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The nongovernmental program for the protection of human rights defenders - Somos defensores - is a protection area that seeks to develop a comprehensive proposal for the prevention of attacks and to protect the lives of people who are at risk due to their work as human rights defenders, namely when they are safeguarding the interests of social groups and communities that are affected by violence in Colombia. The program “Somos Defensores” is comprised of:



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# THE CHANGE

## INTRODUCTION



Colombia is preparing itself for the definitive cessation of armed conflict, but not without first traversing the complex path of negotiation with armed insurgencies. The context and political maturity of the different national actors seem to indicate that we have reached a turning point. The implications of all types (both tangible and intangible changes) are substantial, which of course shall not be mentioned here.

However, for the purpose of this report, it must be said that among the many fundamental changes for building a sustainable post-armed conflict is precisely that the national government generate sufficient confidence for those who are involved in future legal aspects and the emerging political movements. Moreover, their lives and physical integrity must be respected, as the case of the Patriotic Union (Union Patriótica) still haunts the collective memory. The aforementioned means a policy of political and physical protection that is both adequate and necessary. Surely the government will be committed to said security, as we believe the current governmental elite recognize the extremely high political costs paid by the country when faced with these acts.

Having said that, given the dimensions of change that the country now faces, it is necessary to underline that the current policies of protection are, on the one hand, absolutely inadequate, and on the other, unfocused for being able to respond to the transformations that the same negotiations hope to achieve. Thus, if the rumors are true about the possible

agreements for protection for the transition from the armed fight to a legal political life, they would follow the same logic of physical protection as offered by the National Unit of Protection (UNP). Effectively little or nothing would change in terms of protection and they would actually be rather lucky, with UNP managing enormous economic and physical resources that make people feel safe, even if they are not. Yet furthermore this does not let one see that the increased importance for a challenging context such as one of post conflict does not lie in physical protection but in political guarantees for the exercising of public politics.

Due to the importance of the topic and its relation to the numerous debates held over many years between the human rights movement and the national government, the first part of this report shall warn about the perverse nature of continuing to construct 'new' policies of protection based on a worn-out model, whose results have demonstrated that this policy is far from having contributed to resolving the problem at its core, which is of course being the elimination of risk and the actors who are the cause of this risk. Today it is undeniable that many of the people under protection have a perverse dependence on their security system.

Therefore, for the sake of contributing to the improvement of the policy, on the grounds of the changes that are being warned about, and recognizing some governmental advances, this Report mentions some of the changes brought

forward by State and governmental institutions in terms of prevention, protection and investigation. Nonetheless, the immense weaknesses and contradictions in a political sense are also analyzed in such a way that even though the authorities promise all their willingness to bring to a halt the attacks against human rights defenders (hereinafter HRD), the reality is that the figures are not going down – on the contrary, they are increasing, and all for the simple fact of the policy's ineffectiveness for prevention, protection, and judicialization.

All of the abovementioned unfortunately reflects – in real figures – the homicides, threats, attempted murders, and other violations against the HRD in Colombia, despite the grandiloquent speeches given by President Santos and other high civil servants. Furthermore, this contradicts the sociopolitical context that marked 2015 as being the lowest in terms of figures of sociopolitical violence in the country in the last 50 years. Thus, in the second part of this Report, the numbers of attacks in 2015 against these rights activists will be gathered and analyzed, as well as the statistics over the last five years of the government of the President Juan Manuel Santos.

Seeking changes within the framework of the peace talks between the National Government and the insurgents is the absolute minimum that the country expects. However, such transformations must be correct, tangible, and novel for the health of Colombia, which cannot stand more years of sociopolitical violence, nor can it stand even one year more of corruption, inequality, poverty, injustice, or the extraction of natural resources. Therefore, this is also the historical opportunity to change the deep-rooted formula: physical protection versus

human security but without the extraordinary risk disappearing, for which implies the guarantee of the exercising of the defense of human rights and political action versus more democracy and more freedom.

This report, which you shall find below, is considered a pedagogical exercise as it attempts to explain the unexplainable situations that the human rights defenders in Colombia confronted in 2015. Situations that resemble the premeditated stories constructed by the seventh art – cinema – which is capable of making us dream or see the worst side of reality at close or palpable distance. The title of the report is “The Change”, and for good reason; this is as a result of the constant and incessant scenario of change that the leaders and defenders face, and which appears to have an unhappy ending.

Finally we wish to show our gratitude for the financial and political support extended us by the Norwegian Embassy and the international agencies of cooperation DIAKONIA, MISEREOR, Terre des Hommes – Schweiz, Terre des Hommes – Switzerland, Oxfam Intermon and the European Union, as all of their support was fundamental in 2015 for the carrying out of this report. Equally, we wish to thank the diverse human rights organizations that shared information with the Program for this Report. And finally, we would like to thank the support of the Office of the High Commissioner of the United Nations for Human Rights in Colombia (OACNUDH for its abbreviation in Spanish) for their support in the gathering of data for this report.

**Watch the trailer of  
the film of defenders at  
[YouTube](#) / Programa Somos Defensores**





## POLITICS AND HUMAN RIGHTS DEFENDERS

As well-known as this phrase may be, it is the starting point for our report: "Reality is stranger than fiction". And it is this reality that the HRD in Colombia in 2015 faced which would not seem out of place in a drama, action, suspense, science fiction, or in the worst of cases, horror film. For this reason, and to understand better the *film of the defenders* in the previous year (which is also called *The Change*), we shall see in detail exactly what they faced, what they won, what they lost, what the conflicts in which they were involved were, and finally if this story has a happy ending or not.

Getting to the point, the year 2015 ended with broken governmental promises and others which put simply were never fulfilled, despite being an expeditious need of the defenders; let's look at what changed their situation in 2015:

### THE ATTORNEY GENERAL'S OFFICE: Simply, they don't love you

During 2015, changes were felt at the Attorney General's Office regarding the topic of HRD; in the first half of the year, and as evinced by our bi-annual report "The Nobodies"<sup>1</sup>, the institutional silence of this entity regarding the attacks against defenders was clear. Considering the elevated number of attacks on defenders during the management of Attorney General Eduardo Montealegre, the general perception of the community of defenders and the social movement was of institutional disinterest for not having advanced in at least one investigation of the more than 2000 attacks against social leaders in the last 5 years. It is because of data like this that in Colombia reality truly is stranger than the fiction seen in films for having such a high level of impunity in a country that is striving to achieve piece. The above indicates a level of impunity that ends up being fiction that truly outdoes reality.

After the first half of the year it would seem that the attitude of the Attorney General changed; civil society and government initiatives were reactivated in the search of making progress in the investigations into these crimes by means of the National Roundtable on Guarantees, in

their sub-group of investigations. Through this space, tripartite information was shared among the Attorney General, OACNUDH<sup>2</sup>, and the platforms of the HRD (including information from the Program Somos Defensores), consolidating a spine-tingling number: **in the last 20 years, 729 human rights defenders have been murdered in Colombia**<sup>3</sup>. It ought to be highlighted that the level of under-recording of this figure is quite high, taking into account that in times of paramilitaries, neither the Attorney General nor the Government, nor even these human rights organizations themselves were able to document hundreds of deaths of leaders due to the high levels of danger involved and due to the inaccessibility to many of the areas in which the deaths took place. With the situation so in terms of a high level of under recording, the figure is even more frightening.

To this good attitude and progress in the joint effort of the Attorney General's Office we can add an act by the Attorney General which was the issuing of the Resolution 1783 of 31 August 2015 *"by means of which created a group of special tasks comprised of five prosecutors, six investigators and analysts of national and regional managements, that shall be entrusted with the priority cases of this criminal phenomenon (threats, attempted murders, and homicides of HRD)."*<sup>4</sup>

<sup>1</sup> <http://somosdefensores.org/index.php/en/publicaciones/informes-siaddhh/134-los-nadie>

<sup>2</sup> The Office of the High Commissioner of the United Nations for Human Rights in Colombia - OACNUDH

<sup>3</sup> <http://nacionesunidas.org.co/blog/2015/11/19/en-2015-se-supero-el-promedio-de-homicidios-de-defensores-registrado-en-los-ultimos-20-anos/>

<sup>4</sup> <http://www.fiscalia.gov.co/colombia/noticias/destacada/grupo-especial-investiga-amenazas-y-homicidios-contra-defensores-de-derechos-humanos/>

Pero desafortunadamente pasados unos meses. Yet unfortunately a few months ago and after the Tsunami of good intentions shown by the Attorney General's Office, silence once again reigned in this topic. The investigations initiated resulted in no concrete results, and if there were any, they are unknown. It would seem that the Attorney General lost the impulse and contraposition to this, and the attacks against leaders began to show up again, as can be seen in the analysis of the figures of attacks shown later on in this report.

Again, a lack of results is the order of the day, and the good intentions of the Attorney General Montealegre as demonstrated in the resolution 1783 have resulted in little or nothing being implemented. An important piece of information is that the resolution 1783 omits the prioritizing of important cases like the theft of sensitive information from the defenders which constitutes a constant tactic for immobilizing their labor.

Added to the above is the great concern of the changing of the Attorney General in 2016, inasmuch as this line of action stop being a priority for the new administration, especially considering that there has not been any significant progress in the fight against impunity in cases of attacks against defenders. It seems paradoxical that the defenders who have fought for years for the Attorney General to take the attacks against them seriously, just when they programmatically advance towards real results, they are to be forced to return to negotiate with the new Attorney General and start over in their fight to give visibility to the hundreds of deaths it has cost the social movement in the battle for human rights, so that they are not to remain in oblivion and impunity.

Again, reality truly is stranger than fiction and in part it resembles a sad film of indifference called "Simply, they don't love you"<sup>5</sup>. That is how we could summarize the story between the Attorney General and the defenders: as much as the social leaders try to approach the Attorney General, the further away the latter moves. Simply put the Attorney General does not love the defenders.

### NATIONAL UNIT FOR PROTECTION: Lions for Lambs

In the 2014 edition of the annual report SIADDHH, an entire chapter was dedicated to unravelling the evils that afflicted the National Unit of Protection (UNP in Spanish). In the said report – "The Divine Comedy" – the UNP's slow spiral toward the very hell described by Dante Alighieri in his homonymous masterpiece was exposed. Administrative and functionality problems, financial losses, an entire network of corruption, unnecessary purchases, employees being investigated and fleeing from justice, and an unblemished and transparent ex-director in the face of so much chaos, to name but a few of the reflections in this document.

Today, one year after the release of the said report, but even more pertinent, 4 years after the creation of the UNP, for the human rights movement the feeling is bittersweet. And from the perspective of the program Somos Defensores, it is the moment to assure that **this setback at the UNP was widely warned about** in 2012 in the report "The Placebo Effect"<sup>6</sup>, in the January-June 2013 bi-annual report "Anonymous Heroes"<sup>7</sup>, in the annual report for 2013 "D for Defense"<sup>8</sup>, in the annual report for 2014 "The Divine Comedy"<sup>9</sup>, and with even greater effort in the exploratory stu-

<sup>5</sup> <https://www.youtube.com/watch?v=BmP5LSBsCJM>

<sup>6</sup> Annual report SIADDHH 2012. Pg. 12. <http://www.somosdefensores.org/index.php/en/publicaciones/informes-siaddhh/131-informe-anual-siaddhh-2012-proteccion-sin-prevencion-un-efecto-placebo>

<sup>7</sup> Bi-annual report SIADDHH January - June 2013. Pg. 37. <http://www.somosdefensores.org/index.php/en/publicaciones/informes-siaddhh/87-informe-semestral-2013-siaddhh-heroes-anonimos>

<sup>8</sup> Annual report SIADDHH 2013. Pg. 19. <http://www.somosdefensores.org/index.php/en/publicaciones/informes-siaddhh/117-informe-siaddhh-2013-d-de-defensa>

<sup>9</sup> Annual report SIADDHH 2014. Chapter 1. <http://www.somosdefensores.org/index.php/en/publicaciones/informes-siaddhh/132-la-divina-comedia>



dy “Protection on the Board”<sup>10</sup>. In each of these reports, the growing concerns in all aspects of the scandals at the UNP were made clear, and without the government having taken any action against these warnings. **5 reports, 5 warnings in 3 years which, seemingly, were insufficient.**

This was until, in 2015, the Comptroller General of the Republic (the highest legal investigative entity in the country) made the results of the interventions on the finances and administration of the National Unit of Protection public, and the topic came out from under the shadows. As an expeditious way of evincing the findings from the state itself regarding the situation warned by the Program Somos Defensores, we shall reproduce the most important statements made by this institution in 2015.



#### **Announcement 135 – July 2015**

- “An apparent loss of funds to the tune of \$14.790 million pesos was established, for recognitions and payments without justification of the various “reimbursable expenses” (airfares, tolls, gasoline).
- The UNP acquired 1.669 pistols, when the number of hired bodyguards did not exceed 400.
- Outsourcing has generated high costs for the UNP and this, combined with the deficiencies in control and tracking of the services that are contracted, has resulted in a fiscal deficit of \$33.000 million pesos for the year 2015.
- In an anti-economic act, the entity rented bulletproof vests when they had previously acquired such elements which were not supplied to the security systems.
- The renting of these vests continued to be paid, when in the storage facility of the UNP there was a monthly average of 5.795 of these items.
- The CGR also questions that the entity be able to rent vehicles when they have

had no beneficiary assigned them, as well as when others have been available.

- The Comptroller issued their inconformity with the management and results of the UNP for the year 2014. The accounts at the entity were not finished and the opinion on their accounting was negative.”<sup>11</sup>



#### **Announcement 188 – October 2015**

“The Comptroller General of the Republic (CGR) initiated a Special Act of fiscal control in the National Unit of Protection UNP, with the aim of establishing the economic impact of the irregularities detected in the audit executed during the first half of 2015. It is also about individualizing the fiscal responsibilities in the administration of resources at the entity.

The main objective will be to bring forward a detailed verification on the legitimacy of the payments made by the UNP for the concept of Reimbursable Expenses in the contracting of Security Systems. **The audit detected an apparent loss of funds of \$14.790 million pesos for recognition and payments without justification of the various Reimbursable Expenses (airfares, tolls, gasoline).**

Additionally, the Delegated Comptroller for the Sector of Defense, Justice, and Security designated an interdisciplinary team to carry out a series of tests aimed at establishing an inventory and state of vehicles of the entity ceded to the Ministry of the Interior and Justice and the DAS. Also, a verification of the inventories of the UNP was made in relation to the elements and services of information technologies in terms of use, updating, availability, and cost.

Finally, the state of the goods given back as a result of the ending and removal of security systems for the years 2013 and 2014 will be revised. An announcement is programmed to publish the results obtained and to carry out the transfer of the goods where necessary, before the end of this year.”<sup>12</sup>

<sup>10</sup> Special report SIADDDH. <http://somosdefensores.org/index.php/en/publicaciones/informes-siaddhh/88-informe-especial-proteccion-al-tablero>

<sup>11</sup> Comptroller General of the Republic Press Release 135 – 30 July 2015 <http://bit.ly/1o1cYOP>

<sup>12</sup> Comptroller General of the Republic. Press release 188 – 7 October 2015 <http://bit.ly/1Q7Qjfr>



## Announcement 201 – November 2015

- *"Recursos por \$1,12 billones ejecutó la*
- *"Resources to the sum of \$1.12 billion pesos were implemented at the UNP between 2011 and 2014 to attend to the beneficiaries of protection schemes.*
- *The number of protection systems provided increased by 51% between 2013 and 2014.*
- *Expenses on conventional vehicles had the highest increase between the years 2013 and 2015.*
- *The primary function of the UNP is practically outsourced: of the 3.357 people who work at the Sub-department of Protection, 86% of them (2.887) are contractors.*
- *The budgetary planning of the UNP presents significant deficiencies, indicated by this analysis of the CGR.*
- *This "culture of lawsuits" is aggravating the financial situation at the entity: in the first four months of 2015 the entity had to pay \$1.431 million pesos to fulfil judicial orders that are the result of writs of protection"<sup>13</sup>*

The complete reports presented by the Comptroller are not available to the public based on the reason that the UNP is an entity of national security and due to this the said analyses are equally confidential. However, and only by revising the information made available publicly, the warnings made in the reports from the Program Somos Defensores were not only correct but in fact underestimates of the enormous failures at the UNP.

