



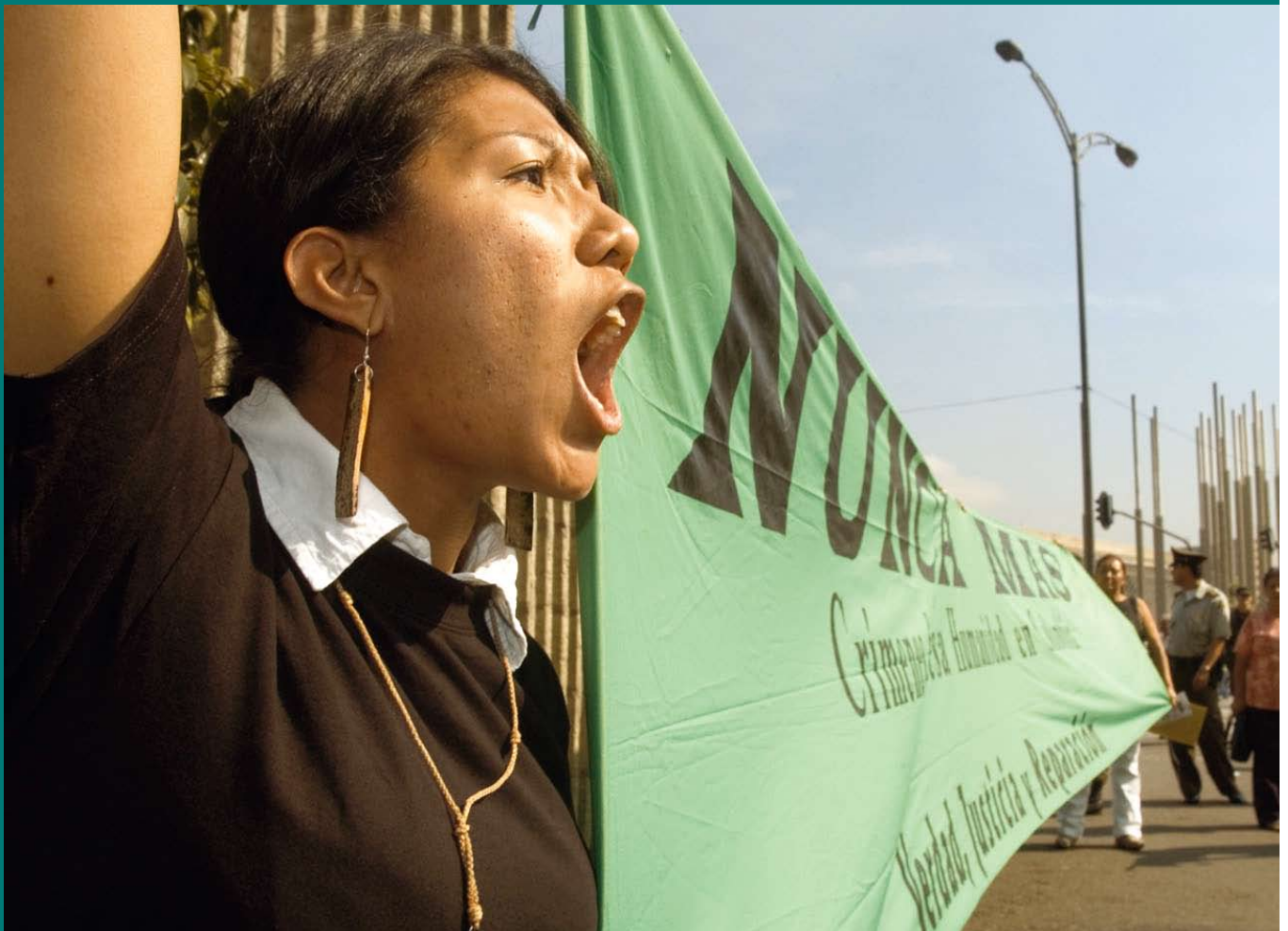
IN SUPPORT OF THE:

NATIONAL AND INTERNATIONAL CAMPAIGN
FOR THE RIGHT TO **DEFEND HUMAN RIGHTS**

www.colombiadefenders.org

CLIMATE OF FEAR

COLOMBIAN HUMAN RIGHTS DEFENDERS UNDER THREAT



ABCColombia
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28 October 2009

Front + back cover photos: Jorge Mata /Surimages-IPA

1.0 THE CONTEXT: A CLIMATE OF FEAR

“ The threats I receive by phone or through the post not only affect me but also my family. They think I am putting their lives at risk. The worst thing about threats is that they often lead to killings. They are trying to silence our voices. ”

Alirio Uribe, Colombian lawyer and human rights defender

In Colombia being a human rights defender is a dangerous, often deadly job. Colombians working on a wide range of issues – including the rights of victims of the armed conflict, the rights of indigenous and minority communities, the rights of women’s and campesino organizations, internally displaced persons and diverse social and environmental concerns – are subject to death threats and persecution, as are their families, on a daily basis. These aggressions are intended to silence defenders, limit their activities and prevent the dissemination of information related to crimes and human rights abuses.

Colombian civil society is vibrant and active but many of its members carry out their work in defence of human rights in a climate of fear, in which they are stigmatized and are at constant risk of being subjected to baseless judicial proceedings, attacked, disappeared or killed. The defenders most at risk are those living outside the major cities and often those in rural areas advocating for the return of lands from which they have been displaced.

Defenders are fundamental actors in any democratic society. Whilst the primary responsibility for the promotion and protection of human rights lies with the state, human rights defenders play an important role in holding the state to account for this obligation. In Colombia, defenders have, for example, been pivotal in exposing abuses committed by paramilitaries and guerrilla groups and in uncovering and investigating extrajudicial executions committed by the security forces. Defenders also work to advance the rights of marginalized and vulnerable communities and accompany victims of the conflict in their search for truth, justice and reparation. This work puts them at particular risk of attack, intimidation, persecution or even death. Attacking and silencing defenders has a profound impact on the continuation of the conflict because achieving truth, justice and reparation is essential to guarantee the non-repetition of abuses and interrupting the cycle of conflict and impunity.



JORGE MATA / SURIMAGES-IPA

WHO ARE HUMAN RIGHTS DEFENDERS?


A human rights defender is anybody who, individually or with others, professionally or voluntarily, nonviolently promotes or protects human rights (civil, political, economic, social and cultural). Trade union leaders, journalists, academics, teachers, artists, church personnel and clergy, lawyers, judges, members of non-governmental organizations and social movements, leaders of indigenous and afro-descendent communities, women’s and LGBT* rights activists, representatives of Colombia’s millions of internally displaced persons – all can be human rights defenders.

WHAT DOES IT MEAN TO DEFEND HUMAN RIGHTS?

Defending human rights is a moral responsibility aimed at saving lives, preventing grave human rights violations and ensuring that violence does not remain in impunity. Defenders seek to strengthen the rule of law and call for changes in government and state policies.

Taken from the Declaration of the Campaign for the Right to Defend Human Rights in Colombia (www.colombiadefenders.org)

* Lesbian, Gay, Bisexual and Transgender people



EVERYONE HAS THE RIGHT, INDIVIDUALLY AND IN ASSOCIATION WITH OTHERS, TO PROMOTE AND TO STRIVE FOR THE PROTECTION AND REALIZATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS AT THE NATIONAL AND INTERNATIONAL LEVELS.

Article 1, United Nations Declaration on Human Rights Defenders, December 1998.

Recently it has been revealed that since 2004 the national intelligence agency (Administrative Security Department – DAS), which reports directly to the President, has systematically and without warrant tapped the phones and emails of Colombia’s major human rights groups, journalists, and even Supreme Court magistrates. As well as conducting illegal surveillance against defenders and their families, the DAS is also alleged to have collaborated with paramilitaries against them, hindered their work, restricted their international travel, threatened and brought baseless prosecutions against them. The objective, according to an internal DAS document, was to “neutralize and restrict” defenders’ work.¹

This scandal is revealing of the broader targeting and persecution of human rights defenders in Colombia. Colombian state and government officials have regularly discredited defenders’ work in public, accusing them of having ties to guerrilla groups or being motivated by political gain. Baseless criminal charges are frequently brought against them, using false and uncorroborated information from military and police intelligence files. In the context of an armed conflict this has not only resulted in greater stigmatization of social and non-governmental organizations, but has also created an environment of hostility, in which waves of assassinations, forced disappearances, sexual attacks, death threats, raids and the theft of sensitive information have occurred. Those responsible for violations against defenders are almost never punished and impunity remains the norm.

Above: Don Enrique Petro, one of the leaders of the humanitarian zone Nueva Esperanza, which is accompanied by CIJP in Curvaradó.

In partial recognition of the dangers defenders face because of their work, a succession of presidents have issued directives promoting their work. The Colombian government has introduced special legislation aimed at increasing the protection of human rights defenders,² and provides a state-run protection program. In early 2009 the Office of the Attorney General established the Humanitarian Affairs Units with a specific mandate to investigate threats and attacks against human rights defenders.

Despite this, aggression against defenders is as bad as ever. The Office of the High Commissioner for Human Rights (OHCHR) in Colombia recorded a significant number of attacks in 2008 against human rights defenders and trade union members, principally in Antioquia, Arauca, Bogotá, Nariño, Putumayo and Valle de Cauca. These involved murders, as well as damage to property, break-ins, theft of information and threats.³

In the first three months of 2009, the Observatory of Human Rights and International Humanitarian Law⁴ registered 15 acts of violence, including attacks, killings, and harassment, against defenders, primarily attributed to paramilitary groups. And whilst more than 10,000 Colombians received protection measures in 2008, the inadequate levels of security the program offers is a serious cause for concern, with several people under this protection program being killed last year.

