

Bogotá, May 4, 2020

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*Copied Entities: Presidency of the Republic of Colombia; Colombian Office of the Ombudsman; Office of the Attorney General of Colombia; Presidential Council on Human Rights; Ministry of Foreign Affairs; Ministry of Defense; Unit for Attention to and Holistic Reparation of Victims; National Office of the Prosecutor; Finance Ministry; Inter-American Commission on Human Rights; U.N. Special Rapporteur on Human Rights Defenders; U.N. Office of the High Commissioner for Human Rights (OHCHR); U.N. High Commissioner for Refugees (UNHCR); Embassies of the United States, Spain, and Switzerland; Delegation of the European Union in Colombia*

***Re: Urgent action required to guarantee the rights and safety of defenders, social leaders, and communities in the context of COVID-19 pandemic and obligatory social isolation measures***

Dear Sir:

The undersigned civil society organizations urgently implore the National Protection Unit (UNP) to guarantee the rights of human rights, environmental, and land defenders, including social leaders and journalists. We call on the UNP to adopt all measures necessary to protect their life and work in the context of the current social, economic, and health emergency, especially given that for many of them, the level of risk and vulnerability has increased in the context of the COVID-19 pandemic and as a result of the policies adopted by the Colombian government.

We urge the Unit to: (1) comply with all of its legal, constitutional, and international human rights obligations in a timely manner, taking into account the context of the social, economic, and health emergency; (2) reevaluate the panorama of risk in light of this context and ensure that the Unit is responding to potential changes in security needs, taking into account the ways in which new policies and restrictions impact defenders' security; (3) respond to the needs of the specific cases profiled herein.

Countries around the world are facing a new and unprecedented crisis in the form of the COVID-19 pandemic. To avoid collapse of healthcare systems and untold deaths, countries are taking strong measures to protect public health. We recognize that the Colombian national and regional governments face difficult decisions in confronting this crisis, and commend actions taken to ensure the health and wellbeing of the Colombian population, including nationals and residents. However, we impress on the importance that the Colombian government guarantees the rights of social leaders, defenders, and at-risk communities in the context of this health crisis.

Social leaders report, "*violence did not go into quarantine.*"<sup>1</sup> Last week, the United Nations Office of the High Commissioner for Human Rights (OHCHR) denounced that the COVID-19 pandemic, as well

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<sup>1</sup> Antonio José Paz Cardona, *Grupos armados aprovechan la cuarentena para asesinar a indígenas y defensores en Colombia*, MONGABAY LATAM (Apr. 6, 2020), <https://es.mongabay.com/2020/04/indigenas-asesinatos-y-covid-19-en-cuarentena-colombia/>.

as measures taken to prevent the spread of the virus in Colombia, “appear to have aggravated an already violent and volatile situation.”<sup>2</sup> As human rights and environmental organizations and defenders that work closely with grassroots organizations, communities, social leaders, journalists, and defenders across Colombia, we are alarmed by reports from our colleagues and allies that indicate that since obligatory social isolation measures went into place, social leaders, defenders, and at-risk communities have come to face a new and evolving panorama of risks.

We remind the UNP that since the State of Emergency was declared and the quarantine measures were put in place in Colombia, there have continued to be threats, attacks, and murders of human rights defenders and social leaders; as of today, it is estimated that at least 20 defenders and social leaders have been murdered since the State of Emergency was declared.<sup>3</sup> These numbers may not yet include the most recent incidents that have not been processed; for example, on April 29 indigenous social leader and Community Action Board President Álvaro Narváz and three of his family members (his wife María Delia Daza, his son Cristian Narváz, and his granddaughter Yeni Caterine López) were massacred in the Cauca Department.<sup>4</sup> It was also reported that a member of the Senú indigenous community was murdered on April 28 in the Bajo Cauca region of the Antioquia Department.<sup>5</sup>

The Inter-American Commission on Human Rights has “repeatedly expressed its concern about the violence faced by defenders and social leaders in Colombia, and particularly about the serious challenges involved in ensuring their protection, about the limited security measures available to protect them, and about the impunity of crimes against them.”<sup>6</sup> U.N representatives have also rung the alarm about violence against defenders and social leaders in

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<sup>2</sup> UN NEWS, Grupos armados en Colombia aprovechan la pandemia del coronavirus para ganar territorio (Apr. 24, 2020), <https://news.un.org/es/story/2020/04/1473382>.

<sup>3</sup> INSTITUTO PARA ESTUDIOS PARA EL DESARROLLO Y LA PAZ, *Líderes sociales y defensores de derechos humanos asesinados en 2020*, <http://www.indepaz.org.co/paz-al-liderazgo-social/>. See also, Paz Cardona, *supra* note 1; Joe Parkin Daniels, *Colombian death squads exploiting coronavirus lockdown to kill activists*, THE GUARDIAN (Mar. 23, 2020), <https://www.theguardian.com/world/2020/mar/23/colombian-groups-exploiting-coronavirus-lockdown-to-kill-activists>; COLOMBIA2020, “En Cauca están asesinando a los defensores del Acuerdo de Paz” Cristian Delgado, EL ESPECTADOR (Apr. 21, 2020), <https://www.elespectador.com/colombia2020/territorio/en-cauca-estan-asesinando-los-defensores-del-acuerdo-de-paz-cristian-delgado-articulo-915754>.

<sup>4</sup> EL ESPECTADOR, *Asesinan a familia de líder social en Mercaderes, Cauca* (Apr. 29, 2020), <https://www.elespectador.com/noticias/nacional/asesinan-familia-de-lider-social-en-mercaderes-cauca-articulo-917225>. One of the leader’s sons remains in critical condition. *Id.* See also, NOTICIAS CARACOL, *Masacre en el Cauca: asesinaron a líder social y a su familia en una vereda del sur del departamento* (Apr. 29, 2020), <https://noticias.caracoltv.com/valle/masacre-en-el-cauca-asesinaron-lider-social-y-su-familia-en-una-vereda-del-sur-del-departamento-nid227594>.

<sup>5</sup> ORGANIZACIÓN INDÍGENA DE ANTIOQUIA, *Comunicado: Indígena Senú Asesinado en Bajo Cauca Antioquia* (Apr. 29, 2020), <https://organizacionindigenadeantioquia.blogspot.com/2020/04/indigena-senu-asesinado-en-bajo-cauca.html?m=1>.

<sup>6</sup> INTER-AMERICAN COMMISSION ON HUMAN RIGHTS (IACHR), *IACHR Completes Working Visit to Colombia to Assess Alarming Issues of Murders of Social Leaders and Human Rights Defenders* (Jan. 15, 2019), [https://www.oas.org/en/iachr/media\\_center/PReleases/2019/008.asp](https://www.oas.org/en/iachr/media_center/PReleases/2019/008.asp). For additional pronouncements of the IACHR on this issue, see, e.g.: *La CIDH expresa su condena por el asesinato de líderes sociales y reitera su preocupación por la situación de derechos humanos en Colombia* (Mar. 26, 2020), [www.oas.org/es/cidh/prensa/comunicados/2020/062.asp](http://www.oas.org/es/cidh/prensa/comunicados/2020/062.asp); *IACHR Condemns Murders of Human Rights Defenders and Social Leaders in Colombia* (Jul. 18, 2018), [https://www.oas.org/en/iachr/media\\_center/PReleases/2018/155.asp](https://www.oas.org/en/iachr/media_center/PReleases/2018/155.asp); *IACHR Condemns Killings and Threats against Human Rights Defenders in Colombia* (Feb. 25, 2016), [http://www.oas.org/en/iachr/media\\_center/PReleases/2016/021.asp](http://www.oas.org/en/iachr/media_center/PReleases/2016/021.asp); *IACHR Condemns Murder of Human Rights Defenders in Colombia* (Jun. 12, 2015), [https://www.oas.org/en/iachr/media\\_center/PReleases/2015/070.asp](https://www.oas.org/en/iachr/media_center/PReleases/2015/070.asp).

