

Colombia

Quarterly Newsletter
Peace Brigades International Colombia

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PUEBLO BELLO

Colombian state
recognises
responsibility in
massacre

UNFOUNDED PROSECUTIONS AND HOSTILE PUBLIC STATEMENTS

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human rights defenders

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The human rights of Colombian indigenous peoples

One of the biggest stories to capture the attention of the media this quarter was the massacre of 18 to 20 Awa indigenous people, an act committed by the FARC on 4 February this year.¹ This is just one example of the often unreported, multiple violations of the rights of Colombian indigenous peoples. In fact, between 1 January 2002 and 31 December 2008, 1244 indigenous people were murdered, which means that, on average, every 55 hours an indigenous person is killed.² Entire indigenous peoples are at risk of physical and cultural disappearance; currently there are 18 indigenous peoples with less than 200 members left. These communities often have to confront national and multinational companies who wish to exploit the natural resources in their ancestral lands. According to the National Indigenous Organisation of Colombia, (ONIC) by the year 2010, some 50% of indigenous lands will be affected by the actions of multinational oil companies³, not to mention other projects. The implementation of these large-scale infrastructure projects leaves deep scars in the social fabric of these communities. The consequences go beyond the physical destruction of the land, the loss of lives, and forced displacement. They also deeply affect a fundamental aspect of the identity of indigenous peoples, namely their intrinsic relationship with nature, with Mother Earth, and the legacy they will leave for their children and future generations.

Also of concern, and reported in this newsletter, are unfounded prosecutions and hostile public statements carried out against people and organisations dedicated to the defence of human rights in Colombia. During the first months of 2009, senior officials in the Colombian government continued to make public statements against these people.⁴ At the same time, as described in a recent report issued by Human Rights First,⁵ a number of investigations and legal proceedings have been brought against human rights defenders, in the majority of cases accusing them of rebellion, or of belonging to guerrilla organisations. In many cases, these accusations are unfounded, as they are based on «false testimony from ex-combatants and (...) inadmissible intelligence files.»⁶ These hostile public statements and unfounded prosecutions have multiple consequences for the lives and work of human rights defenders. They are often threatened, their work is undermined, and they are forced to invest time and resources in their own defence.⁷

1 «Masacre Indígena genera zozobra», El Tiempo, 9 February 2009
 2 «La Configuración de un Genocidio Silencioso» ONIC, 2 November 2008
 3 Interview with Luis Fernando Arias, Secretary General Councillor, ONIC
 4 See article on page 12 of this newsletter: «Senior officials of Colombian Government continue to question the legitimacy of human rights defenders»
 5 «Baseless prosecutions of human rights defenders in Colombia. In the dock and under the gun.», Human Rights First, February 2009
 6 Ibid
 7 Ibid

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- Cover photo: Jainimby Domnicó - leader embera.

Extrajudicial executions - cause for concern

New report on the human rights situation

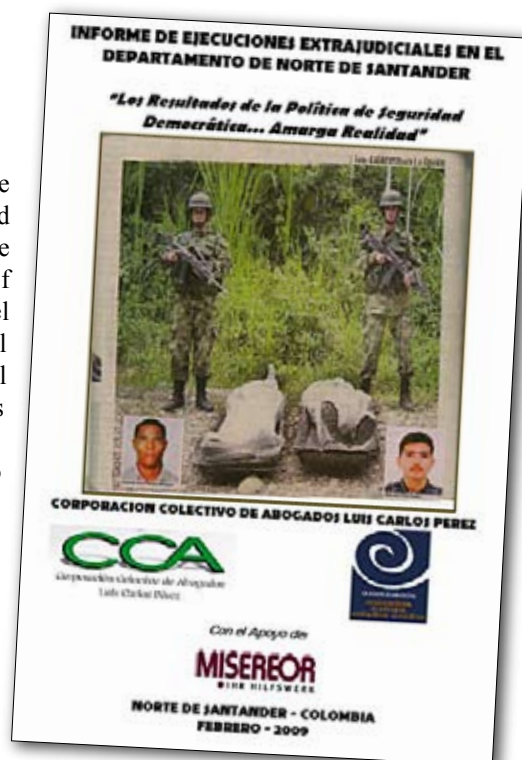
In her annual report on the human rights situation in Colombia,¹ the United Nations High Commissioner for Human Rights describes the situation in Colombia as «a complex and multifaceted internal armed conflict» which suffers added «structural problems such as inequitable distribution of wealth, discrimination and the stigmatization of vulnerable groups, (and) impunity». The report highlights a number of human rights violations and infractions of international humanitarian law (IHL). The first type of violation reported on is extrajudicial executions, which are a cause for great concern. According to the report, the number of victims registered since October 2008 shows that despite measures taken by the government, they have not «led to a significant decrease in these acts». Moreover, the report confirms that extrajudicial executions represent «an extensive practice committed by a large number of military units» and that the ways of carrying out the executions are becoming more and more sophisticated. A report issued by the Luis Carlos Pérez Lawyers' Collective (CCALCP) about this phenomenon in the North Santander department shows a dramatic increase in this practice, with over 50 cases reported in 2007. In 2008 the number of executions remained the same, although there were changes in the methods used to commit this crime.² Another situation underlined by the High Commissioner is the occurrence of frequent cases of arbitrary and illegal detention on charges of rebellion, with no solid legal basis. In these cases, «victims of these violations, including human rights defenders and community leaders, are usually held without proper legal justification, sometimes for periods up to two years». According to the same report, forced disappearances also continue to occur; the victims «are usually young unemployed men from poor families and/or inhabitants of poor neighbourhoods or isolated rural areas.»

The report also describes the continuing infractions of IHL committed by guerrilla groups which include selective killings, indiscriminate attacks, acts of terrorism, planting of anti-personnel mines, recruitment of children, sexual violence, threats and attacks to medical missions, and kidnapping. These actions seriously affect the civilian population. The police and the military have also carried out indiscriminate attacks and involved children in the armed conflict by asking them for information about the guerrilla. For the Office of the United Nations High Commissioner for Human Rights, the illegal armed groups emerging from the demobilisation process of paramilitary organisations «are far from being structured as military-type organizations and they do not appear to exercise exclusive territorial control.» Despite this, «some of these groups do indeed operate as the former paramilitary organizations did. Such groups do have military structures and responsible hierarchy, as well as the capacity to exercise territorial control. In addition, (...) they do act with a political and ideological orientation, similar, if not equal, to the former AUC.»

Impunity persists in Colombia, as well as a general lack of access to justice, particularly for crimes of sexual violence. The Office particularly emphasises the slow progress of the 'Justice and Peace Law' trials, given that at the time the report was written only 20 of those facing charges had been partially indicted. The report recommends revising the law in order to «compel those facing charges to provide in a comprehensive and timely manner all information that they may possess.»

Attacks against rights defenders

The Office also identifies human rights defenders among vulnerable groups, in light of the significant number of attacks carried out against them in 2008. The report describes the practice used by a number of senior government officials, «publicly stigmatizing human rights



defenders and trade union members, as biased and sympathetic to guerrilla groups» which, as several international NGOs have pointed out,³ increases the risk of attacks against human rights defenders. It is within this context that «polarization and confrontation between government officials and members of the non-governmental organization community, threats against and stigmatization of human rights defenders, opposition leaders and social activists have become more intense.» Consequently, the report calls upon the relevant authorities to «strengthen investigations and disciplinary control to improve the protection of human rights defenders and trade unionists». Another group identified as vulnerable are indigenous peoples and their communities, who «occupy territories of strategic importance to parties to the internal armed conflict and networks of drug traffickers. These territories are also of strategic value to Colombian and international companies.» ●

1 «Annual Report of the United Nations High Commissioner for Human Rights and Reports of the High Commissioner and the Secretary General», United Nations General Assembly – A/HRC/10/032, 19 February 2009

2 «Informe de Ejecuciones Extrajudiciales en el Departamento de Norte de Santander», Luis Carlos Pérez Lawyers' Collective, February 2009

3 Human Rights Watch, Report, January 2009

Baseless Prosecutions

Human Rights First report: «In the dock and under the gun»



Amaury Padilla (on the left), a victim of legal persecution, together with Andrew Hudson (HRF), during the presentation of the HRF report.

In the report *Baseless prosecutions of human rights defenders in Colombia. In the dock and under the gun*, Human Rights First (HRF) analyses 32 cases of individuals who are currently under investigation or who have been investigated in the past, reaching the conclusion that in Colombia human rights defenders are «singled out for particular intimidation through baseless investigations and prosecutions.» For this organisation, «in a criminal justice system plagued by impunity, the tenacity with which Colombian prosecutors pursue human rights defenders for supposed crimes is striking.» One of the aggravating factors highlighted in the report is that these baseless charges against human rights defenders that accuse them of rebellion or of belonging to guerrilla organisations, «are often widely publicized, undermining the credibility of defenders and marking them as targets for physical attack, often by paramilitary groups.» In addition to placing defenders at risk, these «proceedings force defenders to expend time and resources defending themselves, diminishing their capacity to perform productive human rights work». The report recalls the words of the United Nations Special Rapporteur on the

situation of human rights defenders, who declared that such «proceedings are part of a strategy to silence human rights defenders.»¹

The report emphasises the illegitimate nature of these investigations, which at times last up to two years, and the use of «false testimony from ex-combatants.» The report also refers to the use of «testimony which has been coerced or coached by regional prosecutors» and «inadmissible intelligence files» in legal proceedings. In terms of the testimonies of ex-combatants, the report highlights the fact that,

«Colombian superior court jurisprudence, including from the Constitutional Court, states that the testimony from such witnesses must be treated suspiciously because it comes from witnesses who are not impartial.»

