

## Óscar Ramírez - Committee for Solidarity with Political Prisoners, CSPP, Colombia

*Colombia's oldest human rights organisation is campaigning for the following.*

- ❖ The reform and demilitarization of the National Police, in light of grave human rights violations including excessive use of force, torture and gender-based violence.
- ❖ Measures to uphold and guarantee the right to protest, after a range of abusive laws and measures have seen protests repressed in recent years.
- ❖ Security guarantees for the Colombian population, through the implementation of the Peace Accords and as a fundamental pillar of total peace.
- ❖ Policies and practices by the Colombian government, and the international community, to guarantee the safety of human rights defenders, including through psychosocial support.

Óscar Ramírez Puerta is a prominent Colombian human rights lawyer and President of the Committee for Solidarity with Political Prisoners. He has been working for 7 years defending the human rights of those deprived of liberty, the right to protest and denouncing abuses of authority, police violence, torture and other cruel, inhuman or degrading treatment. Óscar has led the Defend Freedom for All Campaign since 2015, an initiative that promotes the right to protest and respect for human rights in this context. He is also a leading member of the Colombian Coalition Against Torture. During his years of work in the Solidarity Committee, he has represented victims of state violence and led research on the criminalisation of social leaders.

### The first human rights organization in Colombia

Founded in 1973 during times of growing social mobilisation and strong State repression, the Committee for Solidarity with Political Prisoners (CSPP) was Colombia's first human rights organisation. Its creation was made possible thanks to the Nobel Prize winning writer Gabriel García Márquez, who donated the prize money from an international award to set up the organisation. CSPP works to guarantee the human rights of persons deprived of their liberty. It promotes truth, justice and reparations through legal representation before the Special Jurisdiction for Peace. CSPP also defends the right to peaceful social protest, as well as the work of environmental leaders and human rights defenders who have been attacked and detained.

Throughout its history, CSPP has been subjected to persecution involving threats, harassment, torture, arbitrary arrests, prosecutions, and even the murder of several of its members. As a result of these attacks several regional offices of the Committee had to be permanently closed and some of its members exiled.<sup>1</sup>

### The National Police must be comprehensively reformed

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<sup>1</sup> <https://pbicolombia.org/accompanied-organisations/fcsp/>

In Colombia, the National Police regularly use excessive force against protesters to instill fear, discourage peaceful protest and punish those demanding change in the country. The CSPP is campaigning for the demilitarization of the National Police; modify its general structure and functions; reform recruitment, career paths and promotion practices; limit the use of force by members of the National Police; establish monitoring mechanisms and citizen oversight of police activity; and guarantee truth, justice, and reparation for victims of police violence.<sup>2</sup>

In 2021 the UN released a report where they found reasonable grounds to believe police officers were responsible for at least 28 deaths during national demonstrations, with members of the National Police's Mobile Anti-Riot Squad (ESMAD) involved in at least 10. 60 cases of sexual violence allegedly committed by the police, were also documented in the UN report.<sup>3</sup>

Human rights organisations have documented grave human rights violations against peaceful protesters including during the 2021 National Strike. These violations include excessive use of force, inappropriate use of less lethal weapons, torture and cruel and inhuman treatment, sexual and gender-based violence against women and LGBTIQ+ people and attacks against Indigenous people.

### What is Colombia's 'Total Peace'?

Despite the 2016 peace deal with the Revolutionary Armed Forces of Colombia (FARC) there are still as many as 26 armed groups active in Colombia. Total Peace is a multifaceted effort that seeks to minimize violence, protect civilians and dismantle the many armed groups operating in Colombia. This ambitious plan seeks to implement the commitments made in the 2016 peace accord with the FARC, as well as dismantle multiple illegal armed groups dialoguing with the National Liberation Army (ELN) and addressing other illegal armed groups. Total peace is based on the concept that human security comes about by guaranteeing the right to life, Colombians' socio-economic well-being and protecting the natural environment. The CSPP is part of a national campaign calling for total peace in Colombia.

### Risks to Human Rights Defenders in Colombia

Colombia was the deadliest country in the world for human rights defenders in 2022, accounting for 186 killings – or 46% – of the global total registered last year, according to the latest report from the international human rights group Front Line Defenders.<sup>4</sup> Throughout its history, members of CSPP have faced threats, harassment, torture, arbitrary arrests, criminal prosecutions, and even the killing of several of its members.

### Support from PBI

The PBI team in Colombia has provided protection to the CSPP since 1998, accompanying members during the course of their day to day activities, observing court proceedings and meeting with authorities, visiting affected families, and responding to urgent security incidents. In the UK, PBI supports this work through awareness-raising, advocacy, fundraising, and matching UK-based capacity and support with the needs of defenders on the ground.

## RECOMMENDATIONS

### Call on the Colombian government to reform the police

- Provide direct political and financial support to victims and civil society organizations that have been advancing processes of enforceability of rights with the victims of police violence aimed at truth, justice, reparation and non-repetition of such aggressions.
- Urge the National Government to open discussion scenarios on comprehensive police reform,

<sup>2</sup> <https://www.amnesty.org/en/latest/news/2023/03/colombia-national-police-must-be-reformed/>

<sup>3</sup> <https://news.un.org/en/story/2021/12/1107992>

<sup>4</sup> <https://www.frontlinedefenders.org/en/resource-publication/global-analysis-2022>

including changes in doctrine, structure, functions, promotion and training of agents, use of force, use of less lethal weapons, control and citizen oversight, allowing for the broad participation of civil society organizations and victims of police violence.

