



OIDHACO Newsletter

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Trade unionists in Colombia

The situation of trade unionists in recent months has been of **serious concern**. A number of cases have been registered of threats, assaults, murders and judicial set-ups; facts which have been massively reported both nationally and internationally. According to the National Labor School (*Escuela Nacional Sindical* - ENS), by 19 May they had **registered** 7 killings of union activists and leaders killed and 6 attacks. This list sadly just got longer and longer after what followed in May-June. To name a few of the many cases:

- [Luis Ever Bolaños Timaná](#) from Neiva, a member of the board of the Association of Rural Workers of Nariño (*Asociación de Trabajadores Campesinos de Nariño - Astracan*) from the Leiva Branch, a Fensuagro subsidiary, member of the Patriotic March (*Marcha Patriótica*) political and social movement and former Patriotic Union candidate for Congress for Nariño, suffered a **judicial set-up** on 17 March when he was arrested after being harassed and followed by members of the State security forces.
- On April 16, 2014 there was an **attack** against the [offices of SINTRAEMCALI](#). The security guard at the offices saw four individuals throwing firebombs at the building. Also, on May 21, a **vehicle was destroyed** which belonged to [José Ernesto Reyes](#), vice president of SINTRAEMCALI.
- Leaders from [Sintrahospitalclínicas](#) reported receiving **telephone threats**.
- On May 9, [Tomás Rodríguez Cantillo](#) was **killed**. He was a member of the CUT and negotiator on the Candelaria palm oil plantation in the municipality of Ciénaga, in the Magdalena department.
- On April 30, [Martha Díaz](#), department president of ASTDEMP, received a **death threat in which she was declared a military target and public enemy of the Rastrojos and Urabeños**.
- On May 15, [Alejandro Castro Peñalosa](#), USO leader in Barrancabermeja, was the victim of a **shooting attack** while he was traveling on a motorcycle.
- On May 16, two unknown men **attempted to assassinate** [Luis Plaza Velez](#), Secretary General of the CUT Bolivar Sub-Office in Cartagena.
- On May 16, **four young men were killed**, with firearms after a series of irregular military actions against civilians by the Army. The four men were indigenous (Brayan Yatacue Secue),

afro descendant (José Yiner Esterilla), and farmers (José Antonio Acanamejoy and Deivi López Ortega, the latter a minor). All were members of Fundaprogreso, a subsidiary of [Fensuagro-CUT](#) (National Agricultural Federation of Trade Unions - *Federación Nacional Sindical Agropecuaria*), a member organisation of Movice.

- On June 16, [José Onofre Esquivel Luna](#), Vice President of the Sinaltrainal Office in Bugalagrande and worker of the Nestlé SA multinational in Colombia, was the **victim of an attack**, when traveling in the car assigned to him as part of his protection scheme in Medellín. His bodyguards reacted and after an exchange of fire, one of the attackers was killed, another wounded and captured by the authorities, while the other assailants apparently escaped. The driver of a public bus, that was passing by at the time of the attack, was injured. This was condemned by members of the European Parliament ([MEPs](#)).

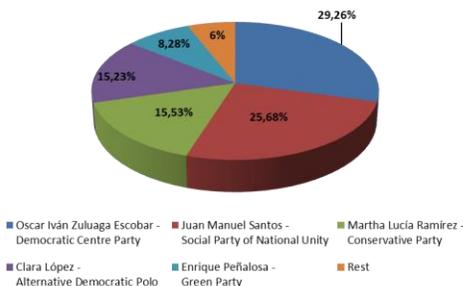
Oidhaco calls upon the Colombian government to guarantee labour rights and the work of union leaders in Colombia.

The International Office for Human Rights - Action on Colombia - OIDHACO

A network of 35 organisations based in the EU Member States, Switzerland and Norway, working with the four main coordination groups of Human Rights, Development and Peace organisations in Colombia. Based in Brussels, OIDHACO promotes the Rule of Law, democracy, and comprehensive respect for human rights, peace and sustainable development in Colombia.

