

Colombia

Quarterly Newsletter
Peace Brigades International Colombia

Nº 10 February 2009

**Commemoration
of two victims
of extrajudicial
executions in Inzá,
Cauca**

**VIOLENCE AGAINST WOMEN
Used to control
and terrorise**

**UNIVERSAL PERIODIC REVIEW
Colombia on the
international stage**

Extrajudicial Executions

A TERRIFYING REALITY

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Frightening realities

In this publication, PBI would like to emphasise the worrying phenomenon of extrajudicial executions, carried out by the army and the police in Colombia. As reported by the Colombia-Europe-United States Coordination Group, there has been a significant increase in this practice that has set alarm bells ringing. The greatest number of reported cases was in the period from January 2007 to June 2008¹: 535 people were assassinated in this way, that is, one person every day. Many of the victims were small farmers or young people from marginalised neighbourhoods who had replied to false job offers in other areas of the country and were then executed by members of the army having been accused of being members of the guerrilla.

Human rights organisations and family members of the victims have been publicly condemning the systematic practice of execution for many years. However, this information was only made public through the media, last September, when the Soacha scandal broke. Nineteen youths disappeared from Soacha and Ciudad Bolívar and their bodies were found weeks later in the Norte de Santander region, claimed by the army to have been killed in action. Various reliable investigations showed that none of them were linked in any way to the insurgency.

During the Universal Periodic Review of the United Nations Human Rights Council in December, various governments expressed their concern about this abominable practice, as well as about the serious human rights situation in Colombia; highlighting the reality for indigenous people and the violence against women in the context of the armed conflict.

Through the interviews, stories and analysis in this report, PBI aims to contribute to raising awareness and the disseminating information about the subject of extrajudicial executions and to make public the painful stories behind the figures. Furthermore, we are including information about the current human rights situation, the eighth report of the Working Group Women and Armed Conflict, which focuses on sexual violence against women, the impacts of the National *Minga* (gathering) of Indigenous and Popular Resistance last October and the reality of the violations that indigenous people continue to suffer in Colombia.

¹Colombia-Europe-United States Coordination Group Observando newsletter no. 6 October 16-31, 2008

PBI Colombia Funders

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City Council of Palencia
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City Council of Vitoria
Cafod
Caja de Burgos
Canadian Autoworkers
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CMC, Mensen met een Missie
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European Union, through Project Counselling Service
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Sigrid Rausing Trust
Spanish Agency for International Cooperation (AECI)
Trocaire
Weltwärts

Human rights organisations request accompaniment to investigate reports

Family members of victims are waiting for justice to be done



The world will associate Colombian history in 2008 with the revelations about the 'false positives' carried out by members of the national army. The Colombian and international press has broadcast information about hundreds of cases of extrajudicial executions¹ of small farmers, indigenous people, community leaders and socially marginalised individuals that were assassinated by the military and subsequently accused of being members of the guerrilla killed in action.

In the four regions where PBI works, various human rights organisations have requested accompaniment to gather information to provide them with the evidence to condemn this practice.

Despite the government announcement that more than 30 members of the national army have been dismissed, including two generals, the victims' family members continue to wait for justice as most of the cases remain in impunity and they are requesting efficient measures to ensure that this persecution is brought to an end. According to data from the Colombia-Europe-United States Coordination Group, between January 2007 and June 2008, 535 people lost their lives as a result of extrajudicial executions carried out by the army and the police².

Various countries also expressed their concern during the Universal Periodic Review process (UPR), carried out by the United Nations Human Rights Council, among them Sweden who recommended «that the Colombian government take the necessary measures to improve its efficiency in

the investigation and prevention of extrajudicial executions».

In this newsletter, some emblematic cases will be shared, documented by six organisations and communities accompanied by PBI. The difficulties faced by these organisations to publish these cases are combined with statements made by high ranking government officials who claim that social organisations are trying to discredit the armed forces³. Such statements lead to an added increase in the risks faced by human rights defenders to carry out their legitimate work in condemning human rights violations. ●

1. Extrajudicial execution is understood to be a murder carried out by State actors, putting the victim in a situation where h/she is unable to defend him/herself or where h/she is inferior. UNHCHR, 2005.

2. Colombia-Europe-United States Coordination Group Observando newsletter no. 6 October 16-31, 2008

3. "COLOMBIA: Estalla la bomba de las ejecuciones extrajudiciales", IPS, 30 October 2008, <http://ipsnoticias.net>.

The grief of small farmers in Urabá

The tired eyes of Don Alberto look down to the floor in the offices of the Technical Investigation Body (CTI in Spanish) of the Office of the Attorney General in Turbo. It is 25 December 2007 and the small farmer has just learned that, after seven years of forced displacement, his family has to suffer even more pain. His wife, Margarita Giraldo Usuga, who had disappeared two days previously from their farm in Arenas Bajas, on the edges of San José de Apartadó, is now lying dead in these cold premises.

The reports state «Female guerrilla member killed in action». Don Alberto's sadness turns to stupor and then anger. Margarita was a small farmer, like him. Her main occupation was looking after the family's crops and the children. What links could she possibly have with the fighting between soldiers of the XVII Brigade and the 58th Front of the FARC

that took place on 23 December near her home? According to some witnesses, the woman was harvesting yucca on her land when the first shots were heard. Don Alberto found the house empty a few hours later, destroyed by bullets.

Margarita's body shows clear signs of torture. Don Alberto wants to get her out of there as soon as possible, to watch over her body and to bury her, giving her back at least some of her dignity.

The Peace Community condemned her assassination in a press release on 26 December¹ and Father Javier Giraldo presented a right to petition² to the Defence Minister, Juan Manuel Santos, requesting that the XVII Brigade stop committing these atrocities in complete impunity, as has happened in the past. Father Giraldo also reported the threats suffered by Margarita's family a



Photo: Fundación Dos Mundos, "Sin Raístro" competition

few days after her assassination. Some members of the army put pressure on them to confirm that their wife and mother was a member of the guerrilla and the Community is still waiting for justice to be done.

1 "La muerte sigue caminando por Urabá", Peace Community Press release, 26 December 2007.

2 "Derecho de petición al Señor Ministro de Defensa, Juan Manuel Santos", Javier Giraldo Moreno, Bogotá 15 January 2008, www.cdpsanjose.org

EXTRAJUDICIAL EXECUTIONS IN THE REGIONS

The effects of extrajudicial executions

«A way of compensating for the pain is to create memory of past events»



Impunity represents an obstacle for human rights defenders, and, above all, for victims of human rights violations in Colombia. In spite of the fact that the phenomenon of extrajudicial executions has come to light, the psychosocial effects are not always noticeable. Dora Lucy, a lawyer from the José Alvear Restrepo Lawyer's Collective (CCAJAR) explains: «one of the main difficulties involved in the fight against impunity is precisely how to determine the effects it has on society, family members and victims. It is similar to the ripple effect caused by throwing a stone into water. Impunity generates so many waves that no one really knows where they end. What is noticeable are the most direct effects». According to Dora Lucy and Fabian Laverde of the Social Corporation for Community Assistance and Training (COS-PACC), both members of organisations accompanied by PBI, there are three main effects: fear, the breakdown of the social fabric and a lack of trust in state institutions.

«These events cause terror»

Dora Lucy: Extrajudicial executions arouse terror and fear in both individual and within the community, not only in leaders and those who are important members of the social and community fabric, but also in family members of probable victims in this type of situation.

«Breakdown of the social fabric»

Fabián: A further consequence is the breakdown of the nuclear family, precisely

because no one else will replace the person executed, either physically or in the affections of the family. The psychological damage involves not only the family but the entire community, even causing a lack of confidence in those around you, because people feel that the same could happen to them in the same place. The consequence is a sort of permanent psychosis, general, individual and collective paranoid behaviour, based on real events. Each time they see members of the army or the police, they want to avoid them, not because they have something to hide, but for fear of assassination.

«A means of compensating for the pain is to create memory of past events»

Fabián: The proposal being suggested for communities to organise and demand a response from those responsible for the crimes is fundamental. What hurts communities and family members most about extrajudicial executions is that, given that everyone knows everyone else in the small farmer sector, they ask themselves how it is possible for the army to assassinate people in their own villages and then to have the gall to present them as terrorists, when they know everyone knows each other and know that they are not. This has come with a price for the army and the police because they pit themselves against the entire community as everyone knew the person assassinated and they knew that they were not a member of the guerrilla.

In the Útete community, where PBI

has recently accompanied COS-PACC, everyone was intimidated and the problem is almost palpable in the air. In spite of this, the community has organised itself, allowing a certain, limited, level of trust among themselves; trust that they don't have in the public employees; they try to overcome their sorrow collectively. However, it is also important to underline the fact that these people who are organising themselves are very clear political actors and are very conscious of the risks they run for organising themselves following the loss of a loved one, because the accusations and smear campaigns don't stop and the surveillance increases.

«There is a complete lack of trust»

Fabián: Another consequence is that the family members stop believing in the transparency of State institutions. No one does anything for them; their relationship with these institutions is nothing more than legal and bureaucratic, as is the case of the Human Rights Ombudsman that just processes paperwork. The communities and the victims, therefore, turn to other social organisations or independent individuals who can offer them accompaniment, meaning that the responsibility that should fall to the State falls elsewhere. There is a total lack of trust.

Dora Lucy: The latest events in Colombia in relation to extrajudicial executions question the legitimacy of the institutions that are responsible for the monopoly of arms, because it is clear who these weapons are being pointed at. ●

Members of the Corporation for Judicial Freedom made a public presentation of the report on extrajudicial executions: specific the case of the Eastern Antioquia region, reporting the murder of 110 people.
<http://www.cjlibertad.org/publicaciones.php>

The Peasant Farmers Association of the Cimitarra River Valley (ACVC) condemned extrajudicial executions of its own members. Carlos Mario García, member of the cultural group of the ACVC was assassinated on Monday 26 March 2007.
<http://www.prensarural.org/spip/spip.php?article315>

La Asociación Minga, que acompaña los procesos organizativos del campesinado en la región del catatumbo, relaciona 55 casos de presuntas ejecuciones extrajudiciales en dicha región, entre junio de 2006 y julio de 2008. También hizo público al menos 26 presuntas ejecuciones extrajudiciales en el Putumayo entre 2006 y 2008.
http://asociacionminga.org/index.php?option=com_content&task=view&id=90&Itemid=30
http://asociacionminga.org/index.php?option=com_content&task=view&id=66&Itemid=41

The Committee of Solidarity with Political Prisoners (CSPP) and the Social Corporation for Community Advisory and Training Services (COS-PACC) investigate and make public extrajudicial executions in departments of Arauca and Casanare.
http://www.comitedesolidaridad.com/index.php?option=com_content&task=view&id=90&Itemid=35

The José Alvear Restrepo Lawyer's Collective (CCAJAR) reported that forced disappearance and extrajudicial executions are the main problems that affect the Catatumbo region.
http://www.colectivodeabogados.org/article.php3?id_article=1496

Most of the organisations accompanied by PBI are members of the Colombia-Europe-United States Coordination Group (CCEEU) that organised an international observation mission in 2007. The final report of the Coordination highlights elements that indicate that extrajudicial executions are carried out systematically in Colombia and that most of those crimes remain in impunity. <http://www.ddhhcolombia.org.co/node/164>

Every day one person is a victim of extrajudicial execution

The member organisations of the Colombia-Europe-United States Coordination Group continue to play an outstanding role in documenting and reporting the extrajudicial executions that take place across the country. Various cases are described in the final report of the International Observation Mission on Extrajudicial Executions and Impunity in Colombia, published by this coordination group last year. PBI interviewed Alberto Yepes, coordinator of this coalition of 199 organisations, who commented on the results of the Universal Periodic Review of Colombia in the United Nations Human Rights Council.