But having evidenced that these warnings were correct, who is then responsible for these setbacks? It could be said that the government of Juan Manuel Santos as a whole is responsible for this situation, but upon further scrutiny it would seem that two employees stand out. These two public servants who have not to date been investigated in any way, were at the head of this "new" way of protecting not only the defenders of human rights but also

the people considered at extraordinary risk in Colombia: the ex-minister of the Interior and current Vice-President of the Republic and leader of the political party Cambio Radical (Radical Change), Germán Vargas Lleras, as well as his loyal pupil and director of the UNP for four years, Andrés Villamizar.

These two politicians were behind the design, implementation, and execution of the National Unit of Protection from its very creation until the blow up of the scandal (Villamizar as Director of the UNP and Vargas Lleras as Minister of the Interior in the first period of Santos), without there having been any authority to date that has investigated their administrative or political responsibility in the more than 150 errors detected by the Comptroller. It is unlikely that there will be any public servant that dares to open any preliminary investigation into the role of Germán Vargas Lleras and Andrés Villamizar in these incidents, given the political power that Vargas Lleras holds at this moment in time, especially after the elections of October 2015 in which the party Cambio Radical (that he created and runs) triumphed by conquering "seven governorships and six capital mayorships. That is without counting the numerous coalitions that they forged with all types of parties, from those such as *Unidad Nacional (National Unity)*, those being questioned such as *Opción Ciudadana (Citizen's Choice)*, and even opposition parties such as *Centro Democrático (Central Democratic)*."<sup>14</sup> With things as they stand, this will be another of the White Elephants of Colombian politics in which the whole world will know who the politicians responsible for the excesses at the UNP were, but they will never be judged for it.

One person who has had to face the tsunami of criticisms, investigations, and negative results of the previous administration is the current director of the UNP Diego Fernando Mora. This ex-businessman from the East of Colombia had to sit out the storm that Andrés Villamizar left the entity in after the President

<sup>13</sup> Comptroller General of the Republic. Press release 201 – 9 November 2015 <http://bit.ly/1T5f2As>

<sup>14</sup> <http://www.semana.com/nacion/articulo/cambio-radical-gana-en-las-elecciones-2015/447651-3>



of the Republic had formally requested his resignation<sup>15</sup>, which is not how Villamizar had announced it in various media, where he claimed to have voluntarily resigned. Mora had to face not only the Comptroller's Office but also the sensitive public opinion that wanted more information on the financial disaster in the UNP, a situation that never occurred as it would seem that this new director had been given an explicit order from high up in the government to maintain a low profile and avoid the excessive media participation of the previous director, Andrés Villamizar.

Under the administration of Mora, things have undoubtedly changed. With the eyes of the Comptroller carefully placed on the entity and its management, the new director had to not only open the accounting books that he did not know about, but to "bring into line" the employees, contractors, and even people receiving protection. In this task, of course very discretely, he has been successful and the UNP is recovering after 4 years of wasteful spending and poor political, administrative, and financial planning. **After the findings of the Comptroller, the parting words of Andrés Villamizar seem like a joke in very poor taste: "my message to the people receiving protection from the Unit: at your service is a unit that is solid, robust, and free of corruption and of mismanagement (...)."**<sup>16</sup>

This sad story of the National Unit of Protection that was warned about also finds an equally complex and delicate comparison in cinema; "**Lions for Lambs**"<sup>17</sup>, a film made in 2007 which narrates how policies are designed in favor of strategic economic sectors, flying the flag of the security and protection of the weakest, whilst really creating a great business for a privileged few. Ultimately the national government benefitted "the lions" of security firms at the cost of the "lambs", threatened

and avid for protection. One would have to hope that this financial wastefulness does not present itself in a similar fashion in the protection of the thousands of de-mobilized people that, in a period of post conflict, will also trust the word of the government that they will receive protection be fulfilled. Will it be? And at what cost?



### **Collective Protection: The Key to Peace**

A sensitive topic over the past few years which has directly interfered on the actions of the National Unit of Protection, and in general of the entire state protection mechanism, is collective protection. This was signaled as being worrying in previous reports from the Program Somos Defensores. Yet in 2015 there was a significant change in the issue that is worth looking at more closely.

Since 2004 the Constitutional Court, in response to a writ for the protection of fundamental human rights by victims of forced displacement in which they solicited governmental help from entities responsible for providing the mechanisms of prevention and collective protection, cast an initial diagnosis by means of the Protection Rule 025 of 2004, which allowed the evincing of the failures and structural absences of the State to face the scourge of displacement.

In the said failure, the Court exhorted the entities under Ministerial order to construct a risk matrix that would permit the diagnosis of the collective risk situation, given that for this period an adequately conceived matrix already existed to evaluate the risk of individual cases, only lacking an instrument for the evaluation of groups, collectives, or communities.

In the absence of this technical instrument to evaluate collective risk, the Santos gover-

<sup>15</sup> <http://www.lafm.com.co/noticias/andr-s-villamizar-presentar-su-174317>

<sup>16</sup> <http://www.lafm.com.co/noticias/andr-s-villamizar-presentar-su-174317>

<sup>17</sup> <http://www.imdb.com/title/tt0891527/>

nment, in its first period, issued a series of decree-laws<sup>18</sup> that, although they were not aimed at the construction of this collective tool, did however signify the beginning – in the framework of transitional justice – of including some vulnerable populations with the objective of generating assistance on behalf of the national government entities toward communities and groups, but leaving to one side the social organizations which have also been victims of violence.

With the passing of these two long lustra of excuses and shortcuts by the National Government, on 21 August 2015, the National Unit of Protection issued the protocol to implement *the Route of Collective Protection* through the resolution No. 1085. Said route started its implementation on 17 December 2015 with *the first Committee of Risk Evaluation and Measurement Recommendations - CERREM - of Collectives*, and the first risk assessments that have been done are oriented toward fulfilling applications made by the Constitutional Court in the framework of fulfilling the sentence T-025 of 2004, relative to the safeguarding of constitutional rights<sup>19</sup>.

The expedition of the said resolution in itself is new, as it signals a change – a normative change – in the form of seeing collective risks and the way of mitigating them. But the protection model proposed does not separate from the already traditional material protection, without generating a transformation in the political and social actions of the community, group, or collective which permits the elimination of the generated causes of risk and threats to the State and society. **The protection model of the UNP, before eliminating the causes of risks and threats, prolongs them in the time spent under this protection system, converting the people under protection into subjects dependent on the system.**

This CERREM of Collectives and its model for protection maintains the institutional vision of *active subject / passive subject*, in which passiveness dodges the responsibilities that allow the State to “organize” the lives of the groups or collectives, sidestepping the rights and duties of the citizens. The way in which the State transforms the lives of the members of a social process under protection in a pragmatic discourse collectively creates a sense of community characterized by dispossession and the need for assistance. **For this reason, the importance of promoting active and participative citizenship in the CERREM of collectives is a necessity and must be included in the new policy.**

Normative change requires that the institutionalism itself transform in the face of post-conflict, which qualifies its employees as being those who have the challenge of exceeding the primary and conventional. This institutional re-education implies real inter-institutionalism<sup>20</sup> that is mentioned in the resolution 1085 with a view to instilling a **culture of comprehensive collective protection, which is none other than guarantees of NO ATTACKS.**

It is important to note as positive that within the said resolution the social or political organizations that are not legal entities have been included and can be objects of protection, including them because of social recognition in the territory. This is an important step toward a different reading of the emerging contexts and the new risk matrixes.

In response to the paragraph of collective protection measures (Art. 4, Res. 1085/2015), organizational and community strengthening is mentioned. For this type of specific measures (preventative and protection), it is envisaged that a tracking route under the responsibility of the Human Rights Management of the Mi-

<sup>18</sup> Decree-Law 4633/0211 Articles 15-18; 20, 29,30 y 33, By means of which the measures for assistance, attention, comprehensive recuperation, and the restitution of territorial rights for the victims belonging to indigenous communities. Decree-Law Ley 4635/2011, by means of which the measures for assistance, attention, comprehensive recuperation, and the restitution of territorial rights for the victims belonging to the black, afro-Colombian, Raizal, and Palenquera communities. Article 47. Special measures for the protection for the rights to life, security, freedom, and integrity for the communities in situations of extreme or extraordinary risk, and The Decree 4800 of 2011 which considers collective protection. Article 218. COLLECTIVE PROTECTION.

<sup>19</sup> <http://www.unp.gov.co/noticias-noviembre-004>

<sup>20</sup> Article 5, Resolution No. 1085 of 2015



nistry of the Interior be established, that in the manner articulated with the territorial entities shall verify the implementation of such measures. However, we insist that by analyzing one of many such aspects that the communities which are a fundamental part of society and who also assume the risks and threats, are being left to one side.

On the other hand the protection measures mentioned in Article 4 of resolution 1085 are not only limited to bullet-proof vests and cell-phones; they also mention actions for strengthening, promotion, and support for the collectives at risk. However, it is not clear who will assume these functions – the Management of Human Rights at the Ministry of the Interior and its group of Preventative Management of the Risk of Violations of Human Rights? This assertion is incongruent given that the said group has within its many functions that of coordinating with competent authorities at various levels of administration of the State the preventative management of individual and collective risk and the adoption of measures to mitigate the effects of the materialization of this risk, to prevent new violations of human rights, and to avoid the worsening of the damage caused.

Everything would seem to indicate in accordance with this panorama that prevention is being diluted in the protection, and that prevention is implemented from the institutionalism as a reactive prevention and that early prevention is only a technical neologism to simulate the institutional incapacity to implement a prevention policy for human rights. That is, a Policy of Guarantees of the Defense of Human Rights, which will be the object of a paragraph dedicated to prevention.

In accordance with the array of protection measures of the said route<sup>21</sup>, it is possible to determine that something different is happening in the UNP, as to have given an answer to the Resolution 1085, this entity must have

contracted a number of specific employees to attend to collective protection. If true, we consider that it is an important step to overcome institutional stagnation. Nonetheless, we also consider that this change must be reflected qualitatively with a number of risk analysts for collectives in the institutional makeup of the CERREM (Article 2.4.1.2.36, D 1066 of 2015), which must start to be included in the System of Early Alerts of the Ombudsman with voice and vote. This is due to their being the only governmental actor that works at a national level, in the territories and with communities.

The Decree 1066 of 2015<sup>22</sup> mentions, in paragraph 6 article 2.4.1.2.37, that four (4) delegates shall be invited to each one of the populations that are objects of the Program of Prevention and Protection, and **who shall be exclusively present in the analysis of the cases of the population group that they represent**. Here one must tread carefully because the said article (2.1.4.2.37) can be traced back to the individual system of CERREM where the representatives are the same, and a community or organization does not always see its interests and stakes reflected in these representatives. This warrants a change in normativity and in reality because the tripartite decisions must attend to the new risk matrixes and different readings.

It is also known that the representation of the organizations and communities will be directly reflected in the development of the evaluation of collective risk and in the CERREM, just as it was in the first collective CERREM that was brought forward by the Community Council Black Revival in el Cauca. It is vital that it abide by a formal exercising of regulations, as it would contribute to the legitimization of each one of the collectives and to their recognition of autonomy.

The Decree 1066, Article 2.4.1.2.3 and its 24 paragraphs to which the resolution 1085 complies, makes no mention of the collectives,

<sup>21</sup> See Resolution 1085 of 2015 from the Ministry of the Interior. Article 4

<sup>22</sup> These decree abolished the decrees 4912 of 2011 and 1225 of 2012 that were constituted in the general framework Program of Protection and Prevention

groups, communities or any expression of society, be it organized or not. It is important that this be mentioned, as were it not to be, the resolution would be optional for the UNP and the CERREM, and a great number of performing groups, women collectives, and transgender collectives would be outside of the scope of this protocol, as recently occurred in the Congress of the Communities.

Law has been and may continue being an excellent tool for the protection of people, yet understanding its function as part of a wider strategy. Making norms to then idolize them makes no sense whatsoever<sup>23</sup>.

The resolution 1085 is the first attempt at driving an interinstitutional articulation for a collective protection run by the Management of Human Rights at the Ministry of the Interior and the UNP; for this reason, it is important that progress starts to materialize and systematize so that said progress and the consequent achievements under this protocol be made known.

One last aspect to keep in mind within the changes that the UNP has exhibited with the Resolution 1085 has to do with psychosocial attention. This is a fundamental aspect that has not been addressed as one of the transversal axes in the affectations of the conduct of leaders, defenders, and social organizations at risk or under threat. Surely it is an aspect that the communities themselves do not manage to prioritize or make visible, but it is nonetheless a topic that needs to be prioritized in order to overcome the angst of violence.

In this way, and remembering what was addressed in the previous reports of the Program Somos Defensores when collective protection was referred to as being key for the future, and whose results will be the basis for the protection of diverse sectors in a period of post-agreements, it becomes clear that what was previously detailed is a good message to start

harmonizing the institutions for the challenges of protecting the future diverse social fabrics in territories where the peace agreements will come to life<sup>24</sup>.

### DEFENDERS IN PEACE: The Bridge over the River Kwai

The social and human rights movements have always worked and advocated for a negotiated exit to armed conflict in Colombia; and ultimately it is these movements which have “shouldered the burden” in many territories by means of the regional and local verification of the implementation of the talks in La Habana, as well as the continued fight for the construction of a peace with social justice. In this regard, 2015 was a key year for the participation of the social movement and the human rights defenders in the construction of closer and more effective dialogues toward peace. We can identify a few of the most important contributions:

1) Participation of the women’s movement in the dialogues: The organizations of the defense of women’s rights, between the end of 2014 and all of 2015, demonstrated significant strength and organization when faced with the challenges that are being addressed at the table in La Habana. Diverse organizations came to agreement in several of the key themes that face post-conflict and their voices were heard at the negotiation table<sup>25</sup>. This high level of female participation catches the attention as it was during this same period (September 2014 – December 2015) that they were receiving constant threats by alleged armed perpetrators<sup>26</sup>.

2) New peace initiatives: The social and human rights movements concentrated on setting up new bridges of communication to articulate the efforts that allow real work proposals to have an impact on the overcoming of armed conflict and to take the

<sup>23</sup> <http://www.elespectador.com/opinion/los-polemicos-derechos>

<sup>24</sup> <http://somosdefensores.org/attachments/article/132/la-divina-comedia-web-final.pdf>

<sup>25</sup> <http://www.semana.com/educacion/articulo/primer-aniversario-de-la-subcomision-de-genero-de-la-habana/442452-3>

<sup>26</sup> <http://somosdefensores.org/index.php/en/sala-de-prensa/noticias/135-trabajo-por-la-paz-amenazado-a>



said proposals not only to La Habana but also to generate regional and local work, such as implementing a fair and equal peace agreement. Proof of this is in the new networking initiatives such as the proposal for peace by Mesa Social. This proposal *"emerged as a result of the articulation of peace building initiatives from the regions and it was configured based on the necessities and demands of the Colombian society that has systematically been excluded from the agendas of the state and marginalized by political decision"*<sup>27</sup>.

