

The Divine Comedy



2014 Annual Report
Information System on Attacks Against
Human Rights Defenders in Colombia, ISAAHRD





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The nongovernmental program for the protection of Human Rights Defenders - We Are Defenders is a space of protection that seeks to develop a comprehensive proposal for the prevention of aggressions and to protect the lives of people who are at risk due to their work as human rights advocates, namely when they are protecting the interests of social groups and communities that are affected by violence in Colombia. The program We Are Defenders is comprised of:



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The Divine Comedy

Colombia began on the path to armed conflict for one fundamental reason: it has never been a state that guarantees human rights. Historically, its governing classes excluded the political participation of the sectors that refused to submit themselves to the two traditional hegemonic parties. It did not respect the pacts with the guerillas that had formerly laid down their arms. As soon as they demobilized themselves, their leaders were assassinated by the military forces or police officers, both openly and covertly. The farmers, indigenous, and afro-Colombians were always seen as minority sectors without rights. The budget that remained after the pillaging by the governing class was only invested in large cities, leaving isolated and frontier regions to fend for themselves, demanding that they “organize themselves as best they can”, finally ending up in the hands of the real powers.

Today, six decades later, the national government and the guerillas find themselves in a process of dialogue, with the aim of closing the chapter on armed conflict and to begin along the path towards a democracy based on a State that safeguards human rights.

But closing the chapter on armed conflict involves many challenges, especially from the institutionalism that must make the necessary reforms in order to rectify the causes that triggered it. In addition to this, it is fundamental that the government and the Colombian State be capable of reversing the existing mistrust towards them, owing to their history of incompetence regarding the

protection of the lives and integrity of those who believed in their word. This implies from today onwards that the legislation, mechanisms, and institutions responsible for protection function in an appropriate, efficient and ethical way, to allow the commencement of reinforcing a solid foundation for future protection in a post-conflict context. If the national government cannot achieve the consolidation of this perspective through its leadership during the peace process, from then onwards a worrying fissure would already emerge.

In this regard, we must recognize the progress made, the governmental efforts, and the results achieved to protect the largest number of advocates, social leaders, opposing politicians, journalists, trade unionists, and others who are at risk of attack. Nonetheless, varying facts released by media during 2014, and known to be primary sources by the program ‘Somos Defensores’, began to erode the path laid out in terms of protection, creating concern for fundamental and procedural reasons.

The present report was produced based on the monitoring of protection policies and aggressions against leaders and human rights advocates registered by the Information System of the program ‘Somos Defensores’ (Hereon referred to as SIADDHH). It acknowledges the different problems that were taken to the National Unit of Protection (UNP), which was created to substantially assist in guaranteeing the lives and integrity of those who are being threatened or at risk of being attacked.



To account for this panorama, and to try to make this complex topic digestible, we turn to the simile of the poem *The Divine Comedy* by Dante Alighieri, keeping everything in proportion. Organizing occurrences and gathered information so different in nature was not possible without a well-defined path, just like the one in this extraordinary work of universal literature.

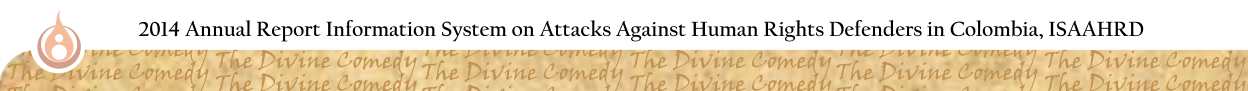
In order to achieve the objective of making the large volume of information comprehensible, this document is made up of three chapters. This first is Hell, divided into 9 circles, each one capturing the different problems faced by the advocates and social leaders when they turn to the UNP in search of protection. Namely; the difficulties in fulfilling the measures of those who already have them in place; the chaos that the institution encountered when it was created due to a lack of resources and administrative disarray; the fatal mistakes made by the UNP in protection; the cancerous corruption that invades the organization; the corporate management of the institutional leadership that permitted the hiding of what was really happening; and finally the collapse of the current model of protection focused on the material, individual, privatized, and outsourced.

The second chapter, Purgatory, gathers the rates of aggressions against leaders and human rights advocates during 2014. As is custom, general profiles of the people who gave their lives undertaking their work are presented as recognition of their sacrifice. Furthermore, a detailed analysis is done of the type of aggression, number of affected by gender,

the suspected perpetrators, the regions most affected, and so on. Yet given the exponential growth of the 'phenomenon' of making threats using pamphlets or the Internet, a detailed analysis is carried out on these elements.

In the third chapter, Paradise, a few proposals are collected which contribute to our reconsidering of how to improve both the existing protection policies, as well as the worrying topics in the preceding chapters. Given Colombia's international contractual obligations, in this section recent recommendations made by the Inter-American Commission of Human Rights (CIDH) are revised. Finally, the conclusions of this annual report are presented.

Lastly, and before we set out on this journey, we wish to thank all the organizations belonging to the Platform of Human Rights 'Coordination Colombia Europe United States (CCEEU)', the 'Movement of Victims of State Crimes (MOVICE)', and the other organizations for human and social rights, afro-descendants, farmers, youth, indigenous peoples, women, and culture for their truthful and timely information which allowed us to follow up the cases of aggressions. Equally we wish to make a very special thank you to the United Nations Office of the High Commissioner for Human Rights in Colombia (OACNUDH). And, as always, we thank the agencies that cooperated with us such as MISEROEOR, Diakonía Sweden, OXFAM, Intermon, Amnesty International, and Terres de Hommes Schweiz. Also, last but not least we would like to specially acknowledge the Canadian and Norwegian Embassies for their support of our work. All this being said, let us begin on our journey of 'The Divine Comedy'.



Hell

As with the path trodden by Dante Alighieri together with Virgil, we shall begin this journey by descending into HELL, comprised of 9 circles. For the purpose of this report, the 9 circles will be manifested by the 9 topics that the National Protection Unit, thereon known as UNP, has executed for protection. These topics represent the real-life hell that the human rights advocates who have requested protection from the Colombian State have unfortunately experienced.





In its preamble, the Political Constitution considers life as one of the values that must be defended by laws. In the same way, in articles 2 and 11 it stipulates that the “authorities of the Republic are instituted in order to protect the lives of all those persons who are considered residents of Colombia”, as it is a fundamental right of character and as such is “inviolable”.

This obligation of the protection of life is also of maximal imperative in international treaties that recognize human rights, just as they have been ratified by Colombia, and are therefore prevalent in internal order (art. 93 Const.). Furthermore, it is constituted as a high-level mandate that is considered an obligation for all State authorities who must, without exception, and wherever possible, carry out activities within the ambit of their respective functions, and with the aim of achieving the conditions necessary for the continued existence and effective development of human life in society.

That is, that the commitment to the defense of human life, which is constitutionally protected, is to be considered an indispensable obligation for all public authorities.

Due to the above, all branches of State that have the duty and legal obligation to protect life must go beyond their own political will so as to avoid that a human

life be silenced, be it by negligence, administrative error, or interpretation errors in their analyses for the protection of life of any given person.

Under these considerations, entities such as the Attorney General of the Nation, the Law Enforcement as a whole, the Public Ministry, the Ministry of the Interior, and the Ministry of Justice, along with their attached bodies, such as the Presidential Council for Human Rights, must articulate their policies for prevention and protection aimed at ensuring the safety and rights of all the citizens of Colombia.

Accordingly, the creation of the National Unit of Protection – UNP – in 2011 was undertaken to create a group responsible for the protection of people at risk. This occurred after the rushed dissolution of the Administrative Department of Security (DAS), which previously held said responsibility. This was considered a triumph for the social and human rights organizations in Colombia, which were negatively affected by the already-known illegal interceptions by DAS in the past, and which pressured the government to find an alternative form of protection.

This new entity was created with the aim of transforming the protection of the State towards the growing Colombian population with special protection needs due to their work, as is the case with the

human rights advocates. Nonetheless, after three years of operation the UNP is far from being a competent, efficient, and effective entity to ensure the protection of, at the very least, the advocates.

Yet it must be noted that the actions of this entity have not always been deficient; these same social and human rights organizations were the first to recognize the good work of the UNP at the beginning, but unfortunately things have changed.

Those who have had to face the difficult task of requesting state protection measures through the UNP would be able to attest to the innumerable procedures and requirements that one must fulfill in order to receive protection, as well as the increasing doubts over transparency amongst the administration of state resources, the inopportune granting of measurements, and the lack of national coverage of such a delicate topic that deals with none less than the risks that those who put their lives on the line to defend democracy, human rights, and peace.

As a consequence, this first chapter of the annual report of SIADDHH 2014 'The Divine Comedy' is dedicated to the UNP and the 9 topics (that will be expressed as the 9 circles of hell in Dante Alighieri's poem) that, in the opinion of many of the human rights advocates in Colombia, the UNP protocols for the requesting and

granting of state protection represents: a veritable hell on earth.

The present journey and analysis is undertaken only from the perspective of the action of the UNP on the protection of human rights advocates, and does not include other populations that are objects of protection as stated in the decrees 4912 of 2011 and 1225 of 2012. However, as Dante says in the Divine Comedy, "Much is expected of he to whom much is given".

Circle 1 – "The unprotected" in Limbo"



As just as Dante begins his journey in limbo, we will also begin ours in the same way, but with one slight difference; we will deal with the limbo in which the advocates whose applications for protection are rejected find themselves. But in order to understand just what this "limbo" consists of, it is necessary to see the figures.

Between January 2012 and June 2014 the UNP received close to 17.000 applications by Colombian citizens seeking state protection. Of this number, approximately 5872 were made by civilians that defend human rights – defenders of victims of aggressions, of women, of land restitution claimants, of indigenous peoples, of afro-descendants, of communities, and of social groups, amongst others. Namely, these civilians make up 34% of the total



number of applications in almost three years¹.

Of these 5872 applications made by advocates, 2611 were accepted by the UNP and the other entities that make up the CERREM². The rest were either returned or declared not at risk (or at what is defined as 'ordinary risk' in the decrees). **That is to say, that 56% of the applications for protection made by human rights advocates in the last three years were dismissed by the government.**

The procedure for the adjudication of the protection measures were explored in other reports made by the SIADDHH, such as in the exploratory study "Protection on the Blackboard."³ But for means of the present report, the real interest of this circle is in the 4000 or so advocates who did not receive protection.

To date there has not been a single investigation or check that has been carried out by the UNP (or any other government or state institution for that matter) that follows whether or not these advocates were murdered, or if they had to be displaced again from their homes and jobs due to threats, harassment, and/or assaults

that they denounced, and which led to them applying for state protection. By the same token, it has been impossible for the SIADDHH to effectively track these cases since the related information, which is at the discretion of the UNP, has not been released.

The National Unit of Protection has publically stated that its efforts are concentrated on protecting land leaders and human right advocates, as the incoming director Diego Fernando Mora reiterated.⁴ For this reason it is vital to highlight one particular aspect of the figures; of the almost 17.000 applications for protection submitted to the UNP in 3 years, the organization has positively responded to approximately 10.200. Currently, the UNP can claim to be protecting 7519 people, yet 56% of the aforementioned people under protection are public servants or officials such as mayors, governors, city councilmen, congressmen, judges, officials, magistrates, ministers, senators, and ex-presidents, among others.⁵ **Statements such as these generate a distortion in the public imagination, in that whilst we are sent the systematic message that the UNP exists essentially to aid the leaders and human rights advocates, the reality is that the bulk of the budget is used to protect**

¹Information obtained from answers from the UNP OFI12-00010942, OFI113-00034323, and from public information at <http://www.unp.gov.co/informe-rendici%C3%B3n-de-cuentas-semestral-primer-periodo-2014> and <file:///Users/user/Downloads/INFORME%20DE%20GESTIO%CC%81N%202013%20UNP.pdf>

²See Decrees 4912 of 2011 and 1225 of 2012.

³http://somosdefensores.org/attachments/article/88/proteccion_al_tablero_version_eb.pdf

⁴In this interview published by the magazine *Semana*, pg. 12, Edition 1708 of January 2015, Diego Mora was asked "¿Who are the most protected? To which he answered, "The victims, the human rights advocates, the land restitution claims leaders, the syndicates, and members of the opposition. We also protect politicians, but their own entities assume a high proportion of the costs."

⁵Information obtained in response to UNP OFI14-00028001

public servants. There is not necessarily anything wrong with this alone, but it must be stated in this way, not in the distorted way it has been.

In other words, the reality is that of all the claims for help, more than 50% of those made by advocates are rejected and those affected are left to fend for themselves. And, tellingly, close to 56% of the protection measures granted are to public servants. In addition to this reality of unprotected advocates is the notable absence of investigations by the Attorney General's Office, which would allow us to determine the current status of those nearly 4000 people who are in limbo. What the general public will never know is whether these people are still alive, or if the threats that the government dismissed as not serious enough to warrant protection, were carried out or not.

Circle 2 – An Impeccable Image

The impeccable management of the corporate image has been characteristic of the National Unit of Protection during its three years of existence. The outgoing director Andrés Villamizar⁶ used media influence to promote the institution as being highly advanced and prepared to face head-on the great challenges of a topic as delicate as the protection of the lives of people being threatened. Since 2012, the private companies that

contracted protection services for the UNP gave insights into the impeccable management of the image, as evidenced by the headline published in the magazine *Semana* "PROTECCIÓN VIP".⁷

One can see parallels with his crusade to convey an impeccable public image of the UNP and with his relentless efforts of purveying himself as a public servant who possesses an inexhaustible energy, willing to do whatever it takes to ensure the safety of all those protected under his watch. And in this endeavor he was successful. It is hard to believe that, during the budget and corruption crisis that engulfed the unit, he managed to quietly withdraw himself with an astonishingly positive image.



By opting to go down the path of portraying the UNP as a functioning unit to public opinion, Villamizar ensured his messianic fall, as without his presence and leadership, things at UNP basically did not work; all

⁶The President requested the resignation of the Director of the National Unit of Protection, Andrés Villamizar <http://www.elespectador.com/noticias/nacional/andres-villamizar-renuncia-direccion-de-unidad-nacional-articulo-534698>

⁷Magazine *Semana*, 29 April 2013 ppg. 90 and 91, Edition 1617.



paths to protection led to Andrés Villamizar. Another personal entrenched attitude held by Villamizar was that of running the UNP as if it were a corporate business, where the protected are thought of as clients and beneficiaries, not victims. This corporate image of protection and operation deprived the institution of its social, human, and political purpose, with which the advocates had initially demanded they develop their actions. Proof of this business vision was the “Evaluation of the satisfaction of the Beneficiaries of the UNP,” carried out by the business PWC Colombia, and presented by Villamizar himself in his accountability mechanisms in May 2014.

The aforementioned study, conducted through a survey of 730 of the 17.260 people established as belonging to the population of beneficiaries of the UNP, signaled that 80% of the surveyed were satisfied with the “service” provided by the unit, especially with the amiability and confidence that the UNP and its public servants fostered⁸.

The results of this survey of service contrasted with the reality that the community of human rights advocates experienced, given that they repeatedly, and in diverse

dialogue spaces such as the National Process of Guarantees, aired their complaints to the director of the UNP for the sluggishness of their response and the lack of amiability and confidence their public servants displayed⁹.

This perception on the deficiencies of the “service” provided by the UNP and on the “impeccable image” they portrayed that was far from reality was shared by presidential candidates, ex-presidents, and even by the UNP syndicate itself that started industrial action in 2014.¹⁰ This last topic shall be explored further in the other “circles” of this journey.

Nobody is disregarding the efforts of the ex-director of the UNP in coping with a then recently-established entity with such complex tasks as those with which he was given. Nor is his tragic past being disregarded, where he had to be surrounded by protection due to threats, as he stated in an article that was raised again by the tabloids.¹¹ However, public image, be it positive or not, is only one aspect of management and it must not be the only marker for success when evaluating the running of an institution, far less a director’s work over 3 years.

⁸Information provided by the UNP to the Program Somos Defensores by means of an email sent on 22 May 2014 by Jaime Orlando Infante, Boss of the Office of Advice, Planning, and Information

⁹Impressions gathered from the Subgroup of Protection of the National Roundtable of Guarantees, carried out between 2013 and 2014, participated in by advocates and Government and State entities, run by UNDP.

¹⁰<http://www.caracol.com.co/noticias/judiciales/unp-responde-criticas-de-clara-lopez-sobre-su-seguridad/20140505/nota/2209370.aspx>

<http://www.rcnradio.com/noticias/choque-entre-pastrana-y-director-de-la-unp-por-cambio-en-el-esquema-de-seguridad-157715>

<http://www.elespectador.com/noticias/judicial/sindicato-de-unp-denuncia-maltrato-parte-del-director-d-video-526748>

¹¹<http://esquire.com.co/detalleNoticia.php/589/Deprotegidoaprotector>

Circle 3 – Failures of the UNP

In this Dantesque circle of protection, the failures of the National Protection Unit are defined, and what a vicious circle it appears. These recurring mistakes are the headache that ails the operation of the UNP, of which many are outlined in the following; the lack of timely allocation of funds for fuel for vehicles; the payment (or reimbursement) of road tolls; the timely payment of financial support for temporary relocation, transport, and escorts' daily allowances, as well as the authorizing of escorts to accompany people under protection away from high-risk zones; the timely delivery of official communications and of bullet-proof vests; the delay from the authorization for the carrying out of a risk assessment of a person under threat until the time of response by the CERREM (generally about five or six months waiting), and not to mention the laborious task of discovering whether or not the risk is considered normal or extraordinary.

In the above, reference is only made to the measures approved by the CERREM, because if we saw the condition of many of the vehicles or provisions that the UNP provides for the people under protection, we would find ourselves in a circle beyond the Dantesque. The vehicles are old, their mechanical condition alarming, many firearms (revolvers) allocated to the escorts are old, some escorts who were previously

retired choose to sleep inside the vehicles when on duty, and not to mention the time taken to implement the orders of the judicial tribunals. In order to not continue highlighting failures, let us analyze some of these failures **in a journey through the Dantesque lake of institutional indifference.**

1. The nightmare of fuel administration

Once a protected person is notified by the CERREM that a protection system has been approved which includes a vehicle and escorts, said person will have to wait (between the notification and implementation) approximately 30 to 90 days for the delivery of the vehicle. As the measure has a maximum duration of twelve months, by the time the person approved for protection receives the vehicle there may be less than 9 months of "service" available to them. To clarify, the UNP has denied them, the people under protection, of a period of up to three months in which they have the right to a protection mechanism.

If the vehicle is not armored, the fuel supply shall be equivalent to 63 gallons of gasoline at public sale price with a cut off date of the 15th of each month, and with a value based on prices in Bogotá (Resolution 048, 27 of July 2012, issued by the UNP). For December 2014, the supply for a normal vehicle would have to have been \$527.940 Colombian pesos (approx. USD\$230).



Now, if the vehicle is armored, the fuel supply in pesos would be up to a price of \$700.000 (approx. USD\$305), in agreement with the UNP circulation SP 1366 (July 27, 2012), issued by Mr. José Luis Aguilar, the previous sub-director of protection of the UNP and ex-boss of the Special Protection office of the Administrative Department of Security (DAS). The reasoning behind this pricing being that the higher the weight of the vehicle, the higher the fuel consumption. Yet this does not take into consideration a collective system, in that if there were five people under protection and two escorts inside a single vehicle, the weight would duplicate and the fuel that would be burnt is in proportion to weight, the number of people, and not whether or not the vehicle is armored. This is, essentially, the weight of protection, and basically the vehicle would never have enough gasoline to operate in the averaged time with the assigned quantities.

At the end of 2014 the users of armored vehicles were receiving the amount of \$600.000 pesos (USD\$260), which means that once again the UNP is lying about the price of fuel.

The resolution 048 of 2012 makes no mention of Diesel, knowing full well that in its automobile park there are vehicles that need this type of fuel.



Once the long waiting time for the implementation of protection measures is overcome, the phantom of the fuel appears. During the second half of 2014, the complaints made to the UNP increased to the point where they outnumbered the amount that each person should receive in each corresponding system. It got to the point where the UNP was forced to make an official communication: “I wish to inform that the financial support for fuel assigned to the beneficiaries of the protection program of the UNP corresponding to the month of November 2014 shall begin on

Tuesday the 4th of November with a debit card payment of half the value assigned to each system...The aforementioned owes to the operative and budgetary situations that the UNP is currently experiencing, and of which is public knowledge. We hope to be able to count on all the resources as soon as possible in order to be able to provide the corresponding support in its entirety.”¹² This communication was signed by Mr. Alonso Miranda Montenegro, the sub-director of Protection, Secretary General (standing in) and General Director (standing in) at that moment.