PBI: In October of last year, the Coordination published a report on extrajudicial executions. What was the impact of the report?

Alberto Yepes: Firstly, the State was obliged to accept that extrajudicial executions were happening as well the seriousness of these crimes. Secondly, they had to take serious measures, such as dismissing of 27 military personnel, including three generals. Thirdly, the Office of the Attorney General and the Office of the Public Prosecutor recognise that extrajudicial executions have reached intolerable limits.

PBI: How do you see the situation of extrajudicial executions?

A: The levels reached in the last year and a half are the highest ever, compared with previous years. If compared with the years before the Uribe government, the levels were more or less at one extrajudicial execution every three days. In the first four years of this government an extrajudicial execution took place every two days and in the last year and a half between 1 January 2007 and 30 June 2008, there has been one extrajudicial execution every day. In other words, one victim every day.



Alberto Yepes, CCEEU coordinator

PBI: ¿What strategies does the Colombia-Europe-United States Coordination Group have for 2009 given the situation of extrajudicial executions?

A: The government has promised zero tolerance in relation to extrajudicial executions and we are going to be vigilant so that this happens. We will continue to accompany victims and human rights organisations. For us, this is an important moment in the victims' and organisations' struggle to have been able to turn national and international public opinion in their favour, in terms of the seriousness of these crimes and that many governments are not prepared to tolerate that this is an institutional practice within the context of the conflict in Colombia.

PBI: What view does the coordination have of the current human rights situation in Colombia?

A: There is a dramatic situation: the respect for International Humanitarian Law has been deteriorating in rural areas; the situation of indigenous communities is absolutely desperate, extrajudicial executions are on the increase, and the figures for forced displacement show a considerable increase. On the other hand, however, we believe that the levels of awareness among the population, that State policies are largely responsible for this type of results, has increased. Until a few years ago, very few people in Colombia knew what an extrajudicial execution was nor did they believe in the credibility of the reports presented by

human rights organisations. We believe that the current climate is favourable for human rights organisations to continue to condemn impunity and human rights violations and this encourages us to continue with our work.

PBI: How was the subject of extrajudicial executions treated in the Universal Periodic Review session?

A: The extrajudicial executions report was high on the agenda in the comments of various countries, even Latin American countries made demands related to the report. It is important for us that a considerable number of States made recommendations very much in line with what civil society organisations have been requesting. Now, the social organisations have to come up with a strategy to force the government to make concrete plans to meet the specific measures set out in the voluntary commitments it assumed. There is a great amount of work to be done to monitor the situation year on year and to help the Human Rights Council in both the advances and steps backwards that civil society can see compared to previous years.

PBI: What specific points should the international community be monitoring?

A: To recognise the urgent need for a political negotiation to put an end to the armed conflict in Colombia and to make a serious commitment to peace, which should be an obligatory condition for the continued cooperation of the international community, and only if advances are made towards a comprehensive peace agreement in a country that is tired of war. In second place, conditions should also be placed on the provision of military aid, an effective demonstration of the lack of human rights violations, especially an absolute intolerance of extrajudicial executions, assassination of trade union leaders, attacks against human rights defenders and attacks on indigenous communities. ●

Antioquia

Extrajudicial executions in Antioquia: A never-ending story?

«Initially, they were executing small farmers in the conflict zones. Many were leaders», says Bayron Góngora of the Corporation for Judicial Freedom. «Afterwards, they started to kidnap people without much of a social network in towns and cities, homeless people. We also know about military patrols that made deals for people to be brought to them».

That was the case of Carlos Andrés and Carmen Julia, who worked as street sellers. She was pregnant, when in August 2007, they contracted them to work on a farm far away. The following day, the army presented both of them as guerrillas killed in action¹.

«In general, it is assumed that there is a limited social network, but not all cases are like that» Góngora says. «Quite the opposite, Carmen Julia's father was very worried. The family went to the Human Rights Ombudsman's Office, they even went to the United Nations and they sent them to us».

«The Human Rights Unit is at a standstill»

However, investigation of the facts is not easy. «As well as arguing with the Office of the Attorney General to take the case out the Military Criminal Justice system, we requested that the Attorney General reassign the investigation



to a district attorney of the Human Rights Unit», the legal representative comments on the complications of the process of the search for justice. «We were involved in this debate for approximately 10 months, and we then

had to request that the Attorney General name a district attorney to progress the investigations». Currently, the case is at an investigation stage, but the «Human Rights Unit has indicated to us that they do not have the capacity to work on the investigation, they are at a standstill».

Reports since 1995

Extrajudicial executions are nothing new in Antioquia, those who fight to defend human rights have been reporting cases like Carmen Julia and Carlos Andres for years². «In 1995, we started to receive reports and we began to see that there was a large number of extrajudicial executions» Góngora comments looking back. «Unfortunately, we have seen them increase. If, initially, they took place in the Eastern Antioquia region, we later began to see cases in Medellín and in the north of the department».

Currently, according to information from the Colombia-Europe-United States Coordination Group (CCEEU), Antioquia presents some of the highest levels of executions in the country. Between 2007 and 2008, it moved to second place with 65 cases³. However, not all cases are registered, «there are a large number of cases that are shrouded in silence», says Góngora.

Various military personnel investigated

On the other hand, various members of the military in the region are involved in investigations. In October 2008, the commander of the VII Division with jurisdiction in Antioquia was dismissed, as well as the commander of the Brigade, previously headed up by the 'Jorge Eduardo Sánchez' (BAJES) Battalion in the Eastern Antioquia region⁴. The commander of the army, General Mario Montoya, who resigned after the dismissals, was criticised for human rights violations when he was commander of the IV Brigade, headquartered in Medellín⁵. However, the dismissals did not generate great expectations among

human rights defenders. «The changes that they are making are not as a result of political will, but rather because of national and international pressure», in Bayron's opinion, whilst «the military commanders in many cases, being aware of the reports, did nothing to ensure that their soldiers did not continue to commit these acts». Neither did the naming of general Oscar González as the new commander of the army give the lawyer cause for optimism: «He was in Antioquia precisely during the worst period of extrajudicial executions», from 2003 to 2006, firstly as commander of the IV Brigade and then of the VII division⁶. Furthermore, the Corporation for Judicial Freedom requested that the Office of the Attorney General investigate the BAJES commanders during the period from 2004 to 2005, who at that time were subordinates of General Oscar González⁷.

«We constantly receive cases», Góngora talks of his work, «and they are very painful cases and to add to this, very often it is impossible for justice to be done effectively». Furthermore, he is concerned about his security, given that the government, instead of recognising his work «has made very strong statements discrediting our work and stating that we are developing a guerrilla strategy», the defender concludes.●

1 «Justicia para Carlos Andrés y Carmen», El Colombiano, 5 October 2008

2 «Ejecuciones extrajudiciales: el caso oriente antioqueño», Human Rights and Humanitarian Law Observatory, Colombia, Europe, United States Coordination, Bogotá, 2007

3 «Ejecuciones extrajudiciales: Realidad inocultable. 2007-2008», Human Rights and Humanitarian Law Observatory, Colombia, Europe, United States Coordination: <http://www.ddhhcolombia.org.co/node/166>.

4 «Purga histórica en el ejército por desapariciones», El Espectador newspaper, October 2008; «Coroneles serán investigados por Fiscalía», El Colombiano, 7 November 2008

5 «El desplomo de sus hombres debilitó al General Montoya», El Tiempo, El Tiempo newspaper, 22 October 2008; «General Mario Montoya Uribe dejó huellas nefastas en Antioquia», Grassroots Training Institute, 5 November 2008.

6 «General Oscar González Peña pasó por Antioquia con críticas en derechos humanos», Grassroots Training Institute, 7 November 2008

7 «Coroneles serán investigados por Fiscalía», El Colombiano newspaper, 7 November 2008.

Two different versions: which is true?

It was 5.30 in the morning on Tuesday 8 July 2008 in the village of Puerto Matilde in the municipality of Yondó, Antioquia, when three gunshots were heard. Woken by the sound, a small farmer ran out of his house and saw the body of his neighbour, Aicardo Antonio Ortiz in front of his house. He quickly ran to the centre of the village to tell the rest of the community.

Photo: ECAP



Empty bullet shell on the road close to Aicardo's house

rights committee and a member of the verification mission for this case, Aicardo was 58 years old; he had a hernia that he covered with a splint. His neighbours were raising the money for the operation⁴. He was also a member of the board of the community action group and to the pensioners group; he was well liked in the community. Fifty people, including men women and children, soon arrived, on hearing the news of his death, to see what had happened. They made an effort to stop the crime scene being manipulated⁵.

Since 2004, the small farmers in the Valle del Cimitarra region have reported 16 cases⁶ of alleged extrajudicial executions carried out by the army⁷. Whilst they struggle for justice to be done, they request additional accompaniment from international organisations to feel more protected. ●

1 "ACVC denuncia presunto asesinato de campesino", 11/07/08; <http://www.vanguardia.com/archivo/665-acvc-denuncia-presunto-asesinato-de-campesino>

2 Batallón Calibío asesina a otro campesino, Peasant Farmer Association of the Cimitarra River Valley (ACVC); 08/julio/2008. <http://www.prensarural.org/spip/spip.php?article1358>

3 Ibid.

4 Campesinos y militares: nuevo choque por un muerto; 14/07/08 Semana <http://www.semana.com/noticias-on-line/campesinos-militares-nuevo-choque-muerto/113588.aspx>

5 Interviews with Annie, CREDHOS lawyer and Evaristo Mena of the ACVC Human rights committee (Evaristo participated in the verification mission for this case); "Solidaridad: defensa de la vida y del territorio en medio de la muerte, Ejecución extrajudicial Aicardo Antonio Ortiz", 23/07/08 <http://www.humanidadvigente.net/node/163>.

6 Campesinos y militares: nuevo choque por un muerto; 14/07/08 Semana <http://www.semana.com/noticias-on-line/campesinos-militares-nuevo-choque-muerto/113588.aspx>. The figure varies between 16 and 17. Campesinos y militares: nuevo choque por un muerto; Solidaridad: defensa de la vida y del territorio en medio de la muerte, Ejecución extrajudicial Aicardo Antonio Ortiz, 23/07/08 <http://www.humanidadvigente.net/node/163>.