1.1 KILLINGS

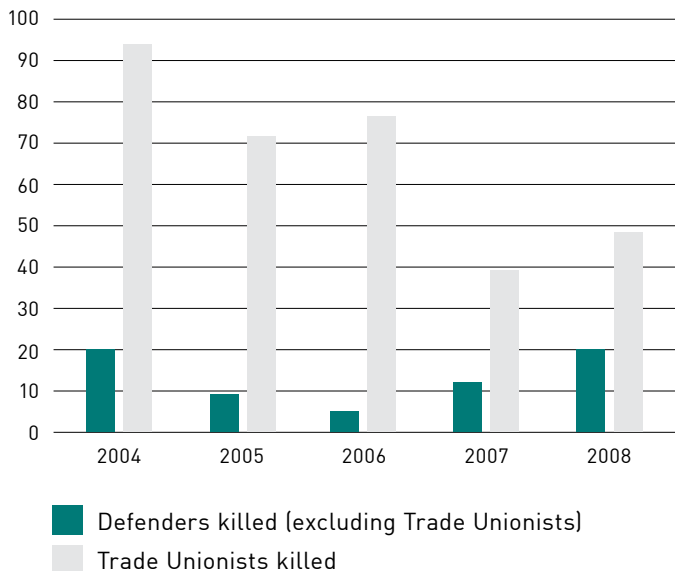
Though killings had decreased since 2004, Colombia has witnessed a sharp increase in the killings of defenders since 2007, including a 66 percent increase between 2007 and 2008 in the number of murdered defenders (excluding trade unionists) and a 25 percent increase in trade unionist killings (See Graph 1). Furthermore, these figures underestimate the level of violence against defenders as many violations are not reported due to fear of reprisal, while others are filed as common crime when in fact they are related to human rights defense.

Every year, more trade union members are killed in Colombia than the rest of the world put together.⁵ On average, since 1986 one trade unionist has been killed every three days, with a total of 2,694 victims, 685 of whom were trade union leaders.⁶ Between August 7, 2002 and May 5, 2009, 498 trade union members were killed, 22 in

alleged extrajudicial executions carried out by the security forces.⁷ Despite having fallen in recent years, in 2008, there was a 25 percent increase in killings of trade union members compared to the previous year, almost half of which were carried out by paramilitary groups.⁸ 17 trade union members were killed in the first 5 months of 2009.⁹

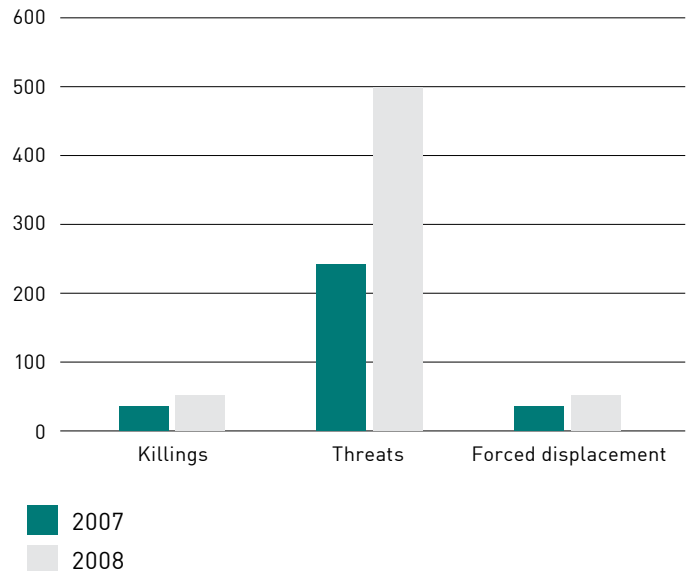
Between January 2007 and June 30, 2008, the security forces were allegedly responsible for the direct murder of 535 people in extrajudicial executions. While many of these victims are civilians unconnected with human rights work, the Colombia-Europe-United States (CCEEU) Working Group on Extrajudicial Executions reports an increase in cases of forced disappearances of human rights defenders and social leaders in the same period, and it is probable that a significant proportion of the victims of extrajudicial executions were defenders.¹⁰

Graph 1: Killings of defenders



Source: Comisión Colombiana de Juristas (CCJ) and Escuela Nacional Sindical (ENS)

Graph 2: Violence against trade unionists is on the increase



Source: SINDERH database – Escuela Nacional Sindical (ENS)

RECENT EXAMPLES OF ALLEGED CASES OF EXTRAJUDICIAL EXECUTIONS OF HUMAN RIGHTS DEFENDERS¹¹

March 14, 2009 (Meta) Luis Arbey Díaz was allegedly killed by members of the army's Mobile Brigade No. 1. Luis was the president of the Board of Community Action of the Tapir neighborhood in La Macarena. He was killed coming out of his house, accompanied by his son, who was arbitrarily arrested by army officers and held for two days.

February 15, 2009 (Meta) Alba Nelly was forcibly disappeared, allegedly by army officers of the Battalion 21 Vargas. Alba was the president of the Board of Community Action from the neighborhood of Esmeralda, in the municipality of Castillo, and had reported receiving threats.

December 16, 2008 (Cauca) José Edwin Legarda, indigenous activist and husband of the Regional Indigenous Council of Cauca (CRIC) leader Aida Quilcué, was killed by members of the army's José Hilario López Battalion, who shot at his vehicle 19 times.

December 8, 2008 (Caquetá) Joel Pérez Cárdenas, founder and director of the Corporation for the Protection of Human Rights - Caguán Vive, was shot, decapitated and had his remains incinerated. His community alleges he was assassinated by the national army.

April 22, 2008 (Bogotá) Union leader Guillermo Rivera was detained by the national army in Bogotá. Three months later (16 July) his tortured body was found in an unmarked grave in the city of Ibagué, Tolima. Neither his detention nor his subsequent death was officially recorded by the authorities.

Guerrilla groups have also been responsible for assassinations of human rights defenders, although to a lesser extent. The director of the Social Integration Committee for the municipality of Catatumbo, José Trinidad Torres, was assassinated on July 26, 2005, reportedly by the FARC. Similarly, the FARC assassinated Marino Mestizo, an indigenous leader from the department of Cauca, on June 23, 2009. In both cases the defenders rejected the guerrilla groups' attempts to control their organizations.

1.2 DEATH THREATS + ATTACKS

Death threats against human rights defenders are common in Colombia. All armed actors, including the security forces, paramilitary groups and guerrilla groups, use threats as a way to intimidate and silence those they consider to be standing in the way of their interests or collaborating with their enemies. Between 2006 and 2007, there were 157 publically reported cases of threats by paramilitaries against social and human rights organizations.¹²

PARAMILITARY CONTROL IN MAGDALENA MEDIO AND SUR DE BOLIVAR

On April 10, 2008, several human rights NGOs, trade unions and church leaders in the Magdalena Medio and Sur de Bolívar regions received an emailed death threat signed by the Black Eagles (Águilas Negras), a self-proclaimed new paramilitary group. The death threat stated that the NGOs were military targets and that their names were on a list of "undesirables" to be eliminated. It accused them of being guerrillas or guerrilla supporters and said that they and other members of their organizations had been under surveillance. The email continued: "We are watching you every minute... The plan to annihilate you will begin at any point. We are not joking about killing you, so go and warn your relatives so they can prepare your burial."¹³

SEXUAL VIOLENCE AND ATTACKS AGAINST FAMILY MEMBERS OF DEFENDERS

Defenders who have received death threats are often forced to leave their homes. Those living in remote areas are forced to move to larger cities and many are pushed into exile. Sexual violence against women and girls, including human rights defenders is widespread and used by armed groups to terrorise and destabilise communities. There has also been a troubling increase in threats and attacks against family members of human rights defenders. For instance, in April 2008, unknown persons threatened to kill the 12-year-old daughter of human rights activist Ingrid Vergara in Sincelejo for the work her mother was doing. Similarly, death threats and an attempted attack were made on May 11, 2009 against Mayerli Alejandra Legarda Quilcué, daughter of Aida Quilcué, an Indigenous leader from the Cauca whose husband, José Edwin Legarda, was killed by the Colombian army on December 16, 2008.

The violent sexual attack against Mónica Giraldo in 2007 is sadly just one example of common practice. Mónica worked with Corporación Mujeres que Crean in Medellín, in the department of Antioquia, which supports female victims of political violence in eastern Antioquia. In February 2007, she was aggressively interrogated and sexually abused by three men who identified themselves as members of the Black Eagles. They told Mónica that they did not want to hear any more about her working in the area. Mónica decided not to report what had happened for fear of reprisal attacks. However, a group of men came back and took her against her will to a remote place, where they threatened her, saying that she had 15 days to abandon her home.

DEFENDERS OF INTERNALLY DISPLACED PERSONS' RIGHTS

Defenders protecting the rights of the internally displaced population in Colombia have been particularly threatened. Colombia has the second worst displacement crisis in the world after Sudan. Three to four million people have been forcibly displaced since 1985 and the trend is unabated with a 25 percent increase in 2008.¹⁴ Closely linked to the phenomenon of displacement is the question of land

expropriated by illegal armed groups (around 5.5 million hectares of illegally usurped land has yet to be returned¹⁵). Those leading efforts for the restitution of this land have been met by threats, intimidation and violent attacks. Fifteen people participating in the Justice and Peace process demanding the return of their land – or defending those with this demand – have been killed.

For example, in June 2008 in the Curvaradó and Jiguamiandó river basin, human rights defenders working for the Inter-Church Commission for Justice and Peace (CIJP) were surrounded by armed men and threatened when they accompanied returning Afro-Colombian communities during a land demarcation process. The Colombian government's continued denial of the existence of paramilitaries and the emergence of new paramilitary groups casts doubt on the authorities' ability and willingness to fully investigate threats and attacks against defenders.

Sign of the humanitarian zone Nueva Esperanza, accompanied by CIJP in Curvaradó





A Mural in honour of Sister Yolanda Cerón

ATTACKS ON CHURCH LEADERS

Church leaders in Colombia are crucial to the construction and maintenance of the country's social fabric, particularly in regions with a weak state presence. In recent decades, church leaders have made important efforts to serve internally displaced families, accompany victims of violence, generate local development schemes for communities in poverty and promote peace initiatives in Colombia's most war-torn regions. All of these efforts require church leaders to defend the human rights of their congregational members and, in most cases, the broader communities they serve.

Church leaders are facing increased intimidation, violence, displacement and incarceration across Colombia for their work as human rights defenders.¹⁶ According to the Colombian Bishops Conference, 69 clerics were killed in the 10 years from 1985. Of those, 59 were priests and 2 were bishops. In the same period, 54 religious leaders were threatened, and 5 bishops, 18 priests and one missionary were kidnapped.¹⁷

A Colombian research initiative called "A Prophetic Call" documents human rights violations against Protestant church members and leaders. Even given its limited regional scope, the findings are alarming. In 2008 there were 324 human rights violations against Protestant church members alone, including 25 homicides, 95 forced displacements and 172 death threats. Impunity persists in many of these cases and re-victimization is reported with frequency.

