete.*) I told him “India” and he looked at me and said “What poverty!”. His answer hit me hard because, for me, India is more than poverty. When people ask me about the US, I do say “poverty” because the people are indeed “poorer”. We have to change our way of understanding spiritual and material poverty. They also say, that in India women are undervalued, but in Colombia, they also suffer discrimination. And here, they have criticized the Indian social movement, saying that the Colombian people struggle more. But what the Untouchables have achieved in the last 50 years has not been achieved here by the Afro-Americans through their civil rights movement. I am not saying that India doesn’t have problems, on the contrary, but we cannot see it through a western filter. Many countries are not interested in presenting India as a political power, they prefer to focus on the poverty.

What makes an Indian, resident in New York, leave everything to come here to do this work? How did you get here?

The Indian neighborhood in New York is now shared with a lot of Colombians. The closeness and the idea came from there. I had already come to Colombia but I wanted to come back to do something more...I don’t know, useful. This is how I got to PBI.

What is known of Colombia in two countries as different as the US and India?

In India, almost nothing, and it’s understandable because Colombia and its



Gabo Arora

policies have very little to do with Asia. In the US, you hear the stereotypes: drugs, Escobar, violence... I almost prefer the innocent ignorance of Indians to that of Americans, where it’s more the result of a campaign of misinformation that serves political and economic interests.

Could you highlight a moment that has had an impact in you particularly?

When I was at the San José community and they took me to taste the cacao fruit. When I said that I had never tasted it, they stopped what they were doing and took me and it was spectacular: their love, their stories. It meant so much to me that trip. It’s something I can’t easily forget. “The most important thing is to be on the side of truth”

In your opinion, what state is Colombia in and what do you foresee in its political and social future?

I don’t have much hope, and that’s what has affected me most in this work. It’s discouraging. But we continue because we have to continue. The most important thing is to be on the side of truth, and that has helped me through my difficult moments in Colombia.



Christine Oram

On July 30th, **Christine Oram**, fundraiser for PBI Colombia, ran in Bogotá’s **VII International Half Marathon**. With the support of her family and friend’s contributions and donations, she raised money for PBI. Christine, an athletics fan since she was a girl, ran the 10 kilometers, along with other 40,000 runners, in a little less

than an hour. This is the first time that a member of PBI has fundraised through a race such as this. Besides taking home a medal, Christine also took home a wonderful experience: “It’s been exciting to share this effort with such a wide range of people, and to be able to support the work of PBI”.

David Troup, an ex-volunteer from New Zealand who worked in Barrancabermeja and Urabá- known as “Flakito” by his mates- has published a CD with 13 original and Latin American songs. His originals are based on his experiences as a volunteer in Colombia and in his idea of the “road.” (This summer he walked “the Santiago Trail” promoting the initiatives Colombian peace communities). The disc, entitled “**En Camino**(On the Road),” was recorded in London with the participation of musicians from Mexico, France, England and Northern Ireland. It includes songs dedicated to people accompanied by PBI, such as “Anita” and “Tribute to Cacarica”.



CD En Camino



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Peace Brigades International (PBI) is a Non Governmental Organization 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 recognized 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 organizations 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 organizations, 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 organization.
- 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.)