The elections and the peace process

May and June were months of elections in both Colombia and Europe.



On May 25, the first round of the Colombian presidential elections was marked by a high rate of abstention, at around 60%. At that time, Oscar Iván Zuluaga Escobar of the Democratic Centre Party gained the most votes with 29.26% and Juan Manuel Santos of the Social Party of National Unity took 25.68%. The second round on June 15 saw the re-election of President Juan Manuel Santos with 50.95% of votes against Oscar Zuluaga (45%).

Oidhaco has echoed the views of [Colombian civil society](#), by highlighting the importance that the President goes ahead with the peace negotiations with the Revolutionary Armed Forces of Colombia (FARC) and the National Liberation Army (ELN), and seeks the true participation of victims and a rapid bilateral ceasefire. Moreover, Oidhaco has insisted that effective measures must be taken to guarantee work to defend human rights and the right to social protest.

On the European side, on May 25, new members of the [European Parliament](#) were elected with 43.09% voter participation. [Oidhaco](#) and the Platform for Peace and Human Rights in Colombia, ([Plataforma por la paz y los Derechos Humanos en Colombia](#)) called upon the newly-elected MEPs to support the peace process and to pay particular attention to the situation of human rights in Colombia, taking into account trade relations with the European Union - including the adoption of the Free Trade

Agreement between the EU and Colombia / Peru.

The result of the elections in Colombia suggests the continuation of **peace negotiations with the FARC**. On May 16, the government and the guerrillas reached an [agreement](#) on the fourth item on the agenda: "**Solving the problem of illicit drugs**". They agreed on three sub-items: 1) programs for the substitution of illicit crops. Comprehensive development plans with community participation in the design, implementation and evaluation of substitution programs and environmental recovery of areas affected by such crops; 2) programs for prevention and public health; 3) Solution to the phenomenon of production and marketing of narcotics. This agreement was supported and endorsed at the international level by several entities, including the [United Nations](#). As the process continues, civil society as well as [many intellectuals](#) are calling on the actors in the armed conflict to declare a bilateral ceasefire.

On June 7, the Colombian government and the FARC issued a [statement of principles](#) to address the following item on the agenda: namely victims. In this declaration, among other things, the parties recognize the victims, their rights and the need for their participation. While the declaration recognizes responsibilities towards victims and states that impunity-sharing will not be sought, [Amnesty International](#) reports that there is no commitment in the statement to bringing to justice those responsible for crimes against humanity.

The same declaration announces the creation of a technical subcommittee in order to initiate discussions on the "End of the Conflict" as well as a gender subcommittee to review and ensure that the agreements reached and any eventual final agreement have an adequate gender focus.

In order to continue building a unified peace, various left-wing social and political movements have created the [United Front for Peace in Colombia](#) (*Frente Amplio por la Paz de Colombia*), for peace with social and environmental justice, which is supported by the National Indigenous Organisation of Colombia ([Organización Nacional Indígena de Colombia](#)), as well as 110 communities grouped in [CONPAZ](#) - who have also proposed a Pact for Peace.

On June 10, the government and the ELN announced the start of an [exploratory process](#) for peace negotiations, which began in January 2014. [Oidhaco](#) congratulates the parties for the beginning of the process and looks forward, as in the process with the FARC, to an agreement for

a true and lasting peace with social justice. Although "the announcement also suggests that the parties still have a long way to go before formal negotiations can be [opened](#)" we hope for the rapid formalization of the conversations and real progress. Oidhaco has also reiterated that talks with the FARC and the ELN are just a step towards the peace building process, which also requires that the Colombian State seeks to resolve the structural causes that maintain inequality, and dismantles paramilitary structures who remain one of the biggest perpetrators of crimes against human rights defenders. It is therefore essential that the proposals of Colombian civil society are taken into account in these fora.

