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# PEACE BRIGADES INTERNATIONAL

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**Bogotá, 12 December 2017**

*PBI is an International Non-Governmental Organisation recognised by the United Nations Office of the High Commissioner in Colombia, that maintains teams of international volunteers that observe and accompany in conflict areas. The main objective of our work is to protect the spaces of work of human rights defenders in Colombia. In order to achieve this we undertake our work in constant communication with Colombian civilian and military authorities, as well as control organs of the State, NGOs, the diplomatic corps, international organisations and the governments of other countries.*

Within this framework of activities and as an exception, we are publishing this announcement, due to the serious humanitarian crisis and lack of protection within which communities in the Colombian territories are currently living, which include combat situations between illegal armed groups<sup>1</sup>, wide-spread death threats<sup>2</sup> and generalised forced displacements<sup>3</sup> within the recent weeks in different areas of the country.

In the river basins of the Bajo Atrato, the ethnic communities accompanied by the Inter-Church Justice and Peace Commission (Cijp) have lost two of their most emblematic leaders in the past 12 days. On 8<sup>th</sup> December 2017 land claimant Hernán Bedoya was killed in the collective territory of Pedeguita y Mancilla, as well as Mario Castaño Bravo from La Larga Tumaradó on 26<sup>th</sup> November. Both were land claimants threatened due to their work denouncing economic interests in their territories and for their resistance against forced displacement.

PBI has historically accompanied both processes through Cijp and has installed international presence in the region of Bajo Atrato for over 20 years<sup>4</sup>. As well as expressing deep sadness due to the killing of both leaders, we see these recent events as an alarming increase in the generalised situation of risk that human rights defenders are living under; risk that we consider will rise during the festive period at the end of the year and with throughout the electoral campaigns given the little attention these issues will receive.

Despite the fact that the territories of both land claimant leaders are situated in a region where the Colombian Military Forces exert control through a strong territorial presence with different military operations,<sup>5</sup> it has not been possible to avoid such killings. The presence of civil State Institutions is almost non-existent give the lack of security guarantees that the entities themselves highlight<sup>6</sup>. In this context, in the field we come across check points and graffiti with the acronyms of the illegal armed groups, amongst which those of the Autodefensas Gaitanista de Colombia (AGC)<sup>7</sup>.

1 Amongst them the National Liberation Army (ELN), the Gaitanista Self-Defence Forces of Colombia (AGC) and other criminal armed structures

2 Most recently: AGC asesinados sobre la vía hacia el caserío de Brisas, TC de Curvaradó, 9 December 2017.

3 In 2017 the number of forced displacements rose 36% in comparison to 2016. El Espectador: "La implementación de la paz no ha llegado": director del Consejo Noruego de Refugiados, 22 November 2017.

4 Accompanying the Inter-Church Justice and Peace Commission (Cijp) and through them various Humanitarian and Biodiversity Zones in the Bajo Atrato, as well as the Peace Community of San José de Apartadó

5 See for example General Command of the Military Forces of Colombia: Military Plan "Victoria" for a stable and lasting peace, 21 February 2017.

6 El Espectador: Defensor del Pueblo alertó sobre crisis humanitaria en Chocó, 13 March 2017. Nota de Seguimiento N° 004-17: Quinta Nota al Informe de Riesgo N° 031-09A.I., 27 April 2017.

7 See image in Cijp: Avanza control territorial de las AGC, 29 November 2017.

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Despite national and international entities having raised the issue of the killing of Mario Castaño Bravo on 27<sup>th</sup> November, less than two weeks later a second land claimant leader is killed; all of this within half an hours distance from Police stations and Army settlements of the 15th and 17th Brigades.

PBI notes with great concern that, despite the reiterated alerts and recommendations throughout 2017 from multiple organisations<sup>8</sup>, international organisms and States as well as from the high national and international Courts<sup>9</sup>, advances by the Colombian State in terms of offering true prevention and protection guarantees have been insufficient and lack territorial, differential and gender focuses<sup>10</sup>, as well as the fact that their implementation is unknown in the territories.

Considering the high number of killing in the past few months, in the field we observe the lack of effective results in terms of the protection of the lives and integrity of those who are repeatedly the object of threats and aggressions.

