

## Open Letter to Martin Schulz, President of the European Parliament, following his visit to Colombia

Brussels, February 21, 2013

Dear Mr. Martin Schulz:

The undersigning organizations would like to acknowledge your visit to Colombia in capacity as the President of the European Parliament, as we see it as a sign of Colombia's importance to the European Parliament.

We would also like to commend your public support for the current peace process being carried out between the Juan Manuel Santos Calderón administration and the FARC- EP, as well as your call for the release of hostages held by the guerrilla. Indeed, as human rights and social organizations we have been insisting on the need for EU accompaniment to the peace process in order to reach a long lasting peace with integral respect for human rights, despite the inherent challenges of the process .

However, we regret the lack of reference to the continued critical human rights situation in Colombia both in the February 15<sup>th</sup> 2013 statement regarding your visit and in your February 17<sup>th</sup> interview with the newspaper El Espectador.

As you mentioned in the statement about your visit, by ratifying the Free Trade Agreement with Colombia, the European Parliament committed itself to give a special follow-up to the *"respect of human rights and the environment"* by implementing the *"road map"* agreed upon for these issues. We would like to recall the 1<sup>st</sup> Article of the Agreement stating that the respect for fundamental rights is an essential element of the Agreement. These provisions additionally grant responsibility and legitimacy to the European Parliament to closely follow and speak out regarding the Colombian Human Rights situation where necessary. It should furthermore be noted that article 2§5 of The Treaty of Lisbon states, *"in its relations with the wider world, the Union (...) shall contribute to peace, security, the sustainable development of the Earth, solidarity and mutual respect among peoples, free and fair trade, eradication of poverty and the protection of human rights (...) as well as to the strict observance and the development of international law (...)"*.

Therefore, we would like to highlight the following elements that illustrate the critical human rights climate in Colombia and before which we believe that, as President of the European Parliament, it would have been necessary to publicly express your greatest concern for this situation.

- **In the month of January 2013 alone, according to the National Institute of Forensic Medicine, 950 cases of disappearances were reported. Of these 474 correspond to events that took place in the month of January** (273 men and 201 women). *"Most of these cases are related to kidnapping and forced disappearances"* <sup>1</sup>. According to the statistics from the National Institute of Forensic Medicine, up until August 31<sup>st</sup> 2012, the accumulative total of forcibly disappeared persons reached 18,638. It should be noted that there is an important underreporting of this crime.
- In its November 2012 report, the Office of the Prosecutor of the International Criminal Court stated that *"there is a reasonable basis to believe"* that acts constituting crimes against

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<sup>1</sup> [El Tiempo, 474 personas desaparecieron en el primer mes del 2013, February 5, 2013](#)

humanity and war crimes have been perpetrated by the different actors participating in the armed conflict (guerrillas, paramilitaries and state agents). These include murder (extra-judicial killings), forced disappearances and sexual violence carried out by organs of the State. Also included, among others, are murders, forced displacement, sexual violence, taking of hostages and the conscripting, enlisting and using of children by the FARC, ELN and paramilitary groups.