7 Interviews with Annie, CREDHOS lawyer and Evaristo Mena of the ACVC Human rights committee

Why did they kill them?

According to the Final Report of the International Observation Mission on Extrajudicial Executions and Impunity in Colombia, there is a persistent and systematic pattern to the 'false positives' and the families of victims continue to search for the truth about the deaths of their loved ones and for justice for the crimes committed¹.

Between January 2007 and June 2008, «535 people were registered as losing their lives as a result of extrajudicial executions, directly attributed to the army and the police »². A high number of cases relate to extralegal, arbitrary or summary executions, that continue as time goes on and happen in a large number of regions in Colombia³.

Seventeen year old Hortensia Neyid Tunja Cuchumbe, and twenty one year old , Manuel Antonio Tao Pillimué were victims of extra judicial executions by regular soldiers of the Piguanza Battalion on 8 January 2006, in the village of San Antonio, in the Inzá municipality, department of Cauca. Twenty-six year old William José Cunacué Medina was injured in the course of this event and has subsequently been pursued by the justice system.



Photo: Memorial monument in San Antonio, Inzá.

As in many cases in Colombia, there are two versions of the events. According to the public report made by the Peasant Farmer Association of the Cimitarra River Valley (ACVC), a lieutenant from the Calibío battalion, part of the XIV Army Brigade¹ says that «the soldiers arrived at the house at about 5.30am. They knocked on the door. The bandit opened. When he saw that it was the army, he closed the door. So we then opened it. He shot at a soldier, forcing the soldiers to react; they opened fire and killed him. He was carrying a two way radio, a grenade and a revolver. The army went to the village because an informer had said that there were three members of the guerrilla there and they were going to check this out».

The community's story is different. There was no fighting², «a defenceless neighbour was killed»³. According to Evaristo Mena, of the ACVC human

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► The soldiers shot three youths in the back, when there were going home on a motorbike after a party in their community. William escaped, with gunshot wounds to both legs, and was, subsequently arrested and accused of being a guerrilla, but this accusation was subsequently dismissed.



Photo: PBI volunteer Gina Donoso from Ecuador in an interview with one of the mothers of the youths.

The crime scene was tampered with, the bodies of Hortensia and Miguel appeared in camouflage vests, carrying fragmentation grenades and their family members and neighbours were threatened and intimidated by the soldiers⁴. In this case, a series of behaviour patterns can be clearly identified and linked to extrajudicial executions, as detailed in the preliminary report of the International Observation Mission on Extrajudicial Executions and Impunity in Colombia⁵.

On 8 January 2009, it is three years since the events took place. In order to commemorate the lives of these young people, their families, with the support of the San Antonio community and various social, human rights and small farmer organisations, including the Inter-Church Justice and Peace Commission, carried out a memorial event in Inzá. The commemoration paid homage to others who were no longer there, like Yovanni Pillimué, who was the Secretary of the Inzá Tierra Adentro Small Farmer Association, and headed up community processes, and was also assassinated in 2007.

In an interview with William, the survivor of this attempt, the mothers of

the executed youths, and with Yovanni's father, carried out by PBI during this event, they spoke of the social and emotional impact, of rebuilding their personal and community lives following the death of their children, as well as about the processes they have undertaken, to clarify the facts, and to seek justice and reparation.

From a psychosocial perspective, it is necessary to understand that the repressive situation suffered by the families of those executed profoundly alters and prevents a normal grieving process. Time does not become an ally; it is impossible to forget and therefore to heal, and the usual defence mechanisms fail. It is also clear that negative feelings are difficult to overcome, permanent open sores fail to heal, and the intense pain suffered in the first moments becomes chronic. What remains is the profound feeling of tragedy and the constant feeling of loss⁶.

«For me, life is no longer normal»

« People were no longer calm, but full of fear. I was a very happy person; I enjoyed being part of the community. After what happened, I wanted to stay in; I didn't want to see anyone, as if I was in a different world. I thought people wanted to hurt me, anyone I saw was going to kill me or they were going to take my children away. Life is no longer normal,» Fidelina Pillimué explained how she felt after the death of her son, Manuel.

« It has been really hard for us; we haven't been able to overcome everything we lived through with him (Yovanni) because he was a boy who liked to be at home, he cared about his sisters and about us. We have been able to get over it because of the support we have received from the communities, but the life we had before has changed a lot; because they called us two months after his death to tell us that we should stop

investigating because if not, they would take another member of the family. This has made us keep ourselves to ourselves, to try not to go out», Basilio Pillmué, Yovanni's father recalls.

Freedom now is not like it was before

If, in the cases of the detained and disappeared, we note a state of depression that is marked by confusion and a kind of ban on grieving, in the case of families of victims of extrajudicial executions, we find that this is an extremely drawn out process, marked by fundamental feelings of horror and fear. In both groups, the reconstruction of the family is extremely difficult.

«It changed my sense of freedom. When you feel free, you can go anywhere, you don't have problems with anyone; after that, it is very difficult, the family is worried about you. We continue to be accused and what you remember stays with you until you die», William Cunacué mentions.

Fidelina Pillmué shares this feeling of isolation.

«For me, it has all come to an end, nothing is good, I remember how Manuel was, a very happy person, he loved to dance and I don't go out because it is very hard,» Fidelina Pillimué said.

«This has to be cleared up»

The fear, the isolation, the social rejection and the distortion of the facts by the mass media prevent the recovery of the good name of the executed family member, making the mourning process all the more difficult for those who survived⁷.



« We need to stop this talk about us being guerrillas, because we are not. I have two boys and a granddaughter, and I am always afraid that when I go, those people could arrive at any time, accuse us of being members of the guerrilla and ►



Commemoration of the violent events that took place three years previously on 8 January.

► kill us. You live in fear, in my head, I am walking and at any moment, the army will appear and kill me, because this was in the papers, on the radio...» Luz Marina Cuchumbe, Hortensia's mother.

Fidelina also shares the urgency of the need to stop the accusations that members of the community are collaborating with the guerrilla. «I need this to be cleared up and that our and the community's names are cleared,» she requested.

«Why did they kill my father?»

Psychosocial effects on the children: Fidelina's granddaughter was two when her father was murdered. The distorting grief, the anger, the feeling of neglect and confusion have a direct effect on children. Often the intense pain and the feeling of disaster, in a very long first stage, in some cases, prevent adults from communicating with the child to help with their confusion and to share their feelings. Some children spend years without feeling the pain at the death of their father, without being able to cry. Thinking about their father means thinking about a chaotic and violent situation.

Given this possibility, children were shown different survival mechanisms. Strong emotional relationships between mother and child (and grandmother-grandchild in some cases) have also been developed.

The strength of the people

However, it was possible to see that the families of Hortensia, Manuel and William have internalised aspects of their adaptation to their new life, that of family members of victims of State crimes. The grieving process, meeting other victims and other organisations, travelling to other areas of the region, country and

the world has enabled them to acquire tools to develop their own organisational processes, such as «Peace Building families» and for young people «Knowledge Promoters», that give new meaning to the expression of historical memory as a collective process⁹.

«Something has been lost, but we have become closer, and by doing so, we have had many outings, and received training. Various families get together to support each other», William Cunacué comments.

«We have received support from the community and that encourages us to move on, because they are aware of what we are going through, they help us and our sense of community has been strengthened. I would ask for reparation for the entire community, because we were all affected, because they were young members of the community», Luz Marine Cuchumbe adds.

Basilio says that it is precisely the solidarity among members of the communities and other organisations that encourages them to continue to search for the truth about the assassinations.

«We will not let it lie until the facts are cleared up. We are going to continue with this process to find those responsible, to ensure that justice is done. That is what we are looking for. We know that we are strong, because we are accompanied very closely by Justice and Peace, by you (PBI) and by the IACHR», he said.

«I am asking for justice»

National or international justice «opens up the possibility of developing a more fully expressed grief. The victim has the possibility of being heard (...) and of hoping that their case be subject to a due legal process and sanction, that, in many cases, they have been waiting years for», according to Carlos Portillo¹⁰.

«I ask that justice be done for those



people. We don't want our case to remain in impunity, rather that one day it sees the light of day and that we are declared not guilty. Those who have died, they were boys, small farmers who had done no wrong, they just worked so that we could eat», claimed Luz Marina Cuchumbe.

«... it would bring peace to know that those who have been accused are innocent, it will bring back our honour»

William Cunacué also hopes for justice that «would mean something very important to the community, it would bring us peace to know that those who have been accused are innocent, it will give us back our honour».

These painful statements that we have published in this newsletter are only a small selection of what happens within Colombian society throughout the country. ●



Chrysoula Tzafeta from Greece and Sylvain Lefebvre from France, accompanying the memorial event in Inzá, Cauca.

1 Colombia – Europe – United States Coordination, October 2008, p. 9.

2 Colombia – Europe – United States Coordination, Observando newsletter N.6, October 2008, p. 2.

3 Preliminary report of the International Observation Mission on Extrajudicial Executions, published in Bogotá, 10 October 2007.

4 Report 14 Inzá-Cauca, «Asesinados extrajudicialmente por el Ejército, dos jóvenes campesinos», Inter-Church Justice and Peace Commission, 18 March 2008

5 Third report on the situation of human rights in Colombia. Chapter IV Violence and the violation of international human rights and international humanitarian law. OAS/Ser.LV/II.102 Doc. 9 rev. 26 February 1999, p. 11, párr.47.

6 D. Becker, I. Castillo, E. Gomez y S. Salamovich: Muerte y Duelo: «Los Familiares de Ejecutados y su Psicoterapia», in Martín Baró I. (collection): «Psicología Social de la Guerra», UCA Editors. Third Edition 2000. San Salvador, El Salvador

7 Ibid.

8 Ibid.

9 DeVer 476 http://www.justiciapazcolombia.com/spip.php?article582&decoupe_recherche=lnz%C3%A1

10 Portillo, Carlos, «El proceso de duelo por violaciones a los derechos humanos en Latinoamérica» en Atención integral a víctimas de tortura en procesos de litigio. Aportes psicosociales, IIDH, San José, 2007.

Demanding justice – a task filled with obstructions

The rights of defenders and communities are violated

There are less and less possibilities available to social movements and grassroots organisations to demand respect for their rights through legal and democratic means, as a result of intense terror and persecution strategies, according to the Human Rights and Political Violence Database Network, coordinated by the Grassroots Research and Education Centre (CINEP) in their 2008 mid-year report¹. Human Rights Watch, in its last report, exposes the fact that «High-ranking government officials continued to make public statements accusing human rights groups and defenders of collaborating with guerrillas. Such statements create an environment of intimidation that makes it difficult for human rights defenders to carry out their legitimate work»². Furthermore, the Inter American Commission for Human Rights states in its last annual report that: it «has received complaints reporting e-mailed threats against human rights organizations, acts of intimidation and the theft of information at their main offices, committed by all sides in the conflict. It also remains concerned by the unfounded criminal investigations being brought against human rights defenders»³.

