

# Stone in the shoe

Annual Report 2017  
Information System on Attacks against  
Human Rights Defenders - ISAHRD



**PROGRAMA  
SOMOS DEFENSORES**

PROGRAMA NO GUBERNAMENTAL DE PROTECCIÓN A  
DEFENSORES DE DERECHOS HUMANOS

matador

**A work of: Julio César González - MATADOR.**

One of the most important Cartoon artists in Colombia. Trained as a Publicist, he also worked as a taxi driver, but in 1995 he decided to turn his hobby into his profession. Winner of dozens of journalism awards. He is currently a permanent Cartoon artist of the newspaper with the largest circulation in Colombia: El Tiempo.



Calle 19 No. 4-88 Oficina 1302 Bogotá D.C. – Colombia.  
Tel: (051) 2814010 / [www.somosdefensores.org](http://www.somosdefensores.org)  
[prensa@somosdefensores.org](mailto:prensa@somosdefensores.org)  
2018

The Non-Governmental Program for the Protection of Human Rights Defenders – We Are Defenders, is a protection area that seeks to develop a comprehensive proposal to prevent aggression and protect the lives of people at risk due to their work as human rights defenders, when they protect the interests of social groups and communities affected by violence in Colombia. The Somos Defensores Program is formed by:



This edition was developed by the Somos Defensores Program, under the direction of the MINGA Association

**Editorial and Publishing Coordination**  
Diana Sánchez Lara y Carlos A. Guevara

**Research**  
Gustavo Adolfo Ulcué, Karol Schipkowski, Carlos A. Guevara, Leonardo Díaz Morales.

**Traducción**  
Osiris Duarte

**SIVeL System**  
Vladimir Támara (<https://sivel.sf.net>)

**Thanks to:**  
MOVICE, CCEEU, MAAP OEA, Marcha Patriótica, Indepaz, CINEP, CCJ, Red por la vida y los DDHH del Cauca.

**Special Thanks to**  
Cartoon Artists: Matador, Carlos Arturo Romero, Marco Pinto, Pablo Pérez, Chócolo, La Ché.  
OACNUDH, CERAC, Ombudsman's Office and Kroc Institute.

**Geo referencing**  
Felipe Zuñiga

**Cover**  
MATADOR Cartoon

**Design, Layout and Printing**  
Inversiones CIMAZ S.A.S.

The content of this report holds responsibility on its authors and does not compromise the organizations and institutions that support this publication. This publication is of a cultural, pedagogical nature and its distribution is free. It can be photocopied and reproduced as long as the source is cited. The printing of our report in 2017 is possible thanks to the resources provided by Diakonia Sweden and the Royal Norwegian Embassy in Colombia.



Embajada de Noruega



The work of the Somos Defensores Program in 2017 is possible thanks to the support of the Royal Norwegian Embassy in Colombia and the cooperation agencies Misereor, Diakonia and Terre des Hommes – Schweiz.

## INTRODUCTION

*Claroscuro*, (*Chiaroscuro*) is how we named the annual report of 2011, following the first year of government of President Juan Santos, who started out by fixing the broken bridges that his predecessor left behind. In it, we recognized the pondered, reconciliatory and political tone of the new President that contrasted with the aggressiveness of the previous one. We also referred to the recognition of the armed conflict, which without a doubt cleared the path for peace negotiations and the normative package in relation to protection, human rights and the law of victims and restitution of lands. To sum up, the picture was becoming clearer and more encouraging. In contrast, many situations in the regions and especially for social movements and human rights, it remained to be difficult, exacerbation of the armed conflict, militarization of territories, rise of successor groups of paramilitarism, threats and more. That means, the darkness remained.

Today, near the end of the second term of President Santos, the scenario can continue with the same qualification: *Claroscuro*. Certainly, the Peace Agreement with the FARC, their incorporation into legal political life, the lowest social violence rates in the country's history, the Dialogue Table with the ELN, the national sensitivity before corruption, the spirit of the people to go out and fill public squares requesting a change and the many investigations that move along the judicial stages, despite the corruption, are good reasons to pre-

serve the hope and encouragement to continue looking for the much desired peace in Colombia.

However, the darkness endures along the national scene and becomes broken mirrors that are reflected in a negative way in many territories, veiling the possibility to see the light: The breach of the Peace Agreements by the Colombian State, the denial of the traditional political class to the democratic opening, the extreme extractivism of the natural goods despite the climatic change, the corruption of the political and economic elites of the country, the culture of hate exacerbated by sectors of extreme right that lead the country to a polarization with no return, but above all, the murder of both male and female social leaders.

Undoubtedly, for those who monitor and observe the attacks against human rights defenders in Colombia, the year 2017 was the most critical in the 7-year term of the current President. This is testified by the different figures that abound in the context. Such degree of aggressiveness against these activists, is with no doubt very serious, and besides worrying the human rights movement, researchers, the international community and sectors sensitive to the phenomenon, it became a *STONE IN THE SHOE* of the National Government within the framework of its peace policy. But if it is read from a different angle, it is also an opportunity to make a common cause and fix the focus on this phenomenon to overcome it.

Consequently and as a contribution to this greater search, this report *PIEDRA EN EL ZAPATO (A STONE IN THE SHOE)*, analyzes the situation that occurred during 2017 on this matter in several senses: A first chapter that shows in figures, from the different sources of information the situation of risk in which human rights activists live in the country. A second section with a summary of the different regulations for security and protection, arising from the peace agreements and that, if implemented, are quite an opportunity to close this dark chapter of the country's life. A third segment that critically reads the results of the different governmental and state instances in relation to the problem. A fourth chapter that warns that this situation of harshness, hatred and stigmatization that falls particularly on the social and popular leadership of the country, we have already lived and cannot continue, even more in a context of search for peace. The fifth section that collects the 20-year memory of the United Nations Declaration on human rights defenders, which also coincides with the two decades that the Colombian State has been trying to protect these activists with normative and physical routes, and which today become a challenge to be implemented under the light of the Peace Agreements.

Finally, the section where the figures on aggressions against human rights defenders during 2017 are analyzed, examined from the Information System, which, partially, account for the situation.

But as we mentioned at some point, a positive aspect of this dark landscape is the media's sensitivity in front of

the phenomenon, including amongst them, the cartoon artists, who from the aesthetics of humor and persuasive images, illustrate that reality and sensitize the public opinion. Therefore, this report *LA PIEDRA EN EL ZAPATO* has the invaluable collaboration of several artists of this journalistic genre, who team up to support the cause of human rights defenders. Thus we express a special thanks to Julio César González - MATADOR, Pablo Pérez - ALTAIS, Carlos Arturo Romero, Marco Pinto, Harold Trujillo - CHÓCOLO and Cecilia Ramos - LA CHÉ.

We also thank the technical support provided to the SIADDHH by the Center for Research and Popular Education - CINEP and the Colombian Commission of Jurists - CCJ; as well as the assistance from the human rights platform Coordination Colombia Europe United States - CCEEU, the Movement of Victims of State Crimes - MOVICE, Colombia Diversa, Patriotic March, the People's Congress, the Agrarian Summit, Ethnic Peasant and Popular and the Indigenous Organization of Colombia - ONIC, for the information that sustains our report. Special thanks to the Office of the United Nations High Commissioner for Human Rights in Colombia - OAC-NUDH, the Ombudsman's Office and the Kroc Institute.

Also a special and sincere recognition to the Royal Norwegian Embassy in Colombia, for its unquestionable political and financial support, and the international cooperation agencies DIAKONIA Sweden, MISEREOR Germany and Terre des Hommes - Schweiz, because their support was fundamental for the realization of this Report.

## PEACE, POLITICS AND DDHH DEFENDERS

2017 was a year in which the armed confrontation and its endless list of victims ceased to be the daily news. The signing and beginning of the implementation of the Peace Agreements with the FARC, as well as the start of the Negotiating Table with the ELN, brought along a substantial decrease in socio-political deaths in the country; however, in midst of this positive trend, another phenomenon became increasingly evident and sustained an unacceptable increase: The murder of social leaders and human rights defenders in Colombia.

It seems like these activists are carrying a cross on their backs, because despite the diminishment in armed confrontation that has led them to be a public agenda issue, not only because of their determined work for peace and the construction of a better democracy, but also for the high number of human lives blinded by dark interests. But the peace context is not the only one where defenders are subject to aggression, other conflicts begin to be revealed in the absence of the usual excuse (armed conflict) and indifference of the State: Mining, unrestrained extractivism, drug trafficking, the fight for land, hate crimes, corruption, among others.

And this multiplicity of problems that shape the contexts in which defenders work, make these activists become a STONE IN THE SHOE for the real powers that act in the different territories of the country. That is, those

who have the weapons, control illegal economies and exercise political power in a corrupt manner, continue with large-scale land tenure or are behind large economic interests in the regions.

Given this situation, the present report intends to make an initial analysis of which were those scenarios to which the social leadership was confronted, but also to the challenges and opportunities to continue doing its natural mission: To fight from below to bring the country towards conditions of justice, balance with the earth, justice, achievement of peace and with it, well-being for its communities.

It should also be pointed out that in view of this phenomenon, the degree of sensitivity attained in various sectors of society and particularly in the media, including artists of national and regional scope, is very positive. This allowed an important media and opinion coverage, which contributes to this STONE IN THE SHOE to become a target of public policy and state mobilization to stop it.

For this reason, in this annual edition of the Somos Defensores Program (We Are Defenders), we have taken as an artistic point of reference the collaboration of prominent cartoon artists to represent those vicissitudes, achievements and challenges faced by men and women who defend human rights in Colombia.

# CHAPTER 1

## “PROFESSION: DANGER”



**A work of: Pablo Pérez “Altais”.**

Journalist, writer, cartoon artist and illustrator from the city of Medellín - Antioquia. Known for his critical and informed work when building his art. All his work <http://periodistailustrado.blogspot.com.co/p/quien-soy.html>

2017, like no other year before, was the time in which civil society concentrated observation and analysis exercises around the situation of social and popular leadership and the violence of which they have been victims. For 10 years, the Somos Defensores Program was the only space that systematized the violence against these activists, issuing quarterly, semi-annual and annual reports.

In good time during the year, organizations such as CERAC, INDEPAZ, Patriotic March, the Popular Research and Education Center - CINEP, the Colombian Commission of Jurists - CCJ, the Institute of Political Studies of the National University - IEPRI<sup>1</sup>, the Observatory of Restitution and Regulation of Agrarian Property Rights<sup>2</sup>, the José Alvear Restrepo Lawyers Collective, the Observatory for the Protection of Human Rights Defenders of the OMCT and FIDH<sup>3</sup>, amongst others, produced reports that recorded cases of homicides and perspectives of analysis about the causes of violence against human rights defenders and social leaders of different positions.

The production of these reports brought along the obvious release of diverse figures and statistics about the phenomenon and also generated confusion in the interpretation of the real scena-

rio of the defenders, as well as an excuse for the State to not take the matter seriously. This confusion started with the analysis of statistics in 2016<sup>4</sup> and the government's response at the time was limited to keeping the information provided by the United Nations Office for Human Rights in Colombia - OAC-NUDH which documented 64 homicide cases versus other more disturbing quantities: Somos Defensores Program 80 homicides<sup>5</sup>; Indepaz - Patriotic March 117<sup>6</sup> homicides, Ombudsman's Office over 120 homicides<sup>7</sup>.

With this precedent, the homicide figures in 2017 were also a matter of public discussion, for they differ greatly from the official figure supplied by the government (81 homicides), which continues to be very low compared to the ciphers of the Civil Society (Somos Defensores Program 106 homicides; Indepaz – Patriotic March: 170 homicides<sup>8</sup>; Ombudsman's Office: 206 homicides<sup>9</sup>)

1 <http://www.cinep.org.co/Home2/component/k2/item/495-informe-panorama-de-violaciones-al-derecho-a-la-vida-libertad-e-integridad-de-lideres-sociales.html>

2 <http://www.observatoriodetierras.org/>

3 <https://www.colectivodeabogados.org/?Senor-Ministro-de-Defensa-No-son-los-de-faldas-son-ataques-contra-el-derecho-a>

4 <https://colombia2020.elespectador.com/pais/las-cifras-inciertas-del-numero-de-lideres-asesinados-en-2016>

5 <http://www.verdadabierta.com/victimas-seccion/los-resistentes/6502-2016-letal-para-los-lideres-sociales>

6 <http://www.contagioradio.com/117-lideres-fueron-asesinados-durante-2016-articulo-35119/>

7 <http://www.defensoria.gov.co/es/nube/noticias/6236/156-l%C3%ADderes-sociales-y-defensores-de-derechos-humanos-han-sido-asesinados-en-los-%C3%BAltimos-14-meses-Defensor%C3%ADa-Defensor%C3%ADa-del-Pueblo-l%C3%ADderes-sociales-Defensor-del-Pueblo-Colombia-l%C3%ADderes-sociales.htm>

8 <http://www.eltiempo.com/colombia/otras-ciudades/asesinatos-de-lideres-sociales-aumentaron-un-45-por-ciento-en-el-2017-168592>

9 <http://www.elnuevosiglo.com.co/articulos/01-2018-este-ano-han-sido-asesinados-6-lideres->

Given this scenario, the Somos Defensores Program decided to examine these diverse sources of information from civil society to weigh <sup>10</sup> all the findings of their research and be able to establish whether there are similar perspectives or indicators in front of the government's decision not to advance in their own System of information and to work exclusively with the data of the OHCHR, ignoring from the start that they must answer to all of the reported deaths and clarify their facts. It is worth noting that the OACNUDH themselves have brought this very same observation to the National Government's attention, without obtaining any results in this regard. Thus, these were the main results of the consultations performed:

1. Work of Human Rights Defense in Colombia: All of the consulted organizations and the reports reviewed agree on the high level of risk involved in carrying out that task in this country. It also identifies how the exercise of these activists and leaders is considered "a nuisance" in the territories for those who have interests of power in them and see in the defenders a potential danger to their objectives. Similarly, the organizations consulted consider that violence against social leaders and defenders corresponds to structural causes (aggravated by the conflict,

such as social exclusion and political persecution) and is also considered structural violence.

2. Statistics: An increase in homicides was identified in 2017 regarding the measurements of the observatories themselves and against the official figures of 2016 (64 homicides) and it became evident that the behavior of the homicide figure tends to raise in 2018, increasing the scenario of risk for social leadership.
3. Most affected leaders: All the studies determined that the most homicide targeted leaders correspond to defenders whose work is related to lands and territory with ethnic and population approaches (peasants, indigenous people, African descendants, Community Action Boards in rural areas), living in precarious economic conditions. These leaders, victims of homicide are not defenders with a national visibility and their leadership is developed in local areas.
4. Areas of greatest risk: The departments with higher levels of risk for defenders due to the occurrence of violent acts such as homicides, are Antioquia, Cauca, Valle del Cauca, Nariño and Norte de Santander, in rural areas where there is a historical record of presence of illegal armed groups and their confrontation with the Colombian Armed Forces; other departments such as Córdoba, Chocó and Cesar are also troubled. These zones also correspond to scenarios where military

---

sociales

<sup>10</sup> Unstructured interviews were conducted between December 2017 and January 2018 with members of Indepaz Cinep, CCJ, OACNUDH, Instituto Kroc and CERAC to consult on their views about the matter of defenders; these interviews were contrasted with findings of the Somos Defensores Program on the same subject.

operations of the Colombian State are carried out, consistent with the retrieval of ex - FARC zones.

5. The allegedly responsible: The majority of measurements and organizations point out the difficulty in identifying those responsible for these homicides; however, the alleged participation of paramilitary influenced groups - drug trafficking or close to them, as in the case of the Peasant Self-Defense Forces of Colombia, is a coincident point among the studies and organizations consulted. As in the previous point, it is also concurrent how cases in which the Public Force is presumably responsible for the death of social leaders continue to occur.
6. Peace process: The studies agree that the slow and difficult implementation of the Peace Agreement favors the increase in the assassinations of leaders, and sets indicators that several victims would be related to actions in favor of the implementation of one or more of the 5 central points of the agreement. (Rural Development, Guarantees for the exercise of the policy, End of the Conflict, Drug Trafficking, Victims' Rights). Another element derived from the end of the conflict with the FARC and that greatly influences the increase in homicides is the absence of the state and the lack of local democracy in the areas where the FARC had control and which have not been effectively recovered by the civil authority and has been limited to the presence of

the Public Force. These zones are currently in dispute by groups of paramilitary influence, other guerrillas, drug traffickers, dissidents of the FARC who did not enter the re-integration process or who entered and left the process; and organized crime groups.

7. Motives of the killings: The organizations agree on the responsibility of regional powers related to disputes over land and territory, new scenarios of political participation, interests of mining or other natural resources exploitation, drug trafficking, micro-trafficking, crops for illicit use and their substitution, as common points in the possible motivations in the deaths of social leaders. Likewise, the social protest is identified as a dangerous action for social leadership, since several of these leaders perished during the course of such frame.

Faced with these coinciding points, it is evident that regardless of which organization analyzes the event of the increase in murders against social leaders, the reading of the civil society coincides in critical points of the phenomenon that even other actors outside the country (such as OACNUDH, Kroc Institute, MAPP - OAS) or from the same institution as the Ombudsman's Office point out in their analyzes. Thus, the following key points are presented:

- Despite the difference in the figures issued by the various civil society organizations, there are

common factors in both their data and their analysis that should be taken into account by the Colombian State to resolve the increase of violence against defenders of human rights. It is undeniable that the number of murdered defenders is progressively increasing.

- The implementation of the Peace Agreements has brought a decrease in the generalized violence but a concentration of violence on social leaders who have since the beginning, suffered in silence.
- There is a multiplicity of factors in violence against defenders that are exacerbated with the passing of time without finding concrete and transversal measures emerging from the Colombian State entities to stop these deaths.
- The Colombian State refuses to acknowledge the violence against defenders as a structural problem of the country, which increased during the post - agreement with the FARC and this situation endangers the Peace Accords in Colombia. Although the discussion on the systematicity of these homicides is still to be clarified, this is not a

condition to evidence that this violence has structural motivations that require equally structural measures.

- The civil society at all levels (local, regional and national) will be holding the leading role of the post - agreement both during its implementation and in the achievement of a stable and lasting peace, however the national government is not effectively protecting these activists, leaders and defenders.
- For the first time, the Colombian academic guild (such as the National University, Los Andes University, Javeriana University, the Rosario University, the Sinú University, University of North and the Sergio Arboleda University) begins to take an interest in the investigation of issues related to actions of social leaders and human rights defenders, their protection and the violence of which they are victims. This exercise should not only be encouraged and strengthened but also positioned to get increasingly closer to civil society organizations to have more and better studies in the search for effective solutions.

CHAPTER 2

**“BANG...BANG...PEACE”**



**A work by: Carlos Arturo Romero**

He has been a cartoon artist for the Tolima 7 Días (Tolima 7 Days), Actualidad Tolimense (Topicality Tolima) and El Nuevo Día (The New Day) newspapers, with which he currently works. He was the winner of the award for best cartoon artist CPB 2009, Finalist Prize of the Semana (Week) Magazine 2013, again CPB Award in 2015 year in which he also won the Semana Magazine and Simón Bolívar for journalism Awards for best caricature (cartoon).

The year 2017 shall be remembered as a difficult but expected start of the search for peace in Colombia. During this year, the agreements with the FARC and their implementation have had to face endless vicissitudes: The polarization, legal backing of the “Fast Track”, setbacks in the constitution and implementation of the Special Justice for Peace - JEP, the problems of the substitution of illicit crops, the restitution of lands, the constant threat against the new Revolutionary Alternative Force of the Common Party, the dissidence of the FARC and the new groups that generate conflicts and a hatred fueled through the media by the extreme right of the country, made us think that the agreement could not be carried out. But with these and many more difficulties, it is ongoing. Slowly, but it is.

Regarding human rights defenders, the implementation of peace dialogues with the FARC has a bittersweet taste. While it is very important to recognize that the silence of the rifles brought along that we had the lowest homicide rate of the last 30 years (24 x every 100 thousand inhabitants)<sup>11</sup>, this homicide rate increased focused on the defenders of Human Rights according to figures from the SIADD-HH, homicides against these activists are consistently multiplying with an annual increment since the peace process began (2013 - 78 cases, 2014 - 55 cases, 2015 - 63 cases, 2016 - 80 cases), in 2017 the figure broke the

barrier of 100 cases and in 2018 the situation is not improving, it is actually getting worse with a record of 18 leaders killed, only in the first 31 days of the year.

Other international voices and observers of the peace agreement have drawn attention to the issue of the safety of social leaders and the importance of protecting their life in an effective and conclusive manner, so that they can do what they know best: To build a better country for everyone. Spaces such as the Kroc Institute (which follows up on the implementation by the disposition of point 6.3.2 of the agreement)<sup>12</sup>, UN Human Rights Office<sup>13</sup>, UN Special Peace Mission<sup>14</sup>, the Organization of American States<sup>15</sup>, the European Union<sup>16</sup> and the United States Congress<sup>17</sup>, made a loud statement about their concern on the continuance of crimes against defenders and how the persistence of this phenomenon would compromise the effective reality of peace in the country.

11 <http://www.elcolombiano.com/colombia/tasa-de-homicidios-en-colombia-bajo-en-2017-GX7918080>

12 <http://static.iris.net.co/semana/upload/documents/informe-kroc.pdf>

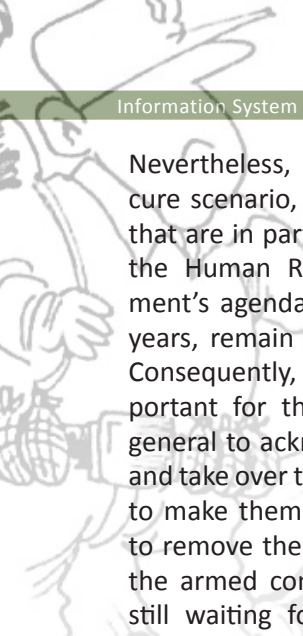
13 <https://colombia2020.elespectador.com/pais/las-preocupaciones-de-la-onu-sobre-la-implementacion>

14 [https://colombia.unmissions.org/sites/default/files/informe\\_trimestral\\_sec\\_gnal\\_mision\\_de\\_verificacion\\_de\\_la\\_onu\\_en\\_colombia\\_0.pdf](https://colombia.unmissions.org/sites/default/files/informe_trimestral_sec_gnal_mision_de_verificacion_de_la_onu_en_colombia_0.pdf)

15 <https://www.elespectador.com/noticias/politica/oea-advierte-sobre-riesgos-la-construccion-de-la-paz-en-colombia-articulo-722175>

16 <https://www.elespectador.com/noticias/judicial/union-europea-preocupada-asesinatos-de-defensores-de-de-articulo-622626>

17 <http://www.semana.com/nacion/articulo/congresistas-preocupados-por-asesinatos-de-lideres-sociales-en-colombia/509408>




Nevertheless, and despite this obscure scenario, the peace agreements that are in part the materialization of the Human Right Defenders movement's agenda, disputed for over 30 years, remain to be a path of hope. Consequently, it would be very important for the social leadership in general to acknowledge the situation and take over the agreements in order to make them a reality, thus helping to remove the causes that generated the armed conflict that is nowadays still waiting for a closure. Avoiding the construction of peace to continue being performed in midst of a "bang... bang..." of bullets against Defenders and the fact that this historic opportunity should not be missed.

In this sense, it is safe to say that the Agreement also reinforces changes (at least in theory) in the prevention and protection mechanisms from which guarantees for the exercise of the defense of human rights in the post - agreement will be derived. These new stipulations (at least in the agreement) would broaden the basic concept of security and would include issues such as collective and community protection, prevention and the prioritized investigation of attacks against human rights activists, compiled in 22 new spaces, protocols, decrees and special units. Then, thanks to the support of the Kroc Institute, these 22 stipulations are listed and a brief analysis of their implementation is made until January 2018.

Some of the proposals, as indicated by the Kroc Institute, are already in operation as the Elite Body of the Police, the UNIPEP, the Special Unit of the District Attorney's Office, the National Commission of Security Guarantees, the Early Warning System which towards the end of 2017 had already issued alerts under the new scheme outlined in Decree 2124/17, the Specialized Subdirectorate of Security and Protection, which is currently invisible to public opinion.

This very same Law Decree (2124/17) establishes that the Ministry of Interior designs and implements public policies for the protection, promotion, respect and guarantee of human rights. It also fulfills the function of liaison and coordination between national and territorial entities. That it directs and promotes policies aimed at the prevention of factors that attempt against public order and adopts measures for their preservation, in coordination with the Ministry of Defense and the territorial authorities. That the Office of the Minister of Interior supports and coordinates with the Minister of Defense the instructions to the National Police for the conservation and restitution of public order, except matters within the exclusive competence of this Ministry. It will be necessary to see if this Ministry will be fit to assume such responsibility.