Of the 32 cases of human rights defenders presented by HRF, 11 are related to members of organisations accompanied by PBI Colombia. Several others are related to organisations close to PBI who have been accompanied on occasion by the organisation, as in the case of Carmelo Agámez (Technical Secretary of the Sucre section of the Movement of Victims of State Crimes) or in the case of

Teofilo Acuña (President of the Southern Bolivar Agricultural-Mining Federation – FEDAGROMISBOL).

In a special Amnesty International report on human rights defenders in the Americas² published in 2003, the organisation highlights the fact that «the degree of difficulties and attacks faced by human rights defenders often reflects the pervasiveness of human rights violations at large. The key behind attacks on human rights defenders is the need of the perpetrators of human rights violations to cover up their crimes in order to escape prosecution.» As far back as 2003, Amnesty International was highlighting the spectacular rise in the number of cases of false criminal accusations brought against human rights activists. The report also emphasised the routine and generalised nature of secret surveillance operations, police searches of the offices of non governmental organisations, and theft of information from their offices which in some instances was used in subsequent investigations.

The Human Rights First report concludes by highlighting the possible role that the United States government could play in «combating malicious prosecutions of human rights defenders» given that the US is the principal financial supporter of judicial reform in Colombia. ●

1 Human Rights First, febrero de 2009

2 «Informe de la Misión a Colombia de la Representante Especial del Secretario General sobre la cuestión de los defensores de los derechos humanos», Hina Jilani, Órganos de las Naciones Unidas, E/CN.4/2002/106/Add.2.24

3 «Actores esenciales de nuestro tiempo: los defensores de los derechos humanos en América», Amnistía Internacional, 2003

11 of the 32 cases in the HRF report are related to members of organisations accompanied by PBI Colombia:

- Oscar Duque, Mario Martínez, Evaristo Mena, Ramiro Ortega, Miguel González and Andrés Gil, from the Peasant Farmers' Association of the Cimitarra River Valley
- Iván Cepeda, Spokesperson for MOVICE and member of the Manuel Cepeda Foundation
- Claudia Julieta Duque, investigative journalist who worked with the José Alvear Restrepo Lawyers' Collective
- Diego Figueroa, Elizabeth Gómez, Luz Marina Arroyabe, Aldemar Lozano and Diana Teresa Sierra, from the Inter-Church Justice and Peace Commission
- Príncipe Gabriel González Arango, from the Committee in Solidarity with Political Prisoners
- Amaury Padilla, from the Association for Alternative Social Promotion (MINGA)
- Elkin de Jesús Ramírez and Alejandro Quiceno, from the Corporation for Judicial Freedom

Hope, scandals and tragedy

The release of six hostages, new revelations about “false positives”, and the massacre of members of the indigenous Awa People characterize the past three months

Colombia has recently been celebrating the release of six FARC hostages, namely Alan Jara, former governor of the department of Meta, Sigifredo López, former Member of Congress from the department of Valle, three police officers and a soldier. Their release was made possible as a result of the negotiations carried out by the civilian group Colombians for Peace, led by Senator Piedad Córdoba. Meanwhile, a series of accusations were aimed at the work of this group of men and women: «President Uribe warned (...) from Villavicencio, during a community council meeting, that the country “cannot allow the intellectual wing of the FARC to confuse matters by putting forward a peace proposal which strengthens terrorism”». ¹ Uribe was later asked on several occasions to clarify what he meant by «the intellectual wing of the FARC». ² Similar accusations were also levelled against the journalism of Hollman Morris and Enrique Botero. ³ Although there are still men and women being held hostage in Colombia, Iván Cepeda, a member of Colombians for Peace, announced that the group is aiming to secure «further releases. We will work towards this with the FARC and the ELN.» ⁴ In fact, on 16 April, the FARC announced that they were willing to release the soldier Pablo Emilio Moncayo, who was kidnapped in December 1997 during a guerrilla raid on the Patascóy military base, in the department of Putumayo. ⁵

“False positives”: new witnesses

The hostages were released in the midst of the pre-electoral atmosphere which is beginning to take hold of Colombia as the country prepares for the next presidential elections, and also in the light of several new scandals. New witness statements were reported in the media on the issue of “false positives”, including a «man who handed over young people from Soacha to members of the Army. These young people were later murdered and presented as having died in combat». One of the investigators of the “false positives” committed in Ocaña told the news magazine *Semana* that «we have



Family members of the victims of “false positives” demand justice, during a demonstration on 6 March 2009

verified the facts and dates described by the witness, and they coincide with statements made by the working class families of the 11 disappeared young people from Soacha.» ⁶ 18 members of the Colombian Army are in preventive detention in relation to this case. ⁷

Interceptions by DAS

Another scandal became public in February, when it was discovered that the Department for Administrative Security (DAS) was intercepting the telephones of journalists, politicians, and State officials. ⁸ This is not the first time that Colombian State security and intelligence bodies have become involved in this kind of scandal. It was discovered in the year 2000 that more than 1200 telephone lines had been intercepted in Medellín by the city police ⁹ and the police intelligence agency. Just last year, surveillance and interception activities were also reported as having been carried out by the DAS against Colombian Senator Gustavo Petro. ¹⁰ Among those to be found on the current list of intercepted lines are two magistrates from the Supreme Court of Justice: Francisco Javier Ricaurte, who is the current President of the Court, and Iván Velásquez Gómez, coordinator

of criminal court investigations into the para-politics scandals. When this new scandal was reported, the Supreme Court magistrates met and decided to «reveal the siege that they and their families had been under for the past year.» The news magazine *Semana* reported that «in total, seven of the nine criminal court magistrates described all kinds of harassment and attack suffered by their families, at the hands of dangerous individuals.» Ricaurte emphasised that «all the cases occurred after the para-politics trials began.» ¹¹

Massacre of Indigenous Awa People

Another event shaping public opinion was the massacre of various members of the indigenous Awa People. On 9 February, the death of between 18 and 20 Awa was reported. ¹² In a public statement to the Awa People, the FARC admitted responsibility for eight of these deaths. ¹³ The Awa People made several pronouncements, insisting that «the serious violations of the human rights, IHL, and collective rights of the Awa People from Nariño are not new» ¹⁴ and that this situation requires serious attention. It is of great concern that since 1995 at least 150 Awa have been murdered. ¹⁵ Luis Evelis Andrade, ►

The Collective for Psychosocial Action

PBI participate as international observers in psychosocial forum



The Collective for Psychosocial Action was founded in September 2007 and is a forum in which PBI participates as an international observer. Since it was founded the Collective has developed into a meeting space for organisations that carry out psychosocial work specifically related to the defence of human rights and the impacts of political violence on victims and on society as a whole. The aim of the collective is to revise, reflect on and share principles, discussions and methods relating to the implications of psychosocial intervention, and the impacts of socio-political violence on the emotional wellbeing of Colombian civilians.

In its first year the Collective defined the ethical and political principles which bring its members together and exchanged working experiences and foci through case studies.

During 2009, the Collective's work will focus on two areas:

- Serving as a public voice on psychosocial situations which affect victims of human rights violations, human rights defenders, and society as a whole in Colombia.
- Supporting *Therapeutic abilities in traumatic situations*, a cooperative training program organised by the Program for University Initiatives

Ethical and political principles of the Collective for Psychosocial Action

- We recognise the relationship between psychosocial work and human rights
- We work with victims of socio-political violence
- We recognise the voice of the victims
- We recognise the State's responsibility as a violator of human rights.
- We do not work with armed actors
- We do not work with those who commit socio-political violence
- We promote the respect for and defence of human rights.

for Peace and Coexistence (PIUCP) in the Colombian National University, together with the Group for Community Action (GAC) from Spain. This program aims to provide tools for people who offer emotional support and carry out psychosocial work in communities and regions of Colombia.