Colombia.<sup>7</sup> In May 2019, 79 United States Congress members denounced “the continuing escalation of murders and attacks against human rights defenders and social leaders.”<sup>8</sup> Organizations that compile global statistics about the number of environmental, land rights, and human rights defenders killed globally consistently find Colombia to be one of deadliest countries on earth for defenders.<sup>9</sup> As of today, at least 84 defenders and social leaders had been killed since January 1, 2020.<sup>10</sup> Additionally, sometimes the bodyguards assigned as part of security measures are also attacked. For example, on March 4<sup>th</sup> of this year, Arley Enrique Chalar Rentería, the bodyguard assigned to social leader Leyner Palacios of Chocó, was murdered.<sup>11</sup>

In this face of this violence, there is near absolute impunity. Achieving justice—starting with a criminal prosecution carried out by the National Office of the Prosecutor and the appearance of those investigated before a Judge—is not only a central element of the Rule of Law, but also a vindication of the rights of victims and a general prevention measure. Nevertheless, only a small portion of the cases of violence against social leaders get brought to justice; of more than a thousand threats reported in 2019, the Office of the Public Prosecutor reported that there were only rulings in three cases.<sup>12</sup> Only 11 percent of cases regarding murders of defenders registered by the OHCHR since 2016 reached a ruling, and the government of Colombia recognizes that in 50 percent of the cases, there have not even been advances towards clarifying the facts.<sup>13</sup>

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<sup>7</sup> See, e.g.: U.N. HUMAN RIGHTS COUNCIL, *Visit to Colombia: Report of the Special Rapporteur on the situation of human rights defenders*, A/HRC/45/51/Add.1 (Dec. 26, 2019), <https://undocs.org/en/A/HRC/43/51/Add.1>; Radina Gibova, ‘Staggering number’ of human rights defenders killed in Colombia, the UN says (Jan. 14 2020), CNN WORLD, <https://www.cnn.com/2020/01/14/americas/staggering-number-of-human-rights-defenders-killed-in-colombia-the-un-says/index.html>.

<sup>8</sup> CONGRESS OF THE UNITED STATES, *Dear Colleague Letter to the U.S. Department of State* (May 24, 2019) (signed by 79 members of the U.S. Congress), [https://mcgovern.house.gov/uploadedfiles/colombia\\_letter.pdf](https://mcgovern.house.gov/uploadedfiles/colombia_letter.pdf).

<sup>9</sup> FRONT LINE DEFENDERS: *Global Analysis 2019* (2020) at 4, [https://www.frontlinedefenders.org/sites/default/files/global\\_analysis\\_2019\\_web.pdf](https://www.frontlinedefenders.org/sites/default/files/global_analysis_2019_web.pdf); *Stop the Killings* (2018) at 4, [https://www.frontlinedefenders.org/sites/default/files/stk\\_-\\_full\\_report.pdf](https://www.frontlinedefenders.org/sites/default/files/stk_-_full_report.pdf). GLOBAL WITNESS: *Enemies of the State? How governments and business silence land and environmental defenders* (July 2019) at 8, <https://www.globalwitness.org/en/campaigns/environmental-activists/enemies-state/>; *At What Cost? Irresponsible business and the murder of environmental defenders in 2017* (2018) at 10, <https://www.globalwitness.org/en/campaigns/environmental-activists/at-what-cost/>; *Defenders of the Earth: Global Killings of Land and Environmental Defenders in 2016* (2017) at 12, <https://www.globalwitness.org/en/campaigns/environmental-activists/defenders-earth/>.

<sup>10</sup> INDEPAZ, *supra* note 3. *Somos Defensores*, another organization that documents murders of social leaders, registered 62 murders in the first trimester of the year, of which 36 have been verified. Additionally, OHCHR representative Alberto Brunori, reported that as of April 9, 2020 the OHCHR had verified 14 murder cases and had 42 additional murders registered and pending certification. Redacción Colombia, *Los rostros y luchas de los líderes sociales asesinados en lo corrido del 2020*, EL ESPECTADOR (Apr. 9, 2020), <https://www.elespectador.com/colombia2020/pais/los-rostros-y-luchas-de-los-lideres-sociales-asesinados-en-lo-corrido-del-2020-articulo-913792>.

<sup>11</sup> SEMANA, *Asesinan en Cali al escolta del líder social Leyner Palacios* (Mar. 4, 2020), <https://www.semana.com/nacion/articulo/leyner-palacios-asesinan-a-escolta-del-lider-social/654878>.

<sup>12</sup> According to interventions made by the Vice Prosecutor before the Senate Commission for Peace.

<sup>13</sup> Colombia 2020, *Gobierno dice que ha esclarecido el 50% de asesinatos de líderes; ONU dice que solo el 11%*, EL ESPECTADOR (Mar. 1, 2020), <https://www.elespectador.com/colombia2020/pais/gobierno-dice-que-ha-esclarecido-el-50-de-asesinatos-de-lideres-onu-dice-que-solo-el-11-articulo-907197/>. It is important to note that the Office of the Prosecutor includes in its concept of cases where there are ‘advances’, open investigations. It should be emphasized that an open investigation is not a guarantee of justice; the high number of cases that remain in the investigation phase are more demonstrative of the lack of state capacity to discern who is criminally responsible in these cases.

## ***Recurring challenges are deepening in the context of the pandemic***

We are alarmed that the situation created by the COVID-19 pandemic has the potential to compound the lethal context that defenders, social leaders, journalists, and communities already faced. We have received information that indicates that the risks have worsened under the State of Emergency and obligatory social isolation, and that there have not been corresponding measures adopted to guarantee the life, integrity and security of this population.

The protection of defenders and social leaders was already in crisis, as was recognized by the 45<sup>th</sup> Civil Court of the Bogotá Circuit on March 25, 2020, when it ruled that the State needed to take action to protect the rights of social leaders. That ruling recognized “a systemic failure of the State in its duty to protect social leaders.”<sup>14</sup> Among these general problems raised by recipients are: (1) delays in the approval process for measures and the risk evaluations; (2) Measures that are inconsistent with the risk level; (3) Budget limitations and a lack of material support necessary to implement the measures.

### **1) Challenges regarding the evaluation of applications, the collection and analysis of information, and risk evaluations.**

Additionally, well before the crisis, defenders reported delays in application review, information collection and analysis, and risk evaluations.