As is public knowledge, in the second half of 2014 a corruption scandal was discovered within the UNP that the Director moved along by exposing it to media outlets. Although the acts of corruption shall be objects of analysis in another circle of this report, it does not stop causing indignation of a Dantesque nature that the taxes that each one of the taxpayers paid ended up in the fine silk pockets of corrupt public servants, protected against the risks that other people and communities face.

Logically, if there is no fuel supply then the protection vehicle cannot move; this is the essentially the equivalent of mobile

protection in Colombia being restricted subtly by “pico y placa”.¹³ The person protected and their guards have to find some sort of means of public transport until the fuel they have the right to be assigned to them. This situation in an objective and serious risk analysis ostensibly increases the risk the protected people are under, as it makes them more visible and, as such, more vulnerable.

“We have cars without gasoline, and we request collaboration everywhere. We assume responsibilities with the organizations of victims in the municipalities and it is sad that we fail them because of the UNP not fulfilling their obligations,” exclaimed Pastora Montilla in the Extraordinary Committee, member of the Roundtable of Victims, and coordinator of the foundation New Dawn in Quindío.”¹⁴

As an example of this situation, the representative of the National Roundtable of Victims Eisenhower D’Janon Zapata, requested the protection of their rights to the security personnel, asserting that “by not receiving the corresponding sum for fuel and tolls, one is thus forced to immobilize the vehicle and the security scheme, as well as remaining enclosed so that not to

¹²<http://www.unp.gov.co/sala-prensa/Paginas/noticias-2014-noviembre-001.aspx>

¹³This is a transit regulation that exists in Colombia in which an obligatory restriction on the circulation of private automobile vehicles in urban areas is enforced during peak hours, with days chosen depending on the last number of the vehicle’s number plate, and with the intention of reducing peak congestion periods. Each year the days of restriction are rotated.

¹⁴<http://www.eltiempo.com/colombia/otras-ciudades/el-drama-de-los-lideres-de-victimas-en-el-quindio/14683181>



expose oneself to a high-risk situation, and thus making it impossible to carry out one's daily obligations. In regards to this matter, it is advised that taking on the cost that the security scheme involves would affect subsistence, as they do not have sufficient resources to cover additional expenses".¹⁵

As it was well highlighted on the front page of *la Silla Vacía*; "The victim's fears are not just with the escorts, but also with the obstacles that they say they are having with paperwork such as claiming subsidies to pay for gasoline and tolls, which reduce their mobility and impede them from being able to dedicate themselves to their jobs"¹⁶.

The budgetary deficit and the operative difficulties are the excuses that the UNP uses to not have to guarantee the operation of security schemes. Gasoline for protection vehicles is only one of the many failures that make this topic a living hell for the supposedly protected.

2. The nightmare of the daily allowances, tolls, and trip commissions for the escorts

If a protection vehicle does not have gasoline, it will not be able to move. In the same way, if there is no payment of the daily allowance or trip authorizations for the escorts, these protections mechanisms cannot function normally and therefore cannot protect,

as is their purpose. In these scenarios, the person under protection becomes forced to carry on with their activities without protection measures. This is precisely the second headache of the human rights advocates receiving protection from the government: the nightmare of having protection measures in place but not the budget to guarantee their normal function. But the most worrying aspect is that this action of getting around without the system of protection in place provided by the UNP is typified as *bad use of protection measures*¹⁷, which merits the suspension of the said measures. In few words, they do not provide what is necessary for the protection system to work, nor do they allow the person under protection to continue with their daily activities.

In the second half of 2014 the outgoing director of the UNP summoned the media in order to inform them of the corruption and fleeing of the General Secretary of the UNP, Julián Maralunda (previous human management boss of the Ministries of the Interior and Justice, and political ally of the current Vice-president of the Republic, Germán Vargas Lleras). Thanks to this situation, the economic crisis was automatically transferred to the more than 7000 people being protected, as well as to the public servants themselves of the UNP who are responsible for protection services.

¹⁵Sentence T 460 of 2014, Constitutional Court

¹⁶<http://lasillavacia.com/historia/el-gobierno-reduce-proteccion-de-los-lideres-de-victimas-48744>

¹⁷Numeral 1, Art. 44, Decree 4912 of 2011

After these declarations made by Andrés Villamizar, the Minister of the Interior Juan Fernando Cristo explained to the media that due to the 70 billion peso deficit at the UNP, the government would have to reduce the expenditure on daily allowances, airfares, and gasoline in the protection systems, a measure of a *“decrease of systems that nowadays, because of the security situation in the country, is not justified.”*¹⁸

The complaints about the fuel, the payment of tolls, daily allowances, and service commissions were what comprised the *“sour menu”* on offer for the second half of 2014, and this is without even having an exact record of the protections and right of petition that they had to undo because of the breach of fulfillment at the end of the year in question. The judicial strike that occurred during those days in Colombia fit the UNP like a glove, as for obvious reasons they were unable to receive the complaints.

“It’s now been 9 months since I have received reimbursement for the tolls that I have paid, despite the fact that I submitted the receipts a long time ago. Now I’m waiting for the payment of the last few months, but as for previous payments, I’ve seen nothing,” says Luis Alfredo Vásquez, the leader of Land and Life in Montes de María, who usually travels around all of the mountainous area between Bolívar and Sucre. *“I haven’t been*

able to get around again. And what of the participation guarantees for the leaders wherever they are? When a leader is silenced, 20 thousand families are silenced” says Aldemar Díaz, adding that he hasn’t received transport assistance for 5 months and that his emergency cellphone was also cut off.”¹⁹

In addition to the above, the position of the outgoing director of the National Unit of Protection Andrés Villamizar can be seen as incongruent, especially when he emphatically signaled, to the press as was his custom, that *“[in security] it is better to sin in excess than by defect...”*²⁰

Another failure related to the payment of the daily allowance and even salaries occurred with the escorts. In terms of the work guarantees of the escorts, the national syndicate of security professionals SINPROSEG promoted separate meetings demanding the fulfillment of their work rights:

“We are on strike due to the breaches that have occurred, on behalf of the temporary consortiums that have contracts with the National Unit of Protection, and with us, the escorts. We are speaking about the topic of salaries, which are paid after the stipulated date, likewise we are owed

¹⁸<http://lasillavacia.com/historia/el-gobierno-reduce-proteccion-de-los-lideres-de-victimas-48744>

¹⁹Ibid

²⁰http://www.elmundo.com/porta/noticias/seguridad/en_seguridad_es_mejor_pecar_por_exceso_villamizar.php#.VMU9uzGG9yQ



some daily allowances that are from September...We are protesting against the breaches in terms of work breaks, that as escorts, we have 4 days a month to do so, and the temporary consortiums, amongst those Siglo 21, indicate that they do not have escorts to replace colleagues in need of rest. Then there is also the topic of job stability; for example, at the moment they are ditching a security scheme and our colleagues end up jobless. The security workers manifest that the current situation is due to outsourcing. They explained that this has generated diverse consequences for them. Our colleagues at the National Unit of Protection are being exploited through a system of outsourcing, that is the cancer that is eating away at the businesses. In these times we do not have guarantees of work, and when our work involves travelling away from the city we are being denied our daily allowances. Then we are forced to borrow money in dribs and drabs in order to be able to provide the protection of the beneficiaries of the system of the UNP, or in some occasions to not even accompany them on their trips out of the city, because we do not have any way of covering these costs".²¹

All that remains is to ask what happened to the excellent financial management and expenditure foresight that the UNP boasted of?

3. Delays in the route to protection and risk assessments

The risk assessment study is a tool designed years ago by the country's security entities with the aim of having a technical evaluation of the situation and people who are being threatened. This analysis permitted the advancement of weighing up situations of threat, vulnerability, and risk by means of figures and technical concepts. The entities that were in charge of these responsibilities were the now-extinct DAS, and the National Police Force.

Afterwards, the Colombian Constitutional Court announced its support of this system of evaluation whilst detracting from its technical nature, in that it aims to evaluate situations that affect human lives, something that is immeasurable in mathematical data. Consequently they produced the Sentence T 719 in 2003 as an obligatory reference in order to understand the risk level in which a person may be immersed. These risk analyses made by the National Police and DAS were the necessary inputs for the former Protection Program of the Rights Management of the Ministry of the Interior, through the Regulation and Risk Assessment Committee (CRER) to take decisions based on the mentioned results.

In due course, the delays in finding out the said results were huge, affecting the

²¹<http://www.lanacion.com.co/index.php/actualidad-lanacion/item/242947-escoltas-reclamaron-por-sus-derechos-laborales>.

lives and the right to personal security of those who had solicited protection, and this had to change in favor of the people being threatened. By means of the Decree 4065 of 2011 the structure and objective of the National Unit of Protection is created as a remedy to these delays and deficiencies in the provision of the protection services.

In numeral 6 of Articles 4 and 11 of the aforementioned decree, it states that the UNP “shall be responsible for running the implementation of the management process of risk assessment, within the framework of the protection programs under their competencies, with the aim of identifying in a timely fashion the levels of risk of people, groups, and communities, and to carry out the risk assessment of those peoples who seek protection”.

For its part, the Decree 4912 of 2011 “to organize the Prevention and Protection Program of the rights to life, liberty, the security and integrity of people, groups, and communities, of the Ministry of the Interior and the National Unit of Protection”. This decree establishes a route for the analysis of risk and the assigning of measures: the gathering of information by CTRAI²², the analysis of data by GVP²³, and the valuation and approval of measures by CERREM, with implementation provided posteriorly by the UNP. **This process, namely the evaluation and re-evaluation of risk levels, must be**

carried out in a time frame of no more than 30 working days.i

This is the only reference that informs the UNP of how long they have to determine the result of a risk assessment, but it does not state anything with respect to the time the CERREM has for their finding out and posterior implementation.

Even though on the UNP webpage one finds the entire procedure that occurs once a formal application for protection is made by any given person, it is not clear within how many days one will receive an effective solution for the application. In the section How we do it, we are given a few clues but no commitment by the responsible groups:

“How do we do it? The procedure to access protection measures is defined by the Protection Route that begins when a person at risk submits an application of protection to the UNP. Afterwards, Service Management receives the application and analyzes its validity for the UNP, taking into account the populations that are objects of the program. Then, the application is sent to the Technical Corps of Information Recollection and Analysis (CTRAI), responsible for carrying out all the fieldwork to verify the information with the competent entities and the filling out of the Standard Instrument for Risk Evaluation conceived by the Constitutional

²²Technical Corps of Information Recollection and Analysis

²³Preliminary Assessment Group

Court by means of the Auto 266 of 2008, which is necessary for the verification of the respective case, and with the aim of being analyzed by the Preliminary Evaluation Group. The Preliminary Evaluation Group holds a session that involves the participation of 9 entities; 5 of permanent nature and 4 as special guests, all of whom analyze together the situation of risk of each case in accordance with the information that the CTRAI supplies to present the concept of the risk level emitted in terms of suitable measures, to the Risk Evaluation and Recommendation of Measures (CERREM) committee. The CERREM committee, which is comprised of 13 entities, 5 of which are permanent members and 8 of which are invited, has as its objective to carry out the integral evaluation of the risk, as well as the recommendation of protection measures and other necessary actions. This is whilst taking into account the concept and recommendations of the GVP, as well as the information that the representatives of the institutions that form part of the committee provide, within the framework of their remit, aimed at the reaching of a decision to adopt measures or possible actions that may be necessary in accordance with the type of population in question. In this way CERREM makes a final decision on the case, which is notified to the Director of the National

Unit of Protection by means of an act, with the aim of the immediate implementation of the protection measures for the person seeking protection.”²⁴

In short, the UNP takes all the time “necessary” to arrive at a decision, and in the meanwhile the people being threatened must deal with their vulnerability and risk without the right to enquire about their case because the institutional answer is reserved.

As a result of this delay, several advocates have used legal action to be informed definitively of the status of their risk situation. This is the case of the communal leaders under threat in Armenia who appealed to the UNP to give them answers about why there were such delays in their risk assessment. “The president of the suburb *las Colinas de Armenia*, José Antonio Mejía, and with the consultancy of the Office of the Ombudsman, lodged a protection action against the National Unit of Protection after the entity’s refusal to respond regarding the risk analysis of the communal leader that had to leave the suburb because of threats”²⁵.

The Office of the Ombudsman also stressed their discontent with officials because of

²⁴<http://www.unp.gov.co/la-unp/Paginas/como-lo-hacemos.aspx>

²⁵<http://www.caracol.com.co/noticias/regionales/entutelan-a-la-unidad-nacional-de-proteccion-por-demoras-en-mapas-de-riesgo/20141222/nota/2561939.aspx>

the delays in the paperwork related to the applications of protection from the State:

“After finding out that to date the evaluations of 66 officials in different areas of the country have been completed, the Ombudsman Jorge Armando Otálora Gómez made a call to the National Unit of Protection of the State so that they quickened the risk assessments of these people. This is due, according to the studies by the Office of the Ombudsman, to the fact that this procedure takes anywhere between two and six months in yielding results for the protection of the vulnerable public servants who put themselves at risk of any eventuality. “I frequently hear discontent with the officials of the UNP, because of the delays in the procedures of the applications for protection, the risk assessments, and the subsequent approval of measures,” said Otálora, who advised that it is necessary to improve protocols so that officials and other public servants have timely answers to their denunciations from the State.”²⁶

Upon revising these serious breaches by the UNP, it is worth considering which exactly was the reform that was made a long time ago by the Protection Program? Why did things change only to stay the same?

It would seem, ironically, that Oscar Wilde was right when he famously said, “the people who do most harm are the people who try to do most good”.

Circle 4 – The Fatal Flaws of the UNP

The UNP was created to protect. However, the reality is not always as beautiful as the texts consecrated in regulations. This entity has had hundreds of issues with both the people under protection and the management of protection in general, and these flaws, on occasion, have been fatal. The result of this endemic and blind institutional ailment can be measured by means of the following 5 failures where the lives of leaders, advocates, and claimants of lands were taken, despite the UNP being aware of the substantive elements of the *iter criminis* necessary to prevent such homicides.

The following will expose 5 cases in which the social leaders, human rights advocates, and even journalists, lost their lives with the fact that their cases had been cause for state meetings at the highest levels to manage their protection only serving to compound the despair. Regardless of these meetings, the protection model failed, resulting in their assassination.

²⁶<http://www.elpais.com.co/elpais/judicial/noticias/cada-vez-personeros-son-amenazados-colombia-defensoria>

1. JESÚS ADÁN QUINTO



Jesús Adán Quinto was the leader of the land claimants and displaced population of Cacarica (Chocó). He had lodged denouncements against threats that the UNP knew about, and had taken into account and incorporated into the risk assessment. His risk level was determined to be **extraordinary** by the Preliminary Evaluation Group (GVP).²⁷

Before the homicide, which occurred on the 9th of April 2014, the protection measures assigned to this leader consisted of a protection scheme made up of a conventional vehicle, two guards, a bulletproof vest, and a cellphone. These measures were then adjusted by the members of the Evaluation of Risk and Recommendation of Measures Committee (CERREM) in the following way; they took the vehicle and one guard from him, and in exchange they provided him with economic support for transport whilst allowing for the continuation of one guard.

The absence of this one guard was taken *advantage of* by the two hired assassins who brought to an end the life of Jesús Adán.

The Constitutional Court concluded recently that “the leaders or representatives of the displaced population that work in the promotion of their fundamental rights, or that assist in the processes of land restitution, find themselves in a situation of extraordinarily high risk. Therefore the responsible entities for protecting their fundamental rights or personal security must guarantee the adoption of suitable measures to neutralize or counter these acts of threat”.²⁸

That is that the court ordered the UNP to increase the protection measures to all leaders of land restitution processes. However, Andrés Villamizar, the director of the UNP, explained that he did not fully understand to what the Court was referring to in this declaration when they said that the leaders or representatives of the displaced population must be considered as people at an extremely high level of risk. He added that this would generate a collapse of the National Unit of Protection as they would not have the capacity to attend to such a high number of requirements”.²⁹

²⁷Consult Article 34, Decree 4912 of 2011.

²⁸Sentence T 719 of 2003 Constitutional Court

²⁹<http://www.elespectador.com/noticias/judicial/ordenan-extremar-seguridad-reclamantes-de-tierras-articulo-532619>

This case provokes various questions. Who, what, and why followed the proposal or necessity to adjust the protection measures? Which were their arguments? What were the underlying reasons that a leader under threat was allowed to be silenced whilst under state protection? Why, when his current risk level was set at extraordinary and which was legitimately qualified as such by the UNP itself, was his security scheme altered without consultation to the ultimate detriment of his personal integrity and security? Why does the Decree 4912 take into account the consent of the person to accept the protection measures, but not to their revocation or modification?

2. JUAN ALBERTO CAUSADO PRIOLO



Juan Alberto was a Process leader at Pinar del Rio in Barranquilla, Atlántico. He had lodged denouncements against threats that the UNP knew about, and had taken into account and incorporated into the risk assessment. His risk level was determined

to be extraordinary by the Preliminary Evaluation Group.³⁰

On March 1st 2014, he was assassinated by firearm. The National Unit of Protection, through CERREM, had approved the following protection measures for him: a bulletproof vest and a cellphone. These measures were in force on the first of March.

It is possible to wonder, in accordance with what was stated by the Constitutional Court in the previous case, does special protection constitute a cellphone and a bulletproof vest? In the words of the Director of the UNP, Andrés Villamizar, yes. “Mr. Causado Priolo was allocated suitable protection measures (Bold font not included in original text), granted by this Entity in February 2013, and which were intended considering that the leader kept himself away from areas of risk”.³¹

Nonetheless, the risk in this case was not just for Juan Alberto, but also for 500 families involved in the land restitution process (from civil rights and not covered by Law 1448). Thus the Office of the Ombudsman created an alert in which they appealed for the implementation of collective measures for the protection of the 500 affected families. This call for help was responded to by the Constitutional Court who requested

³⁰Consult, Article 34, Decree 4912 of 2011.

³¹<http://www.unp.gov.co/noticias-2014-marzo-001>



that the UNP give information regarding the collective actions of protection that were implemented.³²

Once again this case provokes questions. If a record of 500 families at risk exists, why was no collective protection mechanism put into place, especially considering that the UNP already had such a measure but chose to implement it for only a few families?³³ In this case, not only the measures were insufficient, resulting in the homicide of the leader, but also the 500 families at risk continued to be exposed to high risk because the collective mechanisms of protection were not put into action. The information about the continuity of this case is reserved and the SIADDHH was unable to continue their investigation.