The members of the Collective for Psychosocial Action are the Inter-Church Justice and Peace Commission (CIJP), the AVRE Corporation - for psychosocial and mental health accompaniment with victims of political violence, the Vínculos Corporation, the PIUCP, Terre des Hommes – Italy, and PBI as an observer. ●

► leader from the National Indigenous Organisation of Colombia (ONIC), declared that «aside from these murders, the FARC harass the Awa by kidnapping and forcibly recruiting them». He nevertheless pointed out that although most of the attacks can be attributed to this group, the Awa have also been the victims of the ELN and gangs such as 'Los Rastrojos' and the 'New Generation Organisation'. Andrade also referred to the use of Awa property and goods by the police and military as placing them at serious risk of attack. This concern was echoed in a report issued by the Human Rights Ombudsman's Office which includes information and denunciations from indigenous people themselves.»¹⁶●

1 «Semana de tensiones en el Gobierno», El Tiempo, 8 February 2009
 2 «Piden a Uribe señalar a los del 'Bloque intelectual' de las FARC», El Tiempo, 9 February 2009
 3 «OEA y ONU alertan sobre por acusaciones contra Morris», El Tiempo, 10 February 2009; «SIP rechaza señalamiento de Gobierno a periodistas», El Tiempo, 11 February 2009; «Uribe respondió a relatores de OEA y ONU – No para polémica sobre periodistas», El Tiempo, 12 February 2009
 4 «Iván Cepeda anunció que Colombianos por la Paz van a pedir a la guerrilla nuevas liberaciones», El Tiempo, 1 February 2009
 5 «FARC anuncian liberación del cabo Pablo Emilio Moncayo», Semana, 16 April 2009
 6 «Entregué a más de 30 jóvenes para 'falsos positivos'», Semana, 21 March 2009
 7 «Presos Dos Coroneles Por 'Falsos Positivos'», El Tiempo, 1 May 2009
 8 «El DAS-gate y las 'chuzadas', vuelve y juega», El Espectador, 21 February 2009
 9 Idem
 10 Idem
 11 «Asedio a la Corte Suprema», Semana.com, 28 February 2009
 12 «Masacre Indígena genera zozobra», El Tiempo, 9 February 2009
 13 «FARC: Esta acción nuestra no fue contra indígenas», ANNCOL, 17 February 2009 «FARC reconocen muerte de 8 indígenas Awá», Semana.com, 17 February 2009
 14 «Denuncian masacre cometida por las FARC contra miembros del resguardo de Tortugaña Telembi en Barbacoa Nariño», Awa Public Statement – UNIPA and ONIC, 11 February 2009
 15 «150 Awás, Asesinados desde 1995», El Tiempo, 13 February 2009
 16 Idem



From left to right: Camila Orejuela (PIUCP), Ángela Ospina (TDH Italy), Carmen Helena Montenegro and Hada Luz García (CIJP), Hernando Millán (AVRE Corporation), Mónica Sáenz (Vínculos Corporation), Luisa Vidal (PBI)

Declarations stigmatise NGOs

Senior officials from the Colombian government continue to question the legitimacy of the work of human rights defenders

Recommendations for Colombia in relation to Human Rights Defenders during the Universal Periodic Review (UPR) of the United Nations Human Rights Council, Dec. 2008.

- Recomendamos que funcionarios de los mas altos niveles denuncien los ataques en contra give human rights defenders legitimacy and recognition through supportive statements (Norway delegation);
- That high-ranking State officials publicly express the recognition of the importance of the role of human rights defenders, in order to support and protect the legitimate work of human rights defenders and trade union workers. (Switzerland delegation);
- Recognize and guarantee the legitimacy of the work of human rights defenders, as of that of trade unions workers and journalists, ensure their protection and that violations of their rights are prosecuted (France delegation)¹

The Colombian government has expressed its commitment to supporting the work of human rights defenders in international monitoring mechanism meetings such as the Universal Periodic Review (UPR), held by the United Nations Human Rights Council in December of last year. Nevertheless, PBI is concerned about the continuing hostility towards individuals and organisations that defend human rights in Colombia.

The UPR considered a number of different kinds of human rights violations in Colombia, including extrajudicial executions, the involvement of children in the armed conflict, and the incomplete dismantling of paramilitary groups.² Moreover, 16 national delegations expressed their concern at the lack of support and protection for human rights defenders and asked for affirmative declarations from the most senior officials of the Colombian government, as well as sanctions for those authorities who make unfounded accusations.³

Since the Colombian State accepted these recommendations, the international community hoped that there would be visible changes for human rights defenders. However, in the first months of 2009, senior government officials continued to make statements stigmatising non-governmental organisations (NGOs).

In January 2009, a coalition of leaders from civil society who go by the name of Colombianas y Colombianos por la Paz (Colombians for Peace) negotiated the release of several FARC hostages, and made steps towards a humanitarian agreement. In the same city where the

coalition received the freed hostages, the Colombian President declared: «We cannot allow the “intellectual wing of the FARC” to confuse matters by putting forward a peace proposal which strengthens terrorism, and we must fight this battle throughout the country.»⁴ Colombians for Peace, whose members include Iván Cepeda Castro and Gloria Flores, both accompanied by PBI, asked the government to refrain from associating them with the FARC and to offer proof to back up their insinuations.⁵



Colombians for Peace, of which Iván Cepeda is a member, obtained the release of six hostages held by the guerrilla in February 2009. Following the successful release of the hostages, Colombia's president Uribe accused the group of acting as the «political wing of the FARC».

Just a few weeks later, when leaders of Colombian civil society were visiting the United States to talk about the implications of bilateral agreements with Colombia, including the Free Trade Agreement and Plan Colombia, the Colombian Vice President questioned the authority of Colombian NGOs to inform the public and the United States Congress about their concerns and recommendations, making

the following declaration on a national radio station: «Today in the United States (...) there is a meeting between Sam Farr and Monsignor Héctor Fabio Henao, with Danilo Rueda from an NGO and Jorge Rojas from CODHES, the saddest thing about all this is that Colombian politics has been transferred to the international stage, and the hatred of the President, the aversion towards the President in some sectors, they are now using a strategy of travelling all over the place to speak badly of our country.»⁶

This statement is not an accusation of involvement with the FARC or other illegal armed groups, but it does question the legitimacy of human rights defenders by using divisionary language. When a senior official names individuals and criticises them, the risks to these people can increase within the Colombian context. Danilo Rueda, who was mentioned in the radio interview, is a member of the Inter-Church Justice and Peace Commission, and is accompanied by PBI Colombia. Both he and his organisation have been granted precautionary measures by the Inter-American Commission on Human Rights, as well as protection measures from the Ministry of the Interior, due to the multiple harassments, threats, and attacks that they have suffered. Taking this situation into account, one would expect a more cautious position from the government when referring to threatened human rights defenders.

Despite having issued directives prohibiting⁷ this kind of statement by military and civilian government authorities, and having recognised the consequences in terms of the risk for human rights organisations, the most senior officials in the Colombian government continue to make these statements. ●

1 «Draft Report of the Working Group on the Universal Periodic Review: Colombia. II. Conclusions/Recommendations», United Nations Human Rights Council, 12 December 2008.

2 «2009: an electoral year begins in the shadow of extrajudicial executions» ColomPBIa, PBI, 10 February 2009

3 Ibid

4 «Presidente Uribe denunció existencia de “bloque intelectual de las FARC”», El Tiempo, 7 February 2009

5 «Colombianos por la Paz pide a Uribe pruebas contra “intelectuales de las FARC”»

Radio Santafé, 8 February 2009

6 «Vicepresidente denuncia plan de desprestigio internacional contra el gobierno», W Radio, 4 March 2009

7 Presidencial Directive 07 of 1999 and Defense Ministry Directive 09 of 2002

A situation that can only get worse

Large parts of indigenous territories negatively affected by the work of multinational companies

P*PBI spoke to Luis Fernando Arias, a member of the indigenous Kankuamo People, and Secretary General Councillor in the National Indigenous Organisation of Colombia (ONIC), about the human rights situation for indigenous peoples.*

PBI: How do you view the current human rights situation for the indigenous peoples of Colombia?

Luis Fernando Arias: We believe that the situation can only get worse, because of the degradation and dehumanisation of the armed conflict. All of the armed actors use a strategy to involve the civilian population in the conflict, which has led to displacement, persecution and murders.

PBI: Currently, which indigenous people are most affected by the armed conflict?

LFA: The Nasa, Kankuamo, Embera, Wiwa and Awa Peoples are the five nations who are most seriously affected by socio-political violence. There are also others who are at risk of physical and cultural disappearance, such as the



«All of the armed actors use strategies to involve the civilian population in the armed conflict».

18 indigenous peoples who have less than 200 members left. These peoples are disappearing because of the effects of the armed conflict on their lands. Some indigenous peoples are suffering a direct process of extermination by means of murders, massacres and persecution, while others have been exterminated through displacement.

PBI: What are the issues of greatest concern to indigenous peoples?

LFA: Militarisation by all the armed actors, and mines in our lands which are threatening our survival. We are in the midst of an extremely dangerous situation for one fundamental reason: indigenous peoples inhabit regions which are highly strategic for economic reasons, and because of the management of the natural resources found there.

PBI: How many indigenous peoples are affected by large-scale infrastructure projects?