For example, the *Asociación Nacional de Afrocolombianos Desplazados* (AFRODES) reports that for several years they have attempted to reach an agreement regarding the implementation of collective security measures for Afro-descendent leaders and communities in six areas: Cali and Buenaventura (Valle del Cauca); Cartagena (Bolívar); Quibdó (Chocó) Tumaco (Nariño); and Soacha (Cundinamarca). Last year, UNP representatives traveled to these six territories and they reached agreements regarding the collective protection mechanisms for the leaders and communities. The plan was that those collective protection mechanisms would be presented to the to the Committees of Risk Evaluation and Recommendation of Measures (CERREM) in December of 2019 for risk evaluation, with the goal of beginning implementation in 2020. However, the proposals were not presented in December, and this year AFRODES has tried to communicate with the UNP officials that traveled to the territories to pick up the process, but it has been impossible to schedule a meeting with them. Today, the communities and their leaders remain unprotected in the face of serious risk and severe violence.

Although Decree 1066 of 2015 established an emergency procedure that would operate in cases where there is imminent risk, under which a case would not have to go through the CERREM and the Director of the Unit would be obligated to implement emergency measures while the rest of the process is under taken,<sup>15</sup> in practice the UNP goes through the ordinary procedure in every case, even where an emergency procedure is justified. Degree 2078 of 2017, which regulates collective protection measures, also contemplates the possibility of emergency collective measures in Article 2.4.1.5.4.<sup>16</sup>

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<sup>14</sup> DEJUSTICIA, *Juzgado falla a favor de líderes sociales y ordena que se garantice el derecho a defender derechos humanos* (Apr. 3, 2020), <https://www.dejusticia.org/juzgado-falla-a-favor-de-lideres-sociales-y-ordena-que-se-garantice-el-derecho-a-defender-derechos-humanos/>; José Puentes, *El fallo que obliga al Estado a proteger a líderes sociales (haya o no haya coronavirus)*, PACIFISTA!, (Apr. 8, 2020), <https://pacifista.tv/notas/el-fallo-que-obliga-al-estado-a-proteger-a-lideres-sociales-haya-o-no-haya-coronavirus/>.

<sup>15</sup> Decree 1066 of 2015.

<sup>16</sup> Decree 2078 of 2017. This decree, along with Decree 4633 of 2011, constitute the legal framework for the implementation of collective measures for indigenous peoples.

Nevertheless, this emergency process has never been applied because it would not be overseen by the UNP but rather by the Ministry of the Interior.

Now, there are fears that these delays are going to get worse due to closures. As of March 19, 2020, at least some of the sessions of the Committees of Risk Evaluation and Recommendation of Measures (CERREM), the entity charged with evaluating applications and risk, have been suspended.<sup>17</sup> It also appears that some CERREM sessions have gone forward, but have done so without the presence of permanent invitees, such as the UN entities, the National Attorney General's Office, and the Ombudsman's Office. The absence of the invitees is very worrying, as they have a greater presence in the field and better knowledge of the cases.<sup>18</sup>

We recognize the need to develop adequate protocols, particularly considering reports in September 2019 that at least one UNP bureaucrat was leaking information to armed groups.<sup>19</sup> However, we also underscore the urgency of that the CERREM resume their activities, given that the commissions review an average of 150 cases every eight days, 70 percent of which have serious threats against them.

## 2) Inconsistent Security Measures

Despite the risk calcification given by the CERREM (ordinary, extraordinary, or imminent), in a large number of cases, the measures granted are not congruent with the risk. Such is the case, that today there are many leaders that have an extraordinary risk level, but only get a telephone and a bullet-proof vest. Such measures are in violation of the constitutional duty that UNP has to protect the lives and social integrity of the threatened leaders, given that in the territories, illegal armed groups use weapons that pass through even the best bullet-proof vest. It is common practice that leaders see their protection schemes gradually deescalated, as it were a political decision rather than an operational decision. It is necessary that the UNP establishes and maintains protection measures that are congruent with the risk level assessed by the CERREM, regardless of the financial burden those measures may require.

A recurring problem with the review of applications and risk evaluations is a lack of contact between the risk analyst and the petitioners. Additionally, the notification of the resolution of the application has nothing more than brief allusions to the reports underlying the CERREM's decision, but the reports themselves aren't accessible to the petitioners. When there is a lack of open communication in the evaluation process, the analysts cannot take advantage of the petitioner's knowledge of the zone of risk, and when there is a resolution, the applicants cannot exercise their rights to challenge the decision and to due process.

Additionally, security audits conducted before lockdown measures were initiated analyzed a risk scenario entirely different from the risk scenario presented by quarantine. Therefore, the measures put

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<sup>17</sup> PACIFISTA. *La Unidad Nacional de Protección no se está reuniendo y eso es grave* (Apr. 2, 2020), <https://pacifista.tv/notas/la-unidad-nacional-de-proteccion-no-se-esta-reuniendo-y-eso-es-grave/>; FUNDACIÓN LA LIBERTAD DE PRENSA, *La FLIP exige que se reanuden las sesiones de CERREM* (Apr. 1, 2020), <https://flip.org.co/index.php/es/informacion/pronunciamientos/item/2488-la-flip-exige-que-se-reanuden-las-sesiones-del-cerrem>.

<sup>18</sup> *Id.*

<sup>19</sup> Redacción Judicial, *Funcionarios de la UNP estarían filtrando información sobre esquemas de seguridad*, EL ESPECTADOR (Sep. 23, 2020), <https://www.elspectador.com/noticias/judicial/funcionarios-de-la-unp-estarian-filtrando-informacion-sobre-esquemas-de-seguridad-articulo-882552>

into place do not necessarily reflect the needs of the present reality. For example, quarantine measures dictating that citizens can only leave in accordance with their national ID number impact defenders and social leaders differentially. An important security measure for those that live with high levels of risk is the ability to vary their movements. Now, defenders have no means of varying their movements, increasing their vulnerability to targeted attacks.

While defenders' and social leaders' movements are restricted as they respect the social isolation orders, armed groups continue to illegally mobilize to harass and attack them. These violent actors now know where defenders will be most of the time, as they are in their homes while they receive threats with messages such as “now is the time to take [them] out.”<sup>20</sup> Ethnic communities from the Pacific region alerted President Iván Duque Márquez to a “sharpening of the physical violence” in the context of the pandemic, and explained “. . . the war, which unfortunately still has not ended, keeps on its course, it has not stopped and now there is an even greater lack of protection from the State.”<sup>21</sup>

Social isolation measures also create particular challenges for displaced population. This applies for the large population that was already displaced before this health crisis, and also for those defenders and communities who will be displaced during this time due to threats and violence.<sup>22</sup> For example, social leaders displaced in mid-April in Cauca remained stuck in Popoyán, “without possibilities of return and without conditions to comply with preventative isolation.”<sup>23</sup>

Finally, given the restrictions on the normal exercise of justice, and with the police focusing their energy on other matters, violent groups may feel even more empowered to carry out their attacks.<sup>24</sup>

### 3) **Budget limitations and the lack of material support for implementing measures**

Defenders and communities with protection measures have reported long before this crisis that the UNP was not providing them with the material support that they required in accordance with their security schemes. There are serious budgetary limitations that impede that the protection schemes fulfill their function, the following can serve as examples: (i) the line item available for gasoline for vehicles has not been increased in over four years; (ii) bodyguards only have a right to three days of per diem expenses, which makes it impossible for them to accompany the beneficiaries; (iii) there are recurring problems with regards to the maintenance of vehicles assigned under protection schemes.<sup>25</sup>

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<sup>20</sup> Parkin Daniels, *supra* note 3.