Some important upcoming dates for the diary

20 July: Colombian Independence Day.

15-20 July: commemoration of the Mapiripán Massacre in 1997.

9 August: International Day of Indigenous Peoples.

23-31 August: Delegation of the Caravana of Jurists to Colombia.

30 August: International Day for Victims of Forced Disappearance.

See [report](#) in French on the **international visit to Colombia of Christian Action for the Abolition of Torture (ACAT - Action des Chrétiens pour l'Abolition de la Torture)** from April 29 to May 12. Also versions in [Spanish](#) by several organisations from the Colombian Coalition against Torture (*Coalition Colombiana contra la Tortura*) and their [executive summary report](#).

	EPP Group of the European People's Party (Christian Democrats)	221 29.43 %
	S&D Group of the Progressive Alliance of Socialists and Democrats in the European Parliament	191 25.43 %
	ECR European Conservatives and Reformists	70 9.32 %
	ALDE Alliance of Liberals and Democrats for Europe	67 8.92 %
	GUE/NGL European United Left/Nordic Green Left	52 6.92 %
	Greens/EFA The Greens/European Free Alliance	50 6.66 %
	EFDD Europe of freedom and direct democracy	48 6.39 %
	NI Non-attached Members - Members not belonging to any political group	52 6.92 %

All sources can be seen in the digital version of the newsletter.

See [Oidhaco website: www.oidhaco.org](#)

220,000 more people forcibly displaced in Colombia

According to the [report](#) of the Norwegian Refugee Council (NRC) and the Internal Displacement Monitoring Centre (IDMC), 63% of IDPs in the world are from five global conflict-affected countries: Syria, Colombia, Nigeria, Democratic Republic of Congo and Sudan. According to the latest [report](#) from the Consultancy for Human Rights and Displacement (*Consultoría para los Derechos Humanos y el Desplazamiento* - CODHES), in 2013 about 6 million people had been registered as internally displaced by war, violence and human rights violations in the Americas, including 5.7 million in Colombia since 1985. According to Codhes, the number of victims of forced displacement in Colombia in 2013 increased to at least 219,405 (confirming the annual average of 180,000 per year for the past five years), although the figure could be higher due to the lack of registration of many people. Between 1985 and 2013 Colombia registered 5,921,229 victims of displacement, which situates it as the country with the second highest number of forcibly displaced people in the world after Syria, far surpassing Congo, Sudan and Iraq.

It is important to note that in July 2013, the Constitutional Court ruled on the need for the inclusion of victims of displacement caused by organized crime and paramilitary groups in the register of the Victims Unit.

The systematic and ongoing displacement over the decades has apparently led the country to become accustomed to the phenomenon and to refuse to recognize that warmongering policies, behind which lurk economic interests, are the reason for this humanitarian catastrophe. According to the NRC and IDMC, Colombia improved local integration and return for IDPs, via the Victims Law of 2011 and progress made in the land restitution process, however, the decisions of specialized judges are very scarce. Many land restitution leaders face threats and attacks from the same people who displaced them. The 2013 strikes also drew attention to the sustainability of returns to rural areas for the displaced.

In 2013, displaced people had been registered in 73.3% of the municipalities of the country, concentrating in the Pacific region (40% of IDPs). The most significant increases in numbers of cases were intra-urban displacements, especially in Buenaventura, Tumaco and Medellín.

The department of Valle del Cauca was top of the list, increasing from 17,489 displacements in 2011 to 32,892 in 2013. Antioquia still accounts

for 13.3% of IDPs in the country. Analysing the dynamics of displacement, CODHES noted that in 7 out of 10 municipalities displacements occurred during 2013. Bogotá became once again the city with the most arrivals, with more than 25,506 people (11.6% of IDPs in the country). 34 cities, not all provincial capitals, receive 61.1% of the displaced population. According to Codhes, this should imply different strategies for institutional organisation in terms of registration, care, reparation and the restoration of rights to the affected population. The offices for the care and monitoring of the victim population should be located in the municipalities that receive displaced people, rather than the departmental capitals.