PBI, through its international accompaniment and observation work, knows about the following cases:

In his voluntary confession on 5 November, the paramilitary leader, Mario Jaimes, alias 'El Panadero', accused David Ravelo, General Secretary of the Regional Corporation for the Defence of Human Rights (CREDHOS), of having links with the guerrilla⁴. The following day, various associations, NGOs and trade unions in Barrancabermeja, including David Ravelo himself, received a threatening email signed by the Gaitanist Self-defence Forces of Colombia (AGC), making reference to 'El Panadero' as commander of this illegal group⁵.

Events such as these put these people and organisations at great risk and restrict their freedom to fully carry out their human rights work.

These are not isolated or single incidents, rather, they take place within a context of constant and recurrent threats against human rights defenders. In the previous months, various illegal armed

groups, such as the self-named AGC, Black Eagles and Castaño's Heroes⁶ distributed pamphlets in Barrancabermeja and Bucaramanga that included threats against members of human rights organisations and trade union groups. Various organisations accompanied by PBI were named: CREDHOS, the Peasant Farmer Association of the Cimitarra River Valley (ACVC) and the Grassroots Women's Organisation (OFP)⁷. Within this context, the Human Rights Workers Coordination Group in Barrancabermeja issued a press release that stated that a smear campaign had been unleashed with the aim of harming the credibility of human rights defenders, including David Ravelo⁸.

Arrest of a social leader

Another worrying event took place on 15 November when Carmelo Agámez, Technical Secretary of the National Movement of Victims of State Crimes (MOVICE – Sucre) was arrested and imprisoned in Sincelejo prison, on charges of collaborating with paramilitary groups. Various prisoners accused of crimes related to paramilitarism are being held in this prison. Carmelo, in his work with MOVICE, has publically denounced the crimes of some of these people, which implies an alarming level of risk in terms of his security and his physical wellbeing⁹. Agámez and 17 other social leaders that are members of MOVICE are protected by precautionary measures from the Inter American Commission on Human Rights since 2006.

Furthermore, on 16 December, the indigenous activist and wife of Aída Quilcué, leader of the Regional Indigenous Council of Cauca (CRIC) was assassinated by members of the José Hilario López Battalion. Edwin Legarda was shot three times as he travelled to the city of Popayán. The Colombian army admitted



responsibility for Legarda's death, but denied that it was a case of an attempt on his life¹⁰. (See article on pages 20 and 21).

Finally, on the last day of the year, a grenade exploded in a public building in the indigenous Kankuamo Peoples' lands, leaving five dead and 85 people injured. The Kankuamo people demanded that the government make a statement about this event and that the Office of the Attorney General ensure that an «efficient and impartial» investigation be carried out¹¹. In the last two decades, almost 300 members of the Kankuamo ethnic group have been murdered¹², as a result of which the Inter American Commission on Human Rights requested that, since 2004, the State adopt, «without delay, the necessary measures to protect the life and physical wellbeing of all members of the communities that make up the Kankuamo People»¹³. ●

1 Noche y Niebla, no. 37, January to June 2008: "Terror e Inseguridad", <http://www.nocheyniebla.org/>

2 Human Rights Watch report, January 2009

3 2007 Annual report of the Inter American Commission on Human Rights <http://www.cidh.oas.org/annualrep/2007eng/Chap.4a.htm>

4 "Alias 'El Panadero' señala a ex Congresista en un crimen", Vanguardia Liberal newspaper, 5 November 2008

5 "Credhos denuncia correos amenazantes", Vanguardia Liberal newspaper, 9 November 2008

6 "Urgent call", El Observatorio para la protección de los Defensores de los Derechos Humanos, 23 July 2008, Focus of interest PBI, July 2008

7 "Nuevo grupo paramilitar 'gaitanista' amenaza la ACVC y otras organizaciones en Barrancabermeja" Vanguardia Liberal, 3 November 2008

8 Press release Human Rights Workers Coordination Group in Barrancabermeja, 10 November 2008

9 Press release "Urge traslado de Carmelo Agamez", Inter Church Justice and Peace Commission, 27 November 2008

10 "Ejército colombiano admite que mató a esposo de líder de protesta indígena", El Universo, 16 December 2008

11 "De la Esperanza a una verdadera tragedia humanitaria", Pueblo Kankuamo, 5 January 2009

12 "Peligran los kankuamos", El Espectador, 9 January 2009

13 Ibid.

Comprehensive accompaniment

PBI supports social fabric reconstruction

The support for social fabric reconstruction is one of the strategies of PBI that together with the others: physical accompaniment, advocacy and communications, offers human rights organisations comprehensive accompaniment and protection.

«The workshop was participatory from beginning to end, which enabled all the members of the commission to express their opinions and then exchange experiences...». Participant

Desde su nacimiento PBI Since its establishment, PBI Colombia has developed this strategy which has traditionally consisted of workshops to share international accumulated experiences of PBI's work in other countries and to provide psychosocial protection and emotional support tools.



Workshop with the José Alvear Restrepo Lawyer's Collective (CCAJAR) in Bogotá

At the moment, in addition to the usual workshops held with the organisations, this strategy includes workshops with the PBI field teams to provide them with the emotional accompaniment tools for use in their daily work, producing articles for the newsletter that bring an understanding of the psychosocial effects of the Colombian conflict on the people's lives and within the organisations we accompany.

Having this wider vision of psychosocial and social fabric reconstruction helps us as PBI volunteers to have a better understanding of what is happening in Colombian society, in the organisations we accompany and with those who work in the organisations;

this helps us to improve our work. Furthermore, it provides us with new tools to explain what is happening in Colombia to our national groups and support network.

Currently, PBI continues to hold participative workshops with the NGOs on request. These workshops continue with the same strategy of providing psychosocial, protection and emotional support tools to organisations. The following subjects are covered: techniques for situation analysis, tools for risk analysis, the psychosocial effects of fear and fear management, actions in crisis situations, the psychosocial effects of political violence, psychosocial accompaniment tools for victims, analysis of protection and security strategies for the organisations.

In PBI's lengthy experience accompanying organisations, we have been able to confirm how the constant situation of threats and insecurity and its prolongation over time, has emotional effects on individuals and organisations. To live with fear is one of the most difficult experiences to overcome and affects people's lives at many different levels, over and above their work as human rights defenders. Therefore, the comprehensive protection workshops have offered an alternative space that is valued by the organisations, they given them the security tools to provide concrete means of increasing their protection that goes hand in hand with elements of how to deal with their feelings and to manage the impact produced by living in a situation of constant insecurity.

The workshops are carried out using

«Working with contributions from the group enabled us to ensure that the security issues were appropriate. It is important to recognise different feelings within the group that may be caused by working in a violent context» Participant



Task for the participants in a workshop in Sucre.

a participative, dynamic and experience-based methodology that allows time for analysis and reflection, where each organisation contributes previous experiences, draws its own conclusions

«The best things: group bonding, getting to know each other better, sharing our fears. This brings us together and gives us both self-confidence and confidence in the group.» Participant

and then makes its own decisions.

PBI carries out the role of facilitator, but does not draw conclusions, or provide solutions or decisions for the organisations.



Activity with members of CCAJAR.

PBI is conscious of the importance of social fabric reconstruction in Colombia, after all the harm which has been suffered. We are also convinced that this reconstruction is the work of Colombians, and so we contribute tools so that they themselves can continue with their human rights work. ●

Sexual violence crimes silenced by the 975 Law

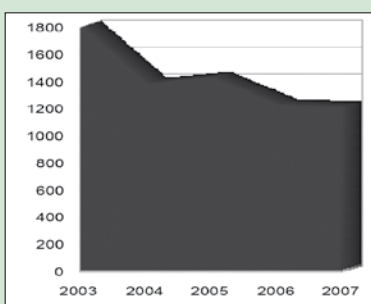
Violence against women, used to control and terrorise

The Eighth report by the Working Group Women and Armed Conflict covering 2007-8 is the first thematic report, concerned with «sexual violence, not only within the framework of socio-political violence, but also the violence suffered by women in private».

In the first chapters, the report highlights the magnitude of the phenomenon of socio-political violence against women and girls, underlining that between July 2002 and December 2007, 1,314 women were killed outside of combat. Most of these killings are attributed either directly or indirectly to the state. Likewise, 90 women were victims of extrajudicial executions; arbitrary detentions of women tripled (483 cases) and 82 women were victims of torture. The aim of armed actors that use violence against women as a weapon of war is to «generate terror and control». The Forensic Department figures show that there are still high numbers of femicide.

Femicide rate

In spite of the reduction in the number of women murdered in recent years, the rate is still high:



2003: 1.799, 2004: 1.378, 2005: 1.424,
2006: 1.223, 2007: 1.207

The report raises awareness about the numerous obstacles faced by women victims of sexual violence in terms of access to justice in Colombia, including the lack of knowledge about rights and procedures, revictimisation at the hands

of the authorities, pressure on the victim to say who the aggressor was, the familial or emotional relationship with the perpetrator, the absence of representation for victims, the risk and danger for them and their families, the lack of trust in the authorities in charge of receiving reports and investigating the facts and impunity in reported cases.

The deficiencies of the criminal law system

Furthermore, the report underlines the deficiencies in the criminal law system to ensure an appropriate investigation of sexual crimes is carried out, such as distortion in the classification of the crimes, the lack of official registers, the 'neutrality' of the justice system, in the name of which it aims to «put the victim and perpetrator at the same level, not understanding the specific implications for women and the power that male aggressors exercise over them», the lack of training for those who work within the legal system, the lack of intimacy to be able to provide reports and the difficulties surrounding medical examinations.

Obstacles to reparation

The report also underlines the difficulties in obtaining the right to reparation, primarily because of some of the points outlined in the administrative reparation decree. Some of these affect all victims, such as the costs of the process, the demands made on the victims in terms of proof, the legal requirement of being entirely sure of the identity of the perpetrator, the lack of access to a legal process, proof of being a victim, the lack of differentiation between reparation measures and humanitarian aid. Others are specific to women victims of sexual violence, as in the case of displaced women. Although this phenomenon presents a general obstacle for all victims, displacement particularly affects women, who represent 53%

of the displaced population. Another obstacle faced is the difficulty in reporting the crime, given that in many cases, the perpetrators are members of the army and the police – a fact that is not recognised within the decree, which talks exclusively about «illegal» armed groups. Regarding the Victims Law 157 of 2007, the report focuses on the fact that «the greatest loss for all victims within the stipulations in the Statute, and which are no longer included, continues to be recognition of the principle of responsibility by the State».