LFA: Many indigenous peoples are currently being invaded by multinationals. We are carrying out research relating to a number of sectors, including the oil industry and illicit crops, and soon we are going to publish a study on the issue of mining. We published the results of research on the oil industry last year. At this moment in time there are around 750 legally-recognised indigenous territories in the country. According to our study, by the year 2010, 50% of indigenous lands will be invaded by multinational oil companies, not to mention mining companies, agro-fuel companies, hydro-electric companies, and many others. The vast majority of our lands are being exploited by multinationals, and there are also further plans by the multinationals to invade our lands. This means that the issue of multinationals continues to be an imminent risk for indigenous



The ceremonial staff, symbol of the indigenous guard.

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► communities. And the experiences we have had throughout the country of the presence of large-scale development projects in our lands have been terrible.

PBI: What are the psychosocial effects of the conflict on indigenous peoples?

LFA: Some of the impacts cause irreparable damage from a psychosocial, cultural and spiritual point of view. For example, when an indigenous elder is murdered, we believe that we have lost a whole world of knowledge. When a leader is killed, we believe that we have lost a wealth of knowledge for training future leaders. When a community is displaced, the social and organisational fabric of this community, of indigenous peoples, is completely destroyed. Also, when a sacred place is desecrated, because it has been bombed, for example, there are ways of re-establishing harmony and balance, requiring spiritual and cultural cleansing, respect for the land, and for indigenous authorities. There should be differential attention by the Colombian government, to attend to the particular needs and cosmovisions of indigenous peoples. For this spiritual work we have always used our traditional doctors, and public policy should incorporate these elements. A traditional authority with no qualifications in psychology can deal with these situations using various methods of spiritual cleansing. That is to say, every group of indigenous people has their own method.

«Between 1 January 2002 and 31 December 2008, 1244 indigenous people were murdered, which means that every 55 hours an indigenous person is killed in Colombia. The indigenous peoples most affected during this period were the Nasas with 295 assassinations, Kankuamos 198, Wiwas 125, Embera Chami 107 and Awa 93.

According to figures from the National Department of Statistics (DANE), in Colombia there are 87 indigenous peoples, however the ONIC registers 102, which means that there are 15 who have not yet been recognised.»

«La Configuración de un Genocidio Silencioso» ONIC, 2 November 2008



In 2008 the Minga, demanded that the State comply with agreements it has not fulfilled.

PBI: What mechanisms exist to prevent the arrival of these companies onto indigenous lands? How effective are they?

LFA: There are political mechanisms, which have been extremely important and have shown concrete results. The Uwa People are one example of this. When the multinational OXY wanted to enter their lands, they held a campaign at the national and international level. Through a process of advocacy and lobbying work, the Uwas built a solidarity movement, and they were finally able to remove the company from their lands.

That is one example we should learn from. The legal mechanisms have been established, within the framework of ILO Convention 169, which sets out the mechanism for prior consultation. However, prior consultation, as applied by the Colombian government, is not a mechanism in which we have the right to say whether or not we agree with a project, it is more a negotiation of the social, environmental, cultural, political and territorial impacts. The Uwas were very wise in this respect, when they said «if we enter into a process of prior consultation, we are implicitly accepting the project». Prior consultation implies that a decision has already been made, because of the way it is conceived in ILO Convention 169

and the way it has been developed by the Constitutional Court, as there is no right to veto. For this reason, the United Nations Declaration on the Human Rights of Indigenous Peoples goes much further by declaring it necessary to consult indigenous peoples to obtain their prior and free consent. We are not against development, but when a project attacks our ethnic and cultural integrity and places the survival of our peoples at risk; of course we have to say no. For us, life comes before economic and commercial interests.

PBI: The Constitutional Court released Decree No. 004 in 2009 to protect the fundamental rights of the displaced indigenous population. Do you believe that this is an important step for the protection of indigenous peoples?

LFA: We believe that Decree 004 reflects to a great extent the socio-political situation that we indigenous people are living through, and that it establishes a scenario which we see as an opportunity to incorporate survival strategies, which need to be adapted to the needs and particularities of indigenous peoples. The plans established by the Decree must incorporate indigenous peoples' life plans¹ and their proposals for land-use planning. ●

¹ "Life plan" is an indigenous term for the organisation of the whole community and its lands.

«A struggle for the good of humanity»

Indigenous peoples reject mining project¹

this process was valid, and they have already started the exploration process.» said Yagari,⁵ member of the OIA. These 12 communities also rejected the agreements signed between the company and CAMIZBA, the Indigenous Authority from the Lower Atrato region, and CAMICAD, the Indigenous Authority from Carmen del Darién.

For these reasons, the affected communities decided to hold their own consultation process to answer the question «Do we want the mining exploration and exploitation Mandé Norte Project to be implemented in our lands?» Prior consultation with indigenous and afro-descendent communities in relation to projects planned for implementation in their lands is established in article 330 of the Colombian Constitution, and in Convention 169 of 1989 from the International Labour Office, ratified in Colombia under Law 21 of 1991. According to the Attorney General's Office, «prior consultation is designed to ensure that the rights of indigenous peoples and afro-descendents to their lands are respected, as well as the protection of their natural resources and cultural social and economic rights, as a guarantee of their existence.»⁶ In this case, the peoples' consultation was carried out with the accompaniment of international delegates and members of indigenous peoples and afro-descendent communities from other areas of the country, as well as national organisations. PBI attended at the request of the Inter-Church Justice and Peace Commission (CIJP), who agreed to accompany the Embera community in the region.⁷

The Peoples' Consultation began with homage to the Mother Earth. More than 1000 indigenous people met in Coredocito with the aim of making their voices heard. On that day, 25 February, around 800 voted unanimously in opposition to the Mandé Norte Project. Afterwards the participants travelled to areas which have already been deforested, «one where the company's technical camp is situated (...) and another where the military have been installed to protect the interests of the company.»⁸ In these places, ceremonies were held to reconcile the spirits, and to protect the Mountain. Afterwards a second

day of voting was held in the afro-descendent community of Pueblo Nuevo where more than 280 people voted against the project. According to Oscar Ayala, an observer from Paraguay, «those who participated had a clear understanding of the aims of the consultation, which is an important strengthening of this grassroots consultation, and shows the communities' autonomy.»⁹

Foto: KOLKO



Now the issue will be dealt with at the legal level, and the CIJP is looking into the possibility of some organisations supporting the communities in their decision to defend their lands, protect their ecosystems, and their survival as peoples.¹⁰ ●

1 The title comes from the article: «Colombia: No a la Minería en territorio indígena», *Salva la Tierra*, 5 March 2009

2 «El proyecto Mandé Norte desde la visión del Emberá», *Periferia Prensa Alternativa*, 19 March 2009

3 «La socia Mandé Norte» (Alfredo Molano's column), *El Espectador*, 24 January 2009

4 «OIA: Consulta interna para defender el territorio», Indigenous Organisation of Antioquia, 18 March 2009

5 «Proyecto 'Mandé Norte' genera tensión en pueblos indígenas de Antioquia», Press Agency of the Popular Training Institute, 26 January 2009

6 «Las minorías étnicas» (Columna de opinión de Manuel Rodríguez Becerra), *El Tiempo*, 6 April 2009

7 «Declaración pública indígenas resguardos Uradá, Jiguamiandó, Chageradó, Turriquitadó y Río Murindó», March 2009

8 «Colombia: No a la Minería en territorio indígena», *Salva la Tierra*, 5 March 2009

9 *Ibid*

10 «DeVer 504 – Revisión de Tutela por Cerro Ellausakirandarra propicia apoyo por causa indígena y afro», CIJP, 27 March 2009



Between 24 and 28 February, 12 indigenous communities from the territories of Uradá, the Jiguamiandó river, the Chageradó-Turriquitadó river, and the Murindó river, and afro-descendents from the Pueblo Nuevo Humanitarian Zone in the Jiguamiandó river basin, held an event to strengthen their autonomy, by expressing their opinions about the implementation of the Mandé Norte project in their lands. The response to the event was strong, and the communities unanimously rejected the project.

What is the Mandé Norte project?

The Muriel Mining Corporation obtained permits from the Colombian government to exploit minerals in the geographic area which includes lands in the municipalities of Vigía del Fuerte, Urrao, Frontino, Mutatá, Dabeiba, Murindó, and Carmen del Darién, forming the Mandé Norte large-scale development project.² According to investigative journalist and writer Alfredo Molano Bravo, this project is «one of the most destructive, predatory and arbitrary projects in the Chocó region.»³ For the Embera-Katio People, the Careperro Mountain, situated within the area where the project is located, is one of the most sacred places in their culture. «It is the place of ecological balance between human beings and good or bad spirits in the Embera cosmology. It is the botanical centre where medicinal plants are concentrated, the pharmacy for traditional doctors, and our knowledge itself.»⁴ The Indigenous Organisation of Antioquia (OIA) declares that by exploring and exploiting traditional lands in this way, this sacred place will be desecrated. The communities affected by the Mandé Norte Project confirmed that there had been no process of prior consultation, and that when there had been a process, it had been carried out in a fraudulent manner. «They invited a few leaders to the meetings, they gave them alcohol and food, but they never talked to them about the exploration they were going to carry out. For the Government,

Women at the forefront of defending their lands

The role of women in indigenous communities

During the Peoples' Consultation, PBI accompanied members of the Inter-Church Justice and Peace Commission, including Gisela Cañas, lawyer from the legal team who is monitoring the case of the Muriel Mining Corporation. In this interview she speaks of the fundamental role placed by women in this resistance process.