<sup>21</sup> MESA PERMANENTE DE CONCERTACIÓN DE LOS PUEBLOS INDÍGENAS DE CHOCÓ, COORDINACIÓN REGIONAL DEL PACÍFICO, Y COMISIÓN INTERÉTNICA DE LA VERDAD DEL PACÍFICO, *Carta abierta al Presidente Iván Duque Márquez: El Pacífico quiere vivir en paz* (Apr. 7, 2020), <https://verdadpacifico.org/presidente-duque-el-pacifico-quiere-vivir-en-paz/>.

<sup>22</sup> See, e.g., EL TIEMPO, *Denuncian amenazas y desplazamientos en el Cauca* (Apr. 17, 2020), <https://www.eltiempo.com/politica/amenazas-desplazamientos-y-hostigamientos-se-denuncian-en-cauca-485590>.

<sup>23</sup> *Id.*

<sup>24</sup> See, e.g., Parkin Daniels, *supra* note 3.

<sup>25</sup> According to the contracts that the UNP has with regards to vehicles assigned under security schemes, the contractors have the duty to maintain the vehicles. However, in practice, when there are problems, there are excessive delays in performing repairs. In many cases, vehicles simply are not repaired, which results in the beneficiary not having a car or mobilizing in a car that has a high risk of accidents. In general, the regional operators contracted by the UNP are a central obstacle to ensuring the safety of social leaders. In many cases, the regional operators block trusted bodyguards with a differential approach from being appointed, despite a UNP resolution that grants that benefit to the beneficiary; the

We are extremely concerned by reports that the UNP has de-authorized the use of armored cars by beneficiaries who had cars authorized as part of their security scheme, and that money for gas is no longer being provided. These actions are illogical and dangerous, as individuals with protection schemes still may need to mobilize on days that they are authorized to leave their homes. What is more, if at any time they are attacked and need to escape, having access to a car can be the difference between life and death. These retractions are particularly concerning, given that information received by the signing organizations indicates that under the contracts the government has with the companies that provide armored cars, the government is still required to pay the rent for the cars during this period, even if they are not in use.<sup>26</sup>

Additionally, we have received reports that UNP-assigned body guards do not have access to PPE, which limits their mobility and puts them personally and the beneficiaries they accompany at greater risk, and has even led to many of them (with good cause) refusing to fulfill their role.

Related to the topic of resources, we also highlight with concern that with regards to collective measures, the OHCHR recently reported that only 0.22 percent of the UNP's budget is designated for collective protective schemes.<sup>27</sup>

### ***Differential Impacts in Indigenous Communities***<sup>28</sup>

The panorama of risk stemming from the COVID-19 pandemic in the territories of the Indigenous Peoples is very complex. The armed groups in many areas have reconfigured themselves following the partial exit of the Revolutionary Armed Forces of Colombia (FARC) and have decided to undertake their own controls under the guise of the pandemic, imposing their own limitations and restrictions on movement that are enforced with weapons and with threats against indigenous authorities and leaders. At the same time, the State has responded with a militarization of the territories that was not consulted. This has occurred for example in the border zone in the Department of Nariño, increasing the risk for the Awa Indigenous People, who never cease to be in the midst of a territorial dispute between the armed groups and the public forces.

The *National Organization for Indigenous Peoples* (ONIC) has “developed a national system of territorial monitoring of the COVID-19 virus in Indigenous territories” and “organized territorial controls with

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contractors do everything they can to avoid it and instead they name someone they know, in an open act of nepotism and corruption. It has only been possible to challenge this via the presentation of a writ of constitutional protection (*tutela*).

<sup>26</sup> These retractions are also concerning given that even during the State of Emergency, the State has continued to buy vehicles for the protection of public employees, but it does not authorize similar spending for the protection of social leaders. An example of this is that the Presidency recently updated all of the protection cars at its use, while the vehicles of protected persons are in deplorable conditions, and in many cases don't even work. *See: Las 2Orillas, Mindefensa le renueva la flota de blindadas a Duque en plena cuarentena* (Apr. 27 2020), <https://www.las2orillas.co/duque-compra-camionetas-por-9-000-millones-en-plena-cuarentena/>. The UNP must distribute its resources in an optimal way, without political interference or corruption.

<sup>27</sup> U.N. HUMAN RIGHTS COUNCIL, *Situación de derechos humanos en Colombia 2019* (Feb. 26, 2020), at. 7, <https://www.hchr.org.co/index.php/informes-y-documentos/informes-anuales/9136-informe-del-alto-comisionado-de-las-naciones-unidas-para-los-derechos-humanos-sobre-la-situacion-de-derechos-humanos-en-colombia-durante-el-ano2019>.

<sup>28</sup> The information in this section was contributed by the Human Rights Council of the *National Indigenous Organization of Colombia* (ONIC).

Indigenous guards to limit contagion in Indigenous areas.”<sup>29</sup> In this exercise of territorial control in their reservations and settlements, in accordance with their collective rights, now the indigenous guards are faced with a dual risk: the risk of suffering violence at the hands of armed groups that continue to mobilize and that try to enforce their own means of restricting mobility, and the risk of contagion due to interaction with actors who are not from their community combined with the lack of personal protective equipment (PPE).

Additionally, instead of fulfilling humanitarian support needs to address the food crisis that many indigenous communities face in the context of the pandemic, the State has carried forth forced eradication of crops for illicit use in the territories, resulting in the murder of indigenous persons by the public forces, as recently occurred in Awa territory. In the context of social isolation as well as the implementation of the Final Peace Agreement, the forced eradication should be suspended.

Finally, regarding the impacts that have been suffered by Indigenous Peoples during the period of social isolation, the ONIC Human Rights Observatory, has identified the occurrence of murders, territorial impacts, collective threats, arbitrary detention, death due to the State’s failure to act, and confinement, among others. The Embera Dóbida People have suffered the most episodes of violence (1,720), followed by the Embera Chamí people (7), Nasa (4), Wounaan (1), Amá (1), and Jiw (1), representing a total of 1,735 incidents of violence, across the Departments of Chocó, Valle del Cauca, Cauca, Caldas, Nariño y Meta as well as Bogotá.

Also, as is contemplated by Article 43 of Decree 4633 of 2011, the murders, attempted murders, and attacks perpetrated against indigenous leaders, and against the leaders of black, afrodescendent, *raizal*, and *palenquera* communities, have collective impacts, because the structure of Indigenous communities is rooted in the collective identity and interrelation of their members. Accordingly, losing a leader does damage to the whole political organizing structure of the community.

In the context of this complex risk panorama and its differential impacts, the Indigenous Peoples, in accordance with their fundamental right to Prior Consultation, have reached significant agreements that have not been fulfilled by the UNP. Multiple agreements have emphasized the necessity of incorporating a true ethnic indigenous perspective during all of the stages of the process before the UNP, which translated into the preparation of a Decree by the National Indigenous Organizations. The Organizations are waiting for the UNP to fulfill its obligations and implement the Decree of Protection for Indigenous Peoples.

