



Brussels, 16<sup>th</sup> March 2018

The Honourable President Santos

Dear Ministers

Dear Public Prosecutor's Office

The Members of the European Parliament who have signed below write to you to **express our concerns about the increase of assassinations and aggressions against human rights and environmental defenders as well as social and community leaders in Colombia.** In particular, we have noted a serious increase in assassinations of those who defend their own or collective rights or those who support policies based on the Peace Agreement between the government and the FARC-EP.

As you are aware the European Parliament continues to support the implementation of the Peace Agreement. This support has been ratified in a Resolution<sup>i</sup> that was approved unanimously in January 2016 and then reiterated by the High Representative of the Union for Foreign Affairs and Security Policy of the European Union during a plenary debate in the EU Parliament in January 2018.

However, despite the faith we have in the Peace Agreement, and the fact that the homicide rate in Colombia is the lowest it has been in 40 years, every week we receive news of the deaths of human rights defenders and social leaders; so far in 2018, **every 48 hours a human rights defender has been assassinated in Colombia.**<sup>ii</sup> According to the Colombian Public Prosecutor's Office, between 2017 and 2018, 101 social, political and communal leaders have been killed;<sup>iii</sup> while the Human Rights Ombudsman's Office makes the figure 204.<sup>iv</sup> Therefore, according to Frontline Defenders, **Colombia is the most dangerous country in the world to defend human rights**, with 50% of global cases of murdered activists. Add to this increases in forced displacement, sexual violence, threats, defamation campaigns, amongst other issues.

It concerns us that the majority of these assassinations occurred after repeated reports of previous threats made to the victim, meaning that many of these crimes could have been avoided. There is still a lack of **adequate planned prevention programs; and**



**many of the programs that do exist are not capable of providing the necessary guarantees** for the defence of human rights because they lack the application of a territorial, differentiated and gender-orientated approach and that respond to challenges in the current context.

Therefore, we reiterate the importance of making progress in the implementation of collective measures, that respond to the demands and current challenges. An example of these challenges is the assassinations of the land restitution leaders Mario Castano<sup>v</sup> and Hernan Bedoya<sup>vi</sup> that occurred in Uraba respectively on the 26th of November and the 8th of December last year, as well as the recent assassination of Temistocles Machado<sup>vii</sup> in the city of Buenaventura on the 27th of January. These three leaders had previously reported death threats made against them; however, it still wasn't possible to implement safeguarding measures to protect their lives.

**The results in terms of the investigation, trial and sanctioning of those responsible, still do not seem sufficient to ensure the non-repetition of the crimes and end the high-rates of impunity that still surround these types of crimes.** We are aware that Colombia is facing multiple challenges in the context of the implementation of the Peace Agreement; however, we have noted with great concern, the proliferation of illegal armed groups in all parts of Colombia. Parallel to this, we have seen a lack of adequate response on behalf of the Colombian state.

In particular, we regret the continuing reports of links between sectors of the Security Forces, political and economic elites and paramilitary successor groups. We have yet to see results in terms of the sanctioning of those responsible. An example of this is the recent attempt on the life of the Legal Representative of the Peace Community of San Jose de Apartado (finalist for the Sajarov prize sponsored by the EU Parliament) German Graciano Posso,<sup>viii</sup> which occurred on the 29th of December and the concerning issue that the Community might be being re-victimized after the attack. A few days before, Graciano Posso received a threat based on a possible plan to assassinate him, which he subsequently reported. The plan was subsequently carried out, although unsuccessfully.

**We celebrate the expedition of Directive 002/2017 from the Attorney General's Office containing guidelines on the protection of human rights defenders;**



**however, we regret the comments made by high-ranking government and state public servants<sup>ix</sup> that stigmatise the defence of human rights and play down the problem that exists.** These attitudes are contrary not only to internal guidelines but international guidelines that exist on the issue of human rights defenders. The United Nations has characterised the situation as “very serious” and has reiterated that the “consequences of the assassination of a human rights defender are much more serious than certain government public servants make them out to be”.<sup>x</sup> At the beginning of March a delegation of the INTA Committee of the European Parliament visited Colombia, and got the insurance from the Highest Authorities of the country that concrete actions would be taken soon to comply with the obligations of the free trade agreements, including Human Rights and Democracy related obligations as fundamental elements of the Treaty, reiterating that the obligatory Sustainable Development Chapter and the Road Map have been mutually agreed. Another worrying example of stigmatisation and disqualification of the work that human rights defenders do is the exclusion of the magistrates who have previously worked for human rights organisations in the Special Jurisdiction for Peace (JEP).<sup>xi</sup>