During the People's Consultation 12 indigenous communities rejected the exploration and exploitation of the Careperro Mountain.

PBI: When did your interest in indigenous women from the Chocó region begin?

Gisela Cañas: My interest in this work started when I was accompanying indigenous Embera communities affected by the Mandé Norte Project. A woman governor from the Uradá community visited us for the first time in September 2007, and she explained the reasons for their opposition to the implementation of any project. She said «the land is like a mother's womb, and if they are going to cut into this land, it is as though they are cutting into the womb.» As a mother, as

a woman from the community, she was strongly opposed from the start.

PBI: What has been the role of women defending the Careperro Mountain?

GC: When the militarisation of the mountain first began on 28 December 2008, and the company arrived to carry out the first exploration on 3 January 2009, the Embera women from the indigenous territory in Jiguamiandó and from the territories in Murindó organised themselves to defend their lands. They decided to go to the area of La Rica, which is an important spiritual place for the communities and where the company was located. They all carried their ceremonial staffs, the sign of authority for indigenous guards; they went to the place and they spoke with the army, who tried to stop them.

«I was born here and I grew old here. They cannot damage the Mountain because our grandfathers said that it is like our blood. If they remove us from here, we will die». Eloísa Sinigu, 70-year-old elder, resident of Guagua.¹

But they carried on, saying that this was their land, and that they had every right to be there. They told us that a soldier pointed a weapon at them, trying to stop them from going on, but they continued. They also told us that in Coredocito, when a military helicopter approached to land, the women, armed only with their ceremonial staffs, stopped the helicopter from landing. I was not there, but a colleague of mine from the Inter-Church Justice and Peace Commission was there, and she said it was extremely moving to see these women using their staffs against the military helicopter.

PBI: How would you describe the role of women in their communities, and in the defence of their lands?

GC: According to the division of roles,



Gisela Cañas (CIJP) during an interview with Sara Ballardini (PBI) highlights the strength of indigenous women in the defence of their ancestral rights.

the men supposedly do all the hard work, but in reality it is different. For example, when decisions are made, the men transmit the decisions, but it is the women who really decide. Their opinion is extremely important. The women are extremely active. In January they were

threatening to take the machinery from the Muriel Mining Corporation. The men simply said «the women say they are going to take over the camp so that the army and the company leave, the women are angry, and they are capable of doing it.» They are veterans of their struggle, and although some of them do not speak Spanish, I have witnessed the strength they transmit in meetings and when they speak. They commit their lives to the defence of their lands, because the land is for their children and for future generations. The women have also assumed the role of guardians of their language, culture, artisan goods, painting, and the traditional dress which they wear with pride, because they know that it is their responsibility. ●

¹ «La riqueza perturba a los indígenas de Careperro», El Tiempo, 19 August 2007

«We are speaking out for our lands»

The Motilón Barí People face oil and coal projects in the Catatumbo region¹

Sabaseba, the god who created the indigenous Barí People, organised the life and universe of this Colombian indigenous ethnicity, who live in 23 communities in five municipalities in Catatumbo, in the North Santander department on the border with Venezuela.

The 3200 Barí have been fighting the constant loss of their lands for many years. The colonisation of their lands began in the first decade of the twentieth century. By 1983 the Barí had already lost 90% of their lands due to the arrival of oil companies and ever greater numbers of non-indigenous settlers.² Their lands are situated in a geostrategic area, rich in natural resources, in which there are large reserves of oil and coal. The Colombian government has promoted large-scale development projects for the exploration and exploitation of these natural resources, which the Association of Barí Communities in Colombia (ASOCBARI) has been struggling against with the accompaniment of the Luis Carlos Pérez Lawyers' Collective (CCALP).

The Alamo I Project

Environmental licence 0624 was granted in 2005 for the oil exploration project known as the Alamo I oil well, to be located in the ancestral lands of the Barí People. One year later, the Constitutional Court recognised the violation which the Barí had suffered at the hands of government institutions³ because of the concession granted with this licence. Sentence T-880 of 2006 found in favour of the Barí, ordering the Ministry of the Interior and the Colombian State oil company, Ecopetrol, to suspend the exploration project and to develop a new method for carrying out prior consultation.⁴ After

this sentence, Ecopetrol abandoned the Álamo I project. According to Juan Titira, member of the Barí People and Indigenous Government Councillor in the National Indigenous Organization of Colombia (ONIC), the Barí leaders have met with the Ministry of the Interior and Justice and with Ecopetrol, with the aim of designing a consultation process.



Juan Titira Asernadora, Councillor in the ONIC.

In principle, the Barí are not against development, assures the ONIC councillor: «We are willing to negotiate, but we have decided that we are not giving away any more of our land. This is more a negotiation with the government about land, than about money. Firstly, the government has to give us the titles to all of our ancestral lands. This is our message to the multinational companies: our lands are more important than any development project.»

The biggest coal mining project in Latin America

Another important project affecting the Barí is the open cast coal mine in the village of Caño Mariela, which lies between the municipalities of Teorama and Tibú. In September 2005, eight national and multinational companies applied together for an environmental licence from the Ministry of the Environment, Housing and Land Development. It is estimated that the exploitation of coal and its exportation will generate considerable income and that it will be well-received by electricity generation companies in the Caribbean, North America, South America and Europe.⁵

According to information from CCALCP, these companies have begun exploratory geological activities in areas legally recognized as Barí territory and in their traditional lands, and that there is a campaign to misinform the communities by saying that small farmers and indigenous people have received money to permit coal exploitation.⁶ It is for this reason that Asocbarí, the Committee for Social Integration in Catatumbo (CISCA) and the Association of Small Farmers of Catatumbo (ASCAMCAT) have united their efforts as historical subjects committed to the defence of their lands and a dignified existence, taking the decision to work together to prevent the plunder of their non-renewable resources.⁷

Hopefully it will not be necessary for Dadibu, the spirit the Barí fear the most, the lord of the night who brings evil, illness and death, to return. For land is the reason for existence of the indigenous Barí People of Colombia. ●

¹ This title comes from a report written by CCALCP in October 2006.

² Tríptico: «Así somos los Barí», ASOCBARI, 2007 «Nuevas amenazas en el Catatumbo: Exploración de carbón a cielo abierto, fumigaciones, militarización, explotación de petróleo: Agresión a indígenas Motilón Barí y campesinos», CCALCP, August 2007

³ Among the irregularities cited in the Constitutional Court Sentence, is the lack of prior consultation, failing to recognise the rights of indigenous peoples as provided for in the Colombian Constitution, and in international conventions.

⁴ Interview with Juan Titira Asernadora Agbugdarara, ONIC, 16 April 2009

⁵ «Nuevas amenazas en el Catatumbo: Exploración de carbón a cielo abierto, fumigaciones, militarización, explotación de petróleo: Agresión a indígenas Motilón Barí y campesinos», CCALCP, August 2007

⁶ Informe final: Primera Comisión de Verificación, CCALCP, 9 August 2007

⁷ Meeting between indigenous people and small farmers from the Catatumbo region in August 2007

«The biggest coal project in Latin America is situated in Motilón Barí lands. The government has granted 19 mining concessions for the exploration of almost 40,000 hectares of coal. We indigenous people, together with the small farmers from Catatumbo, held meetings with the legal representatives of several companies. There are currently four firms interested in the 19 concessions which have been granted. Until now we have explained to these companies that we do not want the coal mining project to be implemented, because of all the environmental, cultural, social and territorial implications that it will bring to our lands and to the Catatumbo region.»

Juan Titira Asernadora Agbugdarara, ONIC Councillor.

«If we keep quiet, we are finished»

Music and resistance with Los Renacientes from Cacarica¹

Los Renacientes are an active part of the Community for Self-determination, Life and Dignity (CAVIDA), an organisation of the afro-descendent communities who form the Humanitarian Zones in the Cacarica river basin (Chocó region). PBI began accompanying CAVIDA ten years ago, when this organisation led the return of the inhabitants of Cacarica to their lands, after their forced displacement in 1997. It was at that time that Los Renacientes was founded, a group of young people who use music to describe the experiences they lived through as displaced persons.² Together they use rap mixed with traditional rhythms such as chirimia, cumbia and alabao, as a vehicle to tell their story, create links, and forge relationships with other communities who are also in processes of civil resistance.

PBI: How did Los Renacientes come to be founded, and what is your source of inspiration?