Data on the ethnicity of the displaced population remains fragmented, and a large proportion of the communities, especially indigenous people, do not register with the Unit for Victims Care and Comprehensive Reparation (*Unidad para la Atención y reparación integral a las Víctimas* - UARIV).

The internal armed conflict continues to be the immediate factor in displacement, highlighting the need for peace, as well as economic interests in territories where activities are planned related to mining, the exploitation of large lawful or unlawful monocultures and the construction of public infrastructure. Codhes also noted some changes with regards to previous decades with the urbanization of the conflict, the transformation of armed groups and an increase in the incidence of widespread violence as a factor in displacement. According to NRC and IDMC, even if peace accords are signed with the FARC, insecurity and crime in Colombia will require long-term international attention.

Most cases of displacement have been individual or in small groups, but in 2013, 145 cases of mass and multiple displacement were observed, with around 29,617 people affected, mostly in Antioquia, Cauca, Chocó, Córdoba, Nariño and Valle del Cauca. Oidhaco believes it is necessary for the international community to pay greater attention to the Colombian displaced population, which seems to be a forgotten phenomenon in the current relations between the EU and Colombia.

Criminalization of social protest

The wave of social protests in 2013 has continued in 2014. Due to the lack of compliance by the national government with agreements reached in 2013 in order to bring to an end multiple strikes, the different sectors of the civilian population gathered in the [Farming, Ethnic and Grassroots Agrarian Summit](#) to express their discontent. From April 28 to May 10, marches were held in different parts of the country. Although the government's response was swift and negotiations and [agreements were achieved](#), State repression was strong with "harassment, stigmatization, arbitrary detention, photographic recording, obstructing the free movement of vehicles and delegations of protesters".

In the midst of this social mobilization, many human rights were also violated in connection with the [1 May demonstration](#), held in different regions of the country.

Oidhaco reiterates its concern, as communicated to Maina Kiai, Special Rapporteur on Freedom of Association and Peaceful Protest, about the criminalization of social protest and violent repression during these events.



United Nations Human Rights Council

The 26th session of the United Nations Human Rights Council (HRC) from June 10 to 27 ended the mandate of Navi Pillay, as High Commissioner for Human Rights. Jordanian Prince Zeid Ra'ad Zeid Al-Husseini will replace her in this position to defend human rights worldwide. Reports from the Special Rapporteurs on extrajudicial executions, freedom of association and freedom of expression, violence against women, independence of judges and lawyers, internally displaced population, among others, were presented. The Permanent Mission of Colombia emphasized Colombia's respect for press freedom and the protection of journalists, the inclusion of a chapter on business and human rights in Colombia's public policy on human rights, the fight against discrimination of women in law and in practice. However, according to the Foundation for Press Freedom (*Fundación para la Libertad de la Prensa*) in 2013 two [journalists](#) were killed, 36 assaulted, 75 threatened and 55 saw their work obstructed. In the first months of 2014, 28 journalists were assaulted, 36 threatened and 44 had their work obstructed. According to [ABColumbia](#), a member of Oidhaco, government policies aimed at the rapid expansion of the extraction of natural resources enter into conflict with policies for the protection of environmentally sensitive areas, the rights of small farmers, indigenous peoples and afro-Colombians, the restitution of land and protection of agricultural areas. As explained by [Oidhaco and the Colombia-Europe-United States Coordination Group \(Coordinación Colombia Europa Estados Unidos - CEEUU\)](#), there are multiple links between the activities of extractive industries and the violation of the human rights of the Colombian population. Also, according to [Colombian women's organisations](#), "Colombia is a country with many laws, but some of them are poorly implemented. [...] There are deep contradictions between the public powers, which means that in some cases, each of them has a different position on crucial issues in the lives of women". Moreover, the Human Rights Ombudsman's Office intervened on [internal displacement acknowledging its persistence and the challenge posed to Colombia](#). Lawyers for Lawyers and Lawyers Rights Watch Canada reported on the lack of prevention or punishment regarding [killings of lawyers](#), especially the worrying situation in the department of Valle del Cauca and impunity in these cases.

