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26 August 2008

To the Working Group on Communications on the Status of Women:

Please find attached a submission on women human rights defenders in Colombia.

Human Rights First is a human rights advocacy organization based in New York City and Washington, D.C. Since 1978, our mission has been to create a secure and humane world – advancing justice, human dignity, and respect for the rule of law. Since its inception, Human Rights First has worked in partnership with activists around the world, and the Human Rights Defenders Program advocates for their rights under the U.N. Declaration on Human Rights Defenders.¹

Background on Women Human Rights Defenders

Without individuals striving to promote and defend them, human rights are an abstract concept. For this reason, it is essential for human rights defenders to be recognized and protected. The term “human rights defender,” though not precisely defined under the U.N. Declaration, is understood to refer to all of using non-violent means to promote and protect the rights of others. They may be lawyers, journalists, trade unionists, and grass-roots activists, as well as social workers, nurses, teachers, government employees, or community leaders.

Women human rights defenders are critical actors in the realization of human rights for all people. They are also instrumental in the fight against gender discrimination and in achieving women’s full realization of their human rights, as they confront inequality and repression on the local and national levels from within their own societies. Even those who do not focus their work specifically on women’s rights challenge traditional gender roles through their prominent engagement in public and political life.

Women defenders face many of the same problems men face, including restrictions on freedom of assembly, association, and expression. However, a history of discrimination, coupled with a struggle for gender equality set women

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¹ U.N. Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, U.N. Doc A/RES/53/144, March 8, 1999.

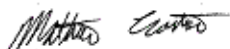
defenders apart from other defenders. Women defenders are doubly burdened: not only by repressive governments, but also by deeply held patriarchal attitudes pervasive throughout society that discourage women from taking a public role. As a result, they face a range of additional, gender-specific pressures from both state and non-state actors, including their families and communities, to discontinue their activism. In many cases, the state fails to recognize the risks women defenders face, let alone provide them with adequate protection. Gender-based discrimination in society and before the law, and the marginalization of women's issues and women's rights activists (even within the human rights community) can lead to fewer protections for women defenders who endure threats and abuse.

Although nongovernmental organizations have begun to monitor and document the problems faced by women defenders, reporting remains inadequate. The reasons for this include: narrow definitions among researchers of who is a human rights defender; a lack of understanding and appreciation for the types of gender-specific persecution faced by women defenders; and practical concerns among women defenders involving the futility of reporting and the risks attendant thereto.

By addressing the gender-specific forms of persecution women defenders face, international bodies such as the Commission on the Status of Women (the "Commission") will make significant strides in the realization of women's human rights.

The following is a country-specific submission on the treatment of women defenders in Colombia. We hope the Commission will incorporate these concerns in its work more generally.

Sincerely,



Matt Easton
Director, Human Rights Defenders Program

Colombia

Recommendations

Human Rights First respectfully requests that the Commission make the following recommendations to the government of Colombia:

- Authorities should work with defenders to develop protection mechanisms for women activists in order to prevent gender-specific attacks against them by state or non-state actors;
- Authorities should investigate threats and physical attacks against women defenders promptly and effectively to end impunity.

The Situation of Women Defenders in Colombia

Human rights defenders in Colombia operate in one of the most dangerous environments in the world. Despite the Colombian state's obligations under the ICCPR and the Declaration on Human Rights Defenders, severe persecution of all defenders continues unabated. Defenders receive threats regularly and many have been murdered by both state and non-state forces. Violations against defenders in Colombia include curtailment of their freedom of expression, assembly, and association, as well as their right to life.

Women who work to promote human rights face all of these challenges. In the last few years, women defenders have been murdered or attacked, and many have been followed, harassed, and threatened. Many have had to flee the country to preserve their lives. The impact of these attacks can be greater for women defenders than for their male colleagues. For example, after receiving death threats, women defenders have described greater difficulty relocating to safer environments due to their family responsibilities.

The perpetrators of these acts are: (1) government armed forces; (2) government agents, such as paramilitary groups; and (3) non-state actors, such as organized crime rings or guerrilla groups. Paramilitary groups have reportedly been responsible for the majority of attacks on human rights defenders.² The multiplicity of agents creates a truly dangerous situation and contributes to impunity.

Killing of women human rights defenders

Women human rights defenders are often extra-judicially executed in Colombia, with inadequate efforts by the authorities to investigate the killings.³ For example on June 29,

² See, e.g., Amnesty International, *Colombia: Fear and Intimidation: The dangers of human rights work*, AI Index: AMR 23/033/2006, September 7, 2006.

³ In its 2007 submission, Human Rights First reported on the October 2004 murder of Teresa Yarce, member of the Women's Association of Las Independencias, and the February 2004 murder of human rights defender Maria Lucero Henao.