Still, even with the weaknesses that the Agreement may have and the difficulties for its implementation, there are opportunities in this compendium

<div><div><div>KROC INSTITUTE</div><div>FOR INTERNATIONAL PEACE STUDIES</div></div></div>				SECURITY AND PROTECTION BALANCE MECHANISMS OF THE PEACE AGREEMENT IN COLOMBIA - JANUARY 2018.		
#	Agreement	INSTANCE	PAM	SECURITY AND/OR PROTECTION MEASURE	Responsible Entity	Stage of the Progress
1	2.1.2.2	Guarantees for Defenders and Leaders	108	[To create] amn Early Alert System [for leaders of organizations and social movements and Human Rights defenders]	Ombudsman's Office (Public Ministry)	Decree 2124 of December 2017 "System of prevention and alert for the rapid reaction to the presence, actions and / or activities of organizations, criminal acts and conducts that endanger the rights of the population and the implementation of agreements and construction of peace." It is important that 1) the Ombudsman's Office and the Ministry of the Interior work jointly on its implementation and 2) count on the necessary resources to guarantee the territorial deployment of the Ombudsman so that the SAT can operate in a decentralized manner. It is imperative that the rest of the Public Ministry (Legal Entities and Procuration Office) articulate and complement this system to optimize resources.
2			112	<b>Individual and Collective Protection Program for Leaders of organizations, social movements and human rights defenders</b>	Ministry of the Interior & UNP	Decreets 1581 "Public policy for the prevention of violations to the rights for the life, integrity, liberty and security of persons, groups and communities, and other provisions are issued." 2078 "Route of collective protection of the rights to life, integrity, liberty and personal security of groups and communities", 2252 "work of governors and mayors as agents of the President of the Republic in relation to individual and collective protection of leaders of social and communal organizations and movements, and human rights defenders who are at risk. "The Ministry of the Interior leads its implementation along with UNP. They must have resources or re-prioritize them to ensure their operation.
3	3,4	Political Pact	260	The National Government and the new political movement arising from the FARC-EP's transition to legal political activity commit themselves to promote a National Political Pact, and from the regions, with the political parties and movements, the unions, the organizations of women and the LGBTI population, the living forces of the Nation, the organized society and the communities in the territories, trade unions, the National Trade Union Council and the different economic associations, the owners and directors of the media, the churches, religious confessions. This National Political Pact that shall be promoted from the regions and especially in the most affected by the phenomenon, seeks to make effective the commitment of all Colombians so that weapons are never again used in politics, nor violent organizations like paramilitarism are promoted.	National Government & FARC	The first National Peace Congress, in which the National Pact for Life and Peace, Colombia País con Nuevo Rumbo (Colombia, a Country with a New Route) was signed, is a starting point for a common agenda that promotes the end of the use of weapons in politics and paramilitarism. Constitution of the FARC political party in October. A technical commission was formed between the government and FARC in order to build a methodology which has not yet been approved. The PMI - pending approval - estimates 5 years to finalize this agreement.
			317	<b>Incorporation into the constitution of the prohibition of promotion, organization, financing or official or private employment of paramilitary structures and the National Government in coordination with the judicial branch, a bill will be presented to promote the submission or reception to justice of the organizations previously indicated [criminal organizations including those that have been named as successors of paramilitarism and their support networks].</b>	Congress & Constitutional Court	Legislative Act 04 of 2017 approved by the Senate, pending review of constitutionality by the CC. It is Priority of Normative Implementation.
4	3,4	National Commission of Security Guarantees	263	<b>Permanent Action Plan against the Criminal Organizations PAPCOC with the purpose of combating and dismantling the organizations and conducts object of this agreement.</b>	National Commission of Security Guarantees	Four technical support commissions were established on the following topics: 1) Normative adjustments, 2) Sources of Financing, 3) Differential, territorial and gender approach and 4) Institutional Response and Impact Measurement. The PAPCOC must be ready before the change of government in July 2018.
5	3,4	Special Unit of Investigation		The Special Investigation Unit must design strategies and policies related to the investigation of homicides and massacres, facts or conducts that attempt against defenders of human rights, social movements, political movements, the implementation of agreements and the construction of peace; the identification of criminal structures and their support networks that are within their competence, by the Special Investigation Unit; and the analysis of political and social contexts that allow establishing common patterns of aggressions or behaviors defined in section 3.4.	Attorney General's Office	Decree 898 which created the Special Investigation Unit has a director, Martha Cuellar, appointed in November 2017.
6	3,4	Elite Corp	284	<b>Elite Corps in the National Police with a multidimensional approach.</b>	National Police	The Elite Police Corps was created. It is made up of 1,088 men in charge of confronting organized crime networks, supporting the work of territorial consolidation and prioritizing the security of social leaders. The director of the Investigation Directorate of the Police, General Jorge Luis Vargas, was in charge of it. In June, the Elite Police Corps and the pilot plans for the dismantling of criminal gangs in Buenaventura and Tumaco were launched. deployment to prioritized areas.
7	3,4	SISEP	100 & 109	<b>Preventive Security Deployment</b>	Ministry of Defense	Currently there are about 80,000 men deployed in 160 prioritized municipalities as a part of the UBICAR, UNIPEP, and military. To this is added the implementation of the Horus Plan. However, the communities, leaders, members of the FARC and the same actors in the field have stated that this deployment is insufficient given the security threats by other illegal armed groups.
8	3,4	SISEP	288	<b>Strategic Security Plan including tangible and intangible measures and the campaign against stigmatization.</b>	Security Technical Board	The Plan should be elaborated focusing on the intangible measures that complement the material measures.
9	3,4	SISEP	286	<b>Integral Protection Program, members of the new political party or movement that arises from the FARC-EP's transit to the legal activity, venues and activities, and former members of the FARC-EP who rejoin civil life and the families of all the previous ones.</b>	DAPRE/UNIPEP/UNP	It must be regulated to cover the entire target population, ensuring resources for the current phase that covers about 11,000 members of the FARC, in a context of dispersion outside the ETCRs. The Unipep is complementing the UNP. The UNP security schemes cover a small number of FARC members.
10	3,4	SISEP	296	All members of the new political movement arising from the transit of the FARC-EP to the legal political activity, will have the presumption of extraordinary risk according to reasonable criteria presented by their representatives before the Technical Board.	UNP	Although there is a general regulation of extraordinary risk derived from Decree 895, each individual requires an individual risk assessment. There is a delay in these evaluations for several members of the FARC, relatives and former members of FARC-EP.
11	3,4	SISEP	294	<b>Joint Security and Protection Force (Starting with the training of 300 out of the expected 1,200 members, with no resources secured)</b>	UNP	Partially running. Of 1,200 members, 557 are in possession. It requires financial sustainability beyond 2018.
12	3,4	SISEP	298	<b>Training in Self-protection (led by UNP should be launched)</b>	UNP	It hasn't been officially formed.
13	3,4	Security and Protection Program for Communities and Territories	299	<b>Comprehensive security program for communities and organizations in the territories</b>	Ministry of the Interior	Decree 895 establishes these programs to be regulated by the National Government. The Ministry of the Interior prepared a bill in this regard that was presented to CSIVI in December 2017 and its validation by civil society remains pending. The decree requires harmonization with the spirit of the agreement to provide security guarantees to communities and territories in accordance with collective protection instruments that have previously worked in coordination with the institutional framework. It shall include consultations with the Cimarrona indigenous guard.
14	3,4		300	<b>Community Promoters of Peace and Coexistence</b>	Ministry of Justice and of the Interior	
15	3,4		301 y 187	<b>Special Protocol of Protection for rural communities that were affected by the conflict.</b>	Ministry of the Interior	
16	3,4		302	<b>Program to Strengthen the Reporting Capacity of Human Rights Organizations in Rural Territories</b>	Ministry of the Interior	
17	3.4.9		303, 305	New Prevention and Alert System for Rapid Reaction to the presence, operations and / or activities of the criminal organizations and behaviors object of the agreement - Territorial Committees of Alert for the Immediate Reaction in the territories.	Ombudsman's Office (Public ), Ministerio Ministry of Defense and Attorney General's Office.	Decree 2124 marks a milestone in the management of early warnings of the Ombudsman's Office autonomously from the territory. The Ministry of Defense has made progress with mechanisms such as SIRIE and Carpa Azul in the ETCRs, but there is still a need to improve coordination with the Public Ministry (ombudsman and municipal authorities), the Attorney's Office and local authorities in the areas outside the ETCRs. For the purpose of activating the Territorial Alert Committees for Immediate Reaction, it is necessary to reinforce the presence of the Public Ministry in the 160 prioritized municipalities.
18	5,2	Non-repetition Guarantees	301 y 187	Protocol for the Integral Protection of human rights defenders in rural contexts.	Ministry of the Interior	There has been no mention of progress on this protocol, although it is highly necessary.
19	5,2	Non-repetition Guarantees	466	National Plan on Human Rights with the effective participation of organizations of human rights defenders and organizations and social movements	Presidential Counseling for Human Rights	Decree 1581 "Public policy for the prevention of violations to the right for life, integrity, freedom and security of persons, groups and communities, and other provisions are issued."
20	5,2	Non-repetition Guarantees	466	National Plan on Human Rights with the effective participation of organizations of human rights defenders and organizations and social movements	Presidential Counseling for Human Rights	There is a proposal for a methodological route discussed between government and human rights platforms, with an agreement on regional events and one national event to agree on the National Human Rights Plan. It is expected to be completed during the first semester.
21	6,4	Normative Implementation Priority	515	Security Protocol for the Implementation of the Voluntary Joint for Efforts on Substitution of Illicit Use Crops.	Presidential Counseling for Human Rights	As a priority of Normative, Administrative and Legislative Implementation, there is a protocol that is managed by the Presidency and that facilitates periodic security meetings to coordinate substitution actions between different entities. A binding protocol would facilitate interinstitutional articulation and would provide the necessary security guarantees in substitution actions differentiated from those of eradication.

of protection mechanisms that should be developed and exploited, in the best sense of the word, by human rights defenders. Next, four of these opportunities that deserve to be highlighted:

### INDIVIDUAL PROTECTION VS. COLLECTIVE PROTECTION

During the last 8 years the Constitutional Court, by means of Sentences and Follow-up decrees, exhorted the National Government to implement a collective protection program which, through a matrix of collective risk evaluation, would manage the risks of the arm-forced eviction and through the same line, the derivatives of the internal armed conflict. Likewise, in 2017 the third section of the State Council urged the President of the Republic, insisting on the need to protect social leaders and their organizations moved by the aforementioned statistics which are alarming and show that this scourge has been progressively increasing, as remarked by the entity.

It is necessary to mention that Decree 2078 of 2017<sup>18</sup> which was recently issued, theoretically deals with a collective protection route, without actually applying it to reality, as a result of the arrangements discussed with the communities. To quote a concrete example, here is the case of the Community Council of Alto Mira y Frontera in Tumaco, where the Social leader José Jair Cortés<sup>19</sup> was murdered;

days after the massacre of October 5, 2017. This Community Council had concluded with the National Protection Unit on February 21, 2016 (600 days before the massacre) the collective protection mechanisms by means of resolution No. 1122 dated March 9th 2016, which is still in an implementation stage, that is to say, it is still on paper, while the social leaders of Tumaco continue to be threatened, evicted and shot at. Paper holds everything.

Also, insisting to the National Government that the individual and armed protection measures are not viable or acceptable when the risks shown by the implementation of the agreements are so evident, and the transformation of the territories and their communities into strategic objectives or “legitimate” targets by the multinationals of crime and their armed divisions. So the collective protection and all the legal, economic, material and political resources that are available for its realization, are the structural solution that is required to avoid repeating cases like the one of the Community Council of Alto Mira y Frontera.

Social organizations have longed for the collective protection for years, not only because it is already an existing obligation in the current protection program (Decree 1066 of 2015) but because individual, material and armed protection cannot stand it anymore,

<sup>18</sup> <http://es.presidencia.gov.co/normativa/normativa/DECRETO%202078%20DEL%2007%20DE%20DICIEMBRE%20DE%202017.pdf>

<sup>19</sup> <http://www.eltiempo.com/justicia/conflicto-y->

[narcotrafico/asesinan-a-jose-jair-cortes-lider-social-de-tumaco-142058](http://narcotrafico/asesinan-a-jose-jair-cortes-lider-social-de-tumaco-142058)

nor financially, operationally or politically. Although the aforementioned decree (2078 of 2017) is only the framework for others to come and that seek to build real collective protection, the truth is that the clock keeps ticking and corpses continue to appear. The opportunity is to build collective protection now.

### **SPECIAL INVESTIGATION UNIT**

As contained in point 3.4. of the agreement, this Unit must design strategies and policies related to the investigation of homicides and massacres, facts or conducts that attempt against defenders of human rights, social movements, political movements, the implementation of agreements and the construction of peace; the identification of criminal structures and their support networks that are within their competence, on the part of the Special Investigation Unit; and the analysis of political and social contexts that allow the establishment of common patterns of aggression.

Given this scenario, the Special Unit will be responsible for centralizing the investigations that have been separated in different sections and offices of the District Attorney's Office and that until now have no mourner within the Entity. The Unit was already created in September 2016<sup>20</sup> and it was included in the agreement despite several attempts to attack the development of the Unit by the District Attorney himself; it is currently under the gui-

dance of Martha Cuellar. However, despite the fact that the unit is still "in its infancy", it is an important improvement that its investigations into attacks against defenders is focus on one single office, which will prevent what happened at other moments in recent history between the District Attorney's Office and the Defenders, where progress depended on the political will of the District Attorney in possession or even worse, on the increase in homicides.

This Unit should be open to constant dialogue with organizations that also document and assist in the observance of the phenomenon of violence against defenders to promote joint work, in order to remove from impunity some percentage of the more than 3000 cases of aggression that the social observatories have calculated in the last 4 years; there is also the hope of being able to collect cases from the past, which would contribute even more to the fight against impunity. It is also an opportunity for defenders, to the extent that it should establish one single and fluent channel with this new unit so that all complaints of assaults against defenders (public or not), are known by this office to expedite justice. The only way to overcome impunity is by contributing with accurate information, demanding the greatest effort from spaces like this new Unit.

However, at this moment the Unit does not yet have the legal floor, nor the money to be able to start working vigorously and this space must be peremptorily strengthened if it searches to promote with greater dynamism

<sup>20</sup> <https://www.fiscalia.gov.co/colombia/wp-content/uploads/2017-DECRETO-016-14-y-898-17-INTEGRADO-ESTRUCTURA-FGN.pdf>

the advances in the investigations for aggressions against defenders, since this opportunity can be contaminated with the internal corruption of the district Attorney's Office. The key move here is to make this Unit start working as soon as possible.

### **NATIONAL COMMISSION OF SECURITY GUARANTEES**

This Commission has a clear objective: "the design and monitoring of the public and criminal policy on the dismantling of criminal organizations or behaviors responsible for homicides and massacres that attempt against human rights defenders, social or political movements, or that threaten or endanger the people involved in the implementation of the peace agreements and its construction, including criminal organizations that have been designated as successors of the paramilitaries and their support networks"<sup>21</sup>. This space was created under decree 154 of 2017 and it was announced quite noisily by the executive power, unfortunately its results are quite weak almost a year after its launch.

The development of the activities suggested for this commission began with great enthusiasm thanks to the disposition of the national Government, but basically due to the insistence of the human rights organizations. As the year advanced, the meetings became increasingly

scarcer and the government's willingness to discuss in depth the issue of paramilitarism in the country was quickly diluted. Today the work of this commission is considered to be a bit cosmetic because it has not produced conclusive results beyond the meetings themselves. Since it was created, it has already held sessions in 6 opportunities, it has built sub-commissions on specific topics, it has scheduled work agendas in the field and built an internal regulation, but from the intense discussions, no progress has aroused yet.

This Commission is not to be neglected for it remains a historic opportunity to be unveiled in an institutional space, the real face of paramilitarism in the country, taking advantage of the fact that the constitution of this instance was given by a Decree - Law (which gives it greater power) and therefore, its results, which we hope will be quality public policy to combat this phenomenon in Colombia, achieve victory with the insight, opinion and position of the human rights defenders.

The national government must remain committed at the highest level with this space (its composition goes starting from President and continues downwards), because there are problems of convening meetings, budget for its execution and little progress in the development of its tenure, and it takes the risk of wearing out or disappearing when facing a new government.

<sup>21</sup> <http://es.presidencia.gov.co/normativa/normativa/DECRETO%20154%20DEL%2003%20FEBRERO%20DE%202017.pdf>

## COMPREHENSIVE SECURITY PROGRAM

One of the greatest opportunities that can play a leading role in the search for broader protection for defenders, their organizations and communities is the “Comprehensive Security and Protection Program for communities and organizations, leaders, directives, representatives and activists of social, popular, ethnic, women, gender and human rights defenders organizations in the territories”.

The object of this Program is “the definition and adoption of comprehensive protection measures, so that it helps to guarantee, in accordance with the competencies of the responsible entities and under an effective model, the implementation of prevention, security and protection measures, promotion of peace and coexistence and support for the activity of criminal complaint”<sup>22</sup>.

While it is anticipated to speak of a space that has not yet been formalized, the truth is that in the light of the agreement, this will be the framework program that will gather most of the efforts with which the Colombian State intends to comprehensively protect defenders, organizations and communities. Consequently, the human rights movement must be very aware of the new stipulations and above all, participate actively in the discussion of the decree, since according to the current Interior Minister Guillermo

Rivera, it will be open to contributions from social leaders<sup>23</sup>.

But despite watching this agreement and the new conditions on protection mechanisms and guarantees for the defense of human rights in Colombia with hopeful eyes, it is also full of challenges. Here are three of the most important:

1. Financing: judging by the statements of several representatives, all this new institutional platform has no money to be implemented<sup>24</sup>. Coincidentally, the only institution that does have its resources assured is the Ministry of Defense, like back in times of the armed conflict.
2. Complementarity: when the entire new legal package for the implementation is still to be known, a less-than-convenient distance between the concept of security and the existing offer of protection and prevention given by the agreement and the legal provisions that already exist, is already evident. This gap must be closed.
3. When the development arrives: While the implementation process of the plans and projects takes place, which will take development to the territories where war was once the only scenario, it is necessary to strengthen the Rule

22 <https://drive.google.com/file/d/1uYBhdmmw1jISkYJ7tdEwhGyTzyANfDKh/view?int=masinfo>

23 [http://caracol.com.co/radio/2018/02/13/nacional/1518523856\\_866795.html](http://caracol.com.co/radio/2018/02/13/nacional/1518523856_866795.html)

24 <http://www.dinero.com/edicion-impresia/pais/articulo/de-donde-saldr-la-plata-para-la-paz-y-el-posconflicto/242022>

of Law in the regions through the IMMEDIATE arrival of justice, the guarantee of fundamental rights by the Public Ministry and the improvement of security conditions by the Ministry of Defense.

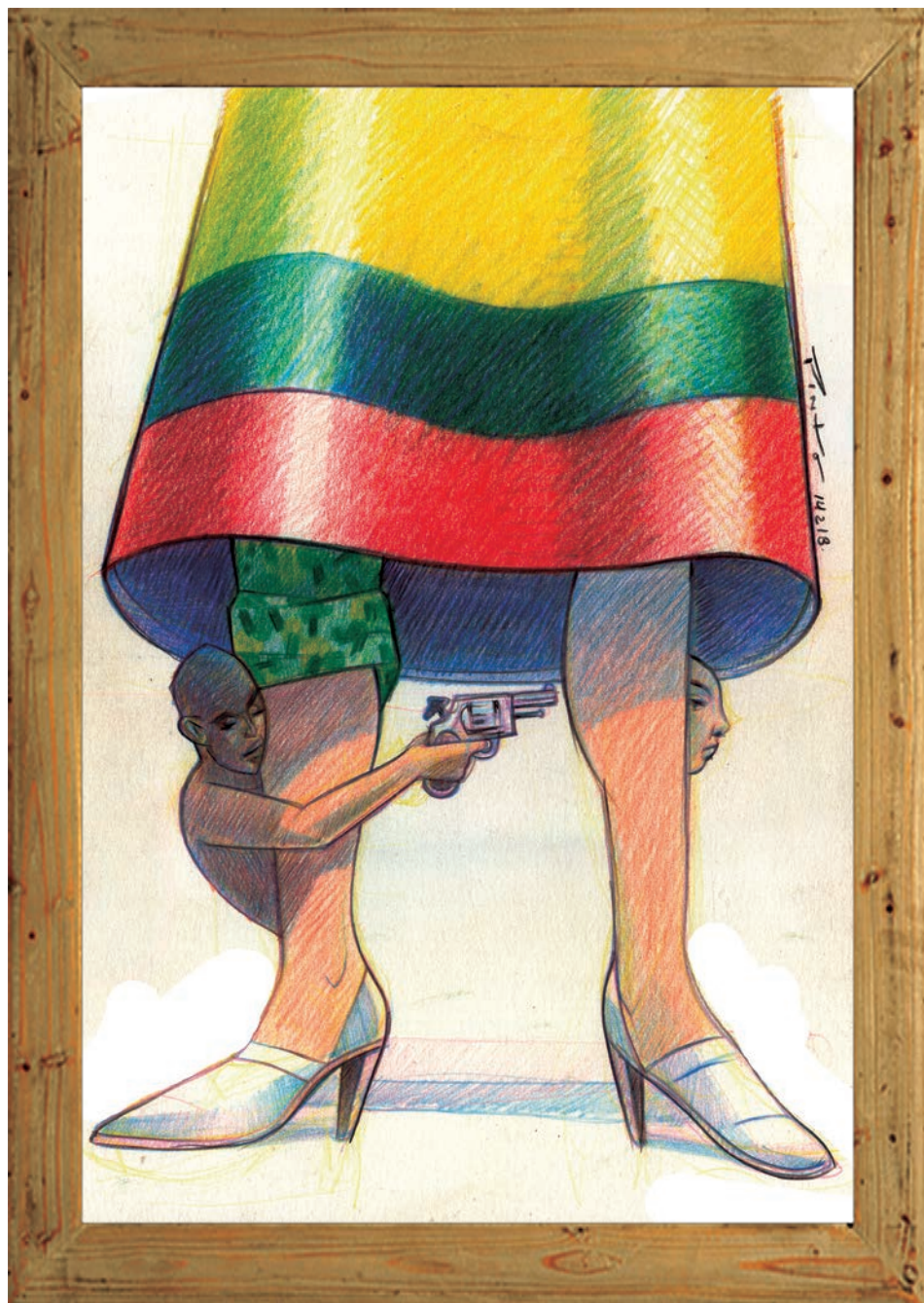
The peace agreement is undoubtedly the historical turning point of Colombia and its implementation will be the result of what we will be as a nation in the next 20 years, which is

why human rights defenders, their organizations and platforms are called to be unconditional observers of the implementation, promoting channels of tripartite dialogue with the international community and the government at national and territorial level with the objective of generating spaces to make this peace agenda operational. Despite being the stone in the shoe for many powerful people and organizations, the defenders have the opportunity in their hands.



CHAPTER 3

“THE HALF EMPTY GLASS”



**A work by: Marco Pinto**

Is a graphic designer and illustrator of the National University. He has cooperated with the El Nuevo Siglo and La República newspapers, and with the magazines Número, ACME, El Malpensante, Semana, Soho and Gaceta, among others. He was a teacher at the National School of Caricature and Compensate; finalist in the First Political Cartoon Contest of the Semana magazine (1998); winner of the First Exposition of Forensic Caricatures (1997) and the City of Bogotá Award – Physiognomic Caricature (Cartoon), granted by Idartes (2014). He has also worked as a radio producer, directing his work to the study and dissemination of projects on contemporary culture development with two programs of the Ministry of Culture about rock music (between 1999 and 2000), and currently with “Ríos de Babilonia” at UNRadio

It all depends on perspective. For the national government, a great deal has been done to guarantee the lives of human rights defenders in the country. According to the President, his government has the strong conviction of protecting and guaranteeing the lives of the leaders, despite that the past violent year left more than 100 activists killed, as he pointed out several times: “We have come here (...) to reaffirm the comprehensive decision of the State to prevent and clarify threats and (criminal) behaviors against social leaders... We will not allow tragedies to continue like the one that occurred with the Patriotic Union (UP) in the 1980s and 1990s... We are not going to allow the violent, the intolerant and the criminals, to get away with it”<sup>25</sup>. This presidential position is partly supported by the progress of the District Attorney’s Office in the investigation of crimes against leaders of which, according to the investigating entity, half of those that occurred in 2017<sup>26</sup> have already been clarified. This means that, for the national government, the glass is half full.

Nevertheless, for civil society organizations and in general for human rights defenders, the glass is, truthfully, half empty. Not only the historical NGOs made international accusations about this<sup>27</sup>, but also peasant, ethnic

and women’s movements showed the deficiencies in protection and guarantees to the right of defending human rights in Colombia in 2017<sup>28</sup>.

Given this scenario, it is essential to identify the advances and setbacks of each institution concerned to protect the lives of social leaders, prevent these attacks and find those responsible for the aggressions. Here is a brief tour of each of them:

### **DISTRICT ATTORNEY’S PROGRESS VS. SILENT JUDGES**

It needs to be acknowledged, in 2017 the District Attorney’s Office advanced as never before with investigations into crimes against defenders. For the first time in the country’s recent history, this institution had the political will to prioritize cases of homicide that have occurred since 2016. While there is no progress in the rest of the attacks which they are victims against (threats, attacks, arbitrary arrests, judicial proceedings without foundation, theft of sensitive information among others), at least for the murders, some alleged perpetrators have already been captured and there have been trials and some convictions.

