



human rights *first*

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September 15, 2008

David J. Kramer
Assistant Secretary, Bureau of Democracy, Human Rights and Labor,
Under Secretary for Democracy and Global Affairs,
United States Department of State
Harry S. Truman Building,
2201 C Street, NW, Room 7802,
Washington, DC 20520

Christopher McMullen
Deputy Assistant Secretary
Bureau of Western Hemisphere Affairs
United States Department of State
Harry S. Truman Building
2201 C Street, NW, Room 6262
Washington, DC 20520

Re: Colombia Human Rights Certification

Dear Assistant Secretary Kramer and Deputy Assistant Secretary McMullen:

I write to express Human Rights First's concern about the State Department's recent human rights certification of Colombia. In particular we are worried by the State Department's failure to consider the grave situation of Colombian human rights defenders in its certification decision. We urge the State Department to consider the serious human rights abuses being committed against human rights defenders when deciding whether to certify in the future.

On July 28, 2008 the State Department produced a Memorandum of Justification announcing the decision to certify aid to Colombia under Appropriations legislation for financial years 2007 and 2008. It also contained justifications for how, according to the State Department, the human rights conditions contained in that legislation had been met. Human Rights First appreciates the detailed reasoning contained in the Memorandum of Justification and acknowledges that there have been some human rights improvements in Colombia in recent years. We also appreciate participating in the State Department consultations about human rights certification.

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Human Rights First Concerns with Certification

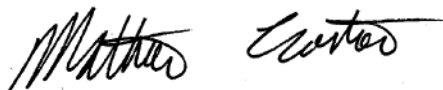
Nevertheless, we are concerned that the 130-page Memorandum of Justification never refers to human rights defenders and has no discussion of their precarious situation. A handful of cases are cited in which progress has allegedly been made in investigating attacks by armed forces against defenders, such as Orlando Valencia, Alvaro Villamizar, and Edilberto Vasquez Cardona. However, the Memorandum does not mention any of the myriad human rights violations against defenders over the reporting period.

As you know, a significant amount of time in Certification consultation meetings is devoted to discussing the frequent human rights abuses committed against human rights defenders and the Colombian state's failure to adequately prevent or respond to those attacks. Human Rights First encourages the State Department to consider human rights violations committed against human rights defenders when evaluating whether conditions are met. Attacks or stigmatization against human rights defenders by the armed forces and the Executive are relevant to conditions on the government's response to human rights violations committed by the armed forces. Moreover, attacks and threats against human rights defenders by paramilitaries and successor groups are relevant to conditions about: paramilitary dismantlement; the degree to which armed forces have severed ties to paramilitaries; and the degree to which they have restored respect for human rights in areas under paramilitary control.

Human Rights First and other organizations have provided many examples of abuses against defenders that fall into these categories and which appear not to have been considered in the decision to certify. These attacks against defenders have not been isolated, but rather have formed a pattern of human rights violations that has worsened over the reporting period. Because human rights defenders are necessary to monitor and ameliorate human rights in Colombia, it would be remiss to engage in an evaluation of the human rights situation of Colombia and not consider their plight.

We appreciate the constructive dialogue with the State Department on human rights issues in Colombia. However, we hope that in the future the State Department will include consideration of the situation of human rights defenders in its decision to certify.

Sincerely,



Matt Easton
Director, Human Rights Defenders Program