3. LUIS CARLOS CERVANTES



Luis Carlos was a journalist from the station Morena F.M. and was the Teleantioquia News correspondent. He had lodged complaints against threats that were both known to the UNP and taken into account and incorporated into their risk assessment of him. His risk level was determined to be **extraordinary** by the Preliminary Evaluation Group, and he was allocated two

³²The Constitutional Court in its AUTO 183 of 2014 communication with Ref.: "Request for information from the National Unit of Protection and the Special Administrative Unit for the Care and Integral Protection of Victims about the fulfilling of the security measures implemented to protect the lives and physical integrity of the 500 families located in the settlement Pinar del Río, belonging to the jurisdiction of the Corregimiento de Juan Mina, in the municipal of Barranquilla (Atlántico), and the progress made for the execution of the components of recording, attendance, care, and protection in the framework of monitoring of the sentence T-025 de 2004." The Court indicated in light of information from the Ombudsman's Office: "...by means of the document signed by the Regional Ombudsman of Atlántico, the entity affirmed that on the 6 of September 2013 the Route to Protection for Mr. Causado Criollo and 12 displaced persons who are representatives of the 500 families was activated. According to the mentioned report, the Ombudsman officially notified in writing (i) the National Unit of Protection; (ii) the Regional and Provincial Attorney of Atlántico; (iii) the Mayor of Barranquilla; (iv) the Public Prosecutor's Office and ;(v) the Metropolitan Police, for the implementation of the respective preventative measures and the security, in terms of the Decree 4912 of 2011." <http://www.corteconstitucional.gov.co/T-025-04/AUTOS%202014/012.%20Auto%20183%20de%202013.%20Solicitud%20de%20informaci%C3%B3n.pdf>

³³The National Unit of Protection, in coordination with the Management of Human Rights at the Ministry of the Interior, and with the accompaniment of the High Commissioner of the United Nations for Refugees (ACNUR), socialized with the relevant entities of the Colombian State, the protocol that allows the identification of the collective risk factors of the populations who the Protection Program of the UNP is aimed at. This instrument aims to link the entities in the allocation of measures integrally impact on the original causes of risk, and act as complements to the security schemes available for the treating of individual cases, mainly from the formulation and design of public policy <http://www.unp.gov.co/sala-prensa/Paginas/noticias-2014-marzo-002.aspx>

protection vehicles and two guards as part of his security scheme, measures which interfered with his journalistic work.³⁴

This journalist was considered to be the most threatened communicator in the country by his peers, having received more than 23 threats in more than three years.³⁵

However, two months before his murder on the 12th of August 2014, the members of the CERREM in consideration of a new evaluation of his risk level that had been determined by the GVP, recommended that the Director of the UNP, Andrés Villamizar, completely retract the protection measures as according to the CERREM the risk was **Normal**, as the journalist did not receive any threats anymore and they were a problem of the past.³⁶

The UNP, after the homicide of Luis Carlos, noted that:

“...the dismantling was made in virtue of the normal risk level weighed up by the Preliminary Evaluation Group, and

ratified by the Evaluation of Risk and Recommendation of Measures Committee (CERREM), to which representatives of the Foundation for Free Press and the Colombian Federation of Journalists attended, amongst other journalistic organizations. It is important to stress that the UNP has no vote in this committee, as is stated in Decree 4912 of 2011. Permanent guests to this committee are the Attorney General’s Office, the Public Prosecutor’s Office, and the Ombudsman’s Office. This committee, which convened on the 5th of June 2014, decided to retract the security scheme, without objection from any person or group present. According to the information evidenced in the risk assessment, there was no causal link between the threats received by Mr. Cervantes and his work as a journalist, for which reason the resulting threat level was assessed as normal. According to information held by the UNP regarding this case, Mr. Cervantes was not exercising as a journalist for more than a year. His work at the radio station Morena FM consisted of presenting a musical program.³⁷

³⁴The implemented protection measures are the product of having exhausted the procedures previously signaled in the Decree 4912, as for example that the person soliciting be within the population in question (art. 6), and that a relation of causality exist between the threat and the journalistic activity of the person; for the case of Luis Carlos Cervantes, it was evident that said requirement was fulfilled in light of the Decree, otherwise his case would not have passed the initial stage established in the route to protection.

³⁵<http://www.semana.com/nacion/articulo/asesinan-periodista-luis-cervantes-en-taraza/398942-3>

³⁶The Article 38 del Decree No. 4912 of 2011 establishes the functions of CERREM. We see that numeral 6 of this article says, “To recommend that the Director of the National Unit of Protection adjust measures of prevention and protection (bold type not in original) when appropriate, by virtue of the results of the risk reevaluation.” This means that the Director of the UNP is the person who has the final say on whether or not to adopt a decision, which in this case it appears that he did not veer away from the recommendations of the CERREM.

³⁷<http://www.unp.gov.co/Documents/Comunicados/COMUNICADO%20LU%C3%8DS%20CARLOS%20CERVANTES.pdf#search=luis%20carlos%20cervantes>

If the UNP - as it says in their official communication - knew that for more than one year he had not been working as a journalist, why did they recognize the extraordinary risk and implement strong measures if he did not fulfill necessary requirements? Does this not constitute sufficient merit for the opening of investigation by the Public Prosecutor's Office against the UNP? What was the foundation of the coming to the result of an ordinary level of risk: his not exercising his profession, the lack of recent threats, or both? What motivated the re-evaluation of the risk assessment: the expiring of the risk assessment, that he was not any longer a journalist, that they had mistakenly called somebody a journalist who was not, or a new threat? The only certainty to date is that Luis Carlos was murdered and the UNP retracted his security measures.

4. IVÁN DARÍO RESTREPO



Iván Restrepo was a land restitution claimant in Bello - Antioquia. He had lodged denouncements against threats that the UNP were both aware of and had taken into account and incorporated into the risk assessment. His risk level was determined

to be **extraordinary** by the Preliminary Evaluation Group.

In May 2013, he was a land claimant who had insisted on denouncing threats against him. Several important organizations were aware of these threats, amongst them: the Human Rights Management of the Ministry of the Interior, the National Police, the Attorney General's Office, the Land Restitution Unit, and the National Unit of Protection.

Iván Darío denounced the strong relationship between the criminal group "los Triana" – heirs of Pablo Escobar's powerful mafia group – and public servants of the National Police. The reports were so strong that even the guards assigned by the UNP requested reinforcements to the protection system, as the risk was evident. But the answer of the UNP was to maintain the system in place as it was. In this context, Iván was murdered by criminals disguised as police who entered his home to carry out a routine "police checkup", after his security scheme had left him at home. He was murdered in cold blood in front of his wife in the living room of his house.

One year and four months after the murder, a man by the alias of "Pepe" was captured, who is the suspect of the murder. The general José Gerardo Acevedo, commander of the Police, assured us that: "the man who goes by the alias "Pepe" is charged with murdering Iván Restrepo García, the leader of land restitution. They – 'los Triana' - are extortionists who kick people out of their homes. This leader appeared

to be interfering in the plans of these delinquents who subsequently decided to murder him.”³⁸

The implementation of the protection measures does not signify the end of the protection route as is stated in the protection circuit of Decree 4912. The assigning of measures is just the beginning of integral protection, which should involve more than just a system of protection and police rounds (which coincidentally was the mechanism exploited to murder Iván). There must be a STRICT FOLLOWING UP and MONITORING of risk factors, which translates to accompanying and investigating.

The above demonstrates the inefficiency of the UNP for not having carried out due monitoring of each case of protection as is ordered by the law, as well as assuming that the assignment of measures is the equivalent to completely deterring the risks.

5. MANUEL ANTONIO RUIZ TORREGLOSA



Manuel Ruiz had lodged denouncements against threats that the UNP were both aware of and had taken into account and incorporated into the risk assessment. His risk level was determined to be **extraordinary** by the Preliminary Evaluation Group.

This land claimant and his 15-year-old son Samir de Jesús Ruiz were murdered on March 24, 2012. These crimes were attributed to the paramilitaries who dumped Manuel’s body with signs of torture in the Pavarandó river, and his son’s in the waters of the river Atrato. The day before the murders, Manuel was guiding an inspection of the boundaries of INCODER in Los Pisingos, a property of 880 hectares occupied by paramilitaries run by Carlos Castaño in 1996, and which was first handed over to businessmen dealing in palm oil and bananas.

A few months before the homicide, public servants of the National Unit of Protection had brought forward the gathering of information as an input to determine the result of the risk assessment. This was carried out by the Technical Corps of Information Recollection and Analysis - CTRAI.³⁹ After this in situ gathering of information, the process passed to the next step where the Group of Preliminary Evaluation determined that based on the gathered information, that Manuel’s risk was, again, **extraordinary**.

³⁸<http://www.minuto30.com/alias-pepe-fue-capturado-por-el-crimen-de-un-reclamante-de-tierras/292686/>

³⁹Art 33, D. 4912 of 2011



Regardless of the above, and in agreement with the path outlined by Decree 4912, this result would pass to the third and final stage, the CERREM. Everything points to the news of Manuel and his son's deaths happening before the result of the risk assessment was decided on. Clearly neither the UNP nor CERREM proceeded sufficiently fast with the new data of the risk for Manuel that, perhaps, would have resulted in him being afforded greater protection measures.

This generates more questions: How much time must people wait, victims and other interested parties, for the National Unit of Protection to speed up their risk analysis processes as well as the implementation of protection measures? Why was Manuel retained by the National Police a few hours before his murder?

In these five cases, as in countless others, the UNP has let us see the errors, deficiencies, and flaws of the mechanisms in place for protection, but in none of them has there been an internal reflection to accept any responsibility for these *fatal errors*. In the area of protection, the errors are counted in the number of deaths, and both now and in the future the acceptable number should always be ZERO. The murdered leaders cannot be recorded as a statistic of "service failures". The fact that five people are dead because of state protection errors is the only truth that matters.

Circle 5 – Weapons-based Protection

War has always been a lucrative business. One only need look at armed conflict and the investment that the Colombian government makes in military expenses, being close to 3.5% of the GDP⁴⁰ (24 billion pesos in the year 2014⁴¹). This philosophy of economic investment and sustainability of a powerful military force is also reflected in the concept of the protection of people at risk in the country and therefore in the protection of human rights advocates.

The UNP has been just another institution that views protection through the sole perspective of armed security and with a profound weapons-based intention. Since its creation by means of Decree 4065 in 2011, its vocation has been that of a security organization, as they reveal in their logo and hymn, just as if it were an army.⁴² It would seem that the only way to protect a person at risk is to provide them with an armed escort, a bulletproof vest, an emergency cellphone, and an armored vehicle. From this focus the prevention (which is also the responsibility of the UNP according to the Decree 4912 of 2011) or collective protection are not options.

And under this militarist understanding of protection arise the "war-merchants". A

⁴⁰<http://datos.bancomundial.org/indicador/MS.MIL.XPND.GD.ZS>

⁴¹<http://www.eltiempo.com/archivo/documento/CMS-13830816>

⁴²<http://www.unp.gov.co/simbolos>

healthy offer of men with military training to perform as escorts, arms dealers, bulletproof vests, armored vehicles, communication systems and GPS, and everything else that for those who think in terms of state protection in the country, entails the only viable solution. Of course the fact that in many occasions the high levels of risk for the human rights advocates merits the use of armed force to protect their lives, but this model also confines danger and unsustainability.

It is important to acknowledge that the material protection provided by the state through the UNP has protected the lives of hundreds of human rights advocates in Colombia in the last 3 years. However, from the perspective of the astronomical investments that have been made on this topic, as well as the growing demand for this type of protection, it is therefore necessary to reflect on whether or not material and physical protection should be the only option for safeguarding the lives and integrity of these citizens.

This has been a recent discussion that emanated from these social organizations themselves and also from the Government. This is particularly the case from the exercising of civil protection carried out by the social and human rights organizations in Colombia, with their experience demonstrating that not only physical means of protection such as bulletproof vests, armed guards, armored

cars, and other related paraphernalia are necessary for protection.⁴³

In compliance with the current regulation, the UNP has concentrated its efforts on providing exclusively material measures, without having made any efforts to open discussion regarding possible new protection mechanisms that could potentially reduce their inflated budget and which may avoid that these measures generate dependency on them. Against this backdrop, the national government is very far from not needing material measures for the protection of people at risk, and even more so from other forms of risk avoidance, such as the prosecution of those responsible for material and intellectual threats and aggressions, becoming a reality.

Cases exist in which the allocation of material measures of protection signify an increase in the risk level of the leader by making them more visible in the community, or in which a distancing from grassroots social processes and its constituents is generated, as the person is seen as “a danger” due to the security scheme in place. Several cases of threatened advocates consulted by the program ‘Somos Defensores’ highlighted the person seeking aid’s rejection of state protection because of the “fear” that having unknown armed people with them most of the day can create, especially whilst they are attempting to convey an anti-war message of peace. The communities that accompany

⁴³http://www.somosdefensores.org/attachments/article/86/UN_CANTO_FINAL_version_web.pdf



these advocates could easily misconstrue this last point as hypocrisy or nonsense.

Another reason for which the reevaluation of the UNP's weapons-based mentality is merited is the backgrounds and quality of the escorts linked to the private firms. According to information provided by the UNP, when the unit was formed they agreed to the hiring of 700 ex-agents of DAS to avoid a "labor massacre". The then director of the unit assured as that he was certain that none of these 700 ex-agents had anything to do with the scandal related to illegal interceptions. Months later, more information was requested from Andrés Villamizar about these ex-agents, but no answer was received.

The most surprising thing is that now, years after their hiring, it was discovered that 5 of the 7 high-management officials who were involved and investigated for corruption were in fact ex-agents of DAS.

The affiliation of the escorts to the private firms and their "suitability" was also cast into doubt. In 2013, the UNP was requested to hand over information regarding the checking that they had done on the resumes of the men who were contracted by the private firms as guards. And in fact the UNP mentioned the parameters necessary for contracting these men, but they did not indicate that they had neither access to nor copies of these worker's resumes. The decision on which types of escorts were

hired was left entirely at the discretion of the private firm.⁴⁴

It is because of the above that this "weapons-based protection" has become another circle of this state-protection hell, as it only offers armed options for the safeguarding of pacifistic civilians who are fighting against precisely this model of protection, which is derived from war.

Circle 6 – The UNP's Budget: A Bottomless Pocket



The UNP is an institution to which much has been given, and therefore of which much is expected. However, news of the financial crisis that engulfed the entity in the second half of 2014 has created a mantle of doubt regarding the sustainability of the entity and its efficiency in giving effective responses to people at risk. It was in this moment that several questions arose: Did the UNP not have enough resources to operate its Protection Program? Why did the outgoing management declare a deficit of more than 70 billion pesos in 2014 that forced the suspension of the operation of protection mechanisms?⁴⁵ Is the UNP bankrupt?

In order to attempt to give some answers to these questions, it is important to revise how the Governmental Protection Programs were transformed, the assigned budget of the UNP, and the expenditure and operation of the Protection Programs.

⁴⁴UNP's answer to the Program Somos Defensores OF113-00034323

⁴⁵<http://www.bluradio.com/75963/esquemas-de-seguridad-en-la-cuerda-floja-por-deficit-financiero-en-la-unp>

Ever since the first governmental protection programs came into existence in 2003, they have depended on the Ministry of the Interior, DAS, and the National Police for their operation, both in terms of the payment of escorts and other protection mechanisms, as it was associated with the budget of each separate entity, as the public servants contracted by these entities performed the said functions.

In 2007, insofar as the requests for protection increased, and the shutting down of DAS became a reality thanks to the infamous scandal, the government began to contract private security firms such as VISE. In 2011 the UNP was created, and with it all protection programs were unified along with a new way of operating, namely the outsourcing and privatization of protection systems which they saw as the only option.

In terms of finances, the UNP began in 2012 with a budget of approximately 240 billion pesos. In 2013 they received more than 395 billion, and in 2014 it was close to 434 billion. That is, in their three years of existence, they have received approximately **1 trillion, 69 billion pesos (USD\$ 465 million) for their operation**⁴⁶.

On the same token, since their creation the UNP, under the leadership of Andrés Villamizar, criticized the budgets assigned them by the Treasury Department as well as

the delay in the approval and reimbursement of the funds. According to Villamizar, the delays in receiving funds resulted in the delays in protection, as they did not have the resources to pay for gasoline, daily allowances, and other necessary elements for the functioning of systems. Yet independent of whether or not the resources were delayed in being delivered, the fact is that they were, and for 3 years more than 1 trillion pesos were received for the protection of people at risk.

On the other hand, in 2012 the UNP began to contract private security firms to execute basically all the operation of protection mechanisms. And it is at this point that the resources assigned to the protection of people at risk become insufficient. Seventy percent of the UNP's budget is funneled to the operation of the Protection Program, which is operated by private firms. That is, **in three years, private firms have received 750 billion pesos (USD \$326 million) for their providing of this "service"**. The program 'Somos Defensores' warned the national government at the time of the problems of relying on privatized protection, but unfortunately received no answer.⁴⁷

In the words of Andrés Villamizar himself, this multimillionaire contracting would be converted into the "crown jewel" of contracts for the private security firms in the country. Eventually the 3 temporary

⁴⁶Information obtained by answers from the UNP OFI12-00010942, OFI113-00034323 y OFI14-00028001

⁴⁷Special report SIADDHH "Protection on the board". 2013. page. 30.

http://www.somosdefensores.org/attachments/article/88/proteccion_al_tablero_version_eb.pdf



consortiums comprised of 8 firms ended up with the juicy contract.⁴⁸ For several months the UNP boasted of their excellent financial management and professional work in the planning of their finances, yet in the second half of 2014 this model began to show cracks.

Budget Cracks: UNP vs. the Treasury Department

On the 30th of June 2014 the escorts of 2 of the 3 temporary consortiums that provided protection services for the UNP decided to go on strike due to the lack of payment of their salaries, health care, pension, and life insurances, amongst other things.⁴⁹ This strike provided evidence to the director of the UNP of a deficit of approximately 70 billion pesos in the unit (USD\$30 million). At the time, the very informal manner in which Andrés Villamizar let this information become public knowledge via Twitter attracted attention and generated unnecessary panic:

*"If, in the following hours, we do not receive the necessary resources from the Treasury Department, over the next eight days the dismantling of security schemes of the UNP will commence. Due to the lack of resources the escorts have not received their salaries for the month of October. Operations at the UNP are beginning to be suspended."*⁵⁰

The industrial action and consequent declaration regarding the deficit at the UNP provoked a public confrontation between the director of the UNP and the Treasury Department, which signaled by means of various media that:

*"...the Government has assured the UNP that those resources are 100% available and they have even been given additional funds which were approved last week. It is thus that I do not see the need for all this media storm when all we at the Treasury Department have provided is diligence and effective management...what I do believe is that the UNP has to be far more effective in the controlling of their expenditure, because we cannot have entities in Colombia that spend their resources and then request more. No, we have an order, there is a budget and everybody has to adjust themselves to this budget."*⁵¹

And not only the Treasury Department highlighted the deficiencies of the UNP in the management of their resources; the General Comptroller of the Nation also made recommendations in two reports released in 2012 and 2014 along the same lines of those made by the Treasury Department. However, not all the institutions responsible for looking out for the protection and good management of resources came out in support; the

⁴⁸Ibid

⁴⁹<http://noticiasunolaredindependiente.com/2013/06/30/noticias/nacional/sindicato-nacional-de-escoltas-anuncian-paro/>

⁵⁰http://www.larepublica.co/nuevo-rifirrafe-entre-el-ministro-de-hacienda-y-director-de-la-unp_189346

⁵¹http://www.larepublica.co/nuevo-rifirrafe-entre-el-ministro-de-hacienda-y-director-de-la-unp_189346

Superintendence of Surveillance and Private Security, who should be the watchdogs so that these types of situations do not occur, were notable in their absence during this budgetary crisis faced by the UNP due to the model of protection being in the hands of security firms because of privatization. In the three years of existence of the UNP, the Superintendence of Surveillance and Security has not made a single statement regarding any of these problems.

Finally, and after several weeks of speculation and pressure from the escorts, the Treasury Department approved an additional consignment for the UNP that allowed the entity to get its obligations with security firms up to date. However, the deficit at the UNP continues to be a reality that to date has not reached any long-term resolution.

One measure taken by the Ministry of the Interior and backed by Villamizar to rectify the deficit at the UNP was to initiate the reduction of 100 protection systems in place that were not necessary to diminish the financial burden of the entity, an amount of approximately 65 billion pesos.⁵² This measure, far from being surprising, was approved of by public opinion. But it is here that we encounter dissimilar information that does not fit; Why is the reevaluation of the need for having protection systems seen as novel if a mandate of the UNP is to

carry out “risk reevaluations” periodically according to the Decrees 4912 of 2011 and 1225 of 2012?⁵³ Was the UNP not carrying out risk reevaluations?

This showdown between the Treasury Department and the outgoing director of the UNP was settled publically,⁵⁴ yet in the eyes of the public it was clear that Andrés Villamizar exercised considerable media pressure that allowed him to obtain the extra resources he needed. To date it is not very clear if these funds were necessary because of an increase in the number of people under protection (a situation that their very figures refute) or because of a lack of efficient expenditure management in the UNP, as was mentioned by the Treasury Department.

The Privatization Problem

The privatization of the protection of persons at risk is not a new topic dealt with in the reports of SIADDHH, and nor is the analysis of its negative consequences that not only include financial sustainability aspects but also that the responsibility of State protection is outsourced, a situation that would be unconstitutional.

The inflated operational costs of private firms is not the only problem; the creation of a parallel payroll in the UNP also forms

⁵²<http://www.noticiascaracol.com/colombia/reduccion-de-escoltas-ahorrara-unos-65-mil-millones-director-de-unp>

⁵³Reevaluation of risk must be made each year or every time new elements for evaluation appear, according to the law. Decree 4912 of 2011, Chapter II, Art. 40, Paragraph 2. http://www.mininterior.gov.co/sites/default/files/decreto_4912_de_2011.pdf

⁵⁴<http://www.elespectador.com/noticias/judicial/termina-enfrentamiento-entre-director-de-unp-y-el-minis-articulo-526325>



part of the unviability of privatization, in that there are 3000 private armed escorts performing state functions but without any direct affiliation to the state.

In 2008 when the UNP did not exist and protection depended on the Ministry of Interior, a workforce of 200 escorts existed, operated by the private security firm VISE. However, this number of escorts increased exponentially. According to data delivered by the UNP, in September 2014 the workforce numbered **approximately 3000 private escorts**. These escorts earn a monthly total of close to 5 million pesos (between salary and daily allowances), which comes to the surprising figure of **\$15.000.000.000 million pesos per month of “parallel” payroll at the UNP (USD \$6.4 million)**, roughly **180 billion pesos** a year, only in payments to escorts (USD\$ 76.5 million).