This progress was achieved thanks to pressure exerted by the human rights organizations in areas such as the National Guarantees Roundtable and also to the detailed observation

25 <http://www.eltiempo.com/justicia/servicios/asesinatos-a-lideres-sociales-son-esclarecidos-por-la-fiscalia-169322>

26 <https://www.elespectador.com/noticias/judicial/denuncian-desproteccion-de-mujeres-y-minorias-en-el-proceso-de-paz-articulo-723042>

27 <https://videos.telesurtv.net/video/674909/colombia-organizaciones-exigen-mayor-seguridad-para-lideres-sociales/>

28 <https://www.elespectador.com/noticias/judicial/denuncian-desproteccion-de-mujeres-y-minorias-en-el-proceso-de-paz-articulo-723042>

of this phenomenon by the international community (Embassies, United Nations System - especially OHCHR - UN Special Mission for peace, MAPP - OAS) that effectively generated a change in the political attitude of the District Attorney and the entity. In this context, the SIADDHH consulted the Office of the Attorney General of the Nation to verify these advances, since the public information did not denote the case to case detail but was limited to evidencing percentages of progress. Within the response of the District Attorney's Office it is worth highlighting the following advances from the implementation of their "Strategy of Investigation and Judicialization of homicides against human rights defenders":

The implementation of the Strategy has allowed the Entity to reach historical levels in the clarification of the homicides against human rights defenders and members of human rights organizations. Between 2016 and February 9TH 2018, the following results were obtained:

- Out of a total of 253 cases reported by 4 information sources<sup>29</sup>, the clarification<sup>30</sup> of 99 has been achieved, corresponding to 39.13%.
- Of the 99 cases that have been clarified, 10 of them have convicted

tions in the ordinary jurisdiction, 4 in the special indigenous jurisdiction, 44 are in trial, 25 have an open ongoing investigation, 15 are in inquiry with a valid arrest warrant and one case for atypical behavior was filed"<sup>31</sup>.

Despite what seems to be good news, when comparing these advances with historical data, impunity continues to rule. As it can be seen in the following table extracted from the *STOP WARS special report: Stop the War on Defenders. Episode I - Impunity Strikes Back*<sup>32</sup>, progress in cases until 2016 was minimal and levels of impunity border on 90%. Most of the cases are in preliminary investigation even after up to 8 years of the occurrence of the deaths, which makes it materially impossible for the process to advance, since at this stage, it is when the evidence is collected at the scene and witnesses are interviewed, a task difficult to achieve years after the murder took place.

29 OACNUDH, Patriotic March, Agrarian Summit, Ombudsman's Office

30 The progress in clarification is considered from the moment that the alleged person responsible for the homicide is identified and a warrant against him/her is issued, until the sentence on the case is pronounced.

31 Response to the right of petition filed by the Somos Defensores Program to the Office of the Attorney General of the Nation with file DVFG - No. 20182000000951.

32 STOP WARS, Stop the War against the Defenders is a reflection and research exercise carried out by the Somos Defensores Program, which seeks to dig into elements more structuring than of conjuncture, on causes that favor attacks against human rights activists, even in a context where social-political violence figures are the lowest in 60 years, product of the end of the war with the FARC and the negotiation processes with the ELN. The Episode I. Crimes against Defenders: Impunity Strikes Back accounts for the responsibility of the Attorney General's Office for the crimes against human rights activists to persist, by not investigating, or at least, not giving results on hundreds of homicides in the last 9 years.

INVESTIGATION STATUS	2009	2010	2011	2012	2013	2014	2015	2016	2017	TOTAL
Interrogation	18	18	26	41	53	42	45	40	74	357
Investigation	2	1	5	2	0	1	4	0	12	27
Imputation	0	0	0	0	0	0	0	7	4	11
Trial	1	2	1	3	5	2	4	8	11	37
Verdict	0	0	0	0	0	0	0	4	0	4
Conviction execution	3	0	3	1	7	2	6	0	5	27
Anticipated termination	0	0	0	1	0	0	1	0	0	2
Filed	6	7	10	15	4	2	2	0	0	46
No Information	2	4	4	6	9	6	1	21	0	53
<b>TOTAL</b>	<b>32</b>	<b>32</b>	<b>49</b>	<b>69</b>	<b>78</b>	<b>55</b>	<b>63</b>	<b>80</b>	<b>106</b>	<b>564</b>

For a better understanding of the reason for impunity in these cases, we present the following table, which

makes it possible to understand what each state of the investigation corresponds to.

STAGE OF THE INVESTIGATION	DEFINITION
Interrogation	The District Attorney's Office indicates in their response that it is within the terms of the law to conduct the investigation for the crime, which is active and in the process of interrogation and evidence collection.
Investigation	In this stage the case follows procedures for the collection of evidence, testimonies and elements that allow to determine who the offender is and improve the findings obtained during the preliminary inquiry.
Imputation	At this stage, the District Attorney's Office determines who the possible perpetrators may be. Then a judge of guarantees takes on the process of imputing charges since he has evidence against the suspect to order his arrest.
Trial	The District Attorney's Office Prosecutor indicates in their response that these cases are in the Intermediate Stage and the oral Trial, which are under the jurisdiction of Judges of Knowledge.
Verdict	When the accused is found guilty, a sentence is imposed. In this stage it goes to a judge of conviction execution.
Conviction Execution	At this stage the case is in process for closure and there is already a conviction against the accused. In this process, the forms and times in which the accused will pay his debt with the courts are explored.
Anticipated Termination	When the accused or suspects accept the charges before starting a trial, they adopt benefits and accept the sentence.

STAGE OF THE INVESTIGATION	DEFINITION
Filed	The District Attorney's Office indicates that these cases (archives) were delivered to the filing offices, without specifying the reasons.
No information	The District Attorney's Office points out that the consulted cases are not registered in their information systems.

But these advances are not enough in front of the volume of cases presented in 2017, taking into account that there are only procedural developments in 30% of the cases of the previous year, as it can be seen in detail in the homicide analysis section in the second block of this report. There is still a need to make progress on the structural analysis of this violence and the possible common patterns among these crimes. With regard to the latter, it is also very positive that the Attorney General has acknowledged that there are signs of systematicity<sup>33</sup> in the killings of the defenders, but this position must lead to in-depth investigations that uncover the criminal plans and structures behind the deaths. This change of position occurred after several controversies in which the main investigating entity of the country refused categorically to this concept<sup>34</sup>, however, and after the District Attorney's Office had more and better advances in the investigations, this thesis has been falling. Nonetheless, other senior government officials, such as the Defense Minister Luis Carlos Villegas<sup>35</sup>, continue to deny

this reality that the District Attorney's Office is slowly revealing.

This condition (to advance more in the investigations) to determine the existence of a systematicity or not in the crimes, was exposed by the Somos Defensores Program in their special report STOP WARS, where it was pointed out:

“All of the above leads to the conclusion that until there is a THOROUGH INVESTIGATION in which there are many more than 28 convictions for more than 450 murder cases in 8 years and a relational analysis of these cases can be carried out with the level of depth that the same mechanisms of the District Attorney's Office establishes, IT IS IMPOSSIBLE TO DETERMINE IF THERE IS SYSTEMATICITY OR NOT IN CASES OF HOMICIDE AGAINST HUMAN RIGHTS DEFENDERS IN COLOMBIA.

What is possible to establish is that there are coincidences, data and common patterns in the homicidal practices against social leaders in the country and that up to now we do not have an official report from the District Attorney's Office that accounts for or denies these coincidences. In order to determine if there are generalized or systematic crimes, other countries such as the former Yugoslavia or Rwanda have taken decades of investigation, contrary to the very modest plan

33 <http://www.redmas.com.co/colombia/nosistematicidad-asesinatos-lideres-villegas/>  
34 <http://www.redmas.com.co/colombia/nosistematicidad-asesinatos-lideres-villegas/>  
35 <http://www.redmas.com.co/colombia/nosistematicidad-asesinatos-lideres-villegas/>

of prioritization of cases that has been established by the District Attorney's Office in matters of the homicide of leaders IN THE LAST TWO YEARS.

Thus, the Prosecutor's Office is still "in its infancy", in accordance with its own instruments, before being able to make a final judgment about the systematicity of these cases. The question then is not only to determine whether or not there is such systematicity, but to advance effectively in the investigations to see if one day we can have the elements so that, with strong evidence, we reach the conclusion that these murders are a product of chance or a criminal plan against them"<sup>36</sup>.

These positive changes brought along accompanied a transformation of the District Attorney's Office before the implementation of the peace agreements. With the end of the armed conflict with the FARC-EP as a guerrilla movement and the implementation of the Peace Agreements achieved with the insurgent group in Havana - Cuba, there was an endless amount of pending tasks to guarantee the promised changes. One of those changes was that justice needed to be more effective in various issues such as the dismantling of paramilitary groups or the protection, prevention and investigation of attacks against social leaders and human rights defenders in the country.

The agreement was materialized in the Decree Law 898 of 2017 by which "within the Attorney General's Office of the Nation it was created the Special

Unit of Investigation for the dismantling of the organizations and criminal behaviors responsible for homicides and massacres, which attempts against defenders of human rights, social or political movements or that threaten or attempt against people who participate in the implementation of agreements and the construction of peace, including criminal organizations that have been considered as successors of paramilitarism"<sup>37</sup>.

Quoting the words of Attorney Martínez, this Decree - Law, together with other reforms, creates the "Post - Conflict District Attorney's Office"<sup>38</sup>, by carrying out an internal restoration of the entity, as we have already mentioned, to respond to the endless responsibilities that the District Attorney's Office has before the agreements of Havana. Although these modifications give some sort of "cosmetic surgery" to the entity (because it rearranges their staff, it makes it more austere, it also reassigns functions of existing areas in the entity and creates new dependencies), it will be necessary to wait and see if all these changes become reality or as in the case of the government's protection policy, stated in decree 1066 of 2015<sup>39</sup>, which regional application was minimal and clumsy.

36 STOP WARS: Stop the War against Defenders. Episode I – Impunity Strikes Back. 2017. Somos Defensores Program. Pages 98 y 99.

37 <http://www.unidadvictimas.gov.co/es/decreto-898-del-29-de-mayo-de-2017/37040>

38 <https://www.youtube.com/watch?v=bSKLeNFC1xE>

39 [http://www.mininterior.gov.co/sites/default/files/decreto\\_1066\\_de\\_2015\\_unico\\_reglamentario\\_del\\_sector\\_administrativo\\_del\\_interior.pdf](http://www.mininterior.gov.co/sites/default/files/decreto_1066_de_2015_unico_reglamentario_del_sector_administrativo_del_interior.pdf)

Another element not so structural but of great help, was the issuance of Directive 002 of November 30, 2017, which establishes general guidelines on the investigation of crimes committed against human rights defenders in Colombia. This document is a detailed guide to how prosecutors should address investigations of aggression cases against leaders. The document demands from prosecutors, for example, to start investigations with a first research hypothesis in which the work of the social leader should prevail over other hypotheses. Without a doubt, it is a great step forward that social leaders and defenders in the whole territory must know about and master in order to demand it during the investigations of the aggressions against them. It is also a triumph that the human rights movement fought over for many years.

### **AND THE JUDGES? SILENT?**

As a side note to this section dedicated to the District Attorney's Office, there is the responsibility that also concerns the judicial branch and obviously the judges of the Republic and its various courts in the administration of justice in cases of crimes against human rights defenders.

Neither the Ministry of Justice, nor the high courts, and even less the judges have addressed the matter and they become the great "stone guests" on this issue, because despite the fact that the District Attorney's Office has some results in the investigations, if there are no justice entities sensitized to the action and importance of hu-

man rights defenders in the construction of peace and democracy, it will be useless, and these cases will continue to be in impunity.

It would be worthwhile that before the post - conflict and the important institutional transformation that the Colombian State will go through, the judicial branch could be directly connected as a whole, in the responsibility to overcome the impunity indexes in cases of crimes and aggressions against defenders, as well as improve and / or update the penal types that make cases, such as threats, to remain in complete impunity.

### **MINISTRY OF THE INTERIOR.**

#### **WHERE IS IT?**

The Ministry of the Interior in Colombia has been the National Government's 'bishop' in matters of human rights and obviously in peace affairs, in such a way that it had to lead the "fast track" in the Congress of the Republic to accomplish the legal framework that will support the Peace Agreements. However, in relation to the aggressions against social leaders, and the obligations that fall on this entity from decree 1066 of 2015, in their protection and prevention of aggressions, the glass is indeed half empty

2017 was a year of change for the Minister of the Interior, since Juan Fernando Cristo, who carried the Havana Bureau from Bogota, was worn out to be able to continue with the position and had to resign from the ministry to aspire to a possible presidential candidacy, where he was also burned

in an internal consultation of the Liberal Party. However, the important thing was that this change of Minister, brought some hope to the social movement due to the type of person who replaced him: Guillermo Rivera.

Given that this liberal leader has long known the problems faced by social leaders and human rights defenders in the country, his arrival suggested that things around his protection and prevention of attacks would improve. Unfortunately, that was not the case. Although his predecessor also delayed strategic actions for the protection of social leaders such as the construction of a collective protection mechanism, the new minister has already been in position for over a year and he has not been able to complete it either<sup>40</sup>.

Another element to be considered is the volubility of this representative according to the situation. For example, when several officials pointed out that there was no systematicity in the homicides, Minister Rivera was delayed to conclude that “the important thing is not to enter into a dispute about whether or not there is a systematicity, but what is really important at this time is to guarantee their protection”<sup>41</sup>. This position of the main responsible for the topic of protection and prevention, does not correspond to his actual responsibility in regards of the subject. There is no denying that the Ministry occasionally

holds meetings with human rights platforms and other forums for dialogue with social movements both in the center and in the regions, promising plans and new decrees to improve the conditions of context for the exercise of the defense of human rights; nevertheless, here we are waiting for him to keep his word.

A significant example of this permanent dialogue, but with no great results, is the National Guarantees Process (Bureau), which was created 9 years ago and is preserved more by the insistence of human rights and social sectors platforms, than by the will of senior representatives on duty. Remember that this space was created for the construction search of real guarantees for the exercise of defense of human rights after the assault on human rights activists escalated in 2008, in the midst of the construction of the National Plan of Action in human rights.

Recently (August 2017) a route to reactivate this Table of Guarantees was resumed and among many actions it was agreed with the Ministry of the Interior and the Vice Presidency of the Republic, to carry out the often postponed tables of topics on paramilitarism, social protest intelligence; the also postponed acts of recognition of human rights defenders in various departments, and the activation of territorial bureaus in critical places in matters of violence. In addition to this, to make a small summit with the Procurator General, the Attorney General, the Minister of the Interior and

40 <https://www.elheraldo.co/colombia/gobierno-anuncia-que-expedira-decreto-para-la-proteccion-de-lideres-sociales-455626>

41 [http://caracol.com.co/radio/2017/12/18/nacional/1513631266\\_960778.htm](http://caracol.com.co/radio/2017/12/18/nacional/1513631266_960778.htm)

the Vice President, with the human rights platforms, and the guidance of the international community. However, up to this date none of this has been achieved, due to the non-compliance of the National Government.

To summarize, this process became a wear for the social organizations that chase the Ministry every time they call them, and these end up being postponed by the Ministry's agendas. Definitely a burnout space, we insist, due to the governmental and State lack of interest. Nevertheless, it is persisted on from the civil society, given the humanitarian situation and violence that perseveres in many territories and the growing situation of aggression against defenders.

On the other hand, to take up on the role of the Ministry of the Interior in relation to the situation of defenders, we highlight the lightness with which the Minister of the Interior took the Risk Report 010 - 17 of the Ombudsman's Office in which it is warned in so much detail the danger faced by more than 300 social organizations in 265 municipalities of the country<sup>42</sup>. This document should have been analyzed and evaluated by the CIAT (Inter-Sector Commission for Early Warning) according to the provisions of Decree 2780 of 2010 and whose technical secretary is led by the Ministry of the Interior. The problem is that the CIAT held a meeting 4 months after the arrival of the Risk Report to the Mi-

nistry of the Interior and, meanwhile, dozens of leaders were assassinated.

As the Ombudsman Office pointed it out in their public statement, the provisions of Decree 2780<sup>43</sup> were not effectively fulfilled and the Minister did not correctly use this important preventive input that could have saved the lives of many social leaders. The worst of this case is that in the aforementioned decree, there is no other authority (after the assessment of the CIAT) that decides the fate of these reports more than the Minister of the Interior in person as stated in decree 2780: "Article 7. Decision on the issuance of early warnings. It is the responsibility of the Minister of the Interior to adopt the decision on the issuance or not of an early warning and to send any recommendations to the competent authorities". Apparently someone did not do their homework.

As a final input it is necessary to emphasize the introduction of the decree 1581 of 2017 for the development of the Public Policy in Prevention. This is an extensive legal regulation of the executive branch that transfers more and more responsibility to the territorial entities in the prevention of the aggressions against the civil population and therefore to the defenders of Human Rights. It will be necessary to see if in a few months this document won't be just collecting dust

42 <http://www.verdadabierta.com/victimas-seccion/los-resistentes/6598-defensoria-del-pueblo-emite-informe-de-riesgo-sobre-lideres-sociales>

43 <http://www.defensoria.gov.co/es/nube/noticias/7039/Comunicado-de-prensa-08-de-febrero-de-2018-Defensor%C3%ADa-del-Pueblo-Ministro-del-Interior-alertas-tempranas.htm>

on the shelves of the Ministry, taking into account the lack of political leadership that the direction of human rights (responsible for the matter) has shown to not make progress in the operation of policies at the nation - territory level.

### **NATIONAL UNITY OF PROTECTION: LET'S RE-EVALUATE THE RISK**

The silence of the National Protection Unit, UNP, during 2017 is an indicator of the magnitude of the problem of violence against social leadership in Colombia, which went from moving only on its circle and escalated to higher levels such as ministries and the vice-presidency of the Republic. But beyond its role as executor and operator of protection mechanisms and devices, the current situation merits a reformulation of the form or methodology used to assess the risk of vulnerable people, as is the case of social leaders.

This is the ruling T-666/17<sup>44</sup> of the Constitutional Court in response to a Judicial Protection action established by Rafael Ulcué Perdomo (indigenous leader of the Cauca department) against the National Protection Unit for not granting immediate protection measures on the basis of poor evaluation of risk<sup>45</sup>. The court ruling shows how the National Protection Unit did not perform the in-depth analyzes that required the risk assessment of this leader and put his life at risk by

denying him protection measures. In this legal provision, the Court ordered the UNP to grant the measures and review their risk assessment procedures.

This situation is one of the historical demands of the human rights organizations and in general of the social leaders to the UNP and the government on the whole: To reevaluate the risk matrix and at large the risk assessment procedure that is used, as it does not fit the current needs of the country in the matter. This sentence of the Court should become the starting point for many defenders who need protection which is inexplicably denied by the UNP.

### **VICE PRESIDENCY, SECRETARY OF SECURITY PRESIDENCY AND MINISTRY OF DEFENSE: MINIMIZING THE PROBLEM**

Despite the strength of the events (more than 100 leaders killed in a year of peace), there are entities within the institutional framework that insist in denying that the growing phenomenon of violence against human rights defenders is a high-impact event that obeys to structural problems and, above all, that may have patterns of action and possibly systematicity as it has already been acknowledged by the Attorney General himself. We refer to the positions of the Vice President of the General Republic® Oscar Naranjo, the Secretary of Security of the Presidency of the Republic, Juan Carlos Restrepo and the Minister of Defense, Luis Carlos Villegas.

44 <http://www.corteconstitucional.gov.co/relatoria/2017/t-666-17.htm>

45 <https://canal1.com.co/noticias/estado-debe-garantizar-proteccion-a-defensores-de-dd-hh-corte-constitucional/>

These three officials (Naranjo<sup>46</sup>, Restrepo<sup>47</sup> and Villegas<sup>48</sup>), have repeatedly stated that the killings against defenders are not systematic and the motivations for their killings correspond to facts resulting from land and boundaries problems, illicit crops, illegal economies, problems related to illegal mining and even, personal and passion difficulties; but not because of political problems in the territories that have persecuted these activists for decades.

It is a reason of concern that these three officials (and the institutions that they belong to) which do not have judicial investigation functions and that, on the contrary, have a political character, delegitimize these deaths by not relating them from the start with their work defending human rights, taking into account that it must be the District Attorney's Office and the judges of the Republic the ones to reach that conclusion. This is undoubtedly a relevant effort to minimize a structural problem in the country.

Something even worse, is that none of these institutions has presented the public opinion or the Office of the Attorney General of the Nation, reports or investigations (from their functions) that document and su-

pport the theories that they so vehemently hold before the media and before the international community, which expresses their concern about the disparity of institutional perceptions and responses. Without a doubt, the opinion of the international community regarding the peace process and its results is fundamental for the interests of the government, and this is where the issue of the defenders and their assassinations, lack of guarantees and constant threats, literally becomes the STONE IN THE SHOE of the current government, which has in these three 'bishops' of its mandate, a clear perspective to reduce the international impact that means more than 100 activists murdered in full start of implementation of the Peace Agreements.

Far from the position of these officials and their institutions, the truth is that the forcefulness of the facts makes things fall off their own weight and this denying position of the security sector of the country (the three officials partly represent the concept of security of the State: Naranjo as an ex-commander of the National Police, Villegas as a representative of the military and police leadership and Restrepo as a security adviser to the President) will not last long since the homicide curve hasn't seemed to yield in 2018 and which already calculates at least 18 deaths in the first 31 days of the year.

We hope that the provisions of Decree 1832 of 2017 in which an important power is granted to Vice President

46 <https://www.bluradio.com/nacion/nopodemos-concluir-que-hay-sistematicidad-en-asesinato-de-lideres-sociales-naranjo-137614>

47 <https://www.bluradio.com/nacion/nopodemos-concluir-que-hay-sistematicidad-en-asesinato-de-lideres-sociales-naranjo-137614>

48 <https://www.bluradio.com/nacion/nopodemos-concluir-que-hay-sistematicidad-en-asesinato-de-lideres-sociales-naranjo-137614>

Naranjo when leading the Inter-Sectoral Commission for Human Rights and International Humanitarian Law is not hindered by this position which is about to fall.

To close, there is a point that deserves a cautious positivism. At the closure of this report, the Ministry of Defense and the General Command of the Armed Forces issued an internal communication<sup>49</sup> in which they give precise instructions to promote the security of human rights defenders. According to the document, new orders, both tactical and operational, are given to the National Army members to protect social leaders and defenders in accordance with the new normative provisions of the decrees cited earlier in this report, derived from the peace agreement with the FARC. However there is a section of this announcement that generates concern: The one where the intelligence sections of Major, Minor and Tactical Units are ordered a “geo-referencing” of social leaders who are in their area of operations.

It is very positive that the Armed Forces assume responsibility in the protection of social leaders guaranteeing the security of difficult territories, repelling actions of illegal armed groups; however, and taking into account the recent history with the use of military and State intelligence

against defenders, it is quite concerning that this action is being charged on regional intelligence units that have been involved in possible acts of intelligence against defenders (in regions such as Magdalena Medio, Bajo Cauca, Catatumbo, Northern Cauca and Southern Nariño) and are now in charge of “georeferencing” them. In addition to this, the circular does not mention how and in what way a control of this intelligence or “georeferencing” will be carried out, thus causing more distress than comfort.

This new military provision and especially of the Ministry of Defense, further strengthens the government’s commitment towards armed and militarist protection over the vision of human security for which the Colombian State should incline, deepening into old and delicate practices that at other times of the conflict, were a risk factor for defenders and not a protective factor.

### LOCAL AUTHORITIES: RESPOND

One of the normative advances within the framework of the new decrees emanating from the peace agreements is 2252 of 2017 “on the work of governors and mayors as agents of the President of the Republic in relation to the individual and collective protection of leaders of social and community organizations and movements, and human rights defenders who are at risk”<sup>50</sup>.

49 Ministry of National Defense – General Command of Military Forces – National Army – Integral Legal Department – Operational Law and Human Rights Directorate. Communication No. 20182490205831: MDN-CGFM-COEJC-SECEJ-JEMPP-CEDE11-DIDOH of February 6, 2018.

50 <http://es.presidencia.gov.co/normativa/normativa/DECRETO%202252%20DEL%2029%20DE%20DICIEMBRE%20DE%202017.pdf>

This document disrupts the usual excuse of mayors and governors about taking measures to protect social leaders and work on the prevention of their aggressions, making it clear from the start that: “Article 2.4.1.6.2. First respondents. The governorates and mayorships, within the framework of their powers, with the support of the Ministry of the Interior, the Ministry of National Defense and the Public Ministry, will act as first responders in the early detection of risk situations against leaders of social and communal movements and organizations, and human rights defenders.”

This is an important tool for human rights defenders in the territories, since it sets the responsibility of these risk situations on the hands of the first authorities of their municipalities and departments, which, until now, has presented the characteristic of local institutional silence and therefore, lack of responsibility.

### **PUBLIC MINISTRY: WAKING UP**

As a positive fact, it is important to emphasize how 2017 was the year in which the institutions that constitute the Public Ministry (Attorney General's Office, Ombudsman's Office, Legal Representations) show an evident interest regarding the risks suffered by human rights defenders. Therefore, we will review their actions and needs before the important role they have in the construction of peace and in the support of defenders at all levels.