Los Renacientes: We were inspired by the founding of CAVIDA, by resistance, by the wish to return to our lands, and to gain respect for our rights as civilian population. We are reclaiming justice and we are asking that impunity come to an end. We are representatives of resistance processes, messengers of the suffering which communities live through. Our music denounces the megaprojects for the way they affect our lives and communities. We say NO to this situation. Through our songs we keep our story alive. In our communities music never dies, so what happened and what is happening is kept alive [...] Children are the future. With them, and through music, dance and poetry we can keep telling people what we are experiencing, and because of that we won't let our culture die.

PBI: What difficulties have you had to face?

LR: In our country security is not guaranteed for groups who play this kind of music, for those who claim their rights. This has meant that the opportunity to share our music locally has been taken away from us, and that we



Los Renacientes, «we are messengers of the suffering which other communities also live through».

have had greater success internationally. We hope that our message also reaches communities who have not had the chance to learn about what is happening in the country. We have had difficulties developing our project to build peace through music because if you tell the truth, it is as though you are asking to be killed, and we believe we are worth more alive than dead.

If we can't get to all the places we would like with our music, it is like limiting the process of the whole community. We have a strategy to strengthen our resistance day by day, by sharing our music with organisations who believe in our lyrics, who know that what we say in our songs is the truth.

PBI: What do you think about the current political situation in Colombia?

R: We come from a position of civilian defence of life and our lands. We are not a minority in our country, however, those who have the money, have the power. The government itself has made us a minority through its policies, and anyone who looks for a social alternative is categorised as a terrorist. Our response is to denounce this: talking publicly about it is our weapon.

PBI: What are your dreams for the future?

LR: To have the right to our lands and to be able to live here. The earth is our mother and the future of every member

of the community; she is the basis of our dreams. We dream that we, as CAVIDA, can tell the truth everywhere and that we are listened to, that everyone knows about impunity, that errors are recognised, and that there are no more attacks against the civilian population. We dream of a different political system where the people have a voice.

We believe that through our music and by working with teachers, journalists, musicians, and others, changes can be made, and that we can transform not only our country, but the whole world.

PBI: What has PBI's accompaniment meant to you?

LR: You have come to protect and strengthen the process of a population who has not been protected by its own government. If it were not for you, there would be more deaths. The communities have really appreciated your work accompanying to defend human rights. PBI's accompaniment does not permit those who wish to cause us harm to carry out their mechanisms and strategies against the population. The presence of this organisation has meant a lot, and we are grateful to you. ●

¹ Title: lyrics from the song «Guerra Injusta», Los Renacientes
² In 1997 Operation Genesis, under the command of General (r) Rito Alejo del Río, caused mass displacement in the Cacarica river basin

Vice President Santos recognises responsibility of the State in massacre

Record is set straight almost twenty years after the Pueblo Bello massacre

Walking through Pueblo Bello, 19 years after the massacre which left 43 people dead, it is inevitable that images which are too terrifying and real to contemplate pass through your head. The pain is still tangible in the streets of the town and on the faces of the family members of the victims, like fear frozen in time. In January, PBI accompanied the organisation Familiares Colombia (Family Members in Colombia)¹ to the place of the massacre, where a workshop was held to offer psychosocial assistance to the victims in the framework of the measures contemplated in the sentence issued by the Inter-American Court on Human Rights against the Colombian State.

The facts

At the end of 1989 a rumour circulated in the north of Urabá that the guerrilla had stolen 42 cattle from paramilitary boss Fidel Castaño, who believed that the inhabitants of Pueblo Bello were accomplices of the guerrilla. Years later, one of these inhabitants would tell the Inter-American Court that Castaño had declared that «they will pay for those forty-two cattle with forty-two people».² On 13 January 1990, «Los Tangueros», Castaño's terrible death squad, began to carry out his threat, taking not 42, but 43 inhabitants of Pueblo Bello, three of whom were minors. The subsequent investigations established that these 43 men were subjected to a horrific interrogation in an attempt to discover the whereabouts of the cattle. According to another witness in the Court, «during the interrogation, some of the hostages had their veins opened, their genital organs were cut off, and their eyes were poked out».³ It is believed that 20 of them did not survive this torture, and that the others were dismembered and buried in shallow graves. To this day not a trace has been found of 37 of the disappeared.

When the family members of the disappeared went to the authorities the following day to ask about their loved ones, the response of a certain Lieutenant Rincón was devastating: «When they took Fidel Castaño's cattle you didn't come and report it, you have only done so now that they have taken people. It must be revenge; you have exchanged your people for cattle».⁴



Members of Familiares Colombia, with José Antonio Perez from PBI in Pueblo Bello, where 43 people were massacred.

The Inter-American Court Sentence⁵

Taking into consideration the dissatisfaction of the victims' family members with the Colombian justice system's sentencing of a dozen people found guilty of being involved in the massacre (among them Fidel Castaño who is now also disappeared), the Inter-American Commission on Human Rights brought Colombia before the Inter-American Court for the massacre in March 2004. The Commission considered that «the State had not fully fulfilled its obligation to clarify the facts, effectively judge those responsible, and recover the bodies of the remaining victims,» and that what had happened had supposed «an act of private justice at the hands of Castaño's paramilitary groups, perpetuated with the acquiescence of State officials.»⁶

In 2006 the Inter-American Court of Human Rights found the Colombian State guilty of the massacre and declared that there was still partial impunity in the case. The sentence also affirmed that the State had created a situation of risk for the town of Pueblo Bello, violating the rights of the victims to life, personal integrity and freedom, and to rights and judicial guarantees for their family members. The Court sentence ordered monetary compensation, a commitment on

the part of the government to activate and complete the investigation in a reasonable time frame, the search for and identification of the disappeared people, the handing over of their mortal remains, and guarantees for the security of the inhabitants of Pueblo Bello and the construction of a monument in memory of the victims.

Although the families continue to wait for the State to comprehensively and satisfactorily fulfill the terms of the sentence, thereby adhering to one of the measures ruled on by the Court, the government made a public apology on 4 March, in which defence minister Juan Manuel Santos assumed the State's responsibility in the massacre with these words: «As defence minister, in the name of the Colombian State, I recognise before you, the family members of the victims, and before the national and international community, the State's international responsibility.»⁷ ●

¹ Familiares Colombia, organisation of 37 family members of those who were disappeared in the Pueblo Bello massacre

² «La masacre del Pueblo Bello», Fundación Ayuda al Refugiado (FUNAR), 5 March 2009

³ Ibid

⁴ Ibid.

⁵ Case of the Pueblo Bello Massacre Vs. Colombia, Inter-American Court of Human Rights, Sentence of 31 January 2006

⁶ Ibid.

⁷ «Mindefensa pidió perdón a las víctimas de la masacre de Pueblo Bello», El Espectador, 4 March 2009

The Peoples' Assembly: the other face of the IDB

During the month of March, the majority of the Colombian press covered the fiftieth Assembly of the Inter-American Development Bank (IDB) which was held in Medellín, the capital of the Antioquia department. However, coverage of the Peoples' Assembly, a parallel event promoted by social movements, was scarce. Academics and social and non-governmental organisations from all over Latin America attended the event with the intention of presenting the specific reasons for opposing the policies implemented by the IDB, and the struggle to overcome the imposition of a development model which, according to participants, «makes us dependent and subordinate to rich countries.»¹

civil society. According to Clavijo, the IDB model leads to inequality and is unjust: «On the one hand, their large-scale development projects have not been completed, and, on the other hand, they have not guaranteed sustainable development for the region.» He is referring to the hydro-electric projects and the serious impacts of their implementation, such as the project in Pescadero-Ituango or the Porce III and IV reservoirs in Antioquia²

Development: cause of discontent

According to the IPC analyst, there is no environmental accountability, and no study which has researched the sustainability of these projects. «This development in itself is the cause of much discontent,» says Adriana Arboleda, «because it is designed to develop infrastructure which favours urban structures over social sectors.» Carlos Zapata, from his experience with indigenous peoples, believes that «this enclave economy has not brought development for communities. It is looking at the macroeconomic situation from a western point of view.» According to Bladimir Ramírez, the Peoples' Assembly was extremely important as it was the first time that «an event has been held to make visible and to publicly report damage caused by the IDB loans.»

The four experts are in agreement that the greatest achievement was the participation of many people from local, national and international organisations. Arboleda cites the various representatives from different Latin American countries as a demonstration of the true globalisation of resistance which is needed to confront this global strategy. In addition to giving a voice to the whole continent, the Assembly also gave a voice to people from the most marginalised areas of the city. «These are popular fora, in which the communities themselves can express their proposals and build grassroots power» says Ramírez. ●

1 http://www.cjlibertad.org/ver_declaraciones.php?id=129.

2 Interview with Juan Pablo Clavijo, march 2009

Case closed against Elkin Ramírez



On 8 April 2009 the attorney assigned to the case against lawyer Elkin Ramírez, Director of the Corporation for Judicial Freedom (CJL), declared the case to be closed. According to the attorney, the lawyer had not committed any crime.¹ In 2004, as part of his work, Ramírez had reported information to political authorities and national and international organisations on irregularities committed by members of the Colombian army during trials related to the arrests of small farmers and leaders from the San José de Apartadó Peace Community. In 2005 Colonel Duque, who was then commander of the Battalion involved in the arrests, accused Ramírez of slander, defamation and false denouncement.