THE ASSASSINATION OF SISTER YOLANDA CERÓN, DIRECTOR OF THE CATHOLIC CHURCH ORGANIZATION PASTORAL SOCIAL¹⁸

Yolanda Cerón and other members of Pastoral Social had campaigned against the increasingly grave human rights situation in Nariño, denounced abuses against the civilian population by the Colombian security forces and paramilitary groups and provided assistance to victims.

On September 19, 2001 Yolanda was killed outside the La Merced Church in the town of Tumaco, department of Nariño, by two gunmen believed to be paramilitaries. In the days leading up to her killing, Yolanda reportedly told her colleagues at Pastoral Social that their offices were under surveillance, that she was being harassed and that she was being followed.

THE ATTEMPTED ASSASSINATION OF PASTOR ROMERO

Due to the leadership of Rosendo Romero, a 45-year-old Baptist pastor and community leader, many inhabitants of Flores Arriba, Tierralta, have been able to resist forced displacement in spite of years of paramilitary threats. On February 17, 2007, Pastor Romero was the victim of an attempted assassination. Four armed men, allegedly rearmed paramilitaries, arrived at his neighbor's house looking for him. His neighbor warned him and Pastor Romero fled to a nearby town from where he called the Organization of American States (OAS). The OAS, in turn, requested immediate police response. According to local witnesses, the police travelled to Pastor Romero's village in a vehicle owned and driven by the paramilitary commander allegedly responsible for ordering Romero's assassination. The OAS escorted him to safety later that night and he returned to his family several days later.

In spite of visits by the OAS and other international observers every two weeks, the persecution continued. In January 2008 rearmed paramilitaries told a friend of Pastor Romero's that they mistook him for Pastor Romero and nearly killed him. In February 2008 two of Pastor Romero's neighbors were murdered; an alleged paramilitary shot one of them 10 times in front of his children. In mid-March 2008 Pastor Romero was warned of an impending attack by rearmed paramilitaries; he was believed to be a target. Pastor Romero, his wife and children fled Flores Arriba on March 25, 2008. To this day there has still been no judicial progress in his case.

The victims are often the very church leaders accompanying other victims in search of justice, including victims who have filed cases against paramilitaries or publicly denounced their crimes.

Guerrilla groups are known to harass, threaten, and kill religious leaders and activists, although often for their role as community leaders and for opposing forced recruitment of minors, promoting human rights, assisting internally displaced persons, and discouraging coca cultivation, rather than for religious reasons.¹⁹ Between July 2005 and June 2008, guerrilla groups killed seven priests. Catholic and Protestant church leaders believe that due to underreporting the number of religious leaders killed in rural communities could be higher,²⁰ as like other defenders they often fear reprisal attacks for reporting attacks against them.

THE MURDER OF ARCHBISHOP ISAÍAS DUARTE CANCINO, IN CALI, VALLE DEL CAUCA

Archbishop Duarte Cancino was an outspoken critic of the guerrillas and had gained the reputation of a highly skilled negotiator with the guerrillas when he was bishop in the volatile region of Apartadó. In March 2002, he was shot dead at point blank range as he left a church in a poor neighborhood - a killing which shocked the country.

ATTACKS ON AFRO-COLOMBIAN LEADERS

Afro-Colombian defenders, both members of human rights organizations or community leaders, have been subject to an alarmingly high rate of intimidation, threats, and excessive force by members of both the national army and the illegally armed actors. Thus far in 2009, WOLA has identified 20 incidents of assassinations, threats and other violations committed against these communities, and in 2008, ONIC, a collective body representing 44 indigenous Colombian organizations, found 13 cases where security forces were directly responsible for the deaths of 20 indigenous people.

A few examples of attacks and threats against Afro-Colombian leaders include:

May 20, 2009 Estrella Hinestroza Robayo, leader of ASODESS and an IDP women's advocate, was killed in Granada (Meta).

April 2009, Afro-Colombian IDP leaders Erlendy Cuero Bravo, delegate of the Association of Displaced Afro-Colombians (AFRODES) to the National Coordination Table on IDPs (CND) and Ricauter Angulo, Coordinator of the National Municipal Table of IDPs in Cali (Valle de Cauca), each received pamphlets from the paramilitary group the Black Eagles threatening them for their work in defending victims' rights.

June 29, 2008, Martha Cecilia Obando Ramos, the president of the Association of Displaced Women of San Francisco (ASODESFRAN), was shot and killed while returning to her home in Buenaventura city (Valle de Cauca) after an event she had organized for IDP children. Martha was a prominent leader in the IDP community who fought for the rights and welfare of the internally displaced.

June 24, 2008, alleged paramilitaries kidnapped and later killed Felipe Landazury, a prominent Afro-Colombian leader appointed by the community to assume the presidency of a Community Council in Candelilla de la Mar (Nariño). Landazury was known to be adamantly opposed to palm oil cultivation in the collective territories.



Alirio Uribe (CAJAR) in a meeting with leaders of the indigenous Arhuaco community in the Sierra Nevada.

1.3 BREAK-INS + INFORMATION THEFT

Over the last few years, human rights organizations have been the target of frequent break-ins. Between 2006 and 2008, the Observatory of Human Rights and International Humanitarian Law received 24 reports of break-ins and theft of confidential information from the offices of human rights organizations. Break-ins and information theft not only compromise defenders' security, but can also intimidate defenders into enforcing self-censorship in their communications and activities, seriously impeding their freedom of expression.

On July 23 and 28, 2009, Corporación Nuevo Arco Iris, a Colombian NGO, was the victim of two information thefts. Laptops with information on armed groups and their links to politics and territorial control were stolen from two staff members working in their 'Armed Conflict Observatory'. In 2008 Corporación Nuevo Arco Iris was also the victim of computer theft.

New information suggests that many of the defenders and organizations who have received threats or been victim of break-ins and information theft appear in files held by the DAS. These files have shown that the DAS, rather than seeking to protect defenders, has for many years sought to persecute defenders through information gathered during illegal and intrusive surveillance of defenders and their families.²¹

On July 6, 2006, the office of CODHES, a leading Colombian organization working for internally displaced persons and victims of the conflict, was broken into and three hard discs containing part of the Information System on Forced Displacement and Human Rights (SISDHES) database were stolen. The thieves also tried to delete archives from the database. Subsequently, the armed group "Colombia Free of Communists" included CODHES on its death threat lists.²²

In response to this critical situation, the publishers of this report have joined hundreds of Colombian and international organizations in a campaign for the Right to Defend Human Rights in Colombia. We are calling for the implementation of five groups of concrete recommendations which could be implemented quickly, if political will exists.

2.0 RECOMMENDATIONS

2.1 END IMPUNITY FOR VIOLATIONS AGAINST HUMAN RIGHTS DEFENDERS

CONCRETE AND CONCERTED ACTION IS NEEDED TO STOP THE ENDEMIC IMPUNITY FOR THE CRIMES AND VIOLATIONS COMMITTED AGAINST HUMAN RIGHTS DEFENDERS

A group of United Nations Special Rapporteurs on Colombia said in a joint statement.²³



JORGE MATA /SURIMAGES-IPA

RECOMMENDATIONS

- 1.1. The Prosecutor General's National Unit for Human Rights and International Humanitarian Law should investigate and centralize all complaints, threats and human rights violations against human rights defenders and:
 - Identify command responsibility for the crimes;
 - Follow-up the cases until justice is served;
 - Periodically publicize the results of finalized investigations.
- 1.2. All investigations of violations of human rights defenders that involve the armed forces should be presented before a civilian court and not in a military court, as repeatedly stated by Constitutional Court jurisprudence, the Inter-American System of Human Rights and the Office of the High Commissioner for Human Rights.
- 1.3. Prosecutors should be removed from military brigades to ensure independence and impartiality in their investigations and to guarantee the safety of human rights defenders and the victims that they defend.

Allowing perpetrators of violations against human rights defenders to evade prosecution and conviction encourages the continuance of such practices. Despite high levels of violence and intimidation against human rights defenders, in most cases no investigation is carried out, or where there is an investigation, no serious effort is made to establish motive or identify the intellectual author of the violations.

The only substantial way to reduce threats and killings of human rights defenders is to prosecute perpetrators and intellectual authors and thus send a clear signal that violence will not go unpunished. Slow and incomplete investigations of human rights abuses, and other flaws in the judicial system, are a result of lack of political will and resources. Three particularly worrying sectors, where impunity in cases of violence and threats is almost complete, are journalists, trade unionists, and victims organizations.

IMPUNITY IN FOCUS

JOURNALISTS

According to The Committee to Protect Journalism's Impunity Index, "Colombia has the highest rate of unsolved murders of journalists per capita in Latin America".²⁴ Though there were reportedly no killings of journalists in 2008, impunity for past crimes (130 killings are logged in the system) remain the norm. Meanwhile, in 2008, there were 72 cases of threats against journalists, none of which resulted in a condemnatory sentence.²⁵ The Colombian Foundation for the Freedom of the Press (FLIP) concluded in its latest annual report that this absolute impunity has become the "silent enemy" of freedom of the press in Colombia as it has led to self-censorship, the most effective way of ensuring that certain issues do not enter the public domain.²⁶

THE CASE OF TRADE UNION LEADERS

High levels of violence against trade union leaders and subsequent impunity are important factors in the very low unionization rate in Colombia (4.5 percent).²⁷ Less than two percent of reported violations against trade union members have resulted in convictions.²⁸ Even these convictions are usually of the people who carried out the killing or the threat, but few advances are made in identifying chain-of-command responsibility. No investigations are being carried out in 59 percent of the reported cases of trade unionists killings. Of the remaining 1,119 cases under investigation, 58 percent are still in the preliminary phase, meaning that the perpetrator has yet to be identified.

The special unit set up within the Office of the Attorney General to investigate violence against trade union members has been slow to process the thousands of cases on its books. Faced with the current back-log in the system, if the special unit continues at its current pace and if no more trade unionist killings were to occur, it would take the Colombian justice system thirty seven years to address the unresolved cases.²⁹ Of the

185 priority cases defined by the special unit only 76 investigations have actually begun, and only 31 cases have resulted in criminal sentences.³⁰

Trade union groups argue that the prosecutors charged with carrying out the investigations are failing to look for anti-trade union evidence to explain the abuses. Instead investigations have concluded that killings and threats against trade union members are due to criminal motives, "crimes of passion" for example, and are not politically motivated or related to their activities in unions.³¹

VICTIMS AND THEIR DEFENDERS

By September 2008, some 138,000 victims had filed reports under the Justice and Peace Law 975 in the hope of uncovering the truth about abuses committed against themselves and their families, mainly by paramilitaries. Many of these victims, and those that work for them, are the subject of threat and violence. At least 20 people engaged in the formal Justice and Peace processes (victims and defenders) have been murdered and more than 200 have received threats.³² The Constitutional Court ruled that the protection program for victims and witnesses involved in the Justice and Peace process was deficient, and ordered its reform.³³

Yolanda Izquierdo, head of the People's Housing Association (OPV), had taken on the leadership of a group of victims of paramilitary human rights violations to help them participate in the Justice and Peace hearings. Yolanda started receiving death threats in December 2006, which she reported to the local authorities, requesting protection. Yolanda did not receive a response to her requests. She was killed on January 31, 2007.