### **THE PROCURATOR'S OFFICE AND THE RESULTS OF DIRECTIVE 002**

One of the good news of 2017 was the change of the Procurator General. 8 years of political obscurantism under the administration of today's pre-presidential candidate for the Colombian far right Alejandro Ordoñez had to pass, so that in the main control body of the Colombian State, the Procuration General of the Nation they would talk about the protection and guarantees for the right to dissent and defend human rights in Colombia. Unquestionably, the arrival of Attorney Fernando Carrillo gave the entity a different air.

And one of his first and important actions was the issuance of directive 002 of 2017 on June 14, regarding guidelines for the protection of the rights of human rights defenders, replacing with this the directive 12 of 2010 which is quite precarious with respect to the new provision of the Public Ministry. This directive points out the commitment of the Procuration Office with the guarantee of human rights and urges all authorities in the same sense. It makes an important call not to stigmatize the work of the defenders and to act diligently, in relation to the investigation of violations or threats against them.

Six months later, the directive seems to have progressed, after years of inactivity of the entity on the matter. The Procuration Office, in

response to the right of petition<sup>51</sup> formulated by the SIADDHH of the Somos Defensores Program, pointed out the following advances in the implementation of the directive.

- Creation of an action plan for the implementation of the directive between August and December 2017 with the support of USAID and in coordination with CODHES and Fenalper.
- Public hearing on the situation of leaders in Cartagena and Bolívar in December 2017
- Preparation of a national awareness campaign on the defense of the defenders' lives in February 2018.
- Awareness and training sessions for public officials in Villavicencio (Meta) and Mocoa (Putumayo)

regarding the directive

- Humanitarian Missions to Segovia (Antioquia), Tumaco (Nariño) and Buenaventura (Valle del Cauca) to warn local authorities about risks to defenders.
- Creation of the Unified Registry of cases related to defenders in the Procuración Office, which follows 101 cases reported to this entity, of which 29 had something to do with disciplinary proceedings against public representatives. In the response of the Attorney General, the time frame of these cases is not explicit

The entity was also consulted on their actions in 5 cases registered by the SIADDHH in which the alleged perpetrator would be a member of the Public Force and which, in light of the new directive, must be peremptorily investigated by the Procuración General's Office. These are the results:

<sup>51</sup> Response to the Right of Petition S.P. 0500 of February 14, 2018 from the Procuración General of the Nation.

Defender Murdered in 2017	Stage of the Process
Daniel Felipe Castro	The Procuración Office has no record nor complaint about this death.
Wilmar Felipe Barona	Preliminary Investigation requested by the Cali Procuración Office.
José Adalberto Torrijano	The Procuración Office has no record nor complaint about this death.
María Efigenia Vasquez	It is in preliminary study for the opening of introductory investigation.
Ferlein Pérez Monroy	It is in preliminary study for the opening of introductory investigation.

This means that out of the 5 cases informed in this report in which public officials would allegedly be involved in the death of a defender in only one (1) case there is an ongoing disciplinary investigation, in two (2) cases the Procuración Office acknowledges the case but has not yet initiated investigation actions and in two (2) more cases, this control entity had no information on the case whatsoever.

While the great interest of the Procuración Office in this issue and the existence of planning progress to implement the directive should be noted, the truth is that the results for such a complex situation are still scarce, as denoted by the progress in disciplinary investigations, keeping in mind that the actions of this entity have not been addressed yet, in front of more frequent and sensitive cases such as stigmatization, harassment or even threats against defenders and social leaders that would be the responsibility of the Procuración Office to investigate and the volume of cases may be astronomical. This awakening of the Procuración Office is hopeful but it is urgent to continue with persistent work in the implementation of this directive at the most local level as it is possible, since it is at the local level where social leaders suffer greater risks and threats.

### **OMBUDSMAN'S OFFICE AND THEIR LONELY FIGHT**

It seems that we returned to the times when we had officials committed to the social leaders and the less favored sectors of the Colombian population

as in the administration of Eduardo Cifuentes. The current Ombudsman Carlos Negret demonstrated with ease in 2017 that his work as the main defender of human rights of the Colombian State, would not be a cosmetic job.

He has eagerly worked to position the human rights agenda in the government and peace discussions, and also to take concrete actions for the protection of social leadership and the prevention of aggressions against them through one of the most undervalued but of great importance instruments of the Colombian Institutionalism: The Risk Reports and the Early Alert System.

Thus, the Ombudsman's Office in recent years has become the first State institution to document cases of violence against human rights defenders and is betting on the issuance of national and local Risk Reports that warn of the dangers faced by these activists. Therefore, it is incomprehensible how the Colombian government ignores the figures produced by the same institutionalism and continues to choose the most "manageable" figures; before this, the executive's response is laughable. According to Vice Minister of the Interior Luis Ernesto Gómez, the reason for not assuming other figures is that "the Government has chosen not to deliver an official figure of murdered social leaders. This, on the one hand, because we seek to avoid overshadowing the efforts of civil society to carry their own counts, but also, on the other hand, because

the UN, as an impartial body, is responsible for keeping a record"<sup>52</sup>. No comments.

The truth is that this country does not need interinstitutional disconnections such as the delayed action of the State before the report 010 - 17 of the Ombudsman's Office, which could have saved many lives of social leaders, lost in 2017. We expect the new provisions to warn about risks in the post - agreement such as the decree 2124 of 2017, that restructures the Early Warning System and gives it new possibilities of direct incidence in the prevention of attacks against the civil population and therefore against social leaders, to be taken seriously by the Executive branch and not to become a new salute to the flag while defenders die for governmental inoperability.

### **LEGAL REPRESENTATIVE OFFICES (PERSONERÍAS): YOU CAN SEE THEM BUT YOU CAN'T FEEL THEM.**

The Legal Representative Offices are the smallest territorial expressions of the Public Ministry and the institutional defense of human rights. And it is without a doubt the legal representatives (personeros) who are key parties in the application of the agreements and in the construction of a stable and lasting peace. Therefore, unfortunately, they are also object of aggressions and attacks by the royal powers in the territories with which they coexist.

These officials were recognized in the Havana agreement with a high level of responsibility in the oversight for the implementation of new policies at the local level and for helping social leaders and human rights defenders to do their job. However, these same officials have been at a fairly high level of exposure and risk for years, without having an adequate response from the State. In spite of the fact that the National Federation of Legal Representatives have mapped their own risks<sup>53</sup> with high precision, the number of threatened persons does not go down<sup>54</sup>, even worse there are recent cases of murders, such as the Legal Representative of Puerto Rico - Caquetá, who was allegedly silenced for reporting corruption in the municipality.<sup>55</sup>

To summarize, the Legal Representatives are a necessary and extremely useful figure for the support of territorial social leadership, who also require adequate protection in the post - agreement if we want to build a different country, from below and for a long time.

52 <http://pacifista.co/entrega-apoyos-digitales-lideres-sociales-ministerio-interior-pacifista/>

53 <http://www.eltiempo.com/colombia/otras-ciudades/perfil-del-personero-de-puerto-rico-en-caqueta-asesinato-antes-de-navidad-165478>

54 <http://www.eltiempo.com/colombia/otras-ciudades/perfil-del-personero-de-puerto-rico-en-caqueta-asesinato-antes-de-navidad-165478>

55 <http://www.eltiempo.com/colombia/otras-ciudades/perfil-del-personero-de-puerto-rico-en-caqueta-asesinato-antes-de-navidad-165478>



CHAPTER 4  
“DÉJÀ VU”<sup>56</sup>



56 *Déjà vu* (/deza vy/, in French ‘already seen before’) is a sort of paramnesia of recognition (as opposed to the paramnesias of memory) of some experience that we feel as if we had lived previously.

**Una obra de: Harold Trujillo - Chócolo**

One of the most recognized cartoon artists in the country. He has worked in newspapers such as El Mundo, El Tiempo and El Espectador, amongst others. His black and deep humor, critical sense towards violence and the situation of the country, has made him worthy of the recognition of society. He is a graduate of the Film and Television School of the National University of Colombia.

This has already been experienced by the country and especially by human rights defenders. This feeling that many accusing fingers of public opinion are pointing out what the social leaders do or say in a pejorative way, disqualifying without arguments and above all, justifying in an underground way the violence of which they are victims.

The atmosphere became bizarre just as back in 1997 when the actions of Elsa Alvarado and Mario Calderón of CINEP began to annoy paramilitary groups and their murder was ordered from the department of Córdoba, at the hands of the gang of assassins “la terraza”<sup>57</sup> (The Terrace); or as in 2004 when the president in term, Álvaro Uribe Vélez, began to show his clearest lines of persecution to the social movement, and the statements of the currently Senator Uribe pointed to the organizations of Human Rights as allies of terrorism<sup>58</sup>, situation that began to register some political analysts of the time, such as the start of hate campaigns and the justification of political persecution actions.

Such historical accusations and stigmatization in Colombia, but exacerbated in the term of former President Álvaro Uribe and reinforced by regional political power clans with decades of ostentation, reappeared in the change of the Uribe - Santos government in 2009 when these accusations revived

that stigmatization and again put the accusing finger in the direction of the defenders and social leaders accusing them of being “the intellectual block of the FARC”<sup>59</sup> just as the peace negotiations began to be, again, part of the national agenda, because it cannot be ignored that back during his term Uribe himself had made contacts to open dialogues with that guerrilla group<sup>60</sup>.

Well, these accusations and the bizarre environment reappeared in 2016, full of partial defamations without legal support, apocalyptic scenarios for the country in the possible case of a greater political participation by popular sectors (and especially the peasants), with the dispute in the public opinion that meant the referendum for peace.

During the plebiscite campaign, extremist and stigmatizing ideas and messages were maximized, which generated in the citizens a polarization even reflected in the final percentages of the vote (the NO won by only 53 thousand votes). In this exercise of pointing out and stigmatizing, the message that human rights defenders were allies of the guerrillas and that all peace activists were against the social State of law, and was therefore communist, reappeared. Another of the concepts that made a career in the campaign and that polarized the election even more was that Colombia would become to CASTROCHA-

57 <http://www.verdadabierta.com/justicia-y-paz/1765-mario-calderon-y-elsa-alvaradoinvestigadores-del-cinep>

58 <https://www.justiciaypazcolombia.com/del-terror-del-miedo-de-los-senalamientos/>

59 <http://www.semana.com/politica/articulo/uribe-critica-el-llama-bloque-intelectual-farc/99975-3>

60 <http://www.semana.com/nacion/articulo/los-contactos-secretos-de-uribe-con-las-farc/405318-3>

VISMO<sup>61</sup> with the agreements (this was obviously based on the network of misrepresentations of the NO campaign). The idea that Colombia could suffer the same economic crises that Venezuela has experienced in recent years as a result of the mismanagement of its leftist governments, forced citizens to take “a side”, deepening the differences and moving away from the spirit of the agreements: To reconcile our differences.

Another of the concepts that generated a high level of polarization and stigmatization in 2016 and of which we still have consequences, is the *gender ideology*<sup>62</sup>. This was a clever move by the promoters of NO, who connected a controversy for changes in the policies of sex education in schools suggested by the Minister of Education Ginna Parody<sup>63</sup>, with the inclusion of a gender component in the agreements, which resulted in the fact that any exercise demanding the rights of women (like the right to abortion and others) as well as the rights of the LGBTI population were supposedly included in the agreements<sup>64</sup>, produced a generalized rejection in conservative sectors and others that were uninformed of the content of the agreements.

Such was the level of distortion of the information around this topic that a conviction emerged, stating that the traditional family model (consisting of heterosexual men and women who conceive children in a traditional way) was in danger of being replaced if the agreements were accepted and Colombia would fall into a kind of “gay dictatorship”<sup>65</sup>. In this work to entangle these issues and connect them with the vote for NO, a preponderant role was played by right-wing parties such as the Conservative Party and the Democratic Center, and some Christian churches which, from the pulpits, contributed with disinformation to their congregation, including the Catholic Church, which refrained from supporting the YES.

Well then, these campaigns of stigmatization of defenders and polarization of the public opinion turned their eyes and focused their efforts in 2017, in disqualifying at all costs the implementation of peace agreements, further curbing the polarization already existing in the country regarding the peace process itself and on the same path, stigmatize any person or movement that gets close to the promotion of peace. Such would be the level of stigmatization in 2017 that various international organizations such as the FIDH<sup>66</sup> and the Office of the United Nations High Commissioner for Human Rights – OACNUDH itself, set off

61 <http://www.elespectador.com/opinion/castrochavismo>

62 <http://www.semana.com/nacion/articulo/ideologia-de-genero-el-caballo-de-batalla-del-no-al-plebiscito/493093>

63 <http://www.semana.com/nacion/articulo/ideologia-de-genero-el-caballo-de-batalla-del-no-al-plebiscito/493093>

64 <http://www.semana.com/nacion/articulo/ideologia-de-genero-una-estrategia-para-ganar-adaptos-por-el-no-al-plebiscito/488260>

65 <http://www.elespectador.com/noticias/el-mundo/castrochavismo-gais-y-paz-articulo-651711>

66 <https://www.fidh.org/es/temas/defensores-de-derechos-humanos/colombia-basta-de-estigmatizacion-a-las-personas-defensoras-de>

their alarm bells before this phenomenon<sup>67</sup>. Next, three of many actions that show how Colombian public opinion became a battle ring and what is worse, without rules:

- ***Magistrates excluded from the JEP and closing of seats to the victims:*** During the previous year, the Senate of the Republic was in charge of the most important discussion of the country in the last 70 years: The endorsement for the legislative reforms for the implementation of the Peace agreements with the FARC. However, on that path it became a real political pandemonium, the discussion on the points of political participation that contained the agreement and within them, two aspects had a special impact on human rights defenders: The Special Jurisdiction for Peace and special seats for Human Rights victims in the House of Representatives.

As for the JEP it seemed that the discussion was going well, however within the Senate started the idea that there was an exaggerated participation in that court of people who had taken actions against the Colombian State in international courts for demands of violations to the human rights. To such an extreme came the stigmatization of these human rights defenders, that the Cambio Radi-

cal (Radical Change) party recommended a regime of inabilities that “prohibited those who in the previous five years had exercised ‘judicial representation’ in facts related to the armed conflict or who belong or have belonged to organizations or entities that have exercised such representation”<sup>68</sup>. By misfortune, the proposal was approved that way in the Senate and it was up to the Constitutional Court to reaffirm or change that decision.

Another topic that seems to come out of fiction was the discussion around the special circumscriptions of peace. These circumscriptions (established in the agreements of Havana) pretended “that certain populations and territories especially affected by violence and social exclusion, and where even voting in the past has been very difficult, may have, for a short period, a special representation: 16 additional seats in the House of Representatives, which is less than 10% of the number of seats in that corporation”<sup>69</sup>; however the extremely critical sector of the peace process in the Congress (formed by the Cambio Radical party, the Democratic Center and the Conservative Party, amongst others) vehemently indicated

67 <http://www.hchr.org.co/files/comunicados/2017/ONU-DDHH-preocupada-homicidios-estigmatizacion-y-hostigamientos-a-defensores.pdf>

68 <https://www.elespectador.com/noticias/politica/por-un-voto-se-hundieron-en-senado-las-16-circunscripciones-especiales-de-paz-articulo-725954>

69 <http://lasillavacia.com/blogs/mi-plebi-si-tio/fueron-aprobadas-las-circunscripciones-especiales-63762>

that these special seats would be yet another concession to the FARC, since these representations would be granted at the discretion of this group and would not represent the victims. Nothing is more opposed to reality.

This stigmatization of the victims and their potential representatives in the special circumscriptions (which would surely be social leaders of the regions that are most affected by the conflict) sank in the Senate by a single vote<sup>70</sup>, in the midst of a poll plagued by absenteeism of almost a third part of the Senate. Once again the stigmatization biased the position of the decision makers of the country and condemned a unique opportunity to give voice to the victims and their leaders in that Corporation, to lose.

- ***Womanizer, thief and bad neighbor defenders:***

At the end of the previous year, Defense Minister Luis Carlos Villegas became the target of criticism for his rather vague statements regarding the increase in murders of human rights defenders and social leaders in 2017 and the motivations of those deaths:

“I take the risk of generating a lot of comments for what you are about to hear me say... There

have been cases perpetrated by the ELN and there have been cases perpetrated by the FARC, those I leave aside, the rest has been more often than not the result of a boundaries topic, a matter of women, a subject of vindication, a business of illicit rents... One of each two cases today has a judicial explanation, there is no organization behind stating that “they were assassinating leaders”. It is not that the murder of leaders suddenly appeared, what happened was that the measurement of that phenomenon appeared. I would be the first to denounce the systematicity if I had any information that there is an organization, a person, a unit dedicated to killing social leaders in Colombia”<sup>71</sup>.

These statements made evident the differences within the Santos government since the President himself had to go out to the media to correct the statements of his Minister of Defense and ensure that “The minister did not say that, the minister later clarified, because he was quoted out of context (...) he said that the District Attorney’s Office informed that there were multiple reasons for these murders that hurt us and that concern us and he also reiterated it. It is a priority for the government to try to prevent these murders (...) Of course I do not

70 <https://www.elespectador.com/noticias/politica/por-un-voto-se-hundieron-en-senado-las-16-circunscripciones-especiales-de-paz-articulo-725954>

71 Cita textual de las declaraciones del Ministro de Defensa dadas en diciembre de 2017 al noticiero de televisión Noticias Uno <https://canal1.com.co/noticias/los-matan-por-borrachos-mindefensa/>

think that is the reason why social leaders are being killed”<sup>72</sup>.

Nonetheless, the statements of the Minister not only remained in words but were also shown in facts when presenting figures according to which only 54 murders of human rights defenders occurred in 2017 (half of the cases reported by various sources, including the OHCHR) and of which half of them had been clarified<sup>73</sup>.

This difficult institutional position of one of the most important ministries of the Government, stands out the perspective with which the defenders of human rights are treated from the portfolio of Defense, where the political conflicts are not relevant and the actions of violence against these activists correspond to personal problems. It also a matter of concern that the idea that defenders are people involved in illegal behaviors, generators of local conflicts (instead of key agents in the resolution of territorial conflicts, what they really are) becomes generalized, and worse, that it legitimizes the message according to which they are involved in personal problems and their deaths derive from crimes of passion. This last section is not new, since it has been around

within the judicial operators at the time of making the criminal note, considering as the first hypothesis of analysis, the passion motives, as it has happened with cases of murders of LGBTI leaders or women dedicated to leadership. This is undoubtedly a disguised State stigmatization that still does not cease and that does even more damage, when it comes from the highest spheres of the Military Forces.

### ***“I Hate the FARC” and Social Sewers:***

At the closure of this report and in the midst of huge controversy, the political movement Fuerza Revolucionaria del Común (*Revolutionary Force of the Common*) - FARC, ran an electoral campaign for the Presidency of the Republic<sup>74</sup>. This act enraged the radical sectors opposed to the peace process and infuriated the public opinion before the barrage of hatred messages against this new movement, in the midst of a hostile context that even received a threat of bombing one of its political headquarters<sup>75</sup>.

This political campaign, at the closure of this report, already registered several violent actions against its members and candidates; the security schemes of the FARC

72 <http://www.wradio.com.co/noticias/actualidad/luis-carlos-villegas-fue-citado-fuera-de-contexto-santos-sobre-los-lios-de-faldas/20171219/nota/3669712.aspx>

73 <https://colombia2020.elespectador.com/territorio/lideres-sociales-los-silenciados-y-los-que-resisten>

74 <http://www.eltiempo.com/elecciones-colombia-2018/presidenciales/farc-lanzaron-campa%C3%B1a-presidencial-2018-175972>

75 <http://www.elpais.com.co/judicial/farc-denuncia-amenaza-de-atentado-contra-sede-politica-en-cali.html>

candidate, Rodrigo Londoño, are not enough to contain the people who try to attack him in the streets and it reached the critical point of suspending the political campaign due to lack of security guarantees<sup>76</sup>. This situation further complicates the stigmatization against social leaders and human rights defenders in Colombia who work for the implementation of peace agreements and who, without belonging to the FARC party, continue to be the target of a non-existent connection that still lingers around the minds of Colombians: Defenders of Human Rights = FARC Allies.

This high polarization and emission of hatred messages, reflected today on the streets, have had long since a natural scenario, perverse and equally difficult to control: Social networks. If any reader of this report has an account on Twitter or Facebook, they can see the barrage of hatred messages against the FARC and against everything that smacks of “peace agreements” on the networks. For years now, virtual scenarios such as Twitter became true uncontrolled<sup>77</sup> fighting rings, where all kinds of expletives, false declarations and accusations surf the web, even reaching death

threats against those who make positive statements about peace.

While social networks democratized communications to unplanned levels, it is also the current scenario of a second-to-second dispute for “trolling” or bullying any existing political leader or public figure<sup>78</sup> and in the context of the implementation of agreements, it is a topic of pointing fingers and immediate stigmatization. The social leaders and human rights defenders are not oblivious to this phenomenon and it is there where hatred also deepens.

But in midst of this scenario, there are also positive aspects to highlight, such as the powerful change of the mass media in the country (and even outside of Colombia) with respect to the actions developed by social leaders and human rights defenders. There is no doubt that there is a new editorial line inside the media and the issues of peace, rural development and, obviously, security and attacks against human rights defenders, are more important than ever in the most relevant national and international media conglomerates and in their newsrooms.

Projects such as “Colombia 20/20” of the El Espectador newspaper and its continuous publication of contents related to social leaders or “Misión Defensores” (Mission: Defenders) of the National Radio of Colombia, the

76 <https://www.elespectador.com/elecciones-2018/noticias/politica/por-falta-de-garantias-farc-suspende-temporalmente-su-campana-politica-articulo-738145>

77 <http://www.semana.com/nacion/articulo/twitter-agora-cloaca/405013-3>

78 <http://www.semana.com/opinion/articulo/ciberbullying-a-personalidades-colombianas/532162>

chronicles of the *Semana* magazine and the Verdad Abierta portal (Open Truth) or RCN Radio, especially from their news director Yolanda Ruíz, are a sign of this positive change in the media after years of invisibility. Undoubtedly this media twist can sensitize the country to the need of turning the protection of these social activists a common cause and pressure the State to do the same.

With such a complex scenario, it would be inappropriate not to propose ways to get out of this condition of stigmatization and polarization, which is sponsored by high-flying opinion generators but which is also built from the positions of ordinary citizens. In that case, from the Somos Defensores Program we suggest some actions that can help to get out of this situation:

- Disarm the language: If the country still suffers from something (its citizens and leaders of all kinds) it is to have a conciliatory language. It is barely natural that in a country that is trying to stop war, the last thing to disarm is the word; but to stop the stigmatization issue, this point is one of the most important ones. Both from the state and government entities, as well as from the political parties and opinion generators, through the social leaders themselves and obviously the media of all kinds, it is essential to disarm the segregating, warmongering and excluding speech so that this act has an effect on citizenship and can be replicated in it.
- Responsibility regarding the information that is issued: At a time when information overwhelms the public from everywhere (at least in urban areas), it is essential that the information issuers deliver it in a complete and responsible manner. An endless amount of false news afflicts the national public opinion and it is on the basis of these that stigmatization and accusations are often built, in addition to hatred campaigns that are not processed in the best way by the average citizen. This should be a joint work but with greater responsibility on the shoulders of those who manage the media.
- Clear state speech: As demonstrated by 2017, the lack of unity in the discourse by the government, besides confusing, gives rise to the misrepresentation of information, used by those who want to deceive the citizens. The case of the terrible disfigurement of gender issues in the peace dialogues or the special circumscriptions of peace are a sign of the failures of the Santos government in this matter. The next government (which shall hopefully continue with the full implementation of the peace agreements) will have to correct this mistake and bring order to the house on communications issues.
- Immediate application of Directive 002/2017 of the Procuración General's Office: Defenders of Human Rights already have an

excellent tool to combat the stigmatization against them. This is Directive 002 of 2017 of the Office of the Procurator General of the Nation, with which the Public Ministry can be requested to disciplinarily investigate state officials who point out or make false accusations or malicious statements against social leaders and human rights defenders<sup>79</sup>.

79 [https://www.procuraduria.gov.co/relatoria/media/file/flas\\_juridico/1721\\_PGN%20Directiva%20002%20DE%202017.pdf](https://www.procuraduria.gov.co/relatoria/media/file/flas_juridico/1721_PGN%20Directiva%20002%20DE%202017.pdf)

- Respect for difference, not entering the dirty game: Social leaders are the first to defend freedom of expression, because this is a fundamental part of their exercise. Consequently, a call is required so that they continue to respect their opponents in the midst of the difference of opinions, without entering into the game of mutual stigmatization and the distortion of their exercise through exhausting public discussions.

CHAPTER 5

**“20 YEARS ARE NOTHING”**



**A work of: Cecilia Ramos.**

Born in 1980, she is a Colombian cartoon artist, political humorist and illustration designer. Creator of the comic strip 'La Ché' popular in Spanish-speaking countries. She publishes in the El Espectador newspaper and the Cromos magazine. In 2016 she published her first book 'La Ché, un día a vez 1' (La Ché, one day at a time 1). All her work in: <https://es-la.facebook.com/lachetaller/>

The Declaration of the United Nations on Human Rights Defenders, which in some way gave a universal name to the exercise of social leadership, is about to become 20 years old; however, the universe of people who know it is quite small, including the social leaders themselves, who by not know their content, also ignore the commitments of the Colombian State in the matter.