This Decree contemplates the need for the Indigenous Communities to fortify their systems of self-protection, such as the Indigenous Guard, and also recognizes the importance that the bodyguards currently assigned under security schemes be indigenous.<sup>30</sup> This differential ethnic approach is non-existent with regards to the requirements for the nomination of bodyguards. The State has imposed requirements that do not align with the realities of indigenous communities, and which make it

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<sup>29</sup> Gimena Sánchez-Garzoli, *COVID-19 and Human Rights in Colombia*, WOLA (Apr. 10, 2010), <https://www.wola.org/2020/04/april-2020-colombia-urgent-action/>. See also: <https://www.onic.org.co/noticias>.

<sup>30</sup> This is necessary for several reasons: (i) in many reservations, the entrance of non-indigenous persons is prohibited, which means that bodyguards have to stay in the county seat which may be far from the protected persons; (ii) non-indigenous persons are not familiar with the culture and Cosmovision of protected persons and communities, which in practice have led to actions causing harm; (iii) there have been cases where non-indigenous persons (put into their positions by the UNP or by regional governments) have filtered sensitive information about protected individuals and communities, thereby becoming another risk factor.

impossible for indigenous leaders who are threatened to have indigenous and/or trusted bodyguards. But additionally, those few indigenous persons who can fulfill the requirements, are disqualified via processes which are not transparent and cannot be challenged.

### ***Cases Requiring Urgent Action by the UNP***

A coalition composed of organizations among the signing organizations wish to highlight certain cases that need immediate action from the UNP in order to protect the lives of social leaders and defenders.<sup>31</sup> These 36 cases represent a diverse range of defenders and social leaders in 14 Departments of Colombia. Many of them already have assigned protection schemes, while the others have requested protection schemes. Accordingly, they have previously provided the UNP with information about their cases on their own behalf. It is important to emphasize that these cases are representative, not exceptional: they represent the situation of many social leaders, defenders, journalists, and communities defending their territory throughout Colombia who are in need of urgent action on the part of the UNP. More detailed information on these cases, including the full information for those cases that prefer to remain anonymous in this public letter for security reasons, are presented in the Confidential Appendix, which will be presented separately.<sup>32</sup> The cases are as follows:

	<b>Name</b>	<b>Department</b>	<b>Population Group</b>
1	Julio Rengifo	Antioquia	Human rights defender
2	Jesús Elean Quintero	Antioquia	Human rights defender
3	Juan Camilo Toben Olarte	Antioquia	Human rights defender
4	Eder Naráez	Antioquia	Journalist
5	Sara Yaneth Fernández Moreno	Antioquia	Professor, Secretary of the Association of Professors

<sup>31</sup> These cases were identified by a coalition of organizations from within the signing organizations, including: *EarthRights International, Fundación Comité de Solidaridad con los Presos Políticos, Corporación Jurídica Libertad, Comunidad de Juristas Akubadaura, Comisión Intereclesial de Justicia y Paz, Fundación Forjando Futuros, Somos Defensores, Front Line Defenders, The Committee to Protect Journalists, Washington Office on Latin America, Colectivo de Abogados José Alvear Restrepo, Corporación Sociojurídico Orlando Fals Borda, Amnesty International, AFRODES, Corporación Claretiana Normán Pérez Bella, Corporación Jurídica Yira Castro, Corporación Regional Yariguies CRY-GEAM, Corporación San Silvestre Green, and Guardianes Espejo del Agua.* Note that the presentation of cases by an organization does not necessarily mean that the organization represents the case before the UNP, as they may work with the case in other instances. The UNP should contact beneficiaries and their representatives before the UNP directly to discuss the particulars of their case.

<sup>32</sup> The Appendix will be presented confidentially to the UNP. It will also be presented confidentially to the Colombian Office of the Ombudsman, the Colombian Office of the Attorney General, the Inter-American Commission (IACHR), the United Nations High Commissioner for Refugees (UNHCR), the Office of the High Commissioner for Human Rights (OHCHR), selected embassies, and the E.U. Mission.

			(Asopruedam), human rights and victims defender
6	Fundación Forjando Futuros	Antioquia	Human rights organization specialized in land rights and land restitution
7	Gerardo Vega Medina	Antioquia	Human rights defender specialized in land rights and land restitution
8	Nora Isabel Saldarriaga	Antioquia	Human rights defender specialized in land rights and land restitution
9	Jhon Edison Restrepo Londoño	Antioquia	LGBTI defender
10	Leslie Ester Orozco Fonseca	Atlántico	Human rights defender, women's rights and victim's rights
11	Displaced afro-descendent communities represented by AFRODES	Bolívar, Chocó, Cundinamarca, Nariño y Valle del Cauca	Displaced afro-descendent communities in defense of their collective and individual rights
12	Resguardo indígena Cañamomo Lomapieta	Caldas	Indigenous community in defense of its territory and collective rights
13	Elvia Cristina Jiménez García	Cesar	Human rights and environmental defender
14	Resguardo Indígena Pichimá Quebrada	Chocó	Indigenous community in defense of its territory and collective rights
15	<i>Anónimo</i>	Chocó	Human rights and environmental defender and social leader
16	<i>Anónimo</i>	Chocó	Human rights and environmental defender and social leader

17	Julián Martínez	Cundinamarca	Journalist
18	Dalia del Carmen Molina	Guajira	Human rights and environmental defender
19	Vielca Rosalis Viecco Villar	Guajira	Human rights and land restitution defender
20	Samuel Segundo Arregoces Pérez	Guajira	Human rights and environmental defender and Afro-descendent social leader
21	Luz Day García Unda and others	Meta	<i>Campesina</i> defender and land claimant
22	<i>Anónima</i>	Meta	<i>Campesina</i> defender and land claimant
23	<i>Anónimo</i>	Meta	<i>Campesino</i> leader and President of Community Action Board
24	<i>Anónimo</i>	Meta	Indigenous community in defense of its territory and collective rights
25	<i>Anónimo</i>	Nariño	Afro-descendent social leader
26	Winston Jairo Salas Ortiz	Nariño	Afro-descendent social leader
27	Jani Silva	Putumayo	Human rights and environmental defender, <i>Campesina</i> social leader
28	Leonardo Granados	Santander	Human rights and environmental defender
29	Luis González	Santander	Human rights and environmental defender and social leader

30	Ingrid Vergara	Sucre	Human rights and victims defender, Social Leader
31	José Milciades Sánchez Ortiz	Valle del Cauca	Union leader
32	Cabeceras Community Council	Valle del Cauca	Black community in defense of its territories and collective rights
33	Unión Agua Clave Indigenous Reservation	Valle del Cauca	Indigenous community in defense of its territory and collective rights
34	Santa Rosa de Guayacán Humanitarian Reservation	Valle del Cauca	Indigenous community in defense of its territory and collective rights
35	Danelly Estupinan	Valle del Cauca	Afro-descendent social leader
36	Darnelly Rodríguez Ordoñez	Valle del Cauca	<i>Campesina</i> social leader and human rights and peace defender

### ***Obligations of the Colombian State***

The Colombian government has a legal obligation to protect the rights and safety of defenders, social leaders, journalists, and communities advocating for their own rights.<sup>33</sup> The Colombian government also has additional and distinct obligations regarding the rights of ethnic communities and their members and the rights of women defenders and social leaders.<sup>34</sup>

We remind the UNP that on March 28, 2020, the National Attorney General “urged the National Protection Unit – UNP – to adopt the necessary measures to guarantee the lives of social leaders, despite current eventualities that the country faces due to the expansion of COVID-19.”<sup>35</sup> We also

<sup>33</sup> See, e.g., Articles 1, 7, 8, 10, 13, 17-18, 20, 23, 33, 37-40, 43, 63, 70, 96, 171, 176, 246, 287, and 328-330 of the Colombian Political Constitution; Decree 4065 of 2011 (creating the UNP); Decree 4912 of 2011, modified by Decree 1225 of 2012; Decree No. 2124 of 2017; Apartadó Covenant for the Life and Protection of Social Leaders and Human Rights Defenders; Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms (Adopted by General Assembly resolution 53/144 of 9 December 1998); For more information, see U.N. HUMAN RIGHTS COUNCIL, *supra* note 7 at 3—5.

