

ReD Notebook No. 4

SOCIAL LEADERS UNDER ATTACK: CAUSES, CULPRITS, AND POLICIES

November 2018



Since 2017, Rodeemos el Diálogo (ReD) has been part of a collaborative space called Democracy and Peace Collectives, which also includes Democracia Hoy and Ciudadanos y Ciudadanas por la Paz, and is supported by the German Heinrich Böll Foundation.

In August 2018, given the seriousness of the violence against social leaders, we organised a panel with the participation of representatives of the state, the international community, and civil society. The present document contains some of the reflections and recommendations presented at that event. Beatriz Vejarano and Andrei Gómez-Suárez wish to thank Carolina Henao for drafting the account of the meeting, Andrea Arboleda and Mateo Sánchez for their comments, and Gustavo Mauricio García for editing. However, any errors or omissions are the sole responsibility of the authors and in no way compromise the convening organisations.

EXECUTIVE SUMMARY

With the purpose of identifying the causes, the patterns, and the perpetrators of the violence against social leaders in Colombia, and to reflect on the policies needed in order to prevent the continuation and escalation of this phenomenon, Indepaz, Democracia Hoy, Ciudadanos y Ciudadanas por la Paz and Rodeemos el Diálogo, with the support of the Heinrich Böll Foundation, organised a dialogue among various institutions responsible for the protection and promotion of human rights of all Colombians, as well as civil society organisations that carry out research on the subject. The state was represented by members of the Attorney General's Office (*Procuraduría General*) and the Ombudsman's Office (*Defensoría del Pueblo*); the international community by the Kroc Institute; the academy by the Observatory for the Restitution and Regulation of the Rights to Land Tenure; and civil society by Indepaz, by the political movement Colombia Humana – which has requested special guarantees from the National Commission on Security Guarantees – and by Rodeemos el Diálogo.¹

1 Participants at the event were Borja Paladini Adell, representative in Colombia of the Kroc Institute of Notre Dame University, Indiana; Saúl Emir Ramírez Quesada, Advisor, Office of the Deputy Procurator for the Defense of Human Rights; Carlos Eduardo Espitia Cueva, Indepaz; Francisco Gutiérrez Sainín, Observatory for the Restitution and Regulation of the Rights to Land Tenure,

The participants identified, among others, four main causes of the current violence against community leaders and human rights defenders: (1) The struggles surrounding land tenure and use, and territorial control; (2) the lack of security guarantees from the state in contexts known to be prone to violence against leaders who participate in community spaces or promote peacebuilding activities; (3) a political culture that, by stigmatising political opposition, legitimises violence against those who engage in opposition; and (4) the coexistence of legal and illegal actors joining in violent regional coalitions that undermine social organisations via threats, displacement, and/or assassination.

Furthermore, three main recommendations were made to the state in order to overcome the crisis: (1) Together with social organisations and the international community, draft a white paper as an instrument to promote dialogue and propose concerted action for the formulation of public policy; (2) promote regional pacts for non-violence and against stigmatization, and implement existing plans; and (3) lead a broad political pact or national agreement that develops into an action plan.

National University of Colombia; Gloria Flórez, civil-society representative before the National Commission on Security Guarantees, and Francy Carranza, Rodeemos el Diálogo. Andrei Gómez-Suárez of Rodeemos el Diálogo was the moderator.

Finally, calls were made to civil society to: (1) Join forces so as to demand with greater forcefulness from the Colombian state robust measures and actions to dismantle violent structures; (2) send a wake-up call to the state: leaders should not be used as a bridge to gain access to the territories; and (3) persist, do not let up in the demand for guarantees for social leaders. The participants furthermore called upon the various bodies of the international community to get involved as “international umbrellas against the rain of bullets.” The present document summarises the historical reflections, the current diagnostics, civil society perceptions, institutional responses, and proposals made in the framework of this dialogue.

HISTORY REPEATING ITSELF?