Unsurprisingly, impunity remains almost total. In the three years since the law came into force, only nine of the 3,431 cases of abuses that emerged through testimonies of demobilized armed actors have been brought to a conclusion.³⁴

2.2 END THE MISUSE OF STATE INTELLIGENCE

RECOMMENDATIONS

- 2.1. Guarantee that human rights defenders have access to information contained in intelligence files, in accordance with the Colombian Constitution (1991).
- 2.2. Guarantee that intelligence is not collected about human rights defenders simply on account of their work. Any information collected in this way is illegal, as stated in Sentence T-1037 (2008) of the Supreme Court, and should therefore not be utilized, for example as evidence in a criminal trial.
- 2.3. State authorities, coordinated by the Inspector General's Office and supervised by the United Nations, should revise intelligence reports in order to exclude specious information that may incriminate or prejudice individuals, particularly human rights defenders.
- 2.4. The Prosecutor General's Office should investigate the unwarranted and illegal use of intelligence information and show immediate and concrete advances in the criminal investigations being carried out against all of the government officials involved in the DAS wiretapping scandal, from those who gave the orders to those who executed them.

According to the Colombia's Attorney General, Colombia's intelligence agency (DAS) has systematically and without warrant tapped the phones and emails of Colombia's major human rights groups, prominent journalists, members of the Supreme Court (including the chief justice and the judge in charge of investigating allegations of widespread links between members of Congress and paramilitaries), the main labor federation and others since 2004.³⁶ Not only did DAS personnel spy on their targets, they spied on their families, including taking photographs of their young children, investigating their homes and daily routines and the security systems in place in their homes and offices.

The illegal intelligence campaign set out not only to spy on targeted individuals and organizations, but also to harass them and obstruct their work. According to the DAS's own documents, the objective was to "neutralize and restrict"³⁷ the work of human rights defenders.

However, the scandal, which was uncovered when the Attorney General's office raided the DAS headquarters seizing many of their documents, does not stop there. The documents also clearly state that one objective was to gather material which could be used to bring baseless criminal charges against human rights defenders.³⁹ The DAS also restricted defenders' international travel.⁴⁰ Perhaps most dangerous of all, the information gathered on defenders was allegedly provided to paramilitaries and other illegal armed actors who attacked and threatened them.

I NEVER IMAGINED
THAT THEY'D ALLOCATE
30 OR 40 PEOPLE
TO INVESTIGATE US.
IT SOUNDS MORE
LIKE A PLAN FOR
AN ASSASSINATION
ATTEMPT

Gustavo Gallón, Colombian Commission of Jurists.³⁵

The DAS reports directly to the President and implements his agenda with respect to national security, official intelligence and strategic operations. Documents obtained from the special unit that was created to conduct illegal surveillance of human rights defenders, the Special Intelligence Group (G3), reveal that the Director-General of the DAS, as well as senior advisors, intelligence and operations directors, deputy operations and counter-intelligence directors, all knew of the existence of G3 and participated in its planning and strategy meetings.⁴¹ DAS personnel claim to have visited the Presidential palace to meet with the President's general secretary in order to report on the intelligence they had gathered.⁴²

These activities may have been disrupted in recent months, following the exposure of the scandal, but there are concerns that they are ongoing. Surveillance camera footage of the DAS's 11th floor offices appears to show staff removing dozens of documents and computer equipment from offices in February 2009, before the current Director-General took up office.⁴³ The whereabouts of these documents remain unknown.

Former DAS Director, General Jorge Noguera, who was appointed by President Álvaro Uribe Veléz, has been accused of four homicides and of contracting DAS services

INTERNATIONAL HUMAN RIGHTS ORGANIZATIONS SPIED ON

International human rights entities that communicated with Colombian human rights groups were also affected by this espionage, including Amnesty International, the Committee for the Protection of Journalists, the International Federation for Human Rights (FIDH) and the Inter-American Commission for Human Rights. One of the DAS documents sets out plans for "activities of offensive intelligence" against the Director of Human Rights Watch's Americas Division, José Miguel Vivanco³⁸.

to paramilitary groups. Ex-paramilitary boss “Jorge 40” testified that Noguera had used his position to put the security agency at the disposition of paramilitary groups and had facilitated the assassination of union leaders across the country.⁴⁴ Noguera is one of four former director generals of the DAS who are under investigation for illegal activity during their tenure with the presidential intelligence agency. Three other former DAS Director-Generals are also under investigation by the Attorney General, and over 16 current and former employees, including directors of the intelligence and counter-intelligence units, are under investigation by the Inspector General. Whilst the DAS’s current Director-General announced that the DAS has created a group to purge its database of illegally obtained information, the apparent level of corruption within the institution and evidence of large-scale document removal casts serious doubt on the organization’s ability to undertake this task.

However, simply shutting down the DAS is not the answer. What is required is to ensure that intelligence is not collected about human rights defenders simply on account of their work. Furthermore, the President and his advisors’ capacity to order intelligence operations without safeguards or oversight needs to be adequately addressed in order to prevent the politicization of intelligence. The government should also guarantee that any information illegally collected about human rights defenders cannot be utilized against them, for example as evidence in a criminal trial. It is not just the DAS, other branches of State intelligence collect information on defenders, it is therefore essential that State oversight authorities, with support from the United Nations, should revise intelligence reports periodically in order to exclude specious information that may incriminate or prejudice individuals, particularly human rights defenders.

The status of the Attorney General’s investigation is in question given the transfer of leadership from former Attorney General Mario Iguarán. His term ended July 31, 2009, and the “short list” of three candidates supplied by the President to the Supreme Court were deemed unsuitable by the Supreme Court, leaving the leadership of the office uncertain. **It is imperative that there is a full and independent investigation into these deeply troubling crimes and that the intellectual authors be identified and prosecuted.**

ILLEGALLY GATHERED INTELLIGENCE STILL ON FILE

While this information on defenders remains in intelligence files there are dire consequences for their lives and work. False and inflammatory information gathered by state agents has frequently been used to initiate unfounded criminal proceedings against defenders, members of the political opposition and NGOs. Despite the fact that under the Colombian Criminal Procedural Code such reports are not admissible as evidence and have no probative value, in many cases against human rights defenders, prosecutors are unduly influenced by, and even introduce in court, inadmissible intelligence reports.⁴⁸

False information has also been leaked to the press. For example, in September 2008, one of the main Colombian TV channels quoted intelligence files purporting to show that Asociación MINGA, a highly respected Colombia human rights organization, had helped members of the FARC and ELN to emigrate to Canada. Dissemination to the media of this wholly unsubstantiated claim put MINGA’s important work and the lives of its staff at risk.

Ironically, under the Ministry of Interior and Justice’s protection scheme the DAS was assigned to protect many of the individuals it was actually spying on, providing them with body guards, vehicles and communication instruments. These very mechanisms became means of compiling information to use against the defenders.⁴⁹

Every annual report of the United Nations High Commissioner for Human Rights between 2003 and 2007 has reiterated that the Inspector General must revise intelligence archives annually in order to exclude incorrect or subjective information on human rights defenders and organizations.⁵⁰ A Working Group has been created between the Ministry of Defense and the Prosecutor General’s Office to begin the review of military intelligence files. However, according to an investigation by Human Rights First, “the Prosecutor General reports that the Defense Ministry and armed forces have not complied with the criteria established by that Working Group. Most notably, the armed forces have reportedly not allowed the Inspector General to review intelligence files. Instead, they have informed the Inspector General and Human Rights First that they have reviewed all files and that they contain no material relating to defenders. The fact that the armed forces deny they have intelligence files relating to defenders when such files are published in the media and used in judicial proceedings demonstrates the need for an independent authority to review those files”.⁵¹

Colombia’s military and police intelligence units have also been involved in the illegal surveillance of human rights groups. For example, in 2008 it became known that 150 email accounts of human rights defenders, including trade union leaders, international human rights organizations, academics and journalists were unlawfully intercepted by the police intelligence agency, SIJIN.⁵²

THE CASE OF THE JOSÉ ALVEAR RESTREPO LAWYERS' COLLECTIVE (CAJAR)

CAJAR, a nationally and internationally recognized legal organization that has represented victims and civil society actors in emblematic cases of human rights abuses in Colombia, has been one of the DAS's main targets. The Attorney General's office found over 5,000 pages of information on CAJAR lawyers and their immediate families, gathered unlawfully, without a warrant. This information included political and psychological profiles and details of the lawyers' routines and travel routes.

The DAS rented apartments to provide locations from which to undertake permanent surveillance of the human rights defenders. Photographs and videos were taken of the lawyers and their families, including their children, at home and in their places of work. Telephone conversations and email communication were intercepted on a massive scale, records were kept on defenders' foreign travel, and national and international contacts were cross-referenced. International missions organized with CAJAR were specifically targeted for illicit surveillance.⁴⁵

The actions carried out by the DAS were not limited to surveillance. According to El Tiempo the DAS was allegedly responsible for sending a bloody doll to CAJAR lawyer Soraya Gutierrez in 2005 with the note, "You have a pretty daughter. Don't sacrifice her."⁴⁶ Information in the recently released DAS files leads CAJAR to allege that the doll and the death threat were sent by the DAS.

The DAS also allegedly sabotaged CAJAR lawyer Diana Teresa Sierra's trip to The Hague. Since this unlawful surveillance began, CAJAR President Alirio Uribe has been unable to obtain a visa for the United States. It is believed that the refusal is based on unsubstantiated allegations from unlawfully obtained intelligence passed to the US authorities.

Worryingly for those who thought they were being protected, the DAS obtained information from the protection services provided to the CAJAR lawyers by the Ministry of Interior and Justice's Protection Program, including intercepting two-way radios and allegedly issuing orders to recruit CAJAR's drivers.⁴⁷



Eduardo Carreño & Soraya Gutierrez (CAJAR)

2.3 END SYSTEMATIC STIGMATIZATION

[THE] SUBJECT OF HUMAN RIGHTS CANNOT BE USED AS AN EXCUSE TO PROVIDE COVER FOR TERRORISTS⁵³

Colombian President, Álvaro Uribe Veléz.

