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**COLOMBIA: The rise in attacks against human rights defenders is the main challenge in implementing the Peace Agreement.**

*In a country in transition towards peace, violence against people who defend human rights cannot be allowed to continue*

Since the signing of the Peace Agreement in November 2016, there has been an increase in threats against and killings of human rights activists in Colombia, including people in social leadership positions. The limited measures taken by the Colombian state have so far failed to mitigate the risks facing those who defend the rights of victims of the internal armed conflict, human rights linked to land, and collective rights. This disheartening situation is largely the result of the power vacuums left following the demobilization of the FARC guerrilla movement and the lack of action by the state to increase its presence in historically neglected territories which were weakened by the armed conflict.

Despite some regulatory progress to create mechanisms to protect rights defenders in Colombia, alarming reports of killings in different regions of the country keep coming in day after day. This demonstrates that the state needs to strengthen its prevention policy, beyond simply creating legislation that has no impact in the short term.

The incomplete state figures regarding this violence are insufficient to understand the causes of the rise in targeted killings. This information vacuum limits the possibility for the state to take measures to guarantee the rights of human rights defenders. The only up-to-date official figures are those published in the risk reports of the Colombian Ombudsman, which has reiterated the widespread nature of the violence against human rights activists. According to its reports, between 1 January 2017 and 27 February 2018, 148 killings were reported, mainly concentrated in the departments of Cauca, Antioquia, Norte de Santander, Nariño and Valle del

Cauca<sup>1</sup>.

Amnesty International regrets that the response from the highest levels of government to these widespread killings and threats has been to deny that the victims are being targeted due to their leadership positions and work defending human rights, thus failing to curb the patterns of violence that have intensified since the Peace Agreement was signed. Given this state of affairs, the starting point should be for the government as a whole to acknowledge the violence that persists against those who defend the public interest and human rights.

Amnesty International is particularly concerned that in some areas, such as Urabá in the north of Chocó Department, this violence against defenders of land, territory and the environment is a recycled dynamic from two decades ago when paramilitary groups acted with total impunity to dispossess settlers of their land and territories in favour of economic interests. Even though targeted killings and threats against land and territory defenders have increased in this region of the country, there has been no comprehensive response from the state.

***Voices and experiences from the territory highlight the serious plight of human rights defenders***

Amnesty International recently undertook a mission in Colombia to document cases of human rights defenders and people in social leadership positions who are under threat.

Although the contexts of the people interviewed in Cali, Quibdó, Bogotá and Riohacha vary, by listening to their life stories it was possible to identify common points regarding the violence and threats against them and the ineffectiveness of the state in protecting their lives and physical integrity. This information was corroborated with the Ombudsman at the territorial level, as well as with international organizations with a presence on the ground.

Work to defend human rights in Colombia has been risky, historically, given the contexts of violence and social exclusion, and stigmatization of this kind of work. In spite of these adverse conditions, the people who shared

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<sup>1</sup> Colombian Ombudsman, Early Warning No. 026/18, 28 February 2018.

their experiences with Amnesty International all said that their vocation to defend human rights is far stronger than the attempts to force them into silence. In a country where the rights of victims, territorial and environmental rights, and collective rights in general are violated on a daily basis, it is essential to have social and community reporting mechanisms that ensure people are heard at the national and international levels. Despite the constant threats and the risks inherent in their work, Colombian rights defenders demonstrate tenacity and commitment. Their stories show that they underpin a social fabric that has been battered by the armed conflict.

Through the testimonies gathered in different regions of Colombia, a bleak and worrying picture emerged of a country which is supposed to be engaged in an unprecedented peace-building process. Below, Amnesty International highlights three common shortcomings that the Colombian state should promptly address to put an end to the threats against and killing of defenders:

- (i) Limiting the protection of human rights defenders and the prevention of attacks in areas of armed conflict to police measures such as the use of bulletproof vests or the provision of armed escorts. Such measures, which are offered by the National Protection Unit and can be effective in some contexts, can actually increase the risk for those under threat. Indeed, in areas where violence prevails, such measures have been found to heighten the risk. Moreover, rights defenders consider that such mechanisms limit their ability to carry out their activities, since they restrict their movements, make them feel that they are being constantly monitored by agents of the state and attract the attention of the armed groups that seek to silence them.
- (ii) Limiting prevention and protection to individual rather than collective measures. Human rights defence work commonly concerns whole communities, with people in leadership roles representing a collective. Current protection measures only provide protection for individuals and not the communities to which they belong. This focus on individuals disregards the fact that human rights defenders play a valuable collective role and that their communities are at the heart of their protection and defence work. The people interviewed by Amnesty International

stressed the need to create a system of collective protection measures with input from the communities themselves to determine the type of protection needed by their leaders and human rights defenders. Such measures should also contribute to strengthening the social fabric that has been severely weakened by the violence.