As a solution to the outsourcing of escorts, the outgoing director of the UNP announced in November 2014 that 3000 escorts would be “nationalized”; at the date of his departure (January 2015) there is no information available as to whether or not this was executed, nor if a budget for such an operation exists.

Another worrying topic is the corruption scandal related to the participation of various private security firms that provide protection services to the UNP, which at the

end of this report is subject to investigation by the Attorney General’s Office.

Three of the four firms (Expertos en Seguridad Ltda., Guardianes compañía líder de Seguridad Ltda. and Cobasec Ltda.) of the Temporary Consortium “PROTECCIÓN 33” (a consortium which receives more than 50% of the Protection Program budget of the UNP) were pointed out by the Attorney General’s Office as being part of the “Private Security Merry-Go-Round”. According to the Attorney General’s Office, these firms “made agreements (collusion) to ensure that one of the firms belonging to the consortium would end up being the beneficiary of the job tenders they participated in, thus affecting the other companies presenting tenders who did not form part of the agreement or the State, and for which reason caused the increment in the cost of contracted services, in turn creating unbalance in public expenditure.”⁵⁵

In this new scandal that affected the finances of entities such as the Secretary of Social Integration in Bogotá, the Comptroller’s Office of Bogotá, the University SENA, and the Government of Cundinamarca, another who would be stained by this scandal was the current President of the Senate, José David Name, amongst other politicians:

“The investigators of the Attorney General’s Office are analyzing what link Jorge Arturo

⁵⁵<http://www.Fiscalía.gov.co/colombia/noticias/destacada/Fiscalía-imputara-cargos-a-presuntos-responsables-del-carrusel-de-la-seguridad-privada/>

Ojeda – who is considered as the head of the cartel (of private security) and who has dedicated himself to embezzling the state on several contracts – has with three leading politicians that he referenced in his resume. They include the President of the Senate, José David Name, the current Vice Minister of the Interior and ex-senator Carlos Ferro, as well as the ex-senators Dilian Francisca Toro and Efraín Torrado, all of whom belong to the Social Party of National Unity.”⁵⁶

Even though the UNP does not appear in this act of corruption as being affected, it is still very worrying that private firms with a long history of working with the UNP find themselves being investigated for problems of over expenditure with other state entities, with the UNP coincidentally also having budgetary deficit problems because of the model of privatization of protection, thanks to which these firms are benefiting.

In conclusion, and returning to the initial questions, the UNP is not bankrupt, but it is showing clear signs of mismanagement, a lack of monitoring, and inefficiency of its own resources, which evidently are quite substantial. The UNP received sufficient resources for the management of its operations in three years but it did not administrate or manage their budget efficiently. This is clearly evidenced by

the investigations carried out by the Comptroller’s Office and other entities of control. The budgetary deficit declared by Andrés Villamizar and the Minister of the Interior Juan Fernando Cristo clearly do not demonstrate a budgetary shortage by the state and nor do they demonstrate negligence from the Treasury Department. Far less does it demonstrate an increase in persons under protection, since in the other circles of this research we have seen that this number is in fact decreasing.⁵⁷

Therefore the conclusion is that bad financial management by the UNP is the cause in having spent more than 1 billion pesos in 3 years, supported by an outsourced and privatized model of protection that does little if anything to reduce expenditure. The only certainty up to now is that the protection of people at risk in the country is, and will continue being, a very lucrative business for private firms, at the expense of the public treasury. It would be worth asking oneself if the cost of protecting people at risk would be as expensive as now if it were still in the exclusive hands of the state?

Circle 7– The Predictable “Cancer” of Corruption

This journey now takes us to an utterly unpleasant port of call - the corruption

⁵⁶http://www.elpais.com.co/elpais/colombia/noticias/presidente-senado-niega-cualquier-vinculo-con-cartel-seguridad?utm_source=twitter&utm_medium=twitter-pais&utm_campaign=ampliar-noticia

⁵⁷The UNP affirmed to have gone from 8073 protected people in 2012 to 10.800 in 2013 and ended in 2014 with 7519. Information obtained from UNP’s answer OF114-00028001 y <http://www.caracol.com.co/noticias/actualidad/gobierno-aumentara-recursos-para-proteccion-de-periodistas-defensores-de-derechos-humanos-y-sindicalistas/20120818/nota/1746326.aspx>



scandal that engulfed the UNP in 2014. This shocking series of events confirmed the worst fears of the human rights advocates regarding privatized protection: it had been converted into a dirty business.

At the end of August 2014 the now ex-director of the UNP Andrés Villamizar surprised the country by denouncing the Secretary General of the entity, Julián Marulanda, as being the leader of a corruption ring that had been operating for a considerable period of time. This corruption ring included seven other high-ranking officials⁵⁸ of the entity, along with contractors who brought forward bribery payments and other illicit deals with the private operators responsible for the systems of protection.

The investigation executed by the Attorney General stated that it was a criminal network that charged fees for the speeding up of the process of the payment of services to providers, overcharging the transactions so that they kept a percentage for themselves. Up until the time that the denouncements were made (August 2014) the Attorney General identified that this criminal circuit had pocketed the tidy sum of 600 million pesos (USD\$260 000). Agents of the Technical Corps of Investigation of the Attorney General (CTI) estimated that this amount of money could in fact be much higher.

Andrés Villamizar announced at the time on his Twitter account (@Villamizar) that search and seizure processes would be conducted at the offices of the unit, with the aim of detecting possible acts of corruption within the UNP. This process would be carried out in conjunction with the CTI of the Attorney General's Office and Rafael Merchán, the director of the Secretariat of Transparency.

From these first denouncements made public through the media emerged the image in the news of the Administrative Director of the UNP Luis Eduardo Molino being escorted by CTI agents towards the Attorney General's Office, after being caught receiving a cash sum.

The subsequent exaltations and promises made by Andrés Villamizar to continue denouncing against criminals were not far behind:

Andrés Villamizar, director of the National Unit of Protection (UNP), will this week present new denouncements for alleged corruption within the unit, after an official under investigation fled to Miami. "I am discovering new and more serious crimes, so I think it is a task that will better continue being run by the Attorney General and other controlling bodies in order to determine just how much harm Mr. Marulanda has caused to the National Unit of Protection", proclaimed Villamizar

⁵⁸Answer delivered by the UNP in OFI14-00028001

when referring to the case of Julián Marulanda. The Attorney General accused Marulanda of bribery, misappropriation, and malfeasance by omission, as well as conspiracy. At the end of August he fled to the United States to avoid judicial action against him. “Everything indicates to there being more officials involved and I hope that the Attorney General is able to determine the magnitude of the damage along with who the public servants that participated in the crimes were as soon as possible.”⁶³

Once again Colombian society played witness to a new corruption merry-go-round. This time the UNP paid their share. According to the Director of the CTI Julián Quintana, the Attorney General at the time issued an arrest warrant against Julián Marulanda for the crimes of *misappropriation and conspiracy*. However, Marulanda fled the country making a mockery of the Colombian justice system.

At the time the newspaper *El Tiempo* published a valuable journalistic report that evinced the investigation made by the Attorney General. Here, we shall reprint this report in its entirety given the clarity with which it describes the entire process of uncovering the corruption ring in the UNP:

“Fugitive of justice. That is the current status of the general secretary of the National Unit of Protection (UNP) Julián

Marulanda Calero, alleged to be the leader of a corruption ring that has defrauded the body. The director of CTI, Julián Quintana, told EL TIEMPO that an arrest warrant has already been issued against Marulanda for the crimes of misappropriation and conspiracy. The Unit itself has handed over evidence to the authorities investigating the ex-director who was believed to be the brains behind the manipulation of contracts and the payment of bribes to firms.

In the records, it appears that for more than two years at least five public servants of this unit devised the “merry-go-round” of contracts, from which they appropriated 2.000 million pesos. This network became evidence this week with the capture of the Administrative director of the entity, Luis Eduardo Molino. Following the scandal, Marulanda’s position was declared null and void, and his current whereabouts are unknown.

The Secretary of Transparency, Rafael Merchán, stated that the management position that Marulanda had in the UNP allowed him to have direct contact with firms and organize officials to pay bribes and handouts. In fact, the Attorney General possesses recordings and documents that prove that Marulanda enjoyed a close relationship with the firms with which the unit had contracts for the provision of security schemes, armored cars, and weapons. **This is because many of those**

⁶³ <http://www.noticiasrcn.com/nacional-justicia/denunciaron-mas-casos-corrupción-unp>



who worked in the entity ended up in private contracted firms.

According to the evidence gathered by the CTI, Marulanda, along with the administrative director of the UNP Luis Eduardo Molino, created terms and conditions so precise that only one of the firms were able to fulfill them and in this way they ensured that they would win the contract. Additionally, according to the Attorney General, the officials also demanded that the private companies pay them a minimum of 10 million pesos with the aim of accelerating procedures within the UNP, so that they could receive faster payment of each bill.

Quintana asserts that evidence exists demonstrating that Marulanda delayed payments in order to demand bribes. One of these payments that was going to be received by Molino, who was captured on the 22 of August, with a 10-million-peso kickback delivered by an employee of the firm Protección 33.

The Attorney General is also investigating if the firms Siglo XXI, Sevicol, and Blinsecurity (owned by Italian brothers Salvino Caicedo), who also have contracts with the Unit, paid kickbacks. Additionally, the body is investigating denouncements of payments of ghost SVUs for temporary services: whilst the officials reported, for example, the contracting and payment of the use of 20 SVUs one weekend, the reality is that only 10 had been contracted.

Bringing outsourcing to an end

The director of the Unit of Protection, Andrés Villamizar, affirmed that he already has the Government's approval to bring to an end the outsourcing of the hiring of escorts, in which many irregularities have been detected. **In these contracts, the Attorney General is investigating denouncements made by escorts who attest that they were ordered to give a part of their salary in exchange for being contracted by private companies. Even cases of people under protection are being investigated, in which allegedly they are taking part of their escort's salary in order to keep them in the systems.**

The supervisor under question

The Attorney General has proof that the firms sent moneys to officials of the UNP in order to avoid being fined for the breaching of contracts. In accounts of Protección 33, supposed transfers to the Unit were found that were aimed at precisely this. An audit on the 8th of July reveals that that firm breached the execution of security schemes for which they were paid. The supervisor of this contract, Mauricio Hernández González, is under investigation."⁶⁰

But since 2012 the denouncements over irregular and suspicious contracting have kept flooding in to the UNP, when a document published by Equipo Nizkor was found that reported a series of irregularities in both

⁶⁰<http://www.eltiempo.com/politica/justicia/investigacion-en-la-unidad-nacional-de-proteccion/14462093>

operation of the UNP and the contracting of support systems.⁶¹

Some of the reported acts indicated that the UNP was implementing protection systems for some of the employees of the entity without fulfilling requirements. Furthermore, the astronomical rent that the UNP was paying for their office in Calle 26 was also denounced, as was the exaggerated cost of the information system that the UNP needed to move forward with its activities, as well as the support of the supervision and verification of the obligations of the operator contracted by the Management of Human Rights office of the Ministry of the Interior and Justice for the security service provided.

This denouncement was directed towards the Senior Presidential Advisor of Good Government, the Private Secretary of the Ministry of the Interior, the Vice Minister of the Interior, and the General Secretary of the Ministry of the Interior, as well as Civil Society organizations, so that they became aware of the management – at that time – of the resources of the UNP in the hands of Andrés Villamizar and Alonso Miranda Montenegro.

We will transcribe a few parts of this denouncement to which we referred previously, and which are current in light of the events of the 2014: “It isn’t understood why a firm was contracted to support

supervision and in only 3 months they were paid 474 million pesos, if the logic is that for such an elevated cost NET LOGISTIK shall assume the total and integral supervision of the contract. It is necessary to revise the reports presented by this firm, since the supervisor of this contract was under the control of Alonso Miranda Montenegro, who was the person who defined the terms, graded them, and then supervised (SIC).”⁶²

In a publication in the newspaper *El Tiempo* in September 2014, two years after the denouncement in question, NET LOGISTIK was again in the headlines:

“Systems without control. The audit evinces that the supervisor Hernández did not suspend the contract with Proteccion 33 in spite of the fact that four months after being contracted, on May 4 2013 the firm had not implemented at least 258 systems. In terms of evaluation it was also necessary to analyze the firm Net Logistik with a magnifying glass; they were contracted by the UNP to verify that Protección 33 fulfilled the service for 45 armored vehicles, 145 regular vehicles, 3 motorcycles, and 911 escorts throughout the country. However, between the months of January and May 2013, Net Logistik only inspected 41 systems, the equivalent of 104 escorts in Bogotá. The lack of control generated irregularities such as “escorts assigned but not provided arms, people

⁶¹<http://www.derechos.org/nizkor/colombia/doc/campesinos18.html>

⁶²Ibid



under protection without bulletproof vests, and non-fulfillment of requirements of vehicles.” And this was “without the existence of deductions, fines, or warnings” to the contractor, according to the internal audit. Also, in the document it highlights how “Net Logistik says they do not possess the information of neither the approved nor retracted security schemes of the UNP ... which demonstrates a high risk of erroneous charging of services.”⁶³

These were the first signs that something was happening on a large scale in the UNP and that, at some point, would have to burst.

The Public Prosecutor’s Office also requested from Andrés Villamizar “a report in which the actions that were taken to guarantee spatial protection of those who are at extreme risk of suffering damage to their integrity, liberty, or personal security be explained. In accordance with the Public Ministry, the 70 billion-peso deficit would bring about the dismantling of security schemes of public servants, land restitution leaders, and victims, which would equal putting these people at risk. In a task filed this week (25 September 2014) the Public Prosecutor reminds Villamizar that it is the function of the UNP to conduct the necessary operations to ensure the fulfilling of the objectives of the Unit. It is worth remembering that Villamizar had notified the public that the Colombian government

will remove, before the end of the year, 15% of the security schemes allocated to people under threat due to the massive deficit that is not helped by the increase of protection petitions and corruption scandals.”⁶⁴

Days earlier, a new shadow of doubt was cast over UNP management of contracts with private firms. This time it was the newspaper *El Tiempo* who would generate the alert:

“In less than nine months the value of a contract between the National Unit of Protection (UNP) and the firm Protección 33 was modified 8 times and increased a whopping 42%. Although initially the deal was agreed at 80.690 million pesos that were supposed to cover the direct and indirect costs of unjustified expenditure, the UNP ended up paying 34.168 million pesos more to this firm.

An audit conducted on the 8th of July, which is in the hands of the CTI of the Public Prosecutor’s Office and which was found out by *EL TIEMPO*, reveals the various irregularities that have allowed UNP to be defrauded. Two weeks ago a corruption scandal erupted, with at least 11 public servants involved and more than 2.000 million pesos.

The audit conducted by the Office of Internal Control at the UNP reveals how the firm Protección 33 (one of those under

⁶³<http://www.eltiempo.com/politica/justicia/irregularidades-en-contrato-de-la-unidad-de-proteccion/14499655>

⁶⁴<http://www.eltiempo.com/politica/justicia/procuraduria-pide-cuentas-a-la-unidad-nacional-de-proteccion/14590016>

the microscope for supposedly having paid bribes) had been continuously breaching contract number 202 of 2012 for the implementation of security schemes.

Because of this deal, the Public Prosecutor is investigating the supervisor of this contract, Mauricio Hernández, for supposedly having received kickbacks for not suspending the contract.

According to the audit, the contract increase of 34.168 million pesos registered as “associated expenditure”. In the deal it was agreed that the UNP had to pay the contractor for this type of expenditure, but only for exceptional services like airfares, tolls, fuel, and the daily allowances of escorts. The internal audit affirmed that despite these payments only able to be authorized by a UNP committee, all the transfers were approved by the supervisor Mauricio Hernández González.

Hernández guaranteed that the UNP would pay the contractor for parking for the SUVs, the washing of the vehicles, the vests, and even for the fines that the protection vehicles incurred. These “values are not dealt with in the contract’s clause, and for that reason, should be covered by Protección 33,” says the auditor.

One of the payments for associated expenditure implicates two escorts that

form part of the security scheme in place for the controller-elect Edgardo Maya Villazón. The office of Internal Control of the UNP received a complaint from Maya in which he assured them that he had never requested allowances for his escorts for trips outside of Bogotá on the 7th of February, the 4th of March, and the 31st of March of this year.

For these false notifications, his escorts Aurelio Castillo López and Leonardo Fabio Jiménez supposedly received allowances of more than 19 million pesos, despite Maya himself making clear that between the months of November last year and April 30 this year he did not leave the capital. The internal audit requested the investigation of Maya’s complaint, given that the tasks of requesting escort allowances “are made with a suspected forged signature” of the controller elect, as stated in the document.⁶⁵

These developments led to the Senator Manuel Enrique Rosero calling a debate on political control in the UNP in November 2014 before the First Senate Committee. This decision was based on the findings in the report provided by the General Comptroller of the Republic with respect to the automobile park of the UNP, along with weaknesses related to control, classification, consistency, reliability, and timeliness of the information in topics related to the requests for protection, the evaluation

⁶⁵<http://www.eltiempo.com/politica/justicia/irregularidades-en-contrato-de-la-unidad-de-proteccion/14499655>



of risks, the measures implemented, and beneficiaries attended to, as well as the risk evinced in the contractual execution for the implementation of the information system SISPRO. The results of this debate were not made available to the public.

Concerning this topic the Comptroller released an official communication (No.18) about the findings of the investigation that developed over a period of several months. The results are now known by all and they confirmed the suspicions: the mismanagement had also reached the running of the automobile park. **For a complete understanding of this topic, it is recommended to read the official communication released by the Comptroller General of the Nation.**⁶⁶

But going back a little in the investigations, and according to an audit report made by the Comptroller valid in 2012, the following conclusion was reached with respect to the Internal System of Control of the UNP: “Questions related to the duties of the Entity were drafted and applied, giving the score of 1.485 in the first test, and 1.788 in the second, with a weighted score of 1.697, resulting in the entity being placed in the category of INADECUATE/HAS DEFICIENCIAS in System of Internal Control of the UNP, valid in 2012.” According to these findings, the UNP should have taken corrective measures (in 2012) to avoid the Entity falling into chaos and corruption, yet it seems that these

deficiencies were used to the advantage of a few and to the detriment of many.

One important data that defines this bad streak of poor execution, monitoring, and control by the UNP of their budget and contracting, is that 52% of contracts (13 of 25) awarded between 2011 and 2014 were characterized as “urgent need.” Knowing that this classification is to be used only in real emergencies, there is no viable explanation as to why more than half of the contracts at the UNP were drawn up in this way.

There are many elements that allow one to establish that mismanagement and the corruption ring at the UNP were and are latent risks for the maintaining of the protection of people at risk, and especially human rights advocates. Luckily, the investigations continue, and neither the Public Prosecutor nor the Attorney General has said their last word.

However, at the end of this report, the new director of the National Unit of Protection, Diego Mora, gave a response to an interview in la Revista that left more doubts than certainties:

“SEMANA: What was the conclusion of the corruption scandal?

DIEGO MORA: They were isolated cases that are now under control. But, just as with cancer, we must avoid that it develops in the first place.”⁶⁷

⁶⁶http://www.contraloriagen.gov.co/web/guest/boletinprensa/-/asset_publisher/RJ9mIGHGBjML/content/contraloria-cuestiona-contrroles-del-parque-automotor-de-la-unidad-nacional-de-proteccion

⁶⁷<http://www.semana.com/enfoque/articulo/diego-fernando-mora-el-angel-guardian/415636-3>

Circle 8 –THE RESPONSIBILITY OF VILLAMIZAR: To get out of the pool without ever having gotten wet

The question that arises after such a sad journey through the UNP corruption ring depicted in the previous circle is, How could such an embezzlement occur without the General Management of the UNP saying anything? Were the tentacles of the Secretary General so strong as to taunt the auditing process without the General Management and its court of advisors not seeing the “white elephant” strolling around the modern offices of the UNP on calle 26 in Bogotá?

If the Attorney General’s Office were carrying out their investigations, why was Management at UNP so lax, letting their public servants that are currently being investigated continue in their positions whilst committing crimes? Did they need the proof of the Administrative Director receiving the “bills” to lift the lid on “*the rotten pot*” that Julián Marulanda and 7 other high-ranking officials of the UNP were orchestrating?⁶⁸

The above permits the reaching of the conclusion that the Management at the UNP, aware that they had been bleeding out the entity’s resources much before August 2014, did not declare the budgetary deficit. These simple questions lead us to investigate about the possible administrative responsibility that the outgoing director of the UNP Andrés Villamizar held, without a

single investigation into him to date open at any control or investigative unit in Colombia.