The victimisation of social leaders in Colombia is an alarming and shocking development. The daily news reports and denunciations by various institutions, think tanks, academic centres, and the media cause impotence and dismay. Inevitably, this phenomenon brings to mind the genocide of the Patriotic Union (UP). Although there are differences, there is an evident common denominator: Not only have the threats and attacks been carried out with the aim of undermining and intimidating specific individuals who exercised some kind of leadership, but the criminal actions seek to dislocate and

tear the social fabric of the communities the leaders belonged to, and where they carried out legitimate defence and denunciation activities in favour of the people they represented and of the territories themselves.

Although it is true that, as a result of the Peace Accord between the government of President Juan Manuel Santos (2010-2018) and the Revolutionary Armed Forces of Colombia-People’s Army (Farc-EP), the number of acts of violence related to the armed conflict has dropped, as the Kroc Institute points out in its second report of August 2018,² it is also true that after witnessing the lowest level of violence between August and October 2016,³ since November 2016 we are seeing an increase in homicides of social leaders, human rights defenders, and former Farc-EP combatants. These incidents take place largely because of the visibility of the victims following the reconfiguration of local powers in the territories after the ceasefire, disarmament, and reincorporation into civilian and political life by members of the Farc-EP.

2 See: https://kroc.nd.edu/assets/284862/executive_summary_2_with_logos.pdf (December 1, 2018).

3 See: <https://www.eltiempo.com/justicia/servicios/disminucion-delos-homicidios-en-colombia-por-el-proceso-depaz-108132> (October 29, 2018).

THE CONCERNS OF THE KROC INSTITUTE

Beyond the dramatic fact of the assassination of an individual, a source of concern is the negative effect of the loss of a social leader on the implementation of the Accord and on the quality of peace – that is, the adverse cascading effect of the impact. Many of those leaders were individuals who played important roles in the implementation of the Accord regarding issues such as land restitution, crop substitution, political participation, and Territorially-Focused Development Programs (PDET). Their murders have a personal impact, of course, but they also have an impact on all those who are implementing the Accord and exercising leadership in activities aimed at deepening democracy and consolidating state presence in the territories. Without such leaders, the implementation of the Accord at the territorial level is put at risk, since those leaders spearhead the entry of the legitimacy of the state into the territories most affected by the conflict, where state presence has been historically at its weakest.

Although the Kroc Institute's second report highlights a 61% rate of progress in the provisions of the Accord that show some level of implementation – minimal, intermediate or full – only 21% of that 61% of the provisions have been fully implemented.⁴ One problem concerning

the protection of social leaders is the failure to translate theory into practice. Although statements and directions by state officials to their employees and training programs are positive, they are not enough. Such measures have proved ineffective for the protection of social leaders, human rights defenders, and former Farc-EP combatants. That is why it is necessary to think about setting priorities, making adjustments, and thinking about what measures require time to show results; because, according to the Kroc Institute, the lack of security and protection of social leaders is the main obstacle to the implementation of the Accord and to building peace.

THE PATTERNS OF VIOLENCE

According to a special human rights report by Indepaz, Marcha Patriótica and Cumbre Agraria, in 2017 the assassinations were not contained by department borders but began to occur region-wide, in hubs that spill over to several departments.⁵ Additionally, the proportion of assassinations of women to those of men was approximately one to five. According to the report, there were 17 assassinations of women and 119 of men. In response, a human rights commission was created for the protection of female leaders, which has received denunciations from across the country.

4 Kroc Institute, op. cit., p. 20.

5 See: Informe Derechos Humanos (September 19, 2018).

The report also reveals an increase in violence against male and female leaders in the twenty-five days following the final round of presidential elections on June 17, 2018. During that period, the average number of assassinations rose from one every three days to one every day. The general tendency this year is toward an increase compared to 2017 and 2016.⁶

As to the categories of populations affected, 80,48% of the victims of the 123 homicides committed between January and June 2018 were members of *campesino* organisations and community action committees (*Juntas de Acción Comunal*) and/or ethnic organisations.⁷

According to the report, in 62% of the homicides, the perpetrator is unknown, which is related to the most common modus operandi: the use of hired killers.