Impunity within the framework of the 975 Law

Furthermore, the study reminds us that crimes of sexual violence are silenced within the framework of the 975 Justice and Peace Law. The Office of the Attorney General does not investigate sexual violence that could be hidden behind another crime, it does not look into previous investigations or it does not rely on them, it fails to investigate those who they do not consider to be the primary objective of the attack. In addition, they do not encourage the reporting of sexual violence crimes; more importance is attached to the words of the paramilitary perpetrators of crimes (in their voluntary confessions) than to the female victims. On a more general level, the control by the paramilitaries over the lives of the women has not been investigated, they have been allowed to apologise for the crime, name the victims and avoid taking responsibility for having ordered the crime to be committed. ●



Interview with Yolanda Becerra, Director of the Grassroots Women's Organisation (OFP)

The silence surrounding violence against women

Yolanda Becerra, Director of the Grassroots Women's Organisation (OFP), is also a member of the Working Group Women and Armed Conflict. In this interview with PBI, she shares some of the conclusions from the Working Group's eighth report on sexual violence against women.

PBI: What is the situation of violence against women like in the Magdalena Medio region?

Yolanda: I think the situation in the Magdalena Medio region is very similar to other parts of the country. Violence against women is systematic, both in private and in public. Of course, in regions such as the Magdalena Medio, which is also affected by the armed conflict, the violence is much worse because it is used to exert power over women, as an expression of patriarchy. Violence against women happens on a daily basis, and women do not report it to the authorities, because it makes us victims twice over, we are the ones who come off worst.

Also, nobody takes any notice; nobody cares about this kind of violence.

PBI: Does the OFP have figures regarding sexual violence against women in the Magdalena Medio region?

Y: Nobody has these figures. Women report general violence. Domestic violence, political violence, violence against our loved ones. But we do not report violence carried out against us as women. It is much more difficult. And if it is sexual violence, even more so. We have had a hard job explaining to government institutions, our partners, other organisations and other women, that every time a woman is raped it is an act of political violence. That has been very difficult to explain, we still have a lot to do, and we need to learn how to gather the information and organise it in a systematic way.

PBI: Is there a particular age range most affected by this violence?

Y: Si hay como dos tipos de edades que no. Yes, in our experience there are two age ranges. The first is during adolescence,



Yolanda Becerra, Director of the OFP

between the ages of 14 and 20, especially in 1998, when we had to help a lot of young girls to leave the town. Others died after suffering sexual violence at the hands of the paramilitaries, and sometimes state officials. We have also received many reports of aggression suffered by women between the ages of 35 to around 45.

PBI: How is sexual violence linked with forced displacement in the region?

Y: I think that the two things go hand in hand. Many cases have not been reported and when they have been, the government institutions involved have only reported the general human rights violations; they have not given any importance to the element of sexual violence. We have one case from the town of Puerto Wilches, in which a woman says she was raped and none of the institutions took any notice of her, and the doctors have now said that she was not raped.

PBI: What strategies does the Working Group Women and Armed Conflict envisage to change the way sexual violence is viewed?

Y: The Coordination has done extremely valuable work to show the reality of this situation, to report on what is happening to women, and to take this information to the international and multilateral levels. They are the expression of these women's voices, their pain, their words, their cases and their courage, to the outside world.

PBI: What effect does it have on Colombian society that only a small percentage of women report sexual violence to the authorities?

Y: It has extremely serious implications, because women make up more than 50 percent of the population in Colombia. If we do not report crimes against us, if the truth cannot be revealed, if there is no justice, that leaves over half of the population in very difficult position to be able to talk about peace and the reconstruction of society and gender, both within communities and throughout the whole country. Violence against one woman affects the whole community. Violence against one woman affects the whole country, the family and society. We urgently need to understand the consequences of this violence and find ways to make reparation.

PBI: What kind of reparation is necessary?

Y: We would need to work very hard to make sure that sexual violence is reported, because this is part of the healing process, of increasing self esteem, the very fact of talking about what happened, expressing yourself helps to get rid of fear, because you learn to cope with fear.

The other element is justice, which is achieved once the truth is established and those responsible are punished. In most cases, when there are advances, it is usually only the person who carried out the crime who gets punished, but never the person who planned the crime, the person who funded it, defined it, designed it and ordered it to be carried out.

I also think that it has to be collective and social reparation. Reparation in Colombia is directed towards individuals, not towards women as a whole. Another element would be the reconstruction of the family and the social reconstruction of women. We have to understand that what is happening to other people is happening to me too. It is a commitment to women, a commitment to life, and a commitment to other women, in terms of defending the construction of rights. ●

Interview with Luis Fernando Arias, Secretary General of the ONIC

Indigenous people continue to wait for a response to their demands

PBI talked to Luis Fernando Arias, Secretary General of the National Indigenous Organisation of Colombia (ONIC), about the results of the National Minga of Indigenous and Popular Resistance, which took place last October. Arias also commented on human rights abuses against indigenous women, and the constant violations suffered by indigenous peoples, as was made all too clear when Edwin Legarda, husband of the High Councillor of the Regional Indigenous Council of Cauca (CRIC), was assassinated.

PBI: What is your evaluation of the Minga, in terms of indigenous peoples' demands and what has been achieved up to now?

Luis Fernando: We have evaluated the Minga positively, above all, because it gave back hope to the social movement in Colombia, that we are still strong, even though we are suffering as a result of policies which are killing us and instilling terror. We built a scenario for the masses, for discussion and reflection, and we significantly raised our political profile, which Colombia had lost over the previous six years. The Minga has not been dissolved, the Minga is constant. One of the issues the Minga brought up was the subject of the political economy, for two reasons. Firstly, we wanted to talk about the redistribution of wealth in Colombia. Although the government claims that the economy has grown, poverty has also increased. And so, where has all this money gone? Secondly, we expressed our total rejection of the

Free Trade Agreement with the United States, and the Association Agreement between the European Union and the Andean Community of Nations. One of the most important reasons that we do not agree with these agreements is because there is a genocide being carried out against indigenous peoples, as well as constant violations to our human rights. We do not understand how the European Union, which claims to be a bastion of human rights, can sit down with a genocidal government like the one we have in Colombia.

PBI: How have the government responded to your demands?

LF: President Uribe promised to continue the political debate, but he has still not shown his face. As a consequence of the Minga there unleashed a chain of stigmatisations, accusations and selective killings, as in the case of the murder of Edwin Legarda, husband of Aida Quilcué, who is the current High Councillor of the CRIC. We have no doubts that they meant to kill Aida, one of the most visible and strongest indigenous leaders in the country, and the heart and soul of the Minga. This is part of the government's policy to persecute, stigmatise and murder in order to control us, we knew from the beginning that the Minga would bring risks with it. That is why we have asked for international accompaniment.

PBI: And how did the international community respond?

LF: The response from the international community was extremely important. What is more, we believe that our only allies before, during and after the process were members of the international community. The government is not interested in what we say, but they are very concerned about what the international community says. It was really heartening to see that the eyes of the world were



Photo: ONIC

Women taking part in the colourful march, arriving in Bogotá

on Colombia, on the Minga. For the protesters, those who took part in the Minga, it was a relief to know that we were not alone.

PBI: In the final session of the Permanent Peoples' Tribunal (PPT), the human rights situation of indigenous women was discussed. What are the most serious violations suffered by indigenous women?

LF: The PPT was clear in condemning the State for permitting violations against indigenous women. From 2002 to date, we have registered 144 cases of violations of indigenous women's rights, 68 percent of which were carried out by the army or the police. These have been reported to the relevant control and investigative bodies but as yet no action has been taken to bring the perpetrators to justice. It may be a strategy on the part of the government to introduce other races into indigenous communities, and in some of the cases the women were harassed and forced, raped, and then used for military intelligence means. This is a serious violation of international humanitarian law. What is more, we are not only talking about women who have been raped, but also about all the women who have become widows and who have to look after 7 or even 10 children alone. One example of this is the case of the Kankuamo People, who have around 200 widows and more than 700 orphans. This is an alarming situation. What is the public policy for the attention of indigenous women who are totally unprotected as



Alexander Lötscher, Swiss volunteer, accompanying the OFP during the Minga



Using media interest indigenous people expressed their messages and demands

- a consequence of the social and armed conflict? The Constitutional Court has issued a decree for the attention of displaced indigenous women, but the advances have been minimal and we are extremely concerned.

PBI: What are the demands of indigenous people regarding land?

LF: We have carried out a study in which we show that 27 percent of indigenous people in Colombia do not have their rights to land fulfilled. Of the 31 million hectares which the government says it has given us, several things have to be clarified. Since 1961, when the Colombian Institute for Agrarian Reform (Incora) was created, the government has only bought 200 thousand hectares. Where are all these other lands they talk about? These are lands which we have preserved, which we have defended since our ancestors' times. Lands which are located mainly in the Amazon, the Pacific Coast, in the Sierra

Nevada mountain range, and in the south west of Colombia. Of these 31 million hectares, only three million are productive. The other 90 percent are forests, or even deserts, as in the case of the Guajira region. The government has a perverse interest in saying that we indigenous people do not need any more land and that we are the main landowners in the country. What the government does not mention, however, is the fact that 61 percent of the land in Colombia is owned by 0.5 percent of the population. According to unofficial figures, the President himself owns more hectares of productive land than all of the indigenous people put together. Our struggle for land is a struggle for life, for our system of living, for our survival as Peoples.

PBI: What are the effects of the expansion of development projects?

LF: The case of the Uwa People is well known at the international level, because of their struggle to defend their lands against oil exploration. In the 1990s, they began a world campaign which reversed public opinion against the Occidental Petroleum Corporation (Oxy), and they managed to remove them from their lands. However, last year the government authorised the exploration of their lands

without prior consultation with the Uwa people.

There are also effects caused by the policy to produce bio-fuels in the Orinoquia region of Colombia, where dozens of indigenous peoples are on the verge of extinction, and the government plan to plant six million hectares more there. There are also enormous palm oil plantations throughout the Pacific Coast region. In Nariño, there have been cases where the government did not fumigate illegal coca plantations, but instead fumigated community crops, so that indigenous people were forced into displacement and the government could appropriate their lands and hand them over to oil palm companies. The government has a perverse economic strategy throughout the country, and above all in indigenous lands, which could have irreversible consequences such as the physical and cultural disappearance of whole peoples. One example is the case of the Embera Katio People who live in Tierra Alta, Córdoba, very close to President Uribe's estate which is known as Ubérrimo, where one large-scale development project has already been implemented, namely the Urrá 1 dam, and where they are planning to build the Urrá 2 dam, which would cause the displacement of an entire people. ●

1 Quechua word which describes traditional collective action with social aims

Indigenous people walk 700 kilometres.

«The Kankuamo People resist for autonomy and dignity», is one of the messages which files past during the march through the streets of Bogotá. The brilliant colours on this banner and hundreds of others which are held up, mix together with the beautiful indigenous costumes, and the determined faces of the women and men wearing them.