It is important to clarify to the public that **Andrés Villamizar did not resign from his position**, as many media publications would have us believe, **but the President of the Republic requested the resignation** of this political “dolphin” who belongs to the Galán-Pachón house of politics, and who is a confidant of the current Vice president and leader of the political party Cambio Radical, Germán Vargas Lleras.

It would be difficult to initiate an investigation into this public servant who spent his 3 years of leadership specializing in generating empathy with the media, as well as with an ample number of politicians throughout the country, all of whom value his management as “irreproachable.” The administrative and moral responsibility of this outgoing public servant, both in the corruption scandal and the budget deficit at the UNP, are topics that will not be investigated by anyone due to him having a high number of senators, mayors, governors, councilmen, congressmen, magistrates, and other officials who all commend his work. Perhaps it is merely by chance that more than 50% of the protection mechanisms put in place in his 3 years of administration have fallen into the hands of the aforementioned officials.

This is doubtlessly one of the most disheartening and sad circles of this journey;

⁶⁸Information obtained in UNP’s answer OFI14-000280001



that the director of an entity under such scrutiny can get out of this “pool” without having gotten wet, defies belief. Maybe in the future we shall hear again the well-known sentence of Colombian politics: “everything happened behind my back”.

Circle 9 – The Model on the Verge of Failure

Now we have arrived at the last of the circles and, as in Dante’s journey in “The Divine Comedy”, it is conclusive. The protection model implemented by the UNP to protect human rights advocates in Colombia is on the verge of failure. This is so because of all the arguments presented in the previous 8 circles, but also because there are background situations that are not allowing the model to be viable in the future, such as Colombia being a country that is advancing, luckily, toward the end of armed conflict that has occurred for more than 50 years, and the politician’s gamble of a population in need of protection in a post-conflict scenario.

These background situations mentioned above and not addressed in-depth in the previous 8 circles can be summarized in the following way:

Person at risk as “investigator”: In the practical implementation of the current model of protection, the person under threat must provide as much proof as possible to demonstrate that they are at risk in order to receive state protection and “justify” that they need the measures. The investigators

and professionals at the UNP lack many investigative qualities that would allow them to gather far more information to perform a better risk assessment. The person under threat must demonstrate the risk that they face so that protection is assigned.

The epicenter is the matrix, not the life of the protected person: In exercising their functions at the UNP, the only measure for determining the risk, and therefore the answer to the petitioner, is the risk evaluation matrix. If this matrix gives a low score, the risk is automatically disregarded and the risk level is scored as normal. As a matter of fact - the life of the person being threatened, their social process, their life in the defense of human rights – often these factors are not taken into account and the score that the matrix throws up is the one valued highest. Furthermore, if the matrix does not identify the risk, then the person at risk is automatically removed from the protection scheme and is left to fend for himself or herself, just as we saw in the first circle of this report.

A handout-based model: The present model of protection is absolutely handout-based and does not include any type of parallel treatment for the protection of people at risk. It is exclusively concentrated on the delivery of “material measurements” and lets the fight and work of the advocates to go far beyond the material. Even though the UNP has attempted to provide support in risk prevention and the investigation of threats, it could have placed far more emphasis in it

to minimize the number of people needing protection. Nor has it carried out campaigns or training to the people being protected in self-defense or in the responsibility that they must assume in transforming their risk level. This model makes the person under protection totally dependent on material measures, therefore condemning them to state handouts.

The conception of the corporate business:

The model of service and corporate understanding may be useful for other areas of the State but in the protection of people at risk it is not as simple as a service-oriented business. When in this case (for the UNP) the “service” fails, it is not money or time that is lost, but the life of a person. And if this person is an advocate, then surely the years of work with communities, ancestral knowledge, and experience in social leadership is also lost, all elements that the country frequently needs. Likewise, in this “customer service” offered by the UNP, any humanistic approach is considered completely out of place. This type of approach should be an integral part of the protection of someone who, in addition to having to bear the weight of having escorts, must be affected psychologically by the pressure that being threatened represents.

Distrust of the Person under Protection:

The outgoing director of the UNP frequently mentioned in the press throughout his administration the serious denunciations and cases in which the people under protection made money from the

allowances, escort salaries, gasoline, and other incomes from the protection mechanisms.⁶⁹ Even though Andrés Villamizar pointed out that he had reported these cases to the authorities such as the Public Prosecutor, to date this institution has not reported any sanctions or processes in place against any human rights advocate under protection for these denunciations. This situation defined by the mistreatment and stigmatization of the advocates by the outgoing director, with the aggravating fact that he has not demonstrated or begun any judicial process against any advocate. This demonstrates that the current protection model acts under the pretense that any person that requests protection must be the object of doubt in ascertaining the veracity of their risk. The state ought to be the “friend” of the human rights advocates so that they also collaborate with their own protection and with the denouncing of events that permit the anticipation of risks, based on the principle of “good faith” with the people being threatened and preferring political protection before material.

Unviable Nationalization: As we saw in circle 4, the budget assigned to the UNP has been generous, and yet they have a deficit of 70 million pesos. On the other hand, the Government is currently amidst a restructuring process of the UNP after the exit of their ex-director Andrés Villamizar, with the aim of making it more austere. If this is the case, how do they propose to affiliate the 3000 escorts that are contracted by private

⁶⁹<http://noticiasunolaredindependiente.com/2013/06/30/noticias/nacional/sindicato-nacional-de-escortas-anuncian-paro/>



firms, taking into account the extremely high costs that this action requires? The protection of the UNP will continue to be private, making the contracted firms richer, but the extra money will have to be provided by the taxpayer.

Protection is a right, not a service: The Government and the UNP have publically sold the idea that protection is a service, but the reality is that it is a right of every Colombian and the sole responsibility of the State to provide it. Whilst this concept continues to garner support in the UNP, their protection model is condemned to failure, as their budget is not large enough, nor is it sustainable to provide material protection for the hundreds of people being threatened and attacked during this transition towards peace that we see in post-conflict Colombia.

Although the perspective on the management of the UNP analyzed in these 9 circles may be pessimistic, the truth is that the growing number of threats against human rights advocates and the progress of peace talks must oblige the Government to be rigorous in their analysis and perspectives, with a view to evaluating

the existing protection mechanisms to avoid the deaths of hundreds of social leaders and human rights advocates in the transition period of post-conflict. The UNP was a win for the social movements and human rights in Colombia, and an interesting gamble by the government by turning around the way in which people at risk are protected in the country. But by the same token a detailed revision of the errors committed by the entity must exist, outlining effective paths of change for the UNP and the entire system of protection of people at risk in Colombia.

It is also true that the UNP is not solely responsible for this “hell”. For example, the huge responsibility of the Public Prosecutor for not having advanced their investigations into the threats was exposed, as was the Ministry of the Interior’s role as the executive branch of human rights policies. But it is also necessary to highlight the significant responsibility of the National Unit of Protection in many of the exposed arguments. This is a clear case of mismanagement, that had they taken into account the many and diverse warnings and voices, could have resulted in obtaining better results.

Purgatory

In this second section, Dante and Virgil travel through Purgatory, a mountain with a flat summit and stepped, round hillsides, in symmetry with Hell. At each step a sin is redeemed, but those who redeem the sins are happy because they possess hope. Dante goes along purifying his sins at each level because at each one an angel erases a single letter of a piece of writing that they have put above him.

Without doubt, the human rights advocates in 2014 would seem to have passed through purgatory for having been victims of a bombardment of threats, the likes of which had never been recorded in Colombia, for the simple fact of wishing to defend the human rights of people, and especially the right to peace. In the present chapter of this report we shall see, in detail, the aggressions those who were advocates faced in 2014, with the hope that this panorama changes in the near future.





PROGRAMA SOMOS DEFENSORES

PROGRAMA NO GUBERNAMENTAL DE PROTECCIÓN A
DEFENSORES DE DERECHOS HUMANOS

Annual Report 2014 Information System of Aggressions against Human Rights Advocates, Colombia - SIADDHH

According to the data recorded by the Information System of Aggressions against Human Rights Advocates - SIADDH - part of the Non-governmental Program of the Protection of Human Rights Advocates - Somos Defensores,⁷⁰ in 2014 **626 advocates** were victims of aggressions, along with **212 social and human rights organizations** which were victims of some type of aggression that put at risk the lives and integrity of its members and/or got in the way of their legitimate work in the defense of human rights in Colombia.

INDIVIDUAL AGGRESSIONS

The SIADDHH recorded **an increase of 71% in the individual attacks against advocates in 2014** in comparison to 2013. Between January and December 2013, the Information System registered 366 attacked advocates; in 2014 in the same period, there were 626 cases.

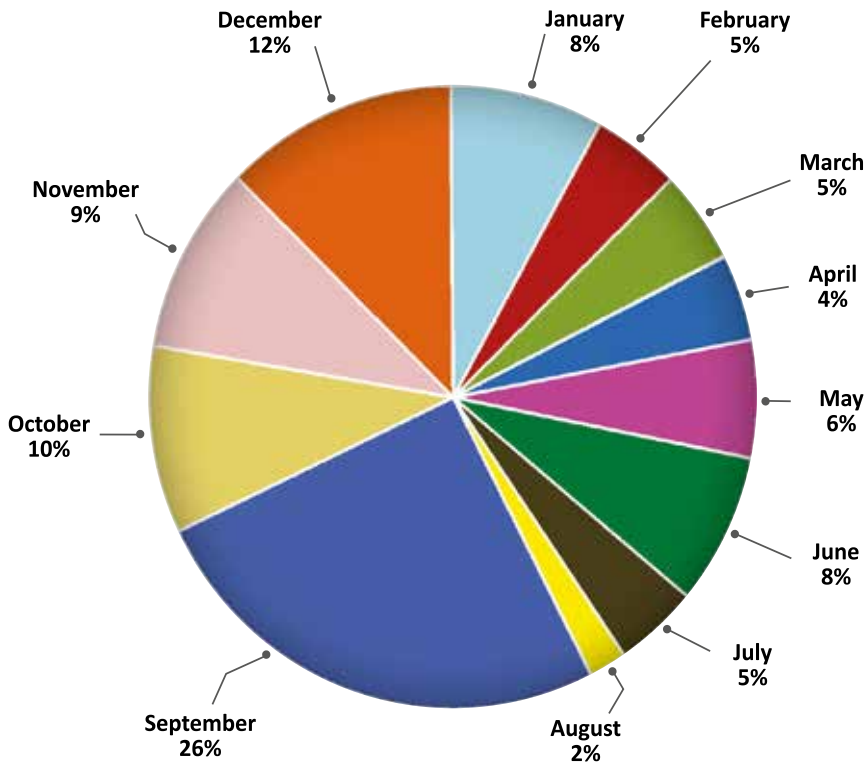
In relation to the occurrence of attacks per month, 2014 could be considered a year with a high rate of monthly instances. In descending order the months with the highest to lowest numbers of aggressions were; September with 26% (162 cases), December with 12% (79 cases) and October with 10% (61 cases), followed by November with 9% (59 cases), January (50 cases)

⁷⁰This system records information known directly by the Program Somos Defensores and by the direct sources with the Social and non-governmental organizations that report cases to the program. At no time did SIADDHH mix information with other similar information systems. They only report and analyze cases that are sent to them.

and June (49 cases) with 8% respectively; May with 6% (39 cases), February (30 cases), March (29 cases) y July (29 cases)

with roughly 5% each; April (28 cases) with 4% and finally August (11 cases) with approximately 2%.

**Number of Individual attacks per month
SIADDHH figures January-December 2014**



According to the figures, the months with the highest number of aggressions in 2014 correspond to the second half of the year, and this exponential increase presents itself after the second round of presidential elections and the winning of the second term of the current president Juan Manuel Santos. This unusual increase in aggre-

ssions was also reported by international organizations that demonstrated their concern about this increase and the ways in which the National Government purports to protect leaders at risk. To mention just a few, we find the reports of ISHR – International Service for Human Rights, Amnesty International, Protection

International and Front Line Defenders amongst others.⁷¹

Aggressions by Gender

In terms of number of aggressions by gender, it was recorded that of the 626 advocates attacked in 2014, 65% were men and 35% women. **This record represents an increase of close to 277% in the number of aggressions against women in 2014 (321 cases), versus the 85 cases that occurred in 2013.**

Aggressions by Gender	Number
Female	221
Male	405
Total individual aggressions	626

The information considers **seven types of aggression against human rights advocates in Colombia:** murders, attempted murders,

threats, arbitrary arrests, disappearances, information theft, and the arbitrary use of the penal system.

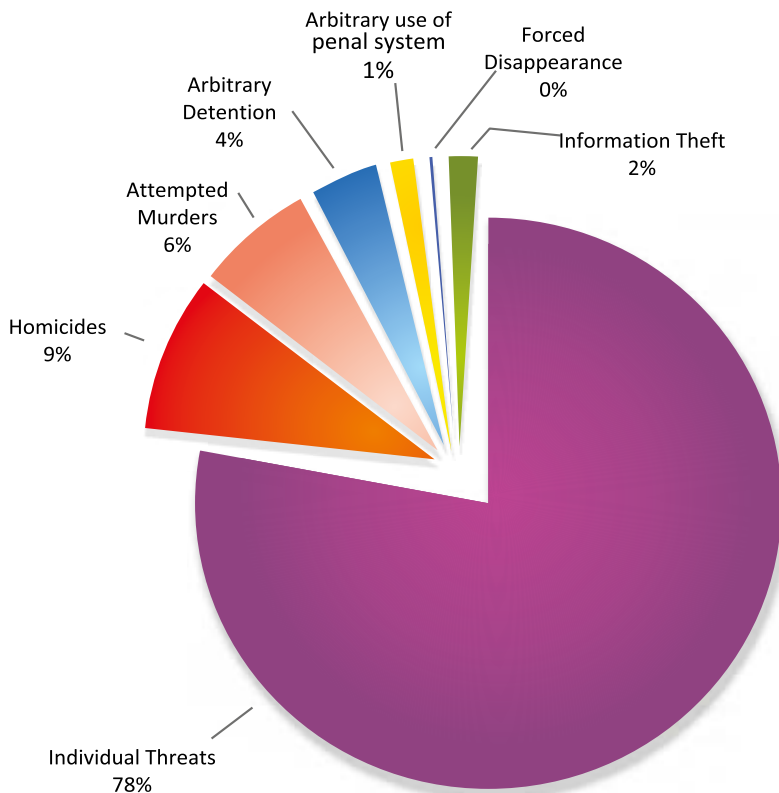
Aggressions according to the Type of Violence

Type of Individual Aggression	Number
Threats	488
Murders	55
Attempted Murder	41
Arbitrary Arrests	23
Disappearances	1
Arbitrary Use of Penal System	8
Information Theft	10
Total Individual Aggressions	626

Of the attacks recorded in 2014, 78% were threats, 9% murders, 6% attempted murders, 4% arbitrary arrests, 2% information theft, and 1% the arbitrary use of the penal system.

⁷¹<http://www.ishr.ch/news/restriction-protection-report-ensuring-safe-and-enabling-legal-environment-human-rights>
<http://www.amnesty.ch/de/laender/amerikas/zentralamerika/dok/2014/amerika-menschenrechtsaktivistinnen/bericht-defender-derechos-humanos-necesario-legitimo-y-peligroso-diciembre-2014-49-p>
<http://protectioninternational.org/2014/12/05/new-publication-by-protection-international-focus-2014-report/>
<http://www.frontlinedefenders.org/es/node/25610>

Types of Individual Aggressions Annual Figures SIADDHH : January- December 2014



In comparison to 2013, the Program identifies cases of extreme concern in 2014 as: the increase in threats (from 209 to 488 cases), of information theft (from 7 to 10 cases), and of attempted murders (from 39 to 41 cases). But it is also necessary to underline the reduction in the number of homicides between 2013 and 2014 (from 78 to 55 cases), which is a positive indicator in the national context that must be strengthened and completely overcome in the immediate future.

Yet paradoxically in light of this reduction in the rate of homicides, 2014 is the year that the SIADDHH has registered the highest number of cases in a single year since 2002 (626), which is being caused by the exceedingly high number of threats.

***“En promedio en 2014,
CADA DÍA fueron agredidos2
DEFENSORES(AS) de derechos
humanos en Colombia”***

It is of the utmost importance to emphasize that 2014 is the year in which the Information System of Aggressions against Human Rights Advocates – SIADDHH – part of the Program Somos Defensores, registered the

highest number of aggressions in its entire history, with 626 cases, specifically threats. Below the figures over the last 5 years are presented to show the historical behavior of the aggressions.

Type	2010	2011	2012	2013	2014	TOTAL
Threats	109	140	202	209	488	1148
Murders	32	49	69	78	55	283
Attempted Murders	21	20	50	39	41	171
Arbitrary Arrests	11	23	26	22	23	105
Disappearances	-	6	5	1	1	13
Arbitrary Use of Penal System	1	1	1	10	8	21
Sexual Violence	-	-	1	-	-	1
Torture	-	-	-	-	-	-
Theft of Sensitive Information	-	-	3	7	10	20
TOTAL	174	239	357	366	626	1762

In light of this panorama of the unbridled increase in aggressions, following is an analysis of the most critical kinds of aggressions.

Murder of Advocates

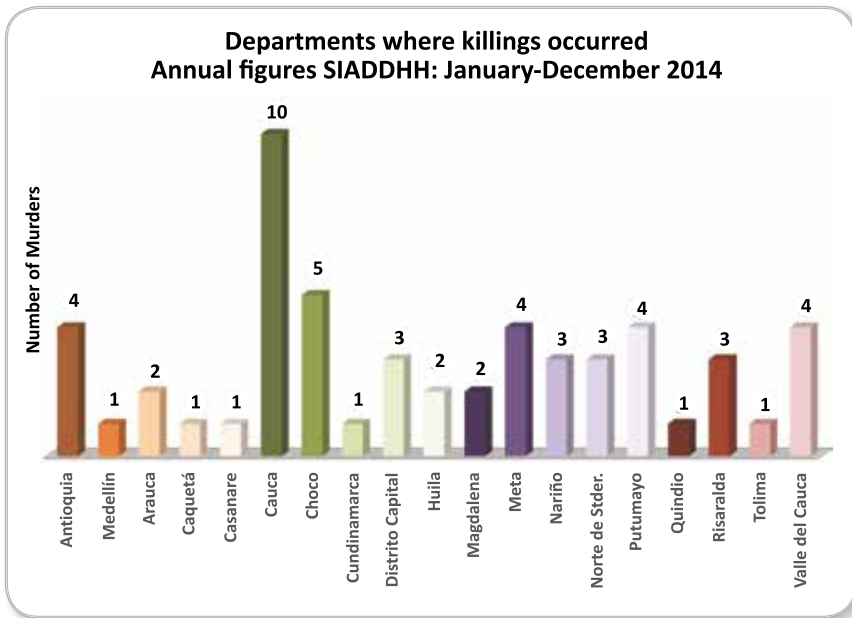
According to the SIADDHH, 55 advocate and social leaders were murdered in 2014. Following is a review of their names as acknowledgement of their work, so that they are not forgotten and that their murderers are brought to justice.

