

October 18, 2021

Secretary of State Antony Blinken
The State Department
2201 C Street NW
Washington, DC 20520

Dear Secretary Blinken,

As you travel to Colombia for the high-level bilateral dialogue, we urge you to use this opportunity to press the Colombian government for progress on flagging peace accord implementation and for actions on critical human rights issues, including improving the dire situation of human rights defenders, advancing the rights of Afro-Colombian and indigenous people, addressing the needs of poor and landless farmers, and confronting the serious problems of police brutality and racial injustice.

As organizations that have followed events in Colombia for many years, many of us with programs and close partners in the country, we are gravely disappointed that to date the Biden Administration has not placed sufficient emphasis on these issues and hope that your visit will mark a change. We urge you to avoid public statements that praise the U.S.-Colombian partnership while skirting over the deeply disturbing patterns of human rights violations that should be a major focus of U.S. concern and diplomacy.

Police brutality. In response to massive, largely peaceful demonstrations against a regressive tax initiative, unemployment, and social exclusion, Colombian security forces, particularly the national police and the ESMAD riot squad, killed and injured protesters, mainly teenagers and young adults. [Eighty-seven](#) civilians were killed in the course of the protests according to the Defender la Libertad human rights campaign. Police shot live ammunition and projectiles into crowds, including in one case into a group of families and neighbors assembled for a candlelight vigil for a young man killed the day before, causing major injuries, loss of eyesight, and death. Police and ESMAD targeted, along with protesters, human rights defenders, journalists, and medical brigade members who provided first aid to protesters and police. Police sexually abused young women protesters and threatened women first aid responders with rape. Family members of victims of police brutality and human rights defenders seeking justice for police abuses are stigmatized and their lives threatened. Following these tragic events, rather than taking significant action to advance dialogue, police reform, and prosecutions of abusive security forces, the Colombian government has presented only superficial police reforms and appears focused on investigating and prosecuting protesters and those who helped them.¹ Few cases of security force abuses during the 2021 protests are moving forward in civilian courts; [13](#) homicide cases involving security forces have been reported as inappropriately in the military justice system, which rarely results in justice.

Peace accord implementation and situation of human rights defenders. The historic 2016 peace accords, a major legacy of the Obama-Biden Administration due to its support for negotiations, are at risk due to weak implementation. As of September 2021, [292](#) FARC ex-combatants have been killed since laying down their arms. Moreover Colombia remains one of the most dangerous countries on earth to be a human rights defender; [158](#) human rights defenders were killed so far this year in 2021, according to the United Nations. For

the second year in a row, Colombia [leads](#) the world in murders of environmental and land rights defenders, according to Global Witness. Colombia's community leaders are in danger precisely because they are building peace on the ground, while the government has failed to implement its peace accord commitments, including dismantling paramilitary networks, protecting communities, and bringing effective and rights-respecting state presence into conflict zones. Peace accord consolidation is especially weak in terms of implementing the Ethnic Chapter and gender provisions; protection of human rights defenders, social leaders, and communities; dismantling paramilitary networks; protection of ex-combatants; provision of adequate programs for farmers committed to coca eradication, and implementation of the comprehensive rural reform, including provision of land to displaced persons, poor farmers, and indigenous and Afro-Colombian people. While U.S. aid to advance peace accord implementation is important and well-targeted, the failure to advance peace accord implementation is not primarily a question of resources, but of political will.

As you dialogue with the Colombian government, we ask you to publicly as well as privately:

- ***Insist, as a condition of any future U.S. security assistance, that the Colombian government implement serious police reform***, including transferring the police from the Defense Ministry to a civilian agency, ensuring all human rights abuses by police are tried in civilian courts, dismantling the ESMAD, revising use-of-force protocols, and establishing external oversight and controls over the police. Limiting reforms to increasing human rights courses and revising internal disciplinary procedures is not an adequate response. The U.S. government should also encourage progress on prosecuting cases in civilian courts against security force members involved in abuses in the context of the protests, raise concerns regarding specious or excessive prosecutions of protesters, and urge the Colombian government to respect the right to protest.
- ***Urge the Colombian government to recommit to fully implementing the peace accords***. It is essential to maintain U.S. diplomatic and financial support for implementing the accords as the central framework for U.S. policy towards Colombia. ***Please also express publicly support for the work of the tripartite transitional justice system, namely the Special Jurisdiction for Peace (JEP), the Truth Commission, and the Search Unit for the Disappeared.***
- ***Express publicly your concerns about the grave dangers faced by Colombian human rights defenders and social leaders and emphasize the importance of their role in building peace and defending the rule of law.*** U.S.-Colombia actions to address climate change should also include protection of the rights and lives of endangered environmental activists, who are on the frontlines of efforts to protect the planet.
- ***Urge the Colombian government to promptly and regularly convene the National Commission on Security Guarantees established by the peace accords***, which should include participation by civil society, government, and ex-combatants, to develop and implement a plan for dismantling paramilitary and other illegal armed networks and for providing security to human rights defenders, communities, and ex-combatants. This long-delayed commitment, central to bring rights-respecting security to conflict zones and protecting human rights defenders, must advance.
- Urge the Colombian government to uphold the rights of Afro-Colombian, indigenous, and Palenquero people. ***Ask the Colombian government to prioritize implementing the peace agreement's Ethnic Chapter.*** The government should convene the Special High-Level Mechanism with Ethnic Peoples

