

May 19th, 2021

To His Excellency
Joseph Biden
President of the United States of America

To the Honorable members of the U.S. House of Representatives and the U.S. Senate

To His Excellency
Antony John Blinken
Secretary of State

Mr. President,
Mr. Secretary of State
Members of the U.S. Congress,

Since April 28, thousands of people throughout Colombia have been exercising their right to protest. The widespread discontent was triggered by a controversial, government-proposed tax reform plan, in the middle of a pandemic that has deepened inequality and pushed 3,5 million people into poverty.¹ According to official data, in 2020, 42.5% of the Colombian population lived in poverty, while 15.1% lived in extreme poverty.² Unfortunately, instead of channeling the grievances and discontent of the population through a fruitful dialogue and meaningful policy responses, the government has opted to exert unacceptable violence against the population, perpetrated by members of the Colombian National Police (*Policía Nacional de Colombia*) and the Military (*Ejército Nacional de Colombia*).

There is strong evidence suggesting that at least 39 people have been killed, hundreds have been disappeared³, hundreds have been injured⁴, and there are dozens of firsthand testimonies of victims of torture, as well as sexual violence and gender-based violence⁵ (in

¹ Colombian National Department of Statistics (Departamento Administrativo Nacional de Estadística – DANE). April 29th, 2021. Monetary poverty nationally and regionally, 2020. Press conference. Available at <https://www.facebook.com/watch/?v=598775167673122>. Also available at https://www.dane.gov.co/files/investigaciones/condiciones_vida/pobreza/2020/Comunicado-pobreza-monetaria_2020.pdf

² Ibid.

³ Saavedra S. May 10th, 2021. All eyes on the 379 people disappeared during the National Protests. Fundación Paz y Reconciliación PARES. Available at <https://pares.com.co/2021/05/10/todos-los-ojos-puestos-en-los-379-desaparecidos-que-reportan-en-el-paro-nacional/>

⁴ Temblores NGO. May 13th, 2021. Alert: after a long verification exercise of the reports made by citizens, the organization corroborated that between April 28th and May 12th, there were, at least, 2110 cases of police violence. Available at https://m.facebook.com/story.php?story_fbid=1681520965382042&id=693866230814192

⁵ According to NGO Campaign to Defend Liberty (Campaña Defender la Libertad) at least 21 people have been victims of gender-based violence during the protests. Available at <https://defenderlalibertad.com/boletin-informativo-11-paronacional/>

a particularly tragic instance, a minor publicly denounced on her Facebook page that she was sexually abused by the police and then committed suicide the day she was released from detention⁶). There is also evidence of brutality against journalists covering the protests by the police and military⁷. Almost all major cities have been militarized and Human Rights Watch has “corroborated the use of tanks with multiple projectile launchers aimed at protesters”⁸ by anti-riot police (*Escuadrón Móvil Antidisturbios*, ESMAD) and other police units. In this environment, government officials,⁹ as well as key political leaders of the government’s party, have used hostile words, in many instances implying that all protesters are members of a guerrilla, stigmatizing the exercise of a fundamental right, and creating a climate that justifies treating protesters as a legitimate military objective. In one instance, the mayor of Pereira called for private security organizations to defend public order¹⁰. The next day, Lucas Villa, a yoga instructor known for dancing during demonstrations, was shot 8 times from a passing car during a demonstration.

The Office of the United Nations High Commissioner for Human Rights has called Colombian law enforcement to abide by the principles of legality, precaution, necessity and proportionality when policing demonstrations¹¹. 16 UN independent experts, along with two OAS Special Rapporteurs issued a statement expressing concern about the military’s involvement in the Government response to the protest, and called authorities to conduct “thorough, prompt, effective, impartial and independent investigations” into all alleged human rights violations, and to hold those responsible to account¹².

