



International NGOs call on the Colombian state to take action to fulfill human rights treaties in the context of citizen protests

Bogotá, Colombia May 3rd, 2021

For decades, the undersigned international non-governmental and aid organizations have supported Colombian civil society in its efforts to build a peaceful society with the conditions and guarantees to freely exercise their full and comprehensive rights.

With great concern, we observe that the social protests and mass citizen demonstrations that have taken place in recent days, do not enjoy the full and necessary guarantees to carry out public demonstrations. The vast majority of the protest actions, and those who participate in them, are peaceful demonstrations. Those who have carried out acts of vandalism and other violent acts are individuals who use the protests to carry out criminal activities or to delegitimize, in the eyes of the general population, the actions of hundreds of thousands of people who are in no way involved in these acts of violence.

The Colombian constitution and its laws recognize the citizens' right to peacefully demonstrate and to protest governmental decisions, or those of other state bodies, which they feel are detrimental to their rights or in their opinion will generate increased poverty and insecurity, specifically in an already alarming context due to the pandemic.¹

Amid the aforementioned context, we express our concern regarding three incidents:

- 1. The risks related to a relaxing of control measures for the public security forces' actions, specifically shooting at citizens in the context of the protests.**

After President Iván Duque announced that he would activate the concept of “military assistance” and grant the military the power to take to the streets and reinforce security in the cities, diverse civil society voices warned² of the high risks of human rights violations against demonstrators and citizens in general. Although military assistance is consecrated in Article 170 of Law 1801 and appears again in the Framework Policy on Citizen Coexistence and Safety (Política Marco de Convivencia y Seguridad Ciudadana), it may only be used in exceptional and transitory situations. Beyond the debate regarding

¹ Over the last year, 10,000 Colombians have fallen below the poverty line each day. “Due to COVID-19, the country’s poverty rate has increased (from 35.7) to 42.5%,” as was revealed by Daniel Oviedo, director of DANE. “Colombia moved from having 17.4 million individuals in monetary poverty to having 21 million.”

² The heart of the debate on military assistance is focused on how the public security forces are conceived and the focus of training for the ranks of each institution. That is to say, a police officer and a soldier do not have the same training or mission. Soldiers are trained for combat with possible or real enemies, whereas it is expected that a police officer will be trained to contain and reduce criminal activities and to contribute to coexistence among citizens. In any case, both institutions must conserve criteria regarding limitations and the legitimate use of force.

the appropriateness of military assistance, the fact remains that there is a lack of clarity regarding its regulation and the criteria that must guide the government decision to adopt the measure.

2. Abuse and disproportionality in the public security forces' actions.

Different sources of information have documented multiple cases of police abuse and the disproportionate and arbitrary use of force by the public security forces in the context of the social demonstrations as a part of the national strike. According to the newspaper El Espectador,³ 940 cases of police violence, including 21 homicides, were registered between April 28th and May 1st.

3. Guarantees for social protests and demonstrations.

We request that the international community, urgently:

Make a serious call on the Colombian state, in particular President Duque and other regional authorities, to fully comply with their international human rights obligations,⁴ as well as calling for the Public Ministry to carry out effective disciplinary actions in favor of protecting human rights, in accordance with its constitutional mandate.

Recommend that the Public Ministry and judicial authorities investigate and open the corresponding disciplinary and criminal proceedings in cases of police abuse, serious harm to the personal integrity of protestors, and cases of enforced disappearance reported by human rights organizations, that not have yet been resolved.

Act as observers of the procedural guarantees for victims of police abuse, their relatives, and the social organizations that have been detained, suffered abuses and attacks, and who are in a state of defenselessness and suffering major impacts.

Request that accompaniment from the Office of the Human Rights Ombudsperson (Defensoría del Pueblo) be activated, performing its role as a guarantor of the public security forces' fulfillment of performance protocols and a respect of citizen rights in the context of the social protests and demonstrations throughout the country.

In spite of the Head of State's recent announcement that he will retract the tax reform bill and construct a new proposal, multiple social conflicts are intertwined, and the social tension may continue. Accordingly, we very respectfully request that, as the international community, you urge the Colombian state to exercise unconditional respect for international human rights treaties and observance of rule of law.

Diakonia, Oxfam Colombia, PeaceWorks, Washington Office on Latin America – WOLA, ATC Church of Sweden, Working Group Switzerland-Colombia Ask!, ForumCiv, Colombia Human Rights Committee

³ Cfr. <https://www.elespectador.com/noticias/nacional/paro-nacional-temblores-hace-el-balance-de-la-violencia-policial-durante-las-protestas/>

⁴ Cfr. <https://www.elespectador.com/noticias/politica/denuncian-a-la-cidh-violaciones-de-derechos-humanos-durante-el-paro-nacional/>