On 20 October, PBI accompanied the Grassroots Women's Organisation (OFP), who marched with over 12 thousand indigenous people from all over Colombia¹, from the town of Soacha to Bogotá, to demand the defence of indigenous peoples' land rights and to raise awareness about the serious situation of systematic

human rights violations in Colombia.² The National Minga of Indigenous and Popular Resistance began on the 10 October in La María where 40,000 indigenous people appealed to the government, demanding a response to their requests. When this had no effect, they began their long journey, of at least 700 kilometres to Bogotá, «where we hope that President Uribe will meet with us»³, said Luis Evelis Andrade, High Councillor of the ONIC. In Soacha, the last stop before Bogotá, a number of Colombian social and student organisations joined the march. President Uribe could not receive them because he was in Lima, signing two trade agreements (with China and Canada), and meeting with 11 heads of State for the approval of the Free Trade Agreement with the United States.⁴ ●



1 "La Minga llegó a Soacha", El Espectador.com, 19 November 2008, <http://www.elespectador.com/impreso/bogota/articuloimpreso91489-minga-llego-soacha>

2 "Por qué nos movilizamos: Minga Nacional de Resistencia Indígena y Popular", ONIC, 10 October 2008.

3 "Minga indígena ya se encuentra en Soacha, última escalada su marcha a Bogotá", 9 November 2008, http://www.eltiempo.com/colombia/bogota/ARTICULO-PRINTER_FRIENDLY-PLANTILLA_PRINTER_FRIENDLY-4673466.html

4 Secretaría de Prensa Noticias, 22 November 2008, <http://web.presidencia.gov.co/sp/2008/noviembre/22/15222008.html>

Interview with Fernando Madrigal of ACA about the Alternative Land Registry in San Carlos

«For the defence of lands which were abandoned because of the violence»

Photo: ACA



Fernando Madrigal from the Small Farmers Association of Antioquia

The National Movement of Victims of State Crimes (MOVICE), defined Alternative Land Surveys as one of their eight strategies «as a direct mechanism for compiling information on the properties and lands of victims, which were stolen as a result of the State's policy of terror»¹. Since 2008, they have developed pilot projects in the areas of San Onofre in the Sucre region, and San Carlos in the Antioquia region. Fernando Madrigal, from the Small Farmers' Association in Antioquia, who is carrying out a project with the «Seeds of Freedom» Human Rights Collective and the regional section of MOVICE, told PBI about the experience in Antioquia.

PBI: What is the history of displacement and theft of land in the area of San Carlos, in the East of the Antioquia region?

Fernando: San Carlos is an area which, between 1996 and 1997, had a population of some 14,000 people and where the FARC and ELN guerrilla groups had a certain influence. Between 1997 and 1998, paramilitary groups working with the army and the police, entered the region, with the aim of removing these armed groups and putting a stop to the help they supposedly received from small farmers. This crisis caused the mass displacement of some 8,000 members of the population, and San Carlos became the area in the region with the highest displacement.

PBI: What help does the government offer to the displaced population and what programs exist to promote their return to their lands?

Fernando: In the ACA we do not use the word «help». The displaced population has rights under law 387, such as the right to the legal protection of their lands and, even more importantly, the right to return, recover their lands and reconstruct the social fabric of their community.

However, in Antioquia, there are between 400 and 450 thousand hectares which were forcibly abandoned because of the violence, and we find it absurd that there are not even 2,000 hectares of legally protected land. The right to return is not respected either, because there are no legal guarantees for the regions in question and there is no comprehensive support because the government agency responsible for attending to displaced people² only gives 300,000 pesos (approximately USD 120) for returns.

PBI: What are the differences between the Alternative Land Registry and State programs?

Fernando: We are making an inventory which in the future, when displaced families can return with dignity and in conditions of safety, we will be able to defend their lands. The Alternative Land Registry is not only a legal instrument, it involves visiting the regions concerned and understanding the real situation, gathering information directly from the small farmers, and sharing this experience with them.

PBI: Tell us about your experiences in this first stage of the Alternative Land Registry.

Fernando: We visited four villages with an interdisciplinary team and several leaders, who had not been to their lands for some time. Once there, we identified that the main reason that people had been forcibly displaced from San Carlos was because of an attempt to destroy communities' organisational processes, rather than a specific attempt to steal their lands. However, we could say that in several villages there was an attempt to steal and

appropriate lands, because we found a ludicrous situation that former officials from the local administration, who had worked in INCODER³, the Colombian Institute for Rural Development, were requesting titles for lands which had been abandoned during the displacement, lands which they had never owned or occupied. Also, the local administration placed obstacles in our path to make our work difficult, by refusing to give us information, or not providing it on time.

PBI: What obstacles have you identified for mass returns to San Carlos?

Fernando: Apart from the lack of guarantees for dignified and safe return, we found that displaced people continue to be charged a land tax for their abandoned properties, because the local administration did not allow this tax to be frozen. The population who became displaced eight, nine or ten years ago owe up to of three, four or five million pesos (between USD1300 and USD2300). We have carried out all the legal work we can, but the local administrations tell us that it is impossible to cancel the debt.

Photo: ACA



Lands abandoned because of the violence

Obviously this has forced and will continue to force many families to sell their lands, which will mean that there will be a concentration of land ownership in the East of the Antioquia region. The only legal solution possible would be the passing of a new law which would cancel the debt retroactively. ●

¹ National Movement of Victims of State Crimes: Ocho propuestas para la verdad, la justicia, la reparación integral, la memoria y la no repetición de los crímenes contra la humanidad, Bogotá, 9 July 2006, en: http://www.movimientodevictimas.org/index.php?option=com_content&task=view&id=52&Itemid=56.

² Presidential Agency for Social Action and International Cooperation

³ Colombian Institute for Rural Development

Concern for the serious human rights situation in Colombia

2009: an electoral year begins in the shadow of extrajudicial executions

The main news stories of the year in Colombia were about the extrajudicial executions scandal - the subject of this newsletter, the pyramid selling scandal, the development of the Universal Periodic Review of the human rights situation in Colombia, and the run up to the elections. At the same time, the press continued to publish news of the ongoing parapolitics saga, announcements of the possible release of kidnap victims and the trials of paramilitary leaders in the US.

Re-election in 2010?

2009 began with talk of the elections. The current President showed his interest in staying in power by possibly seeking re-election in 2010. Opinion is split, some alliances are falling apart, others are being created, a certain level of uncertainty reigns, and every day the press comes up with new candidates for the presidency. The magazine «Semana» believes «the institutional limbo that this has created should not be allowed to continue much longer»¹. In this context, it is important to monitor the positioning of human rights issues and, in particular, the situation of human rights defenders in the political agenda.

A new Public Prosecutor

Another important issue, bearing in mind the constitutional role of «guaranteeing the protection of human rights», was the election of the Public Prosecutor, which caused heated debate between supporters and detractors. Although Alejandro Ordoñez presented the three pillars of his administration as «fighting corruption, protecting basic rights, and defending constitutional guarantees tooth and nail»², various sectors of Colombian society disapproved of his election. «Semana» expressed concern because, while he was a member of the Council of State, Ordoñez absolved numerous members of the Colombian



Congress and introduced laws which favoured members who had links to paramilitarism³. According to María Victoria Ramírez Martínez, of the women's NGO Contigo Mujer, «as far as feminist organisations are concerned, this decision is a huge setback to all the recent gains we have made»⁴.

Universal Periodic Review

On 10 December, Colombia faced the UN Human Rights Council's Universal Periodic Review, from which it emerged «without pain or glory», according to an editorial in El Tiempo⁵. Following a presentation by Vice President Santos, delegations from 43 countries made statements, many of them reiterated concerns expressed in the Colombian human rights organisations' report. As the Colombian coordination groups pointed out, «within this dialogue which was generally characterised by governments' mutually congratulatory diplomatic language, serious concerns over the persistence of serious human rights violations in Colombia were expressed»⁶. The International Office of Human Rights – Action Colombia (OIDHACO) wrote a report for the occasion, in which it recognised the existence of a government programme designed to protect human rights defenders, but lamented the fact that it was «not very effective, in part, because

of the contradictory attitudes of high-ranking army officers, government officials and even the President himself. In particular, it is extremely dangerous for the above-mentioned people to deprecate and delegitimize in public the work of human rights defenders, by insinuating that they aid and abet the guerrilla»⁷. This thorn in the side of relations between the State and human rights organisations

was commented on during the United Nations session by countries such as Spain, France, Great Britain, Norway, Sweden, Switzerland and Uruguay. Other problems that came up over and over again were extrajudicial executions, forced recruitment of minors and their use by the different armed actors. Furthermore, certain countries expressed concern over the persistence of forced disappearances, the situation of displaced people and indigenous peoples, and the continued violence against women within the context of the armed conflict, a problem reflected in the eighth report of the Working Group Women and Armed Conflict, which is summarised in this newsletter. ●

¹ Semana n°1393, «La Sombra de la reelección»

² El tiempo.com, «Alejandro Ordoñez fue elegido como nuevo Procurador General por el Senado», December 2008, http://www.eltiempo.com/colombia/politica/alejandro-ordonez-fue-elegido-como-nuevo-procurador-general-por-el-senado_4717644-1

³ Semana, «Yo te absuelvo, tú me eliges...», 6 December 2008, <http://www.semana.com/noticias-nacion/absuelvo-eliges/118473.aspx>

⁴ Corporación Nuevo Arco Iris, por María Victoria Ramírez Martínez, «El Procurador Ordoñez no garantizará los derechos de las mujeres», 17 December 2008; <http://www.nuevoarcoiris.org.co/sac/?q=node/245>

⁵ El Tiempo, «Más y más promesas», Editorial, 19 December 2008, <http://www.eltiempo.com/archivo/documento/MAM-3243558>

⁶ «United Nations: Critical Balance of the Human Rights Situation in Colombia», 11 December 2008

⁷ OIDHACO, «Informe de las organizaciones miembro de la Red OIDHACO y de otras organizaciones internacionales con ocasión del Examen Periódico Universal», Brussels, 20 June 2008

■ Bogotá

UNHCR and PBI work together for the human rights of displaced people

In light of the forced displacement crisis which Colombia suffers, Peace Brigades International (PBI) and the Office in Colombia of the United Nations High Commissioner for Refugees (UNHCR) decided to sign a letter of intent, with the aim of carrying out actions to protect the rights of the displaced population.

«Colombia continues to be affected by a serious displacement crisis, despite important measures taken by the authorities to face this challenge», declared Walter Kälin, Representative of the United Nations Secretary General for the Human Rights of Internally Displaced Persons, during his last visit to Colombia in November 2008. In fact, the latest figures on forced displacement indicate that the situation is not improving, but rather that it is becoming worse, to the point where, in the first half of 2008, figures were at their highest for 23 years, according to the Internal Displacement Monitoring Centre.¹ It is believed that the internally displaced population has reached a total of 2,649,139 according to Acción Social, the government agency charged with attending to the displaced population

and 4,361,355 according to the Consultancy for Human Rights and Displacement (Codhes).²

Given this situation and recognising the values and objectives which PBI and UNHCR have in common, the two organisations agreed:

- To promote actions to preserve the working conditions for civil society organisations who work on behalf of the displaced population, to identify specific protection measures and to reinforce the protection measures already used by the displaced population, population at risk of displacement, and returned population, to support durable solutions for the population such as the effective recovery of lands, by carrying out visits, invitations, and accompaniments in events and other forms of public support which do not generate or place this population at risk.
- To generate regular spaces for information exchange and analysis between the two organisations, including information related to early warning systems, with the aim of identifying protection needs for communities at risk of displacement.