⁶ El Espectador. National Strike. Police Department: minor would have committed suicide after denouncing sexual violence by the police. Available at <https://www.elespectador.com/noticias/nacional/paro-nacional-menor-de-edad-se-habria-quitado-la-vida-tras-denunciar-violencia-sexual-por-parte-de-policias/>

⁷ According to NGO Institution for Freedom of the Press (Fundación para la Libertad de Prensa, FLIP), there have been at least 122 aggressions against journalists covering the demonstrations. Available at <https://flip.org.co/index.php/es/informacion/pronunciamentos/itemlist/tag/Manifestaciones%20sociales> <https://www.flip.org.co/index.php/es/informacion/pronunciamentos/item/2721-silencio-de-autoridades-en-ataques-contra-el-periodismo-promueve-la-censura>

⁸ Human Right Watch. Twitter Statement by Jose Miguel Vivanco, HRW Americas Director. Available at <https://twitter.com/JMVivancoHRW/status/1390396994804502535>. Also available at <https://en.mercopress.com/2021/05/10/human-rights-watch-warns-colombian-police-uses-high-tech-projectile-launcher-against-demonstrators>

⁹ An example of this is a statement by Colombia’s General Attorney, alleging that protests in Cali were handled by dissident factions of the ELN and FARC guerrillas. Available at <https://www.cric-colombia.org/portal/pueblos-indigenas-del-cauca-rechazamos-falsos-senalamientos-y-estigmatizacion/>

¹⁰ Caracol News. Major of Pereira, in the eye of the storm after statements made before the attack against Lucas Villa (Alcalde de Pereira, en el ojo del huracán por declaración que dio antes de ataque contra Lucas Villa). Available at <https://noticias.caracoltv.com/colombia/alcalde-de-pereira-en-el-ojo-del-huracan-por-declaracion-que-dio-antes-de-ataque-contra-lucas-villa>

¹¹The United Nations human rights office (OHCHR) on Tuesday voiced deep alarm over the violence in the city of Cali in Colombia overnight, as a number of people were reportedly killed and wounded when police opened fire on demonstrators. OHCHR. Available at <https://news.un.org/en/story/2021/05/1091212>

¹² Rights experts call for probe into violent crackdown on Colombia protests. U.N. News agency. Available at <https://news.un.org/en/story/2021/05/1091942>

The undersigned are concerned Colombian human rights and academic organizations, and in light of the events in Colombia, we call on the Biden administration, the State Department and U.S. Congress to:

1. Condemn the police excesses, distance the United States from officials' inflammatory rhetoric, and insist that the Colombian government reform the National Police Department and stop the criminal actions by ESMAD and hold accountable those who violated human rights since the protests began on April 28.
2. Apply stronger human rights protections to U.S. assistance that benefit the Colombian Armed Forces. The National Police should not receive U.S. assistance, as it has an egregious record of committing gross violations of human rights with impunity.
3. Carefully examine whether assistance to Colombian Armed Forces at this point is a violation of the Leahy Law, which prohibits U.S. funding to security forces implicated in human rights violations.
4. Finally, we ask that sales of crowd-control devices to Colombia be suspended pending evidence of stricter adherence to proper procedures for de-escalation and use of lethal and non-lethal force.

Sincerely,

Asociación de Mujeres Afrodescendientes del Norte del Cauca -ASOM-

Centro de Estudios Derecho Justicia y Sociedad (Dejusticia)

Congreso de los Pueblos

Consejo Regional Indígena del Cauca (CRIC)

Coordinación Social y Política Marcha Patriótica

Corporación de Mujeres Ecofeministas (Comunitar)

Cumbre Nacional de Mujeres y Paz

Educación Consumidores

Instituto Latinoamericano para una Sociedad y un Derecho Alternativos (ILSA)

La Coordinación Colombia-Europa-Estados Unidos (CCEEU)

La Alianza de Organizaciones Sociales y Afines

La Unión Sindical Obrera

Mujeres por la Paz

Plataforma Colombiana de Derechos Humanos Democracia y Desarrollo (PCDHDD),

Proceso de Comunidades Negras (PCN)

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