This is not the only case against members of CJL. In 2006, investigations were carried out against lawyers Elkin Ramírez and Bayron Góngora on charges of rebellion.²

CJL is a legally-recognised NGO dedicated to representing the victims of human rights violations before national and international jurisdictions. According to Human Rights First, this kind of legal accusation has implications for the work of human rights defenders such as Ramírez as they are forced to dedicate time, resources and energy on their own defence and the protection of their good name.³ ●

1 Also involved in this case are jesuit priest Javier Giraldo Moreno and the Human Rights Ombudsman from the Urabá region, Miguel Ángel Afanador Ulloa. See «Comunicado a la opinión pública», CJL, 9 March 2009
2 CJL Public Comunicado, 18 August 2006
3 «Baseless prosecutions of human rights defenders in Colombia. In the dock and under the gun.», Human Rights First, February 2009



The Peoples' Assembly questioned the kind of development implemented by the Inter-American Development Bank

In interviews with four of the participants (lawyer Adriana Arboleda and law graduate Bladimir Ramírez, from the Corporation for Judicial Freedom, and two analysts from the Popular Training Institute (IPC), Juan Pablo Clavijo and Carlos Zapata), PBI asked about the motivation behind this event and its objectives.

No guarantee for sustainable development for the region

Above all, the event asked questions about the kind of development implemented by the IDB, and the reasons why they are so questioned by

Two members of the ACVC still held in prison

At the beginning of 2008, the Peasant Farmers' Association of the Cimitarra River Valley (ACVC) designed a poster showing the photos of six members of their board of directors who had recently been incarcerated under the accusation of rebellion. The images of their faces below the phrase «Freedom now!» shown in white and crossed with barbed wire, became a worrying reminder for those awaiting their release. More than one year later, and despite the release of four of the prisoners, the organisation still has the posters on the wall, the faces of Andrés Gil and Miguel Huepa González reminding all who look upon them that these two men remain in prison.

The four members of the ACVC were absolved and their cases were filed because of a lack of clear evidence of wrongdoing. Miguel Huepa and Andrés Gil are still being investigated, despite the fact that their cases are based on the same charges as the other four who were released. Moreover, in

the case of Huepa, there are still some ten further witnesses to be heard, which means at least another six months in prison before a verdict can be reached.¹

According to the latest report by Human Rights First, the prosecuting attorney in the case determined that there was not sufficient evidence to accuse the six of rebellion. «The intelligence reports lacked probative value because there was not proper corroboration (...) the prosecutor found witness allegations were unreliable and lacked coherence and should have been verified in the preliminary investigation.»² Nevertheless, the prosecutor who reviewed the cases decided not to close the investigation against Huepa and Gil, although there is no clear or convincing evidence that they are guilty of the crime of rebellion.³

Meanwhile, Miguel Huepa and Andrés Gil are still subject to this lengthy legal process, locked up in «the same wing as those held on charges of paramilitarism,



Evaristo Mena of the ACVC (on the right) was held in prison between September 2007 and May 2008, and is awaiting the release of his colleagues.

rebellion, and common crime, in a constantly conflictive situation.»⁴ And until the verdict, their faces will remain on the walls, reminding us of their absence and the state of the justice system in Colombia for human rights defenders. ●

1 PBI interview with David Albarracín, lawyer for Miguel Huepa González

2 «Baseless prosecutions of human rights defenders in Colombia. In the dock and under the gun.», Human Rights First, February 2009, p. 47. The report monitors 32 legal proceedings in which recognised Colombian human rights defenders are accused, in the majority of cases, of rebellion. One of the legal accusations presented in the report is the case against Miguel Huepa and Andrés Gil from the ACVC

3 PBI interview with David Albarracín, lawyer for Miguel Huepa González

4 «Andrés Gil y Miguel González continúan en prisión pese al vencimiento de términos:

Presos políticos de la ACVC denuncian atropellos en la cárcel e irregularidades en el proceso que los sindicó de rebelión», Prensa Rural, 16 February 2009

NGOs in Barrancabermeja: caught between threats and legal proceedings

The Ceremony of Memory and Dignity, held on 23 January 2009 in the Campín football grounds, commemorated the handing over of the remains of the victims of a massacre in which seven people were murdered and a further 25 disappeared. This massacre was committed more than a decade ago, in May 1998, in the same district of the city of Barrancabermeja that the ceremony was held. This was also the occasion for the family members and social movements to commemorate a decade of struggle against forgetting, violence, and impunity, symbolised by the massacre of 16 May 1998. However, threats received by the organisations just a few days before the event caused them to doubt whether in a decade things have really changed. Of the human rights organisations who received the threats from the self-named 'Black Eagles', three are accompanied by PBI: The Grassroots Women's Organization (OFP), the Association of Family Members of the

Detained and Disappeared (ASFADDES) and the Committee in Solidarity with Political Prisoners (FCSP).¹

In addition to this attempt to hamper the work of human rights defenders are the declarations made against them by ex-combatants under Justice and Peace Law 975. Two recognised human rights defenders have been accused by ex-combatants in their voluntary depositions of having links with the guerrilla.² The first is David Ravelo, secretary general of the Regional Corporation for the Defence of Human Rights (CREDHOS) and the other is Yolanda Becerra, director of the Grassroots Women's Organization (OFP). They both fear possible legal proceedings against them as accusations of this nature in the Colombian context could also put their lives at risk. These testimonies by ex-combatants should be treated with caution, given that the impartiality of the witnesses is not always clear.³

In light of this situation, both Yolanda Becerra and David Ravelo have decided

it is necessary to take a series of steps to counteract these declarations against them. However, these actions mean that they have to invest time, resources and energy to prepare their own defence, which in other conditions could have been invested in their human rights work.

The threats received by the victims' organisations and those who were organising the Ceremony of Memory and Dignity, have made them realise that there is still a long way to go, not only in the search for truth, justice and reparation, but also to obtain the minimum conditions for their security and dignity, to enable them to carry out their work without fear of reprisals, delegitimisation, or unfounded legal prosecutions. ●

1 «Nuevamente la Asociación de Familiares de Detenidos Desaparecidos – ASFADDES – es amenazada por paramilitares hoy águilas negras», ASFADDES, 3 February 2009

2 «Se aplazó la versión libre del secretario de CREDHOS», Vanguardia Liberal, 30 January 2009; «Alias 'Julían Bolívar' reconoce asesinatos de sindicalistas», Caracol, 30 January 2009

3 «Baseless prosecutions of human rights defenders in Colombia. In the dock and under the gun.», Human Rights First, February 2009

■ NORTH AMERICA

Inter-Project tour on impunity

The PBI projects in Colombia, Guatemala and Mexico have all identified impunity as a strategic focus for their work, given the risks that this causes for human rights defenders. PBI Colombia, together with the country groups from the United States and Canada, invited members of the Association of Family Members of the Detained and Disappeared (ASFADDES) from Colombia, the Association of Family Members of the Detained and Disappeared and Victims of Human Rights Violations from Mexico (AFADEM), and the Organisation to Support Integral Sexuality in the Face of Aids (OASIS) from Guatemala, to participate in the first inter-project speaking tour in North America, held between February and March this year.

The aim of the tour was to undertake intensive advocacy work to highlight the importance of the work of human rights defenders in breaking the cycle of impunity and looking for solutions to conflict. By presenting cases of human rights violations to national and international authorities, the defenders aim to ensure that the rights of victims to truth, justice and reparation, and guarantees of non-repetition, are respected. Breaking the silence is, in many cases, the first step in the search for justice. Recovering memory becomes a political issue, when the simple act of remembering brings risks to witnesses and survivors. Soon after taking part in the Ceremony of Memory and Dignity on 23 January 2009, held to remember the



From left to right: Jorge López (OASIS), Zulma Robles (OASIS), Christine Jones (PBI Canada), Alice Garside (PBI Colombia), Gloria Gómez (ASFADDES), Jamie Wick (PBI Mexico), Tita Radilla (AFADEM) outside the Canadian Parliament in Ottawa

victims of the massacre committed on 16 May 1998 in Barrancabermeja, ASFADDES received death threats.