(IANPE), mandated by the peace accords, to discuss the best methods to implement the Ethnic Chapter and should work with Afro-Colombian and indigenous authorities and civil rights groups to guarantee its consolidation at the local and regional level. In addition, urge the Colombian government to implement the humanitarian accords with communities that serve to protect such communities, ensure assistance and protection to internally displaced persons, and address racial discrimination, including the Humanitarian Accord Now in Chocó. ***We would greatly welcome the revitalization of the U.S.-Colombian Racial Action Plan (CAPREE) and the development of a joint U.S.-Colombian strategy with specific steps to address structural racism.***

- ***Urge the Colombian government to prioritize full and effective implementation of provisions to achieve "a genuine structural transformation of the countryside" as agreed under the Comprehensive Rural Reform chapter of the peace accords.*** This is critical to address the exclusion and inequality in rural areas, particularly in access to land, which is a root cause as well as a consequence of conflict in Colombia. Only limited progress has been made in implementing provisions to improve access to land, due in part to administrative delays and inadequate allocation of resources, and to a focus on formalizing tenure rather than redistributing land. ***Peace is unlikely to be sustainable as long as many poor, landless, marginalized, and displaced rural families see no improvement in their lives and livelihoods, which depend on access to land.***
- ***Urge the Colombian government to address the failure to uphold its commitments outlined in the Labor Action Plan (LAP) and ensure that labor rights are fully applied and protected in Colombia.*** As detailed in the U.S. Department of Labor's recently released Second Periodic Review of Progress of the Colombia Labor Rights Complaint Submission dated October 7, 2021, a number of issues and benchmarks of the 2017 Submission Report recommendations have not been satisfactorily addressed and improved upon by the Colombian government. As the lack of labor rights enforcement and protection are an underlying factor in economic inequality and civic unrest, advancement on labor rights issues is critical and should be strongly emphasized by the U.S. government with Colombia.
- ***Insist on progress on reforms of Colombian military and intelligence services,*** including to end persistent patterns of surveillance over human rights defenders and other civil society leaders, journalists, and judicial personnel. While members of the military who committed gross human rights violations can receive transitional justice benefits by collaborating with the JEP and providing the truth about their crimes, the Colombian government must still be urged to provide accountability for the more than 6,000 extrajudicial executions by members of the Colombian armed forces, largely of poor young men executed and dressed up in guerrilla uniforms to be claimed as enemy dead.

The United States should also uphold the peace accords directly through its own policy choices. First, the United States should support counternarcotics policy that abides by the peace accords' drug policy chapter. ***Such support must focus on working with small farmer communities to eradicate and replace coca, providing sufficient support for such farmers and communities to thrive, and must refrain from employing harsh and ineffective tactics such as aerial spraying.*** Restarting spraying will be seen as undermining the accords and will drive away farmers from cooperating. The peace accords emphasize dismantling drug trafficking and money laundering networks, which are U.S. priorities. ***Second, the United States should remove the Comunes Party from the terrorist list.*** It is counterproductive to maintain on this list ex-combatants who have shown their

commitment to peace for the last five years. It demonstrates an ambivalence towards accords the United States helped to forge and hampers the ability of the United States and partners to provide support for reintegration and even for broader community development programs in areas with ex-combatants' presence.

It is in the interests of both Colombia and the United States that peace be consolidated, police and military become more rights respecting, discrimination and violence against Afro-Colombian and indigenous peoples end, and human rights defenders be able to operate without fear for their lives. Only by challenging the Colombian government to address these serious underlying problems in Colombia can the United States contribute to this more hopeful future.

Sincerely,

Amazon Watch

American Federation of Labor and Congress of Industrial Organizations (AFL-CIO)

Chicago Religious Leadership Network on Latin America

Colombia Human Rights Committee

Congregation of Our Lady of Charity of the Good Shepherd, U.S Provinces

Global Exchange

Global Ministries of the Christian Church (Disciples of Christ)

Healing Bridges

Institute for Policy Studies, Drug Policy Project

International Institute on Race, Equality and Human Rights

Latin America Working Group

Missionary Oblates

National Advocacy Center of the Sisters of the Good Shepherd

Oxfam

United Church of Christ, Justice and Local Church Ministries

Washington Office on Latin America

Witness for Peace Solidarity Collective

Cc: Ambassador Brian Nichols, Assistant Secretary of State for Western Hemisphere Affairs

Scott Busby, Acting Principal Deputy Assistant Secretary of State for Democracy, Human Rights and Labor

Ambassador Philip Goldberg, U.S. ambassador to Colombia

Ambassador Linda Thomas-Greenfield, U.S. ambassador to the United Nations

Juan Gonzalez, Senior Director for the Western Hemisphere, National Security Council

Samantha Powers, USAID Administrator

¹ See for example *Informe Final: Mission SOS Colombia*,

<https://documentcloud.adobe.com/link/review?uri=urn%3Aaaid%3Aascds%3AUS%3A2b2643a5-38ef-4a71-b035-4ea0d8a6c8d3#pageNum=25> ; Human Rights Watch, *Egregious Police Brutality against Protesters*, <https://www.hrw.org/news/2021/06/09/colombia-egregious-police-abuses-against-protesters>; Indepaz and Temblores ONG, *Cifras de la Violencia en en Marco del Paro*, <http://www.indepaz.org.co/wp-content/uploads/2021/06/3.-INFORME-VIOLENCIAS-EN-EL-MARCO-DEL-PARO-NACIONAL-2021.pdf> ; and

Latin America Working Group, Protests and Police Brutality in Cali, Colombia, <https://www.lawg.org/police-brutality-cali/> .