3) Peace talks: These are characteristic of the social and human rights movements, and the high number of events that are developed to result in discussions on the topics that are of interest to them. However, in 2015 the seminars, discussion groups, meetings, and workshops were widely concentrated on the debates on the building of peace, the process of negotiation, and the agreements reached and to be reached in La Habana, with a high level of regional participation. These talks were not only held within the same community of defenders but they were also opened up to other sectors of society (unions, churches, businesses, academia, the international community, United Nations, political parties, and so forth). These initiatives, in addition to being important, are absolutely necessary given the role the defenders will play in a possible context of transition and of post-conflict<sup>28</sup>.

4) The nomination of HRD for the Nobel Peace Prize: Luz Marina Bernal, Jineth Bedoya, José Antequera, Constanza Turbay and Leyner Palacios are representatives of the pain of the victims of the conflict in Colombia, and this same drama has led them to turn themselves into social leaders and

defenders of human rights. These Colombian men and women, next to President Santos and the leader of the FARC, alias "Timochenko", were nominated for the Nobel Peace Prize for 2016<sup>29</sup>. It is no accident that these 5 defenders be part of this recognition – on the contrary. They represent the indispensable role played by the defenders in the building of peace in Colombia.

With things as they stand, the work of the social and human rights movements with regards to peace was extremely arduous in 2015, building bridges were before they were thought impossible, full of conviction and bravery, facing infinite threats. This is a very similar situation to that in the great film of 1957 "The Bridge over the river Kwai"<sup>30</sup> in which a group of prisoners, despite their precariousness, oppression, and persecution, were able to construct communication between distant lands in the search for their own freedom. **The defenders continue being, without doubt, the great engineers and anonymous workers in the building of peace in Colombia.**

#### OFFICIAL PREVENTION: Nosferatú

This paragraph shall assess the changes in public policies for prevention but starting from one premise: **it has been observed, worryingly, that the progress in this area is almost null and the regulations for the prevention of violence against defenders are dead letters in a decree.** This is without mentioning the dominant role of the Attorney General's Office with respect to the advance in investigations on attacks against defenders, which is, judging by results, like the wind - imperceptible.

In the recent *International Meeting of the Protection of Human Rights Defenders of America*<sup>31</sup>, the ways of measuring prevention were investi-

<sup>27</sup> <http://colombiainforma.info/politica/seccion-politica/2871-mesa-social-para-la-paz-un-nuevo-campo-de-lucha-para-el-movimiento-social>

<sup>28</sup> <http://centromemoria.gov.co/conclusiones-del-encuentro-nacional-de-paz/>

<sup>29</sup> <http://pacifista.co/estos-son-los-siete-colombianos-nominados-al-nobel-de-paz/>

<sup>30</sup> <http://www.imdb.com/title/tt0050212/>

<sup>31</sup> The INTERNATIONAL MEETING FOR THE PROTECTION OF DEFENDERS OF HUMAN RIGHTS IN THE AMERICAS was held at Hotel Suites Jones in Bogotá. 18 and 19 November. It gathered 18 representatives of 14 American, European, African and Asian countries (Mexico, Honduras, Guatemala, El Salvador, Peru, Colombia, Brazil, Paraguay, Uruguay, Bolivia, Spain, Belgium, Philippines and Burundi), as well as 15 representatives of organizations in Colombia that specialize in working for the protection of human

gated. The results found coincide to a high degree in that as the attacks, threats, attempted murders, information theft, homicides, femicides, and abuses of the penal system against the defenders reduced in percentage, this would be an indicator of the effectiveness of the prevention policy. That is, that by means of these figures, the policy may be measured. The numbers serve to convince us of the obvious, of what we already know; they are true, but at the same time it is the best way to soften the impact of reality and make it abstract. However the figures do not coincide with the defender's reality.

According to the statistics provided by the Ministry of Defense, homicides in Colombia reduced from 13.343 in 2014 to 12.673 in 2015<sup>32</sup>. Equally, according to the most recent study by the Center of Resources for the Analysis of Conflict (CERAC), 2015 was, especially in the second half of the year, the most pacific of the last 51 years in Colombia<sup>33</sup>, with a reduction of 94% in the actions of the Guerillas, and a reduction of 72% in confrontations between the FARC and the Army, as well as a 98% reduction in the number of civilian deaths due to conflict<sup>34</sup>.

On the other hand, in 2014 SIADDHH recorded a total of 55 homicides of HRD and social leaders, and at the close of 2015 they had recorded 63 murdered leaders (13% more than the previous year). So how can the aforementioned be explained when in 2015 armed confrontations reduced by almost 80%? Is it possible that the violence against defenders of human rights is not a part of armed conflict? And if so, in a context of post conflict, is a guarantee of a reduction in attacks on

leaders not offered? Where are the results of the prevention policy of the Government? Are there not norms to prevent such violence?

In order to answer this last line of questioning it is necessary to revise the existing prevention regulations in force in 2015, as the State is not "at zero" in this area:

- The Decree 1066 of 2015 (that abolished the Decree 4912/11 and 1225/12) is the only one that refers to the policies of the State in terms of prevention and protection
- The District Project No. 832 named Comprehensive plan for the prevention and protection of female leaders, victim leaders, and defenders of human rights in the District Capital: Territories for protection of life and peace building.
- The Decree No. 4100 of 2011, that refers more to the National System of Human Rights and International Humanitarian Law, which has as its aim to bring together the national and territorial entities, as well as coordinate actions to promote the respect and guarantee of human rights.
- The Delegated Ombudsman for the Prevention of the Risk of Violations of Human Rights and International Humanitarian Law, who has as an objective to develop the lines of institutional policies that permit the efficient intervention in the prevention of massive violations of human rights and infractions of International Humanitarian Law.

rights in the context of generalized violence. This was an initiative of the organizations Thought and Social Action, Program Somos Defensores, Diakonia, Swefor, Udefegua, Protection International and the EU, with the political support of OACNUDH, the Norwegian Embassy, the Swedish Embassy, the Swiss Embassy, Oxfam, IFA, and MAPP OEA. The meeting allowed the sharing of knowledge and experiences of the protection of defenders of human rights in countries that have already been through a post-conflict period.

<sup>32</sup> Ministry of National Defence. Achievements of the Policy for Comprehensive Security and Defense for - PISDP 2015, Pg. 8. [https://www.mindefensa.gov.co/irj/go/km/docs/Mindefensa/Documentos/descargas/estudios%20sectoriales/info\\_estadistica/Logros\\_Sector\\_Defensa.pdf](https://www.mindefensa.gov.co/irj/go/km/docs/Mindefensa/Documentos/descargas/estudios%20sectoriales/info_estadistica/Logros_Sector_Defensa.pdf)

<sup>33</sup> <http://www.elespectador.com/noticias/politica/hace-51-anos-no-se-presentaba-una-reduccion-tan-grande-articulo-611701>

<sup>34</sup> CERAC. Monitoring of the De-escalation of Internal Armed Conflict in Colombia. <http://blog.cerac.org.co/monitor-de-desescalamiento-del-conflicto-armado-interno-en-colombia-2>



- The Resolution No. 147 of 2012 by which the Public Prosecutor's Office creates the National Unit for Public Policies for Prevention in Human Rights and International Humanitarian Law<sup>35</sup>.
- The Management of Human Rights in the Ministry of the Interior – the Preventative Management Group for the Risk of Violations of Human Rights has as its objective to design and implement measures of prevention that are effective, opportune, and with a differential focus, in coordination with the entities and authorities of the different territorial levels and promoting the participation of the beneficiary communities. This is to guarantee the exercising of the rights of life, of integrity, of freedom, and of security for groups or communities that are at extreme or extraordinary risk.

On the other hand, the topic of prevention has arisen in the peace talks in La Habana. The 2<sup>nd</sup> point on the one hand and the 5<sup>th</sup> point (victims) on the other respectively signal: **i)** that the Government shall establish a Comprehensive Security System for the exercising of Politics within the framework of guarantees of rights and liberties, which will be a similar system of security guarantees for leaders of social and human rights movements in situations of risk. And a widely participated discussion shall be promoted with the expedition of a Statute for the Opposition, and **ii)** In the creation and execution of a National Plan in Human Rights with the effective participation of the human rights and social movement organizations that, taking into account the different efforts of existing policies, shall allow adjustments according to the necessities of a peace building process.

After having made this revision, one may conclude that the State has advanced in norms and preventative proposals, however they are mere dead letter. **If prevention is measured**

**based on statistics of casualties, everything would lead us to believe that in Colombia there is no prevention of attacks on defenders** and that this continues to be asleep as was highlighted in the report "The Divine Comedy"<sup>36</sup>, Circle 8 – To Awaken Prevention. Regulations do exist but they are incoherent in terms of reality or they have never really been implemented.

It seems that, upon revising the infinite number of prevention decrees, the agreements that are being discussed in La Habana about the topic, and the figures that do not realize the advances in prevention, it is therefore possible to conclude that **the Government forgot its responsibility of preventing violence against defenders**. Despite the lack to date of a clear and defined law on prevention, it is sufficient to revise a few of the attempts of the Management of Human Rights of the Ministry of the interior, who have been working for four whole years writing up a project of public policy in human rights for prevention and without any results. However, the government always maintains that it is aware of the attacks against defenders and that they are up to speed on the situation but they do not show or make effective any existing policies in order to eradicate the causes of these attacks.

How then do we explain the deaths of 346 leaders and defenders over the last 5 years if we suppose that the Government is aware of the situation? **Whilst some state agencies (like regional ombudsmen) fight back against the murderers by recording the events, others collect this information to then ignore it. They know about it but they actively ignore it. Because the Colombian State, in addition to measuring, knowing, counting, and accumulating information, also carries out the daily task of ignoring**<sup>37</sup>. As was earlier mentioned, prevention in Colombia does NOT exist, or is it that the HRD have never been important to the state?

<sup>35</sup> <http://www.procuraduria.gov.co/portal/media/file/RESOLUCION%20147%20DE%202012.pdf>

<sup>36</sup> <http://somosdefensores.org/index.php/en/publicaciones/informes-siaddhh/132-la-divina-comedia>

<sup>37</sup> <http://www.elsespectador.com/opinion/lideres>

For all of the above reasons, it is lamentable that – with the exception of the work carried out by the SAT of the Public Ombudsman – prevention in Colombia is in intensive care and requires urgent change, which if not done will result in the HRD and social leaders continuing to occupy the shameful first position in the lists of the most threatened people in the continent whilst we are in the middle of a transition towards reconciliation and material protection. And this is considering that the UNP's budget during their first three years of existence easily surpassed the sum of one billion pesos.

**The last question that bothers the human rights movement is will the government continue to invest huge sums of money in the system of physical protection instead of investing it in a real implementation of the preventative mechanisms that impact upon the causes that risk carries with it, as is the case with paramilitaries.**

By way of finishing, again there appears to be another coincidence with cinema; as the legend tells, in a faraway land there exists a man who fed on the blood of humans, who lived in a castle, who was somber, and who always introduced himself as a Count of the High Society. Nobody dared seek him out to meet him, until an investigator met him and wound up dead. This of course is NOSFERATU<sup>38</sup>, the most sinister and oldest of all vampires in cinema. And it is in this which the prevention of violence against defenders in Colombia has converted itself; in a legend, a series of norms that exist yet nobody dare apply them, and he who dares do so may find himself killed in the attempt. **Prevention is like the living dead, who jump from decree to decree without having their own lives, and along their path they leave a trail of deaths that could have been prevented.** If the numbers are responsible for fabricating this abstract reality, then we have 346 families of murdered defenders over

the last 5 years who do not see it as being as abstract as the Colombian Government.

### THE ROUNDTABLE ON GUARANTEES: *Eternal sunshine of the spotless mind*

The National Process of Guarantees, formally started in 2009, was a result of the requirement of guarantees for the exercising of labor in defense of human rights, presented to the Government and state entities in November 2008 by the Platform for human rights and peace. They were able to bring the need to offer security to those who dedicate their work to the defending of human rights to the center of the national and territorial agendas, especially considering they are substantial elements of democracy and peace.

At the time, the government's willingness to hold dialogue was valued, along with the various state entities, and at the same time as the decided accompaniment of the international community through the G-24<sup>39</sup> and the OACNUDH. The process permitted the diagnosis of the grave situation of a lack of guarantees for defenders of human rights and social leaders in 11 states, as well as the identification of eventual proposals and strategies for overcoming the situations of threat and risk.

Unfortunately, this effort was not enough in light of the serious risk that defenders and social leaders faced – or face – every day in the whole Colombian territory. The high number of proposals presented by the civil society in the national and territorial spheres were not processed with the necessary celerity for the mediate and immediate situations of the lack of guarantees.

With the aim of making a more executive action plan from this roundtable, in 2014 two groups were created to work 1) in the protection of the defenders and 2) in the investigation of the attacks. These roundtables were very well re-

<sup>38</sup> <http://www.imdb.com/title/tt0013442/>

<sup>39</sup> The G-24 was an initiative of the most important Embassies in Colombia that cooperated on human rights matters, in which the most recurrent topics on the topic were discussed, as well as exploring how these countries could support the search for solutions to the problem.



ceived by the civil society and the defenders began to participate extensively. However, with the passing of the years, this roundtable and its respective sub-groups became intermittent and the government's focus was concentrated on a variety of other spaces that resulted in the removal of any real power from the discussions and decisions that the national roundtable of guarantees made. These roundtables had a political perspective of discussion and sought to provide political guarantees to the defenders in the exercising of their labor. An example of this situation is when in 2015 this roundtable held just one session in the month of July, as did the sub-group of protection which also held just one meeting in the whole year of 2015.

It is unfortunate that this once powerful roundtable that was driven by the government, civil society, and the international community as a space for discussion and political decisions, be lost in the memory of the ministers, institutions of control, and even the Presidency of the Republic, until it became a mere fond memory in favor of the protection of leaders and defenders. This bears a sharp resemblance to the protagonist of the successful independent film from 2004 called "Eternal Sunshine of the Spotless Mind"<sup>40</sup>, and just like this protagonist, the Colombian government has removed these spaces and instruments for remembering that the defenders of human rights must be protected and that they form an integral part of the building of peace.

## THE GOOD, THE BAD, AND THE UGLY

In the analysis of this film of the HRD in 2015, one must differentiate. Even though there were all kinds of changes, there are some actors who have had more positive roles than historically, for which reason we evoke the most celebrated of the spaghetti western films to explain it: THE GOOD, THE BAD, AND THE UGLY by Sergio Leone<sup>41</sup>:



## The Good: The International Community and OACNUDH

Throughout the history of conflict in Colombia the labor of the international community to protect defenders of human rights has commonly been seen in a good light. Thanks to their presence, political advocacy, and support of the social and human rights movements, the actions of demands in terms of protection from the Colombian government were more effective and the defense of these human rights was strengthened thanks to this international support. Just by mentioning one fact we can support this statement: *"In agreement with the figures revealed by Sandra Besudo, the director of the Presidential Agency for Cooperation, the international community provided a quarter of the total resources directed towards the fulfilling of three specific purposes: to effectively guarantee the rights of victims, to assure comprehensive recovery, and to promote human rights, international humanitarian law, and reconciliation."*<sup>42</sup>

With things as they stand, 2015 was a year in which a greater effort was seen by countries such as Norway, Sweden, Switzerland, Holland, Spain, Germany, France, The United Kingdom, The United States, and the European Union, among others, in the demanding of greater protection of defenders in Colombia. By means of economic support to the Colombian government and the human rights organizations themselves, the willingness of their governments to listen to the demands of the defenders and the always affable and open attitude in support of the work of these activists, makes the international community a very positive actor in 2015.