RECOMMENDATIONS

- 3.1. The President of Colombia and other important government officials should publicly recognize, in a highly visible manner, the legitimacy and importance of the work of human rights defenders, refrain from making declarations that discredit their work, and condemn attacks against them.
- 3.2. The Inspector General's Office should take official disciplinary action against all government officials who with their public comments, actions, or omissions, promote or permit human rights violations against defenders, publish periodic reports on the matter, enforce compliance with Presidential Directives 11 of 1997, 07 of 1999, 07 of 2001 and Defense Ministerial Directive 09 of 2003, and carry out preventative training of public officials.
- 3.3. The President of Colombia should promulgate a new Presidential Directive ordering all authorities to recognize, respect and protect the work of human rights defenders.

Public statements by President Uribe and other government officials linking defenders and human rights organizations to guerrilla groups and invoking counter-terrorism language make the environment in which defenders work considerably more dangerous. Following such statements human rights defenders have been threatened, abducted or killed, by groups accusing them of being guerilla sympathizers, and declaring support for the present administration.

Despite a presidential directive⁵⁴ that prohibits declarations by public servants that put the security of defenders at risk, those responsible for making unsubstantiated allegations are not sanctioned.

THE CASE OF LINA PAOLA MALAGÓN DÍAZ FROM THE COLOMBIAN COMMISSION OF JURISTS (CCJ)

On February 12, 2009, a report about the impunity of human rights violations against Colombian trade unionists was used during a hearing in the United States House of Representatives to evaluate the human rights situation of trade unionists in Colombia. Following the participation of Colombian trade unionists and representatives of international NGOs in the hearing, President Uribe accused the participants of distorting the truth and being motivated by "political hatred."⁵⁵ Subsequently CCJ, an NGO working on legal human rights issues, received a fax signed by the Bogotá front of the paramilitary group the Black Eagles (Águilas Negras) declaring the author of the report, lawyer Lina Paola Malagón Díaz, a "military target" and threatening to kill her unless she left the Colombian capital, Bogotá, immediately. After this threat, Malagón Díaz had to live in exile outside of Colombia for eight months.

Defenders accompanying victims in the justice and peace process and those who speak out against human rights violations committed by state security forces and paramilitary groups have also been singled out for public criticism by President Uribe. On 6 March 2008, mass demonstrations were held to protest against human rights violations committed by the security forces, the paramilitaries and the guerrilla. Both during the period leading up to the demonstration, and for weeks after, President Uribe and his leading advisor, José Obdulio Gaviria, publicly attacked defenders participating in the rally, including Iván Cepeda, a high-profile member of the coalition group the National Movement of Victims of State Crimes (MOVICE) and one of the main organizers of the demonstration:

*"[T]here are people in Colombia, like Dr. Iván Cepeda. They conceal their true intentions behind the protection of victims. (...) Victims' protection is a means to incite human rights violations against people who don't share their ideas. (...) Victims' protection is a means to go abroad and discredit the Colombian Government and discredit Colombian institutions."*⁵⁶



Members of MOVICE demonstrate at the hearing of ex-paramilitary leader Ramon Isaza in April 2007

These statements were shortly followed by paramilitary death threats and attacks against Cepeda and other human rights defenders. This was not an isolated episode. In 2007, President Uribe made similar remarks, and days later approximately 70 of Colombia's leading human rights defenders received death threats in an email from paramilitary groups echoing his comments.⁵⁷ See Annex 1 for further examples of President Uribe's public remarks against defenders.

THE CASE OF JOURNALIST HOLLMAN MORRIS

Over the years, leading journalist Hollman Morris has received numerous death threats. He has been publically accused by government officials, including the President, of being a guerrilla sympathizer and both he and members of his family have been illegally spied on by the DAS.

At the end of January 2009, Morris was in the department of Caquetá trying to arrange an interview with representatives of the FARC guerrillas as part of a documentary about their plans to release hostages. Shortly afterward the Colombian authorities accused Hollman Morris of having links with the FARC. On February 3, 2009, President Uribe stated in a news conference that Morris' journalism was "deceitful and a glorification of terrorism", that he was "[hiding] behind his journalism to become a permissive accomplice of terrorism", and that it is "important to distinguish between friends of terrorists who act as journalists and those who are real journalists."⁵⁸ Shortly after these false claims, Morris received many death threats and considered leaving the country. Moreover, the Attorney General opened a criminal investigation into Morris for alleged ties to terrorism.



In March 2009, human rights defenders who were briefing the US Congress about the human rights situation and efforts to end the Colombian conflict were publicly criticized by the Colombian Vice-President, who accused them of damaging the country's reputation and claimed "now their strategy is to go everywhere and talk trash about the country."⁵⁹ The fact that the Vice-President, head of the country's human rights program, publicly named the individuals in question shows disregard for defenders' valuable work and disinterest in their safety.

In a democracy, opposition voices should be protected and encouraged. Defenders should be free to criticize government policy, to defend victims of violence, and to defend their human rights in a safe environment free from criticism which attempts to delegitimize them and their activities. The importance of a strong commitment to freedom of expression and opinion has been reaffirmed in the UN Declaration on Human Rights Defenders and the European Union Guidelines on Human Rights Defenders:

Above: Artistic representation of forced displacement in Bogotá, (November 2004)

"[T]he work of human rights defenders often involves criticism of government's policies and actions. However, governments should not see this as a negative. The principle of allowing room for independence of mind and free debate on a government's policies and actions is fundamental, and is a tried and tested way of establishing a better level of protection of human rights."⁶⁰

2.4 END UNFOUNDED CRIMINAL PROCEEDINGS

RECOMMENDATIONS

- 4.1. The Prosecutor General should create a special prosecutorial unit to coordinate the review of all criminal investigations against human rights defenders. The unit should be able to quickly vet the investigation for compliance with due process standards. All cases found to be specious should be closed immediately.
- 4.2. Criminal and disciplinary investigations should be initiated against all prosecutors or other government officials that have breached the law by falsely investigating human rights defenders and those found guilty should be punished accordingly.
- 4.3. Prosecutors should reject patently implausible witness testimony, refrain from influencing witness testimony, and carefully evaluate witness testimony from ex-combatants and informants who receive reintegration or other benefits.

Increasingly the criminal justice system is being used to initiate specious prosecutions of defenders, a trend that is particularly striking given the contrasting failure to investigate attacks and threats against them. Cases against human rights defenders often suffer from preliminary investigations that exceed statutory time limits, lack of due process and prosecutorial bias. Between January 2006 and December 2008 alone human rights organizations denounced 109 acts of arbitrary detentions of defenders by state agents.⁶²

THE CASE OF ALFREDO CORREA

In 2004, Alfredo Correa de Andreis, a well-known sociologist, professor and human rights activist from Barranquilla, was detained by the national intelligence service (DAS) and accused by the local prosecutor of rebellion and membership of the FARC. He was subsequently released after a judge found the case against him to be without merit. However he was killed shortly afterwards by presumed paramilitaries who believed the prosecutor's assertions. In April 2006 a former senior official of the DAS admitted that the agency had provided paramilitaries with a "death list" which included Correa.⁶³

These serious procedural problems suggest that such charges are primarily intended to discredit defenders and the work they do. In the process, legitimate human rights defenders are signalled in the media as guerrillas or guerrilla sympathizers which, in the worst cases, can put them at risk of reprisal attacks or death threats from paramilitary and other armed groups.

Judicial proceedings force defenders to spend time and resources defending themselves and divert resources away from their human rights work. Meanwhile, the threat of political prosecution can lead defenders to practice self-censorship and limit their activities.

LEGAL PROCEEDINGS INITIATED AGAINST HUMAN RIGHTS DEFENDERS (IN COLOMBIA)... ARE PART OF A STRATEGY TO SILENCE HUMAN RIGHTS DEFENDERS

Hina Jilani, former Special Representative of the Secretary-General on Human Rights Defenders.⁶¹

THE CASE OF THE INTER-CHURCH JUSTICE AND PEACE COMMISSION (CIJP)⁶⁴

In May 2003, the Office of the Attorney General opened a preliminary investigation against five CIJP members, charging them with rebellion, conspiracy to commit a crime as members of the FARC, and ordering murders and forced disappearances. At the beginning of 2005, the Attorney General's Office dismissed the case, determining that the evidence was based on false testimony.⁶⁵

In 2004, another case was opened against members of the Humanitarian Zones of the Curvaradó and Jiguamiandó Afro-Colombian collective territories in Chocó, which CIJP accompanies. Several CIJP members were implicated through more false testimonies in these new proceedings but only learned of the case against them in 2006. This second wave of prosecutions was based on the same witness statements which had already been proven to be false and inadmissible in the previous case.

Although some of the investigations against CIJP have been dropped, members of the organization and the communities they accompany continue to face charges of rebellion and terrorism. Members of CIJP also receive frequent death threats.⁶⁶



JORGE MATA / SURIMAGES-IPA

NATURE OF CHARGES

Counter-terrorism legislation and policies are frequently used to suppress legitimate defenders and reduce their rights and freedoms. Defenders are typically charged with rebellion, terrorism, sedition, defamation or belonging to a subversive group. These charges are typically based on false allegations by ex-combatants and paid informants and on false information contained in state intelligence files. Many defenders are not informed when preliminary investigations are carried out nor are they informed even of the charges against them once these preliminary investigations have concluded.⁶⁷

THE CASE OF PRINCIPE GABRIEL GONZÁLEZ OF THE COLOMBIAN POLITICAL PRISONERS SOLIDARITY COMMITTEE (FCSP)⁶⁸

Principe Gabriel González was a prominent student leader in the department of Santander, where he has also been active in documenting and denouncing human rights violations for FCSP. In January 2006 he was detained for 15 months on charges of rebellion and of being in charge of an urban militia force linked to the FARC guerrilla group. When the trial finally began, the judge acquitted him of all charges, finding that they were baseless and should never have been initiated. González was released.

The acquittal was appealed and in March 2009, two years after his release, the Superior Tribunal of Bucaramanga overturned the lower court's judgment and sentenced González to seven years in prison. The prosecution relied on two witnesses: one who was unable to physically identify or even name González before he was detained, and the other who admitted to providing statements under duress from prosecutors.