From June 23 to 27 the **Week of mobilization against Impunity for Transnational Corporations** was organized. Some 150 organisations - including Oidhaco - around the world signed a declaration calling on UN States

to create a **binding international instrument** to complement the UN Voluntary Principles on Business and Human Rights (Ruggie Principles) and the organisation of a **Peoples' Permanent Tribunal** for the reparation of victims of human rights violations committed directly or indirectly by companies. On June 26, the Human Rights Council adopted, with [20 votes in favour and 14 against](#), the [resolution](#) proposed by Ecuador, South Africa, Bolivia, Venezuela and Cuba. This resolution plans to create an intergovernmental group charged with drafting a proposal for a binding instrument for the 31st session of the HRC. The clear message sent by European countries who voted against the resolution is worrying.

On June 11, [Vice President Garzón](#) - complying with a court order of April 11, 2014 - **apologized** on behalf of the Colombian State, to the **trade union organisations Sintraemcali, Sintrateléfonos Bogotá and Sintraunicol for offences in 2007** when several of its leaders were falsely accused by national government officials of being guerrillas.

A CUT delegation travelled to Geneva for the **103rd ILO International Labour Conference** to [insist](#) that Colombia be included in the list of the countries examined specifically, to assess among other things, the implementation of the recommendations from their mission to Colombia in February 2011. Colombia once again found itself among [the list of 25 cases](#) to be considered by the ILO. During the same conference, the [presidents of the CUT, CGT and CTC](#) presented serious breaches by the Colombian government of its obligations under the Convention 81 relating to inspection at work.



Jürgen Klute - ©European Parliament

Colombia and Europe

On May 6 and 7, the 35 members of the **Oidhaco network**, accompanied by two human rights defenders and representatives of Colombian civil society coordination groups, namely Diana Sánchez of the Minga Association (*Asociación Minga*) representing the Colombia-Europe-United States Coordination Group and Jomary Osorio Ortégón from the José Alvear Restrepo Lawyers Collective (*Colectivo de Abogados José Alvear Restrepo*) representing the Colombian Platform for Human Rights, Democracy and Development (*Plataforma Colombia de Derechos Humanos, Democracia y Desarrollo*), met in Brussels for its [General Assembly](#), which concluded with a number of concerns: the increase of attacks against defenders human rights in Colombia and the persistence of almost complete impunity, the great social and environmental conflicts that occur around the large-scale extraction of natural resources, the peace process as well as the silence of the European Union against violations of human rights in Colombia.

From May 12 to 14, the [European Forum for an Instrument for Democracy and Human Rights](#) was held in Brussels, with the participation of many national and international organisations and human rights defenders from all over the world. Jomary Ortégón was invited to discuss extrajudicial executions.

The German MEP [Jürgen Klute](#), from the United Left, visited Buenaventura, Cali, the Cerrejon coal mine in La Guajira, the city of Valledupar and Bogota where he also met with government representatives. "**Human, social and trade union rights are still worth less in Colombia than large-scale interests**". "Colombian civil society is well organized but its voice is systematically ignored in favour of power. During my discussions with trade unions, NGOs, aid agencies, opposition parties and institutions strengthening peace I have perceived a very different view of Colombia than that transmitted to me by the authorities and [companies](#)".

On May 17, the Colombian Constitutional Court ([Corte Constitucional](#)) declared **unconstitutional the decree that allowed the provisional application of the FTA** between the EU and Colombia from August 1st. This legal decision gives the Colombian State six months to make the necessary changes. **Oidhaco welcomes this decision which shows that governments seek to hastily adopt measures - without respect for national control mechanisms - to promote business while failing in practice to recognise human rights.**