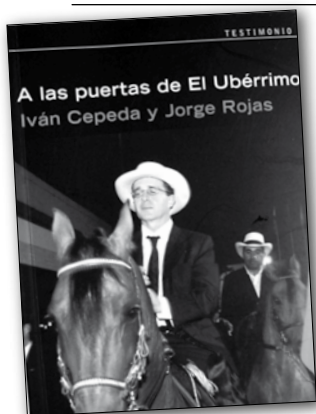


Marian Nissen (PBI), Jean-Noel Wetterwald (UNHCR), and Juan Carlos La Puente (PBI)

- To organise missions and visits to common working regions, to monitor the security situation and the protection of the displaced population, population at risk of displacement and returned population, and to verify the conditions in communities where displacements have occurred, and where emergency responses are required.
- To encourage the necessary coordination and attention to offer protection to the displaced population at risk of displacement. ●

¹ <http://www.internal-displacement.org/countries/colombia>

² Tapando el sol con las manos, Informative Newsletter of the Consultancy for Human Rights and Displacement, number 74, September 2008.



New book by human rights defenders

On 9 December 2008, the publishers Random House Mondadori launched the book *At the Gates of Ubérrimo*, a

journalistic investigation written by Jorge Rojas, Director of the Consultancy for Human Rights and Displacement (Codhes), and Iván Cepeda, Director of the Manuel Cepeda Foundation, and spokesperson for the National Movement of Victims of State Crimes (MOVICE), who has been accompanied by PBI since 2004.

The text is a history of paramilitarism in the Córdoba region of Colombia during the last two decades, drawing parallels between the rise of the United Self-Defence Forces of Colombia (AUC), and the political ascendancy of President Alvaro Uribe Vélez, who owns the estate called «El Ubérrimo», located on the banks of the River Sinú.

The investigation, which uses evidence taken from victims' testimonies, and information from the local press, narrates important episodes from Córdoba society and tells the history of the AUC, their massacres, and the «pacts» made between members of the State and paramilitary bosses.

«In a social context such as this it was impossible to ignore the consolidation of this criminal power, to fail to see the thousands of displaced people on the banks of the River Sinú, and not know to about the huge numbers of forcibly disappeared people who ended up in mass graves, or to fail to recognise the identity of those who ordered these atrocities, because they live within the city and have large properties there», comments Cépeda.

According to the authors, the idea behind writing the novel came to them in May 2008, after Cepeda visited Córdoba University, where he saw that paramilitary control had permeated every sphere of Córdoba society. ●

Curbaradó – the most visible case

Various international delegations visited the Curbaradó river basin at the end of 2008. It was hard for the inhabitants to conceal their emotions each time they explained to foreign visitors the terrible things that have happened to them for decades: theft of their land, forced displacement, threats, killing. All agreed that they feel like «the State has abandoned them». Thanks to these visits, it is hoped that, in the international community at least, the injustice they have suffered will not be forgotten.

Visit by embassies

«We believe you when you tell us what goes on, but hearing the people explain their history themselves makes it even clearer», a participant in the Embassies Commission told a member of the Inter-Church Justice and Peace Commission (CIJP), after the visit to the Camelias Humanitarian Zone last November. Officials from the EU and the French, British and Swedish Embassies, as well as representatives from the UN High Commission for Human Rights (UNHCHR), the Organisation of American States Mission to support the Peace Process (MAPP-OEA), were invited to meet leaders from the Curbaradó and Jiguamiandó river basins. Peasant farmers explained the violence they have suffered and are still suffering at the hands of paramilitaries and members of the armed forces.

The visit from embassy personnel follows a series of international missions to the region in the last six months. Their aim was to learn more about the problems local people face and to show their support for the communities resisting violence and displacement. The CIJP has been fighting to get the problems in these two river basins recognised since the end of the 1990s, including displacements, killings, and continual human rights violations.

All last year, tensions increased because of death threats against the community and members of CIJP.¹ Ualberto Hoyos, leader of the Caño Manso community, was murdered.² This produced a wave of solidarity, culminating in these visits to the region.

International Ethical Truth Commission

Early December saw the visit to Curbaradó of the International Ethical Truth Commission, an initiative of the National Movement of Victims of State Crimes (MOVICE), whose aim is to safeguard the memory of the victims and their families in the absence of democratic guarantees.

The specific aim of this particular mission was to help people remember where mass graves were and to support the rights of the families of the disappeared to search for, exhume and bury their loved ones with dignity.

They collected first-hand evidence and proof of violations suffered over the years. It was a painful experience, as it always is for victims to remember what they went through and to know that there is nearly 100% impunity for the crimes committed.

Meeting with the United States

On 10 October, two delegates from the US Embassy also visited the region. The visit aroused enormous hope and enthusiasm. Representatives from different communities came to explain everything that had happened since that fated day in 1997 when they were thrown off their land by the Colombian Army with the assumed collaboration of paramilitaries.³

The two Embassy representatives expressed concern about the precarious and risky situation these people face. They said they would closely monitor the situation. The testimonies they heard proved that there is no effective mechanism for returning their lands

to their rightful owners – the Afro-Colombian communities,⁴ and this has serious consequences for the communities' safety. This concern has been expressed many times by PBI.

Interest from the international press

During these months, three international press teams also visited the region. Members of the World Council of Churches, the International Ecumenical Network, and several freelance journalists. Their presence supports the struggle for a dignified life, and the right to recover lands stolen at gunpoint, and



La cuenca de Curbaradó: escenario de constantes violaciones a los derechos humanos. Moritz Hartnagel, brigadista alemán, observa la misa en conmemoración a Ualberto Hoyos Rivas, líder comunitario de la zona, asesinado el 14 de octubre

it means that injustice and impunity do not go unnoticed. It is very important for the inhabitants of the Curbaradó river basin, and CIJP, the organisation that accompanies them, that news of what is happening is disseminated outside Colombia and influences international public opinion. ●

1 PBI: Colombia, special edition on events in Curbaradó, September 2008, en: http://www.pbi-colombia.org/fileadmin/user_files/projects/colombia/files/colombPBIa/ColombPBIa_Especial_Curbarado.pdf.

2 "Informe 93 Curvaradó –Paramilitares asesinaron a líder de Curvaradó", CIJP, 14 October 2008

3 Sin Olvido 71, 20 asesinados y 11 desaparecidos forzosamente en Jiguamiandó y Curvaradó (Bajo Atrato chocano entre el 5 y el 31 de diciembre de 1997)" Inter-Church Justice and Peace Commission, 30 December 2006

4 Resolutions 2809 and 2810, emitted on the 22 November 2000 by INCORA (now INCODER-Colombian Institute for Rural Development)

■ Medellín

Families demand that the truth is not buried

«We demand the immediate closure of the city dump»,¹ shouted families of disappeared people, who are asking for the truth to be told about their loved ones, and for their whereabouts to be discovered. On 11 December 2008, a normal day in Medellín, city of eternal spring, the lorries continued to climb the hill to the uppermost part of the 13th District, one of the marginalised neighbourhoods in the city, to unload the waste from construction sites, into the only official dump in the city. One of the places where the family members of the disappeared are sure that the bodies of their loved ones are hidden.²

The family members and members of the Human Rights Collective Seeds of Freedom (Codhesel), met during the XVI Human Rights Week in Medellín to demand that «it is forbidden to continue burying the truth».³ They held a march and commemoration to remember Operation Orion, which took place between the 16 and 19 October, 2002.⁴ According to the

report, «13th District, the other story», on these dates members of the army, police, the Department of Administrative Security (DAS), in coordination with alleged paramilitaries, led an operation to search for guerrilla members and guerrilla supporters, which led to the disappearance of 128 people.⁵ In fact, several former paramilitaries in their voluntary confessions have confirmed that in the city dump «they assassinated, dismembered and buried dozens of people».⁶

Family members of the disappeared with photos of their relatives in their hands; men, women and children carrying cardboard silhouettes, members of human rights organisations and the International Ethical Commission, all marched together with representatives from the local Human Rights Ombudsman's Office and the United Nations, to demand the closure of the dump and ask for the intervention of the General Attorney's Office so that this site can be protected under international

protocol to look for the bodies of the disappeared.

Adriana Arboleda, the regional spokesperson for the Movement of Victims of State Crime, demands that «the mountain of rubbish does not continue to grow as each day goes by, without us knowing where the victims are; that a special team of forensic experts is created to carry out exhumations and that international organisations accompany us in this process».⁷ ●

1 "Clausurar las escombreras de la comuna 13, un clamor de las víctimas", Grassroots Training Institute, 12 December 2008

2 See Human Rights report from the Human Rights Ombudsman in Medellín: http://www.personeriamedellin.gov.co/Portals/0/docs/Informe_DHH/Resumen_Ejecutivo_Informe_DDHH.pdf; pagina 28 and IPC public statement 081212: Clausurar las escombreras de la comuna 13, un clamor de las víctimas, page 3.

3 "En el morro está enterrada la verdad", El Colombiano, 12 December 2008, Page 10a.

4 "Clausurar las escombreras de la comuna 13, un clamor de las víctimas", Grassroots Training Institute, 12 December 2008

5 "Comuna 13, la otra versión", Banco de Datos de Derechos Humanos y Violencia Política, Caso Tipo no 2, May 2003

6 "La Escombrera de Medellín debe ser un símbolo", Semana, 6 November 2006

7 Ibid



Procession to Edwin Legarda's burial place

Aida Quilcué, the High Councillor of the Regional Indigenous Council of Cauca (CRIC), had just arrived back in Colombia after travelling to Geneva to report on indigenous peoples' problems in the Universal Periodic Review (UPR), when she was hit with brutal and shocking news. On the morning of 16 December 2008, her husband, Edwin Legarda, was mortally wounded by bullets shot by members of a battalion from the III Division of the Colombian Army, after he failed to stop at a military checkpoint.¹

The United Nations has expressed concern at these events, declaring that, although there is not «sufficient clarity surrounding these events», several witnesses have assured that «there was no duly identified military checkpoint on the road and that the car was fired at

■ Barrancabermeja

Indigenous People mourn the loss of Edwin Legarda

indiscriminately, against the army's own code of conduct».² They highlight the fact that this event «is part of numerous attacks against the lives of indigenous peoples which have been reported by the National Indigenous Organisation of Colombia ONIC, and state control and investigative bodies».³

PBI accompanied the Grassroots Women's Organisation (OFP), who as part of the Working Group Women and Armed Conflict, have taken part in various activities with the ONIC and the CRIC this year, accompanying their resistance marches and organisational processes. In response to this devastating end to 2008, the OFP attended the funeral of Edwin Legarda, in the village of La Villa, in the Huila region, where Aida Quilcué was born.