We are also pleased by the new Public Prosecutor’s Office's guidelines<sup>xii</sup> under which prosecutors would have to contemplate as a first hypothesis that the crime against a human rights defender was due to that person’s activity as a human rights defender. We stress the importance of investigations not only resulting in the trial and conviction of the actual perpetrators but contributing to the dismantling of the political, economic and military structures that are behind these crimes, the lack of which encourages them. Therefore, in order to stop these crimes, it is fundamental to identify and sanction the individuals who are behind them and who benefit from these violent actions, that are contrary to the creation of a sustainable and long-lasting peace.

Yours sincerely

#### SIGNATURES

1. ALBIOL Marina (GUE/NGL), Spain
2. ANDERSON Martina (GUE/NGL), United Kingdom
3. BENITO Xavier (GUE/NGL), Spain

4. BOYLAN Lynn (GUE/NGL), Ireland
5. CARTHY Matt (GUE/NGL), Ireland
6. CHOUNTIS Nikolaos (GUE/NGL), Greece
7. CORRAO Ignazio (EFDD), Italy
8. COUSO PERMUY Javier (GUE/NGL), Spain
9. DURAND Pascal (Greens/ALE), France
10. GONZALEZ PEÑAS Tania (GUE/NGL), Spain
11. JOLY Eva (Greens/ALE), France
12. LOCHBILHER Barbara (Greens/ALE), Germany
13. LOPEZ BERMEJO Paloma (GUE/NGL), Spain
14. LÖSING Sabine (GUE/NGL), Germany
15. NÍ RIADA Liadh (GUE/NGL), Ireland
16. PAPANIMOU DIMITRIOS (GUE/NGL), Greece
17. PANZERI Pier Antonio (S&D), Italy
18. RIVASI Michèle (Greens/ALE), France
19. SÁNCHEZ CALDENTEY Lola (GUE/NGL), Spain
20. SCHOLZ Helmut (GUE/NGL), Germany
21. SOLÉ Jordi (Greens/ALE), Spain
22. TAYLOR Keith (Greens/ALE), United Kingdom
23. TERRICABRAS Josep-Maria, (Greens/ALE), Spain
24. URBAN CRESPO Miguel (GUE/NGL), Spain
25. VALLINA DE LA NOVAL Angela (GUE/NGL), Spain
26. VERGIAT Marie-Christine (GUE/NGL), France
27. WARD Julie (S&D), United Kingdom

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i Parlamento Europeo, [Resolución de Apoyo al Proceso de Paz en Colombia](#), January 2016

ii <https://colombiaplural.com/enero-lider-asesinado-48-horas/>

iii <https://www.fiscalia.gov.co/colombia/seccionales/comunicado-de-prensa-178/>

iv <https://canal1.com.co/noticias/204-lideres-sociales-han-sido-asesinados-en-23-meses-defensoria-del-pueblo/>

v OINGs y Redes internacionales, [Organizaciones internacionales repudian el asesinato del líder reclamante de tierras Mario Castaño Bravo](#), 1st of December 2017

vi Peace Brigades International, [Pronunciamento Público](#), 13th of December 2017

- vii Naciones Unidas, [La Oacnudh y Acnur se pronuncian sobre homicidio de don Temístocles Machado](#), 31st of January 2018
- viii Observatorio para la Protección de los Defensores de Derechos Humanos, FIDH-OMCT, [Colombia: Intento de asesinato de Germán Graciano Posso, Representante Legal de la Comunidad de Paz de San José de Apartadó](#), 2nd of January 2018
- ix El Espectador, [Asesinatos de líderes son por líos de faldas: Ministro de Defensa](#), 17th of December 2017
- x Naciones Unidas [ONU Derechos Humanos expresa preocupación por homicidios, estigmatización y hostigamientos a defensores y defensoras de derechos humanos en Colombia](#), 20th of December 2017
- xi Observatorio para la Protección de los Defensores de Derechos Humanos, OMCT-FIDH, [Comunicado de prensa: ¡Basta de estigmatización a las personas defensoras de derechos humanos!](#), 20th of November 2017.
- xii El Tiempo, [Colombia adopta estándar internacional para crímenes contra defensores](#), 1st of December 2017