<sup>34</sup> Decreto 1314 de 2016; Declaración de Naciones Unidas sobre los Derechos de los Pueblos Indígenas; Organización Internacional del Trabajo (OIT) Convenio sobre pueblos indígenas y tribales (No. 169), 1989. For more information, see U.N. HUMAN RIGHTS COUNCIL, *supra* note 7 at 3—5.

<sup>35</sup> OFFICE OF THE NATIONAL ATTORNEY GENERAL, *Boletín 195: Procuraduría insta a la UNP a garantizar la vida de los líderes sociales en la actual contingencia por el covid-19* (Mar. 28, 2020), [https://www.procuraduria.gov.co/portal/covid-19-Procuraduria\\_insta\\_a\\_la\\_UNP\\_a\\_garantizar\\_la\\_vida\\_de\\_los\\_lideres\\_sociales\\_ante\\_emergencia\\_sanitaria.news](https://www.procuraduria.gov.co/portal/covid-19-Procuraduria_insta_a_la_UNP_a_garantizar_la_vida_de_los_lideres_sociales_ante_emergencia_sanitaria.news).

remind the UNP that the 45<sup>th</sup> Civil Court of the Bogotá Circuit, in its ruling on March 25, 2020 “emphasized that the fundamental rights of human rights defenders cannot be suspended at any time, and this includes during States of Emergency.”<sup>36</sup>

Additionally, Inter-American Commission on Human Rights reminds States that emergency measures must “adhere to unconditional observance of inter-American and international standards on human rights, which are universal, interdependent, indivisible and cross-cutting.”<sup>37</sup> Specifically, States cannot suspend ‘non-revocable’ rights<sup>38</sup> and must “adopt an intersectional human rights approach in all of their government strategies, policies and measures to deal with the COVID-19 pandemic and its consequences.”<sup>39</sup> The IACHR also emphasizes that States must consider the differential ways the pandemic affects “particularly vulnerable groups”, among them “women, indigenous peoples . . . LGBTI people, people of African descent . . . human rights defenders [and] social leaders.”<sup>40</sup> The Commission also emphasized that affirmative measures must be taken to protect certain groups, including human rights defenders covering the pandemic.<sup>41</sup>

### ***Petitions to the UNP***

In light of the urgency of this situation, we call on the Colombian State to take specific precautions to protect defenders in the context of the COVID-19 pandemic and corresponding obligatory social isolation measures. We also reiterate and support the calls for specific protections that have been presented previously to the UNP by the beneficiaries included in this letter and their advocates before the UNP. We express our solidarity with and support of the ethnic communities that have communicated to the Colombian government their needs in the context of this pandemic.<sup>42</sup> We add our voices to those of other civil society organizations that have called on the government of Colombia to comply with these obligations.<sup>43</sup> We urge the UNP and all other entities of the Colombian

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<sup>36</sup> DEJUSTICIA, *supra* nota 14.

<sup>37</sup> INTER-AMERICAN COMMISSION ON HUMAN RIGHTS, *Resolution 1/2020: Pandemic and Human rights in the Americas* (Apr. 10, 2020) at 7, <http://www.oas.org/en/iachr/decisions/pdf/Resolution-1-20-en.pdf>. *See also*, IACHR, *Press Release 076/20: CIDH llama a los Estados de la OEA a asegurar que las medidas de excepción adoptadas para hacer frente la pandemia COVID-19 sean compatibles con sus obligaciones internacionales* (Apr. 17, 2020), <http://www.oas.org/es/cidh/prensa/comunicados/2020/076.asp>.

<sup>38</sup> Including, among others: right to life, the right to personal integrity and the prohibition against torture and cruel, inhumane, or degrading treatment. IACHR Statement, *supra* note 37

<sup>39</sup> IACHR Resolution 1/2020, *supra* note 37 at 7.

<sup>40</sup> IACHR Resolution 1/2020, *supra* note 37 at 6; IACHR Statement, *supra* note 37.

<sup>41</sup> IACHR Resolution 1/2020, *supra* note 37 at 6, 11.

<sup>42</sup> *See* ETHNIC COMMISSION FOR PEACE AND THE DEFENCE OF TERRITORIAL RIGHTS, *Letter to President Duque Ref.: Rights of Ethnic Peoples in the Context of the Current Pandemic/Application for assistance from Cuba* (Mar. 30, 2020), <https://colombiapace.org/wp-content/uploads/2020/04/TRANSLATED-Carta-001-A-Presidente-Ivan-Duque-de-Comision-Etnica-frente-a-Pandemia-30-03-2020.pdf>; CHOCÓ INTER-ETHNIC SOLIDARITY FORUM (FISCH), *In the Midst of the COVID-19 Pandemic, Chocó insists on a Negotiated Exit to the Armed Conflict* (Mar. 31, 2020), <https://colombiapace.org/wp-content/uploads/2020/04/In-The-Midst-Of-The-Covid-19-Pandemic-Chocó-Insists-On-A-Negotiated-Exit-To-The-Armed-Conflict-1.pdf>; MESA PERMANENTE DE CONCERTACIÓN DE LOS PUEBLOS INDÍGENAS DE CHOCÓ, COORDINACIÓN REGIONAL DEL PACÍFICO, Y COMISIÓN INTERÉTNICA DE LA VERDAD DEL PACÍFICO, *Carta abierta al Presidente Iván Duque Márquez: El Pacífico quiere vivir en paz* (Apr. 7, 2020), <https://verdadpacifico.org/presidente-duque-el-pacifico-quiere-vivir-en-paz/>. *See also*, Sánchez-Garzoli *supra* note 29.

