

June 6, 2006

Jonathan D. Farrar  
Principal Deputy Assistant Secretary  
Bureau of Democracy, Human Rights and Labor  
Department of State  
2201 C Street NW  
Washington, DC 20520

Dear Mr. Farrar,

We greatly appreciate your recent efforts to keep us informed of the actions taken by your office to address the cases and issues presented by NGOs participating in the consultation meeting in April. Unfortunately, over the course of the last several weeks we have received numerous indications that the security situation for human rights defenders, journalists and other civil society leaders has been steadily deteriorating in Colombia. This situation, illustrated below with a list of recent reports of aggression and harassment, has reached alarming levels. We write to request that your office take several specific actions to promote an improved atmosphere of respect for human rights and to reaffirm the legitimacy and necessity of human rights work in Colombia.

Since March 1, 2006, we have received reports detailing the selective assassination of five civil society leaders:

- March 2: **Héctor Díaz Serrano**, a member of the USO petroleum workers' union, was assassinated in a neighborhood of Barrancabermeja (Santander) that is reportedly under paramilitary control;
- March 21: **Yamile Agudelo Peñaloza**, a member of the Popular Women's Organization (OFP), was "disappeared" in Barrancabermeja. On March 22, her body was found at a dump near the city with signs of having been raped and tortured;
- March 21: **Jaime Enrique Gómez Velásquez**, a political advisor to Congresswoman Piedad Córdoba and to presidential candidate Horacio Serpa, was "disappeared." His body was found on the outskirts of Bogotá (Cundinamarca) several weeks later. The cause of his death is still unclear, but the Colombian Commission of Jurists has asserted that independent forensic analysis suggests that he was assassinated;
- March 22: **Wilson García Reatiga**, President of the Collective Action Committee of Tame (Arauca) and key witness in the case of the massacre of Santo Domingo, was assassinated. The FARC-EP are assumed responsible for the assassination, since they had threatened García shortly before the assassination;
- April 12: **Higinio Baquero Mahecha**, bodyguard to the director of the nongovernmental organization *Reiniciar*, was assassinated. *Reiniciar* works with survivors of the *Unión Patriótica* political party; several thousand of their members have systematically been killed.

We have received reports of recent acts of harassment against human rights defenders, journalists, and other sectors of Colombian civil society, including death threats through email messages, letters and public statements. Members of human rights organizations have reportedly been followed. Computers containing human rights data and personal

information have been stolen from human rights defenders' offices and homes in a series of robberies.

On April 30th, well-known journalist and human rights defender Iván Cepeda Castro, founder of the Manuel Cepeda Vargas Foundation and a leader of the National Victims' Movement, received an email death threat. Mr. Cepeda met with your office and addressed the Congressional Human Rights Caucus in October 2005. The threat was emailed to Mr. Cepeda's personal email address and later made public in the internet discussion forum for Mr. Cepeda's column in the weekly newspaper *El Espectador*. The message was sent in the name of an ostensibly new paramilitary group called *Estado Mayor Autodefensas Campesinas Nueva Generación*. Days later, Mr. Cepeda's driver – who forms part of his security protection plan – reported that he was under surveillance. The Foundation also reported receiving several suspicious phone calls.<sup>1</sup> As a consequence, we are very concerned for the physical safety of Mr. Cepeda and those who work with him.

On May 8<sup>th</sup>, a death threat was made in the name of “*Colombia Libre para siempre de la Izquierda*,” against members of the “José Alvear Restrepo” Lawyers Collective (CAJAR), the National Indigenous Organization of Colombia (ONIC), the Latin American Institute of Alternative Legal Services (ILSA), and the Colombian Platform for Human Rights, Democracy and Development. The email threat referred to a phrase recently used publicly by President Álvaro Uribe Vélez during his electoral campaign, referring to opponents’ “disguised communism.” The message refers to the AUC as the origin of the group and asserts that it has an active presence in 21 rural and urban areas. The message also claims that the senders “have in our favor the government’s armed forces themselves, who always supports us....”<sup>2</sup>

On May 17<sup>th</sup>, a different email threat was made in the name of *Colombia Libre* that was sent to the human rights organization *COMPROMISO* and copied to *CAJAR* and other organizations. The message states: “you are all warned that here we do not tolerate third-rate supposed lawyers...leaders...human rights defenders...that only come to align the people to retrograde communist and subversive guerrilla thought...we will not be responsible for the safety of anyone who comes with such a purpose.”<sup>3</sup>

We remain concerned that a number of human rights organizations and their staff have experienced robberies in which databases and other important work-related information was stolen. On April 22<sup>nd</sup>, two computers were stolen during a break-in at the apartment of human rights lawyer Rafael Barrios, a staff member of the “José Alvear Restrepo” Lawyers’ Collective (CAJAR). On April 25<sup>th</sup>, the Bogotá headquarters of the NGO Consultancy on Human Rights and Displacement (CODHES) reported the robbery of important information. CODHES also received an email threat on May 20<sup>th</sup> sent in the name of the *Grupo Democrático Colombia Libre* directed to “all you supposed human rights defenders, as well as those guerrillas disguised as teachers.”<sup>4</sup> The email contained

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<sup>1</sup> May 10, 2006. Amnesty International Urgent Action, AMR 23/021/2006.