This is consistent with the statistical analysis of homicides of rural leaders by the Observatory on Restitution and Regulation of Rights to Land Tenure,⁸ according to which the three categories of leaders most affected by homicides are those seeking restitution of their lands, community action committee members, and crop substitution leaders. In what some call “assassination

by invitation,” the state generates programs for transforming the territories and encourages the population to participate in them, but does not provide any kind of security to participants.

According to Observatory figures, the perpetrators remain largely unidentified: Only in 30% of the cases is the identity of the perpetrators reflected in the statistics. The majority are unknown. However, local work on the ground commonly suggests they are heirs of the paramilitaries, dissidents of the Farc-EP, and members of the ELN, which is consistent with the conclusions of the Indepaz report.

STRUCTURAL CAUSES OF THE VIOLENCE

1. Disputes regarding land tenure and use, and territorial control, as well as prevailing social, economic and political exclusion. In the case of land tenure over more than 53% of the national territory, land tenure is informal: people lack title deeds or the owner identity is unknown, which makes state protection impossible.
2. A political culture that eliminates opposition through violent means. According to the *Basta Ya* report by the National Center for Historical Memory, one of the main causes of political violence is the stigmatisation and discrediting of political

6 Ibid., booklet, p. 2.

7 Ibidem.

8 See: <http://www.observatoriode tierras.org/er> (September 15, 2018).

opponents as enemies and guerrilla members.⁹

3. Paramilitarism, the use of dirty war tactics and covert actions to hurt leaders through threats, displacements, and homicides.
4. Drug trafficking, which is much more serious than the 200,000 hectares of illicit crops; the corruption which cuts across all institutions, from ministries to city councils; and impunity, which remains above 90%. These are all phenomena that, as will be seen further on in this document, hinder an effective response by the State.

CONTEXT-RELATED CAUSES OF THE VIOLENCE

1. The demise of the Farc-EP as an armed group. The void left by the Farc-EP generates a realignment of the ELN, the EPL, and illegal armed groups competing for the control of the revenues and the territories. There is also a reshuffling of drug trafficking related to the presence of various Brazilian, Mexican, and Venezuelan drug cartels.
2. The enhanced visibility of the social leaders who have participated in peacebuilding spaces and who, deprived of security

guarantees, are left in a situation of increased vulnerability in the midst of the implementation of the Accord.

3. The political polarisation that leads to equating leaders with opponents of the capitalist system and allies of “Castro-Chavism.”

CIVIL SOCIETY PERCEPTIONS OF STATE ACTION

In spite of the formal steps taken by state institutions, the need for security guarantees for human rights defenders in Colombia remains pressing. Although countless committees and roundtables have been created, no substantive changes have taken place. Indeed, the National Commission for Security Guarantees does not even touch upon the structural causes of the violence against defenders.

No progress has been made with regard to the investigation of cases of violence against leaders, and impunity remains almost complete. On the contrary, a political climate has been consolidating which legitimates repression and violent acts.

With regard to para-state structures that generate violence, the quality of the state response to this challenge must be considered. The state cannot declare itself impotent in the face of the violence against social leaders. If the state is creating a window of opportunity for social participation, it is also responsible for providing security to the social leaders

9 See: <http://www.centrodememoriahistorica.gov.co/micrositios/informeGeneral/> (September 15, 2018).

who embrace such opportunities (for example, those who participate in crop substitution).

It seems unbelievable that the state has not yet produced a unified tally of threatened or assassinated social leaders. It is essential that pressure be stepped up so the executive branch of government assumes this responsibility and takes effective measures to consolidate a reliable record-keeping system.

THE DIAGNOSTIC AND THE STATE RESPONSE

The Ombudsman's Office carries out trainings on peace and the Accord, but it is concerned about encouraging the communities to participate or create citizen oversight initiatives, since, paradoxically, they could become the targets of violent acts. Furthermore, the Ombudsman's Office has found that in many regions, the social fabric is destroyed and there is no one to condemn or repudiate this type of crimes; no one wishes to become visible after a crime of this type, precisely because these communities are still under threat and suffering the rigours of protracted conflict.

Under some circumstances, local society is not in a position to reconstruct the social fabric necessary for rebuilding a democratic state. Distrust and corruption are abundant: a political regime built on corruption runs from the municipal level, to the departmental, all the way up the pyramid to the national level.