<sup>43</sup> AFP, *Organizaciones de DD.HH. piden al gobierno proteger a líderes sociales durante la pandemia*, EL ESPECTADOR (Mar. 26, 2020), <https://www.elespectador.com/noticias/nacional/organizaciones-de-ddhh-piden-al-gobierno-proteger-lideres-sociales->

government charged with guaranteeing the life, integrity, and security of defenders, social leaders, journalists, and communities:

- Ensure that all active protection schemes are implemented in accordance with the requests of the beneficiaries, regardless of measures taken to prevent the spread of COVID-19. Respect and comply with precautionary measures issued by the IACHR and/or by land restitution judges. Establish protection measures that are congruent with the risk as determined by the CERREM, regardless of their cost.
- Adequately account for the context of the pandemic and obligatory social isolation measures at every stage of the UNP process. Develop and apply a systematized approach to reevaluating the needs of existing protection schemes to account for the changing panorama of risk during the COVID-19 state of emergency. Maintain open lines of communication with the beneficiaries and their representatives before the UNP and/or IACHR.
- Urgently mandate protocols that allow the members of the Committees for the Risk Evaluation and Recommendation of Measures (CERREM) to resume their activities as soon as possible. To the extent that the CERREM are going to conduct virtual or alternative meeting formats, ensure that the technology utilized is adequate to protect the privacy of applicants and beneficiaries. Additionally, offer applicants and beneficiaries the option of proceeding with meetings under alternative and/or virtual protocols, or waiting until the situation is normalized and the CERREM can resume its habitual protocols. Mandate protocols that allow the CERREM to convene rapidly in emergency situations; immediate action is essential given the nature of their responsibilities.
- Request that the appropriate government entities authorize protocols that create the necessary conditions, grant the necessary permissions, and facilitate the ability of civilian state agencies including the Ombudsman's Office, as well as staff of the Office of the High Commissioner for Human Rights, can travel to the territories to undertake essential tasks such as verification missions, especially in situations of emergency.
- Review all applications for protection schemes received and conduct the processes of risk evaluation and adoption of security measures in a timely and adequate fashion, despite quarantine. These duties must be considered essential and must continue despite quarantine and work limitations. We also emphasize the importance that the *National Committee on Security Guarantees* and the *Inter-sectoral Commission for Rapid Response to Early Alerts* continue to exercise their activities in the context of the State of Emergency.
- Administer all material support required under active protection schemes.
  - Maintain postings of assigned bodyguards during quarantine, with obligatory security and health measures. Cover not only their salaries but all the daily expenses necessary to fulfill their functions under this new context; as the case of Arley Enrique Calar Rentería demonstrates, bodyguards also run risks in their work defending defenders and social leaders. Under no circumstance should bodyguards be sanctioned by the State, under the guise of the State of Emergency, for complying with their duties as authorized under a security scheme.

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durante-la-pandemia-articulo-911418; Amnistía Internacional (Apr. 17, 2020), <https://twitter.com/amnistiaespana/status/1251072630586773504>.

- For at-risk populations in the territories, administer the necessary material such that they can have guaranteed communication. For example, cellular phones with minutes and with signals in the places where the population is located, the availability of ‘Vive Digital’ posts, radio communication networks, or similar resources.
  - Guarantee appropriate Personal Protective Equipment (PPE) for the members of the indigenous and Cimarron guard who are currently undertaking territory control activities in the context of the State of Emergency, as well as for UNP-assigned body guards. This equipment includes: face masks, gloves, and alcohol-based hand sanitizer, as well as thermometers to monitor temperature.
  - Maintain the assignments of cars despite the measures of obligatory social isolation.
  - Regarding the monthly quota allotted for gas that is assigned with security schemes, any amount that is not spent in its totality due to reduction in movements resulting from the restrictions, should roll over and accumulate in the quota for the next month for each scheme, given that, after the obligatory social isolation ends, activities will increase and this will allow help the beneficiaries to return to fulfilling their functions.
- Respect and comply with collective protection mechanisms in equal conditions to individual protection mechanisms. Comply with Decree 2078 of 2017 regulating the ‘Route for Collective Protection.’ Regarding the implementation of collective protection measures, give special recognition to self-protection strategies developed by ethnic and *Campesino* communities, prioritizing their capacities and strategies.
  - With regards to collective mechanisms granted to ethnic communities—including indigenous, black, afro-descendant, *raizal*, and *palenquero* communities—consult and coordinate with ethnic authorities in both rural and urban settings to develop and implement measures to protect the community in the context of the pandemic.
  - In cases of collective measures granted to indigenous communities and/or measures granted to indigenous leaders, including members of the indigenous guards, consider the additional risk that arises from exercising territorial control in the current context of State of Emergency and pandemic. Consult with community authorities, indigenous guards, and/or the organizations that represent them, and arrange such additional measures as may be necessary to guarantee their protection and/or security in the exercise of territorial control in the context of the pandemic.
  - In accordance with IACHR Resolution 1/2020, request on behalf of the UNP that the relevant government institutions: “*Refrain from restricting the work and movement of journalists and human rights defenders, who perform a key function during a public health emergency by reporting on and monitoring the actions of the State . . . Ensure that human rights defenders are able to perform their defense and information work during the pandemic. Refrain from going after or detaining human rights defenders on account of the oversight they provide of the State’s actions regarding the pandemic and possible violations of fundamental rights; this includes not bringing civil or criminal actions against them because of their opinions, not detaining them on the basis of overly broad or ambiguous criminal charges, and not exposing them to the risk of being attacked, in person or online.*”<sup>44</sup>

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<sup>44</sup> IACHR Resolution 1/2020, *supra* note 37 at 11-12.

- Work with the appropriate government authorities to develop alternative protocols to set the rules for the mobility of protected persons in the context of obligatory social isolation, in such a way that respects the collective public health needs, but also allows these vulnerable groups to continue fulfilling their essential work in accordance with IACHR Resolution 01/2020 and to vary their movements, in accordance with their risk profile.
- Monitor the administration of essential humanitarian aid from the Colombian government, including Personal Protective Equipment (PPE) and food, to the beneficiaries. Monitor whether the beneficiaries are receiving humanitarian aid equal to that of all other Honduran citizens, and ensure there is no discrimination in the treatment of the beneficiaries. The IACHR has emphasized the importance that States “[e]nsure non-discriminatory, equitable access to health facilities, goods and services.”<sup>45</sup> Request, on behalf of the UNP, that the relevant government institutions administer PPE and food assistance to the beneficiaries without discrimination.
- Monitor the humanitarian needs of those protected by the UNP in the context of this health emergency. Intervene with other government agencies to relay the differential needs of the beneficiaries as particularly vulnerable groups. Request that the corresponding government agency authorize humanitarian aid designated for protected persons and collectives.
- When undertaking all of these actions, take into account the ways in which: (1) ethnic communities (2) rural, *Campesino*, and displaced populations; and (3) women defenders and social leaders are all differentially impacted by identified risks, including risks related to the COVID-19 crisis. In this sense, the following protocols apply: with regards to indigenous communities, afro-Colombian communities, black communities, *raizales* communities, and *palenquera* communities, Decrees 4633 and 4635 of 2011; with regards to women defenders, Interior Ministry Resolution 805 of May 14, 2012; and with regards to *Campesino* populations, the UNP special protocol on *Campesino* populations.
- Take all steps outlined in this letter, as well as all the specific steps related to the cases presented in the Confidential Appendix, to ensure the integrity, security, lives, and well-being of defenders, social leaders, and at-risk communities.

We also urge certain entities copied on this letter, to take the following actions in order to ensure that the UNP can exercise its functions and to complement the work of the UNP, to the benefit of the protection of the beneficiaries:

- We urge that the Ministry of Finance and the Ministry of the Interior increase the Unit’s budget as necessary to achieve full protection for social leaders at risk.
- We urge the Ministry of the Interior, to comply with its legal duties to guarantee the rights of the beneficiaries, for example, adopting emergency collective protection measures, which could be of significant support for social leaders.
- We urge the National Officer of the Prosecutor to implement an emergency plan under which investigations against social leaders should be prioritized and should be conducted swiftly. We urge the Office of the Prosecutor to create a group of prosecutors whose work would have

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<sup>45</sup> IACHR Resolution 1/2020, *supra* note 37 at 8-9.

the sole object of processing these cases, in order to administer justice and to avoid the commission of further violations against social leaders.

