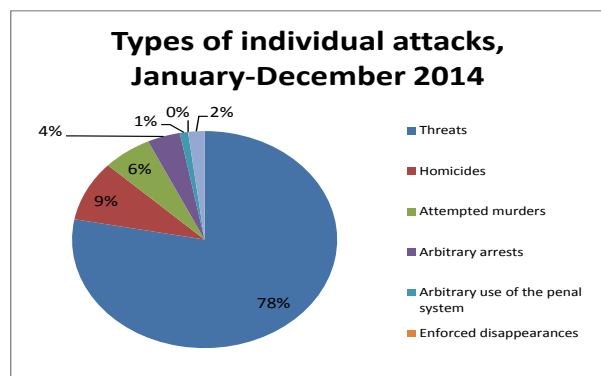


## Situation of human rights defenders in Colombia

The Non-Governmental Program for the Protection of Human Rights Defenders - We Are Defenders (*Programa no Gubernamental de Protección a Defensores de Derechos Humanos - Somos Defensores*) has published its 2014 annual report entitled "[The Divine Comedy](#)". Below is a summary of this document

### What happened in 2014?



Source: "The Divine Comedy", Annual Report 2014, Non-Governmental Program for the Protection of Human Rights Defenders - We Are Defenders, P. 49

The Non-Governmental Protection Programme Human Rights Defenders has registered attacks on defenders since 2010, and 2014 was year with the highest number of attacks so far: 626 defenders were attacked (71% higher than in 2013) and 212 social and human rights organisations. In September alone, 26% of these attacks were carried out, after President Santos took up office for a second term. The acts of aggression which occurred throughout the year included 488 threats, 41 attacks, one enforced disappearance and 10 thefts of information. There were 55 murders, and in 31 of these cases threats had been previously reported, demonstrating the absence of inadequacy of protection measures. In addition, there were 23

arbitrary arrests and on 8 occasions the criminal justice system was used arbitrarily against defenders. Compared to 2013, the largest increase was in the number of threats, which increased from 209 to 488, with 15 mass threats between September and December 2014. The pattern of phantom threats continued from paramilitary groups such as the "black eagles", and "los rastros", among others. These threats have been particularly linked to the participation of victims in the peace talks in Havana and to land restitution cases. In general, the Public Prosecutor's Office has been unable to find those responsible. Moreover, the theft of information from human rights defenders rose from 3 cases in 2012 to 10 cases in 2014; cases included thefts of computers and electronic espionage. Clandestine intelligence offices were used, such as the "Andromeda" office, comprised of civilians and members of the military intelligence corps.

The attacks in 2014 were alleged to have been perpetrated in 72% of cases by paramilitary groups, in 19% of cases by unknown individuals, in 7% of cases by the State security forces and in 1.5% of cases by the guerrilla. The area where most attacks occurred, especially threats, was in the capital, Bogotá. Most national human rights organisations are based in this city

### Assessment of the State protection policy

The National Protection Unit (*Unidad Nacional de Protección - UNP*) was created in 2011 to protect human rights defenders and social leaders who face enormous difficulties and undue hardship to obtain protection:

1. The system leaves out many defenders and community leaders who need protection. Some 17,000 protection applications were received by the UNP between 2012 and 2014, of which 5,872 were for human rights defenders and of these only 2,611 were answered positively.

2. There is a systematic failure on the part of the UNP to implement protection measures or the measures are adopted but with a lack of resources. There is a significant gap between reality and the measures adopted by the Committee for Risk Assessment (CERREM): a) late deliveries of vehicles and insufficient funds to pay for gasoline making it impossible to use the vehicles; b) significant reduction in the budget for

the UNP amid a corruption scandal; budget deficits lead to violations of the labour rights of bodyguards; c) a number of defenders have filed legal claims (e.g. “tutelas” for constitutional protection) in light of the major delays in performing risk analyses and assigning security measures; the Human Rights Ombudsman himself has asked the UNP to expedite these procedures.

3. The failures in the protection system led to the killing of several people who had been granted protection measures: Jesús Adán Quinto, leader of land claims and displaced people from Caicara (Chocó), killed by gunmen on 04.09.2014; Juan Alberto Causado Priolo, leader of the Pinar del Río Process in Barranquilla (Atlántico), killed on 01.03.2014; Luís Carlos Cervantes, a journalist threatened on 23 occasions and killed on 08.12.2014; Iván Darío Restrepo, a land claimant from Bello (Antioquia), killed in May 2013 by a group of men dressed as policemen; Manuel Antonio Ruiz Torreglosa, a land claimant tortured and assassinated along with his son Jesús Ruiz (15 years old). In all five cases the individuals concerned had been considered to have a level of “extraordinary” risk, and one of them had previously had their risk level reduced to “ordinary”.

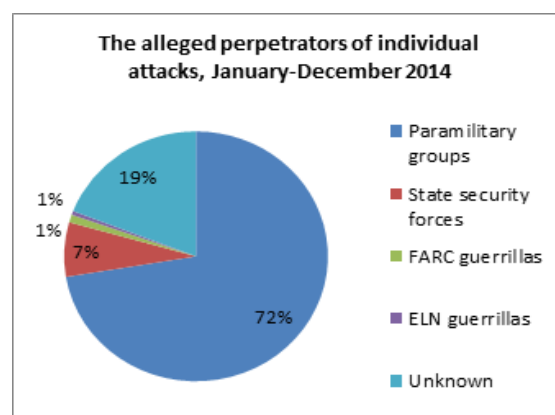
4. The weapons-based perspective in the work of the UNP affects community prevention activities and collective protection; there is a huge budget for weapons, vehicles, communication systems, and there are risks concerning the suitability of the bodyguards.

5. A large part of the budget for the UNP between 2012 and 2014, totalling some 465 million USD, has been allocated to contracts with private security companies. A deficit of 30 million USD, led the UNP to announce a reduction in security schemes. This raises the issue of

the privatisation of protection under the responsibility of the State: more than 3,000 private bodyguards represent an annual payroll close to 76.5 million USD. Some private security companies have been involved in corruption and embezzlement against the State, and violate the labour rights of their workers.

6. The director of the UNP announced that its secretary general, who is currently fleeing justice, was at the head of a corruption network which appropriated at least 260,000 USD. Other forms of corruption within the private security firms contracted by the UNP have also been reported. The eventual responsibility of the Director General of the UNP for the problems of corruption has not been clarified by the justice system.

7. UNP mechanisms are not suitable to adequately assess risk levels for people who need protection. It is essentially welfarist (*asistencialista*) and concentrates on delivering exclusively material protection measures. Moreover, the protection granted by the State to those at risk should be considered to be a human right and not merely a service.



Source: “The Divine Comedy”, Annual Report 2014, Non-Governmental Program for the Protection of Human Rights Defenders - We Are Defenders, P.66

## Conclusions

The report concludes that: the UNP must move beyond physical protection and develop a system for collective and preventive protection; the “risk matrix” should not be the only way to assess an individual’s risk situation; the responsibility for protection should not fall only to the UNP and the institution must be debugged; there must be an end to the privatisation of a State service. Given the history of corruption in the UNP, the report urges the international community to monitor the use of protection resources.