However, there still is a very real fear that the economic support given the defenders in Colombia be redirected or even disappear completely: *"The decline of Plan Colombia, the*

<sup>40</sup> <http://www.imdb.com/title/tt0338013/>

<sup>41</sup> <https://www.youtube.com/watch?v=exJOy6uTkek>

<sup>42</sup> <http://www.dinero.com/edicion-impres/pais/articulo/cooperacion-internacional-cara-postconflicto-colombia/200019>

*principal source of support resources provided by the United States to the country, and the rating that the Ocde gave the country recently - as being a nation of "medium income" - has led to the cooperation of the United States and the European Union being significantly reduced. Just between 2000 and 2010 the United States contributed US\$7.800 million to the country, but during the four-year-term that followed, the reduction in aid was substantial."*<sup>43</sup>

The Embassies and cooperation agencies have said in many spaces that the cooperation in human rights in Colombia will not vanish, but instead be redirected towards strategic areas; with time we shall see the real destination of this actor.

One special mention is that of the Officer of the High Commissioner to the United Nations for Human Rights in Colombia (OACNUDH for its abbreviation in Spanish) that, under the tutelage of Todd Howland, has flipped the role of this office not only in the topic of defenders but also in the general defense of human rights in the country. Their effort in the work for bringing together both government and civil society has been a determining factor for the advancement of many of the agreement processes in a variety of areas. The opening of new offices in the key areas of the country, the specialization of themes and focuses of action, and the excellent relationships that they establish with all spheres of society, as well as the permanent aiding in different agreement roundtables between social sectors and the government, all lead to OACNUDH definitely being a positive actor in the film of the defenders in 2015. Nonetheless, a cause for concern is the reiterated interest of the national government in removing the OACNUDH, especially in what can only be described as an uncertain future of post-armed conflict, where their role would be of the utmost importance to the country.



## **The Bad:** **Organized Crime**

As was well defined by the Peace and Reconciliation Foundation (Fundación Paz y Reconciliación), organized crime in Colombia has become a "Lernaean Hydra"<sup>44</sup>, of which for each head that you remove, two more are born. Within this categorization of organized crime are the BACRIM (Criminal gangs), the denominated Neo-Paramilitaries, and the local groups of organized crime which do not have national structures of action.

This actor is definitely the baddie in the film of the HRD in Colombia in 2015, as it has become the main aggressor against the activity and lives of the defenders, allegedly responsibility for 66% of the 682 attacks on defenders in 2015, and with more than 90% of the 539 attacks last year. The motives for which these organized crime structures are on the trail of the defenders follows the various hypotheses that point to – in the vast majority of cases – economic interests or territorial control of these groups. The denouncements made by the defenders are based on activities related to drug trafficking (illicit crops, micro-traffic-killing, recruiting youngsters, etc.), extortion payment collection, the theft of lands, and the corruption of public servants, only to mention a few cases.

Despite the multiplicity of the actions of the Santos government to hurt these structures<sup>45</sup>, their actions against defenders seem to have no end. With the figures shown in the previous paragraph, and those which shall be analyzed in detail in the following chapter, it is possible to be sure that this was and will be the predominant note in the period of transition and post-conflict. The defenders will keep on being the targets of organized crime, especially when the social leaders and defenders that have concentrated their actions on the denouncement

<sup>43</sup> Ibid

<sup>44</sup> <http://www.pares.com.co/paz-y-posconflicto/grupos-armados-ilegales/crimen-organizado-una-serpiente-de-mil-cabezas/>

<sup>45</sup> <http://www.eltiempo.com/politica/gobierno/gobierno-anuncia-accion-contra-bacrim/15616864>



of illegal mining, the extraction of natural resources on a small, medium, and large scale, and the relationships between these structures of organized crime and political powers on a regional and local scale, and even with national and translational private companies.

These structures have also become an umbrella for all types of interests against the communities and their leaders and defenders. Cases have occurred in which the authorities have captured the common delinquents that go by the name of “Black Eagles” (Águilas Negras) or other types of names related to these structures to commit crimes such as threats or extortion<sup>46</sup>. However, the lack of results in the investigations on these groups and their relationship to the attacks on defenders is the breeding ground for all types of crimes to be committed, as they remain in impunity and there is no clarity as to whether it is organized crime or simply cases of common criminals. This scenario gets more complicated due to there not being effective mechanisms of prevention that deal with these threats and attacks at their roots, and it leads to an even greater dependence on the mechanisms of physical protection.



### **The Ugly: State Intelligence and Stigmatizing**

With 2015 now behind us, we are left with more questions than answers when faced with the use of state intelligence in Colombia. This has left a very bad taste in the mouths of the social and human rights movements. To date there has not been a clear or adequate explanation given by the National Police, the National Intelligence Agency, the CTI of the Attorney General's Office, nor the Command of the Armed Forces for the countless cases in 2015 in which state intelligence – which should be

collected and used for the security of citizens – was used under all types of criteria and needs, being sold to the highest bidder. Just as we brought to the spotlight in our report “The Nobodies”<sup>47</sup>, at this moment state intelligence is in no-man's land.

This topic of intelligence has been one of the most sensitive in the comprehensive and effective protection of the defenders in Colombia; from the covert actions of the F-2 of the Police force in the 70s to the scandals in the D.A.S. of illegal interceptions. There is still no clarity as to who really controls these systems, or if they even are in control. But 2014 and 2015 drastically changed the panorama in this field; the robust technology of the National Police and other state intelligence agencies generate a great worry in light of the scandals such as the alleged illegal interceptions by the Management of Intelligence on well-known journalists<sup>48</sup>, in which there was no response by the state. This puts the National Police and in general the state intelligence agencies in the position of the ugly ones of this film. Such numerous doubts and accusations without any reasonable response by the state is not seen positively by the defenders, nor by society in general.

This concern is not unjustified, and much less without foundation. In 2015 the British organization Privacy International published two worrying reports about the excesses of intelligence use in Colombia<sup>49</sup>, and even highlighted the concern for the role played by private security firms in illegal interceptions<sup>50</sup>. No Colombian authority has come forth to speak about these reports or the concerns of the HRD on the topic.

On the other hand, the stigmatization of the defenders has, unfortunately, not disappeared in Colombia. In 2015 the bitter sensa-

<sup>46</sup> <http://ecosdelcombeima.com/judiciales/nota-57619-extorsionista-se-pasar-miembro-de-la-banda-delincuencial-aguilas-negras>

<sup>47</sup> Biannual report SIADDHH “The Nobodies”. Pg. 39 <http://somosdefensores.org/attachments/article/134/los-nadie-informe-semestral-siaddhh2015.pdf>

<sup>48</sup> <http://www.elspectador.com/noticias/judicial/chuzadas-periodistas-vicky-davila-era-objetivo-de-alto-articulo-604308>

<sup>49</sup> <https://www.privacyinternational.org/node/635>

<sup>50</sup> <https://www.privacyinternational.org/node/638>

tion of years gone by in which defending the rights of the least protected was synonymous with disrepute and defamation has, sadly, returned. The journalistic program "Seventh Day" (Séptimo día) on the Caracol station broadcast three special programs in which they widely defamed the indigenous movement in the north of Cauca and their representing organizations the ACIN and the CRIC, as well as the defenders of human rights organization Lawyers Collective José Alvear Restrepo (CAJAR), accusing them of being corruptors and violators of human rights.

These programs were publically rejected by the Human Rights movement in Colombia, and they initiated legal action against the pro-

gram and the broadcaster. To the good fortune of the defenders and the good name of these organizations, the Colombian justice system ordered the rectification of these defamations made by means of false information<sup>51</sup>. Whilst this particular case had a happy ending, the practice of stigmatizing social movements and defenders in Colombia persists, posing a huge challenge for all of society in the post-conflict period, in which cooperation will be needed so that this phenomenon disappears and as such allows the building of real peace.

<sup>51</sup> <http://www.contagioradio.com/septimo-dia-tiene-la-oportunidad-de-ejercer-un-periodismo-responsable-articulo-20097/>





## PROGRAMA SOMOS DEFENSORES

PROGRAMA NO GUBERNAMENTAL DE PROTECCIÓN A  
DEFENSORES DE DERECHOS HUMANOS

### ANNUAL REPORT 2015 INFORMATION SYSTEM ON ATTACKS AGAINST DEFENDERS OF HUMAN RIGHTS IN COLOMBIA – (SIADDHH ABBREVIATION IN SPANISH)

According to the data recorded by the Information System on Attacks against Defenders of Human Rights in Colombia – SIADDHH – and the non-governmental Program of Protection of human rights defenders Somos Defensores<sup>52</sup>, during 2015 there was a total of 682 attacks against defenders that put their lives and integrity at risk, and/or obstructed the exercising of their legitimate and legal labor of defending human rights in Colombia.

#### INDIVIDUAL ATTACKS

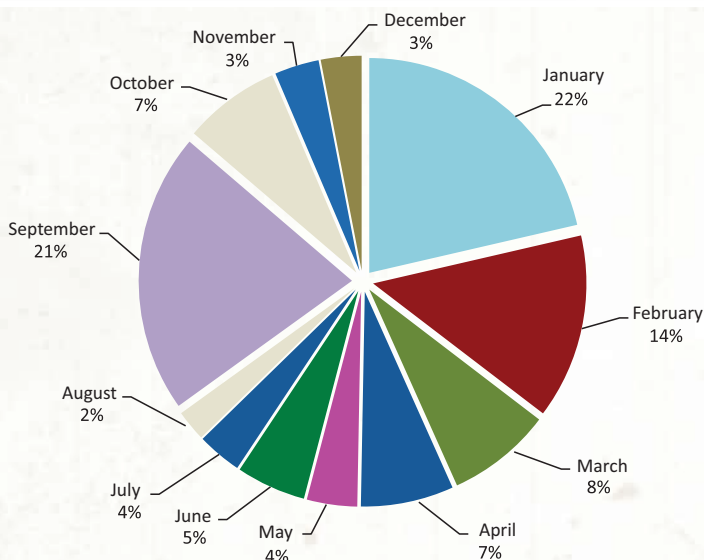
The SIADDHH recorded a **9% increase in the individual attacks on defenders in 2015** in comparison with 2014. Between January and December 2014, the SIADDHH reported 626 defenders being attacked; in 2015, in the same period, 682 were recorded.

In relation to the occurrence of these attacks by month, 2015 could be considered as a year with

a high rate of monthly attacks. In descending order, the number of attacks were as follows; January 22% (146 cases), September 21% (144 cases), February 14% (95 cases), March 8% (54 cases), followed by October and April 7%, (50 and 48 cases respectively) June 5% (36 cases), May 4% (26 cases), July and November (23 cases), December (21 cases), and August (16 cases) respectively. With this being the case, the first half of 2015 was the most violent with 296 attacks recorded on defenders.

<sup>52</sup> This system records information that is known first-hand by the Program Somos defensores and by direct source with the Social and Non-Governmental Organizations that report cases to the Program. At no time does SIADDHH cross information with other similar information systems, and they only report and analyze the cases that are sent to them.

Number of Individual Attacks per Month  
Figures SIADDHH January- December 2015



### Attacks by Gender

In relation to attacks by gender, of the 682 defenders recorded as being attacked in 2015, 61% were men and 39% women. It is important to highlight that despite the **annual statistics showing a higher number of attacks against men, in the third trimester of 2015, and for the first time in the history of the SIADDHH, women were attacked more than men in a trimester by 30%**<sup>53</sup>.

Attacks by Gender	Number
Female	271
Male	411
<b>Total Individual Attacks</b>	<b>682</b>

Conversely, the information gathered by the SIADDHH highlights **seven types of attacks on defenders of human rights in Colombia**: murders, attempted murders, threats, arbitrary detentions, disappearances, information theft, and the arbitrary use of the penal system.

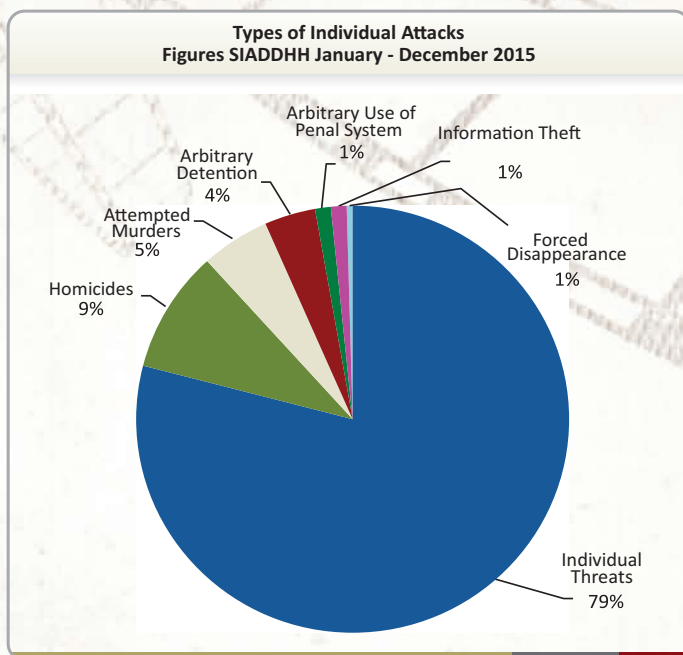
### INDIVIDUAL ATTACKS ACCORDING TO TYPE OF VIOLENCE

Type of Individual Attack	Nr. of defenders attacked
Threats	539
Murders	63
Attempted murders	35
Arbitrary detentions	26
Disappearances	3
Arbitrary use of the penal system	8
Information theft	8
<b>Total Individual Attacks</b>	<b>682</b>

Of the individual attacks recorded in 2014, 79% were threats, 9% murders, 5% attempted murders, 4% arbitrary detentions, and approximately 1% were information thefts arbitrary use of the penal system, and disappearances.

<sup>53</sup> See statistics July – September 2015 <http://somosdefensores.org/attachments/article/135/Boletin-julio-septiembre-SIADDHH%202015.pdf>





In comparison to 2014, one can clearly see a worrying increase in threats (from 488 to 539 cases) and homicides (from 55 to 63 cases). The rest of the attacks maintained the same levels or slightly declined. Paradoxically, in 2014 there was a positive reduction in the number of homicides with respect to 2013, however in 2015 this type of attack has once again been recorded in worrying numbers.

***"In 2015, on average 2 DEFENDERS of human rights were attacked EVERY DAY in Colombia"***

to a higher technical and academic capacity of the leaders, or to decisions. This means that there is a species of Multi-defender, who does not defend one single right, theme, or sector but in fact various conflicts at a time. This multiplicity of rights defended notably improves the abilities of the defenders, strengthening their support networks by widening the topics that need advocacy, but it also elevates the possible scenarios of risk for each defender, making the job of gathering and "classifying" the information on their attacks ever more complex.

### **The Murder of Defenders**

During the gathering, analysis and systemization of this report, a variation in the way in which rights are defended has been observed<sup>54</sup>, be it due to environmental pressures, to the mainstreaming of human rights violations,

According to SIADDHH, in 2015 there was a **total of 63 defenders and social leaders murdered; that is 9 more than in 2014, which represents an increase of 13% from**

<sup>54</sup> The INTERNATIONAL MEETING FOR THE PROTECTION OF DEFENDERS OF HUMAN RIGHTS IN THE AMERICAS was held at Hotel Suites Jones in Bogotá. 18 and 19 November. It gathered 18 representatives of 14 American, European, African and Asian countries (Mexico, Honduras, Guatemala, El Salvador, Peru, Colombia, Brazil, Paraguay, Uruguay, Bolivia, Spain, Belgium, Philippines and Burundi), as well as 15 representatives of organizations in Colombia that specialize in working for the protection of human rights in the context of generalized violence. This was an initiative of the organizations Thought and Social Action, Program Somos Defensores, Diakonia, Swefor, Udefegua, Protection International and the EU, with the political support of OACNUDH, the Norwegian Embassy, the Swedish Embassy, the Swiss Embassy, Oxfam, IFA, and MAPP OEA. The meeting allowed the sharing of knowledge and experiences of the protection of defenders of human rights in countries that have already been through a post-conflict period.