- (iii) Leading on from the previous point, current protection measures do not properly address the differentiated impacts of violence. The effective inclusion of differentiated gender and ethnic perspectives is one of the main improvements needed to the current system. The state provides similar protection measures irrespective of the gender or specific ethnic characteristics of rights defenders, ignoring the repeated calls of human rights organizations and international bodies to correct this. For rights defenders and Indigenous leaders, the Colombian state is urged to recognize their own protection mechanisms, such as the Indigenous Guard<sup>2</sup>, and find ways of harmonizing the institutional offer with the specific, ancestral mechanisms of Indigenous Peoples.

For women in leadership positions, the National Protection Unit should take decisive action to implement measures with a gender perspective that respect the wishes of the women requiring protection. In these cases, the majority of women have received sexist threats or threats of sexual violence and, therefore, the institutional response should aim to eliminate the factors that generate this type of violence and give women the confidence to continue their work with the necessary support.

Amnesty International has documented cases of women human rights defenders losing custody of their children due to the extraordinary risks they face, which extend to their families. In these cases, the authorities only consider the option of removing children from the nuclear family, which is a violation of their human rights and further proof of the state's lack of interest in providing a comprehensive, differentiated response.

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<sup>2</sup> The unarmed, collective security force for Indigenous Peoples in Colombia.

***The state must take immediate action to curb targeted violence against human rights defenders***

Amnesty International expresses its concern that violent deaths are being reported on a daily basis in Colombia, calling for the state to acknowledge that it has failed to implement comprehensive protection measures and that it must take immediate action to contain this wave of violence. The Colombian state cannot continue neglecting its duty to safeguard the lives and physical integrity of rights defenders, which constitutes a breach of its duties under the United Nations Declaration on Human Rights Defenders of 1998, among other binding treaties.

An initial step towards preventing targeted threats and killings of people in leadership positions or who defend human rights in conflict zones should be to grant protection that extends beyond police measures and measures for individuals. The Colombian state has failed to acknowledge that these targeted killings are linked to conflict dynamics or criminal interests that transcend the individual. The absence of the state and its weakness in guaranteeing human rights has given rise to an environment in which criminal groups can attack local leaders. Communities and territories historically affected by violence cannot continue waiting for the state to establish a full presence, beyond the current military presence.

In this respect, national, departmental and municipal government institutions should take coordinated action to safeguard the lives, physical integrity and safety of human rights defenders. This task does not fall solely to the National Protection Unit, but should also include a comprehensive analysis of the factors that generate this type of widespread violence and should be implemented as a state policy.

At present, the burden for requesting protection measures from the state falls to the people who have received threats, who often live in remote parts of the country and have to deal with a centralized system removed from their contexts. The measures in place do not yet meet the needs on the ground and are not adapted to living conditions in the areas where most violence has been reported since the signing of the Peace Agreement. Given the seriousness of the situation, it is the duty of the state to implement decentralized mechanisms that immediately respond to the early warnings issued by the Ombudsman and to maintain ongoing dialogue

with human rights organizations.

The killing of human rights defenders, most of whom have been victims of the armed conflict and remain at risk, jeopardizes reparation for victims and shows that the guarantees of non-repetition have not yet materialized for communities and individuals who have already endured years of armed conflict. The taking of the life of a person who defends the rights of his or her community in a context of transition to peace leaves a deep scar in the social fabric, which is central to rebuilding a fairer society.

Community leaders, *campesino* leaders, leaders of victims' organizations and those working to defend their territories and natural resources, who support the territorial implementation of the Peace Agreement and the land restitution processes, must be given full guarantees and be a priority for the Colombian government. The Colombian state has a historical debt to address the structural causes of the violence that still prevails in several departments of the country.