On June 2, 2009 Principe Gabriel González filed an appeal with the Colombian Supreme Court seeking an extraordinary remedy (*casación*) to overturn his conviction. The appeal argues that his conviction is void, first because it violated his right to defense by failing to inform him that a preliminary investigation was underway, and second because it accepted contradictory and incoherent witness evidence from ex-combatants receiving reintegration benefits from the state.⁶⁹

2.5 STRUCTURALLY IMPROVE THE PROTECTION PROGRAMS FOR PEOPLE AT RISK

RECOMMENDATIONS

- 5.1. The protection program should be revised, and any changes should be made in direct consultation with human rights defenders to ensure that they address the needs of defenders countrywide.
 - a. The Justice and Interior Ministry should create a special unit to coordinate protection measures, which should be designed in coordination with the program's beneficiaries.
 - b. A mechanism should be created to guarantee that bodyguards or drivers assigned to the protection program do not have, and have never had, ties with illegal armed groups, and that they do not use their position to carry out intelligence gathering work on defenders.
 - c. While evaluating the risks faced by individual defenders, a range of factors should be taken into account. Special attention should be paid to the high profile of defenders in leadership positions, the type of work undertaken by the defender, and relevant reports by the Human Rights Ombudsman's Early Warning System, the Inter-American Commission of Human Rights, social organizations, and other NGOs.
 - d. The Justice and Interior Ministry should provide immediate and temporary protection (within 48 hours of receiving the request) to the person or organization seeking protection, while their security situation is being evaluated.
 - e. The State should not contract private security companies to carry out the work of protecting people at risk.
- 5.2. The Justice and Interior Ministry's protection program, once amended and revised, should receive sufficient funds to guarantee that the security measures are effectively implemented.

Government efforts to increase the protection offered to defenders at risk are coordinated by the Ministry of the Interior and Justice. The Protection Program was created in 1997 in response to requests by concerned civil society leaders. It was created to generate political guarantees for the protection of human rights defenders and civil society leaders at risk,⁷¹ and it must be recognized that it has saved lives. However, serious concerns have emerged regarding its effectiveness.

PROTECTION MEASURES

According to government figures the number of beneficiaries of the Protection Program has been steadily increasing: by July, 2009, 9,151 Colombians received benefits under the program, including 1,430 trade unionists.⁷² The government has also increased the budget allocated to all of its protection programs by USD165 million between 1999 and 2007.⁷³ The type of protection

INSTRUCT YOUR AGENTS [DAS AND NATIONAL POLICE] THAT PROTECTION WORK SHOULD NOT BE INTELLIGENCE WORK

Colombian Constitutional Court sentence T-1037 of 2008⁷⁰

offered, however, can vary tremendously and for those defenders living in remote, rural areas protection has often proven to be woefully inadequate.

The Program includes two categories of protective measures: soft and hard. Soft measures may include the providing of means of communication, means of transport, or temporary relocation. Hard measures may include international relocation and means of physical protection, such as bodyguards, armoured vehicles, or bullet-proof vests.

Hard protection measures are carried out by the DAS (as set out in Decree 2816/2006). This is a cause for considerable concern, given the DAS's links to paramilitaries, its illegal intelligence campaign against human rights defenders, and other irregularities discussed above. Unsurprisingly, the human rights defenders whom the Program is intended to protect feel a severe level of mistrust towards DAS officials providing such protection.



THE CASE OF EVER GONZÁLEZ FROM THE COMITÉ DE INTEGRACIÓN DEL MACIZO COLOMBIANO (CIMA)

Human rights defender Ever González was killed on September 20, 2008 whilst investigating the increasing numbers of extrajudicial executions in the department of Cauca. Ever had benefited from precautionary measures from the Inter-American Commission on Human Rights since 2003 and had been included in the Ministry of the Interior and Justice's protection program, which provided him with a mobile phone with 300 free minutes per month. Despite this he was arrested and accused of sedition in 2004 during massive detentions in the Cauca region. His innocence was proven but his arrest, in the middle of the armed conflict, stigmatised and inevitably increased the risks to Ever's life.

THE CASE OF WALBERTO HOYOS, COMMUNITY LEADER IN THE CAÑO MANSO HUMANITARIAN ZONE

On October 14, 2008, the human rights defender was assassinated by two paramilitary gunmen in the collectively owned territory of Curvaradó in the Bajo Atrato region in the department of Chocó.

Hoyos was a leader in the struggle of the Afro-Colombian communities of Curvaradó and Jiguamiandó to reclaim their lands forcibly taken from them by paramilitary forces. He had also served as a witness in the case of the disappearance and murder of another community leader, Orlando Valencia. As a result of his work he had already suffered an attempt on his life in 2007. Hoyos was under the Protection Program of the Ministry of the Interior and Justice, which provided him with a bodyguard and vehicle. On the day of his murder, however, the DAS-administered measures were not available due to reported mechanical problems with the car.

RISK EVALUATION

The Committee for the Regulation and Evaluation of Risks (CRER) is responsible for approving requests for protection and is made up of officials from the Ministry of Interior and Justice, the DAS, and the National Police, along with some representatives of civil society. However, the actual risk evaluations are carried out exclusively by the National Police and DAS, and the CRER merely acts on their recommendations. There is inevitable mistrust about the role played by the DAS in the current evaluation and decision making structure.

The fixed and non-negotiable definitions used to classify risk can often lead to requests for protection from defenders facing real dangers being rejected. The lack of consultation with the communities and organizations about the risk faced by the individuals requesting protection can lead to a failure to recognize the true dangers facing human rights defenders. Civil society representatives criticize the risk evaluation process for being slow and for not taking into account the specific threats faced by defenders, for instance due to ethnicity, gender, and geographical location. Reports show that, on average, a risk evaluation done at the request of a journalist takes up to four months to complete. Similar circumstances appear to be true for union leaders and other human rights defenders.

A high level commission assigned to evaluate the DAS in 2006 recommended that they participate only in the gathering of intelligence and leave protective services to the national police. Rather than following this recommendation, the program was privatized at the beginning of 2009. A private security company called Vigilancia y Seguridad Ltd. (VISE) now provides protection for an undetermined number of defenders, while others remain with DAS security.

The contract with VISE established a 15 month pilot program beginning on December 1, 2008 with 51 billion pesos. The government did not consult with the affected defenders prior to this change, which is troubling given the historic links of many private security forces in Colombia with paramilitaries and other criminal elements.

The public contract negotiations and eventual selection of VISE Ltd. were based solely on the private security market, without any consideration of the quality of VISE's equipment or of the experience and capabilities of VISE's escorts. VISE has no experience with the protection of human rights defenders and lacks any viable, internationally recognized and evaluated protocols of protection specifically for human rights defenders.

A number of defenders under VISE's protection have complained of DAS employees crossing over to the private company. There are reports of defenders rejecting protection. VISE does not appear to be responsible to the Ministry of the Interior and Justice or to DAS, and as a result complaints and shifts in protection plans often go unimplemented or unacknowledged.

CASE STUDY: ARNEY ANTONIO TAPASCO AND FELIX ANTONIO HERNANDEZ ALCALDE

Arney Antonio Tapasco Reyes and Felix Antonio Hernandez Alcalde have worked since the 1990s as community leaders campaigning for political and land rights for the indigenous population in the reservation of Cañamomo Lomaprieta. After recognizing the danger of their work, the Inter-American Commission on Human Rights recommended protection measures for them in March 2002. As a result they were provided with DAS bodyguards. But whilst serving as their protection, the DAS agents allegedly gathered intelligence in order to falsely associate the men with the FARC.

In January 2008 DAS agent Germán Alonso Bedoya allegedly sent an email to his colleague Germán Betancour, the DAS bodyguard assigned to Tapasco at the time, in which he was told to collect information on his meetings and activities. Both indigenous leaders were arrested in November 2008, detained for almost eight months, and charged with rebellion in June 2009 in a criminal trial with significant procedural flaws. Despite the fact that gathering such information is prohibited by law, information from the DAS bodyguards was used in the case against them.⁷⁴

ANNEX 1:

Comments made by President Álvaro Uribe Veléz against Colombian Human Rights Defenders⁷⁵

"[Hollman Morris' journalism is] deceitful and a glorification of terrorism", "[Morris was hiding] behind his journalism to become a permissive accomplice of terrorism" ... "[it is] important to distinguish between friends of terrorists who act as journalists and those who are real journalists."

February 3, 2009, at a News Conference.⁷⁶

"[T]here are people in Colombia, like Dr. Iván Cepeda. They conceal their true intentions behind the protection of victims. (...) Victims' protection is a means to incite human rights violations against people who don't share their ideas. (...) Victims' protection is a means to go abroad and discredit the Colombian Government and discredit Colombian institutions."

May 6, 2008, at the Inauguration of the new Transport Terminal in Montería, Córdoba Department.⁷⁷

"The only thing you do is shield yourself in your rights as a journalist, so that in my case you can wound me with lies. Enough of this cynicism behind your quote-unquote 'journalistic ethics.'"

October 2007, to Daniel Coronell, a columnist for Colombia's largest newsmagazine, who has probed questions about the president's alleged past relations with drug traffickers and paramilitaries.

"I am very worried that the guerrillas' political friends, who live here constantly posing as political enemies of yankee imperialism, frequently travel to the United States to discredit the Colombian government, for two purposes: the purpose of keeping the Free Trade Agreement from being approved, and the purpose of suspending the aid. ... [These are] friends of the guerrillas, politicians who want the guerrillas to triumph in Colombia, but lack the authenticity to call for it openly."

April 19, 2007 during a joint Press Conference with Chilean President Michelle Bachelet.⁷⁸

"It's clear and I reiterate it to the DAS and to the police, respectively, if these [foreign human rights observers] continue to obstruct justice, put them in prison. If they have to be deported, deport them."

May 27, 2004 in an address to the Peace Community of San José de Apartadó (Antioquia department).⁷⁹

"Human rights cannot be used as an excuse to protect terrorists"⁸⁰ ... the well-known Lawyers Collective Jose Alvear Restrepo "cannot use the subject of human rights as an excuse for giving cover to terrorists." ... "[i]f the Collective wants to defend terrorists, they should do so according to the law, but they should not hide behind human rights organizations."⁸¹

February 10, 2004, at a meeting of President Uribe and the Foreign Affairs Commission of the European Union and during the subsequent Press Conference.