State	Place	Victim	Name of the Organization	Type of Leader	Date
Antioquia	El Peñón	Diego García	Comunidad de la vereda El Morro	Communal Leader	26/08/2014
Arauca	Fortul	Leydi Milena Méndez	Junta de Acción Comunal de la vereda Puerto San Salvador	Communal Leader	26/11/2014
Arauca	Fortul	Amalia Fernanda Meza	Junta de Acción Comunal del Barrio Boyacá	Communal Leader	26/11/2014
Atlántico	Soledad	Ever Luis Marin Rolong	Sindicato de Trabajadores de Cervecerías Bavaria – SINALTRACEBA	Union Leader	04/01/2014
Atlántico	Barranquilla	Juan Alberto Causado Priolo	Proceso de restitución de tierras en Pinar del Río, Barranquilla.	Land Claimant Leader	01/03/2014
Atlántico	Barranquilla	Patricio Fernando Mejía Urzola	Asociación de Usuarios de Servicios Públicos y de la Salud	Communal Leader	26/04/2014
Atlántico	Soledad	Carmelo Gutiérrez Padilla	Comunidad del Barrio Nuevo éxito – Colegio Francisco de Paula Santander de Galapa	Communal Leader	18/08/2014
Bogotá D.C.	Bogotá	Carlos Enrique Ruíz Escarraga	Organización cultural Entre Redes.	Social Leader	26/01/2014
Bogotá D.C.	Bogotá	Miguel Ángel Parra	Comunidad Localidad de Kennedy	Communal Leader	06/04/2014
Caquetá	San Vicente del Caguán	Heriberto Mora Muñetón	Junta de Acción Comunal Vereda Minas Blancas	Communal Leader	22/01/2014
Casanare	Yopal	Faustino Acevedo Gaitán	Juntas de Acción Comunal del Corregimiento del Morro - Asocomunal	Communal Leader	06/04/2014
Cauca	Miranda	Epifanio Latin Ñuscue	Pueblo Indígena Nasa - Centro Educativo las Dantas vereda Cajones	Indigenous Leader	03/03/2014
Cauca	Tambo	Evelio Obando Campo	Junta de Acción Comunal vereda El Placer	Communal Leader	11/03/2014
Cauca	Santa Rosa	Olmedo Jiménez Guamanga	CIMA	Peasant Leader	14/04/2014
Cauca	Suárez	Luis Javier Campo Méndez	Movimiento Juvenil Álvaro Ulcué Chocue	Indigenous Leader	21/04/2014
Cauca	Caloto	Joaquín Gómez Muñoz	Pueblo indígena Nasa	Community Leader	02/09/2014
Cauca	Caloto	Fabio José Alegría Dagua Conda	Pueblo Indígena Nasa - Cruz Roja Colombiana	Indigenous Leader	28/10/2014
Cauca	Toribio	Manuel Tumiñá	Pueblo indígena Nasa	Indigenous Leader	05/11/2014
Cauca	Toribio	Daniel Coicue	Pueblo indígena Nasa	Indigenous Leader	05/11/2014
Cauca	Caloto	Edgar Fernando Gómez Burbano	Asociación de Trabajadores Campesinos Pro constitución de Zona de Reserva Campesina del Municipio de Caloto	Peasant Leader	26/11/2014
Cauca	Popayán	Elkin Darío Mompotes Quira	Pueblo Indígena Kokonuco Resguardo de PURACE	Indigenous Leader	09/12/2014
Chocó	San José del Palmar	Giovany Leitón	Junta de Acción Comunal Vereda Zabaleta	Peasant Leader	04/01/2014
Chocó	Cacarica	Jesús Adán Quinto	Comunidad de Cacarica, Chocó	Social Leader	09/04/2014
Chocó	Alto Baudó	Ernelio Pacheco Tunay	Organización Indígena del Chocó – OICH	Indigenous Leader	12/09/2014
Chocó	Alto Baudó	Miguel Becheche Zarco	Asociación de Cabildos Indígenas de Alto Baudó - ACIAB	Indigenous Leader	12/09/2014
Chocó	Pizarro	Wilber Chamarrá Carpio	Resguardo Indígena Wounaan Bella Vista Pitalito	Indigenous Leader	26/09/2014
Cundinamarca	Soacha	Miguel Ángel Rodríguez	Comunidad del barrio San Miguel del municipio de Soacha	Communal Leader	13/09/2014
Bogotá D.C.	Bogotá	Gerson Martínez	Movimiento Hip Hop Pazur	Youth Leader	04/01/2014

State	Place	Víctim	Name of the Organization	Type of Leader	Date
Huila	Neiva	Édgar Bravo González	Junta de Acción Comunal del barrio Reinaldo Matiz	Communal Leader	26/04/2014
Huila	Campoalegre	Eduardo Alarcón Díaz	Comité Permanente por la Defensa de los Derechos Humanos (CPDH)	Peasant Leader	14/08/2014
Magdalena	Plato Magdalena	Alberto De Jesús Díaz Mercado	Comunidad de Plato Magdalena	Community Leader	10/01/2014
Magdalena	Ciénaga	Tomás Rodríguez Cantillo	Comité obrero y negociador de la finca palmera Candelaria – SINTRAINAGRO	Union Leader	09/05/2014
Meta	Acacías	Edith Santos	Asociación Comunitaria CEJAIID y Sindicato de la seguridad SINPROSEG	Community Leader	29/08/2014
Meta	El Castillo	Flor Nibe Rodríguez Rocha	Comunidad de la vereda El Cable o La Cabaña	Communal Leader	06/09/2014
Meta	Acacías	Nelson Medina Ortega	Asociación Sindical Petrolera Arcas	Union Leader	17/10/2014
Meta	San Juan de Arama	Ángel Antonio Muñoz Villalarga	Junta de Acción Comunal de la Vereda de Buenos Aires	Communal Leader	23/11/2014
Nariño	Barbacoas	Wilson Hernando Guangua Nastacuas	Pueblo Indígena Awá – Resguardo indígena Awá de Nambi Piedra Verde	Indigenous Leader	12/05/2014
Nariño	Barbacoas	Pedro Augusto Arisala	Comunidades Afrodescendientes en Barbacoas	Afro-Colombian Leader	29/09/2014
Nariño	Policarpa	Norman Ortiz	Fundación Impulsar - ASOJUNTAS de Maguí Payán	Communal Leader	07/10/2014
Norte de Santander	Sardinata	Duvis Antonio Galvis	Asociación Campesina del Catatumbo - ASCAMCAT	Peasant Leader	26/01/2014
Norte de Santander	Convención	Douglas Zuluaga	Junta de Acción Comunal de la vereda Cartagenita	Peasant Leader	10/04/2014
Norte de Santander	Ocaña	Johanna Quintero Pabón	Asociación de Vivienda	Community Leader	15/10/2014
Putumayo	Puerto Asís	Miguel Segundo Díaz Soto	Comunidad de la vereda Camelias Zona rural del municipio de Puerto Asís	Community Leader	25/01/2014
Putumayo	Puerto Asís	Luis Albeiro Guetio	Pueblo indígena Nasa del cabildo Yu' Lux de Puerto Asís, Putumayo	Indigenous Leader	10/04/2014
Putumayo	Puerto Legizamo	Nair Edilia Tay Torres	Pueblo Indígena Murui - Organización Indígena Murui del Amazonas –OIMA - OPIAC	Indigenous Leader	29/09/2014
Putumayo	Villagarzón	Álvaro Osnas	Resguardo Nasa Jerusalén San Luis Alto Picudito	Indigenous Leader	24/10/2014
Quindío	Armenia	Ancizar Ruiz Ceballos	Comité Patriótico Departamental - Partido Verde	Displaced Persons Leader	14/09/2014
Risaralda	Mistrató	Luis Alberto Restrepo Vallejo	Junta de Acción Comunal de la vereda Arcacai	Communal Leader	05/02/2014
Risaralda	La Virginia	Reinel de Jesús Cano	Asociación de Usuarios Campesinos - ANUC La Virginia – Pereira	Community Leader	24/07/2014
Risaralda	La Virginia	Pablo García Llano	Asociación de Usuarios Campesinos - ANUC - Coagro Pereira	Community Leader	27/07/2014
Tolima	Cajamarca	Daniel Humberto Sánchez Avendaño	Colectivo Socio Ambiental Juvenil Cajamarcuno COSAJUCA	Environmental Leader	07/10/2014
Valle del Cauca	El Dovio	Jhon Braulio Saigama	Pueblo Indígena Emberá Chamí	Indigenous Leader	01/01/2014
Valle del Cauca	El Dovio	Berlain Saigama Gutiérrez	Pueblo Indígena Emberá Chamí	Indigenous Leader	01/01/2014
Valle del Cauca	Cartago	Pablo Emilio Aponte	SINTRAEMSEDES	Union Leader	16/05/2014
Valle del Cauca	Tuluá	José Arlex Avendaño Arango	Junta de Acción comunal de La Siria	Peasant Leader	17/06/2014

Of the 55 murders, 90% correspond to men (49 cases) and 10% to women (6 cases). It is a cause for concern that during the second half of 2014, the 6 homicides of women occurred, especially considering it was after the release of mass threats against dozens of human rights advocates throughout the country. Even though none of the women assassinated appeared in any of the mass threats that were made in 2014, according

to the gathering of information carried out by the SIADDHH, it was able to determine that these 6 murdered female advocates were well-recognized leaders in the departments of Aruaca, Meta, and North Santander, and that the majority of them led communal action boards or processes based on territories under mining and petroleum exploitation, as well as in the middle of developmental megaprojects.



Cauca is the department with the highest number of murdered advocates with 10 cases, followed by Chocó with 5, and Atlántico, Meta, Valle de Cauca, and Putumayo with 4. Under special observation is the fact that departments such as Putumayo and Meta did not report levels of homicides these high years ago.

It is also worth highlighting that the number of homicides is similar in both halves of 2014: 27 homicides in the first half, 28 in the second. In the bi-annual report January – June 2014 of SIADDHH titled “I M A G I N A,” 30 homicides were reported. Thanks to inquiries made after its release, and the appearance of new information, three

recorded homicides were eliminated, leaving a figure of 27 for the first half of 2014.

On the other hand, upon revising the type of advocate, for the fourth consecutive year the advocates who are leaders of or belong to communal action boards are the most attacked in this sense, along with indigenous leaders. Peasant leaders and community leaders also appeared in 2014 with a high number of homicides registered against them.

Type of Leader	# Homicides
Indigenous Leader	15
Communal Leader	15
Community Leader	7
Peasant Leader	7
Union Leader	4
Land Claimant Leader	2
Social Leader	1
Youth Leader	1
Displaced Persons Leader	1
Environmental Leader	1
Afro-Colombian Leader	1

In the same way as in previous reports, it is important to evaluate the way in which these people were murdered. Of the 55 reported homicides, 50 of them were carried out with firearms, 3 with bladed weapons, and 2 by blows. The deaths caused by firearms were done with excessive cruelty since they used

between 4 and 10 shots to end the lives of these people.

Because of the severe cruelty, premeditation, and extreme violence used in these crimes, the analysis shed light on the data that in 25 of the 55 cases, the advocate or social leader was murdered either in or nearby his or her house in the early hours of the morning or night when they were commuting to or from work. This kind of aggression was highlighted and warned about 3 years ago in reports published by the SIADDHH. This indicates that premeditation and following that precedes the homicide of these advocates in Colombia, as the only by carrying out these actions is it possible to learn the routines, routes travelled, and homes of these advocates in order to murder them.

In 27 cases the advocates were murdered in public places such as restaurants, paths, or urban areas. This increase of murders on roads or in public places is worrying, as it denotes that absence of the National Police and other institutions responsible for the protection of its citizens. Five cases were also registered in which the body of the leader was found with signs of torture such as blows, cuts on the bodies, and even with slit throats.

Of the 55 advocates murdered in 2014, 60% (31 cases) had reported the threats prior to their murder.

In 3 cases the advocates were murdered in the middle of performing their daily work duties. On the other hand, it is worrying that 3 of the advocates relied on current protection measures provided by the UNP or National Police at the time of their deaths, and they were murdered despite having the said measures in place. Likewise an advocate had requested protection measures and was murdered without receiving a response from the UNP.⁷²

Suspected Perpetrator of Murder	2013	2014
Paramilitaries	15	4
Guerrilla	8	7
Unknown	50	44
Law Enforcement Agencies	5	-
TOTAL HOMICIDES	78	55

In terms of the suspected perpetrators of the deaths of these 55 advocates, a significant reduction was apparent in the suspected involvement of Paramilitaries in comparison to the cases recorded in 2013, just as in the increase in the suspected involvement in the homicides of the Unknown. In the case of the murders suspected to have been committed by the Guerrillas (FARC and ELN), who in the total of aggressions represent a low percentage, it must also be observed that this low percentage represents the most serious of all violations of human rights – murder. And, in this case, the murder of 7 human rights

advocates in the departments of Cauca (3 cases committed by FARC) and Chocó (4 cases suspected to have been carried out by ELN).

Department	2013	2014
Antioquia	13	1
Arauca	0	2
Atlántico	0	4
Bolívar	2	0
Caquetá	0	1
Caldas	2	0
Casanare	0	1
Cauca	9	10
Chocó	1	5
Córdoba	9	0
Cundinamarca	1	1
Distrito Capital	6	3
Guaviare	1	0
Huila	4	2
Magdalena	1	2
Meta	1	4
Nariño	6	3
Norte de Santander	2	3
Putumayo	2	4
Quindío	1	1
Risaralda	4	3
Santander	1	0
Sucre	1	0
Tolima	1	1
Valle del Cauca	10	4
Total Murders	78	55

“In the year 2014, a human rights advocate was murdered on average every 7 days in Colombia”

⁷²The SIADDHH does not possess any information regarding in what state of the process the protection request in question was. According to the information alleged by SIADDHH, the advocate had requested a risk assessment from the UNP and this was being undertaken.

Individual Threats

In this edition of the annual report of SIADDHH, special emphasis is made in the analysis of threats, which reached a record number in 2014 with 488 cases. This increase in threats, which is 113% in comparison to the figures of 2013, showed a particular behavior in 2014 which was evinced through the exponential growth in the second half of the year.

The increase in threats is attributed to the sending, between September and December 2014, of 15 mass threats against all types of human rights advocates (leaders of women's rights, afro communities, indigenous, syndicates, victims, displaced people, lawyers, etc.), social leaders,

representatives of the victims at the peace talks in La Habana between the Colombian Government and the guerilla group FARC, journalists, alternative communicators, left-wing political leaders, and even public servants belonging to the Unit of Victims and the Unit of Land Restitution.

These mass threats were made by means of emails and pamphlets that were distributed in the cities and to the houses of the threatened. These threats were made in the months of September (8 mass threats), October (3) and December (4). The affect on many of these occasions was felt most by social leaders and advocates who work throughout the country but who reside in Bogotá.

Threat #	Date	Author	Coverage
Threat 1	8 of Sep.	José Peralta	National
Threat 2	9 of Sep.	Águilas Negras	National
Threat 3	9 of Sep.	Águilas Negras	National
Threat 4	13 of Sep.	Los Rastrojos	Nariño
Threat 5	24 of Sep.	Los Rastrojos	Córdoba
Threat 6	24 of Sep.	Los Rastrojos	National
Threat 7	29 of Sep.	Los Urabeños	Valle del Cauca
Threat 8	29 of Sep.	Los Rastrojos	South-West (Valle, Cauca y Nariño)
Threat 9	3 of Oct.	Los Rastrojos	Montes de María
Threat 10	22 of Oct.	Águilas Negras	National
Threat 11	30 of Oct.	Águilas Negras	National
Threat 12	3 of Dec.	Águilas Negras	National
Threat 13	8 Dec.	Águilas Negras	National
Threat 14	8 Dec.	Unknown	Bogotá
Threat 15	11 Dec.	Anti Restitution Army	National

It all kicked off on the 8th of September; during those weeks, the country was awaiting the second presidential term of Juan Manuel Santos, who after a hotly contested second round, won the campaign under the flag of peace. And it was during those days that one of his first actions of his second term was to create the Ministry of Post Conflict, aimed at preparing the executive for the management of the country in the case

of an eventual signing of deals. It was also during these weeks that a trip to the first commission of Victims at the peace negotiation table in La Habana was made, for the discussion of this exact point. Additionally, it coincided with the sending of these threats upon the eruption of the corruption scandal and the financial crisis at the National Unit of Protection, revealed by the Public Prosecutor's Office and the Attorney General's Office.

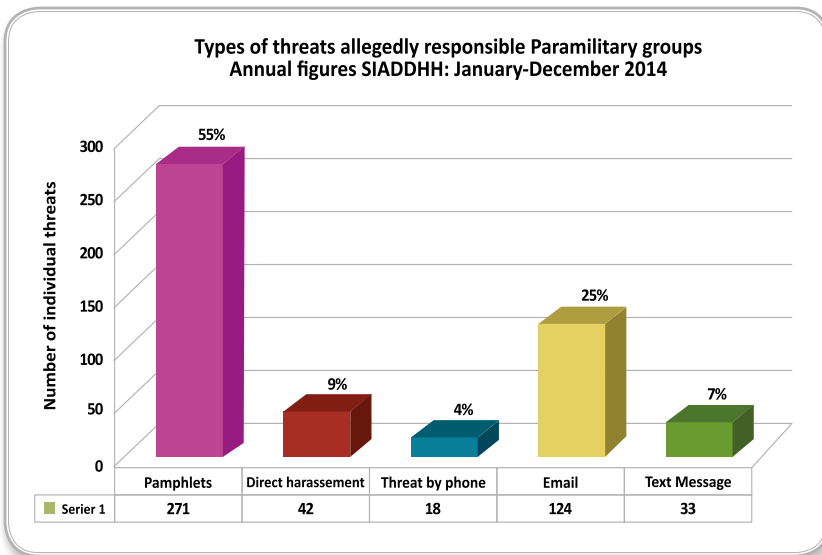


It must be noted that these intimidations evolved as the weeks went by; in their language, their use of logos, symbols, or flags that gave the appearance of being more unified in each one so as to portray the image of a single unified group that was threatening people throughout the country.

To sum up these mass threats and the rest of the cases, during the period of January to December 2014, the SIADDHH recorded 488 threats against human rights leaders,

that is 78% of the total number of recorded aggressions. Of these 488 threats it is presumed that 10 of these were made by Law Enforcement Officials, 48 by unknown perpetrators, and 430 by paramilitary groups.

Of these 488 individual threats, 55% (271 cases) correspond to threats made by pamphlets or flyers that were sent to the offices and homes of the human rights leaders in Colombia.



25.4% (124) of the threats were received by e-mail from both official accounts of organizations and the personal accounts of leaders.

The threats made by means of direct harassment represent 8.6% (42 cases)

of the total number of recorded threats. Direct harassment entails the persecution of leaders by suspicious persons taking photographs of them, finding out their work routines, verbal or physical intimidation by means of making signs or even drawing weapons, etc.

Another type of intimidation is threatening by text message, which on many occasions the message is sent to the leader's personal cellphone. This violent act was recorded in 33 cases, or 6.7% of the total. And lastly, but not any less worrying, are the threats made by telephone calls, which make up 3.6% of the total (18 cases).

The Phantom Threat

This is a sensitive topic for both the current and previous National Government. The existence of new paramilitary groups after the demobilization of the AUC in 2006 is a topic that was rejected by the Executive and the Military Forces right from the beginning, but after successive violent acts, the establishment finally recognized them as BACRIM (Emerging Criminal Groups).⁷³ This name generated differences, as the political intensity of the far right was lost; a far right that had the paramilitaries and their actions defined by socio-political violence, which was then converted into mere delinquent action by this name, especially when their actions showed otherwise. Since 2006, the Águilas Negras appeared as one of these post-demobilization groups, sending out intimidating messages to social activists and human rights advocates.

Strangely, over the last 9 years the authorities have not been able to, or have not wanted

to, discover who is linked to the email account aguilasnegrasbloquecapital@gmail.com, and other email addresses commonly used by this group who give the impression of being a phantom threat. According to the official stance of the Public Prosecutor's Office, the National Police, and the now ex-director of the National Unit of Protection, the "Águilas Negras" do not exist.⁷⁴

This situation gives the opportunity to revise (at least in the threats) the actions of the "Águilas Negras" and other denominations of new paramilitary groups presumed to be non-existent. Upon revising in detail the main aggressor by means of threats in the present period of analysis (paramilitaries), they share, irrespective of their name, similar behavior characteristics. Below each paramilitary group is explored in terms of their behavior and threats made in 2014 and the years up until then:

Águilas Negras

Of all the recorded threats in 2014 suspected to have been made by paramilitary groups, 291 cases have been identified as carried out by "Águilas Negras", of which 177 manifested themselves as pamphlets, 113 as emails, and 1 as direct harassment of an advocate.

⁷³Autodefensas Unidas of Colombia

⁷⁴<https://twitter.com/villamizar/status/430881870520524800>

YEAR	Email	Pamphlet	Text message	Telephone call	Threatening letter	TOTAL
2010	35	15	8	2	2	62
2011	34	27	2	2	0	65
2012	17	18	16	3	3	57
2013	7	15	4	6	0	32
2014	113	177	0	0	1	291
Totals	206	252	30	13	6	507

In a comparative period of the last 5 years it becomes clear that “Águilas Negras” have threatened 507 human rights advocates, and their most frequent method of carrying out such intimidations is by means of PAMPHLETS.

Los Rastrojos

In this breakdown of threats for 2014 made by the SIADDHH, “Los Rastrojos” occupy the second position in the table of groups

that made the most threats in 2014, with a total of 46. Of these 46, 25 were made by means of pamphlets, 12 by text message, 4 by direct harassment, 3 by email, and 2 by telephone calls.