<sup>54</sup> Ministry of National Defense. Achievements of the Policy for Comprehensive Security and Defense for - PISDP 2015. Pg. 8.

the previous year. Below their names shall be summarized as recognition of their work, so that they are not forgotten, and so that there is justice with their murderers:

Homicide table A

STATE	PLACE	VÍCTIM	ORGANIZATION	TYPE OF LEADER	ALLEGED PERPETRATOR	DATE
Antioquia	San Pedro de los Milagros	Juliana Andrea (Jesús David) Pérez Luján	Dirección de Desarrollo Comunitario	LGBTI leader	Unknown	15/02/2015
Antioquia	Bello	José Alirio Prieto Ramírez	Comunidad de Bello sector Fontidueño, Las Vegas y La Camila	Social Leader	Unknown	17/07/2015
Antioquia	Carmen de Viboral	Alfonso González Quintero	Junta de Acción Comunal de la vereda Betanía- Alianza Social Independiente ASI	Communal Leader	Unknown	31/07/2015
Antioquia	Apartadó	Ernesto Guzmán	Comunidad de Paz de San José de Apartadó	Peasant Farmer's Leader	Paramilitary	21/09/2015
Antioquia	Medellín	Uriel Humberto Amaya Correa	Junta de Acción Comunal del barrio San Pedro de la vereda La Loma del corregimiento de San Cristóbal.	Communal Leader	Unknown	10/11/2015
Antioquia	Yondó	Jaminton Andrés Ávila	Junta de Acción Comunal de la vereda El Porvenir / Zona de Reserva Campesina del Valle del Río Cimitarra	Community Leader	Unknown	30/01/2015
Antioquia	Medellín	Luis Fernando Wolff Isaza	Frente Amplio por la Paz Antioquia	Social Leader	Unknown	27/04/2015
Antioquia	Medellín	Viviana Agudelo Zapata	Junta Administradora Local del corregimiento San Antonio de Prado	Communal Leader	Unknown	07/05/2015
Antioquia	Medellín	Juan David Quintana Duque	Mesa de Derechos Humanos del Valle de Aburrá	Juvenile Leader	Unknown	27/05/2015
Antioquia	El Bagre	Sandro Arley González	Asociación de Víctimas del Alto de las Brisas y representante LGBTI	LGBTI leader	Unknown	25/06/2015
Arauca	Araucuita	Héctor García Sandoval	Partido Alianza Verde	Social Leader	Unknown	22/09/2015
Atlántico	Barranquilla	José Armando Calderón Álvarez	Fundación Khinirius - Mesa LGBTI de Barranquilla	LGBTI leader	Unknown	15/09/2015
Bogotá	Molinos	Carlos Alberto Pedraza Salcedo	Proyecto Nunca Más, Movimiento de Víctimas de crímenes de Estado	Social Leader	Unknown	21/01/2015
Bogotá	Egipto	Elizabeth Méndez Sánchez	Comunidad del barrio Egipto	Community Leader	Unknown	24/03/2015
Bogotá	Bogotá	Gabriel Padilla Jiménez	Sindicato de Aguas de Bogotá	Union Leader	Unknown	13/07/2015
Bogotá	Bogotá	Luis Miguel Claros	Sindicato de Aguas de Bogotá	Union Leader	Unknown	13/07/2015
Bolívar	Achí	Herlen de Jesús Barriosnuevo Posso	Mesa de Víctimas	Victim's Leader	Paramilitary	05/04/2015
Bolívar	Achí	Wallis del Carmen Barriosnuevo Posso	Mesa de Víctimas	Victim's Leader	Paramilitary	05/04/2015
Bolívar	Cartagena	Robert Venecia Vega	Sindicato Sutimac	Union Leader	Unknown	15/12/2015
Caldas	Supia	Fernando Salazar Calvo	Asociación de mineros del Resguardo Indígena Cañamomo y Lomapieta de Risucio y Supia ASOMICAR - Asociación de Mineros de la Unión	Indigenous and Miner's Leader	Unknown	07/04/2015



## Homicide table B

STATE	PLACE	VÍCTIM	ORGANIZATION	TYPE OF LEADER	ALLEGED PERPETRATOR	DATE
Caldas	Anserma	Gustavo Bañol Rodríguez	Pueblo Indígena Emberá Chamí	Indigenous Leader	Unknown	09/05/2015
Caldas	Anserma	Edwin Bañol Álvarez	Pueblo Indígena Emberá Chamí	Indigenous Leader	Unknown	09/05/2015
Caquetá	Florencia	Héctor William Cabrera Suárez	Junta de Parceleros Brisas de San Pedro	Community Leader	Unknown	10/02/2015
Caquetá	El Doncello	Luis Peralta Cuellar	Emisora Linda Estereo	Communicator of Human Rights Defense	Unknown	14/02/2015
Caquetá	San Vicente del Caguan	Ismael García Jiménez	Junta de Acción Comunal de la Vereda la Vereda Las Delicias	Communal Leader	Unknown	23/05/2015
Casanare	Aguazul	Luis Iván Roa Castro	Junta de Acción Comunal de la Vereda Monteral - Polo Democrático Alternativo	Communal Leader	Unknown	20/09/2015
Casanare	Trinidad	Daniel Abril	La Voz de la Tierra y Movimiento Nacional de Víctimas de Crímenes de Estado	Environmental Human Rights Defender	Unknown	13/11/2015
Cauca	Patia	Heriberto Narváez Hoyos	AGROPEMCA	Peasant Farmer's Leader	Unknown	04/02/2015
Cauca	Guachené	Emiliano Silva	Pueblo Indígena Nasa	Indigenous Leader	Unknown	08/02/2015
Cauca	Guachené	Gerardo Velasco	Pueblo Indígena Nasa	Indigenous Leader	Unknown	08/02/2015
Cauca	Silvia	Gersaín Fernández	Pueblo Indígena Nasa Resguardo Pitayó	Indigenous Leader	National Army	27/02/2015
Cauca	Caloto	Siberston Guillermo Pavi Ramos	Resguardo de López Adentro - Vereda el Pilamo	Indigenous Leader	National Riot Police	10/04/2015
Cauca	Caloto	Jaime Poquiquegue	Pueblo Indígena Nasa - Resguardo de Huellas	Indigenous Leader	FARC	31/05/2015
Cauca	Toribio	Liliana Ramos Largo	Pueblo Indígena Nasa - Resguardo de Tacueyó	Indigenous Leader	Unknown	27/07/2015
Cauca	Suárez	Benicio Flor Belalcázar	Movimiento Marcha Patriótica	Social Leader	Unknown	11/10/2015
Cauca	Popayán	Alfredo Bolaños Laso	Resguardo de Purace	Indigenous Leader	National Army	19/10/2015
Cesar	Valledupar	José Joaquín Herrera Utría	La Brigada LGBT	LGBT leader	Unknown	25/03/2015
Chocó	Acandí	Ofelia Mosquera	OIM	Victim's Leader	Unknown	26/12/2015
Córdoba	Tierralta	Luis Francisco Hernández Gonzalez	Asociación Afrodescendiente Afrotay	Afro-Colombian Leader	Unknown	13/11/2015
Córdoba	Sahagún	Diego Villadiego Sánchez	Comunidad LGBTI y trabajadoras sexuales de Sahagún - Córdoba	LGBT leader	Unknown	24/07/2015
Huila	Pitalito	Flor Alba Núñez	Emisora La preferida Stereo	Communicator of Human Rights Defense	Unknown	10/09/2015

## Homicide table C

STATE	PLACE	VÍCTIM	ORGANIZATION	TYPE OF LEADER	ALLEGED PERPETRATOR	DATE
Magdalena	Fundación	Jesús Alberto Trillos Roján	Comunidad LGBTI Fundación - Magdalena, Consejo de Política Social del municipio.	LGBTI leader	Unknown	02/02/2015
Magdalena	Pueblo Viejo	David Gaspar Peña Santander	Comunidad de Rincón Guapo Loverán	Victim's Leader	Unknown	09/05/2015
Meta	El Castillo	Ever López	Sindicato de Trabajadores Agrícolas Independientes del Meta / vereda Caño Lindo	Peasant Farmer's Leader	National Army	05/03/2015
Meta	Cumairal	Nelson De Jesús Ríos Santamaría	Proceso de Restitución en el Predio el Carpintero Municipio de Cabuyaro	Human Rights Defense Lawyer	Unknown	03/05/2015
Nariño	Yacuanquer	Ernesto Pejendino Pejendino	Cabildo de La Laguna Pejendino - Pueblo Indígena Quillacinga	Indigenous Leader	Unknown	05/06/2015
Nariño	San Lorenzo	Hernán Torres Cabrera	Comité de Integración del Macizo Colombiano - CIMA	Peasant Farmer's Leader	Unknown	19/07/2015
Nariño	Tumaco	Gilmar Genaro García Rodríguez	Consejo Comunitario de Alto Mira y Frontera	Afro-Colombian Leader	Unknown	03/08/2015
Nariño	Tumaco	Wilson Arboleda Blandón	Consejo Comunitario del Río Gualajío	Afro-Colombian Leader	Unknown	25/08/2015
Norte de Santander	Cúcuta	Edward Alexis Granados Flores	Sindicato Seccional de Cúcuta de la Unión de Trabajadores Penitenciarios - UTP	Union Leader	Unknown	08/04/2015
Norte de Santander	Cúcuta	Alex Fabián Espinosa Carvajalino	Asociación Nacional de Empleados y Funcionarios de la Rama Judicial (Asonal) y Movice - Norte de Santander	Union and Victim's Leader	Unknown	31/05/2015
Putumayo	Mocoa	Ferney Alberto Jiménez Cortéz	Junta de acción comunal en la vereda Puerto Limón	Community Leader	FARC	08/03/2015
Putumayo	Puerto Asís	Luis De Jesús Rodríguez Parada	Comunidad de La Española - Zona de Reserva Campesina Perla Amazónica	Communal Leader	Unknown	17/03/2015
Putumayo	Valle del Guamuez	Maria Luz Lucero Figueroa	Mesa de Inversión Social	Community Leader	Unknown	31/05/2015
Quindío	La Tebaida	Édgar Bedrail Alvarado Galindez	Junta de Acción Comunal barrio Ciudad Jardín	Social Leader	Unknown	30/04/2015
Risaralda	Pueblo Rico	Senén Namundia	Pueblo Indígena Embera Chamí	Indigenous Leader	Unknown	07/03/2015
Sucre	San Marcos	Camila Flores	Mecanismo Coordinador de País (MCP) / Fondo Mundial de prevención de VIH/SIDA	LGBTI leader	Unknown	09/01/2015
Sucre	San Marcos	Eder Manuel Mielles Tejada	Mecanismo Coordinador de País (MCP) / Fondo Mundial de prevención de VIH/SIDA	LGBTI leader	Unknown	17/06/2015
Sucre	San Marcos	José Miguel Álvarez Santana (Charol)	Mecanismo Coordinador de País (MCP) / Fondo Mundial de prevención de VIH/SIDA	LGBTI leader	Unknown	15/07/2015
Valle del Cauca	Palmira	Édgar Quintero	Radio Luna	Communicator of Human Rights Defense	Unknown	02/03/2015
Valle del Cauca	Florida	José Joaquín Pinzón	Resguardo Indígena Triunfo Cristal Páez	Indigenous Leader	Unknown	30/03/2015
Valle del Cauca	Cali	Willington García	Comunidad Rincon de los Cruelos	Community Leader	Unknown	28/08/2015
Valle del Cauca	Buenaventura	John Jairo Ramírez Olaya	Rostros & Huellas del Sentir Humano	Afro-Colombian Leader	Paramilitary	09/11/2015



Of the 63 murders, 85.5% correspond to men (55 cases) and 14.5% to women (8 cases). This new increase in homicides of defenders occurs in the year in which the lowest number of homicides was recorded in Colombia for sociopolitical reasons, along with a substantial reduction in the warlike actions which is a result of the de-escalation of internal armed conflict. According to the statistics provided by the Ministry of Defense themselves, homicides in Colombia went down from 13.343 in 2014 to 12.673 in 2015<sup>55</sup>. Furthermore, according to the most recent study by the Center of Resources for the Analysis of Conflict (CERAC for its Spanish abbreviation), 2015 was the most peaceful of the past 51 years in Colombia<sup>56</sup>, with a reduction of 94% in actions by the guerillas, 72% in confrontations between the FARC and the military, and a reduction of 98% in civilian deaths caused by conflict<sup>57</sup>.

Given these encouraging figures of a significant reduction in violence derived from armed conflict, it is impossible to not ask oneself the obvious question: Why are more and more defenders being murdered if violence derived from conflict is coming to an end? Going by the figures provided by the SIADDHH, one may deduce that the majority of the homicides are not occurring in a single region of the country like during the eras of heightened conflict. On the contrary, the murder of these people occurred dispersedly and in almost all states. In the same way, one may preliminarily deduce that these deaths are not the result of "conventional" direct armed conflict and on the contrary they are the product of new types of violence that are yet to be studied:

STATE	NUMBER OF HOMICIDES
Antioquia	10
Cauca	9
Bogotá	4
Nariño	4
Valle del Cauca	4
Bolívar	3
Caldas	3
Caquetá	3
Putumayo	3
Sucre	3
Casanare	2
Córdoba	2
Magdalena	2
Meta	2
Norte /Santander	2
Arauca	1
Atlántico	1
César	1
Chocó	1
Huila	1
Quindío	1
Risaralda	1
<b>TOTAL</b>	<b>63</b>



Cauca and Antioquia are the states with the highest number of murdered defenders with 10 and 9 cases respectively, followed by Bogotá, Nariño, and Valle del Cauca with 4 each. Of especial interest is the observation that the states such as Casanare, Caldas and Quindío have recorded increased numbers of homicides in comparison with previous years.

