



March 1, 2006

The Honorable George W. Bush  
President of the United States  
The White House  
1600 Pennsylvania Avenue, N.W.  
Washington, DC 20500

Re: Human Rights Defenders at Risk in Latin America

Dear President Bush:

When Secretary Rice announced the Administration's new Guiding Principles on Non-Governmental Organizations last December to commemorate the 58th anniversary of the adoption of the United Nations Universal Declaration of Human Rights, she declared that the principles would be used to assess the actions of governments in their treatment of human rights defenders. She stated: "At a time when NGOs are under increasing pressure in many countries, it is imperative that democratic governments work in concert to defend the vital role that NGOs play in building free societies."

We share that view. I am writing to ask that during your upcoming trip to Latin America you communicate to government leaders there that when human rights defenders stand up for freedom and human dignity, often at great personal risk, the United States stands with them.

Perhaps nowhere in the region is this message more important than in Colombia. Human rights defenders in Colombia are an endangered species; according to a report released by the Colombia Commissions of Jurists last month, in 2005 alone (the most recent year for which comprehensive statistics are available) at least 41 human rights defenders were assassinated or forcibly disappeared. The climate of intimidation under President Uribe's government is pervasive. In addition to death threats and murder, scores of human rights defenders have been subject to baseless prosecutions, in which they are typically alleged to be members of guerrilla organizations and are charged with rebellion. In connection with these prosecutions, human rights defenders have been subject to extended pre-trial detention, in some cases for up to three years.

The case of Principe Gabriel Gonzalez Arango is emblematic of this wider practice. Mr. Gonzalez is Regional Co-ordinator of the independent human rights organization the Political Prisoners Solidarity Committee (*Fundacion Comité de Solidaridad con los Presos Políticos* (FCSP)). He has been imprisoned for more than a year, falsely accused of rebellion and of being a FARC guerrilla. This is only

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the latest in a series of actions, including threats and attacks, against Mr. González and the FCSPP which appear calculated to deter them from performing their legitimate non-violent activities as human rights defenders. Of the two prosecution witnesses in the case, one was unable to physically identify Mr. Gonzalez and the other previously admitted that her testimony was coerced. We believe that the rebellion charges against Mr. González are unfounded. We ask you to urge that these baseless charges against him be dropped and that Mr. Gonzalez be released from prison so that he can continue his work.

Colombian human rights defenders have told us that their greatest need is for a political environment that is supportive of their work. Principle 3 of the Guiding Principle requires that “NGOs should be permitted to carry out their peaceful work in a hospitable environment free from fear of harassment, reprisal, intimidation and discrimination.” But the environment in which Colombian human rights defenders operate could not be further from this ideal, and this is in part because of a failure of leadership on the part of President Uribe.

For example, on February 3, President Uribe made a public statement in which he noted that members of the political opposition “went from being terrorists in camouflage to terrorists in business suits.” Two days later, approximately 70 of Colombia's leading human rights defenders and organizations received death threats echoing these comments in an email from paramilitary groups who identified themselves with President Uribe's policies and adapted specific language from his February 3 statement. President Uribe has previously made similar insulting comments about human rights defenders. Such comments increase their vulnerability, especially in the context of Colombia's armed conflict. Equating human rights defenders with terrorists delegitimizes their essential work and makes the dangerous suggestion that acts of violence against them enjoy the acquiescence of the government.

While the Colombian Interior Ministry has established a program to protect vulnerable human rights defenders, it will be of limited value if the President and other senior government figures continue to make statements which increase the likelihood of attacks against NGOs. Senior members of the government, starting with President Uribe, should desist from making inflammatory remarks which heighten the risk of attack against human rights defenders. And, as a bipartisan group of Members of Congress wrote in a December 14, 2006, letter to Secretary Rice, “the Colombian government [should] make consistent public statements supporting the legitimacy and importance of the work carried out by human rights defenders...” We urge you to raise these concerns with President Uribe.

Guatemala has before it an important opportunity to establish a mechanism to combat impunity and protect human rights defenders at risk. On December 12, 2006 the United Nations and the State of Guatemala signed an Agreement on the establishment of an International Commission against Impunity in Guatemala (CICIG). The Agreement must now be ratified by the Guatemalan Congress to come into effect. We very much appreciate the support your administration has provided in encouraging the Guatemalan government to seize this opportunity. We are particularly grateful for Ambassador Derham's efforts in highlighting CICIG as one of the highest legislative priorities for the international community in Guatemala and being attentive to opportunities to support CICIG.

The need for CICIG is palpable. The Guatemalan Protection Unit for Human Rights Defenders reports that 98 per cent of attacks against human rights defenders are not investigated and only a handful of cases have resulted in convictions. The killings of human rights defenders have increased in large part due to the failure to investigate and punish those responsible. CICIG will have as part of its mandate to determine the existence of illegal security groups and clandestine security organizations, their structure, forms of operation, sources of financing and possible links to State actors. (Opposition to CICIG by some in the Guatemalan congress may stem from alleged links between some Guatemalan political parties and the illegal armed groups that CICIG would be tasked with investigating.) It will also promote the dismantling and prosecution of such groups. These powerful illegal groups are allegedly responsible for attacks against human rights defenders as well as being involved in corruption, organized crime, drug trafficking and political violence. We urge you to reiterate U.S. support for CICIG in your meetings with President Berger and underscore the importance to the U.S.-Guatemala relationship that human rights defenders in Guatemala are supported and protected in their important work.

In your second inaugural speech, you told the world: “When you stand for your liberty, we will stand with you.” Human rights defenders in Latin America need the United States to stand with them. We urge you to reaffirm this pledge, and put it into action, during your trip to Latin America this month.

Sincerely,

A handwritten signature in black ink that reads "Maureen Byrnes". The signature is fluid and cursive, with the first name "Maureen" being larger and more prominent than the last name "Byrnes".

Maureen Byrnes  
Executive Director