For several hours, the assembled crowd listened to the homage to Edwin Legarda. The couple's family members spoke, as well as indigenous representatives from different parts of the Cauca region, the indigenous Senator Jesús Enrique Piñaqué, other leaders from social organisations including Yolanda Becerra from the OFP, and representatives from the United Nations. The most moving moment was when Aida and her 12 year old daughter took the floor. They expressed their grief and personal loss as a symbol of the numerous injuries which the indigenous movement has suffered and the state of injustice throughout the country. ●

1 "Esposo de la Consejera Mayor del CRIC fue Asesinado: 'El atentado era para mí': Aida Quilcué", CRIC public statement, 16 December 2008

2 "ONU condena muerte de esposo de líder indígena en Cauca", El Espectador, 17 December 2008

3 Ibid



Civil society representatives during the transmission of the UPR in Bogotá

■ Europa

Universal Periodic Review of Colombia as seen from Geneva

In December 2008 the 3rd session of the United Nations Human Rights Council Working Group was held in Geneva. In this session the human rights situation of 16 countries was examined, including Colombia. The date chosen for this examination was the 10 December, International Human Rights Day, which clearly added a political aspect to the revision. This process was an exchange of opinions between states.

The Colombian delegation, led by Vice-President Francisco Santos, opened the meeting by presenting the situation in Colombia, and commenting on the policies which the government has put into practice. Afterwards, the member states asked questions and made recommendations to Colombia, on a wide range of subjects relating to human rights. The content of these brief interventions by different states underlined the political nature of

the session; only the general framework of human rights was touched upon, without entering into specific cases. It is clear that this process cannot help victims of human rights violations to access justice.

Although civil society did not have the opportunity to intervene in the session, a wide range of Colombian and international organisations were present during Colombia's examination, showing that there is great interest in the human rights situation in the country. Some states recognised the amazing commitment of national and international civil society organisations, and their work in preparing for the session.¹ Although Colombian civil society has gained recognition from the international community for the quality of its work, this recognition has yet to be echoed by the Colombian State. This was one of the recommendations to the State, repeated in several interventions on 10 December.

The uncertainty about the possible results of this review is echoed in the ambiguous evaluation of the process by organisations present in Geneva.

The precarious nature of the human rights situation in Colombia was tragically all too clear several days after the session in Geneva. Edwin Legarda, the husband of Aida Quilcué, was murdered on the day she returned to Colombia after having represented the indigenous movement in Geneva. Fifteen countries expressed concerns, during the session, for the work of human rights defenders. «there could not be a more dramatic illustration of this situation, than this attack against the most renowned social leader and her family»,² said Oidhaco after the assassination. ●

¹ Norway

² Oidhaco: El costo de la denuncia. Atentado contra líder indígena en el Cauca. 18 December 2008, public statement

■ United States

Obama: a brave new world?

In Washington the election of President Barack Obama and the euphoria during his inauguration left behind a wealth of paraphernalia: t-shirts, signs, baseball caps, songs, and more. Now the post-electoral posters in the underground system, in the street and covering buildings simply say "JOY"! Citizens of the United States continue to believe that the election heralds a brave, new world.

During the electoral campaign a number of proposals were put forward for a new foreign policy. Obama assured¹ voters that during the first year of his presidency the United States Attorney General would meet with his Latin American counterparts to develop a regional pact on security, crime and drugs for the continent. He promised to strengthen the Rule of Law and the judicial system, to fight against human rights violations as part of the defence of democracy, and to promote security by strengthening institutions. He conditioned the free trade agreement with Colombia on

addressing impunity in the cases of violence against trade unionists, and he advocated for fair trade with protection for environment and labour conditions.

Before he was candidate for President, Obama declared that «the penetration of significant sectors of the Colombian State by paramilitaries and drug-traffickers is not a problem of minor corruption».² He indicated that if the Colombian government did not sever links with terrorists and drug-traffickers, and did not complete the demobilisation of the paramilitaries, it would be difficult to justify current levels of aid given to Colombia by the United States. In 2005, Obama highlighted the fact that afro-Latins are disproportionately affected by displacement and the conflict, and he applauded the granting of land titles to Afro-Colombians. The following year he wrote to President Uribe to express his concern over accusations against human rights defenders and journalists, emphasising the case of Ivan Cepeda, from the National Movement of Victims of State Crimes.

Human rights organisations have recommended³ conditioning United States aid on the protection of human rights, and working to avoid that the pre-electoral promises fail to materialise. The United States gives an average of 700 million dollars to Colombia in aid each year, and also another undisclosed sum from the Defence Department. These figures mean that the United States has the capacity to affect the Colombian situation. ●



Alice Garside, PBI United States Representative, observing the new political situation

¹ Barack Obama, A New Partnership for the Americas, 2008

² Senators Dodd, Kennedy, Leahy, Durbin, Feingold, Boxer, Obama and Brown, Letter to Secretary of State Rice, 22 May 2007

³ Latin America Working Group, Center for International Policy, Washington Office on Latin America and US Office on Colombia, A Compass for Colombia Policy, October 2008

■ Peace Brigades International

PBI General Assembly: Recommendations and priorities for 2009-2011

Representatives from the different Peace Brigades International bodies, several National Groups and the International Office met in Hamburg, Germany last November with the aim of sharing information, holding discussions and defining strategies for the next four years regarding the global organisation.

They made important decisions about the current situation and the organisation's development. These decisions included the strategic direction of the organisation for 2009-2011 in the light of progress made over the last three years, the approval of the project mandates and the incorporation of gender and cultural diversity into the principles and statutes of the organisation. Following the global evaluation carried out in 2008, including

an evaluation of the International Secretariat (ISEC), the Assembly looked at the issue of coherence and organisational strengthening, taking the decision to begin a restructuring process of the ISEC. One major change will be the dissolving of the International Council, which will be replaced by new mechanisms. The next steps needed to implement this decision will be taken in the International Council's face-to-face meeting in 2009.

In terms of organisational strengthening, development of the National Groups will be a priority for PBI, as well as prioritising fundraising and financial management, advocacy work, development of a human resources policy, and the expansion of PBI into other areas of the world.

Given that the Assembly is held every



Photo: PBI

International Meeting: Anne Boucher, Coordinator of the French National Group, Anita Linares, Human Resources Officer in the Indonesia Project, Lerstin Reemtsma, Advocacy Officer, Guatemala Project.

three years, this event was an important opportunity for the majority of members of PBI from various places all over the world, from Mexico to Indonesia, and from Australia to Norway, to meet in person. In addition to meetings of existing work groups, informal discussion groups were also used for exchanges between the different people and to advance in the preparation of future debates. ●

■ National Groups

Interest is awakened in Norway



Photo: Grupo Nacional Noruega

Future volunteers from Norway?

At the beginning of November 2008, PBI Norway held its first internal training session in which a dozen potential volunteers took part. The training session was based on the manual written by PBI UK, and was also attended by five facilitators from the national group, plus one human rights defender from Colombia who currently lives in

Norway. The aim of this session was to teach new people about PBI's principles, the organisation, the work we do and the countries we work in.

At the beginning of the training session, the participants shared their reasons for attending, and their expectations of the weekend's work. Throughout the seminar, efforts were made to combine theoretical exercises with practical activities, games and discussions. Diego Marín, a Colombian student leader who currently lives in Norway, gave a talk on the history and current situation in Colombia. The other PBI projects were presented via written and audiovisual materials.

Another of the aims of the session was to recruit new volunteers, as in January 2009 there were no Norwegians working in the field in any PBI project.

For this reason, at the end of the seminar, interviews were held with those who were interested in becoming volunteers. The group has stayed in contact to help the candidates through the recruitment process.

The training session was a success, and the group is currently writing its own manual for future occasions, already being planned for 2009. ●



Photo: Grupo Nacional Noruega

An idyllic setting for the training session

The impact of PBI's advocacy work



Juan Carlos during his time in Urabá

From September 2005 to December 2008, Juan Carlos La Puente worked as a PBI volunteer, and then as Project Coordinator in Colombia. Before he left the Project, he shared his experiences in both positions and the importance of political advocacy work for the protection of human rights defenders. Juan Carlos is currently working in Colombia as Public Policy Advocacy Coordinator, in Oxfam GB.

PBI: You are leaving PBI not only with your experience as a field volunteer in Turbo (Urabá region), but also as Project Coordinator in Bogotá. What would you highlight about these two positions?

Juan Carlos: From the work in Urabá, I would highlight the close relationship we have with our accompanied organisations and communities. Living and feeling the risks that these people face for the legitimate work they do or for proposing alternatives for the region. As for being a coordinator of PBI in Colombia, this is a fundamental role in helping each working area and each volunteer to contribute according to their specific role, their work and our objectives as a project which protects human rights defenders.

In the role of coordinator, you understand the difficulty of political

advocacy work, but, at the same time, some advances are made with international institutions or national authorities, which is fundamental to our protection strategy.

PBI: As you mentioned, one of the working strategies of the coordinators is political advocacy. What did you achieve during your time as coordinator?

I could not say that I achieved anything individually; I think it was the project that made an impact. In some moments you could say that we did achieve protection, that we have stopped some attacks, that we have protected human rights defenders. And that gives you strength to continue. I also think that PBI has built support and raised awareness in Colombia and at the international level as a serious and professional organisation.

The work of PBI is partly based on reaction and in other moments it is based on the prevention of future attacks against human rights defenders and organisations. In the case of reaction, we have used advocacy work to minimise the situations in which human rights defenders are vulnerable to threats and attacks, thereby permitting them to continue working.

In terms of preventative work, in order to stop future attacks against

human rights defenders, last year, we organised an awareness-raising campaign about unfounded legal proceedings, and unfounded accusations against these defenders. We managed to position this issue with the United Nations High Commissioner for Human Rights, and the Working Group on Arbitrary Detention. We also discussed the issue with members of the diplomatic corps both within Colombia and in other countries.

PBI: What memories will you take away with you of your time in PBI?

JC: The memories I will take away from my time as a volunteer in Urabá are the strength of the communities. You get a special kind of energy when you are around the leaders, from their work to defend fundamental rights, from their commitment to create alternatives to the models which are causing structural violence within communities.

As coordinator, I will take with me the joy I felt working as part of a large team, learning a lot from the different working areas in the Project, and enjoying the different working aspects PBI has developed as its protection strategy. I will take with me all the energy, vitality and professionalism that I learned from my colleagues. ●



Successful cooperation: PBI and UNHCR sign a letter of intent in 2008



www.pbi-colombia.org

Protecting human
rights defenders in
Colombia since 1994

Gloria Gómez, President of the Association of Family Members of the Detained Disappeared, ASFADDES, accompanied by Belgian PBI volunteer, Catiane Kelen in Popayán.



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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