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Sr. Diego Palacio Betancourt
Ministro de Protección Social
Ministerio de Protección Social
Carrera 13 No 32-76
Bogotá,
Colombia

London, 26 July 2007

Dear Minister

I am writing to acknowledge receipt of [your letter of 4 July 2007](#) to Lilian Goncalves-Ho Kang You, Chair of Amnesty International's International Executive Committee, commenting on Amnesty International's latest report on Colombia – *Killings, arbitrary detentions, and death threats - the reality of trade unionism in Colombia*.

We are pleased that you have read and analyzed the report. However, in view of the comments made in your letter, we would like to make some observations.

First, let us say that Amnesty International does recognize that, since 2001, there has been a fall in the number of trade unionists who been victims of killings or enforced disappearances, although in 2006 there was a small increase in the number of killings compared with 2005. In addition, we should point out that, since 1991, there have been years when there has been a considerable reduction in the number of trade unionists killed, followed by years showing a dramatic increase. Our report stresses that there will be no definitive solution to the grave human rights situation for trade unionists until firm measures are implemented to address the high levels of impunity enjoyed by more than 90% of those responsible for human rights abuses and violations against this sector of the population.

Amnesty International recognizes that the recent creation of a special unit within the Office of the Attorney General (Fiscalía General) to investigate killings of trade unionists could constitute a major step forward. As we emphasize in our report, we trust that this unit has been given the resources to enable it to carry out its mandate and put a stop to the widespread impunity which is so common in cases involving the abuse of the human rights of trade unionists in Colombia. This would include a genuine undertaking to investigate the more than 2,000 killings and 138 enforced disappearances that have taken place since 1991. In addition, we hope that any cases in which paramilitaries are implicated will remain under the jurisdiction of the specialized unit and not be transferred to the Justice and Peace Unit (Unidad de Justicia y Paz), because we are of the opinion that the legal framework establishing the Justice and Peace Unit does not give effective guarantees of truth, justice or reparation for victims of human rights abuses or violations.

We also recognize that the Protection Programme of the Ministry of Interior and Justice has saved the lives of some trade unionists, although others under this Programme have died. What we have argued in our report is that physical protection alone is not enough without real political will and concrete measures to address the problem of impunity in Colombia.

In your letter you refer to the fact that there have been 79 convictions in 45 cases, but it is not clear whether these are recent cases. Furthermore, the mere fact that there have been convictions in 45 cases does not imply a substantial improvement in terms of impunity, which continues at a level of over 90%.

With regard to the figures relating to killings of trade unionists in 2006, we would like to inform you that, as stated in our report, the figures included in our publication are taken from reports produced by the National Trade Union School (Escuela Nacional Sindical, ENS). Close perusal of our report reveals that the 77 cases for 2006 include victims of killings and enforced disappearances. The 72 cases to which you refer in your letter refer exclusively to killings.

We would also like to remind you that there is clear, convincing and long-standing evidence of collusion between the security forces and paramilitary groups. Many national and international organizations – including the Office of the United Nations High Commissioner for Human Rights and the Inter-American Commission on Human Rights of the Organization of American States – have commented on this and publicly voiced their concern at this relationship. Many organizations have also taken a view on the impunity afforded by application of the Justice and Peace Law and on the non-compliance of that law with international standards on the rights of victims to truth, justice and reparation.

With regard to your complaint that you were not consulted, we would like to inform you that, as part of this and many other investigations, on visits to Colombia Amnesty International researchers have had meetings with high-ranking representatives of the Colombian Government to share their concerns in relation to human rights. It is the wish of our organization to maintain constructive dialogue with governments with a view to improving the human rights situation in their respective countries. It will, therefore, be a pleasure to accept your invitation to discuss the situation with regard to trade unionism in Colombia and the Colombian government's efforts to improve the situation. Prior to our representatives' next visit to Colombia, we will contact you to ascertain the feasibility of such a meeting.

Before I bring this letter to a close, I would like to say that it is the mission of Amnesty International to denounce any human rights abuses and violations we have identified and speak out on behalf of all those who are victims of such violations, regardless of who the perpetrators may be, or the colour of their uniform. If the report contains more references to human rights violations committed by paramilitaries and the security forces than to the guerrilla, it is because these are the sectors primarily responsible for the deaths of trade unionists in Colombia. Although they are the principal perpetrators in attacks on trade unionists, we do not exclude guerrilla forces from responsibility for attacks on trade unionists.

We look forward to hearing from you.

Yours faithfully

Susan Lee
Director, Americas Regional Program