“The Declaration on human rights defenders began to be worked on in 1984 and was approved by the General Assembly in 1998, with the occasion of the fiftieth anniversary of the Universal Declaration of Human Rights. The collective efforts of numerous human rights NGOs and the delegations of some States contributed to making the final result a coherent, very useful and pragmatic text. Perhaps the most important part is that the Declaration is addressed not only to States and human rights defenders but to everyone. It tells us that we all have a role to play as defenders of those rights, and highlights the existence of a global movement in which we are all immersed.

The Declaration is not in itself a legally binding instrument. But it contains a series of principles and rights based on human rights standards ratified in other international instruments that are. For example, the International Covenant on Civil and Political Rights. In addition, the General Assembly adopted by consensus the Declaration, which therefore represents a very strong commitment of the States regarding its application. More

and more States are considering the possibility of adopting the Declaration as a mandatory national law.”<sup>80</sup>

In that sense, there is an initiative within the UN to build a ratification of this declaration this year, for member states to consecrate this declaration as mandatory in their internal legislations. As a way to promote the empowerment of this statement by defenders who have not yet recognized themselves as such, the article of the declaration that becomes practically the basic charter of the rights of human rights defenders is reproduced below, throughout the world and obviously in Colombia.

### **RESOLUTION A/RES/53/144 OF THE GENERAL ASSEMBLY APPROVING THE DECLARATION ON HUMAN RIGHTS DEFENDERS<sup>81</sup>**

#### **Article 1**

Everyone has the right, individually or collectively, to promote and seek the protection and attainment of human rights and fundamental freedoms at the national and international levels.

#### **Article 2**

1. The States have the primary responsibility and duty to protect, promote and fulfill all human ri-

<sup>80</sup> <http://www.ohchr.org/SP/Issues/SRHRDefenders/Pages/Declaration.aspx>

<sup>81</sup> Read and download the complete Official Declaration here: [http://www.ohchr.org/Documents/Issues/Defenders/Declaration/declaration\\_sp.pdf](http://www.ohchr.org/Documents/Issues/Defenders/Declaration/declaration_sp.pdf)

ghts and fundamental freedoms, inter alia, by taking the necessary measures to create social, economic, political and other conditions, as well as the legal guarantees required for any person subject to their jurisdiction, individually or collectively, to be able to enjoy in the practice all those rights and freedoms.

2. States shall adopt such legislative, administrative and other measures as may be necessary to ensure that the rights and freedoms referred to in this Declaration are effectively guaranteed.

### Article 3

The Domestic law, in accordance with the Charter of the United Nations and other international obligations of the State in the field of human rights and fundamental freedoms, is the legal framework in which human rights and freedoms must be materialized and exercised and in which all the activities referred to in this Declaration for the promotion, protection and effective completion of these must be carried out.

### Article 4

No stipulation in this Declaration shall be construed to undermine or contradict the purposes and principles of the Charter of the United Nations or to limit the provisions of the Universal Declaration of Human Rights, the International Covenants on Human Rights or any other instruments and international commitments applicable in this area, or constitute an exception to them.

### Article 5

In order to promote and protect human rights and fundamental freedoms, every person has the right, individually or collectively, at the national and international level:

- a) To meet or organize peaceful public demonstrations;
- b) To form organizations, associations or non-governmental groups, and to join or participate in them;
- c) To communicate with non-governmental and intergovernmental organizations.

### Article 6

Everyone has the right, individually and with others:

- a) To know, collect, obtain, receive and have information about all human rights and fundamental freedoms, including access to information on the means by which the aforementioned rights and freedoms are given effect in the legislative, judicial and internal administrative Systems;
- b) In accordance with the provisions of human rights instruments and other applicable international instruments, to publish, impart or disseminate freely to third parties opinions, information and knowledge related to all human rights and fundamental freedoms;
- c) To study and debate whether these fundamental rights and freedoms are observed, both in law and in practice, and to form and maintain an opinion on them, as well as to bring those issues to the attention of the public through these and other suitable means.

### Article 7

Every person has the right, individually or collectively, to develop and discuss new ideas and principles related to human rights and to support their acceptance.

### Article 8

1. Every person has the right, individually or collectively, to have the effective opportunity, on a non-discriminatory basis, to participate in the government of their country and in the management of public affairs.
2. This right includes, among other things, the one that every person has, individually or collectively, to present to government bodies, entities and organizations that deal with public affairs, constructive criticisms and proposals to improve their functioning, and to admonish any aspect of their work that may hinder or stop the promotion, protection and realization of human rights and fundamental freedoms.

### Article 9

1. In the exercise of human rights and fundamental freedoms, including the promotion and protection of human rights to which this declaration refers, every person has the right, individually or collectively, to have effective resources and to be protected in case of violation of these rights.
2. For this purpose, any person whose rights or freedoms have been allegedly violated has the right, either on its own or through a legally authorized representative, to file

a complaint with an independent, impartial and competent judicial authority or any other authority established by law and that the complaint be examined quickly in a public hearing, and to obtain a decision from that authority, in accordance with the law, that provides for the reparation, including the compensation that corresponds, when the rights or freedoms of that person have been violated, as well as to obtain the execution of the eventual decision and sentence, all without undue delay.

3. To the same effect, every person has the right, individually or collectively, among other things, to:
  - a) Report the policies and actions of government officials and bodies in relation to violations of human rights and fundamental freedoms through petitions or other appropriate means before the judicial, administrative, or domestic legislative authorities or before any other competent authority provided in the system of the State, which must issue their decision on the complaint without undue delay;
  - b) Attend public hearings, procedures and trials to form an opinion on compliance with national norms and applicable international obligations and commitments;
  - c) Offer and provide legal counsel or other relevant advice and assistance to defend human rights and fundamental freedoms.

4. To the same effect, every person has the right, individually or collectively, in accordance with applicable international instruments and procedures, to address themselves without obstruction to international organizations that have general or special competence to receive and examine communications on human rights and fundamental freedoms issues, and to communicate unrestrictedly with them.
5. The State shall conduct a prompt and impartial investigation or adopt the necessary measures to carry out an inquiry when there are reasonable grounds to believe that a violation of human rights and fundamental freedoms has occurred in any territory subject to its jurisdiction.

#### Article 10

No one will participate, by action or by the breach of the duty to act, in the violation of human rights and fundamental freedoms, and no one will be punished or persecuted for refusing to do so.

#### Article 11

Every person, individually or collectively, has the right to the legitimate exercise of his occupation or profession. Any person who, because of their profession, may affect the human dignity, human rights and fundamental freedoms of others shall respect those rights and freedoms and comply with the relevant national and international standards of conduct or professional or occupational ethics.

#### Article 12

1. Everyone has the right, individually or collectively, to participate in peaceful activities against violations of human rights and fundamental freedoms.
2. The State shall guarantee protection of the competent authorities of every person, individually or collectively, against any violence, threat, reprisal, discrimination, de facto or de jure denial, pressure or any other arbitrary action resulting from the legitimate exercise of rights mentioned in this Declaration.
3. In this regard, everyone has the right, individually or collectively, to effective protection by national laws when reacting or opposing, by peaceful means, to activities and acts, including omissions, attributable to the States that cause violations of human rights and fundamental freedoms, as well as acts of violence perpetrated by groups or individuals that affect the enjoyment of human rights and fundamental freedoms.

#### Article 13

Every person has the right, individually or collectively, to request, receive and use resources for the express purpose of promoting and protecting, by peaceful means, human rights and fundamental freedoms, in accordance with Article 3 of this Declaration.

#### Article 14

1. It is the responsibility of the State to adopt legislative, judicial and administrative or any other measures appropriate to promote the

understanding of their civil, political, economic, social and cultural rights in every person subject to their jurisdiction.

2. These measures include the following:
  - a) The publication and wide availability of national laws and regulations and basic international human rights instruments;
  - b) Full and equal access to international documents in the field of human rights, including periodic State reports to entities established by international human rights treaties to which it is a party, as well as the summary records of the debates and the official reports of those bodies.
3. The State shall guarantee and support, where appropriate, the creation and development of other independent national institutions for the promotion and protection of human rights and fundamental freedoms throughout the territory under its jurisdiction, such as, for example, mediators, human rights commissions or any other type of national institutions.

#### Article 15

The State has the responsibility to promote and facilitate the teaching of human rights and fundamental freedoms at all levels of education, and to ensure that those responsible for the training of lawyers, law enforcement officials, personnel of armed forces and public officials include in their programs of education the appropriate elements of the principles on human rights.

#### Article 16

Individuals, non-governmental organizations and relevant institutions have an important mission to contribute in sensitizing the public on issues related to all human rights and fundamental freedoms through education, training and research activities in these areas with the objective to strengthen, among other things, the understanding, tolerance, peace and friendship relations between nations and between all racial and religious groups, taking into account the different mentalities of the societies and communities in which they carry out their activities.

#### Article 17

In the exercise of the rights and freedoms set forth in this Declaration, no person, individually or collectively, shall be subject to any limitations other than those imposed in accordance with the applicable international obligations and commitments and determined by law, for the sole purpose to guarantee the due recognition and respect for the rights and freedoms of others and respond to the fair demands of morality, public order and the general welfare of a democratic society.

#### Article 18

1. Every person has duties regarding the community and within it, since only in it can they develop their personality freely and fully.
2. Individuals, groups, institutions and non-governmental organizations have an important role and responsibility in the protection

of democracy, the promotion of human rights and fundamental freedoms and the contribution to the promotion and advancement societies, institutions and democratic processes.

3. Similarly, they have the important role and responsibility to contribute, as appropriate, to the promotion of the right of every individual to a social and international order in which the rights and freedoms set forth in the Universal Declaration of Human Rights and other instruments of human rights may have full application.

#### **Article 19**

Nothing in this Declaration shall be construed as conferring on an individual, group or organism of society or on any State the right to carry out activities or acts which purpose is to suppress the rights and freedoms set forth herein this Declaration.

#### **Article 20**

Nothing in this Declaration shall be construed as permitting the States to support and promote activities of individuals, groups of individuals, institutions or non-governmental organizations, which are in contradiction with the provisions of the Charter of the United Nations.



## PROGRAMA SOMOS DEFENSORES

PROGRAMA NO GUBERNAMENTAL DE PROTECCIÓN A  
DEFENSORES DE DERECHOS HUMANOS

# ANNUAL REPORT 2017 INFORMATION SYSTEM ON ATTACKS AGAINST HUMAN RIGHTS DEFENDERS IN COLOMBIA - SIADDHH

According to the log made by the Information System on Attacks against Human Rights Defenders -SIADDHH- of the Non-Governmental Program for the Protection of Human Rights Defenders – Somos Defensores<sup>82</sup>, during 2017, **560 human rights defenders** were victims of aggressions that put their life and integrity at risk and / or hindered the legitimate and legal work of defending human rights in Colombia.

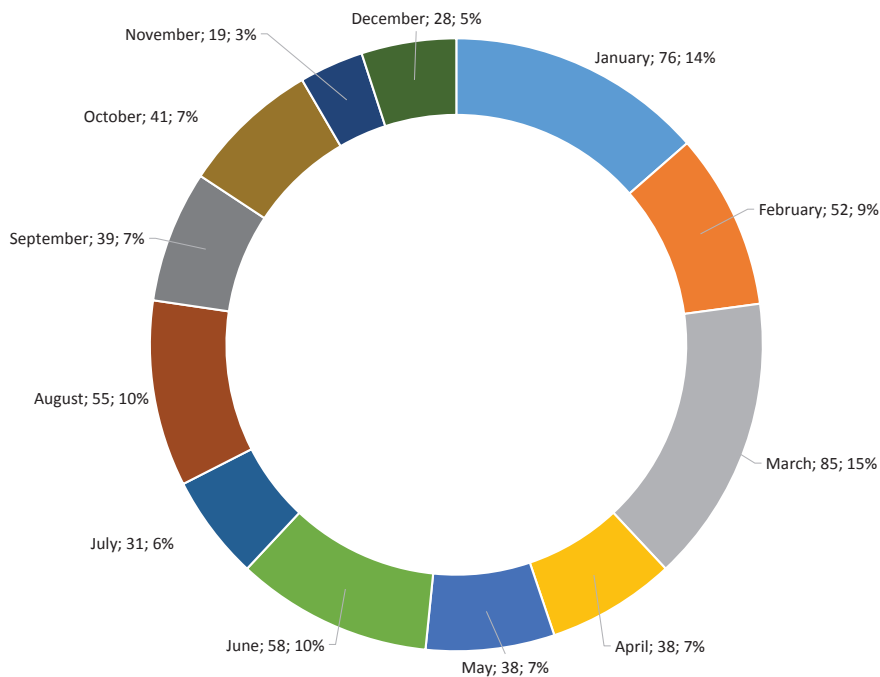
### INDIVIDUAL AGGRESSIONS

The SIADDHH registered **an increase of 16.42% in the individual aggressions against defenders in 2017** in relation to 2016. Between January and December 2016, the SIADDHH reported 481 attacked defenders; in 2017 during the same period, there were 560 cases. **There was also a disproportionate increase in homicides and attacks against leaders that total at least 156 cases (106 homicides and 50 attacks).**

In relation to the occurrence of aggressions per month, 2017 could be determined as a year with a high rate of monthly aggressions; in descending order, the months from highest to lowest number of assaults were March with 85 cases, January with 76 cases, June with 58 cases, August with 55 cases and October with 41 cases.

<sup>82</sup> This System registers information known directly by the Somos Defensores Program and by direct source with the Social Organizations and Non-Governmental Organizations that report cases to the Program. At no time, the SIADDHH crosses information with other similar information systems and reports and analyzes only the cases that are sent to them.

NUMBER OF AGGRESSIONS PER MONTH  
SIADDHH FIGURES ANNUAL PERIOD 2017



Thus, the first quarter of 2017 was the most violent against the defenders since they accumulated 213 attacks.

AGGRESSIONS BY GENDER

Regarding the aggressions by gender, it was recorded that of the 560 defenders attacked in 2017, 74% were men and 26% were women. This proportionality of aggressions by gender keeps the same trend since 2016, with a minimum decrease in the percentages of aggressions against female defenders. However, extreme violence against women is a cause for concern since homicides against them always show higher levels of violence, including sexual violence; this point will be

addressed in the explanation of the homicides.

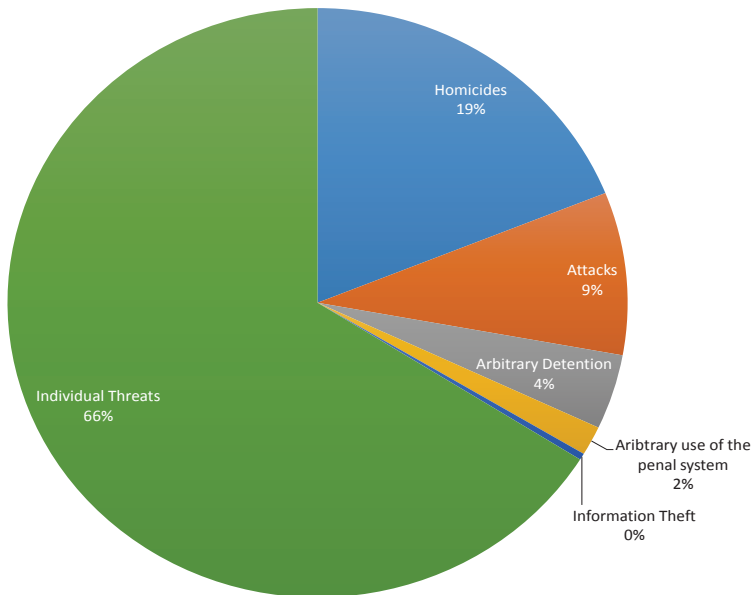
Aggressions by gender	Number
Number	143
Female	143
Male	417
Total individual Aggressions	560

On the other hand, the information collected by the SIADDHH accounts for six types of aggression against human rights defenders in Colombia: Assassinations, attacks, threats, arbitrary detentions, information theft and arbitrary use of the penal system.

### INDIVIDUAL AGGRESSIONS ACCORDING TO THE TYPE OF VIOLENCE

Type of Individual Aggressions	Cases 2017	Cases 2016
Threats	370	317
Murders	106	80
Attacks	50	49
Arbitrary Detentions	23	17
Disappearances	0	2
Arbitrary use of the penal System	9	9
Information Theft	2	6
Sexual Violence	0	1
<b>Total individual aggressions</b>	<b>560</b>	<b>481</b>

PERCENTAGE ACCORDING TO THE TYPE OF AGGRESSION  
SIADDHH FIGURES FOR 2017



Compared to 2016, the increase in homicides becomes remarkably concerning in 2017 (from 80 to 106 cases), threats (from 317 to 370 cases), arbitrary arrests (from 17 to 23 cases)

and the level of attacks against the life of defenders remains the same (from 49 to 50 cases). The rest of the aggressions kept the same levels or slightly descended.

# “IN 2017, AN AVERAGE OF 1.5 HUMAN RIGHTS DEFENDERS WERE ATTACKED IN COLOMBIA EVERY DAY”

Highlight the permanent record of aggressions, such as arbitrary detentions, arbitrary use of the penal system and attacks, and the sustained percentage increase in threats and killings; the latter informs for 2017 the highest number of cases since the SIADDHH was created.

## ASSASSINATION OF DEFENDERS

According to the SIADDHH in 2017, 106 defenders and social leaders were murdered; 26 more than in 2016, that is, an increase of 32.5% with respect to the previous year. Their names are listed below, in recognition of their work, so that they are not forgotten and justice is brought on their murderers:

No.	DATE OF FACTS	DEPARTAMENT	CITY	VICTIM	ORGANIZATION TO WHICH HE BELONGED	TYPE OF LEADERSHIP	ALLEGED CULPRIT
1	01/01/2017	Norte de Santander	Cúcuta	Carlos Jesús Báez Torres (Karla)	Social Leader of the Cúcuta LGBTI Community	LGBTI DEFENDER OR LEADER	UNKNOWN
2	07/01/2017	Cesar	El Paso	Aldemar Parra García	President of the El Hatillo Beekeeping Association	PEASANT OR AGRARIAN DEFENDER OR LEADER	UNKNOWN
3	10/01/2017	Córdoba	Tierralta	José Yimer Úsuga	Vice President of the Peasant Association of Alto Sinú (Asodecas) and he was a leader of the Patriotic March Movement	PEASANT OR AGRARIAN DEFENDER OR LEADER	PARAMILITARIES
4	12/01/2017	Antioquia	Sonsón	Edmundo León Londoño	Movement for Life and the Defense of the Western Antioquia Territory (MOVETE)	PEASANT OR AGRARIAN DEFENDER OR LEADER	UNKNOWN

No.	DATE OF FACTS	DEPARTAMENT	CITY	VICTIM		ORGANIZATION TO WHICH HE BELONGED	TYPE OF LEADERSHIP	ALLEGED CULPRIT
5	14/01/2017	Valle del Cauca	Buenaventura	Emilsen Mosquera	Manyoma	Community member of the Conpaz Network, former member of several organizations and former collaborator of the Buenaventura Humanitarian space.	COMMUNITY DEFENDER OR LEADER	UNKNOWN
6	25/01/2017	Risaralda	Pueblo Rico	Hernando Murillo Armijo		Arfo descendant leader and former president of the Communal Action Board of the Agüita village (period 2012-2016).	AFRO DESCENDANT DEFENDER OR LEADER	UNKNOWN
7	28/01/2017	Antioquia	Anorí	Gildardo Antonio Valdés		Treasurer of the Communal Action Board of the Concha Abajo village	COMMUNAL DEFENDER OR LEADER	ELN
8	26/01/2017	Cesar	Valledupar	Yoryanis Varela	Isabel Bernal	"Defender of the Wiwa Indigenous Women's rights. Wiwa Golkuche from the Kowi, Malayo and Arhuaco reservations, Yoryanis Isabel accompanied all of the Wiwa ethnic processes in matters of indigenous women's rights."	INDIGENOUS DEFENDER OR LEADER	UNKNOWN
9	27/01/2017	Antioquia	Bello	Leonidas González Pérez		Journalist. Member and coordinator of the Afro Chapter of the Human Rights Board of the Medellín and Antioquia Journalists -MESDHUPERA	COMMUNICATOR DEFENDER OF HUMAN RIGHTS	UNKNOWN

No.	DATE OF FACTS	DEPARTAMENT	CITY	VICTIM	ORGANIZATION TO WHICH HE BELONGED	TYPE OF LEADERSHIP	ALLEGED CULPRIT
10	02/02/2017	Valle del Cauca	Cartago	Miguel Ángel Hoyos	Guild Representative of the Department Committee of Coffee growers of El Valle for the 2014-2018 period. He was affiliated to the Northern Coffee Growers Cooperative.	PEASANT OR AGRARIAN DEFENDER OR LEADER	UNKNOWN
11	04/02/2017	Cesar	El Copey	Edilberto Cantillo Meza	President of the El Copey Communal Action Board and member of that village Association of Victims (ASVERVIC), organization that belongs to the Cesar Peasant Assembly for the Restitution of Lands and Wellbeing.	COMMUNAL DEFENDER OR LEADER	UNKNOWN
12	17/02/2017	Antioquia	Cáceres	Eberto Julio Gómez Mora	President of the Communal Action Board of the San José del Mane village	COMMUNAL DEFENDER OR LEADER	PARAMILITARIES
13	18/02/2017	Tolima	Chaparral	Deiner Alexander Méndez Berrío (Danna Méndez)	Activist of the LGBTI Diversa Chaparral Association, he helped to look out for the rights of gay, lesbian, bisexual and transexual people's rights.	LGBTI DEFENDER OR LEADER	UNKNOWN
14	13/02/2017	Cauca	El Tambo	James Alegría	El Tambo Community Leader	COMMUNITY DEFENDER OR LEADER	UNKNOWN
15	18/02/2017	Cauca	Mercaderes	Falver Cerón Gómez	President of the Communal Action Board of the Esmeraldas village - Matters on illegal mining and eradication of illicit crops.	COMMUNAL DEFENDER OR LEADER	UNKNOWN

No.	DATE OF FACTS	DEPARTAMENT	CITY	VICTIM	ORGANIZATION TO WHICH HE BELONGED	TYPE OF LEADERSHIP	ALLEGED CULPRIT
16	20/02/2017	Bogotá	Usme	Wilfredy Noreña González	He worked with the Usme Community in cases of intolerance. Human Rights Table of Usme.	COMMUNITY DEFENDER OR LEADER	UNKNOWN
17	22/02/2017	Caldas	La Dorada	Cesar Augusto Parra	Spokesperson of the Taxi-Motorcyclists who was leading protests against the La Dorada Mayor's Office.	COMMUNITY DEFENDER OR LEADER	UNKNOWN
18	26/02/2017	Cauca	Corinto	Éder Cuetia Conda	Peasant Leader, coordinator of the peasant security in Los Andes township, in the Corinto municipality.	PEASANT OR AGRARIAN DEFENDER OR LEADER	UNKNOWN
19	02/03/2017	Antioquia	Bello	Fabián Antonio Rivera	President of the Rosalpi Communal Action Board	COMMUNAL DEFENDER OR LEADER	UNKNOWN
20	02/03/2017	Antioquia	Medellín	Ruth Alicia López Guisao	He accompanied the execution of the Agrarian Summit and National Government with Asokinchas, National Agrarian Coordinator in Chocó.	COMMUNITY DEFENDER OR LEADER	PARAMILITARIES
21	19/03/2017	Casanare	Aguazul	Edenis Barrera Benavides	Vice President of the Civil Defense in the Aguazul municipality	COMMUNITY DEFENDER OR LEADER	UNKNOWN
22	22/03/2017	Cauca	Corinto	Javier Oteca Pilcué	Ancestral Provision to perform activities to free Mother Earth, carried out in the Corinto and Cauca Chapters and Lands claimant in Northern Cauca.	INDIGENOUS DEFENDER OR LEADER	UNKNOWN

No.	DATE OF FACTS	DEPARTAMENT	CITY	VICTIM		ORGANIZATION TO WHICH HE BELONGED	TYPE OF LEADERSHIP	ALLEGED CULPRIT
23	26/03/2017	Putumayo	Valle Guamez	Albenio Álvarez	Isaías Rosero	President of the Communal Action Board of the La unión village.	COMMUNAL DEFENDER OR LEADER	UNKNOWN
24	31/03/2017	Cauca	Sucre	Jairo Muñoz	Arturo Chilito	Educator in the El Paraíso village School, rural area of Sucre. Teacher member of the Cauca Teachers Association -ASOINCA -	STUDENT OR EDUCATIONAL DEFENDER OR LEADER	UNKNOWN
25	02/04/2017	Meta	Mesetas	Eliver Buitrago Gutierrez		President of the Buenos Aires village board, in the Mesetas municipality.	COMMUNAL DEFENDER OR LEADER	UNKNOWN
26	05/04/2017	Meta	San Martín	Camilo Galeano	Alberto Pinzón	Vice Presidente of the Communal Action Board of the Fundo Nuevo village. Within his last actions were a request to the Mayor's Office of San Martín and the Hocol Enterprise, demanding the construction of a bridge in the village.	COMMUNAL DEFENDER OR LEADER	UNKNOWN
27	06/04/2017	Huila	Pitalito	Luis Sánchez	Genaro Ochoa	Human Rights Defender, he carried out investigations on corruption cases	COUNCIL DEFENDER OF HUMAN RIGHTS	UNKNOWN
28	09/04/2017	Putumayo	Puerto Guzmán	Faiber Pobre		President of the Communal Action Board of the Villa Nueva de Yurilla neighborhood, Galilea inspection.	COMMUNAL DEFENDER OR LEADER	UNKNOWN