<sup>2</sup> José Alvear Restrepo Lawyers’ Collective: “resh threats against the José Alvear Restrepo Lawyers’ Collective” ( May 23, 2006)

<sup>3</sup> Amnesty International, Urgent Action, AMR 23/025/2006 (22 May 2006)

<sup>4</sup> May 22, 2006. Public communication of the Consultancy for Human Rights and Displacement (CODHES): “From words to deeds.”

references to the robbery; "you all are warned, all of you are well identified and located, in fact we can prove it, or haven't you realized how some things were taken from there, you know where..."<sup>5</sup> Other break-ins have been reported at the *Asociación Taller de Vida* (April 24) and the shared Cartagena office of the Civil Society Assembly for Peace and the Motherland Foundation (April 26).

This systematic and deliberate harassment of human rights organizations in the weeks prior to the presidential elections has created a general climate of anxiety and fear among organizations and individuals who defend human rights. Many of the groups threatened form part of the National Victims Movement, a coalition of more than 200 organizations from around the country promoting acknowledgement of victims' rights to truth, justice, and reparation. Over the course of the past year, we have been greatly concerned by numerous reports of threats against National Victims Movement members. These threats appear to be attempts to silence efforts to ensure that the voices of the thousands of victims of Colombia's internal armed conflict are heard.

Threats have also been made to Colombian civil society leaders in other sectors: journalists, union leaders and academics have all come under attack in the past two months. For example, professors and students from the University of Antioquia were declared "military targets" in a May 19<sup>th</sup> email signed in the name of the "Self-Defense Forces of the University of Antioquia."<sup>6</sup> Colombian journalist Holman Morris, who produces the award-winning news program *Contravía*, has suffered numerous threats this past year. Finally, in the first four months of 2006, the National Labor School reports 29 Colombian trade unionists were assassinated and many more received threats, including threats against Plutarco Vargas Roldán, a leader of the food workers union SINALTRAINAL in Bogotá. On May 17 and 24, the National Labor School (ENS), which among other activities collects statistics on threats and attacks against labor leaders, received threats in the name of the "Armed Wing of the Ex-AUC."

We know that you share our concern about these recent developments. We also greatly appreciate your recent communications letting us know more about your efforts and reporting on specific cases. Given the gravity of the current situation in Colombia, we would also like to respectfully request that the Department of State and the U.S. Embassy take the following additional steps to ensure an improvement in respect for human rights in Colombia:

- Urge the Attorney General's office to vigorously investigate and prosecute all of the above cases reported to it of threats and intimidation against human rights defenders, including the break-ins at homes and offices; ask the Attorney General's office to keep the victims of these threats informed on the progress of the cases; and carefully track these cases to encourage advances.
- Insist that the Colombian government make clear pronouncements about the value and legitimacy of human rights work to a democratic society, and condemn recent threats against human rights and victims' groups. The recent statement by the

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<sup>5</sup> Ibid.

<sup>6</sup> Amnesty International, Urgent Action, UA 135/06, 16 May 2006

Defensor del Pueblo was very positive, but these perspectives must be echoed by governmental officials at the highest levels, including the President and Vice President.

- Encourage officials of the Ministry of Interior's Protection Program to meet with the organizations and individuals mentioned above to review their security situation, respond efficiently to their requests for improvements to their protection measures, and add organizations and individuals if necessary to the protection program.
- Insist that the Colombian government comply with the long-standing recommendation by the UNHCHR that the Procuraduría review on a regular basis military intelligence files to ensure that false information regarding human rights groups is not included.

In addition, we request that the U.S. Embassy:

- Meet with representatives of the National Victims Movement so that they can update the embassy regarding threats and other concerns.
- Schedule public events that help confer legitimacy on human rights and victims' organizations, including visits by the Ambassador to some of the offices that have received threats.
- Issue statements about the legitimacy of human rights work and concern about the threats and attacks.

Finally, we would greatly appreciate it if the DRL Bureau would keep us informed about the progress of these measures.

As this wave of new threats and attacks against freedom of expression indicate, the Peace Commissioner's comment that "paramilitaries are a thing of the past" is sadly premature. Organized representatives of civil society urgently need guarantees so that they can safely develop their legitimate work. We know that you share our desire to help guarantee the rights of Colombian human rights and civil society leaders to participate in a democratic society, and we look forward to working with you on some of these specific measures to achieve that goal.

Sincerely,

*Eric L. Olson*  
Acting Director of Government Relations  
**Amnesty International USA**

*Adam Isacson*  
Director of Programs  
**Center for International Policy**

*Neil Hicks*  
Director of International Programs  
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*José Miguel Vivanco*  
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