- The people who are mobilizing in this context continue to be victim of attacks:
  - **On February 13<sup>th</sup> the car used by priest Alberto Franco** of the Interchurch Commission of Justice and Peace (CIJP) **was shot with three bullets**. CIJP works for **land restitution** in various regions of the country and in favor of **truth, justice and historical memory**. The attack took place the same week as the Inter-American Court of Human Rights hearings regarding the Marino López case as well as other cases where CIJP represents the communities of Cacarica against the Colombian State.
  - **On February 12<sup>th</sup>, Omner Guejia Taquinás, indigenous leader of the Nasa Yu'luuḡxan community (Las Minas), was assassinated**. Omner Guejia was approached by a person riding a motorcycle who then shot him in the head.
  - **On February 11<sup>th</sup>, the human rights defenders Gloria Amparo Suárez and Yolanda Becerra Vega**, legal representative and national director of the Popular Women's Organization (OFP), **where threatened** by an unknown person riding a motorcycle. Over the last months, Yolanda Becerra Vega has played an important role in local and national organizing efforts around the implementation of victims' rights to **truth, justice and reparation**.
  - **On February 7<sup>th</sup>, Alba Mery Chilito, one of the grandmothers from the Trujillo Victims Association was killed**. Alba Mery was 68 years old. During the years of the Trujillo Massacre four of her family members, including her daughter, were disappeared and killed. Those four family members are part of the 342 victims of murders perpetrated between 1988 and 1994 by paramilitaries, drug traffickers and members of the Police and the Army. Alba Mery simply fought for the truth.
  - **On February 6<sup>th</sup>, Parliamentarian Iván Cepeda, announced the existence of a plan to have him assassinated**. Cepeda is **co-president of the Peace Commission** of the Colombian Congress. He also denounced ex president of Colombia, Álvaro Uribe, before the International Criminal Court (ICC).
  - **On January 24<sup>th</sup>, Martha Elena Díaz Ospina, founder and president of the Association of Families United by a Single Pain (AFUSODO) received a death threat** signed by the paramilitary group "Los Rastrojos". AFUSODO is an organization that helps the mothers of persons that have been victim of forced disappearance at the hands of the armed forces. Mrs. Díaz is also a member of the Atlántico chapter of the Movement of Victims of State Crimes (MOVICE).
- The attacks against unionists also continue:
  - **On January 30<sup>th</sup>, Elizabeth Gutiérrez was assassinated**. She was a teacher and an active union member.
  - **On January 28<sup>th</sup>, the unionist Juan Carlos Pérez Muñoz** was ambushed as he left his house heading to work. **Five hit men killed Mr. Pérez with seven shots**. He was helping to organize the sugar cane cutters to create a chapter of the National Agroindustrial Workers' Union (SINTRAINAGRO).

- **In January the president and treasurer of the National Union of Workers of the Coal Industry (SINTRACARBON)** both responsible for negotiating with Cerrejón received threats. The Colombian unionists Igor Díaz López y Aldo Raúl Amaya Daza have **received death threats** via telephone and have alerted to the presence of armed men near their homes.

The latest report issued by the 'We are defenders Program' (*Programa 'Somos Defensores'*), presented during your visit to Colombia, shows a dramatic increase in attacks against human rights defenders: in 2012 there were a total of 357 of individual attacks, which represents a 49% increase compared with 2011. Of these attacks, 69 were killings, 20 more than in 2011, almost one killing every five days.

In December 2012, as the European Parliament ratified the Free Trade Agreement, Colombia passed a constitutional reform – promoted by the Colombian government - extending the reach of the military criminal jurisdiction. This reform was adopted regardless of the statements made by recognized national and international organizations and strong questioning by numerous United Nations human rights mechanisms and the Inter-American Human Rights System, calling for its withdrawal.

As social organisations, as European and Colombian citizens, we consider that you, as President of the EP – a body that aspires to be a 'strong supporter of Human Rights', elected by European citizens - must not keep silent about the chilling human rights situation in Colombia.

We consider that the EU, in accordance with its fundamental values, must ensure the respect of universally recognized human rights and hence ensure that commercial interests do not take precedence in international relations with third countries. We are concerned about the silence of the EU against the countless human rights violations committed in Colombia on a daily basis in Colombia. We therefore hope that as President of the European Parliament, upon returning from Colombia, you will not ignore such violations nor the petitions from Human Rights defenders which continue to demand clear and decisive statements of support for their work from the EU and a rejection of all attacks carried out against them.

Sincerely,

### **European networks and NGOs**

- ABColombia (group of 5 five leading UK and Irish organisations)
- Centre National de Coopération au Développement-11 11 11 / CNCD-11.11.11 (Platform of about 90 development NGOs, trade unions and permanent education associations – Belgium)
- Grupo Sur (Network of 11 European NGOs)
- National Plataform for Peace and Human Rights in Colombia gathering 50 Spanish NGOs from:
  - Coordinación Valenciana de Solidaridad con Colombia (CEAR-PV, CEDSALA, CEPS, Colectivo Sur-Cacarica, Entreiguales-Valencia and la Intersindical Valenciana);
  - Coordinadora Catalana por la Paz y los Derechos Humanos en Colombia;
  - Kolektiba Colombia-País Vasco;
  - Mesa de Apoyo a la Defensa de los Derechos Humanos de las Mujeres y la Paz en Colombia;