No.	DATE OF FACTS	DEPARTAMENT	CITY	VICTIM	ORGANIZATION TO WHICH HE BELONGED	TYPE OF LEADERSHIP	ALLEGED CULPRIT
29	10/04/2017	Caquetá	Florencia	Nolberto Lozada Ramón	Communal leader, President of the Communal Action Board of the Buenos Aires Bajo village in Florencia	COMMUNAL DEFENDER OR LEADER	UNKNOWN
30	18/04/2017	Antioquia	San Vicente Ferrer	Rubiela Sánchez Vanegas	Communitary leader of the Cruces village, 49 years old, she ran for the counsel of her of her municipality and she spent her time working for the community, besides taking care of her 6 minor children.	COMMUNITY DEFENDER OR LEADER	UNKNOWN
31	19/04/2017	Cauca	Timbio	Gerson Acosta Salazar	Traditional Authority and Governor of the Kite Kiwe Reservation, in the Timbio municipality	INDIGENOUS DEFENDER OR LEADER	UNKNOWN
32	22/04/2017	Valle del Cauca	El Cerrito	Severino Grueso Caicedo	President of the Communal Action Board of the Prado valle de cerrito neighborhood	COMMUNAL DEFENDER OR LEADER	UNKNOWN
33	27/04/2017	Cauca	MERCADERES	Diego Fernando Rodríguez Montenegro	Legal Representative of the Ganaplata y Caney Communitary Council. He was part of the La Torre Palenque.	AFRO DESCENDANT DEFENDER OR LEADER	UNKNOWN
34	19/01/2017	Córdoba	Montelíbano	Hernán Enrique Ágamez Flórez	Montelíbano Coca Leaf Committee. Treasurer of the Communal Action Board of El Barro village. ASODECAS Leader. Patriotic March.	PEASANT OR AGRARIAN DEFENDER OR LEADER	PARAMILITARIES

No.	DATE OF FACTS	DEPARTAMENT	CITY	VICTIM	ORGANIZATION TO WHICH HE BELONGED	TYPE OF LEADERSHIP	ALLEGED CULPRIT
35	02/05/2017	Córdoba	Los Córdoba	Nelson Fabra Díaz	Leader of the Arboletes municipality, in Antioquia. He had reported illegal use of wood in the municipality. He was running for Mayor of that municipality.	COMMUNITY DEFENDER OR LEADER	UNKNOWN
36	04/05/2017	Valle del Cauca	Jamundi	Jorge Arbey Chantre Achipiz	He belonged to the Pueblo Nuevo Chapter in Jamundí and he had a position as President of the Alternative Indigenous and Social Movement, MAIS.	INDIGENOUS DEFENDER OR LEADER	UNKNOWN
37	06/05/2017	Valle del Cauca	Cali	Jáider Jiménez Cardona	Conciliator at the Communal Action Board Decepaz.	COMMUNAL DEFENDER OR LEADER	UNKNOWN
38	09/05/2017	Cauca	Corinto	Daniel Felipe Castro Basto	Indigenous Villagers and Liberator of Mother Earth	INDIGENOUS DEFENDER OR LEADER	PUBLIC FORCE
39	13/05/2017	Valle del Cauca	Guacarí	Mario Andrés Calle	President of the Peasant Workers Association in Valle del Cauca, Guacarí sectional, linked to the Valle del Cauca Peasant Coordination	PEASANT OR AGRARIAN DEFENDER OR LEADER	UNKNOWN
40	16/05/2017	Cesar	Chiriguaná	José Reyes Guerrero Gaitán	Victims Leader, substitute of the victims board of Chiriguaná (Cesar)	VICTIMS OR DISPLACED PEOPLE DEFENDER OR LEADER	UNKNOWN
41	16/05/2017	Cesar	Aguachica	Katherine Castilla Escalante	President of the Civil Defense of Aguachica	COMMUNITY DEFENDER OR LEADER	UNKNOWN

No.	DATE OF FACTS	DEPARTAMENT	CITY	VICTIM	ORGANIZATION TO WHICH HE BELONGED	TYPE OF LEADERSHIP	ALLEGED CULPRIT
42	25/05/2017	Nariño	Tumaco	Segundo Victor Castillo	Communitary leader who was working for the National Government to attend to 128 militants who surrendered their weapons after being rejected by the FARC guerrilla and joined this process.	COMMUNITY DEFENDER OR LEADER	UNKNOWN
43	26/05/2017	Nariño	Tumaco	Carlos Augusto Guerrero Cortés " Carlos Augusto Paneso"	Activist and victim of forced displacement who belonged to the Colombian LGBTI Rainbow Foundation, Organization of Tumaco which has worked jointly with Caribe Afirmativo (Affirmative Caribbean)	LGBTI DEFENDER OR LEADER	UNKNOWN
44	03/06/2017	Chocó	Riosucio	Efren Santo	Afro and Peasant Leader of the Communitary Council of Campoalegre. Efren was part of local leaderships within the ASOPROCAMALOSAN process	AFRO DESCENDANT DEFENDER OR LEADER	UNKNOWN
45	04/06/2017	La Guajira	Fonseca	Iván Martínez	Legal Secretary of the Guajira Office and member of the Directive Board of the Union Organization of Security Workers – UNSITRASEG.	UNION DEFENDER OR LEADER	UNKNOWN
46	04/06/2017	Valle del Cauca	Cali	Wilmar Felipe Barona	Leader of the Colombian Union of Cardboard workers, Sintracarcol	UNION DEFENDER OR LEADER	PUBLIC FORCE

No.	DATE OF FACTS	DEPARTAMENT	CITY	VICTIM	ORGANIZATION TO WHICH HE BELONGED	TYPE OF LEADERSHIP	ALLEGED CULPRIT
47	06/06/2017	Guaviare	Miraflores	Ricardo Martínez	President of the Communal Action Board of Medios village, Miraflores Jurisdiction.	COMMUNAL DEFENDER OR LEADER	UNKNOWN
48	06/06/2017	CÓRDOBA	P u e r t o Escondido	Washington Otero	Teacher and guild member of the Teaching and education workers Association of Córdoba, ADEMACOR for 20 years.	STUDENT OR EDUCATIONAL DEFENDER OR LEADER	PARAMILITARIES
49	07/06/2017	Atlántico	Malambo	Bernardo Cuero	Leader of the Department Board of Victims of Atlántico and National Attorney for the National Afro descending Association (Afrodes). Delegate of the Communal Action Board.	AFRO DESCENDANT DEFENDER OR LEADER	UNKNOWN
50	14/06/2017	Norte de Santander	Tibú	José María Lemus	President of Las Palmas Communal Action Board.	COMMUNAL DEFENDER OR LEADER	UNKNOWN
51	15/06/2017	Arauca	Arauca	Narda DEL Carmen Barchilon	Processes of women in the Villa Luz Neighborhood, in Arauca, she worked on cases of the Apoyar ORG.	WOMEN DEFENDER OR LEADER	UNKNOWN
52	22/06/2017	Cauca	Buenos Aires	Mauricio Fernando Vélez López	Vice President of the mixed Union of Workers of Public Universities SINTRAUNAL.	UNION DEFENDER OR LEADER	UNKNOWN
53	01/07/2017	Valle del Cauca	El Cerrito	Alberto Román Acosta	President of the Agrarian Industry Workers, SINTRAINAGRO	UNION DEFENDER OR LEADER	UNKNOWN

No.	DATE OF FACTS	DEPARTAMENT	CITY	VICTIM	ORGANIZATION TO WHICH HE BELONGED	TYPE OF LEADERSHIP	ALLEGED CULPRIT
54	14/07/2017	Cauca	Guachené	Héctor William Mina	Member of the "Francisco Isalas Cifuentes" Human Rights Network and the Marcha Patriótica National Commission of Human Rights. He was the President of the Guachene municipality Civil Defense Directive Board and he helped coordinate the work of the Afro community.	AFRO DESCENDANT DEFENDER OR LEADER	UNKNOWN
55	14/07/2017	Antioquia	Medellín	Fabián Alberto Alvarez	Communitary Leader of the La Loma sector in the township of San Cristóbal. His murder took place one week after he organized an integraton event between the police and the community, since there is still hard feelings in the village towards that institution.	COMMUNITY DEFENDER OR LEADER	UNKNOWN
56	16/07/2017	Norte de Santander	El Carmen	Ezequiel Rangel	President of the Catatumbo Peasant Association Village Committee ASCAMCAT and the Marcha patriótica political and social movement.	PEASANT OR AGRARIAN DEFENDER OR LEADER	ELN
57	27/07/2017	Cauca	López de Micay	Wilmer Caicedo	Attorney of the Sanjoc Communitarian Council	AFRO DESCENDANT DEFENDER OR LEADER	FARC DISSIDENCE
58	02/08/2017	Antioquia	Puerto Nare	Luis Edison Gallego	Communitary and Environmental, he confronted several companies due to the Nare River Intervention.	DESCA DEFENDER OR LEADER	UNKNOWN

No.	DATE OF FACTS	DEPARTAMENT	CITY	VICTIM	ORGANIZATION TO WHICH HE BELONGED	TYPE OF LEADERSHIP	ALLEGED CULPRIT
59	06/08/2017	Nariño	El Rosario	Nidio Emigdio Dávila	Coordinator member of the Peasant Workers Association of Nariño -ASTRACAN- El Rosario Board.	PEASANT OR AGRARIAN DEFENDER OR LEADER	PARAMILITARIES
60	07/08/2017	Cauca	Rosas	Idaly Castillo Narváez	Vice Presidenta of the Communal Action Board of the Bella Vista village.	COMMUNAL DEFENDER OR LEADER	UNKNOWN
61	11/08/2017	Cauca	Piamonte	Fernando Rivas Asprilla	Communitary Leader - He defended a process of illicit crops substitution in Cauca	COMMUNITY DEFENDER OR LEADER	UNKNOWN
62	12/08/2017	Caldas	Supía	Alciviades de Jesús Largo Hernández	Member of the Cañamomo Lomapieta de Supia Indigenous reservation Miembro	INDIGENOUS DEFENDER OR LEADER	UNKNOWN
63	17/08/2017	Chocó	Riosucio	Manuel Mosquera	Member of the Truandó Community Council, a position that he had given up less than 4 months before.	COMMUNITY DEFENDER OR LEADER	PARAMILITARIES
64	28/08/2017	Atlántico	Barranquilla	Roberto McCausland	Betania Neighborhood Communitary Leader	COMMUNITY DEFENDER OR LEADER	UNKNOWN
65	17/09/2017	Norte de Santander	Tibú	Javier Sevilla Álvarez	Coordinator of the works Committee of the M24 village Communal Action Board.	COMMUNAL DEFENDER OR LEADER	UNKNOWN
66	21/09/2017	Cauca	Corinto	José Adalberto Torrijano Andrade	Coordinator of the Peasant Guardianship of the Río Negro / Pueblo Nuevo village and member of the Association of the Peasant Reserve Constitution of the municipality of Corinto.	PEASANT OR AGRARIAN DEFENDER OR LEADER	PUBLIC FORCE

No.	DATE OF FACTS	DEPARTAMENT	CITY	VICTIM	ORGANIZATION TO WHICH HE BELONGED	TYPE OF LEADERSHIP	ALLEGED CULPRIT
67	23/09/2017	Risaralda	Dos quebradas	Maritza Yuliana Vinasco	Leader who accompanied vulnerable children in the House of Dreams Foundation, in the Camilo Mejía Neighborhood. Also, Leader of LGTBI community leading their vindication process.	YOUTH OR INFANCY DEFENDER OR LEADER	UNKNOWN
68	21/09/2017	Bogotá	Fontibón	Nelson Eduardo Velandia Ortiz	Principal of the Atahualpa District School. He worked to avoid criminal behaviors nearby the institution such as drug dealing, a situation for which he had already been threatened.	STUDENT OR EDUCATIONAL DEFENDER OR LEADER	UNKNOWN
69	26/09/2017	La Guajira	Uribia	Juana Bautista Uriana (Epiayú)	Leader of the Wayuu Ethnicity and educator.	INDIGENOUS DEFENDER OR LEADER	UNKNOWN
70	27/09/2017	Antioquia	San Rafael	Carlos Mario Hincapié	He belonged to the democratic center and performed investigation actions about corruption crimes and links of the current Mayor of San Rafael with palamilitary groups.	COMMUNITY DEFENDER OR LEADER	UNKNOWN
71	29/09/2017	Antioquia	Medellín	Luis Fernando Gil Luján	Leader of the Castilla Commune and member of the Castilla Human Rights Board.	COMMUNITY DEFENDER OR LEADER	UNKNOWN

No.	DATE OF FACTS	DEPARTAMENT	CITY	VICTIM	ORGANIZATION TO WHICH HE BELONGED	TYPE OF LEADERSHIP	ALLEGED CULPRIT
72	02/10/2017	Sucre	Sampué	Luis Villadiego Puentes	Leader of the indigenous Community of the El Paquí de Sampué township and President of the Indigenous Regional Water Pipeline.	COMMUNITY DEFENDER OR LEADER	UNKNOWN
73	03/10/2017	Guaviare	San José del Guaviare	Jimmy Alberto Medina Trujillo	Communal Leader, vice president of the Communal Acton Board of the Puerto Nuevo village.	COMMUNAL DEFENDER OR LEADER	UNKNOWN
74	05/10/2017	Bolívar	Cartagena	Jorge Luis García del Río	Administrator of the Local Community Housing board of the 3 de Junio Neighborhood. He worked with youngsters on cultural matters in order to avoid forced recruitment.	DESCA DEFENDER OR LEADER	UNKNOWN
75	07/10/2017	Chocó	Medio Baudó	Esquivel Manyoma	Leader, former governor and Health indigenous promoter of the Embera Dóbida town, of the Reservation – Community of Dabeiba Queracito in the Medio Baudó municipality.	INDIGENOUS DEFENDER OR LEADER	PARAMILITARIES
76	08/10/2017	Cauca	Belalcazar	Oscar Ferney Tenorio	Substitute Governor of the indigenous reservation of Chinas of the municipality of Paez Belalcazar	INDIGENOUS DEFENDER OR LEADER	UNKNOWN
77	08/10/2017	Cauca	Puracé	María Efigenia Vásquez	Indigenous Communicator of the Kokonuko People	COMMUNICATOR DEFENDER OF HUMAN RIGHTS	PUBLIC FORCE

No.	DATE OF FACTS	DEPARTAMENT	CITY	VICTIM	ORGANIZATION TO WHICH HE BELONGED	TYPE OF LEADERSHIP	ALLEGED CULPRIT
78	08/10/2017	Risaralda	Santuario	Ofelia Espinosa de López	Treasurer of the Communal Action Board of La Guaira village, municipality of Santuario, she worked with female victims of gender violence. She and her husband assembled the board.	COMMUNAL DEFENDER OR LEADER	UNKNOWN
79	08/10/2017	Risaralda	Santuario	Miguel Ángel Cardona	Secretary of the Communal Action Board of the La Guaira village.	COMMUNAL DEFENDER OR LEADER	UNKNOWN
80	17/10/2017	Nariño	Tumaco	José Jair Cortés	Governing Board of the Alto Mira y Frontera Community Council, in the rural area of the Tumaco municipality, Triestería village.	AFRO DESCENDANT DEFENDER OR LEADER	UNKNOWN
81	18/10/2017	Antioquia	Medellín	Liliana Patricia Montoya	Since approximately a year ago, he has been leading the reclamation process of the land where the houses that had been set on fire in the El Socorro neighborhood of Comuna 13 were located. recuperación de terrenos donde estaban ubicadas las viviendas que se habían incendiado en el barrio El Socorro de la Comuna 13	COMMUNITY DEFENDER OR LEADER	UNKNOWN
82	17/10/2017	Putumayo	Puerto Guzmán	Jorge Eliecer Carvajal	Attorney of the Community Action Board of the Caño Avena village	COMMUNAL DEFENDER OR LEADER	UNKNOWN

No.	DATE OF FACTS	DEPARTAMENT	CITY	VICTIM	ORGANIZATION TO WHICH HE BELONGED	TYPE OF LEADERSHIP	ALLEGED CULPRIT
83	19/10/2017	Tolima	Coyaima	Liliana Astrid Martínez Ramírez	School teacher in the village of San Miguel, Vilalge Leader in the Coyaima municipality - linked to the Tolima Educators' Union - SIMATON.	STUDENT OR EDUCATIONAL DEFENDER OR LEADER	UNKNOWN
84	22/10/2017	Antioquia	Tarazá	Miguel Emiro Pérez	President of the Community Action Board of the La Unión village - Peasant Association of Bajo Cauca, of the COCCAM Tarazá, president of the Cañón de Iglesia Office, of ANZORC	COMMUNAL DEFENDER OR LEADER	UNKNOWN
85	24/10/2017	Chocó	Alto Baudó	Aulio Isaramá Forastero	Indigenous Governor of the Catru Dubaza Ancoso del Alto Baudó Reservation.	INDIGENOUS DEFENDER OR LEADER	ELN
86	27/10/2017	Antioquia	Toledo	Ramón Alcides García Zapata	Leader in the process of voluntary substitution of crops for illicit use and the Committee of 'Barequeros' of Northern Antioquia (ASOCBARE) in Alto Chiri. Member of the Patriotic March.	PEASANT OR AGRARIAN DEFENDER OR LEADER	UNKNOWN
87	06/11/2017	Caquetá	Cartagena del Chairá	Ferlein Pérez Monroy	President of the Communal Action Board of Los Laureles village, coordinator of the PAUJIL Victims Board.	COMMUNAL DEFENDER OR LEADER	PUBLIC FORCE
88	07/11/2017	Cauca	Cajibío	Albert Martínez Olarte	He belonged to COCCAM - He recently participated in the national strike of the Cauca demanding on the agreements.	PEASANT OR AGRARIAN DEFENDER OR LEADER	EPL

No.	DATE OF FACTS	DEPARTAMENT	CITY	VICTIM	ORGANIZATION TO WHICH HE BELONGED	TYPE OF LEADERSHIP	ALLEGED CULPRIT
89	12/11/2017	Nariño	Tumaco	Luz Jenny Montaño	He belonged to the religious groups El Divino Niño (The Divine Child) and the Lord Jesus of Nazareth with whom he managed projects for displaced communities.	COMMUNITY DEFENDER OR LEADER	UNKNOWN
90	19/11/2017	Norte de Santander	Ocaña	Edgar Serrano Claro	Member of the INPEC Trade Union. He had reported cases of overcrowding and corruption.	UNION DEFENDER OR LEADER	EPL
91	24/11/2017	Caquetá	Belén de los Andaquies	Mario Jacanamijoy Matumbajoi	Departmental Health Counselor of the Indigenous Peoples Coordination Table of Caquetá and leader of the Tandachiridu Inganokuna Organization, he was the Coordinator of Ethnic Affairs and the Territorial Committee.	INDIGENOUS DEFENDER OR LEADER	UNKNOWN
92	26/11/2017	Chocó	Belén de Bajirá	Mario Castaño Bravo	He was in charge of claims and land restitution processes in Jiguamiandó and Curvaradó.	VICTIMS OR DISPLACED PEOPLE DEFENDER OR LEADER	UNKNOWN
93	04/12/2017	Putumayo	Puerto Asís	Luis Alfonso Giraldo	President of the Communal Action Board of the Brasília village, La Carmelita Township.	COMMUNAL DEFENDER OR LEADER	UNKNOWN

No.	DATE OF FACTS	DEPARTAMENT	CITY	VICTIM	ORGANIZATION TO WHICH HE BELONGED	TYPE OF LEADERSHIP	ALLEGED CULPRIT
94	06/12/2017	Risaralda	Pereira	Julio Cesar Romero	ims Leader and Communal Action Board Attorney of the Salamanca district; ASOMOVIC member. He reported drug dealing and worked with displaced population. Prior to his death he was a Traffick Officer.	VICTIMS OR DISPLACED PEOPLE DEFENDER OR LEADER	UNKNOWN
95	08/12/2017	Chocó	Riosucio	Luis Hernán Uzuga	Bedoya He was part of the Initiative Comunidades Construyendo Paz en los Territorios (Comunitites Building Peace in the Territories) (CONPAZ), he was also a land claimant leader.	PEASANT OR AGRARIAN DEFENDER OR LEADER	PARAMILITARIES
96	09/12/2017	Putumayo	P u e r t o Leguizamo	Diego Suarez	Vice President of the Communal Action Board of Las Delicias village.	COMMUNAL DEFENDER OR LEADER	UNKNOWN
97	10/12/2017	Nariño	Llorete	Oscar Pai Pascal	Indigenous Leader of the Awa Community. Community Leadership.	INDIGENOUS DEFENDER OR LEADER	UNKNOWN
98	11/12/2017	Norte de Santander	Cúcuta	Myriam Zulay Hernández Silva	Community leader of the El Descanso vereda, Ricaurte Township, Cúcuta municipality, president of the Communal Action Board of the El Descanso village, in the Ricaurte district.	COMMUNAL DEFENDER OR LEADER	UNKNOWN
99	15/12/2017	Magdalena	Pivijay	José Rafael de La Hoz Villa	Leader of the Victims Board of Pivijay.	COMMUNITY DEFENDER OR LEADER	UNKNOWN

No.	DATE OF FACTS	DEPARTMENT	CITY	VICTIM	ORGANIZATION TO WHICH HE BELONGED	TYPE OF LEADERSHIP	ALLEGED CULPRIT
100	18/12/2017	Cauca	Patía	Alfonso Pérez Mellizo	President of the Communal Action Board of the Pan de Azúcar village, El Patía municipality and member of the Agro-environmental Association of Workers of Patía (Agropatía).	COMMUNAL DEFENDER OR LEADER	UNKNOWN
101	20/12/2017	Córdoba	Tierralta	Gonzalo Antonio Martínez Guisao	President of the Communal Action Board of the Pechinde village, Zaiza Township, in the Tierralta municipality.	COMMUNAL DEFENDER OR LEADER	UNKNOWN
102	22/12/2017	Chocó	Quibdó	José Neri Hurtado	Conciliator for the Communal Action Board of the La Cascorba neighborhood, 5th commune of Quibdó.	COMMUNAL DEFENDER OR LEADER	UNKNOWN
103	21/12/2017	Putumayo	Puerto Guzmán	Esneider Ruiz Barreto	Hacia parte de la Asociación de Trabajadores Campesinos del Alto Mecaya- ATCAM, filial de la Federación Nacional Sindical Unitaria Agropecuaria (Fensuagro)	PEASANT OR AGRARIAN DEFENDER OR LEADER	UNKNOWN
104	24/12/2017	CÓRDOBA	Tierralta	Guillermo Javier Artuz Tordecilla	President of the Cocoa and Honey Producers Cooperative of the La Ossa village, ASCAPRODESA.	PEASANT OR AGRARIAN DEFENDER OR LEADER	UNKNOWN
105	24/12/2017	Caquetá	Puerto Rico	Fredy Chávarro	Local ombudsman of the Puerto Rico municipality. With recognized background on the defense of Human Rights in the municipality.	COUNCIL DEFENDER OF HUMAN RIGHTS	UNKNOWN
106	29/12/2017	Meta	Cumará	Mario Dúmar Rojas Acosta	President of the Community Action Board of the El Chari village, in the municipality of Cumará.	COMMUNAL DEFENDER OR LEADER	UNKNOWN

Out of the 106 murders, 82% corresponded to men (87 cases), 15% to women (16 cases) and 3% (3 cases) to LGBTI population. This disproportionate increase in homicides against defenders remains in contrast to a year in which the country's overall homicide rate decreased, thanks to the end of the conflict with the FARC and the armistice with the ELN (we went from 12,406 homicides in 2016 to 12,160 homicides in 2017 according to the Ministry of National Defense)<sup>83</sup>. Thus, it is difficult to understand how during the year in which the FARC and the National Government initiated the implementation of the peace agreements, the violence is focused against these activists. It is important to remember that this is the highest peak of homicides per year registered by the SIADDHH since 2002, the year in which this entity started to document cases of aggression against defenders.

Based on the measurement made in 2017, it can be deduced that the departments of Cauca, Antioquia, Norte de Santander, Nariño, Valle, Córdoba and Chocó are the ones that registered the greatest number of murdered defenders. However, the occurrence of these events takes place in almost the entire national territory. These homicides happened in 24 of the 32 Colombian departments, which means 70% of the national territory. This confirms the concern expressed in 2016 the report of the SIADDHH "Contra las Cuerdas" (Between the Rock and a Hard Place) regarding the propagation of this type of violence in more regions of the country. The departments whe-

re numerous crimes are more likely to happen are those that could be referred to as "ex-FARC territories".