Finally, we impress upon the UNP, and all other government institutions copied, that it is of the utmost importance that the implementation of the 2016 Peace Agreement, including the Ethnic Chapter, continues to move forward despite the context of the COVID-19 pandemic. We remind the UNP and the Colombian government in general that the Peace Agreement contains measures essential to insuring the safety, integrity, and well-being of communities, defenders, and social leaders.

The following organizations express support for this letter, and identified the representative cases where urgent UNP action is required and/or contributed to the development of the petitions:<sup>46</sup>

- (1) Asociación Nacional de Afrocolombianos Desplazados (AFRODES)
- (2) Amnesty International
- (3) Colectivo de Abogados José Alvear Restrepo (CAJAR)
- (4) Colombian Human Rights Network
- (5) Comunidad de Juristas Akubadaura
- (6) Comisión Intereclesial de Justicia y Paz
- (7) Corporación Colectivo Sociojurídico Orlando Fals Borda
- (8) The Committee to Protect Journalists
- (9) Corporación Jurídica Libertad (CJL)
- (10) Corporación Claretiana Normán Pérez Bella
- (11) Corporación Jurídica Yira Castro
- (12) Corporación Regional Yariguies CRY-GEAM
- (13) Corporación San Silvestre Green
- (14) EarthRights International
- (15) Guardianes Espejos del Agua, Flora y Fauna
- (16) Front Line Defenders
- (17) Fundación Comité de Solidaridad con los Presos Políticos
- (18) Fundación Forjando Futuros (Director Gerardo Vega Medina)
- (19) Latin American Working Group (LAWG)
- (20) Organización Nacional Indígena de Colombia -ONIC
- (21) Washington Office on Latin America (WOLA)

The following organizations express their concern over the situation of defenders, social leaders, journalists, at at-risk communities, especially the ethnic communities, *campesino* communities, and displaced communities. They urge the UNP to comply with the general petitions identified in this letter.

- (22) Abogados y Abogadas para la Justicia y los Derechos Humanos
- (23) Amazon Watch
- (24) Amigos del Río San Rodrigo, A.C.
- (25) Anne Jamison, PHD Candidate, University of Wisconsin-Madison

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<sup>46</sup> Note that the presentation of cases by an organization does not necessarily mean that the organization represents the case before the UNP, as they may work with the case in other contexts. The UNP should contact beneficiaries and their representatives before the UNP and/or IACHR directly to discuss the particulars of their case.

- (26) Arturo J Carillo, Professor of Law, Director of the International Human Rights Clinic at the George Washington University Law School
- (27) Asociación Interamericana para la Defensa del Ambiente (AIDA)
- (28) Astrid Milena Bernal Rubio, environmental and human rights lawyer
- (29) Canadian Lawyers for International Human Rights
- (30) Carlos Luis Escoffié Duarte
- (31) Chicago Religious Leadership Network on Latin America (CRLN)
- (32) Christian Peacemaker Teams – Colombia
- (33) Centro de Alternativos al Desarrollo (CEALDES)
- (34) Center for Justice and Accountability (CJA)
- (35) Centro de Estudios para la Justicia Social Tierra Digna
- (36) Centro por la Justicia y el Derecho Internacional (CEJIL)
- (37) Cesar Nicolás Mendoza González
- (38) Claudia Julieta Duque, journalist and human rights defender
- (39) International Human Rights Clinic, University of Virginia Law School (Director: Nelson Camilo Sánchez León)
- (40) Human Rights Clinic, Guadalajara University
- (41) Comité Municipal de Derechos Humanos de Sábana de Torres
- (42) Comunidades Sembradoras de Territorios Aguas y Autonomías – Comunidades SETAA / Movimiento colombiano Ríos Vivos
- (43) Colombian Action Solidarity Alliance (CASA)
- (44) Colombia Human Rights Committee
- (45) Comunicación y Educación Ambiental S.C.
- (46) Coordinadora de Organizaciones Populares del Aguán (Honduras)
- (47) Corporación Arlequin y los Juglares
- (48) Corporación Opción Legal
- (49) Corporación para la Defensa y promoción de los derechos humanos y la Justicia Global – Justicia Global
- (50) Corporación Observatorio Desarrollo Territorial
- (51) Corporación Trabajadores por la Tierra
- (52) Dejusticia
- (53) Derechos Humanos sin Frontera Honduras
- (54) Earthjustice
- (55) Elizabeth Medina
- (56) Environmental Investigation Agency – US
- (57) Environment-right.org
- (58) Fellowship of Reconciliation: Peace Presence
- (59) FIDH, en el marco del Observatorio para la Protección de los Defensores de Derechos Humanos
- (60) Forest Peoples Programme
- (61) Foundation for Fundamental Rights
- (62) Francisco Hernando Vanegas Toro
- (63) Fundación Comunidades Unidas de Colombia
- (64) Fundación Sumapaz
- (65) Global Witness
- (66) Green Advocates International
- (67) Héctor David Suárez Rodríguez, Human Rights Defender and Afro-Colombian and LGBTI activist

- (68) Helena Alviar, Profesor at Sciences Po, Paris
- (69) Iglesia Evangélica Jesús es la Respuesta para su Vida
- (70) Instituto Popular de Capacitación – IPC
- (71) International Indigenous Peoples Movement for Self-Determination and Liberation (IPMSDL)
- (72) International Institute on Race, Equality and Human Rights
- (73) International Rights Advocates
- (74) International Service for Human Rights (ISHR)
- (75) Isabel C Jaramillo Sierra, University of Los Andes
- (76) Itza Castañeda
- (77) John A. Cárdenas
- (78) Jonathan Fox, Accountability Research Center, American University
- (79) Land is Life
- (80) Leila Celis
- (81) Leonardo González, Project Coordinator at INDEPAZ
- (82) María Cárdenas
- (83) Mariana Diaz Chalela, PHD candidate, Yale University
- (84) Mario Gómez, International Centre for Ethnic Studies, Sri Lanka
- (85) Mateo Castillo Ceja
- (86) Movimiento Nacional Ambiental
- (87) Movimiento Nacional de Víctimas de Corporaciones Multinacionales (M.N.V.C)
- (88) Network in Solidarity with the People of Guatemala (NISGUA)
- (89) Not1More
- (90) Organización Mundial Contra la Tortura (OMCT), en el marco del Observatorio para la Protección de los Defensores de Derechos Humanos
- (91) Plataforma Agraria de la Región del Bajo Aguán (Honduras)
- (92) Presbyterian Peace Fellowship
- (93) Projet Accompagnement Solidarité Colombia PASC-Canada
- (94) Projet d'accompagnement solidarité Colombie
- (95) Recourse
- (96) Robert F. Kennedy Human Rights
- (97) Samuel Arregoces Pérez, Tesorero del Consejo Comunitario Negro Ancestrales de Tabaco, Guajira
- (98) Santiago Virgüez, SPILS fellow at Stanford Law School
- (99) Sergio Chaparro Hernández, Investigator
- (100) Thomas Becker, Clinical Instructor, Harvard International Human Rights Clinic
- (101) United Church of Christ, Justice and Witness Ministries