Another point of interest is that the number of homicides is similar in both halves of the year;

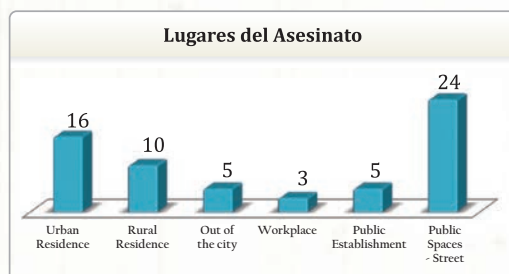
<sup>55</sup> [https://www.mindefensa.gov.co/irj/go/km/docs/Mindefensa/Documentos/descargas/estudios%20sectoriales/info\\_estadistica/Logros\\_Sector\\_Defensa.pdf](https://www.mindefensa.gov.co/irj/go/km/docs/Mindefensa/Documentos/descargas/estudios%20sectoriales/info_estadistica/Logros_Sector_Defensa.pdf)  
<sup>56</sup> <http://www.elspectador.com/noticias/politica/hace-51-anos-no-se-presentaba-una-reduccion-tan-grande-articulo-611701>  
<sup>57</sup> CERAC. Monitoring of the De-escalation of Internal Armed Conflict in Colombia.. <http://blog.cerac.org.co/monitor-de-desescalamiento-del-conflicto-armado-interno-en-colombia-2>

34 homicides occurred in the first half, with 29 in the second. **On the other hand, upon revising the type of defender murdered, for the fifth consecutive year the indigenous defenders and leaders are those who have been murdered most, albeit with a slight reduction (15 cases in 2014, 14 cases in 2015).** Of great worry is the increase in the leaders who belong to the LGBTI community (from 0 to 9 leaders), as well as the increase in the murder of afro-Colombian leaders (from 1 to 4). Added to this is the increase in journalists and communicators who were murdered carrying out their work of defending human rights (1 to 3 cases). **Another important piece of information is the positive reduction in homicides of communal leaders (from 15 in 2014 to 6 in 2015), as well as leaders of the land restitution processes (from 2 to 0 cases).**

Type of Leader	Number of Homicides
Indigenous Leader	12
LGBTI Leader	9
Communal Leader	6
Community Leader	6
Social Leader	5
Afro-Colombian Leader	4
Peasant Farmer Leader	4
Victims Leader	4
Union Leader	4
Communicator of the defense of human rights	3
Lawyer defending human rights	1
Environmentalist defending human rights	1
Indigenous Leader and Miner	1
Juvenile Leader	1
Union and Victims Leader	1
Social Leader	1
<b>TOTAL</b>	<b>63</b>

Al igual que en informes anteriores, es importante evaluar la forma en la que estos hombres y mujeres que se dedicaron a la defensa de los derechos humanos fueron asesinados. De los 63 homicidios reportados, 47 de ellos fueron

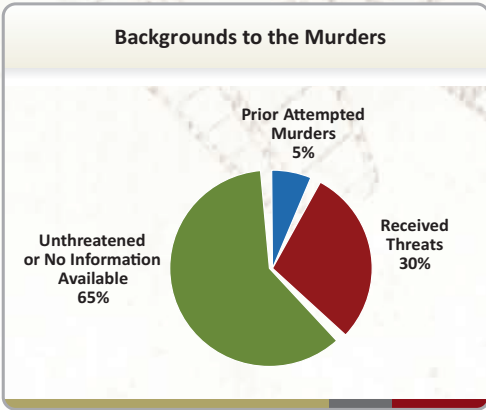
portados por arma de fuego, 7 por armas blancas, y un caso de ser golpeado por un objeto contundente. **Los asesinatos cometidos por armas de fuego se realizaron con particular crueldad ya que se utilizaron entre 3 y 8 disparos para acabar con la vida de los defensores.**



cuando nos referimos al lugar en el que se cometieron estos delitos, la mayoría corresponde a la casa del defensor o sus alrededores (26 casos). Esto resalta la naturaleza premeditada y el acoso de la víctima que precedió a los homicidios de HRD en Colombia, ya que solo por medio de estas acciones se puede conocer las rutinas, rutas tomadas, y hogares de los defensores para asesinarlos. Por otro lado es importante ver, en detalle, y en comparación con 2014, los casos en los que los defensores fueron asesinados en espacios públicos por sicarios aumentaron. Este aumento de asesinatos en las calles o en espacios públicos es preocupante, ya que denota la falta de presencia de la Policía Nacional y otras instituciones responsables de proteger a sus ciudadanos. Además, 9 casos fueron registrados en los que el cuerpo del líder fue encontrado con signos de tortura como golpes, cortes, o incluso ahorcamientos.

Finalmente, de los 63 asesinatos cometidos contra líderes y HRD defensores, 4 **eran víctimas que estaban recibiendo medidas de protección de la UNP, mientras que las medidas de otro de los 63 defensores asesinados en 2015, 33% (21 casos) habían denunciado amenazas antes de ser asesinados.**





As for the alleged responsibility in the deaths of these 63 defenders, there was a slight increase in the supposed participation by the Paramilitaries in comparison with the cases recorded in 2014, as well as a significant increase in the alleged responsibility of Unknown Party in the homicides. Another particular observation is the way in which the number of murders supposedly committed by guerillas (FARC and ELN) decreased, from a total of 7 cases in 2014 to just 2 in 2015.

Alleged Perpetrator	2015	2014
Paramilitaries	6	4
Guerrilla	2	7
Unknown Party	51	34
Public Forces	4	-
<b>TOTAL HOMICIDES</b>	<b>63</b>	<b>55</b>

***"In 2015, a human rights defender in Colombia was killed on average every 6 days."***

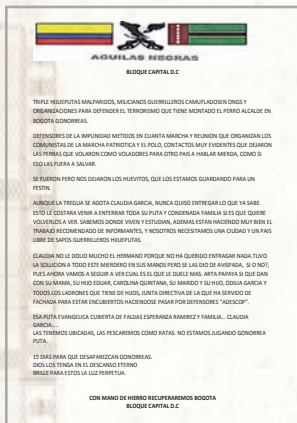
To finish, of the 63 recorded homicides, it was able to be identified that 3 of them, as well as being social leaders in their communities, were candidates for positions up for public election in the elections of October 2015. Furthermore, another 5 murdered leaders were accompanying and supporting the processes or political campaigns in the same elections.

In general, the homicides that occurred in 2015 are of a particular nature, and that is that they do not correspond to leaderships with a high regional or national visibility, very much on the contrary – they were absolutely local leaders, and in many cases difficult to identify, yet this does not make them any less important. These local leaders were those who permitted that great indigenous, farmers, afro, women's, and LGBTI processes achieve important results and have an impact. This situation allows us to recognize that the regional or national defenders of human rights have earned an elevated level of political protection that permits that any physical attack on them should result in repercussions that result in the aggressor abandoning the attack. The above allows us to conclude that effectively the defenders of national or regional status with a high public visibility have achieved political protection, given the high political cost that an attack against them would imply to the government. This is unlike the situation of the local or lesser-known leaders, who cannot count on such political protection.

### Individual Threats

Already in 2014 and 2015, the SIADDHH reported their concern on the disproportionate and progressive increase of threats against HRD in Colombia. The increase in these threats in 2014 in comparison with the figures from 2013 show an increase of 133%, with a particular behavior pattern identified in 2014 which was evinced by exponential growth in the second half of that year. In this same year between September and December, the increase in threats were made by 15 massive threats towards defenders of human rights of all kinds (women's movement leaders, afro, indigenous, union, victims, displaced persons, human rights lawyers, etc.), social leaders, representatives of victims at the negotiation table in the peace talks in La Habana between the Colombian Government and the FARC guerillas, journalists, alternative communicators, left-wing political leaders, and even public servants of the Victim's Unit and the Unit for Land Restitution.

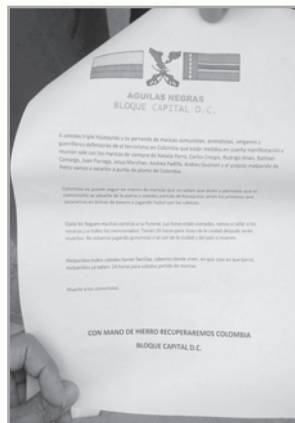
But in 2015, this phenomenon of massive threats far from experienced a reduction: the SIADDDH learned of 27 massive threats of almost 400 defenders of human rights in 10 different states.



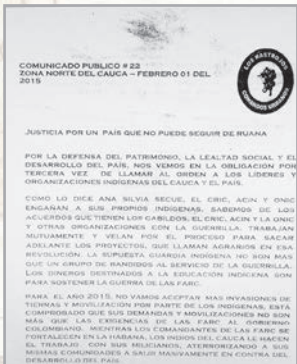
6 of april - aguilas negras



10 of march 2015 - aguilas negras



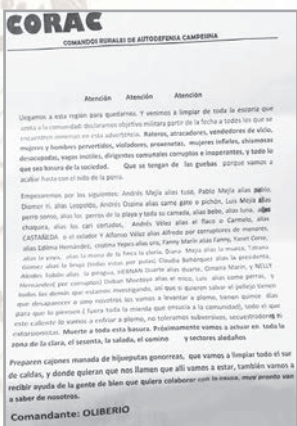
11 of march 2015 - aguilas negras



20150201 Los Rastrojos - Cauca I



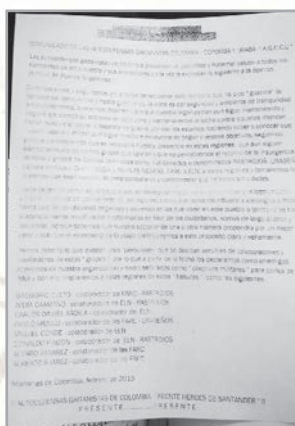
Colombianos por la pacificación 28 of january



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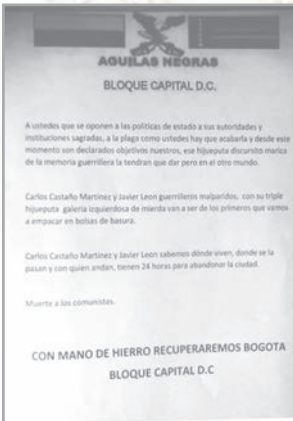


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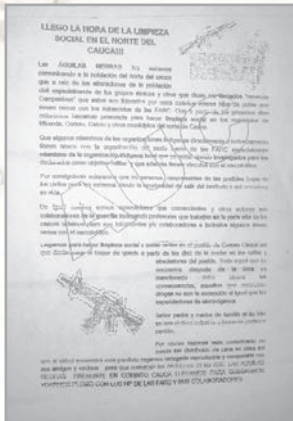


20150228 AGCCU - Puerto Wilches





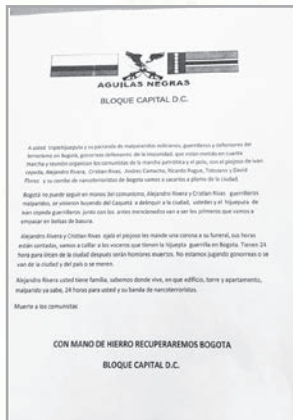
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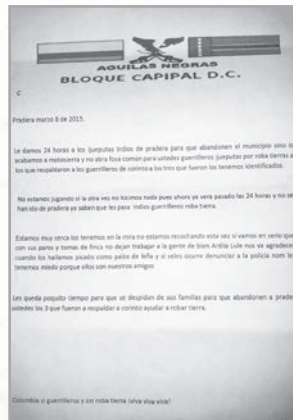
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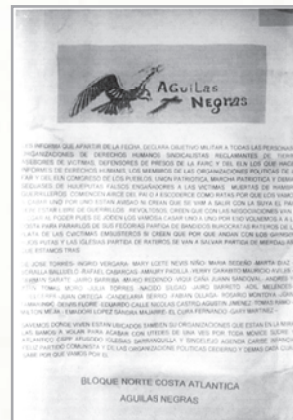
20150408 VAL. Panfleto AN BCVC. Tierras - Indígenas



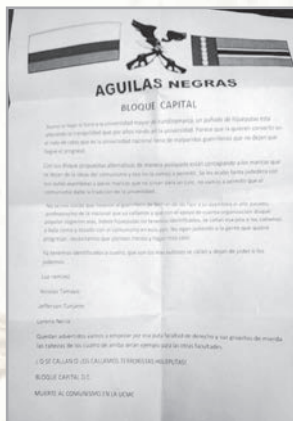
Aguilas Bogotá march 2015



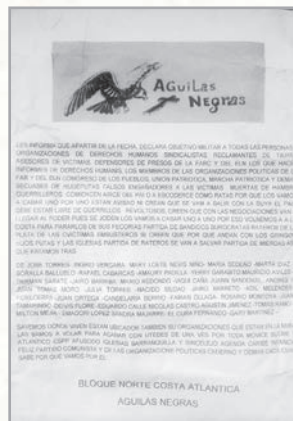
Aguilas Cauca march 2015



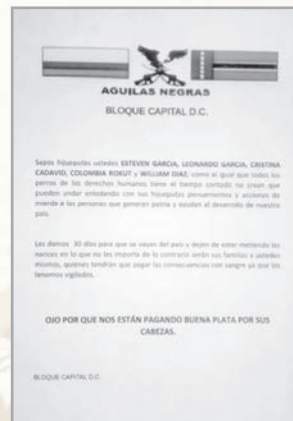
Aguilas negras 11 of january



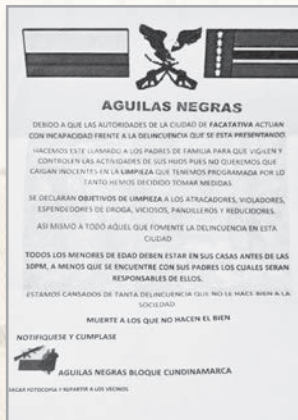
aguilas negras 30 of may



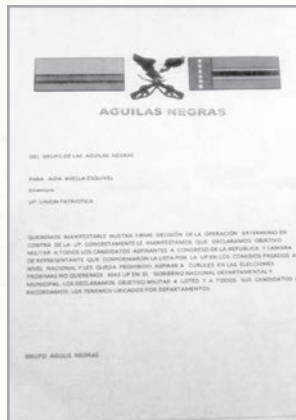
Aguilas Negras\_Costa Atlantica january 2015



Aguilas Negras - threat 24 of january 2015



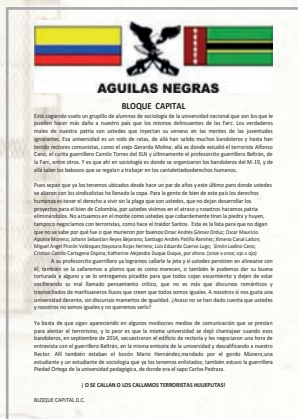
Aguilas Negras - amenaza 26 of january 2015



Amenaza Aguilas Negras 5 of may 2015



Amenaza Aguilas Negras 7 of may 2015



Amenaza Aguilas Negras 7 of may 2015



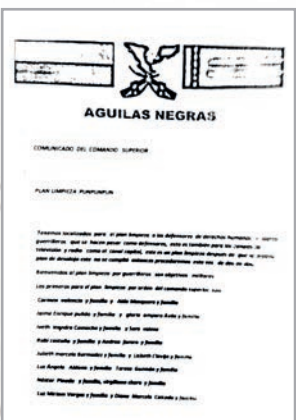
amenaza aguilas rastrosjos 23 of february 2015



Rastrosjos cauca march 2015



amenaza Gaitanistas 21 of january 2015



amenaza aguilas negras panfleto 15 january 2015



Estas 27 amenazas masivas, sumadas a These 27 massive threats, added to the other intimidations carried out using diverse mechanism, resulted in the figure of 539 defenders being threatened. Of these individual threats, 69% (374 cases) correspond to threats made by pamphlets or leaflets that were sent to the offices and residences of the defenders and leaders of human rights in Colombia.

3% (18 cases) of the threats were received by means of email, both to the official accounts of organizations and personal accounts of the people being threatened.

The threats made by direct harassment – that is, the persecution of male and female leaders by suspicious people who took photographs, enquired about the timetables of the defenders, made verbal or physical threats by signs, or even by withdrawing weapons – represent 18% (99 cases) of the total threats recorded.

Another type of intimidation used is threats made by text message or intimidating calls made to cell phones, which on many occasions were made to the personal cell phone of the victim. This violent act was recorded in 39 cases, which is 9% of the total.

The areas with the highest number of recorded threats continue to be Bogotá with 269 cases, followed by Valle del Cauca with 91, Atlántico with 42, Cauca and Sucre with 34 respectively, Meta with 20 and Antioquia with 14.

STATE	NR. OF INDIVIDUAL ATTACKS
Bogotá	286
Valle	105
Cauca	55
Atlántico	44
Sucre	38
Meta	29
Antioquia	26
Santander	12
Norte de Santander	11
Caldas	9
Boyacá	8
Huila	8
Bolívar	7
Córdoba	7
Nariño	7
César	6
Chocó	5
Putumayo	5
Arauca	3
Caquetá	3
Casanare	2
Magdalena	2
La Guajira	1
Quindío	1
Risaralda	1
Tolima	1
TOTAL	682



Lastly, the alleged perpetrators of these threats continue being the paramilitary groups with 437 threats. It is worth clarifying that within this denomination of paramilitaries, many expressions of organized crime and criminal gangs (BACRIM) exist. Following these are the alleged unknown authors, the public forces, and one threat recorded to have been made by the FARC.