2008, at approximately 7:45 p.m. Martha Obando was shot dead by unknown assailants in the main street of San Francisco, a poor suburb in the outskirts of Buenaventura, Colombia. Obando, known affectionately as Dona Chila, was an active community and women's rights leader.⁴ She arrived in Buenaventura as a displaced person, fleeing fighting from her home town of Charco in Nariño. She was the President of the Association of Displaced Women in San Francisco, and part of the local Women's Network for life. Obando was shot one hour after she had finished presiding over an awards ceremony for a children's tournament of traditional games. Organized by 18 women's leaders from San Francisco, the tournament was intended to persuade local children to take up traditional games, rather than engaging in violence, or joining gangs or illegal armed groups. As a result of her shooting, many women leaders who worked with Obando now fear for their safety, and human rights organizations in Buenaventura have received death threats from paramilitary groups.

On January 31, 2007, human rights defender Yolanda Izquierdo was killed in the city of Montería, Córdoba Department.⁵ Izquierdo was reportedly shot several times by gunmen suspected of being linked to army-backed paramilitary groups. Yolanda Izquierdo had been the victim of several death threats since December 2006 and had days previously reported them to local authorities and requested protection. These threats are believed to have stemmed from her work representing survivors of paramilitary human rights violations at the demobilization hearing of paramilitary leader Salvatore Mancuso.

Threats and intimidation of women human rights defenders

Human rights defenders in Colombia regularly receive threats, and women defenders are no exception. The Popular Women's Organization (*Organización Femenina Popular*, OFP) mobilizes and empowers women to resist economic, social, cultural, civil and political discrimination. Its leaders have endured a series of attacks and threats.⁶ OFP members routinely document and report these threats, but they continue unabated.

For example, in the early morning hours of November 4, 2007, three unknown men forced their way into the apartment of OFP president Yolanda Bercerra in Barrio Galán, Barranca. While one aimed a firearm at Bercerra's head, the others ransacked her apartment while screaming threats and obscenities at her.

Gender-specific attacks against women defenders: targeting of children

In addition, women defenders in Colombia face gender-specific challenges and risks compared with their male colleagues. Perhaps the best documented gender-specific intimidation is the targeting of women activists' children and families as a way to exert

⁴ Human Rights First issued an alert regarding this matter, available here: http://www.humanrightsfirst.org/defenders/hrd_colombia/alert070908_Chila.html.

⁵ Amnesty International issued an alert regarding this case, available here: <http://www.amnestyusa.org/document.php?lang=e&id=ENGAMR230022007>.

⁶ In its 2007 submission, Human Rights First reported on threats against OFP members Patricia Ramírez, Gloria Amparo Suárez, María Jackeline Rojas Castañeda, and OFP president Yolanda Bercerra.

additional pressure on them to stop their human rights work. Paramilitaries take advantage of women defenders' role as mothers in order to intimidate them.⁷

For example, Colombian human rights activist Ingrid Vergara has been subjected to intimidation through a particularly vulnerable target: her young daughter.⁸ Ingrid Vergara is a leader of the National Movement for Victims of State Crimes (MOVICE) in the city of Sincelejo, Sucre department. On April 2, 2008, her 12-year-old daughter was approached by four unknown persons outside her school. They reportedly told her, "We're going to kill you for the work your mother is doing." The assailants subsequently drove off in a white truck. This is not the first time that Ms. Vergara and her family have received threats. In fact because of previous threats (made by people reportedly driving the same white truck), the Inter-American Commission on Human Rights awarded Ms. Vergara protective measures in 2007. The continued threats are a clear attempt to deter Ms. Vergara from performing her vital human rights advocacy.

Conclusion

Women human rights defenders in Colombia suffer threats and attacks that are meant to intimidate them and force them into silence. While they may face similar forms of persecution as their male colleagues, the impact is often compounded for women as they are perceived in society as the primary caretakers of children and family. In addition, impunity for frequent acts of violence against women, and the use of sexual violence in conflict zones, create environments that threaten any woman who speaks out for her rights and the rights of others.

Human Rights First urges the Commission to carefully consider the effect that intimidation of women defenders has on the realization of women's rights in Colombia, and to recommend to the government of Colombia that it take steps immediately to protect the rights of women defenders.

⁷ In our 2007 submission, Human Rights First also reported on threats against the family members of the following women defenders: Blanca Nubia Diaz, Soraya Gutierrez Arguello, Claudia Duque, and Martha Nidia Ascuntar Achicanoy.

⁸ Human Rights First issued an alert regarding this incident, available here: http://www.humanrightsfirst.org/defenders/hrd_colombia/alert041608_Ingrid.htm.