DEPARTMENT	CASES
Cauca	18
Antioquia	14
Valle del Cauca	8
Chocó	7
Córdoba	6
Nariño	6
Norte de Santander	6
Putumayo	6
Cesar	5
Risaralda	5
Caquetá	4
Meta	3
Atlántico	2
Bogotá	2
Caldas	2
Guaviare	2
La Guajira	2
Tolima	2
Arauca	1
Bolívar	1
Casanare	1
Huila	1
Magdalena	1
Sucre	1
<b>TOTAL</b>	<b>106</b>

Cauca and Antioquia are the departments with the highest number of assassinated defenders, with 18 and 14 cases each. These departments have lead the list for 5 years. The Colombian Southwest (Valle del Cauca, Cauca, Nariño and Putumayo) is the region of the country with the highest number of registered homicides (38 cases), four more than in 2016 (34 cases). Unlike in previous years, these killings did not

83 Achievements of the Defense and Security Policy All for a New Country. Ministry of Defence. 2017

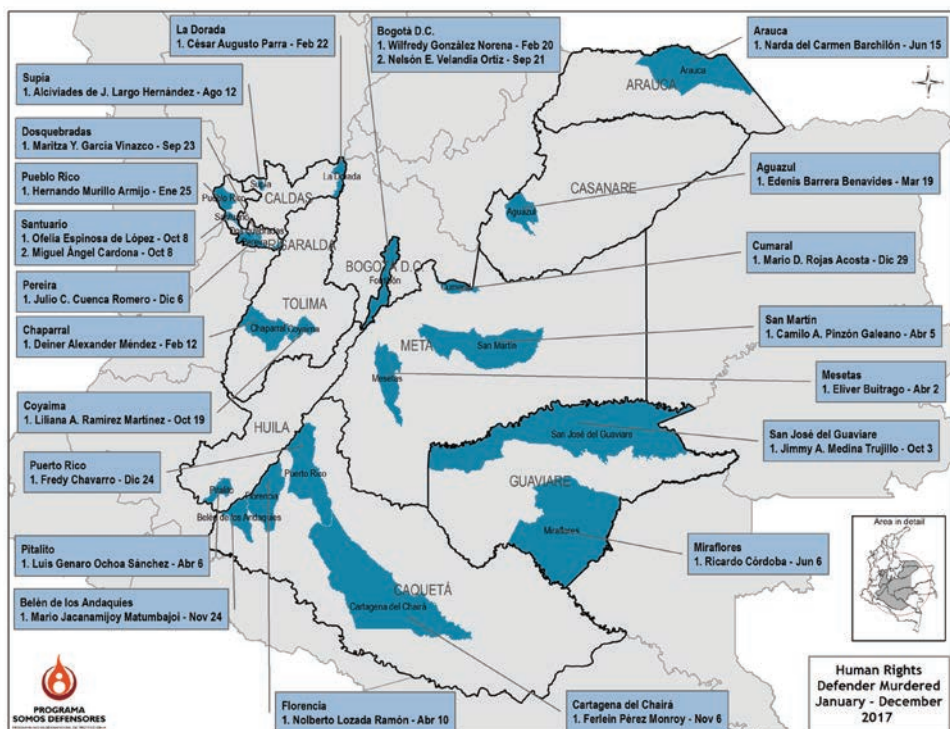
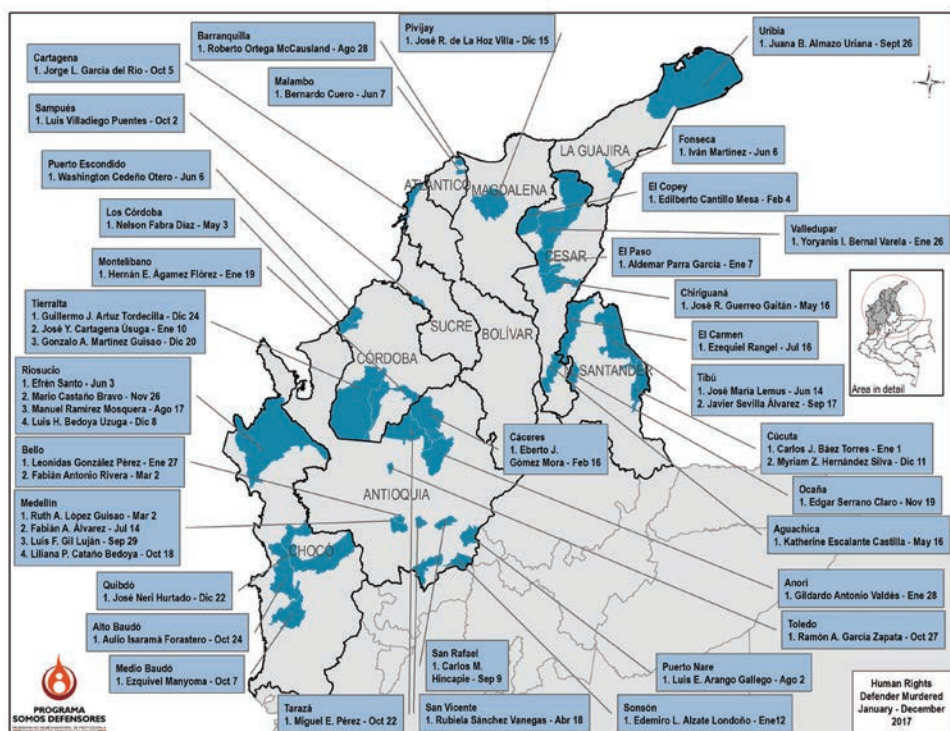
only occur in rural areas; in 2016, 10 of the 80 cases took place in cities, in 2017, 30 of the 106 cases happened in urban areas, that is, 28%, which indicates that the dynamics of violence against these activists is reaching the urban centers.

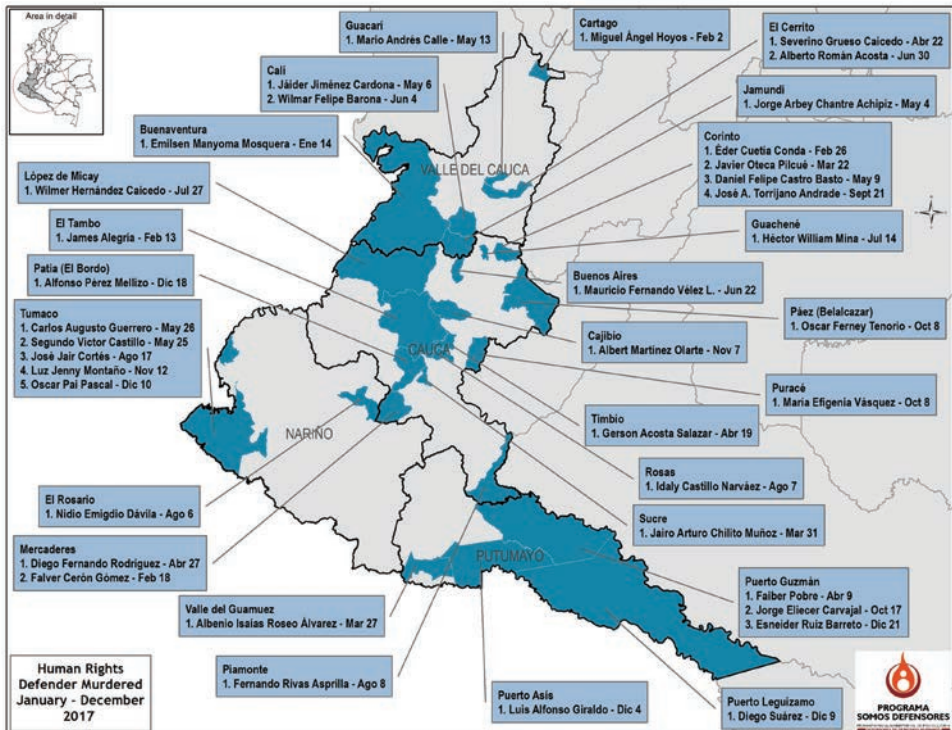
In relation to the type of defender assassinated, a marked tendency is established for the homicides of community leaders (management positions of Communal Action Boards - JAC or Local Administrative Boards - JAL) that went from 20 cases in 2016 to 29 in 2017. The same happens with community leaders, which went from 13 cases in 2016 to 20 in 2017, and along with them the peasant leaders whose figure in 2017 was 15 cases. The murder of these three types of leaders is an indication of how violence is focused on people dedicated to the defense of land and territory and all rights related to it; this thesis reinforces the systematic attack also on indigenous and Afro-descendant leaders, whose

records of homicides remain high and whose leadership is characterized by the defense of land and territory.

It is worth to highlight these leaderships (communal, peasant, community, indigenous and Afro) that account for 83 cases, that is 78% of the total, 91% occurred in rural areas and approximately 51% of them worked in any of the points of the Havana Agreements (Rural Development, Guarantees for the exercise of politics, End of the Conflict, Drug Trafficking, Victims' Rights). Although the authorities are responsible for uncovering the causes, it was identified that 43 of the defenders killed in 2017 had some link with issues addressed in the Agreements and were murdered in rural areas and departments with high rates of armed conflict (Antioquia, Cauca, Valle, Córdoba, Chocó, Norte de Santander among others). And as an extra fact, we can point out that at least 5 of the murdered leaders had a direct relationship with the processes of substitution of illicit crops.

TYPE OF DEFENDER OR LEADER	CASES
COMMUNAL DEFENDER OR LEADER	29
COMMUNITARY DEFENDER OR LEADER	20
PEASANT OR AGRARIAN DEFENDER OR LEADER	15
INDIGENOUS DEFENDER OR LEADER	12
AFRICAN DESCENDING DEFENDER OR LEADER	7
UNION DEFENDER OR LEADER	5
STUDENT OR EDUCATION DEFENDER OR LEADER	4
VICTIMS OR DISPLACED PERSONS DEFENDER OR LEADER	3
LGTBI DEFENDER OR LEADER	3
LAWYER DEFENDER OF HUMAN RIGHTS	2
COMMUNICATOR DEFENDER OF HUMAN RIGHTS	2
DESCA DEFENDER OR LEADER (Economic, Social, Cultural or Environmental Rights)	2
WOMEN DEFENDER OR LEADER	1
YOUTH OR INFANCY DEFENDER OR LEADER	1
<b>TOTAL</b>	<b>106</b>



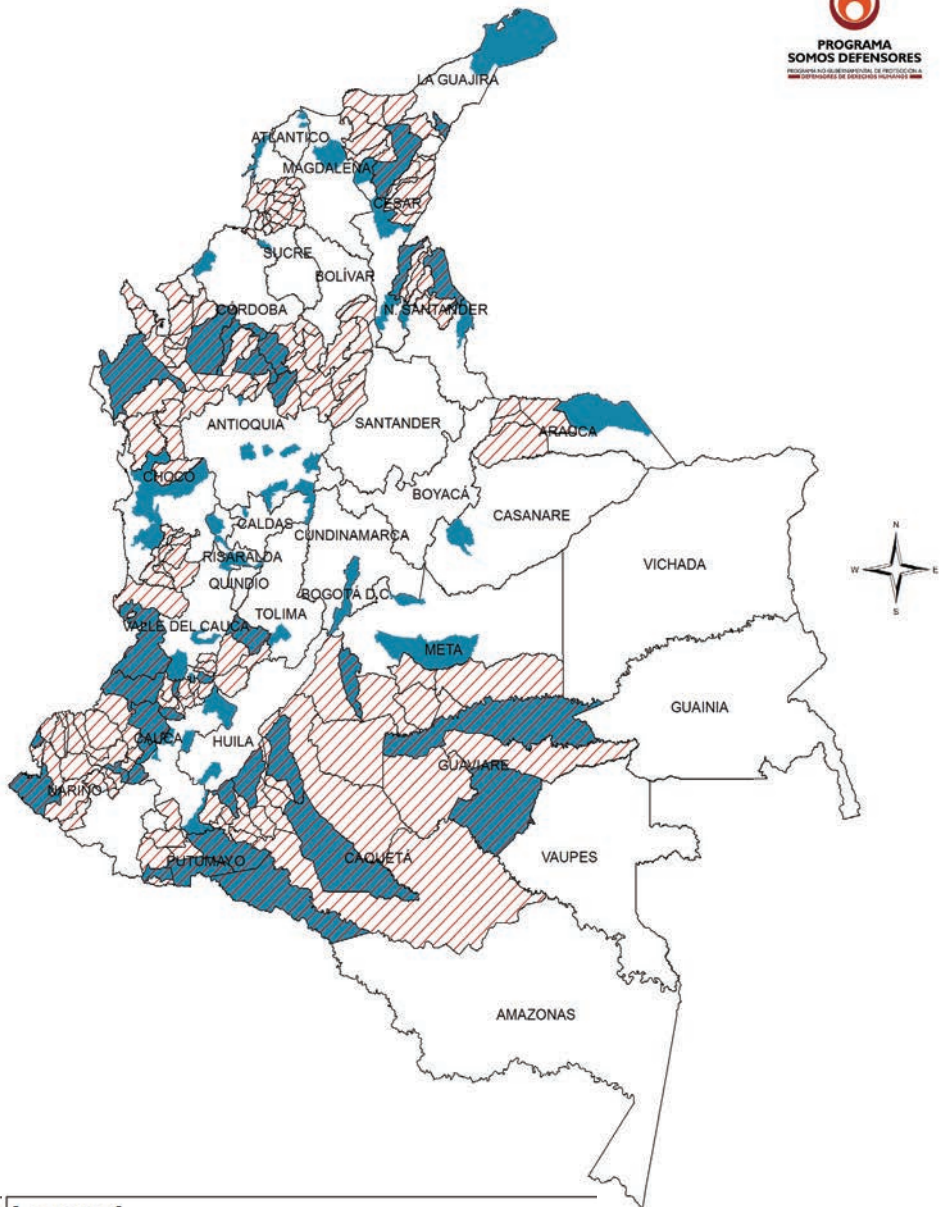


As in previous reports, it is important to analyze the way in which these men and women were killed. Of the 106 homicides reported, 85 were with firearms, 15 with stab wounds and 6 with blunt objects and blows. In 11 of cases, the defender disappeared previous to their deaths and in all them, the body was found with signs of torture; 18 defenders had reported threats before their death and 7 had protection mechanisms by time of the murder. In 9 cases there was an affectation to a third party, that is, a relative or friend was injured or even killed during the attack.



With utmost concern and pain, we note the increase in cases of murders of defender women (16), but also the

extreme violence used in 4 of these cases, with acts of torture, sexual violence and brutality. We refer to the cases of Emilsen Manyoma (Valle del Cauca), Edenis Barrera Benavides (Casanare), Idaly Castillo Narváez (Cauca), Juana Bautista Almazo Uriana (La Guajira), there is no information about these on regards of the progress in the investigations and if they were declared as femicides or not by the authorities.

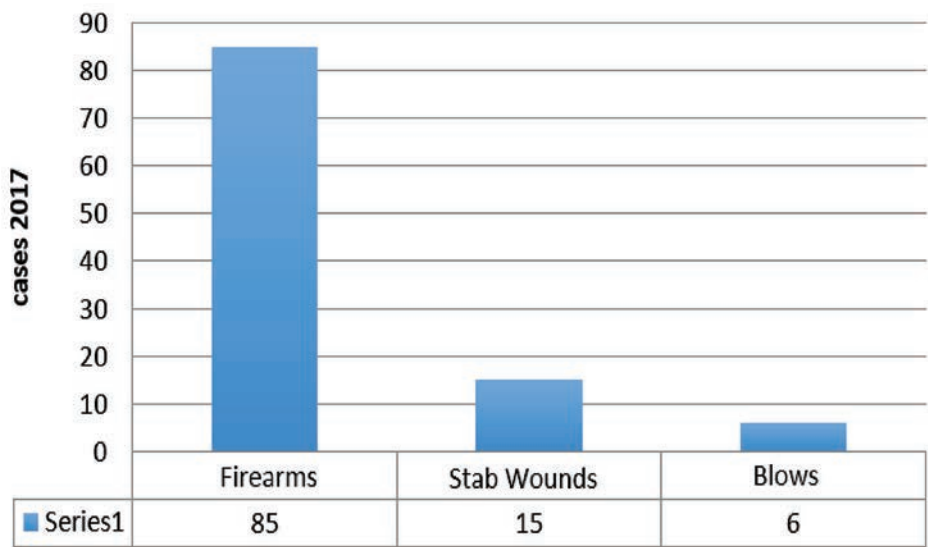
The tendency of hiring killers for these homicides continues, since more than 90% of the crimes were perpetrated by hit men who ride in vehicles and motorcycles that intercept the defender causing their death with firearms.



## Legend

-  Development Programs with a Territorial Approach
-  Defender Murdered

TYPE OF WEAPON HOMICIDES 2017



According to the place where these crimes were committed, the pattern identified in previous years remains, consistent with the fact that the majority of the homicides of the defender took place in their homes or nearby; this indicates the premeditation and tracking that precedes the homicide, which indicates that these actions are the product of tailing activities to identify routines, transited roads and homes of the defenders to assassinate them, which means that the leaders were the object of intelligence actions prior to their murders.

There are also several cases in which these leaders were killed during their work activities, which often does not correspond to the exercise of defense of human rights, this situation deserves a particular analysis. These people, most of the time, do not receive an economic

recognition for their leadership tasks and depend on different economic tasks to support their families. In the cases of the homicides registered in 2017, 5 of them occurred while they were working. Facts are happen at times when the defenders perform family activities such as picking up their children at school or while they are sharing with their families.

As for the presumed responsibility in the deaths, there was a striking decrease in the alleged participation of Paramilitaries compared to the cases registered in 2016 and in contrast, the unknown were once again responsible for these murders. This decrease in the number of paramilitaries and the increase of the unidentified figures may be linked to the territorial confrontation between groups of paramilitary descent, the ELN, the EPL, FARC dissidents and organized crime groups to control the

*“DURING 2017, A HUMAN RIGHTS DEFENDER IN COLOMBIA WAS MURDERED ON AN AVERAGE OF EVERY 3 DAYS”*

territories and illicit economies left by the FARC and which do not have a landlord yet; while in midst of these disputes there are many leaders from rural areas or remote villages who are the only voice able to cope with denouncing, or to mediate so that violence does not settle down on their territories.

It is also noticeable in a particular way how the FFMM, even in the midst of peace, are still allegedly responsible for the killings of defenders. It is also disconcerting to see the ELN, which, sitting at the Quito Negotiating Table and demanding the armistice as point 1, had murdered 3 defenders in 2017, questioning their real will for peace.

ALLEGED RESPONSIBLE	2017	2016
UNKNOWN	86	28
PARAMILITARIES	9	45
PUBLIC FORCE	5	4
ELN	3	2
EPL	2	0
FARC DISSIDENTS	1	1
TOTAL	106	80

In relation to the profile of the defenders murdered in 2017, these are local and territorial leaderships, without regional or national visibility, a trend that already came from previous years, but not for that fact less important for the work of defending human rights of communities that are separated and neglected by the State. This characteristic makes it even more

difficult to identify and verify many cases, despite the fact that such local leaders support large indigenous, peasant, Afro, women, LGBTI, etc. processes, with important results and impacts.

Regarding the actions of the government in front of the murders of 2017, the response was quite ambiguous. On the one hand, and within the implementation of peace agreements, new dependencies and legal provisions were created to advance the protection of defenders as described in Chapter 2; however, this application process is still very slow. The existing protection mechanisms (Decree 1066 of 2015 and its program for the protection of people at risk) and those derived from the peace agreements (Commission of Security Guarantees and Non-Repetition) have not yet been harmonized. The Government continues to protect with bodyguards, bulletproof vests, armored vehicles and cell phones, but collective protection, which is what is actually needed, still takes no effect, despite having a regulatory decree (Dec. 2078 of 2017). On paper everything reads very nicely, but to date there is not enough money to cover such a challenge (to protect approximately 15 thousand people, to the extent that the current mechanisms protect 9 thousand and it costs more than 250 million dollars a year); nor an Institution prepared to cope with the volume of requests for protection to come.

Of the same sort was the public response of different officials of the high government to the almost weekly increase of murdered social leaders. The institutional disorder to confront these situations was clear, we described it in chapter 4. The respectful and conciliatory positions of the President and the Presidential Counsel for Human Rights, contrasted with the false starts of the Minister of Defense (with his statements about the “Womanizing problems” as a reason for the deaths of the leaders<sup>84</sup>) and the Vice President, who during the crisis of Tumaco - Nariño met with a social leader that was killed<sup>85</sup> days after that. This panorama is completed by the uncoordinated response of the Minister of the Interior, who at the close of this report, entered into a controversy with the Ombudsman for not raising an early warning on a report cautioning since March 2017, the attacks against leaders<sup>86</sup>.

As for the preventive mechanisms of these murders and in general of the aggressions against defenders, there are no good news either. Although Decree 1066 of 2015 and its program for the protection of people at risk establishes the prevention component of these violence as fundamental, in reality it has never been possible to

implement prevention mechanisms. Those that already exist, such as the Early Warning System, are not taken seriously enough by the government; an example of this is the Risk Report 010 - 17 issued the previous year where there were warnings about the danger that more than 200 organizations of Human Rights and their activists in 24 departments of the country were in, up to now ignoring what the government did to attend to this warning. In the new post - agreement scenario, the prevention component should be at the top of the list of tasks to be carried out by the Government, if they do not want to continue counting dead defenders. To achieve this, there is already a new decree (Dec. 2124 of 2017) that could strengthen the autonomy and effectiveness of the SAT. We'll just have to wait and see if it is accomplished.

In respect of the actions of the Attorney General's Office regarding the progress of the investigations, although chapter 3 of this report indicated a positive progress in their investigative work on the crimes against defenders, the truth is that this advance shows no mercy to the complex situation that the country is facing due to the resurgence of murders against leaders and it requires more work. Out of the 106 cases reported at the SIADDHH, the General Prosecutor's Office states that they only coincide in 102 cases<sup>87</sup>.

84 <https://www.elespectador.com/noticias/politica/asesinatos-de-lideres-son-por-los-de-faldas-ministro-de-defensa-articulo-728893>

85 <https://www.elespectador.com/noticias/nacional/asesinan-otro-lider-social-en-tumaco-narino-articulo-718593>

86 <http://www.elnuevosiglo.com.co/articulos/02-2018-polemica-por-supuestas-demoras-para-proteger-lideres-sociales>

87 Response to the right of petition filed by the Somos Defensores Program to the Attorney General of the Nation with file DVFG - No. 20182000000951.

Likewise, when consulted about the totality of the cases, the Attorney General’s Office pointed out that this was the stage of their investigation:

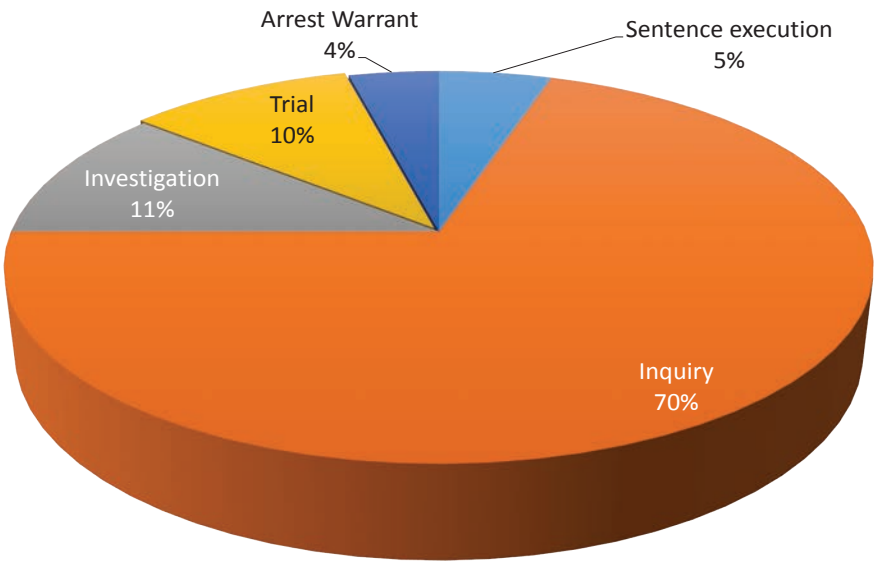
Investigation Stage	Cases
Inquiry	74
Investigation	12
Trial	11
Sentence Execution	5
Arrest Warrant	4
TOTAL	106

Of the cases in Sentence Execution (which means that there was already a verdict) was achieved for homicides in Cauca (two cases), Cesar (one case), Caldas (one case), Casanare (one case) and Caldas (one case). Of these cases, 3 correspond to men and two to wo-

men. It is worth noting that the two cases of women resolved by the Attorney’s Office correspond to cases where there was extreme violence against the murdered women defenders and according to open sources, they were murdered by their partners; situation that must be reviewed in detail since there is no information that these have been declared feminicides.

Seeing the disaggregated data it is possible to determine that 70% of the cases of murders against social leaders identified by the SIADDHH in 2017 continue to be in a preliminary stage of inquiry, that is, there is no progress in these investigations. This situation poses a very high challenge not only for the Prosecutor’s Office but also for the judicial branch of the

STAGE OF INVESTIGATIONS OF CRIMES AGAINST DEFENDERS 2017 -ATTORNEY’S OFFICE



country (including judges and justice operators) since in the absence of a joint effort, the impunity figures will be sustained and even increased.