ALLEGED PERPETRATOR	Number of Threats
Águilas Negras (Black Eagles)	301
Unknown	86
Other Paramilitary Groups	57
The “Rastrojos”	48
Colombians for Pacification	13
The “Urabeños”	10
Police	8
National Army	7
Joint Command Águilas Negras Rastrojos	5
Self - Defense Gaitanistas of Colombia	3
FARC	1
<b>TOTAL</b>	<b>539</b>



Even though threats were the most common type of attack in 2015, to date the Attorney General and the justice entities in Colombia, as well as the National Police, have not been able to produce any results in their investigations. As long as this situation persists, it will be a brooding ground for this barrage of threats between 2014 and 2015 to reproduce and continue in 2016.

### Information Theft

Another type of attack which was presented in 2015 that has experienced a significant increase over the last three years (3 cases – 2012; 7 cases – 2013; 10 – 2014) is that of Sensitive Information Theft. In 2008 there were 8 recorded cases of this phenomena, of which 6

were committed against a defender of human rights. Furthermore in 6 of the 8 cases the theft occurred in a capital city of a state.

This type of attack is one of the most invisible but harmful to human rights defenders and social organizations. Its level of invisibility is due to the absence of a regulation within national legislation that determines that the information gathered, systematized, and worked by the social human rights organizations is highly sensitive. This is due to the information being, in the majority of cases, about violations of human rights and of infractions of international humanitarian law<sup>58</sup>, despite the discussions and demands made by the social movement, these attacks on the defenders continue to happen under the shadows of justice.

As an example of this invisibility, which at times seems almost intentional by the authorities, is the resolution 1783 of august 31, 2015, issued by the Attorney General's Office *“by which a group of special tasks was created, made up of five attorneys, six investigators and analysts of national and regional management, who shall be in charge of the prioritized cases of this criminal phenomenon”*<sup>59</sup>. In this new directive for the investigation of attacks on defenders, it does not stipulate that information theft be a priority for the investigators.

The thing is, these cases are systematic and demonstrate with time that they are premeditated actions. Let us take as example the theft of information from the platform of human rights Coordination Colombia Europe United States - CCEEU<sup>60</sup>. In September 2014, the human rights defender Alberto Yepes - the coordinator of the Observatory of Human Rights

<sup>58</sup> The inexistence of a regulation means that at the time of robbery of desktop and laptop computers, USB devices, the hacking of email accounts or web pages, among other examples, are catalogued as a theft of less significance and the information that these devices contain is completely under-valued. We must also highlight that these information thefts are not only of digital storage devices but also result in street muggings of personal items of the defenders such as notebooks, notepads, and other items that contain, in many cases, the documentation of the cases at hand.

<sup>59</sup> <http://www.fiscalia.gov.co/colombia/noticias/destacada/grupo-especial-investiga-amenazas-y-homicidios-contra-defensores-de-derechos-humanos/>

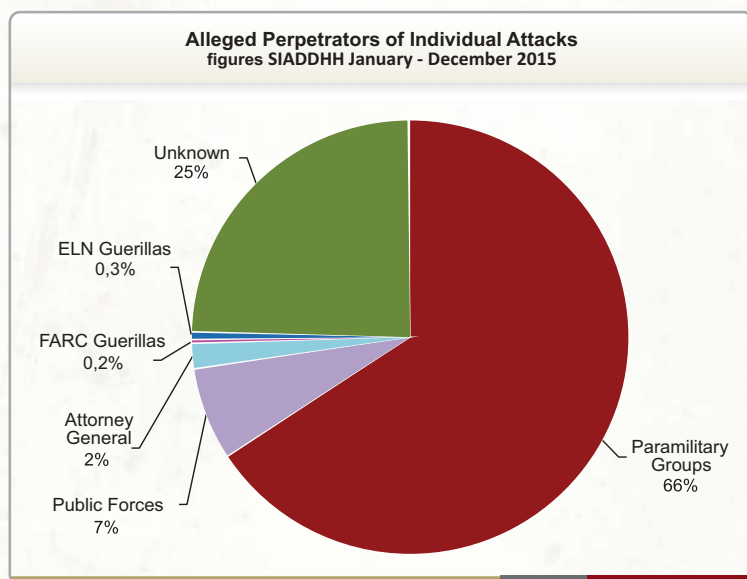
<sup>60</sup> The Colombian-European United States Coordination (CCEEU) is a coalition of the 210 Colombian organizations that work in the promotion, spreading, and defense of human rights. It is an autonomous, ample, and plural platform of meeting and shared working between non-governmental organizations and social organizations from different regions in the country. With the support of international organizations of solidarity, it complements the tasks and efforts of the NGOs in the relationships and the international work related to human rights.

and International Humanitarian Law of the CCEEU – was the victim of the robbery of his laptop computer when he was leaving his office. On this computer was a great deal of the information on the army and the Observatory itself, as well as analytical documents that culminated in the book *“False Positives” in Colombia and the role of United States’ military assistance, 2000-2010*. This book caused an uproar in the Colombian armed forces and the United States Government by evidencing the alleged responsibility of 19 high-ranking Colombian officials in the cases of false positives.

Almost a year after this theft, and just when the CCEEU was about to release a new report, another theft occurred in which a laptop computer was stolen from the technical secretary of the platform, defender Lourdes Castro. But on this occasion the theft occurred in her own

home, from which no item of value was stolen, just the laptop on which she worked<sup>61</sup>.

These instances of sensitive information theft may be added to an environment of high complexity regards the use of state intelligence in Colombia: purchases of latest-technology espionage software by the National Police<sup>62</sup>, the hacking and following of journalists<sup>63</sup>, and a sepulchral silence from the State institutions both in terms of investigations into the thefts and for the aforementioned acts of espionage. This is a worrying topic for not only the community of HRD but also the Negotiation Roundtable in La Habana<sup>64</sup>. These discussions generate unease as it is still not clear who is in control of the intelligence in Colombia, nor is it obvious how these delicate topics will be managed in the post-conflict period.



Regarding the alleged perpetrators of the 682 documented attacks in this report, the SIADDDH recorded the alleged perpetrators as being

paramilitary groups in 66% (448) of the cases; 25% (170) were unknown perpetrators, whilst 7% (48) were attributed to the Public Forces.

<sup>61</sup> <http://www.omct.org/es/human-rights-defenders/statements/colombia/2015/10/d23439/>

<sup>62</sup> <http://www.elspectador.com/noticias/investigacion/el-software-espia-de-policia-articulo-571980>

<sup>63</sup> <http://www.lafm.com.co/nacional/noticias/polic%C3%ADa-en-colombia-acusada-de-198116>

<sup>64</sup> <http://www.wradio.com.co/noticias/actualidad/propuesta-de-las-farc-de-reformar-ffaa-e-inteligencia-levanto-ampolla-en-el-pais/20150209/nota/2624394.aspx>



Alleged Perpetrator	2015	2014
Paramilitaries	448	455
Guerrilla	4	11
Unknown	170	118
Public Forces	48	42



The increase in attacks by the paramilitary groups in 2015 is obvious in comparison to 2014, which rose by 2%. The attacks by guerrillas reduced by 63%, whilst unknown perpetrators and the public forces increased their supposed participation in these attacks by 41% and 13% respectively.

As we signaled in the first chapter of this report, the growing participation by paramilitaries and organized crime in the attacks on defenders has been constant. This will definitely be a topic for reconsidering security and protection strategies in the post-conflict period, as many of these expressions of paramilitarism have survived for years and have attacked social leaders and defenders from the shadows, aided by an environment of complete impunity for their actions. It is for this reason that based on these figures we can determine that **PARAMILITARISM, THE BACRIMS, AND ORGANIZED CRIME are and will be the main attackers of human rights defenders in the stage of transition and post conflict.**

### AREAS OF ATTACKS

In 2015, the SIADDHH recorded attacks in 25 states, including the District Capital. However, the highest number of attacks were recorded in the country's capital, followed by Valle del Cauca, Cauca, Atlántico, Sucre, Meta, Antioquia, Santander and the state Norte de Santander.

According to the figures provided by the SIADDHH, the District Capital is the most significant case of the year as 286 (11 more than

in 2014) of the 682 individual attacks recorded throughout 2015 occurred in this city, representing 45% of the total. Bogotá continues to be the area with the highest number of recorded attacks, for which reason by procedure the national threats are counted in the Capital.

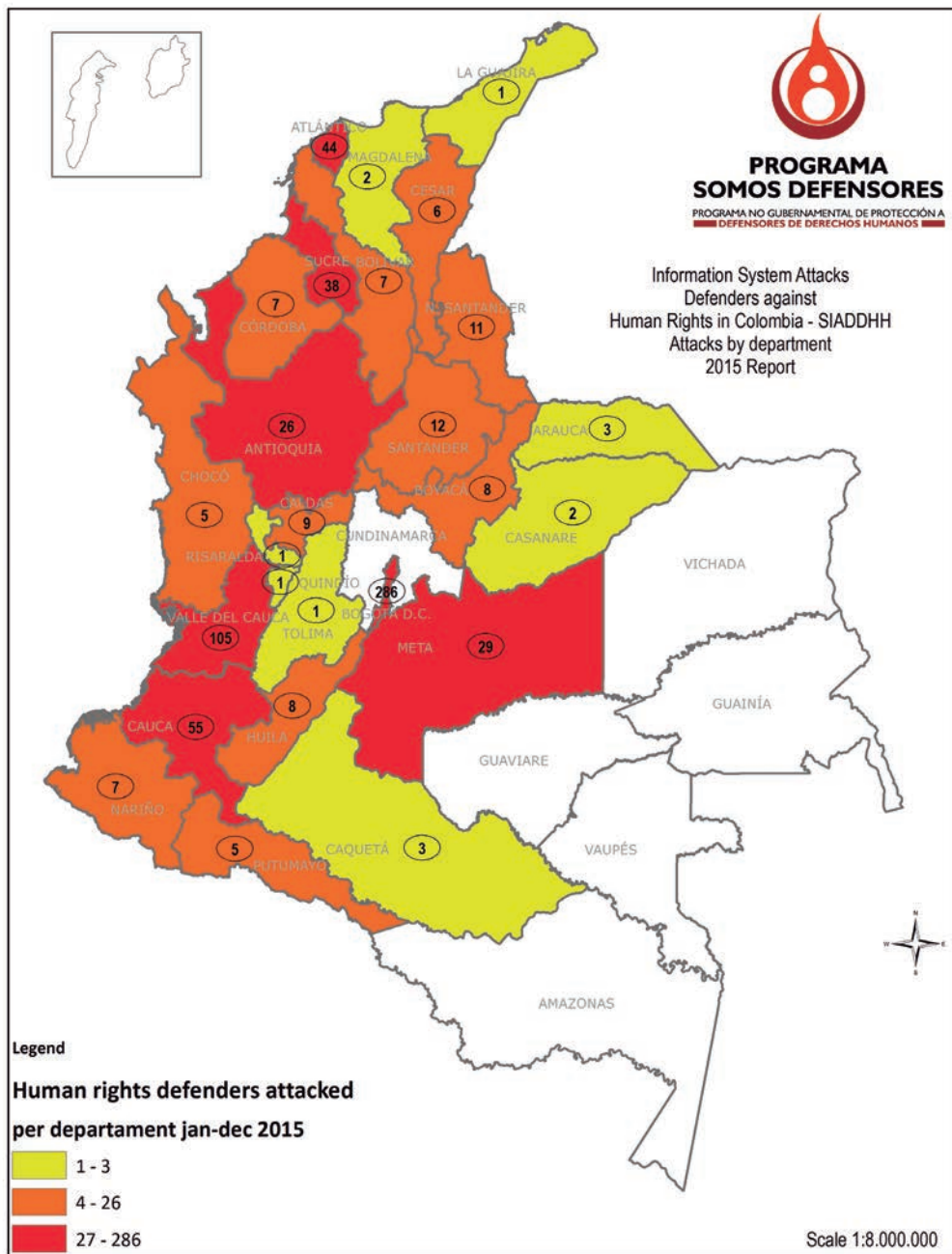
Another of the regions with a high number of recorded individual attacks was south-western Colombia. Between the states of Cauca and Valle del Cauca alone, 160 attacks were recorded, and it is the third consecutive year that these states record high levels of aggressions. It is important to also note the increase in attacks in the state of Atlántico (from 28 to 44) amongst which is recorded the murder of a defender and at least 42 individual threats, converting it into the coastal state with the highest growth in attacks in the last 12 months. Following this trend is Sucre (from 16 to 38 attacks), which also rose exponentially in the cases of recorded attacks.

STATE	2015	STATE	2014
Bogotá	286	Bogotá	275
Valle	105	Valle	66
Cauca	55	Cauca	30
Atlántico	44	Santander	29
Sucre	38	Antioquia	28
Meta	29	Caquetá	22
Antioquia	26	Atlántico	19
Santander	12	Tolima	16
Norte de Santander	11	Sucre	16
Caldas	9	Bolívar	15
Boyacá	8	Risaralda	14
Huila	8	La Guajira	12
Bolívar	7	Córdoba	12
Córdoba	7	Nariño	10



To highlight a few states which experienced declines in the number of recorded attacks, we identify Santander (from 29 to 12) and Bolívar (from 15 to 7), which is rather positive in light of the high levels of conflict in these territories.

Map of aggression



## THE SANTOS ADMINISTRATION: IN DEBT

In this edition of the annual report SIADDHH for 2015, we have decided to make a small general summary of the figures of attacks on

defenders over the last 5 years, in line with the reaching of the fifth year of government of the current President Juan Manuel Santos and his flagship program “Prosperity for all” (Prosperidad para todos)<sup>65</sup>.

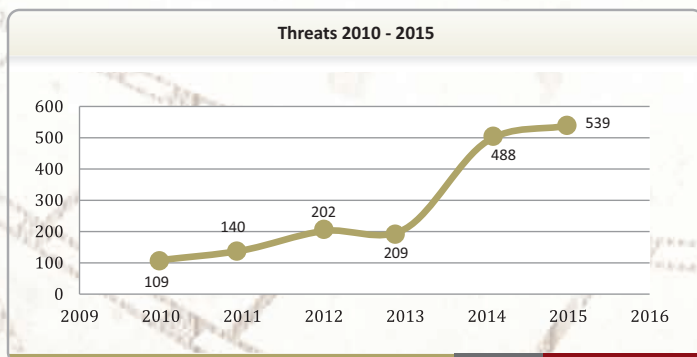
Type	2010	2011	2012	2013	2014	2015	TOTAL
Threats	109	140	202	209	488	539	1687
Murders	32	49	69	78	55	63	346
Attempted Murders	21	20	50	39	41	35	206
Arbitrary Detentions	11	23	26	22	23	26	131
Disappearances	-	6	5	1	1	3	16
Arbitrary Use of Penal System	1	1	1	10	8	8	29
Sexual Violence	-	-	1	-	-	-	1
Sensitive Information Theft	-	-	3	7	10	8	28
<b>TOTAL</b>	<b>174</b>	<b>239</b>	<b>357</b>	<b>366</b>	<b>626</b>	<b>682</b>	<b>2444</b>

The five-year period came to an end with some rather worrying figures that confirm that the Santos Government is in debt to the community of human rights defenders. Throughout this 5 year term of the current Government, a total of **2444 attacks** on defenders occurred. 69% of these correspond to threats, 14% to homicides, 8% to attempted murders, 5% to

arbitrary detentions, 0.6% to disappearances, 1% to the arbitrary use of the penal system (judicialization), and 1% to information theft. The SIADDHH only recorded one case of sexual assault of a defender of human rights in the 2010-2015 period. But let us look at the yearly behavior of each type of attack:

### THREATS 2010-2015

2010	2011	2012	2013	2014	2015
109	140	202	209	488	539



<sup>65</sup> <http://wp.presidencia.gov.co/sitios/especiales/Documents/20150515-100-logros/100-logros.html>



Without a doubt, the year with the highest number of threats is the one just gone by - 2015 - with 539 total threats. This type of attack has had a constant and notorious tendency to increase year by year without there being -to

date- any concrete progress made by the Attorney General or other justice entities to elucidate on the real origin of these threats or to deal with those responsible.

