

HUMAN RIGHTS COMPASS

USAID HUMAN RIGHTS PROGRAM

Bogotá, Colombia

Vol. 1, Ed. 6 May - June 2013



USAID Mission Director, Peter Natiello, offering opening remarks at the journalist award ceremony
Photo Credit: FLIP

Honoring Rising Journalists in Colombia

With a recent spate of threats, attacks, and murder plots against journalists in Colombia dominating newspaper headlines, the USAID Human Rights Program III (HRP III) held a most timely event honoring budding journalists dedicated to covering freedom of expression issues. Together with HRP III grantee Fundación Para la Libertad de Prensa (FLIP) and the Inter-American Commission on Human Rights, HRP III sponsored the first annual Freedom of Expression award ceremony, entitled “Hidden Truths that No One Dares to Tell” on May 29. This competition, open to young journalist professionals between the ages of 18-30, received a total of 74 submissions covering freedom of expression issues from 30 different journalists in the media fields of print, television, radio, and Internet. The top five finalists were invited to the award ceremony on this special evening.

At the ceremony, USAID Mission Director, Peter Natiello, offered opening remarks recognizing the high degree of professionalism demonstrated by the finalists present in seeking the truth in spite of the evident dangers in their chosen line of work. This was followed by a panel discussion headlined by three high-profile career journalists including: Ignacio “Nacho” Gomez, Deputy Director of Noticiero Uno and a notable Colombian high-risk investigative reporter, Maria Teresa Ronderos, a Board of

Director for the Committee to Protect Journalists and former general editor of *Semana* news magazine, and Sibylla Brodzinsky, international correspondent covering Colombia for publications such as the *Economist*, *Christian Science Monitor* and the *Guardian*.

The winner, Daniel Salgar, published an article in Colombia’s newspaper, *El Espectador*, on May 26, 2012 entitled “Without the Right to Not Believe”. This gripping account reported on a young man in Indonesia whose rights to expression and religion were violated by his government and is currently being held as a prisoner facing a two-and-a-half year sentence and a \$10,000 fine. The young Indonesia man, Alex Aan, posted an image and comment on his Facebook page questioning the existence of God before being attacked by an angry mob and shortly thereafter imprisoned by authorities accused of blasphemy.

The winner received an all-expense paid two-month internship with the media office at the Inter-American Commission of Human Rights plus a scholarship to attend an IACHR sponsored course on the International System of Human Rights in Washington, DC. •

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



Making Victims' Voices Count

HRP III Advisor Sandra Pinzón opening Participation Protocol Departmental meeting in Villavicencio March 2013
 Photo Credit: Luis Gonzaleo Agudelo

The Victims' and Land Restitution Law, Law 1448, signifies a historical legislative milestone for victims of human rights violations impacting their lands and respective livelihoods lost to violence and armed conflict. As stated in its terms, the principal driving force relies on victims' participation for its effective implementation. To this end, the USAID Human Rights Program III support has been at the forefront of working with victims' organizations, human rights organizations, and the Victim's Unit to support the process with a particular focus on the design of the victims' participation protocol, also known as the rules of the game regarding the process.

In addition to recognizing the victims' role in guiding, implementing and monitoring the assistance and reparations process, the law also sets up democratic mechanisms to ensure that this becomes a reality. More specifically and at the center of this process are the Victims' Participation Roundtables which essentially are focused working groups set up to ensure discussion, dialogue, feedback and follow-up to projects and programs for the assistance and reparations of victims. Functional at the municipal, departmental and national level, they were conceived to guarantee the effective participation of victims with a particular focus on vulnerable populations such as women, children, youth, ethnic communities and disabled victims.

With this in mind, HRP III facilitated dialogues between government officials and civil society including the National Transitional Victims' Participation Roundtable held in Medellín, where the first draft was presented in February. Additionally, 18 departmental-level meetings were facilitated engaging 94 victims in Meta, 75 in Chocó, and 45 in Cauca to directly contribute in creating a draft protocol. Having covered all this ground by May, the government was able to approve and sign the official Victims' Participation Protocol.

With this, HRP III is now able to dedicate its efforts in preparing and strengthening municipal victims' organizations as well as *personeros* and local authorities in organizing the permanent Victims' Roundtables. As HRP III worked closely with victims' organizations, the acute need for organizational strengthening and continuing dialogue with government and State actors became strikingly apparent.

"We are four local victims groups participating that represent mine victims, displaced persons and women victims. Prior to the training, we had no knowledge of where Law 1448 stood-if it had been enacted, or if it had what that meant. We have learned so much about the law and our role which has helped in bringing us out from behind the curtain of invisibility that we have experienced related to this process."

Beatriz Ariza, Fundación Enseñame a Volar, San Juan de Arama

In response, HRP III is training 26 victims' organizations across Cauca, Meta and Chocó. Training courses focus on building victims' capacity to understand and effectively participate in the implementation of the Victims' Law.

These courses cover topics such as reparation *rutas* (individual and collective), participation rights, the participation protocol, and participation mechanisms such as victims' roundtables and transitional justice committees. In addition, there is an emphasis on leadership and communication skills for victims' organizations in using participation mechanisms to influence policy and make viable recommendations for projects and programs in support of victims.

Meeting the mark in ensuring equitable justice for the millions of victims of violence and conflict may prove to be one of Colombia's most daunting challenges. HRP III's work with the Victims' Unit will continue to champion victims' rights to make sure every voice is heard and counted.●



*Dialogue session with civil society organizations and private sector.
Photo Credit: CME-Seguridad y Derechos Humanos. www.CMEColombia.co*

Fostering Dialogue with Government, Business, and Civil Society

Since 2000, international implementing guidelines such as the Voluntary Principles on Security and Human Rights (VPs) and the UN Guiding Principles¹ have been assisting governments, the business sector, and civil society to strengthen accountability and promote universal respect for human rights. In May, HRP III advanced this agenda in Colombia by directly supporting the International Voluntary Principles and UN Guiding Principles¹ Workshop: Government and Companies vis-a-vis Human Rights Conference in Cartagena.