The work of ASFADDES was a key element in gaining recognition for the crime of forced disappearance. Based on more than 25 years of experience, and with more than 15,000 cases of forced disappearance documented by the organisation, ASFADDES recommended the creation of an urgent search mechanism and a unified system to register disappeared people. By participating in the National Search Commission (Comisión Nacional de Búsqueda), ASFADDES aims to ensure that

exhumations are carried out according to the Minnesota Protocol.¹

During the tour, the delegates met several politicians and members of the Canadian Government, members of the Canadian Autoworkers Union, and in Washington DC and New York they visited a number of Senators, Members of Congress, and the Department of State. They also had meetings with the United Nations and the Inter-American Commission on Human Rights. ●

¹ United Nations Manual for the effective prevention and investigation of extra-legal, arbitrary and summary executions (Minnesota Protocol, 1991)

■ EUROPE

Delegation from Europe gains new impressions



In February 2009, a delegation from different European countries arrived in Colombia amidst great expectation. The delegates, including lawyers, journalists and human rights activists, were interested in learning about the situation and work of human rights defenders and their organisations. On brief tours of Curbaradó in the Chocó region, the Catatumbo region, the Magdalena Medio region, and the cities of Buenaventura and Montería, the group had the opportunity to gain first-hand information. Deeply moved by their experience, the delegates expressed their willingness to remain in contact with the NGOs and victims of the conflict, and to support them in the future as much as they are able. ●

Enrique Restoy (Anti-Slavery International UK) and Astrid Hake (PBI Germany), two members of the European delegation, listening to testimonies on human rights violations in the Curbaradó river basin.

NATIONAL GROUPS

PBI Italy raises awareness about the situation in Colombia

The majority of Italian people who apply to become volunteers with PBI choose the Colombia Project as their destination. This shows that one of the Project's strong points is its communications work through the regular publication of information, and is also evidence of Italy's interest in Latin American issues. At the end of last year, PBI Italy asked former and current volunteers to send photographs and write about their experiences in the field. The article, entitled, «Why is Chiara spending Christmas in Colombia?» helped to raise funds and to reflect on the complex reality in the country. Also helping to raise awareness on the work of PBI Colombia are the numerous public

presentations given by former volunteer Luigi Cojazzi, author of a successful novel entitled «Alluminio.» Luigi also collaborated on the making of a documentary about the San José de Apartadó Peace Community, «Creer no esperar» (Belief not hope), which was produced with the support of the «Carlo Giuliani» Association in Italy.

The PBI Colombia Project was also presented in two important events in Palermo and Florence by a member of the Italian country group; the first in collaboration with Amnesty International, and the second with organisations in Italy who are committed to building a network for non violent intervention in conflicts (Interventi Civili di Pace). ●



Volunteer Chiara Gambardella – one of the seven Italians in the PBI Colombia project. ●

PBI INTERNATIONAL

Mexico:

The increasing vulnerability of human rights defenders in Guerrero state can be illustrated through the murders of indigenous mixteco leaders Raúl Lucas and Manuel Ponce in Ayutla. These two men were disappeared on 13 February this year, the same day on which the Mexican government promised to put an end to attacks against human rights defenders. Since that date, acts of intimidation have worsened against workers from Tlachinollan in Ayutla, who are accompanied by PBI. ●

Indonesia:

Six months after the death of Opinus Tabuni, who was demonstrating in favour of the independence of Papua, the truth about those responsible for his death has not been uncovered, and the police have not made public the findings of the investigation into his death. Since it has proved impossible to meet with the Papua police, the director of the organisation JAPH&HAM¹ held a press conference to transmit the concerns of the victim's family members over the lack of truth in the case. ●

¹ This organisation, accompanied by PBI since 2007, works on cases of human rights violations including torture, illegal detention, death in custody, and presumed poisonings.

PBI: structural change

The decisions taken by Peace Brigades International during the General Assembly last November mark the beginning of a wide-ranging transformation of our organisation.

Guatemala:

Since January 2009, PBI has been accompanying Jorge López Sologaitoa, executive director of the Organisation to Support Integral Sexuality in the Face of Aids (OASIS), during a legal process in which he is accused of the attempted murder of a sex worker. Although the justice system did not find elements to accuse him of the crime, the trial is still continuing, as he is also being charged with trying to conceal the crime. PBI believes that these baseless legal proceedings are carried out to hamper the work of human rights defenders. ●

Nepal:

Impunity continues, as do cases of threats, kidnappings and killings of journalists. Since 2006, four journalists have been murdered. In January 2009, PBI accompanied a journalist after they received threats and were forcibly displaced to Katmandu. The current situation is serious, given that the journalists are forced to censor their work, which means that the public do not have access to information. ●

Taking into account some of the recommendations of the 2008 external evaluation, the General Assembly approved a proposal to make changes to PBI's organisational structure. The most important suggested change will affect the International Council, which, according to the proposal, will be reorganised into two bodies – an International Management Council, and an International Operations Council. The process involves extensive consultation with all PBI bodies in line with the recommendations of an external consultant. The joint work carried out by the PBI bodies is planned and reported on via monthly conferences and annual face-to-face meetings. During the first months of this year, several meetings have been held, namely the International Finance Committee in England, and the International Advocacy Committee, who are developing a global advocacy strategy, and the International Fundraising Committee, both held in Mexico.

This July, PBI is set to hold another international face-to-face meeting. This meeting is held every year in Mas Franch, Catalunya, where members of the different bodies take part in meetings of the various international committees, and with the International Council. ●

PERSONAL

All PBI's methods of accompaniment are important

Debora Landau, who left the Colombia Project in February this year, was sponsored as a volunteer by the German Civil Peace Service. She was a volunteer in the Bogotá team for two years and during her final three weeks in the Project she accompanied organisations and communities in the Urabá region.

What were your most interesting accompaniments?

D: They have all been really interesting and meaningful to me. It is like looking at a mosaic of accompaniments that were all very different. I have lived through a lot of diverse situations. One of the organisational processes I followed most closely was COS-PACC. I accompanied the organisation from the beginning when PBI was getting to know them, right through to the time when we began a more permanent accompaniment of the organisation. COS-PACC work in Casanare, a department where, as in many other regions, extrajudicial executions are being carried out, apparently related to economic interests. There is a strong contrast between the beauty of the land, which is like paradise, and the peoples' lives. When you talk to them you realise what is going on, and it stops seeming like a paradise.

What do you believe you have learned from human rights defenders?

One of the most obvious reasons to work for PBI is to be able to accompany human rights defenders and communities. You meet some incredible people. Listening to the stories of some defenders and accompanying them in their work has made me feel extremely proud. I have the utmost respect for them, and I am thankful that I could be there and see what they do, to know that these people exist and that they have a different idea of society. Although they sometimes have limits placed upon



Debora Landau during one of her working trips with COS-PACC in Casanare.

them, they work under extremely difficult conditions, and that is incredible.

What do you think you have brought to those you accompanied?

Sometimes you feel as though being there and listening could be seen as really passive, it is a really strong feeling at times. You also want to be listened to, and feel that you are valued. There are a number of types of accompaniment, not only physical, but also political and emotional. I am not sure to what extent they are separable, or if one is more important than the other. I would say that all PBI's methods of accompaniment are important and relevant, for both men and women human rights defenders, although at times you can tend to think that women need more emotional accompaniment and men more physical accompaniment. However this is not true; the three kinds of accompaniment are all intertwined and are necessary for both men and women. Accompanying is overwhelming; it is fantastic to be able to do this work. ●

Nelly Aguilar has been working for a year for PBI Colombia and she is responsible for Human Resources

My former experience was working with the Red Cross, working with volunteers with the aim of improving the lives of vulnerable people from all walks of life. This commitment made me think of PBI as an excellent opportunity to continue learning and contributing to build a fairer world. I came to Colombia specifically to work with PBI because I believe in the work the organisation carries out in the country. There was a similar process of human rights



violations in my country, and for that reason I feel that the work of organisations like PBI are really important in situations like the one Colombia is living through.

Human resources, in this case the volunteers, are the essence of PBI. They are the most important factor for the organisation to be able to fulfill its mission; the volunteers define the organisation and enable PBI Colombia to have such a strong presence in the country. I admire their dedication and commitment, and this inspires me to continue working in the human resources area.

This experience has been extremely enriching. I now have a much clearer vision of the human rights situation in Colombia and I have met fascinating people, who in spite of the difficult accompaniment work they do, do not lose the desire to help, nor their ideals, and they are always ready to contribute with a smile. ●

Nelly is from Peru, and previously worked in the Red Cross.



www.pbi-colombia.org

Protecting human
rights defenders in
Colombia since 1994



José Hernán Paredes Cáceres,
director of the educational centre in
the Uwa legally-recognised territory,
Yvonne Berner from PBI, and Fabián
Laverde, legal representative of
COS-PACC, in the Casanare region.

Peace Brigades International (PBI) is a non-governmental organisation registered before the United Nations that maintains a team of observers who have provided permanent international accompaniment in Colombia since 1994. The mission of PBI is to protect the working space of legally recognised human rights defenders that are repressed as a result of their non violent human rights work.

The PBI Colombia team, only at the request of a local organisation, remains in the field, accompanies threatened individuals and organisations. This field work is complemented by advocacy work with civil and military authorities, State bodies, NGO, the church, the diplomatic corps and other organisations to encourage international action and the publication of information about the human rights situation in Colombia.

If you think that the presence of PBI is necessary to protect those who work in favour of human rights, you can:

- Support us by means of an individual donation or a donation through your organisation.
- Join your nearest PBI group and support the international network from your town.
- Become a PBI volunteer, regardless of your nationality, race, sex or religion.

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