### MURDERS 2010-2015

2010	2011	2012	2013	2014	2015
32	49	69	78	55	63



This attack is one of those that generates most concern. Instead of reducing (like the figures on homicides for the same period provided

by the National Government), the number of defenders murdered continues to increase<sup>66</sup>.

YEAR	Number of Homicides
2010	15.459
2011	16.127
2012	16.440
2013	15.414
2014	13.343
2015	12.673



The number of defenders murdered between 2010-2015 recorded by the SIADDHH only corresponds to 0.2% of the 119.456 homicides recorded by the Government for the same period. However, neither the homicides

of the defenders nor the 99.8% of other Colombians show signs of any progress in the investigations, generating a climate of unobstructed impunity for this type of attack.

<sup>66</sup> Ministry of National Defense. Achievements of the Comprehensive Policy for Security and Defense for Prosperity. - PISDP 2015. Pg.8. [https://www.mindefensa.gov.co/irj/go/km/docs/Mindefensa/Documentos/descargas/estudios%20sectoriales/info\\_estadistica/Logros\\_Sector\\_Defensa.pdf](https://www.mindefensa.gov.co/irj/go/km/docs/Mindefensa/Documentos/descargas/estudios%20sectoriales/info_estadistica/Logros_Sector_Defensa.pdf)

ATTEMPTED MURDERS 2010-2015

2010	2011	2012	2013	2014	2015
21	20	50	39	41	35

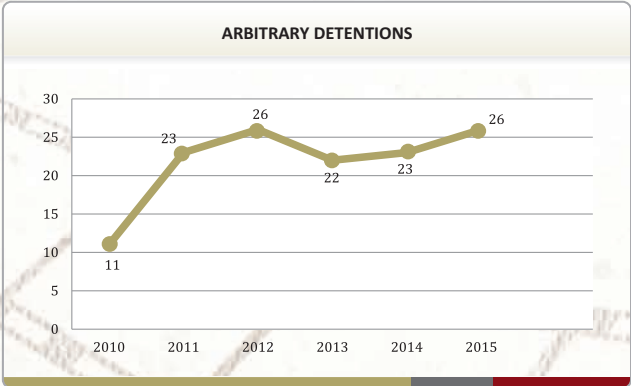


Attempted murders are, undoubtedly, one of the most invisible and dangerous attacks when attempting to rule on the level of threat of a human rights defender in Colombia. With 206 cases recorded by the SIADDHH between 2010 and 2015, in their reports the authorities do not even mention that these cases exist, much less if there is an ongoing investigation

into these acts. Even if this type of attack had its highest peak within the period in question in 2012, and since that moment it has been in descent, the authorities should nonetheless be aware that it is a flagrant violation of the right to life of the defenders in Colombia and they are the prelude to the murder of the defender.

ARBITRARY DETENTIONS 2010-2015

2010	2011	2012	2013	2014	2015
11	23	26	22	23	26



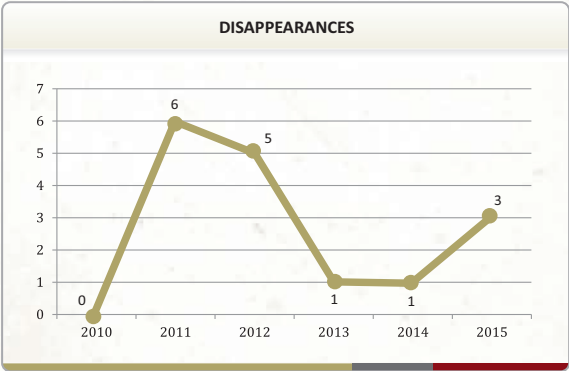
This illegal practice consists of the holding for more than one hour of a defender for carrying out their right to free movement or freedom of expression and protest. This type of

attack had its highest peak during the peasant farmer's protests of 2012 and 2013 in which 48 social leaders were denied their free mobility. In 2015, and after the coming into effect of the Law of Citizen's Security, along with other

regulations that restrict the right to social protest, this type of attack is again beginning to increase. This aggression is not recognized as such by the national government.

DISAPPEARANCES 2010-2015

2010	2011	2012	2013	2014	2015
0	6	5	1	1	3

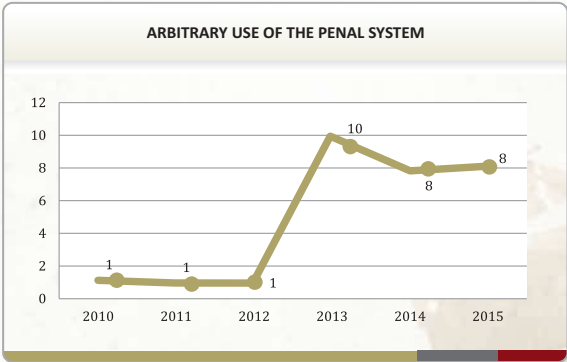


The highest peak of activity of this attack was between 2011 and 2012, coinciding with the issuing of the Victim's Law and the beginning of the peace talks between the Government and the FARC. The disappearance of defenders is another one of the invisible attacks of this recounting of events. There has been no mention of progress on the whereabouts

of 16 human rights defenders at any of the roundtables with the government, with these defenders disappearing without any trace, leaving all the pain that this act generates for the family members of these defenders, as well as the huge damage made to the social processes in which they were working.

ARBITRARY USE OF THE PENAL SYSTEM 2012-2015

2010	2011	2012	2013	2014	2015
1	1	1	10	8	8



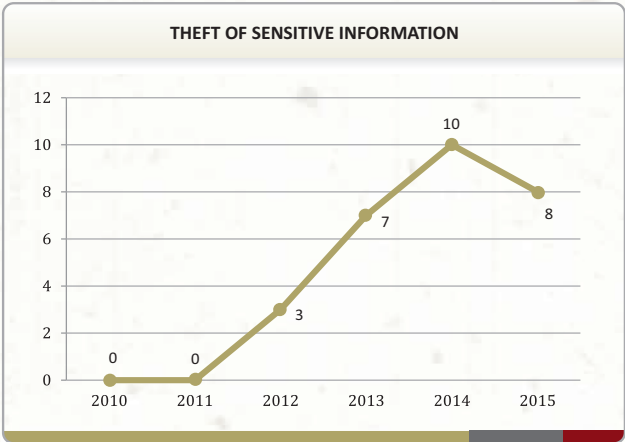


There has been much written and said on the use of the penal system against the defenders of human rights, more widely known as judicialization. And the fact is that this practice was widely used in the presidential period of Álvaro Uribe to silence the dissident voices from the territories by linking the defenders to actions of insurgency. At the time, the renowned institutions such as Human Rights First analyzed the phenomenon, finding that there was systematicity in the judicialization of these leaders<sup>67</sup>. With 2012 coming to an

end, these actions of judicialization reduced ostentatiously, until the coming into effect of the Citizen's Law of Security and the peasant farmer's protests of 2012-2013, after which the figures rose once again and the phenomenon regained its strength. In fact, in a recent study undertaken by the Protection International organization<sup>68</sup>, they showed how this mode of attack has become a pattern in various areas of the world to obstruct the work of the defenders of human rights, and Colombia is no exception.

THEFT OF SENSITIVE INFORMATION 2010-2015

2010	2011	2012	2013	2014	2015
0	0	3	7	10	8



This form of attack has experienced an exponential and progressive increase. The documenting of these cases is difficult because the numerous thefts of sensitive information are reported as simple petty crimes without taking into account the effect that the loss of this type of information causes on the social process. Be it or not by chance, the increase in these cases during the 5 years of the San-

tos government coincides with the gradual and alarming discovery of the excesses of the state in the use of intelligence and espionage, with cases such as the D.A.S. to the case of "Andrómeda", the Sepulveda Hacker, and the sophisticated pieces of spy equipment bought by the National Police. More information on this topic is available in our report "The Nobodies"<sup>69</sup>.

<sup>67</sup> <https://www.humanrightsfirst.org/wp-content/uploads/pdf/090211-HRD-colombia-esp.pdf>  
<sup>68</sup> [http://protectioninternational.org/wp-content/uploads/2016/01/PI\\_Criminalisation\\_Spanish\\_PrintReady1.pdf](http://protectioninternational.org/wp-content/uploads/2016/01/PI_Criminalisation_Spanish_PrintReady1.pdf)  
<sup>69</sup> Biannual report SIADHH "The Nobodies". Pg. 39 <http://somosdefensores.org/attachments/article/134/los-nadie-informe-semestral-siaddhh2015.pdf>



## GENERAL CONCLUSIONS

En contraposición a las alentadoras cifras oficiales, académicas y particulares, que señalan al In contrast to the encouraging official, academic, and private figures that signal 2015 as being the year with the lowest statistical figures of socio-political violence, below we shall make some conclusions on the attacks of human rights defenders and a trend that suggests that the ending of armed conflict will not necessarily favor the physical integrity of these activists. On the contrary, the attacks may increase. Furthermore, if no profound changes on protection policy occur, then post-armed conflict may not be so sustainable after all:

### IN TERMS OF THE FIGURES

- 1.** In 2015 the attacks on defenders of human rights increased by 9%, increasing from 626 cases in 2014 to 682 in 2015. In the last 5 years the attacks have progressively increased each year, finally reaching the worrying figure of 2444 defenders having been attacked in some way between 2010 and 2015.
- 2.** Despite the positive reduction in the statistics of socio-political violence in 2015, which is a direct product of the de-escalation of armed conflict, the murder of defenders increased by 13%, going up from 55 cases in 2014 to 63 cases in 2015. This situation suggests that the possible cause of these deaths are not directly associated to armed conflict but in fact come from new forms of violence that have not yet been studied. In the last 5 years, 346 human rights defenders have been murdered, and the areas with the highest number of murdered defenders are Antioquia, Cauca, Bogotá, Nariño and Valle del Cauca. The types of defender most affected are indigenous leaders, the LGBTI movement, and communal and community leaders.
- 3.** The threats against defenders increased by 10%, going up from 488 in 2014 to 539 in 2015. Furthermore, 27 massive threats emitted by means of pamphlets were recorded, without any successful investigation being opened by the Attorney General to date. These threats can possibly be attributed to the paramilitary groups and organized crime, with an alleged 69% of responsibility. Threats are the most used form of harming the defenders over the past 5 years, with a total of 1687 people threatened.
- 4.** The theft of sensitive information belonging to the defenders continues to be a form of aggression that is invisible to the authorities, and the number of cases is increasing: between 2010 and 2015 there were 28 cases recorded, with 8 in 2015 alone.
- 5.** In 2015 the main aggressors against social leaders and defenders were the paramilitary groups and organized crime groups, being behind an alleged 66% of attacks in the 682 total attacks counted.
- 6.** Bogotá, Valle del Cauca, Cauca, Santander, Antioquia, Caquetá and Atlántico are the areas where the highest numbers of defenders were registered as being attacked in 2015.
- 7.** The Government of Juan Manuel Santos is "cracking" under the burden of protecting the exercising of human rights. Judging by the figures during the last 5 years of government, attacks never diminished and on the contrary, they have increased year after year: 2010 – 174 men and women attacked; 2011 – 239 men and women attacked; 2012 – 357 men and women attacked; 2013 – 366 men and women attacked;

2014 – 626 men and women attacked;  
2015 – 628 men and women attacked.

## IN TERMS OF POLITICAL CONTEXT

### INVESTIGATIONS

An apparent technical and political inability exists of the Office of the Attorney General to make those responsible pay for the 2444 recorded attacks against defenders of human rights in Colombia between 2010 and 2015. Irrespective of the budget employed, the special forces created to make more robust the investigations or external support have, to date, resulted in ONE CASE that is currently in the stage of judgement. **We therefore conclude that there is impunity in 99.96% of the attacks against HRD in the period of government of Juan Manuel Santos.**

To this 100% factual impunity in the investigations is added the concern regarding the change in Attorney General that will occur in 2016, inasmuch as the change may lead to the loss of the advances made between the human rights movement and this investigative entity which has been under the auspice of the OACNUDH and PNUD (United Nations Development Programme).

An urgent and drastic change in investigative policy is needed for the cases of attacks against defenders of human rights in Colombia, in which priority is given to dialogue between diverse information sources and a grading of the personnel that is in charge of said investigations so that, with a focus on rights, the investigations are made based on the principle of the innocence of the defenders instead of guilt or suspicion of their activities.

### PROTECTION

The current model of individual material protection is obsolete and inapplicable both financially and politically for a period of post-conflict. A process of building a new model of protection must be started, in which the protection is much more comprehensive and includes political guarantees for the defense of human rights. It should also reflect the new realities, but most of all be backed by a State which guarantees rights.

The current model of protection for people at risk is inapplicable for the peace agreements that are the results of the negotiation in La Habana.

The protection of the human rights defenders, social leaders, and the social movement in general, today more than ever must be read by institutionalism in its new contexts of facing a scenario of post-armed conflict, both because of its constitutional mandate and the importance of the role that these actors will play in the development of the peace agreements in the territories.

The current model of physical and material protection must be changed profoundly and be congruent with the reality and historical moment that Colombia is facing with the end of armed conflict. This being so, the strategies of protection must be oriented toward the identification and overcoming of risk and impunity, and be toward the legitimization of the work of the defenders of human rights, and toward the respect of their work as agents for the building of peace.

As international experiences have shown, in the stages of transition and application of the peace agreements, focused violence on leaders and defenders increases, and the Colombian



government is not prepared to face this situation.

## PREVENTION



The preventative regulations and directives on attacks of human rights defenders are dead letter. To date, there is no prevention in this area. They must be reevaluated.



The prevention policies of human rights must react to the new realities that the country will face post-armed conflict. Therefore, it is the time to make the qualitative jump from theory to action, it is in this time of change when the communities and social organizations must be the gravitational nucleus in the building of a real prevention policy for human rights, which is none other than to attack the actors who cause and generate the risk themselves.



As the Governmental institutions legitimize the work of the HRD, those responsible for the committing of crimes against the human rights movement

must be investigated and sanctioned. Furthermore, the inter-institutional spaces must be strengthened and made more dynamic, whilst at the same time demilitarize the thinking of the governmental institutions. This would be the beginning of the prevention and gradual dismantling of physical protection, to then give way to a State of guaranteed rights.

Lastly, the important and excellent role played by the Office of the High Commissioner of the United Nations for Human Rights in Colombia (OACNUDH) must be recognized, especially in terms of the observation of human rights in the country and their timely recommendations for the improvement of them. Furthermore, their worth in a period of post-peace agreements, both for the protection of the social movement and human rights, and for the monitoring of all types of violations that may emerge in a complex period such as is one of post-armed conflict ought to be noted. Therefore, their effect, relevance, and valor is undeniable for some time yet, contrary to the objective of the national government of bringing their mandate to an end in the situation that fast approaches us.