

HUMAN RIGHTS COMPASS

USAID HUMAN RIGHTS PROGRAM

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Cauca: Seeking Solutions

The USAID Human Rights Program has been closely watching the evolving situation in Toribío, Cauca and evaluating how it can best be of assistance in both short and long term.

In mid-July, Nasa representatives (*cabildos*) and the *Asociación de Cabildos del Norte del Cauca* (ACIN) announced several demands following an escalation in armed conflict in the area. Among others, the indigenous group demanded that all armed actors – both illegal armed groups and military forces - immediately leave their territory.

“La Torre” or Berlín hill, a sacred place for indigenous peoples, has been at the center of the current crisis. It is from an Army base located there that military actions against the FARC and other illegal armed groups are staged. After giving the military and FARC rebels a deadline to vacate the area, on July 17, over 200 people converged on Berlín hill, forcing the military to leave. The base was retaken by military forces on the following day. Over 20 people were injured during that confrontation, and one civilian was killed at a nearby military checkpoint. The number of displaced persons fleeing the conflict has now reached into the thousands.

Subsequent attempts at developing a dialogue between indigenous leaders and national governmental authorities

have not produced tangible results.

Program human rights advisors based in Popayán – Lorena Huertas and Tatiana López – are monitoring the situation in the area, and on July 23, the head of the program, Fernando Calado, traveled to the region where he met with the *Consejo Regional Indígena del Cauca* (CRIC) as well as with the Ombudsman’s Office (*Defensoría del Pueblo*). The program is exploring opportunities to support both government and civil society efforts to protect the human rights of the indigenous population in Cauca.

Toribío (pop. 26,000), is located in a strategic corridor of arms and drugs trafficking for illegal armed groups in northeast Cauca. Over 96 percent of its residents are of indigenous origin, with the Nasa and Páez communities being the predominant groups. The town is divided into three indigenous reservations: Toribío, Tacueyó and San Francisco.

Cauca is one of the eight priority departments for the Human Rights Program, with special emphasis on the municipalities of Buenos Aires, Caldono, Santander de Quilichao, Silvia and Totoró.

The opinions expressed by the author may not necessarily reflect the views of the United States Agency for International Development or the United States Government.

Supporting the Work of *Personeros*

First line of contact for citizens

In conjunction with the IV National Assembly of *Personeros* in Cali, the USAID Human Rights Program sponsored a day-long training session for 75 persons including 51 *personeros* on July 11th. The session focused on providing *personeros* with tools to help them meet the needs of victims and fulfill their new responsibilities, especially with regards to changes due to implementation of Law 1448 – the Victims Law. The Victims Unit presented the most common mistakes made on the new declaration format, and there was discussion on the Early Warning System among other topics.

Over 700 *personeros* - as well as high-level representatives from the Presidency, the Ombudsman's Office; the Victims' Unit, the Inspector General's Office, and other government entities and organizations – took part in the two day assembly. Andrés Santamaría, the Cali *Personero*, was elected president of FENALPER, the national association of *personeros*, at the assembly for a one-year term.

Personeros are the first line of contact for citizens in a municipality in terms of defense of human rights. Hence it is imperative to make sure that they are aware of their responsibilities, that they have the capacity to support and protect victims of human rights abuses, and that they are aware of the resources available to them to ensure protection for persons and an effective response to human rights violations.

Laura Zambrano, response component coordinator of the Human Rights Program, noted that, “the training session was especially interesting in that there was an opportunity for face to face exchange of information and most of their [*personeros*] questions were answered. Not only did they receive relevant information, but they also commented that they felt listened to, which in turn motivates them to be an active part of the assistance and reparations process.”

Support for activities, including the publication of 15,000 educational pamphlets on the basics of the Victims Law, was provided to FENALPER, through an in-kind grant by the Human Rights Program. The donation also supported travel expenses for *personeros* in priority municipalities. The total value of the USAID contribution was \$42,000 USD.



Personeros Needs Assessment

In preparation for the Assembly, the Human Rights Program created and distributed a survey to *personeros* in seven of the eight program regions. Here are some of the results. (Results of a more comprehensive survey for *personeros* nationwide were being tallied at the time of this publication.)

• Budgets

Of all *personeros* interviewed, 91 percent had not received a budget increase post-Law 1448, despite an increase in responsibilities.

• Facilities

Some 34 percent of *personeros* lack private and adequate facilities to take victim declaration statements.

• Staffing

Only two persons manage 62 percent of *personería* offices. Generally, this includes the *personero* and his/ her secretary.

• Waiting lists

Some 42 percent of *personeros* surveyed have a waiting list or delay of at least one month to register claims by victims.

• Training

Although most of them have received some sort of training on the Victims Law, results show that *personeros* find that a need remains for continued training on some aspects of the law as well as topics related to their role as human rights defenders.

• Information systems

Less than five percent of the *personerías* have an information system that reports the type of human rights violations they attend. In general their ability to appropriately file information and report their performance is almost nonexistent, nor is it considered a cause for concern.

Grant to Colombia Diversa

Diversity is also a human right



In an event at the National Museum in Bogotá on May 31, the USAID Human Rights Program announced the awarding of a grant to the LGBT (lesbian, gay, bisexual, and transgender) rights organization Colombia Diversa. The one-year USD\$243,000 grant will support that organization's efforts to defend and promote the rights of that community in Colombia.