"Every time a security policy to defeat terrorism appears in Colombia, when the terrorists begin to feel weak, they immediately send their spokespeople to talk about human rights. ... These human-rights traffickers must take off their masks, appear with their political ideas and drop this cowardice of hiding them behind human rights."

September 8, 2003, addressing the military high command.⁸²

ANNEX 2:

Declaration of the national and international campaign for the Right to Defend Human Rights in Colombia

COLOMBIA: HUMAN RIGHTS DEFENDERS UNDER THREAT

DECLARATION

“*Everyone has the right, individually and in association with others, to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels.*”

Article 1, United Nations Declaration on Human Rights Defenders, December 1998.

Those who defend human rights and the rule of law in Colombia have always been victims of systematic stigmatisation, threats, sexual violence, unfounded criminal proceedings, violent attacks and killings carried out by all actors in the conflict: state security forces, paramilitaries and guerrillas. Colombia continues to register some of the highest levels of attacks against human rights defenders in the world.

However, the situation has now reached a new level of crisis. In April 2009, documents were made public which show the existence of a massive illegal espionage operation carried out by Colombia's intelligence agency, the Administrative Security Department (DAS), which reports directly to the President, against those who promote and defend human rights, whose objective, according to those responsible, was to “restrict or neutralize their work”.

The DAS has not only been intercepting human rights defenders' private telephone calls illegally, it has also been following defenders and taking photographs of them and their families. Police units and the National Army also use intelligence operations to restrict the work of defenders. This “strategic intelligence” contravenes democratic principles and constitutes an attack on human rights in Colombia.

This is only the most recent of a long list of unacceptable practices, including the ‘para-politics’ scandal (the infiltration by paramilitary groups of the Colombian congress), extrajudicial executions of civilians by the army, and attacks against the Supreme Court, all of which call into question whether the political will exists to guarantee the rule of law and respect for the fundamental rights for all Colombians. It is important to note that many of these scandals have been exposed by the advocacy of human rights defenders working for truth, justice and peace.



WHO ARE HUMAN RIGHTS DEFENDERS?

A human rights defender is anybody who, individually or with others, professionally or voluntarily, non-violently promotes or protects human rights (civil, political, economic, social and cultural). Trade union leaders, journalists, academics, teachers, artists, church personnel and clergy, lawyers, judges, members of non-governmental organisations and social movements, leaders of indigenous and afro-descendent communities, women's and LGBT* rights activists, representatives of Colombia's millions of internally displaced people – all can be human rights defenders.

WHAT DOES IT MEAN TO DEFEND HUMAN RIGHTS?

Defending human rights is a moral responsibility aimed at saving lives, preventing grave human rights violations and ensuring that violence does not remain in impunity. Defenders seek to strengthen the rule of law and call for changes in government and state policies.

* Lesbian, Gay, Bisexual and Transgender people

Human rights defenders should be free to condemn human rights violations, to express themselves freely, to carry out their investigative and legal work, to defend victims of violence, to protect the civilian population, to demand respect for International Humanitarian Law, and to promote peace.

Now is the time for us to take action for the Right to Defend Human Rights in Colombia. To this end, this campaign seeks to achieve concrete changes for defenders in the following areas:

1 / END IMPUNITY FOR VIOLATIONS AGAINST HUMAN RIGHTS DEFENDERS

The only substantial way to end threats, harassment and killings of human rights defenders is to carry out impartial investigations to identify the perpetrators, including the intellectual authors, and to prosecute them, thus sending a clear signal that violence and persecution will be punished.

2 / END THE MISUSE OF STATE INTELLIGENCE

Defamatory and false information about human right defenders is being held in civil, police and military intelligence files. This information is used to persecute, threaten and delegitimize human rights defenders. It is also used to underpin unfounded criminal investigations of defenders and, sometimes, to assassinate them.

3 / END SYSTEMATIC STIGMATISATION

Public statements by high-ranking government officials, including the President of Colombia, aim to discredit the legitimate work of human rights defenders and suggest links between defenders and guerrilla groups, putting defenders at even greater risk.

4 / END UNFOUNDED CRIMINAL PROCEEDINGS

In Colombia another form of persecution has emerged: unfounded criminal proceedings. These proceedings are usually based on false witness testimony, manipulated evidence and unsubstantiated intelligence reports and frequently lead to the unlawful privation of defenders' liberty.

5 / STRUCTURALLY IMPROVE THE PROTECTION PROGRAMS FOR PEOPLE AT RISK

It is important that the Colombian state offers protection programs to human rights defenders. However, those that exist have proven insufficient and in some instances have been used to obtain information that is later used against the very people supposedly being protected. They require significant restructuring in consultation with their beneficiaries.



JORGE MATA / SURIMAGES-IPA



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We unequivocally reject all those practices which violate the human dignity of human rights defenders. We call on all armed actors (state security forces, paramilitaries and guerrilla groups) to respect their legal obligations. We insist on the need for human rights to be respected and upheld by the State, because this is the only way to build a just, peaceful and democratic Colombia.

In Colombia human rights protection is under threat: Help us defend it. Find out more and join the campaign at www.colombiadefenders.org

ANNEX 3:

List of organizations supporting the international campaign for the Right to Defend Human Rights in Colombia (as of 24 Sept 2009):



227 ORGANISATIONS FROM 26 COUNTRIES

INTERNATIONAL (13)

- Amnesty International
- Human Rights Watch (HRW)
- Front Line
- Human Rights First
- Observatorio para la Protección de los Defensores de Derechos Humanos (programa conjunto de la Federación Internacional de Derechos Humanos – FIDH – y de la Organización Mundial Contra la Tortura – OMCT)
- International Centre for Trade Union Rights (ICTUR)
- International Commission of Jurists (ICJ)
- DIAL (Inter Agency Dialogue in Colombia)
- PODEC (Plataforma de Organizaciones de Desarrollo Europeas en Colombia)
- Christian Peacemaker Teams (CPT)
- Internal Displacement Monitoring Centre
- Centre on Housing Rights and Evictions (COHRE)
- Refugees International

COLOMBIA (74)

- Coordinación Colombia Europa Estados Unidos (CCEEU)
- Plataforma Colombiana de Derechos Humanos, Democracia y Desarrollo (Capítulo Colombia PIDHDD)
- Alianza de Organizaciones Sociales y Afines por una Cooperación Internacional para la Paz y la Democracia en Colombia
- Asamblea Permanente de la Sociedad Civil por la Paz
- Programa Somos Defensores (Minga – CINEP – Ben Posta – CCJ)
- Central Unitaria de Trabajadores de Colombia (CUT)
- Centro de Investigación y Educación Popular (CINEP)
- Consultoría para los Derechos Humanos y el Desplazamiento (CODHES)
- Red Nacional de Iniciativas Ciudadanas por la Paz y contra la Guerra (REDEPAZ)
- Comisión Intereclesial de Justicia y Paz
- Fundación Comité de Solidaridad con los Presos Políticos (FCSPPP)
- Organización Femenina Popular (OFP)
- Corporación Colectivo de Abogados José Alvear Restrepo (CAJAR)
- Fundación para la Libertad de Prensa (FLIP)
- Asociación Minga
- Corporación Nuevo Arco Iris (CNAI)
- Red Ecuménica de Colombia
- Corporación Unidades Democráticas para el Desarrollo (CEUDES)
- Corporación Compromiso (para el Desarrollo del Oriente)
- Fundación Esperanza
- Podion
- Corporación Jurídica Yira Castro
- Observatorio Iglesia y Sociedad en Colombia
- Alianza Iniciativa de Mujeres Colombianas por Paz (IMP)
- Fundación Contravía
- Fundación San Isidro
- Fundación Mujer y Futuro
- Corporación Para la Vida Mujeres que Crean
- Vicaria del Sur – Diócesis de Florencia (Caquetá)
- Centro de Promoción y Desarrollo (Ceprod)
- Equipo de Asesorías de Proyectos de Desarrollo Integral Comunitario (APRODIC)
- Corporación Social para la Asesoría y Capacitación Comunitaria (COSPACC)
- Movimiento de Hijos e Hijas por la Memoria y contra la Impunidad
- Comisión Internacional Campesina – Asociación Nacional de Usuarios Campesinos Unidad y Reconstrucción (ANUC-UR)
- Corporación Cactus
- Observatorio Local de Derechos Humanos – Usme (OLDHU)
- Corporación Pensamiento y Acción Social (PAS)
- Centro de Estudios del Trabajo (Cedetrabajo)
- Colectivo de Mujeres al Derecho
- Conferencia Nacional de Organizaciones Afro-Colombianas (CNOA)
- Asociación Social Comunidad y Vida
- Corporación Sisma Mujer
- Fundación para la Cooperación Synergia
- Corporación AVRE (Acompañamiento psicosocial y atención en salud mental a víctimas de violencia política)
- Fundación Foro Nacional por Colombia
- Corporación de Investigación y Acción Social y Económica (CIASE)
- Agenda Caribe
- Corporación Colectivo de Abogados Luis Carlos Perez (CCA)
- Corporación Jurídica Libertad
- Medios para la Paz (MPP)
- Fundación Menonita Colombiana para el Desarrollo (Mencoldes)
- Comité de Impulso de Organizaciones de Víctimas y Derechos Humanos de Nariño
- Movimiento de Víctimas de Crímenes de Estado de Nariño (MOVICENAR)
- Fundación Aldea Global
- Fundación Desarrollo y Paz (FUNDEPAZ)
- Fundación Bitácora Ciudadana

- Pastoral Social de Ipiales
- Fundación Social Parroquial de Ipiales (FUNDASOP)
- Fundación para el Desarrollo Integral y la Cooperación Internacional (FUNDECOIN Colombia-Ecuador)
- Agencia de Desarrollo Integral Zona Sur (ADIZSUR)
- Federación de Asociaciones de los Municipios del Sur (Fedeasur)
- Comité Permanente por la Defensa de los Derechos Humanos (CPDH), Arauca
- Comité Permanente por la Defensa de los Derechos Humanos (CPDH), Nariño
- Comité Permanente por la Defensa de los Derechos Humanos (CPDH), Atlántico
- Lutheran World Federation (Colombia Program)
- Corporación Ecofondo
- Red Nacional de Mujeres
- Red Departamental de Mujeres Chocoanas
- Organización Nacional Indígena de Colombia (ONIC)
- Comisión Colombiana de Juristas (CCJ)
- SINTRAMINERCOL
- SINTRAMIN
- FENASINTRAP
- Organización Indígena de Antioquia (OIA)
- Movimiento Nacional de Víctimas de Crímenes de Estado
- Mesa Humanitaria del Meta