YEAR	Email	Pamphlet	Text message	Telephone call	Threatening letter	TOTAL
2010	0	0	0	0	0	0
2011	1	0	0	0	0	1
2012	0	7	11	0	0	18
2013	35	26	0	0	0	61
2014	3	25	12	2	4	46
Totals	39	58	23	2	4	126

In a comparative period of the last 5 years, it becomes clear that “Los Rastrojos” have threatened 126 human rights advocates, and that they use both EMAILS and PAMPHLETS as their preferred vehicle of choice for carrying out threats. It is worth highlighting the persistence of this group in their use of PAMPHLETS in the past two years.

Other Paramilitary Groups (Urabeños, ERPAC, AGC, Ejército Antirestitución, Clan Úsuga, etc.)

A total of 25 threats are attributed to the group “Los Urabeños” (now known as “El Clan Úsuga”), represented by 19 pamphlet and 6 text messages. We also find the group denominated “Autodefensas Gaitanistas de Colombia – AGC”, to whom 2 threats have been registered, made by means of text messages. Likewise a threat made by telephone call was recorded and attributed

to the self-proclaimed group “Los Álvarez” in the department of Santander.

However, 65 violent acts have been recorded whose perpetrator, according to the persons reporting the threats, is of paramilitary origin but they have not been able to identify which exact group was responsible. These events are distributed in the following way; 35 threats made by pamphlets, 9 by direct harassment, 3 by email, 6 by telephone calls, and 12 by text messages.

YEAR	Email	Pamphlet	Text message	Telephone call	Threatening letter	TOTAL
2010	12	2	11	11	0	36
2011	15	13	3	7	0	38
2012	12	28	8	5	0	53
2013	5	20	4	5	1	35
2014	3	54	20	7	9	93
Totals	47	117	46	35	10	255

In a comparative period of the last 5 years, it becomes apparent that the other paramilitary groups such as “La Oficina de Envigado”, “Ejército Anti –Restitución”, “ERPAC – Ejército Revolucionario Popular Antisubversivo de Colombia”, “Autodefensas Gaitanistas de Colombia – AGC”, “Los Urabeños”, “La Empresa”, “Los Álvarez”, “El Clan Úsuga”, and others, have been responsible for the carrying out of 255 threats of human rights advocates. The medium of the pamphlet is the most common for these groups, and in the last year there was an increase in the use of this medium, as there was with the rest of the paramilitary groups. departamento de Santander.

The Phantom Groups DO exist, the Public Prosecutor DOES NOT

Even though it is difficult to establish the true origin of this exponential increase in threats in 2014, it can be said that the development of peace talks in La Habana and the victim's participation in these talks, added to the already known risk associated with the land restitution process, have a direct influence on the appearance of these countless threatening pamphlets and emails in the second half of 2014. On the same token, these "phantom" groups do exist, and the persistence of their intimidatory actions demonstrate this.

In addition to the worrying situation generated by this wave of threats, possibly on the verge of converting itself into a phenomenon, is the little importance that the Public Prosecutor's Office places on this issue. For more than 8 years the denouncing of and mobilizing against this form of intimidation has been taking place, without ever having been looked into by this investigative unit. From time to time, the Public Prosecutor General Eduardo Montealegre commits to creating a special unit to perform these kinds of investigations, yet the years pass and there has not been a single result.⁷⁵

In turn the National Unit of Protection signaled that it had received information about the first mass threat in which 91 human rights advocates were declared as military objectives, of which they claimed to have no information on 34 of the cases.⁷⁶ However, they allocated security measures to 14 of these advocates and initiated normal processes of risk assessment in 27 cases.

This ineffectiveness from State bodies in finding the responsible parties of more than 400 threats in just 4 months only serves to intensify the doubt of the political willingness to deal with these aggressors, as shown by this "button":

On 21 November, public opinion celebrated the good management and efficiency of State security and justice bodies upon learning of the capture of the responsible person of a video posted online of a mass threat against 36 students, which became viral on the social networking site Facebook. Below a press release summarizes the results:

"Officers of the Metropolitan Police of Bogotá caught, in the last few hours, a young man of 22 years, believed to have disseminated a video on social networking sites in which

⁷⁵<http://www.caracol.com.co/noticias/actualidad/crearan-unidad-cibernetica-de-alto-nivel-para-investigar-amenazas/20150114/nota/2588071.aspx>

⁷⁶Information obtained by means of a copy of the letter written by the NATIONAL UNIT OF PROTECTION OFI14-00032237 to Dr. María Carolina Rojas – Coordinator of the Support Group of Requests to the President of the Republic on the 1st of December 2014. The letter was copied for the Program Somos Defensores.

he threatened various youngsters of district schools in the city.

This young man is Diego Arley Rodríguez, a student in the 3rd semester of engineering at a well-respected private university in Bogotá, and who in August published a video in which he intimidated 36 students and challenged them to carry out an apparent satanic ritual.

According to the authorities, it was demonstrated beyond doubt that this young man was the person who made the threats, which also included sexual aspects, on the social networks, and who had additionally created various false profiles in order to get in contact with the students.

The above was possible, after a series of interviews and examinations that the victims themselves made, added to the intelligence and monitoring work done by the Police in coordination with the Public Prosecutor's Office.

The authorities were able to establish that the youngster had antecedents for the same crimes, after having threatened one of his family members in 2013 on social networking sites.”⁷⁷

It is inadmissible that in a case of electronic threats like in the above, it be possible to catch the responsible party of this crime, whilst the Public Prosecutor's Office cannot

catch the responsible party of at least 1 of the 292 threats made by email against human rights advocates in the last 5 years, nor the 862 threats made in the same time with other modes of threat mechanisms.

This simple comparison generates more doubts than certainties: Does an institutional resistance exist in the Public Prosecutor's Office to investigate these threats? Why has the Public Prosecutor not managed one single result in these cases in at least 5 years (only because of not revising older figures)? Is it possible that the Public Prosecutor has already brought these people to justice and is withholding the information for some unbeknownst reason? Why are aggressions against human rights advocates not important to the Public Prosecutor?

The Public Prosecutor and the National Government are sending an awful message to the country by not investigating this wave of threats, especially to those who are confiding in institutional capacity to guarantee the rights of each social and political leader to exercise their leadership, as well as the guaranteeing of the defense of their human rights and their reincorporation to civil life.

Information Theft

Another type of aggression that was present in 2014, and which has increased significantly in the last 3 years (it went from

⁷⁷<http://www.elespectador.com/noticias/bogota/capturan-joven-amenazaba-sexualmente-estudiantes-de-bog-articulo-528753>

3 cases in 2012, to 7 in 2013, and to 10 in 2014), is the theft of sensitive information. This type of aggression is one of the most invisible ones but also the most damaging for human rights advocates and social organizations. This level of invisibility is due to the fact that no regulation exists within the national legislation that determines the information collected and systemized by social and human rights organizations as highly sensitive. This information ought to be seen as sensitive, as it deals with, in the majority of cases, of information about human rights violations and breaches of International Humanitarian Law.⁷⁸

Proof that this situation is not merely an isolated one, and that it is become more of a common type of aggression, is the one suffered by the human rights advocate Alberto Yepes, the coordinator of the Human Rights and International Humanitarian Law Observatory Colombia Europe United States⁷⁹, who was a victim of the theft of his laptop computer on 16 September when he was leaving his office.

On this laptop computer was a great deal of information concerning the activities of the

Observatory and analysis documents that were vital to the book “Falsos Positivos” en Colombia y el papel de la asistencia militar de Estados Unidos, 2000-2010; this book caused a great uproar in the Colombian military forces and the United States Government because it provided evidence of the suspected responsibility of 19 high-ranking Colombian military officials in cases of false positives. The theft of information happened days after Alberto Yepes was twice threatened by means of mass emails. The odd thing about this case is that the supposed “thieves” that travelled by powerful motorcycles, specifically requested that the human rights advocate hand over the laptop that he was carrying.⁸⁰

The cases of information theft are linked to electronic spying, that not only affected the human rights advocates in 2014 but also members of the government itself, as well as organizations or people who supported the peace process. This dirty tactic showed signs of being a common practice in the past presidential elections and in the dirty war against whoever dares to attempt to create democratic changes in the country.

⁷⁸The non-existence of a regulation regarding the theft of a personal computer or laptop, USB drive, or the hacking of email accounts or web sites, means that when one does occur, the act is cataloged as a lesser crime, underestimating the importance of what is truly important: the information that these items contain. It must also be noted that these thefts of information are not only carried out on physical items and digital storage, but also on people in the streets and the personal items of the advocates, such as books, notebooks, and other items, which in many cases contain hand-written information on cases.

⁷⁹The Coordinación Colombia-Europa Estados Unidos (CCEEU) is a coalition of Colombian organizations that work to promote, divulge, and defend human rights. It is an autonomous, ample, and plural platform that demonstrates the collaboration and sharing of work between non-governmental organizations and social organizations throughout the country. With the support of international organizations of solidarity, the tasks and efforts of the NGO's is complemented in international relations, as well as the international work for human rights.

⁸⁰Denouncement made by the CCEEU <http://www.ddhhcolombia.org.co/?q=node/189>

The scandal began in February 2014, when the intelligence façade known as “Andrómeda” was discovered, which was comprised of civilians with knowledge of systems and data tracking online as well as of active members of military intelligence. After this discovery, it was found that the suspected Hacker was contacted by the then presidential candidate of the Central Democratic Party, Oscar Iván Zuluaga, with the aim of torpedoing and intercepting the campaign of the current president Santos. These events triggered a chain of investigations and revelations in the press and justice, in that from an interception room installed at the Central Military Intelligence Office of the Army (CIME) it was discovered that illegal monitoring activities had been performed, which led to the closing and transferring of the Listening team known as “Sala Gris”. As a consequence of these denouncements, three Generals of Army Intelligence were relieved of their duties.⁸¹

This allowed the revealing of a suspected cyber-espionage network for the illegal interception of data on all types of people related to Santos’ campaign and to the peace process, including various members of the Government’s negotiation team in La Habana, with even the email of the President himself being monitored. Institutions such as the National Army and the DNI (National Department of Intelligence) were left badly exposed after these scandals that are still under investigation.

At first glance it would seem that in Colombia a kind of “outsourcing” exists, comprised by civilians with interest in digital espionage and active members of military intelligence, contracted by dark powers that finance these activities for their sordid interests, such as interfering with the peace process in Colombia. The theft of sensitive information and cyber espionage are aimed at obtaining information about the activities of all kinds of people and organizations that are, in this case, involved in the peace process and the fight for human rights in Colombia. And as you will remember, this is not a new method in Colombia, as the scandals like that of the illegal interceptions made by the DAS evince the perverse nature of these alliances.

The last of these “strange” cases of sensitive information theft occurred on 20 January 2015, when an individual entered the offices of the NGO Corpovisionarios (run by the ex presidential candidate and peace administrator Antanas Mockus) and stole abundant information of the investigations and works that this NGO was doing, as well as everything concerning their support of the peace process on the following 8 March, labeled “March for life”, an initiative created by Mockus.⁸²

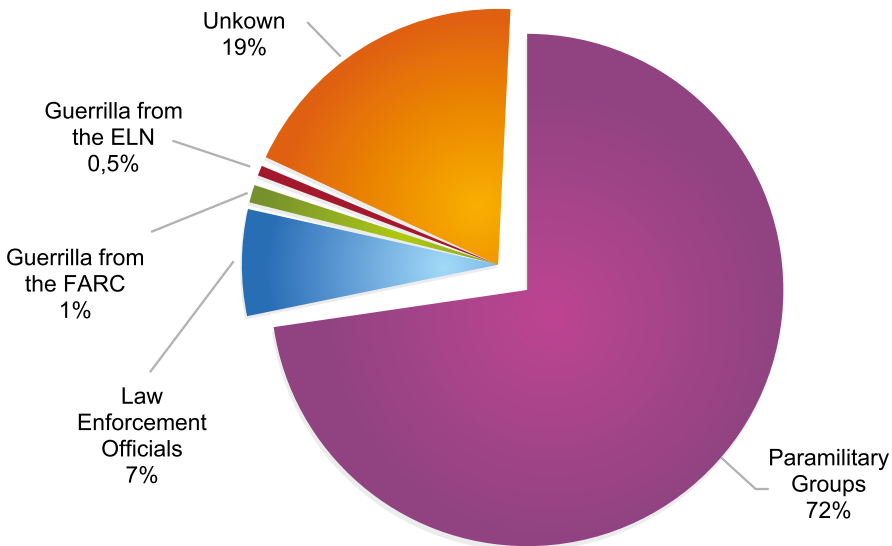
It is almost a “strange” coincidence that the CCEEUU and the NGO Corpovisionarios share the same offices.

⁸¹<http://www.semana.com/nacion/articulo/hacker-sepulveda-daniel-bajana-centro-democratico-escandalos-militares-el-ano-de-los-hackers/412009-3>

⁸²<http://www.caracol.com.co/noticias/actualidad/roban-equipos-informaticos-a-ong-de-antanas-mockus/20150120/nota/2596560.aspx>

ALLEGED PERPETRATORS

Alleged Perpetrators of Individual Aggressions
Figures SIADDHH Annual: January - December 2014



On the alleged perpetrators of the 626 aggressions documented in this report, the SIADDHH recorded paramilitary groups as the suspected perpetrators in 73% (455) of the cases. 19 % (118 cases) were recorded as carried out by unknown people, 7% (42 cases) by Law Enforcement Officials, 1 % (7 cases) by FARC guerillas, and finally 0.5% (4 cases) by ELN guerillas.

The increase in aggressions carried out by paramilitary groups in 2014 in comparison to 2013 is obvious: there was an increase of 147%. The guerillas also increased their aggressions by 10%, whilst the unknown perpetrators and law enforcement officials reduced their alleged participation by 1.6% and 19% respectively.

As was mentioned in the previous section of this report, it must be observed as somewhat particular that the aggressions caused by the Guerillas (FARC and ELN) only constitute 1.5% of the total. Despite this reduced percentage of participation in comparison to other alleged responsible

Alleged Perpetrators	2013	2014
Paramilitary	184	455
Guerrilla	10	11
Unknown	120	118
Law Enforcement	52	42

parties, this percentage corresponds to the most serious of all the human rights violations: attempts on people's lives. **The FARC guerillas are allegedly responsible for the murder of 3 human rights advocates, and the attempts made against the lives of 4 others in the department of Cauca. For their part, the ELN guerillas are suspected to be responsible for the murder of 4 human rights advocates in the department of Chocó.**

AGGRESSION ZONES

During 2014 the SIADDHH recorded aggressions in 27 departments, including the District Capital, Bogotá. However, the highest number of aggressions was registered in the capital, followed by Valle del Cauca, Cauca, Santander, Antioquia, Caquetá, and the department of Atlántico.

According to the figures released by SIADDHH, the District Capital is the most important case of the year since of the 626 individual aggressions recorded during 2014, 275 occurred in the capital (which represents 43% of the total). Of this record 3 were homicides, 5 attempted murders, 5 information thefts, and 262 threats.

Of these threats, most were suspected to have been carried out by paramilitary groups, among who are "Los Rastrojos", the "Águilas Negras", "Los Urabeños," and the "Autodefensas Gaitanistas."

The case of Bogotá catches the attention, as the disproportionate number of threats that are concentrated in this area of the country is owed to the majority of the organizations dedicated to national interests and the protection of people under threat being located in the city, even though they may perform their actions in other parts of the country. This does not mean that the risk of advocates is concentrated in the capital, but in fact throughout the country where the advocates generally carry out their work. Bogotá, on the other hand, has seen a reduction in the murders of advocates, dropping from 6 in 2013 to 3 in 2014.

Another of the regions with a high number of individual aggressions recorded is the region in the south-west of the country; among the departments of Nariño, Cauca, and Valle de Cauca, 106 aggressions were registered, comprising of 17 homicides, 12 attempted murders, 4 arbitrary arrests, and 73 threats.

Departament	2013	Departament	2014
Bogotá	51	Bogotá	275
Chocó	42	Valle	66
Antioquia	36	Cauca	30
Nariño	30	Santander	29
Santander	29	Antioquia	28
Valle	25	Caquetá	22
Atlántico	21	Atlántico	19
Cauca	21	Tolima	16
Córdoba	18	Sucre	16
Caldas	15	Bolívar	15
Tolima	11	Risaralda	14
César	10	La Guajira	12
Sucre	10	Córdoba	12
Norte de Santander	9	Nariño	10

Upon revising the occurrence of aggressions per department in 2014, and comparing them with 2012, it is possible to determine that there are departments in which aggressions increased: Bogotá (from 51 to 275 cases), Valle del Cauca (from 25 to 66 cases), Cauca (from 21 to 30 cases), Tolima (from 11 to 16 cases), and Sucre (from 10 to 16 cases). There are also departments where the aggressions reduced: Antioquia (from 36 to 28 cases), Atlántico (from 21 to 19 cases), Córdoba (from 18 to 12

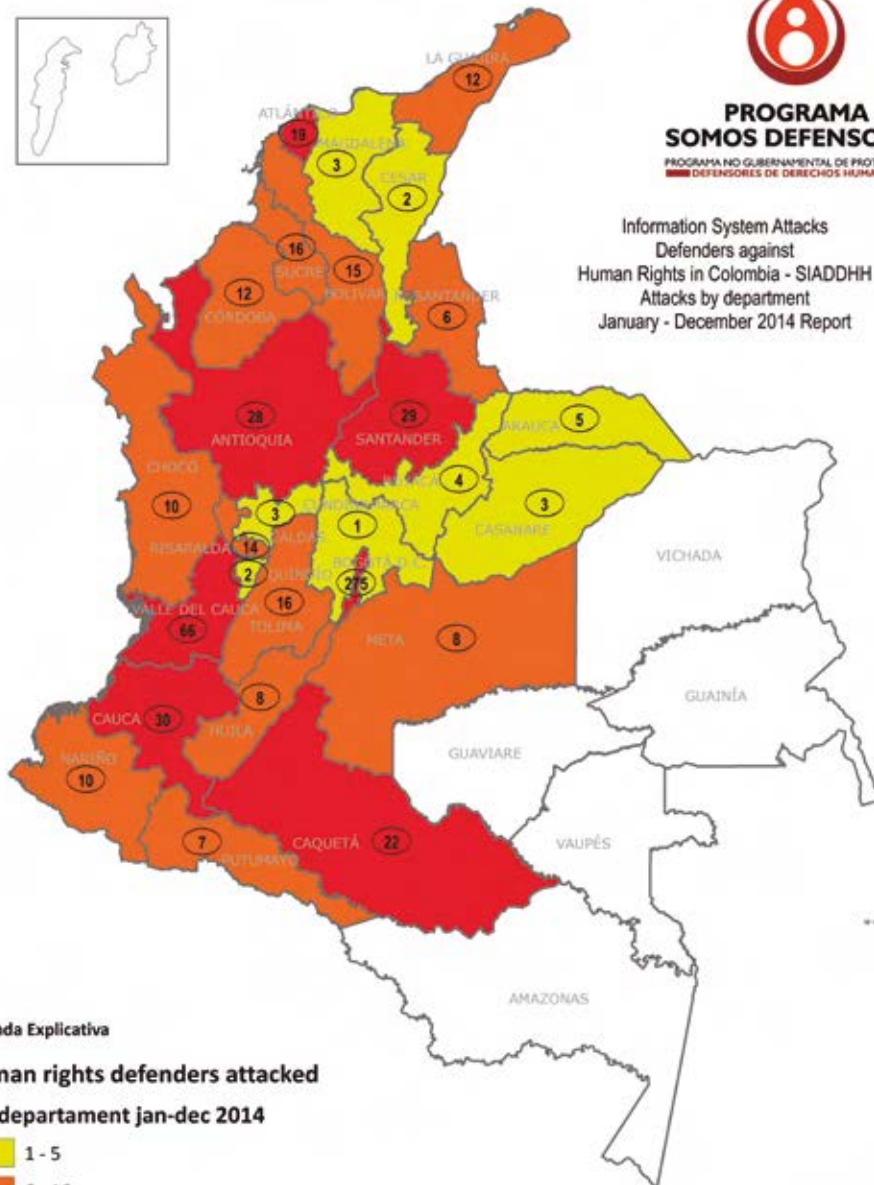
cases), and Nariño (from 30 to 10 cases). Something that really catches the eye is the emergence of various departments in which previously there were not more than 10 aggressions recorded. In 2014 their numbers make the national level of aggression seem to be unusually high; the departments in question are Caquetá, Bolívar, Risaralda, and La Guajira. The department of Santander maintained the same number of cases of aggression as was recorded in 2013: 19.