It is of public knowledge that States must respect, protect, encourage and promote the work undertaken by human rights defenders and other members of civil society, with the intention of ensuring these people can continue to work defending their rights and those of their communities, in particular when they are at risk due to business activities<sup>11</sup>.

In this respect PBI insists upon the urgent need to dismantle the structures responsible for these crimes; including detailed investigation and analysis into the relations between third party economic interests and land restitution, and their alignment with illegal armed structures as well as the persistence of drug trafficking routes. Although there have been advances in a few judicial cases against businessmen linked to paramilitarism in the region<sup>12</sup>, it is imperative that these advances are echoed in clarifying responsibility in the totality of the cases from the Bajo Atrato, considering the high vulnerability of the rural communities.

Without an effective investigation and sanctioning of the material and intellectual authors of the attacks against groups and people who defend their territory, the protection of human rights defenders and guarantees of non-repetition cannot be assured<sup>13</sup>.

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8 Indepaz, CCJ, Cinep: Panorama de violaciones al derecho a la vida, libertad e integridad de líderes sociales y defensores de derechos humanos en 2016 y primer semestre de 2017, October 2017. Amnesty International: Colombia: Gobierno no protege a población civil ni da respuesta a nuevas amenazas, 22 November 2017. Colombia Plural: El obispo de Apartadó reprende al Estado por negar el paramilitarismo, 3 February 2017.

9 Corte Constitucional: Auto 504 September 2017. El Espectador: Corte Constitucional advierte expansión de bandas criminales en el Chocó, 17 July 2017. CIDH: CIDH condena asesinatos a defensoras y defensores de derechos humanos en la región, 7 February 2017.

10 See for example Kroc Institute, Informe sobre el estado efectivo de implementación del acuerdo de paz en Colombia, November 2017. Both land claimants killed had protection measures from Colombian Courts or the National Protection Unit, as well as being emblematic cases in the framework of Law 1448 accompanied by the Colombian Government

11 Fidh: Defender el territorio y el ambiente en contextos de actividad de empresas extractivas, October 2017.

12 In 2014, a judge sentenced 16 businessmen after proving their alliances with paramilitaries in the development of an agro-industrial palm oil project; in 2017 a Superior Tribunal sentenced businessman Antonio Nel Zúñiga Caballero to 10 years in prison for conspiracy to commit crime, forced displacement and the invasion of the collective territory of Curbaradó and Jiguamiandó. PBI: Un líder más asesinado en Urabá, 29 November 2017.

13 OHCHR: National Report, 2016.

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**Therefore, PBI Colombia requests that the European Union, its member States, Switzerland, Norway, the United States and Canadá:**

- Strengthen their efforts to contribute to the protection of human rights defenders in Colombia, as well as supporting and monitoring the implementation of the Peace Agreement between the Colombian Government and the Farc, in particularly Point 3.4.
- Guarantee an emergency attention mechanism that operates exceptionally throughout the festive period at the end of 2017.
- Emit public pronouncements rejecting the killings and other aggressions against human rights defenders and community leaders and undertake field visits to the aforementioned communities
- Put forward questions and recommendations, oriented toward asking for information about the measures adopted by the Colombian Government to establish security guarantees for human rights defenders and land claimant leaders, directed to the Colombian Government in their next Universal Periodic Review (UPR), scheduled for May 2018 and to establish mechanisms to monitor and demand compliance with the suggested recommendations

**We also respectfully ask the Government and the Colombian State to:**

- Guarantee an emergency attention mechanism that operates exceptionally throughout the festive period at the end of 2017.
- Immediately arrange prevention and protection plans with the affected communities and specifically with the community councils of Curbaradó, Jiguamiandó, Cacarica, La Larga Tumaradó and Pedeguita y Mancilla with specific emphasis on the 22 leaders who are being threatened for their work denouncing local businessmen and their links to political elites.
- Undertake quick and independent investigations that lead to the identification and sanctioning of those materially responsible, and above all the intellectual authors of the crimes.
- Publish working plans for the National Commission of Security Guarantees and the Special Investigation Unit of the Prosecutor's Office for the dismantlement of paramilitary successor structures.
- Invite United Nations Special Rapporteur for human rights defenders, Michel Forst to an official visit to Colombia at the beginning of 2018.