“Colombia’s enthusiastic acceptance of this agenda has made sure the business government, and civil society work together to deal with the complex problems posed by the interplay between private sector activity and respect for international human rights standards”.
– John Morrison Executive Director, IHRB.

Together with HRP III grantee Comite de Minería Energética (CME) and the Institute for Human Rights and Business (IHRB), key players representing 54 private sector companies in Colombia, high level officials from the Colombian government, foreign governments, and civil society organizations (CSO) came together with one objective: mainstreaming the VPs and the UN Guiding Principles. Traditionally, these frameworks of international human rights standards have only been applicable to governments with no regard to private companies. In fact, private companies were only really held to national laws, which often failed to meet international human rights standards themselves.

At this conference though, the message came through loud and clear: Colombia’s three sectors would advance as partners inclusive of international human rights standards and those present all played an important role in upholding its accountability.

John Ruggie, author of the Guiding Principles and former UN Special Representative for Business and Human Rights from 2005-2011, was a key participant and moderator of the first day’s session. Summarizing the Guiding Principles as the “Protect, Respect, and Remedy” framework, he expressed its timeliness for Colombia’s continued growth. He also praised CME’s function as an important vehicle enabling “...diverse interest groups to collaborate, share information and identify and disseminate best practices.”

In addition, HRP III directly supported a special Dialogue on the second day of the conference. In this more intimate setting, key leaders from the three sectors closely examined and discussed related issues on labor, land, and the environment. Moderators John Morrison, IHRB Executive Director, and Alejandra Guáqueta, member of the UN Working Group on Business and Human Rights facilitated this special session where representatives from CSOs were given the floor to express their opinions and provide concrete recommendations regarding the process.

From this conference, a renewed commitment and interest was forged to continue dialogues among these critical sectors in Colombia to raise awareness on human rights issues and integrate the discussed standards in their policies. While historically this notion has been met with significant reluctance, HRP III efforts such as its grant support to CME is helping to pave a new path of greater transparency and accountability between the government, corporations, and civil society. ●

SPOTLIGHT ON LGBT RIGHTS IN MAY

Breaking Down LGBT Barriers



National Family Day Campaign Image
Photo Credit:

As united front, HRP III and grantee Colombia Diversa, the leading lesbian, gay, bisexual, and transsexual (LGBT) advocacy group in the country, celebrated landmark moments in the month of May championing LGBT rights. On May 22, Colombia Diversa, accompanied by the Attorney General's Office, National Police, academics, and USAID Mission Director Peter Natiello, unveiled their much anticipated two-year study on the situation of the LGBT community. This eye-opening report entitled, "Impunidad sin Fin, informe de derechos humanos de lesbianas, gay, bisexuales y personas trans en Colombia 2010-2011" urged these stakeholders to make serious changes regarding their response to violations against this community and build a culture of respect for LGBT rights.



National Family Day Campaign Image
Photo Credit: Colombia Diversa

Among its key findings, the report indicated that from 2010-2011, 280 murders were committed against LGBT community members in Colombia, the highest murder rate of this community since 2006. Equally alarming were the insidious levels of impunity reported exacerbating the risks faced by these victims. From 2006-2011, there were 542 murders of LGBT members, of which 300 cases were mired in legal processes forgoing justice or resolutions for these victims. During the reporting period, 63 cases of police abuse in the form of physical and verbal aggression were reported primarily in

areas such as Cartagena, Barranquilla, Cali, Medellín, and Bogotá.

In addition to advocating for LGBT rights, Colombia Diversa took an active lead in celebrating National Family Day on May 15. In embracing and honoring Colombia's rich culture of family, it proudly showcased its HRP III-supported media campaign "La Vida en Familia Es Lo Que Hace a Una Familia". This campaign strongly relied on projecting images of unity, love, and respect reflecting Colombia's own evolving consciousness regarding family diversity and respect for LGBT rights. With solid information as a powerful tool for policy change and focusing on Colombian values of respect and acceptance, joint efforts like these are having a positive impact in building tolerance and greater understanding for the human rights situation in Colombia. •

Cauca Takes on International Day Against Homophobia

Community members of Popayán, Cauca commemorated International Day Against Homophobia on May 20-21 with the support of HRP III, its grantee Caribe Afirmativo, and the Ministry of Interior. HRP III and partners set up the first of five conferences that will also be held over the next couple of weeks in Chocó, Tolima, Guajira, and Bolívar. At this "Regional Conference for the Guarantee and Recognition of LGBT Rights", HRP III supported Caribe Afirmativo's Director, Wilson Castañeda, in providing technical assistance at LGBT rights trainings bringing together public authorities, including police officers, and civil society. In addition, Mr. Castañeda's technical assistance was instrumental in developing response *rutas* for the public entities addressing LGBT victim assistance. Working with the Ministry of Interior, his expertise helped to also develop base line indicators to better monitor and assist in the prevention of future violations.

Cauca was an ideal location for this kick-off as they had already been working on inter-institutional coordination issues, which HRP III has been fully supporting. On these particular days, they looked to better define coordination efforts and refine mechanisms and procedures related to their Development Plan that respond to LGBT rights violations. •



Caribe Afirmativo LGBT training in Cauca
Photo Credit: Lorena Huertas