AMERICAS (44)

- Plataforma Interamericana de Derechos Humanos Democracia y Desarrollo (PIDHDD)
- Consejo Latinoamericano de Iglesias (CLAI)
- Alianza Social Continental (ASC)
- Asociación Latinoamericana de Organismo de Promoción al Desarrollo (ALOP)
- Centro Regional Ecuménico de Asesoría y Servicio (CREAS)
- CEPALC (Centro Popular para América Latina de Comunicación)

Bolivia

- La Red Nacional de Participación Ciudadana y Control Social (Red PCCS)

Brasil

- Iglesia Episcopal Anglicana de Brasil
- Iglesia Presbiteriana Independiente de Brasil
- Consejo Nacional de Iglesias Cristianas (CONIC)
- Coordinadora Ecuménica de Servicio (CESE)
- Instituto Universidad Popular (UNIPOP)
- Centro Ecuménico de Evangelización, Capacitación y Asesoría (CECA)
- Centro de Estudios Bíblicos (CEBI)
- Fundación Luterana de Diaconía (FLD)
- Koinonia Presença Ecumenica e Serviço
- Red Ecuménica de Juventud (REJU)
- Serviço Paz e Justiça (SERPAJ)
- Movimento Terra de Deus, Terra de Todos

Canada

- KAIROS: Canadian Ecumenical Justice Initiative
- Central America Support Committee of Victoria

- CoDevelopment Canada (CoDev)
- Atlantic Regional Solidarity Network (ARSN)

Guatemala

- ADIVIMA (Asociación Para el Desarrollo Integral de las Víctimas de la Violencia en las Verapaces Maya Achí)

México

- Centro de Derechos Humanos de la Montaña Tlachinollan, Guerrero

Paraguay

- Servicio Paz y Justicia Paraguay

Perú

- Confederación Nacional Agraria (CNA)

United States

- USOC (US Office on Colombia)
- WOLA (Washington Office on Latin America)
- Latin America Working Group (LAWG)
- Fellowship of Reconciliation (FOR)
- Center for Justice and International Law (CEJIL)
- Robert F. Kennedy Center for Justice and Human Rights (formerly RFK Memorial)
- Lutheran World Relief
- United Church of Christ Justice and Witness Ministries
- Chicago Religious Leadership Network on Latin America (CRLN)
- Presbyterian Peace Fellowship (Colombia Accompaniment Program)
- Institute of Policy Studies Drug Policy Project
- Center for International Policy (CIP)
- Colombia Support Network (CSN)
- AFRODES USA
- Global Exchange
- Colombian Human Rights Committee
- Mennonite Central Committee

EUROPE (91)

- ODHACO (International Office for Human Rights – Action on Colombia)
- ABColombia (British and Irish Agencies working in Colombia)
- Coordinación “Justicia y Paz y Integridad de la Creación” de los Franciscanos Centroeuropeos
- Christian Aid (UK and Ireland)

Austria

- TRIALOG – Development NGOs in the enlarged EU
- Agencia de Cooperación del Movimiento de Niños y Jóvenes Católicos de Austria (DKA Austria)
- Movimiento de las Mujeres Católicas de Austria (KFB Austria).

Belgium

- Coalición Flamenca para la Cooperación Norte-Sur – 11.11.11
- Broederlijk Delen
- Comité pour le Respect des Droits Humains Daniel Gillard
- “Alianza por la Paz con la Comunidad de Paz de San José de Apartadó” de parte del Ayuntamiento de Westerlo y de la Federación de Parroquias de Herselt, Hulshout y Westerlo
- Solidarité Socialiste (SolSoc)

Denmark

- Project Counselling Service (PCS)

France

- Action des Chrétiens pour l'Abolition de la Torture (ACAT)
- Agir Ensemble pour les Droits de l'Homme (de la Coalition Française pour la Paix en Colombie)
- France Amérique Latine
- Pax Christi France
- École de la Paix

Germany

- Misereor
- Diakonie Katastrophenhilfe (Apoyo en Emergencias)
- Brot für die Welt (Pan para el Mundo)
- Kolko – Derechos Humanos por Colombia
- Action pro Colombia e. V., Aachen
- Aktion Friedensdorf – Kinder in Not e.V., Mönchengladbach
- Grupo Colombia en Nürtingen
- Pax Christi Alemania – Fondo de Solidaridad Un Mundo
- Centro de Derechos Humanos de Nuremberg
- Medica Mondiale
- Caritas Germany

Ireland

- Trócaire
- Latin American Solidarity Committee
- Irish Congress of Trade Unions (ICTU)

Italy

- Rete Italiana di Solidarietà Colombia Vive!

Netherlands

- Oxfam Novib
- Cordaid
- Mensen met een Missie
- Transnational Institute (Drugs and Democracy Program)
- War Child

Norway

- Norwegian Refugee Council (NRC)
- Fondo Noruego de los Derechos Humanos (NHRF)

Spain

- Inspiración
- Intermón Oxfam
- Soldepaz Pachakuti
- Paz y Tercer Mundo – Mundubat (PTM)
- Plataforma Justicia por Colombia
- Taula Catalana por la Paz y los Derechos Humanos en Colombia
- El Consell Naiconal de la Joventut de Catalunya – CNJC
- Ajuntament de Barcelona
- Ajuntament de Lleida
- Ajuntament de Sant Cugat del Vallès
- Associació Catalana per la Pau
- Col·lectiu Maloka – Colòmbia
- Comissió Catalana d'Ajuda al Refugiat
- Cooperació
- Entrepobles

- Federació Catalana d'ONG per al Desenvolupament
- Federació Catalana d'ONG per la Pau
- Fons Català de Cooperació al Desenvolupament
- Fundació Josep Comaposada – UGT
- Fundació Pau i Solidaritat – CCOO
- Fundació Pagesos Solidaris
- Fundació per la Pau
- Generalitat de Catalunya
- Justícia i Pau
- Lliga dels Drets dels Pobles
- Moviment per la Pau
- Solidara – Intersindical-CSC
- Comité Óscar Romero de Madrid
- Asociación de Solidaridad con Colombia (Asoc-Katío)

Sweden

- Diakonia
- The Church of Sweden
- Swedish Foundation for Human Rights
- Civis
- The Union of Civil Servants (ST)
- SweFOR
- Forum Syd
- Plataforma Sueca por Colombia (Grupo Colombia-Suecia)

Switzerland

- Hilfswerk der Evangelischen Kirchen Schweiz (HEKS)
- Grupo de Trabajo Suiza-Colombia (Arbeitsgruppe Schweiz-Kolumbien – ASK)
- Programa Suizo para la promoción de la Paz en Colombia (SUIPPCOL)
- SOLIFONDS
- Bethlehem Mission Immense
- Réseau International des Droits Humains (RIDH)
- Terre des Hommes Suiza

United Kingdom

- Oxfam GB
- Save the Children UK
- CAFOD
- SCIAF (Scottish Catholic International Aid Fund)
- Colombia Solidarity Campaign
- Christian Solidarity Worldwide
- Bar Human Rights Committee of England and Wales
- Caravana Colombia Lawyers Group

OTHER (2)

Australia

- Peace and Justice for Colombia (PJFC)

New Zealand

- Latin America Solidarity Committee

LIST OF ACRONYMS, ORGANIZATIONS AND INSTITUTIONS

Black Eagles - paramilitary group (Águilas Negras)

CAJAR – José Alvear Restrepo Lawyers' Collective (Colectivo de Abogados José Alvear Restrepo)

CCEEU – Colombia-Europe-United States Coordination (Coordinación Colombia – Europa- Estados Unidos)

CCJ – Colombian Commission of Jurists (Comisión Colombiana de Juristas)

CIJP – Inter-Church Justice and Peace Commission (Comisión Intereclesial de Justicia y Paz)

CIMA – (Comité de Integración del Macizo Colombiano)

CODHES - Consultancy for Human Rights and Displacement
(La Consultaría para los Derechos Humanos y el Desplazamiento)

CRER – Committee for the Regulation and Evaluation of Risks (La Comité de Reglamentación y Evaluación de Riesgos)

CRIC – Regional Indigenous Council of Cauca (Consejo Regional Indígena Del Cauca)

DAS - Administrative Security Department (Departamento Administrativo de Seguridad)

ELN – National Liberation Army (Ejército de Liberación Nacional)

ENS – National Trade Union School (Escuela Nacional Sindical)

FARC –Revolutionary Armed Forces of Colombia (Fuerzas Armadas Revolucionarias de Colombia)

FCSP – Colombian Political Prisoners Solidarity Committee (Fundación Comité de Solidaridad con Presos Políticos)

FIDH – International Federation for Human Rights (Federación Internacional de Derechos Humanos)

FLIP – The Colombian Foundation for the Freedom of Press (Fundación para la Libertad de Prensa)

MOVICE - National Movement of Victims of State Crimes (Movimiento Nacional de Víctimas de Crímenes de Estado)

NGO – non-governmental organization

Office of the Attorney General (Fiscalía General de la Nación)

OAS – Organization of American States

OHCHR – Office of the High Commissioner for Human Rights
(Oficina del Alto Comisionado para los Derechos Humanos - OACNUDH)

ONIC – National Indigenous Organization of Colombia (Organización Nacional Indígena de Colombia)

OPV – Popular Housing Organization (Organización Popular de Vivienda)

SIJIN – Judicial and Investigative Police (Seccional Judicial de Inteligencia)

SISDHES – Information System on Forced Displacement and Human Rights
(Sistema de Información sobre Derechos Humanos y Desplazamiento) – CODHES's database on displacement

UN – United Nations

WOLA – The Washington Office on Latin America

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- 70 "instruyan por escrito a sus agentes en el sentido que las labores de protección no son labores de inteligencia", Fundación para la Libertad de la Prensa (FLIP), Informe Anual 2008, 2009, p.42.
- 71 Article 81 of Law 418 of 1997 ordered the creation of a program, coordinated by the Ministry of the Interior, to protect "people whose lives, personal security and liberty are at risk for reasons related to the country's internally armed conflict". The law was regulated by Article 28 of Law 782 of 2002 and the Decrees 2788 of 2003 and 2816 of 2006 that define matters related to the following: risk evaluation, the people to whom the protection measures will be directed and the time limit by which these measures will be provided, the regulation of CRER and the Program for matters such as institutional responsibilities, the rights and obligations of those under protection, procedures to adopt precautionary measures, emergency measures and the criteria to suspend or revoke these measures.
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