- Exhort the National Government to create a route of attention and accompaniment for victims of police violence that contains measures regarding psychosocial accompaniment for the direct victims and their families, effective and timely medical attention, legal accompaniment, and guarantees for access to fundamental rights such as education, work and housing. This route would avoid re-victimizing actions, so it should include the implementation of differential approaches, and the participation of the victims of police violence themselves in the formulation process.
- Urge the National Government to implement the necessary measures to guarantee justice and reparation for all victims of police violence, ensuring non-repetition.
- Follow up on compliance with the recommendations made by the IACHR during its working visit to Colombia in 2021 on social protest; likewise, follow up on compliance with the recommendations made by the United Nations in the document "Lessons learned for the exercise of the right to peaceful assembly in Colombia".

### **Ensure the UK is working with the Colombian government to uphold the right to protest**

- Urge the Colombian State to guarantee the rights to life, liberty, health and personal integrity in all contexts, especially in protest, promoting a broad and participatory process to design a structural reform that promotes changes in the protocols for the use of force and weapons, including the operation and/or possible dismantling of the UNDMO, in order to establish a policy that promotes dialogue and the transformation of social conflicts.
- Demand the creation of legislative measures so that any regulation in the area must be focused on non-criminalization, the non promotion of punitive measures, the non-use of figures such as "transfer for protection", and on the contrary, include effective, transparent and accountable mechanisms for the control, monitoring and supervision of the security forces, demanding that any police abuse be investigated and punished without resorting to military criminal jurisdiction, urging the Attorney General's Office to present the results of such investigations.
- Provide direct political and financial support to victims and civil society organizations that are carrying out processes to demand the rights to truth, justice, reparation and non-repetition in order to prevent and address police violence in Colombia.
- Urge the Colombian State to create a broad and participatory process for the creation of a comprehensive and differential attention route for victims of police violence, accompanied by clear methodologies for the introduction of demands from civil society and victims' movements.
- Exhort the State to comply with its duty to integrate the gender approach in all its actions, reflected in the protocols, guidelines and orientations for the actions of the Public Force, administrative bodies, control entities and judicial personnel, applied to criminal and disciplinary investigations, sanctions, reparation measures and guarantees of non-repetition. Differential treatment and affirmative actions are required to guarantee and protect the right to protest of women and the LGBTIQ+ community.

### **Strengthen UK support for total peace and security guarantees**

- It is necessary to recognize that, even with the improvements in the security situation, these are not sufficient at the general level and massive aggressions against defenders and signatories persist. Even with a clear political will, the context presents multiple challenges for the National Government and the communities in the territories, in which the international community plays a major role.
- The technical, political and financial support provided by the international community to the implementation of the SISEP is considered fundamental. It is imperative that this effort be continued and increased to accelerate the delayed implementation of these instances and programs, especially its protection programs as is the case of Decree 660 of 2018 (support that, for example, was withdrawn by the UNDP).
- It is paramount to make calls to the National Government in the sense of positioning the Final Peace

Agreement as a central element in the developments of Total Peace and to reinforce the need for its articulation with the new normative and political developments.

- Similarly, the technical and political support of the international community is important in the spaces for dialogue on guarantees and in the production of new public policies for prevention and guarantees, such as the support provided by the Office in Colombia of the United Nations High Commissioner for Human Rights to the Technical Secretariat of the National Guarantees Process.
- Finally, it is considered essential to support civil society in its organizational and advocacy work in order to open spaces for participation in Total Peace and in other scenarios of dialogue. Multiple advocacy spaces will be reactivated and opened, as well as opportunities for public policy proposals that will require greater coordination between human rights platforms and organizations, for which the technical, political and financial support of the international community is central.

### Ensure that human rights defenders receive protection and psychosocial support

- Propose and insist that the Colombian State implement strategies for comprehensive care from a psychosocial approach for victims of serious human rights violations.
- Reiterate the need for the Colombian State to provide protection and guarantees for victims who have turned to the organs of the Integral System, as well as to monitor the processes of psychosocial accompaniment aimed at comprehensive and symbolic reparation.
- Urge the government to implement the Concluding Observations on the sixth periodic report of Colombia published by the United Nations Committee against Torture in the fight against torture; which should include the attention and accompaniment of victims of torture and cruel, inhuman and degrading treatment and punishment (TPCID) as well as the creation of preventive mechanisms against torture such as the ratification of the Optional Protocol to the Convention against Torture.
- Urge the Colombian State to create effective mechanisms and strategies for the comprehensive reparation of victims of police violence aimed at access to justice, truth and guarantees of non-repetition, as well as institutional care and accompaniment routes.

### Strengthen UK Policy on Human Rights Defenders

In the [2019 policy document 'UK Support for Human Rights Defenders'](#), the UK acknowledges the fundamental role HRDs play in the realisation of human rights, gender equality, democratic spaces, and access to justice and peace, all key elements of the UK's foreign policy objectives. This policy document identifies practical support measures, and provides guidance for UK embassies. However implementation is sporadic and under-resourced.

The UK government should provide greater support and protection for Human Rights Defenders, prioritising defenders by developing a strategy to support them which is adequately funded, cross-departmental and gender-responsive, as laid out in our report ['On the Human Rights Frontline'](#).

The FCDO is currently developing a Civic Space Strategy. This is an opportunity for the Government to address current shortcoming with the implementation of the 2019 policy on HRDs, and to situate that in a broad, preventative approach to the threats facing activists. However, it is vital that this policy has engagement, protection and support for human rights defenders at its core.

- Ask the the U)K Government how it will strengthen its support and protection for human rights defenders and civil society around the world, and what they are doing to ensure a comprehensive approach to this issue.

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UK Charity Number: 110101