The executive director of Colombia Diversa, Marcela Sánchez, said that this visible support from the U.S. government will have a real impact. “This support from the United States shows that the it doesn't matter what your sexual orientation or gender identity is: your rights matter. It also sends a powerful message to young people from towns and cities across Colombia that it is OK to be different,” she said.



From left to right: Mark Lopes, USAID; Col. John Henry Arango, Colombian National Police; Marcela Sánchez, Colombia Diversa; Jene Thomas, USAID

Despite significant strides made thanks to a series of favorable decisions by the Constitutional Court, particularly in the recognition of same-sex couples' rights (see *Milestones*), violations against LGBT persons continue – often with impunity. Colombia Diversa has estimated that, during 2010-11, 271 LGBT persons in Colombia were mur-

dered, with trans persons and gay men more often the victims.

To help local authorities better track and report these crimes – as well as to increase their awareness of LGBT issues - a series of two-day workshops is planned in Cali, Villavicencio, Medellín and Cartagena. Other activities to be carried out during the next year include the development of a communications campaign at the national level and support of cases before the Inter-American Commission on Human Rights.

Following the failure of civil union legislation in 2003, a group of activists began meeting on how to best make an impact on LGBT rights in the country. The result of this effort was the founding of Colombia Diversa in 2004. Since then, the organization has produced the first-ever human rights report on the LGBT community in Colombia. That report was supported by USAID. The organization has also launched public awareness campaigns to change society's perception of gays and lesbians and undertaken an aggressive – and largely successful - legal strategy. After several favorable decisions at the Constitutional Court, the organization was recognized by the International Gay and Lesbian Human Rights Commission (IGLHRC) with its 2010 Felipa de Souza Prize.

Milestones of the Movement

- Sentence on individual adoption – *Chandler Burr (T- 276)*, April 2012
- Sentence on blood donations (*T-248*), March 2012
- Sentence on same-sex marriage (*C-577*), July 26, 2011
- Sentence on 28 other rights for same-sex partners (*C-029*), January 2009
- Sentence on pension rights (*C-336*), April 2008
- Sentence on inheritance rights (*C-075*), February 2007

About Us

The Human Rights Program, financed by the United States Agency for International Development (USAID), seeks to strengthen the respect and protection of fundamental human rights in the framework of the armed conflict in Colombia. Emphasizing 40 municipalities in 8 regions, the program has a duration of three and a half years, 2012-15.

Three Components

Promotion of a culture of human rights

to foment and incorporate a culture of acceptance and respect for human rights and for human rights defenders in formal, informal and non-formal educational sectors; institutions; and in civil society

Prevention of human rights violations

to support institutions and key actors for the promotion and execution of national prevention policies and their implementation at the departmental and local level

Response to human rights violations

to complement and contribute to efforts promoted by the national government, the Public Ministry and civil society regarding attention to human rights violations

Program Priorities

Strengthening of institutions and civil society at the local level

The program seeks to strengthen human rights efforts at the regional level through its support of the National Ombudsman's Office (Defensoría del Pueblo), the Inspector General's Office (Procuraduría General de la Nación), the national government, regional entities, civil society organizations, personeros and regional human rights defenders.

Differentiated focus, prioritizing women and other vulnerable populations

An emphasis of the program is to support policies and projects that prevent human rights violations of at-risk groups including: human rights defenders, indigenous and Afro-Colombian communities, journalists, women, youth and children, LGBT persons and victims of the armed conflict.

Regional emphasis

The program is carried out through a team of human rights advisors who are located in eight departments: Bolívar, Meta, La Guajira, Antioquia, Chocó, Nariño, Tolima and Cauca.



Who We Are

In Bogotá:

Fernando Calado, Chief of Party; Kelly Brooks, Deputy Chief of Party; Edna Acosta, Administrative and Financial Director; Yaneth Caballero, Regional Coordinator; Gladys Jimeno, Promotion Component Coordinator; Karin Kuhfeldt, Prevention Component Coordinator; Laura Zambrano, Prevention Component Coordinator; Tatiana Olarte, Gender and Vulnerable Populations Expert; Pedro Chica, Mobile Advisor; Constanza Ortega, Mobile Advisor; Ana María Flórez, Monitoring and Evaluation Specialist; Bibiana Fandiño, Grants Manager; Mery Acosta, Grants Assistant; Andrew Dier, Technical Writer; Carolina Ríos, Administrative and Logistics Assistant; Claudia Romero, Executive Assistant; Luz Adriana Ramírez, Accountant; Juan Gabriel Londoño, Information Technology Assistant; Miguel Ángel Méndez, Security Coordinator

Human Rights Advisors:

Villaviecio, Meta: Luis Agudelo; Riohacha, La Guajira: Miguel Valbuena, Lorena Olivares; Cauca, Antioquia: Luis Carlos Hernández; Chocó: Cenobia Ibarquén; Tumaco, Nariño: Ibeth López; Ibagué, Tolima: Ruby Guzmán, Ana María Pascuas; Popayán, Cauca: Lorena Huertas, Tatiana López

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