- Plataforma Andaluza de Solidaridad con Colombia;
- Plataforma Asturiana por la Paz y los Derechos Humanos en Colombia;
- Plataforma Justicia por Colombia (CEAR, Paz con Dignidad, IEPALA, MUNDUBAT, Ecologistas en Acción, OSPAAAL, Comité Oscar Romero de Madrid),
- Red Canaria por los Derechos Humanos en Colombia
- ODHACO - International Office for Human Rights – Action on Colombia (network of more than 30 European organisations from 9 EU Member States, Switzerland and Norway)
- Platform of European Development Organizations in Colombia – PODEC
- Taula Catalana per la Pau i els Drets Humans a Colòmbia (Estado Español)
- Action des chrétiens pour l'abolition de la torture – ACAT (France)
- CCFD (France)
- Center for Research and Documentation Chile-Latin America (Germany)
- Christian Aid (UK and Ireland)
- Colectivo Maloka Colombia (Spain)
- Colectivo de Mujeres Refugiadas y Exiliadas en España (Spain)
- Conexx Europe (Belgium)
- Cooperaccio (Spain)
- Cordaid (Netherlands)
- Fundación Mundubat-Mundubat Fundazioa – (Spain)
- Grupo Colombia - Kolumbiengruppe e.V (Germany)
- IEPALA (Spain)
- Informationsgruppe Lateinamerika - Grupo de Información sobre América Latina\* (IGLA), (Viena, Austria)
- Iniciativa Solidaria Internacionalista de Burgos (Spain)
- Intal (Belgium)
- Internationaler Versöhnungsbund Öster. Zweig - Movimiento Internacional de Reconciliación (Austria office)
- kolko - Menschenrechte für Kolumbien (Germany)
- Observatorio por la Autonomía y los Derechos de los Pueblos Indígenas en Colombia (Estado Español)
- Protection International
- Soldepaz Pachakuti (Spain)
- Solidarité Socialiste (Belgium)
- Swedish Fellowship of Reconciliation / SweFOR (Sweden)
- Transnational Institute - TNI (Netherlands)

### **Colombian networks and NGOs**

- Alianza de Organizaciones Sociales y Afines por una Cooperación Internacional para la Paz y la Democracia en Colombia (network of 125 organisations)
- Asamblea Permanente de la Sociedad Civil por la Paz (platform articulating different sectors of Colombian civil society and of different regions)
- CLADEM, Comité latinoamericano y del Caribe para la defensa de los Derechos de las mujeres
- Coordinación Colombia-Europa-Estados Unidos (a coalition of 221 Colombian organisations)
- Plataforma Colombiana de Derechos Humanos, Desarrollo y Democracia (network of more than 100 social, communitarian and non governmental organisations of Colombia)
- Red Colombiana de Acción Frente al Libre Comercio y el Alca, Recalca

- Asociación de campesinos de Ituango (ASCIT)
- Asociación Campesina del Norte de Antioquia ASCNA
- Asociación de Familias Unidas por un Solo Dolor – Afusodo
- Asociación Sindical de Profesores Universitarios, Seccional Universidad de Nariño – Aspunar
- Centro de Estudios del Trabajo, Cedetrabajo
- Colombian Commission of Jurists, CCJ
- Comité Permanente por la Defensa de los Derechos Humanos Héctor Abad Gómez
- Corporación para el Desarrollo Regional
- Corporación Minga
- Corporación Reiniciar
- Corporación Yira Castro
- Enda América Latina-Colombia
- Fundación Guagua
- Fundación Nydia Erika Bautista
- Fundación Sumapaz - Antioquia
- ILSA: Instituto Latinoamericano para una sociedad y un derecho alternativos
- Promopaz – Santander
- Rostros & Huellas del Sentir Humano "Garifuna"
- Sol y Tierra