It is also very important to point out that the motivation for the death of these leaders is not made explicit in the information supplied by the Attorney's Office and whether the intellectual authors of the deaths were linked to the judicial process, which would indicate that only the perpetrators are being imprisoned and those who ordered the homicides are still free, increasing the risk scenario for other leaders and enlarging the percentage of impunity in these cases, which during the last 9 years rises to approximately 85%.

On the subject of the attacks, since 2016 there has been concern over the increase in these murder attempts against social leaders which have had no response from the State; since in 2017, the trend continued and 50 new cases occurred in which a defender was saved from dying due to a violent action against him. With these cases in mind, there is no information about the progress of the investigations or whether the State has taken measures to control this phenomenon, because until now it is a completely unknown matter.

## INDIVIDUAL THREATS

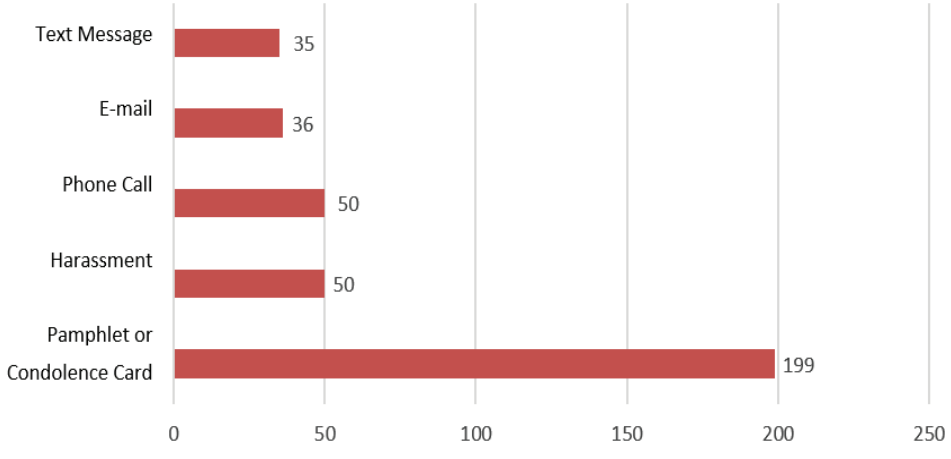
In 2017, the threats against social leaders increased again. In the 2014, 2015 and 2016 reports, it was

described with concern how parallel to the progress of the peace dialogues in Havana, threats also increased, which reached more than 1,000 during those three years. **Although in 2016 the threats had a significant decrease, in 2017 they re-emerged in number and territorial coverage with 370 threats in 18 departments.** When reviewing the mechanisms that were used to threaten, we found that pamphlets remain the most common way to intimidate defenders; in 2017, approximately 25 of these threatening pamphlets were distributed, including 199 activists from different social sectors. It is important to note that these new threatening pamphlets no longer include only defenders, but in several regions of the country, they indicate in their texts the intent of those who threaten, to make a "social cleansing" also targeting former guerrilla members, prostitutes, drug addicts and LGBTI population, among others.

Threats through direct harassment, that is, persecution of male and female leaders by suspicious persons who take photographs, inquire about the hours of the defenders, launching of verbal or corporal intimidation by means of gestures and even by drawing a weapon etc., has increased with respect to 2016: 42 cases in 2016 rose to 50 in 2017.

Another type of coercion is the threat through an intimidating call to the cell phone, which also increased. This aggression was registered in 28 cases in 2016 versus 50 cases registered in

### NUMBER OF THREATS ACCORDING TO THE TYPE OF THREAT SIADDHH FIGURES PERIOD 2017



2017. In 36 cases the threats were received through emails both in the official accounts of the organizations and in the personal emails of those whose names appear in the missives or to their cell phones through text messages or instant messaging.

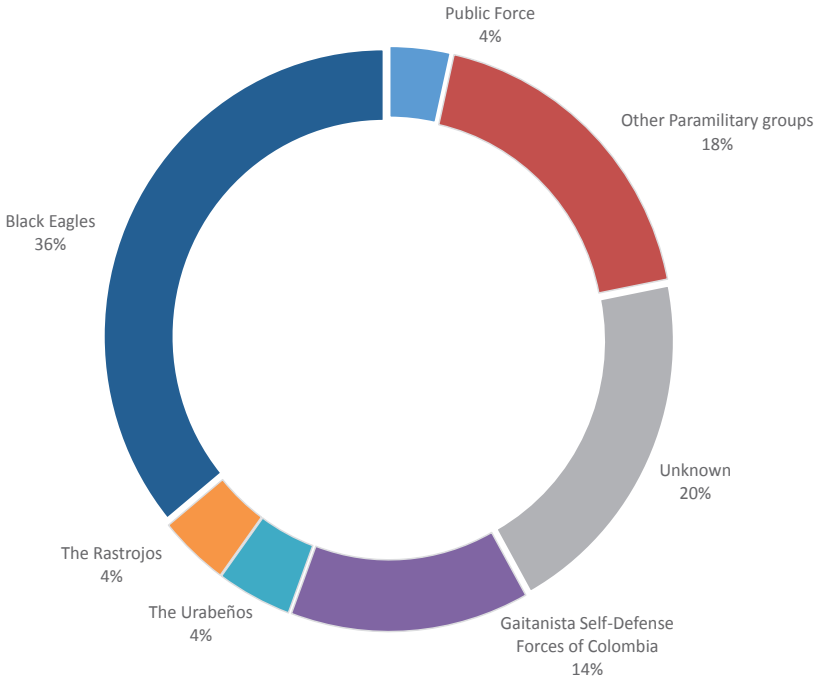
The areas with the highest number of threats were Cauca with 89 cases, Bogotá with 63 cases, followed by Valle del Cauca with 42, Santander with 23, Tolima with 19 cases, Norte de Santander with 15 cases, La Guajira and Nariño with 14 cases each and Chocó closing the list. Cauca is a reason for concern with a 60% increase in threats, and Tolima, which was not part of the records with such a high number of these events in previous periods.

Finally, the biggest alleged responsible persons for these threats are still the paramilitary groups with 283 threats; it is worth clarifying that within this denomination of paramilitaries, there are many expressions of organized crime and the GAO<sup>88</sup>. The percentages of disaggregated threat for greater detail, as follows:

The biggest responsibility for the threats lies on the “Black Eagles” (Águilas Negras) organization, a group that does not exist for the authorities and therefore is not subject to investigation. However, for the past 10 years, threats from this group have been recorded but the authorities have not submitted their opinion on

<sup>88</sup> Through Directive No. 15 of April 2016 of the Ministry of Defense, the groups denominated as BACRIM, are now classified as GAO or Organized Armed Groups

PERCENTAGE OF ALLEGED RESPONSIBLE PERSONS FOR THREATS  
SIADDHH FIGURES, PERIOD 2017



the matter or included this phenomenon within the prioritization of their investigations; on the contrary, several officials from various government entities have assured that this group is only an invention of those who try to self-threaten to seek government benefits without the support of a serious study or research that confirms or denies this theory.

Another recurring actor in the threats and that has increased its percentage of participation in them, are the Gaitanist Self-Defense Forces of Colombia or “Clan del Golfo” (The Gulf Clan) which, although it did not massively use this type of intimidation mechanisms in previous measurements, it presents an increase of nearly 10% for the present report.

### OTHER FORMS OF AGGRESSION

The aggressions that in other periods generated an important indicator of violence against leaders, fell in 2017. That is the case of the disappearances for which there were no reports in the previous year. There was also a decrease in cases of theft of sensitive information, from 6 cases in 2016 to 2 in 2017.

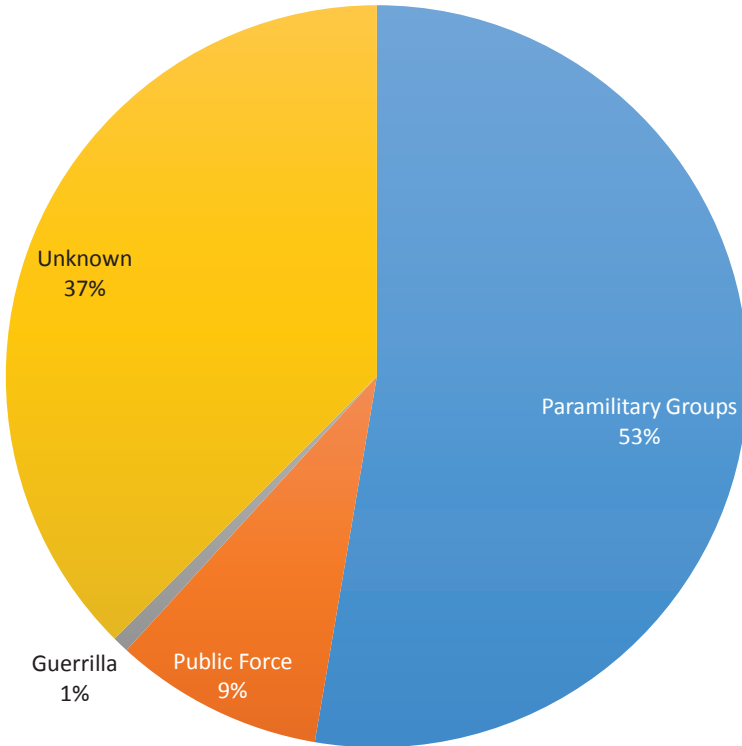
The arbitrary detention and misuse of the criminal justice system deserves a separate note. The first matter had a rebound from 17 cases in 2016 to 23 in 2017. This type of aggression is directly related to the implementation of the new National Police Code that endangers the free development of the human rights defenders’ right to

protest, in fact many of these arbitrary detentions took place during the context of social protests, with actions of excessive force by the ESMAD members. On the other hand, **the arbitrary use of the criminal system** or unfounded prosecution remained along 9 cases, as in the measurements of 2016, which indicate that this method of disqualifying defenders through their imprisonment and imputation of unfounded charges, continues.

### ALLEGED RESPONSIBLE

About the alleged perpetrators of the 560 assaults documented in this report, the SIADDHH registers them as follows: 53% (295 cases) were committed by paramilitary groups; 37% (210 cases) by unknown executors; 9% (51 cases) by the Public Force.

PERCENTAGE OF AGGRESSIONS ACCORDING TO ALLEGED PERPETRATOR  
SIADDHH FIGURES PERIOD 2017



Alleged Perpetrator	2017	2016
Paramilitaries	295	318
Guerrilla	4	4
Unknown	210	118
Public Force	51	41

As with the homicides, the decrease in the alleged participation of paramilitaries in the aggressions against defenders coincides with the increase in the presumed responsibility of strangers. This situation had already happened in previous years as 2015. During 2017 it is possible due to the territorial disputes that take place in the former FARC zones and the emergence of new actors in dispute, associated with a latent fear in the population of accusing those who are responsible.

In contrast to this issue, it is striking how the participation of the Public Force in acts of aggression and homicides, increases. This is an unfortunate situation considering that we are no longer formally in an internal armed conflict and it is assumed that the armed forces have rearmed their operational plans so that they can guarantee security in the territories in transition to peace and not in order to attack social leaders.

Another element to be analyzed is the responsibility of the guerrillas (EPL and ELN) as well as the dissidence of the FARC in acts of aggression against defenders. In departments such as Cauca, the territories left by the FARC are disputed centimeter by centimeter and this guerrilla organization or armed groups formed by their own

deserters, commit acts of violence on their behalf. It is also unfortunate and incomprehensible how the ELN has responsibility for the death of social leaders in the country while sitting in Quito negotiating peace with the government, which allow to conclude two things: a) there is no true will for peace from this guerrilla group or, b) there are actions disarticulated and under the will of regional or local commanders that differ from the dispositions of the central command of that guerrilla in relation to their actions in the territories in front of the negotiation of peace.

A new issue, which perhaps had not been identified as determining in the aggressions against the social leadership, is the presence of foreign drug trafficking mafias or cartels interested in former FARC territories for the production of cocaine or its processing, or routes for weapons, money and even micro-trafficking transportation. Such is the case of the Sinaloa Cartel and the Zetas of Mexico<sup>89</sup>. According to “an intelligence report from the Antinarcotics Police... Members of the Mexican cartels are already present in at least 9 departments of the country: Antioquia, Cundinamarca, Norte de Santander, Valle del Cauca, Nariño, Cauca, Meta, Guaviare and Vichada. And last week, the ombudsman, Carlos Negret, added Córdoba to the list”.<sup>90</sup>

89 <https://www.youtube.com/watch?v=QyRwet4tJNE>

90 <http://www.eltiempo.com/justicia/investigacion/fiscalia-alerta-de-presencia-de-mafia-mexicana-en-10-zonas-de-colombia-175974>

These drug cartels would be buying territories of coca leaf production and according to the authorities, also recruiting middle managers from the FARC who did not enter the reincorporation process, paying juicy amounts of money for retaking the purchase of the coca base paste, the exit routes for the drug and even the processing centers. Attorney General Néstor Humberto Martínez himself found out about it in January 2018 after joint actions with US authorities<sup>91</sup>.

If the presence of a new armed actor materializes in the territory, a dark fate looms over the social leaders and human rights defenders whose work in the local and regional areas is related to the substitution of crops for illicit use, forced recruitment and fights over the lands and the territory in these areas; in fact there are already facts that indicate that this scenario is the near future.

In January 2018, at the date of completion this report, the human rights defender “Fernando Quijano, director of the Corpades NGO, from which the advances of organized crime in Medellín are denounced, decided to leave the direction of the aforementioned organization. The reason, according to what he reported, was a threat he received in which he was warned that, if he continued to denounce the alleged arrival of the Mexican cartels to the murky businesses of Medellín “they would chop his family into pieces.” “I join those who were silenced because there is nothing left to do, unfortunately some people will stick up and say that one must be

brave, but when criminals make the decision to involve families, there is nothing left to do. My family life is very nice as to allow something to happen to my loved ones. The self-defense groups defeated the office, that sector of the institution that earns money from crime”, said Quijano. 6 years have passed since Corpades started reporting that the cartels Jalisco - Nueva Generación (New Generation), Sinaloa and the Zetas are negotiating with the Envigado Office to obtain revenues in Medellín. The case has advanced and it is said that the La Raya band, located in the Guaya-bal neighborhood, and Pichi’s band, located in Belén San Bernardo, are being sponsored by the Mexicans”<sup>92</sup>.

This threat has a certain base and it is the weakening of clans or national drug cartels like the Gulf Clan. Such weakening would be the result of two situations: First, that military operations such as AGAMENON II<sup>93</sup> have been successful in capturing or eliminating the heads of that criminal organization as occurred with the fall of alias “Inglaterra” (“England”) second in command of the Gulf Clan in September 2017<sup>94</sup>; the second situation would be an internal division within the Gulf Clan between those in the process of negotiating a surrendering of arms<sup>95</sup> with the natio-

92 <http://www.semana.com/nacion/articulo/carteles-mexicano-amenazan-a-director-de-corpades/554840>

93 <https://www.elespectador.com/noticias/judicial/balance-de-la-operacion-agamenon-ii-segun-el-director-de-la-dijin-articulo-717062>

94 <http://www.elpais.com.co/judicial/asi-cayo-alias-inglaterra-segundo-del-clan-del-golfo.html>

95 <http://larazon.co/2018/01/clan-del-golfo-estaria-desfinanciado-y-sus-cabecillas-divididos-en-la-selva-policia/>

91 Ibidem

nal government and those who persist in remaining in the territories before the arrival of new guerrillas and international cartels<sup>96</sup>. The conclusion is that the internal armed conflict may be over but the invisible war is still alive, and right in the middle of it, the defenders continue their struggle for peace.

### AREAS OF AGGRESSION

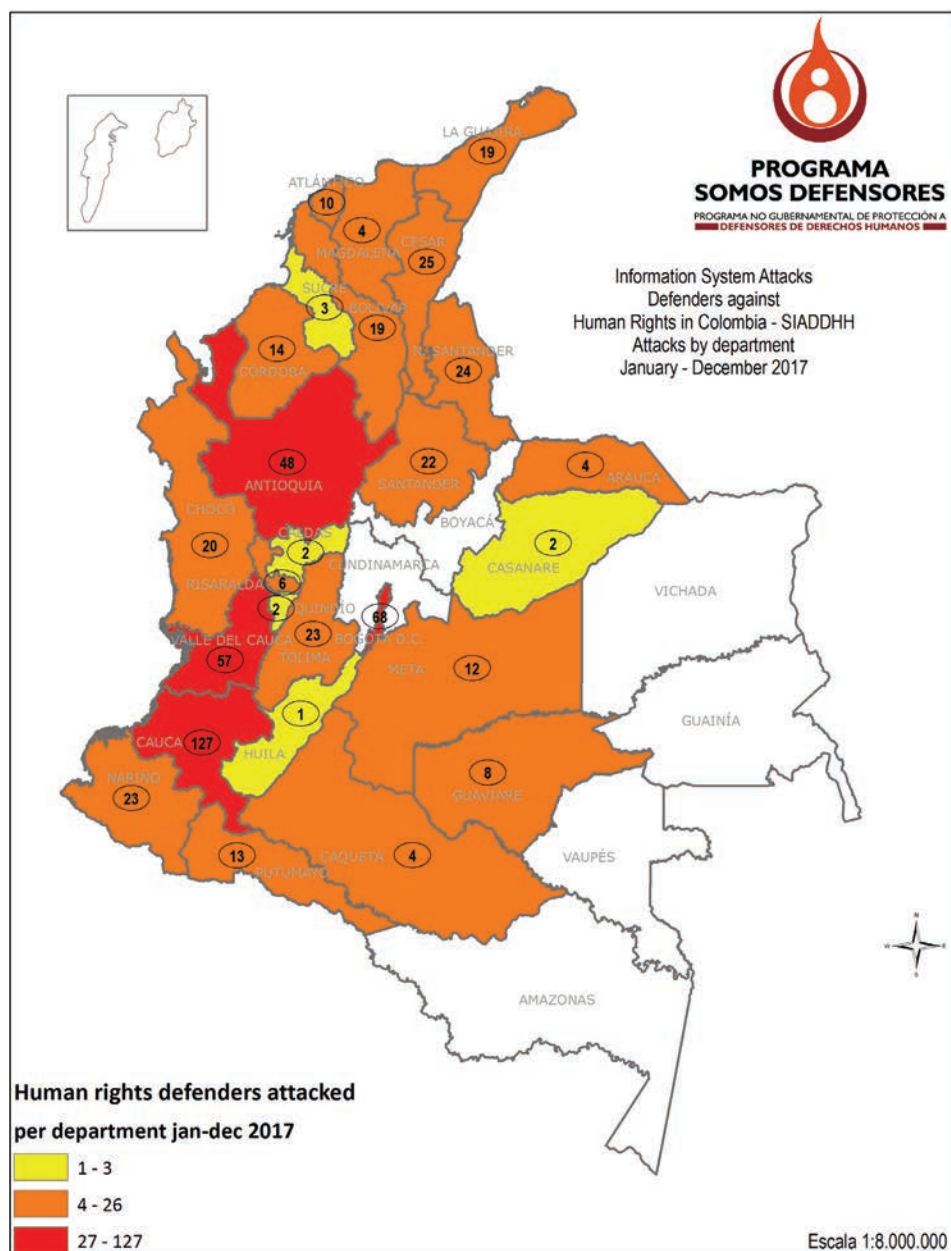
During 2017, SIADDHH registered assaults in 26 departments, including Bogotá. The situation of the Cauca department is of extreme concern since their levels of aggression against defenders have increased by approximately 65%. The case of departments such as Cesar, La Guajira and Tolima, is equally worrisome for they registered very low levels of aggression in the 2016 measurements, and these acts of violence multiplied in 2017. Departments that traditionally would have thrown high volumes of aggressions are maintained with moderate increases such as Bogotá, Antioquia, Norte de Santander, Chocó and Putumayo. It is worth noting how the departments of Santander and Valle del Cauca, which historically had

high levels of aggression, decreased in this measurement.

DEPARTMENT	2017	2016
Cauca	127	75
Bogotá, D.C.	68	77
Valle	57	74
Antioquia	48	31
César	25	5
Norte de Santander	24	15
Nariño	23	12
Tolima	23	2
Santander	22	51
Chocó	20	12
Bolívar	19	5
La Guajira	19	6
Córdoba	14	17
Putumayo	13	8

The geographical distribution of the aggressions remains uniform in the national territory. In the zones of influence of the armed conflict, important increases in the records of aggressions are kept, while in the rest of the territory there are cases of moderate but permanent aggression.

96 [http://caracol.com.co/radio/2016/08/05/nacional/1470429990\\_401970.html](http://caracol.com.co/radio/2016/08/05/nacional/1470429990_401970.html)



## SANTOS ADMINISTRATION: NEGATIVE BALANCE

In this edition, as in previous ones, the SIADDHH report continues to make a general review of the figures of aggression against defenders during the last years, quite regarding the fulfillment of the last year of President Juan Manuel Santos' term and his

program "Prosperity for all"<sup>97</sup>. These are the figures of aggression that occurred during the presidential periods of Santos, which is left with a negative balance on the topic of human rights defenders in Colombia:

Type	2010	2011	2012	2013	2014	2015	2016	2017	TOTAL
Threats	109	140	202	209	488	539	317	370	<b>2374</b>
Murders	32	49	69	78	55	63	80	106	<b>532</b>
Attacks	21	20	50	39	41	35	49	50	<b>305</b>
Arbitrary Detentions	11	23	26	22	23	26	17	23	<b>171</b>
Disappearances	0	6	5	1	1	3	2	0	<b>18</b>
Arbitrary Use of the Legal System	1	1	1	10	8	8	9	9	<b>47</b>
Sexual Violence	0	0	1	0	0	0	1	0	<b>2</b>
Theft of Sensitive Information	0	0	3	7	10	8	6	2	<b>36</b>
<b>TOTAL</b>	<b>174</b>	<b>239</b>	<b>357</b>	<b>366</b>	<b>626</b>	<b>682</b>	<b>481</b>	<b>560</b>	<b>3485</b>

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

## GENERAL CONCLUSIONS

Maintaining our hope intact and a moderate optimism, we risk some general conclusions that we hope will help to focus the analysis on the key points for the State to embark on effective policies to stop and overcome the aggressions against the country's social leadership:

1. On the verge of finishing his second term and recognizing his political capital played for the pursuit of peace, President Juan Manuel Santos's debt to human rights defenders, is great: 532 murders.
2. Likewise, he failed his rating on improving the situation of aggression against human rights defenders, the Office of the Attorney General of the Nation, which, despite showing an interest in giving results (at least to the media), fails to demonstrate strong progress in the investigations into the crimes of these activists.
3. Despite this, we acknowledge the normative and political efforts of the National Government to face the critical situation of aggression towards these activists, however, the institutional lack of coordination to address the matter and the different opinions of senior officials, contradictory even, in relation to the systematics and causes behind the attacks, remain evident. This certainly does not contribute to effective responses for the prevention, protection and investigation of homicides by the Government and State.
4. It is expected that the robust regulations that flow through the legal and political offices of the governmental and state institutions related to prevention, protection and guarantees for the exercise of the defense of human rights, will be put into practice and cease being just words on paper, literally in accordance with the reality of social leadership.
5. In relation to the diversity of figures and sources of information on defenders murders, rather than a problem, they are the main indicator of the increase in the phenomenon and they allow focusing attention on the search for ways to overcome the threat.
6. It is undeniable that the polarization of the context falls negatively on human rights defenders, who, in addition to being victims of stigmatization, do not know where the next bullet will come from, despite their strong commitment to the construction of peace in the country.
7. On the verge of the closure of the armed conflict in Colombia, which ultimately led to other serious territorial conflicts being ignored and that are so far being revealed, without a doubt the defenders of human rights in rural areas or with

rural ties, become a STONE IN THE SHOE for those who hold the real power, because they see in these activists their most bitter enemies in the pursuit of their particular interests and territorial control; with the absence and omission of the state facilitating this situation even more.

8. Despite having been warned, the inability of the Colombian Government and the Colombian State as a whole to fully assume the territories left by the FARC has allowed an increase in the aggressions and murders against the social leaders, who assume huge risks in order to support the implementation of the Peace Agreements.
9. In a historically exclusive state such as Colombia, the social sectors that are most affected by violence

and political and economic segregation are indigenous people, peasants and Afro-descendants, and consequently their leaders are also the most attacked, including their community leaders.

10. We highlight the important role and interest shown by state entities such as the Ombudsman's Office and the Procurator General's Office, but that are anyway called to do much more, given the directive that they have to defend the human rights.
11. Let peace not cost us our lives, it is and will continue to be the slogan of social and human rights movements, which are committed to building peace and deepening into democracy, but paradoxically it seems that it has turned against them.

DOCUMENTARY SERIES

# POSITIVE

¡BECAUSE THAT IS THE ATTITUDE!



**This is how human rights defenders are, they are...  
¡ POSITIVE ATTITUDE !**

**Direction** – CARLOS A. GUEVARA   **Production** – KAROL SCHIPKOWSKI   **Realization y technical coordination** – DAVID ALBA  
**Camera** – GUIOVANNI GARCÍA   **Sound** – CARLOS ALBA   **Music** – JUAN PELÁEZ   **Drone** – FELIPE ENCISO   **Graphics** – SANTIAGO CASTILLO

A PRODUCTION OF :



MADE BY :

DavidAlba

WITH THE SUPPORT OF :



Embajada de Noruega

## COMING SOON