State initiatives are needed that fulfil their functions. It is not enough to try to counteract threats with superficial measures such as bulletproof vests, cell phones, or armoured vehicles. Also needed are local defence attorneys and in general public servants who do not act in detriment of the dignity and integrity of social leaders.

For its part, the Attorney General's Office notes that many state institutions focus simply on documenting the situation, on producing reports and analyses, and not on generating actions that have impact and change reality.

The Attorney General's Office is faced with a situation it considers very serious: the persistence of the same problems encountered ten or fifteen years ago – among them, impunity. The grievous violations of the rights of social leaders and human rights defenders are neither investigated nor punished. Also, the intelligence files have not been purged.

Other situations that have persisted for decades are the stigmatisation of social leaders and the inadequacy and ineffectiveness of measures for the protection of persons who lead social processes and defend human rights, as well as the absence of territorial control by the state. And, since the state does not have effective control of the territories, these regions are subjected to the presence of armed actors and criminal groups of various types who attack the leaders.

An additional problem is the insensitivity of most of Colombian society, which does not seem to care about protecting its leaders and scorns their role as representatives of the community and in broadening and deepening democracy.

PROPOSALS TO OVERCOME THE HUMANITARIAN CRISIS

To Civil Society:

- *Join forces in order to demand with greater forcefulness from the Colombian state* robust measures and actions to dismantle violent structures that exist parallel to the state, or that operate within the state and seriously affect social leaders, human rights defenders, and the communities.
- *Specify demands on the state, analyse in depth issues pertaining to protective measures, and break down necessary responses in terms of short-, middle-, and long-term public policies.* For example, education is needed, as well as an interface mechanism with the security forces, in order to overcome the armed conflict. It is necessary to increase the political and administrative costs for territorial authorities where perpetrators are present and are able to control power structures; and it is essential to increase the accountability of decision makers in those territories. The challenge is not limited to hired assassins, but includes power structures.

- *Send a wake-up call to the state: state entities must not use local leaders only as a bridge to gain access to the territories.* To leave them alone is to put them in a situation of vulnerability. The state, therefore, must guarantee permanent accompaniment to them, particularly because of their importance for the work of the various entities responsible for implementation of the peace accord.

- *Be persistent:* Do not let up in demanding guarantees for social leaders. Unleash the power of imagination and find ways to support social leaders and human rights defenders. Continue dialogue, contribute to exchange and feedback, generate alternatives to the various causes of violence against our leaders, and promote regional pacts against stigmatisation.

To the Colombian state:

- *Together with social organisations and the international community, draft a white paper* to monitor the crisis situation of the killings of social leaders, carry out an evaluation of state responses, and make proposals for the formulation of future public policy.
- *Enhance existing self-protection mechanisms* in the indigenous communities (for example, the indigenous *cimarrona* and *campesino* guards) and new initiatives

such as Colidérate, which has created an application for the protection of social leaders that sends a warning and activates an attack or threat alarm when those affected press a button.

- *Promote regional non-violence and non-stigmatisation pacts*, and, above all, implement existing pacts, particularly the Pact for the Life of Social Leaders, signed in Apartadó on 23 August 2018.
- *Lead a broad political pact or national agreement that develops into an action plan*, a programmatic agenda for transformation that responds to national emergencies but that also allows for facing the problem collectively in the long run. That is, it should not be just a declaration signed by all political forces as has been done in the past. This agreement should include the various

political, economic, social, and cultural sectors of society, and the common agenda should foresee effective monitoring and verification of the actions undertaken, since the violence against leaders cannot be solved from a single standpoint but requires combining different visions and perspectives.

To the International Community:

- *Get involved as “international umbrellas against the rain of bullets.”* International agencies should take community organisations under their protection and cover them like an umbrella.
- *Leverage their media presence and their visibility to speak up against violence against leaders.* Disseminate the results of the investigations on the subject, which they support in the territories.

THE RED TEAM

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Rodeemos el Diálogo (ReD) is a transnational civil society network that supports a comprehensive, inclusive peace through strengthening the culture of dialogue.

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