PROGRAMA SOMOS DEFENSORES

PROGRAMA NO GUBERNAMENTAL DE PROTECCIÓN A DEFENSORES DE DERECHOS HUMANOS

Information System Attacks
Defenders against
Human Rights in Colombia - SIADDDH
Attacks by department
January - December 2014 Report



Leyenda Explicativa

Human rights defenders attacked
per departament jan-dec 2014

- 1 - 5
- 6 - 16
- 17 - 275

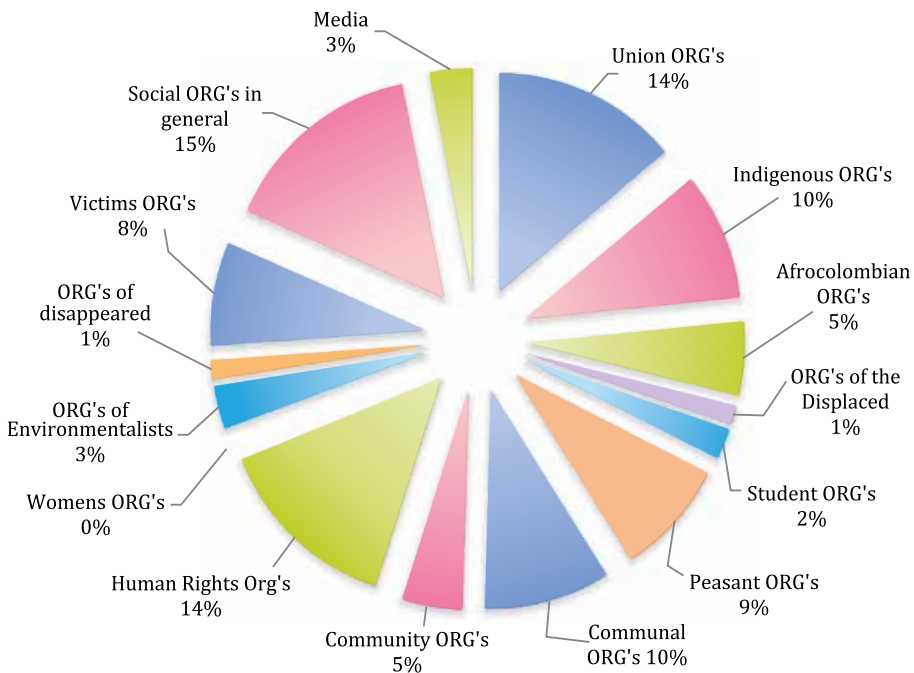
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JOINT AGGRESSIONS

During the year 2014 the SIADDHH identified that 212 organizations or groups of human rights advocates suffered from aggressions. In some of the cases the aggressions were aimed at the organization

in general, and in others they were aimed specifically at one or several of the workers. This signifies that many of the organizations were victims of various kinds of aggression on repeated occasions.

Types of Human Groups that were victims of direct aggressions or through their members in 2014
Figures SIADDHH January- December 2014



Of the total number of human groups attacked during 2014, the order from highest number of attacks was recorded as such:

Type of Organization Attacked	No. of Aggressions
Social	34
Human Rights NGO	31
Union	31
Indigenous	21
Communal	21
Peasant	19
Victim	17
Afro-Colombian	12
Environmental	7
Alternative media	7
Student	5
Displaced	3
Disappeared	3
Women	1
TOTAL	212

The social organizations, the Human Rights NGO's, and the Unions were the groups most affected in 2014, and the said aggressions were mostly done by means of mass threats (Sep-Dec 2014), in which they were mentioned, or their workers included.

GENERAL CONCLUSIONS

Luego de recorrer el panorama "Purgatorio" de agresiones a líderes, defensores(as) de derechos humanos durante el 2014, encontramos que:

1. The various attacks on social leaders and human rights activists visibly increased

by 71%, going from 266 in 2013 to 626 in 2014.

2. However, it must be highlighted that homicides reduced considerably, more specifically by 29% in relation to 2013, which is a healthy indicator.

3. As with in previous years, in 2014 the most affected sectors continue to be the indigenous, communal, community, and peasant ones.

4. The departments where an increase in homicides of leaders and human rights advocates occurred are: Cauca, Chocó, Putumayo, and Norte de Santander. In Córdoba, Valle del Cauca, and Nariño, they reduced considerably.

5. It must be recorded, with deep concern, that according to the cases of homicides, 60% of the people murdered (31 cases), had reported being threatened.

6. During the first three quarters of 2014, the aggressions against human right advocates were practically nonexistent, which was obviously cause for happiness; however, in the last few months of the year 6 homicides against them occurred, along with numerous threats.

7. The increase in the number of people under threat grew exponentially by a whopping 133% when compared to 2013, in the midst of a complex context of corruption

scandals at the UNP, the buying and selling of information from within intelligence services of the Law Enforcement, and the polarization of sectors that are opposed to the peace process. Added to this was the ineptitude of the Public Prosecutor's Office in investigating and identifying those responsible, this favored those interested to continue with their criminal activities.

.....
8. After five years of constant and growing threats, signed by "Águilas Negras, Rastrojos, and Gaitanistas", it is high time that the authorities say who is behind these groups and emblems.

.....
9. Despite the insistence of the authorities in dismissing the affirmations related to the existence of paramilitary or neo-paramilitary groups in the country, the organizations and people making denouncements continue realizing that a high number of these aggressions come from such groups, as is recorded in the Information System, with a presumed responsibility of 72%.

.....
10. Bogotá is demonstrating a substantial increase in the number of aggressions. However, this is because of the fact that most of the threatening pamphlets were

released in this city due to the fact that most of the offices or headquarters of human rights, union, victim, peace activist, and national organizations are located there. One has to ask, in addition to stigmatizing and intimidating these groups, what other interests have these perpetrators got and why are they making mass threats in Bogotá?

.....
11. Despite the seriousness of homicide, particularly against people who exercise social leadership and/or defend the rights of communities, as well as the substantial increase in threats already analyzed, the Public Prosecutor's Office has placed no priority on the respective investigations and, because of this, 100% of the aggressions are treated with impunity.

.....
12. Despite the government's willingness to protect leaders and human advocates in Colombia, the figures show that the national and territorial institutions are not prepared to assume this mandate, especially to the level recommended by international entities, and in terms of the demands required in a period of post conflict. It is for this that rapid and coherent action is needed.

Paradise

Free of all sin, Dante can ascend to Paradise, which he does next to Beatriz in conditions that defy the laws of physics, linking miracles, which is rather natural given the place in which the poem develops. Paradise is comprised of nine concentric circles, in whose center one finds the Earth.

After having gone through such a large quantity of disheartening information, the program Somos Defensores proposes 9 changes in the way in which human rights advocates are protected in Colombia, with the sole intention of building a country with more guarantees for the exercising of the defense of human rights. Likewise, some recommendations made by the CIDH on the protection of advocates in the Americas are revisited



The creation of the National Unit of Protection was a result of the fight for the human rights movement to ensure that the State and Colombian government guarantee the lives and physical integrity of the social leaders and human rights advocates who were under threat and vulnerable, by means of suitable protection provided, of course, by the public entity.

Despite the ill-fated history of the now dissolved DAS, the advocates considered that protection should continue being the responsibility of the public stratum and consequently the protection schemes for people at high or extreme risk should remain in the hands of public servants. To this was added the focus on rights, with a more a holistic view of protection (prevention, investigation, political and collective protection, decentralization, public recognition of work, etc.)

Nonetheless, as the first administration of the UNP began its work, these views disappeared and the established model remained limited to three criteria: privatization or outsourcing of protection, strictly material measures, and a focus on physical security (militarist), far from the concept of human security.

After all, these elements ended up raising the cost of protection to delusional and unsustainable figures, as it is detailed in this report, which in turn, has cast doubt on the viability of this protection model.

Based on these precedents and the need to continue thinking in a more suitable and holistic concept of protection, and with a more humanistic perspective especially considering the context of a post-conflict country. Below we shall pose as a contribution 9 circles which represent 9 simple proposals for change that we hope will allow us to advance and rectify the serious problems of the now and the recent past in terms of protection.

Circle 1 – More than just material protection

The protection of advocates and social leaders that have been threatened or that are at high risk of being threatened, cannot be limited to just the material without recognizing their importance in many cases. In other words, the UNP cannot be the only institution responsible for protection; there must be synergy and complementarity of other institutions that have co-responsibility. Among these institutions ought to be the Public Prosecutor's Office, the Public Ombudsman's Office, and the Attorney General's Office, as it is indicated in the regulation, but for once it should actually be put into practice (something that has not happened in 3 years). Only in this way can a state protection with a human and politic focus be achieved. This is especially the case for the Public Prosecutor, who cannot continue to play a nominal decorative role on the road to prevention, protection, and investigation. Even though this entity is a part of CERREM, its role is innocuous in the

way that it does nothing to investigate the origins of the threats and it does nothing with the information brought to light by the risk assessments. There must be psychological care available for the people under protection, and analysis with a political and regional dimension of the risks and in this measure, whilst it may appear redundant, they must adopt measures that are truly differential and effective.

Circle 2 – Change the Epicenter of the Protection Mechanisms

The risk matrix cannot continue to be the epicenter of protection. The results or analysis of risk assessments of people who solicit protection, be their level normal, extraordinary, or extreme, cannot remain a matrix merely based on scores. If these mentioned studies are the effort of public servants or external consultants that gather valuable information in order to understand the vulnerability of a person, they must also be useful for the carrying out of monitoring of what exactly is happening in determined contexts, who the interested parties are, and how far these people are willing to go. In other words, the institutionalism cannot make such enormous efforts and spend such large sums of money on an objective so short-sighted as whether or not the matrix throws up a risk of how or low. In addition to this, **the person also has the right to know exactly what their risk consists of** and who is behind the threat in order to know how to act. That a person in Colombia can be threatened for 10 years

with the state having no idea who is behind it, yet they redouble their efforts to provide these people with extremely expensive protection schemes truly is a perversion of justice. Institutions are also responsible for monitoring, at least in terms of context, just what is happening to the people whose risk assessments turned up as normal, but whose lives continue to be at risk. Revising whether or not the methodology and results that the risk assessment matrix can throw up is the most adequate for regional contexts, and contemplating whether or not the analysis or risk assessment itself is of utmost importance. There is a universe of elements that contribute to a situation of risk; it is important to invert the current equation, where the effort is concentrated on the number that the matrix throws up, and not in the life of the person.

Circle 3 – The UNP are not the Only Responsible Part

The entire State is responsible for protection, not just the UNP. Even though the corporate image of a public or private entity is part of its strategic plan, in relation to the protection of people at risk, it must not be understood that the only ones responsible for the program of prevention and protection or those at the UNP, as this would be a misrepresentation. On the one hand, the other governmental and state institutions continue neglect their complementary responsibilities. On the other hand, the people who are seeking protection will continue in the understanding that the UNP is the all-powerful entity and

the only one responsible for safeguarding their lives, fixing their search exclusively on the material, which in turn creates a handout-based dependency, losing sight of the causes that generate the risk in the first place. **The UNP must stop publically abrogating their exclusive responsibility, and make others aware that there are other responsible institutions.**

Circle 4 – Ending Privatization as Soon as Possible

It is clear that the protection of advocates must be in the hands of the state, as it is recommended by the CIDH, thus the nationalizing of protection schemes is the correct path to follow. **This means that the national government, just as they embarked upon a privatization model without listening to recommendations, now must initiate the route towards nationalization but this time with the transparency, efficiency, and suitability that are required,** as well as considering the notion of human rights and the perspective of human security in the view of a country in a post-conflict scenario. It is necessary to give this humanistic touch to protection, and to dismount the vision of a business with customer service and quality control surveys. In this sense, the incoming director of the UNP Diego Mora, at the end of this report, showed signs of making progress in this area by not renewing the contracts of the private security firms that, up until now, were providing the service of the protection schemes at the UNP, and who were at the

same time being questioned for the “merry-go-round of private security” that had been denounced by the Public Prosecutor. This effort must be supported by state control institutions to avoid new cases of corruption being carried out.

Circle 5 – Immediate Cleansing of the UNP

It is necessary for the government and state entities that are responsible for putting order in cases of administrative disarray, corruption, and other evils encrusted in the UNP, to demonstrate their capacity of maintaining a robust, suitable, and efficient institution in order to face a period of post agreements. The cleansing of personnel affiliated to the UNP with history at DAS, as well as public servants involved in the “corruption cartels”, is key to dispelling doubts as to the dark past of information management, illegal monitoring, and corruption. Likewise it is imperative that the Public Prosecutor make progress in the investigations against those public servants and expose to the public the results of said investigations, so that the responsible parties, regardless of their rank, be judged for their acts.

Circle 6 – More control, monitoring, and real measures of change

Given the sensitive mandate that the UNP has, their significant budget, and the profitability of the private security firms

that are contracted for protection, the entities responsible for the monitoring, control, and inspection must give an indication as to what is happening within the UNP and their previous and current directives. Likewise, given the delicate mission that the protection personnel for people under threat and at risk of being attacked, it is fundamental that the resumes of the public servants chosen to fulfill this mission be, basically, suitable. Unfortunately the precedents in our country demonstrate that many people with experience in protection (seen from the sole perspective of material security) have also been part of intelligence services and entities such as DAS, who took advantage of their mandates to criminalize the advocates and social leaders amongst other social and political sectors. Entities such as the Public Prosecutor's Office must sharpen their investigations and fine vehemently those public servants who have committed grave crimes, such as corruption or illegal monitoring.

Circle 7 – Collective Protection: the key for the future

Given the organizational capacity of Colombians in both rural and urban settings for fighting for their individual and collective rights, and therefore their vulnerability in highly conflictive conflicts, it is necessary to roll out collective protection models, whose results will be the basis for protection

in diverse sectors in a period of post agreements. The Ministry of the Interior already has in their hands a proposal based on the gathering of various experiences. Implementing and validating it to advance without more delays would be a good message to set about harmonizing the institutionalism against the challenge of protecting in the future diverse social fabrics in territories where peace agreements will take lives. This collective protection model must materialize itself as soon as possible. This effort can be accompanied by a pedagogical study with a holistic perspective on protection from the UNP, with the aim of training them in better practices of self defense that contribute to reducing their own levels of risk.

Circle 8 – Awakening prevention

It is time to put into operation the policy of prevention, which also corresponds to the UNP, where the national, local, and regional public servants responsible in the topic make analyses of context, identify threatened and threatening actors, and take measures to mitigate the risk with the aim of impeding these aggressions, as well as limiting the enormous demand for protection. To date contingency plans exist, made by the Ministry of the Interior to bring forward the topic of prevention, but its “landings” in the territories is ZERO; it is time to awaken these contingency plans to give the people life in the regions.

Circle 9 –Friends from outside: reformulating efforts

The international community, through different nearby governments, the System of United Nations, and the European Commission, among others, has contributed in an important way with technical, financial, and political support for the creation and strengthening of the UNP. However, what has been happening within the institution in terms of corruption and administrative disarray is not a good message for the sustaining of confidence in the present and future support of the process of post armed conflict, in relation to the efficiency and suitability of resource management. It is necessary that these countries that support peace and human rights help in the detailed monitoring of their contributions to this entity and the suitability of the employment of these contributions.

Recommendations of the Inter-American Commission of Human Rights, CIDH⁸³ on the Protection of Human Rights Advocates

The content of the **“Second report on the situation of the human rights advocates in America”**, produced by the Inter American Commission of Human Rights CIDH in December 2011, makes clear that the State did not accept the analysis and recommendations made with the aim of adjusting policies of prevention and protection of the human rights advocates. Thus, it is important to remind ourselves of them so that they become effective:

“521. The CIDH signaled in their report in 2006 that the protection measures in place for advocates who find themselves in situations of risk for their lives and personal security must be adequate and effective.⁸⁴ For the measures to be adequate, they must be suitable for protecting the particular risk situation that the person finds themselves in, and to be effective, they must produce the desired results,⁸⁵ in the way that the risk is eliminated for the person under protection.⁸⁶ The Court has signaled that the protection measures must be of an essentially provisional and temporal character.”⁸⁷

“524. For the Commission, it is essential that the protection measures that are implemented permit the advocate to continue in the exercising of his or her daily labor. In this sense, for example, being the exercising of journalism, the Court has indicated that it is necessary that “the modality and coverage of said protection respond to the requirements and circumstances, and that the measures are adapted as much as possible to the required needs to protect the life, personal integrity, and freedom of speech of the beneficiaries and the concrete situations that present themselves”⁸⁸. Furthermore, in terms of community leaders, the Court has ordered the state to provide the beneficiaries protection during their displacements and transporting within and out of the area in which they live.”⁸⁹

So that the protection measures are suitable, they must correspond to the work necessities of the protected person and they must be able to be modified based on the variation and intensity of the risk that the work of the advocate brings with it, and they must be

⁸³CIDH, “Second report on the situation of human rights advocates in the Americas”, 2011.

⁸⁴CIDH, Report on the situation of human rights advocates in the Americas, paragraph 129.

⁸⁵CIDH, Report on the situation of human rights advocates in the Americas, paragraph. 133.

⁸⁶Corte I.D.H., The matter of Mery Naranjo and others. Provisional measures with respect to Colombia. Court resolution 25 November 2010, Twenty-seventh resolution.

⁸⁷Corte I.D.H., The matter of Liliana Ortega and others. Precautionary measures with respect to Venezuela. Resolution 9 of June 2009.

cautelares respecto de Venezuela. Resolución de 9 de julio de 2009. In consideration of the fortieth.

⁸⁸Corte I.D.H., The matter of the television station “Globovisión”. Provisional measures with respect to Venezuela. Court resolution 21 November 2007, In consideration of the the eleventh.

⁸⁹Corte I.D.H., The matter of Mery Naranjo and others. Provisional measures with respect to Colombia. Court resolution 25 November 2010, Twenty-seventh resolution. Fifty-seventh resolution.

especially strengthened when the advocate is in a critical stage of the defense of their causes.”

“526. With respect to those who make up the protection schemes, according to what the Commission has signaled, the privatization of the functions of security has as a consequence that it veers away from the notion of human rights, whose defense, protection, and guarantee are the responsibility of the State.⁹⁰ The Commission considers it recommendable that for the program of protection, the states have a security body available that is separate from that which carries out intelligence and counterintelligence activities, and whose personnel responsible for protection be selected, incorporated, and trained with complete transparency and with the participation of the representatives of the populations that are object of the programs, with the aim of creating strong links of confidence between the people being protected and those responsible for protecting them.”⁹¹

“527. On the other hand, the states must design policies that permit the monitoring of the effectiveness of measures selected to protect the advocate, and that these permit the facing of obstacles that exist

against their work, especially the periods on which the risk level may increase. In this way, if the protection measures are not effective they must be adjusted according to the actual situation that the advocate is facing. The Court has considered that in some issues that “the protection measures adopted by the State [...] have been neither effective nor sufficient, both in their planning and in their implementation in relation to the requirements of protection,”⁹² when during the term of the measures, threats or murders of relatives of the beneficiaries of the protection measures have occurred. The Court has observed that these events are extremely serious and denote the inefficiency of the measures adopted to eradicate these sources of risk and to adequately protect the beneficiaries.⁹³

“528. One way in which the measures accomplish being effective is that “the state authorities establish clear and direct means of communication with the beneficiaries that propitiate the necessary confidence for their adequate protection.”⁹⁴ In this sense, at the same time that the State must establish these channels of communication, it is specified that the beneficiaries provide all the necessary collaboration for the effective implementation of the measures.”⁹⁵

⁹⁰CIDH, Report on Citizen Security and human rights, paragraph 70.

⁹¹CIDH, Report on the situation of human rights advocates in the Americas, paragraph. 136.

⁹²Corte I.D.H., Corte I.D.H., The matter of Mery Naranjo and others. Provisional measures with respect to Colombia. Court resolution 25 November 2010, Taking into account 71.

⁹³Corte I.D.H., Asunto Mery Naranjo y otros. Medidas Provisionales respecto de Colombia. Resolución de la Corte Interamericana de Derechos humanos de 25 de noviembre de 2010, Considerando 53.

⁹⁴Corte I.D.H., Asunto Mery Naranjo y otros. Medidas Provisionales respecto de Colombia. Resolución de la Corte de 25 de noviembre de 2010, Resolutivo vigésimo octavo.

⁹⁵Corte I.D.H., Asunto Mery Naranjo y otros. Medidas Provisionales respecto de Colombia. Resolución de la Corte de 25 de noviembre de 2010, Resolutivo vigésimo séptimo.