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A C T I O N A L E R T

Action Alert is a publication that calls attention to critical security situations affecting the persons, organizations and communities, accompanied by Peace Brigades International (PBI), whose work in the defence of human rights results in threats to their personal safety and to the work itself. This publication is of limited distribution and cannot be reproduced without prior authorization.

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DEATH THREATS, ASSASSINATION ATTEMPTS, AND FORCED DISPLACEMENTS AGAINST ORGANIZATIONS OF ENVIRONMENTAL DEFENDERS IN THE MAGDALENA MEDIO

PBI Colombia expresses its major concern due to the **increasing attacks against human rights and environmental organizations** in the Magdalena Medio region, in particular the **Regional Corporation for the Defense of Human Rights (CREDHOS)**, which is accompanied by PBI, and its allied organizations, the **Federation of Santander Fishers for Tourism and the Environment (FEDESPAN)** and the **Committee for the Defense of Water, Life, and the Territory of Puerto Wilches (Aguawil)**.

Human rights and environmental defenders from all three organizations have recently undergone **death threats, assassination attempts,¹ forced displacements, and gender violence**, after having denounced the **irreparable damage to watersheds and opposing fracking pilot projects in the region; in addition to calling attention to corruption** in companies and environmental state institutions in different municipalities in the department of Santander.²

Colombia is the **second most biodiverse country in the world,³** with a vast wealth of flora and fauna and a huge diversity of freshwater fish.⁴ Specifically, the Magdalena Medio region is characterized by its wealth of water sources, rivers, and marshes (cienagas), whose protectors—the rural communities—have historically faced a **high risk of being attacked, forcibly displaced, or even killed due to their complaints on serious human rights and territorial violations.**

In 2020, Colombia was the country with **most environmental defenders killed globally, with 64 registered homicides.⁵** At PBI Colombia, we want to highlight the serious level of insecurity faced by environmental defenders and their families amid the pandemic, with a prolonged humanitarian and security crisis in the territories, where **State measures** have not generated a positive impact to guarantee their life and well-being.

Also, **the lack of advances to implement the 2016 Peace Agreement**, foments the exponential increase of violence in the territories with a presence of illegal armed groups that become more visible each day and are fighting to control legal and illegal economies. In turn, there is a serious and persistent lack of guarantees for human rights organizations that contribute to the Comprehensive System of Truth, Justice, Reparation, and Non -Repetition (SIVJRNR) which arose from the Peace Agreement to clarify historic acts of violence, dispossession, and corruption in the Magdalena Medio and throughout the country.

REGIONAL CORPORATION FOR THE DEFENSE OF HUMAN RIGHTS (CREDHOS)

CREHOS was founded amid paramilitary violence in Barrancabermeja, department of Santander, in the eighties. The organization accompanies different initiatives to defend human rights and the environment. It has also brought cases before the SIVJRNR; and in 2016 the *Colombian State recognized the organization as a beneficiary of collective reparation* due to the damages inflicted on the collective throughout its existence.

On Wednesday, 24 March, at 11:21 am, **CREDHOS** received a telephone call at its office in Barrancabermeja, during which an unknown individual made death threats against all of the organization's members, stating: **“Stop making all those publications and stop being rats, all of CREDHOS is a military target, you have 48 hours to leave Barranca (...).”** When the president of the organization, Iván Antonio Madero Vergel, was notified of the call he realized that **via voice message on his personal cellular telephone he had received another death threat against himself, his wife, and his two children.** The threat included details on his recent movements and travel planned for the following days. In both calls, the individual identified themselves as members of the “FARC-EP” dissidents.⁶

The threats occur in a context of persecution that has increased over the last several months against CREDHOS. Last October, CREDHOS published the report “El silencio armado: Pactos y disputas en el Magdalena Medio,⁷” (Armed Silence: Pacts and disputes in the Magdalena Medio) documenting an intensification of the armed conflict in the region amid the pandemic. The report has information on the FARC-EP dissident group in the region and state impunity in cases of serious human rights violations. Subsequent to the publication, CREDHOS received threats in **January and February 2021, allegedly from the dissidence, declaring the organization a “military target.”**⁸

CREDHOS also received direct threats in 2020. In the context of criminal complaints filed about the oil company Conyser dumping toxic waste⁹ in the rural community Planta Nueva in Barrancabermeja, **CREDHOS denounced a businessperson from Barrancabermeja's criminal plan** against the organization and other leaders,¹⁰ within which the businessperson held a meeting with several paramilitaries to arrange the plan.¹¹

Of all the complaints filed with the Prosecutor General's Office of the Nation, there are no results from the investigations or clarity regarding the material and intellectual authors in those incidents, even though the organization is a beneficiary precautionary measures from the Inter-American Commission on Human Rights (IACHR). At the same time, CREDHOS and other organizations in the region have requested precautionary measures from the Special Jurisdiction for Peace (JEP) to guarantee their safety as contributors to the SIVJRGNR. This request has not yet been resolved.

Within their work in the defense of the environment, CREDHOS provides legal representation for several environmental organizations and grassroots collectives in the region who have faced attacks and threats. Among others, we highlight:

➤ THE COMMITTEE FOR THE DEFENSE OF WATER, LIFE, AND THE TERRITORY OF PUERTO WILCHES (AGUAWIL)

On 29 January, Yuvelis Natalia Morales, a member of Aguawil, intervened as the spokeswoman for the Alliance Colombia No Fracking,¹² during the Congressional Public Hearing on the risks of fracking. She was invited by the Fifth Commission of the Lower Chamber. That night, the young woman was at her home in the municipality of Puerto Wilches, department of Santander, when “(...) **two men forced me into the house and told me to stop making trouble, that I was very alone, and that they could kill me any day.** Following was a wave of terror that forced me to leave. I filed the complaint and the **Police and Army (...) began to intimidate me, saying that they couldn't protect me because I was making too much noise,** that I should stop stirring up trouble (...).”¹³

Also, other members of Aguawil (including Yoselin Yusley Infante Luna, who was victim to threats and blows on 10 February of this year¹⁴), together with the Alliance Colombia No Fracking, suffer persecution because they have **dared to publicly oppose a recent decision from the Colombian Government.** In December 2020, the Colombian Government authorized three fracking pilot projects nationally,¹⁵

two are in the municipality of Puerto Wilches,¹⁶ with participation from the transnational company ExxonMobil.¹⁷

The decision on fracking has the communities worried. “It is public knowledge that there is an alleged **relationship between armed actors and criminal with several companies that have contracts with oil companies operating in the Magdalena Medio...**”¹⁸ The judicial investigations of these incidents and crimes do not advance, but they do generate “**threats, displacements, attacks, and murders,**” as was denounced by **Óscar Sampayo of the Regional Corporation Yareguies** who has also received direct threats due to his environmental work in the region.¹⁹

Puerto Wilches is a municipality with over 30 aquifers, marshes, and both the Magdalena and Sogamoso rivers, and is part of the biological corridor for the manatee (an endangered animal²⁰) **while the population does not have access to potable water as there is no aqueduct.**²¹ Historically, oil extraction has functioned as an enclave economy in the municipality without generating benefits for the population; additionally, the communities that have ancestrally worked in fishing have been impacted by the extraction of hydrocarbons with irreparable damages to water sources and the territories.²²

It is worth noting that during public hearings in January and February 2021, two United Nations Special Rapporteurs called to ban fracking in Colombia, considering that it “**generates toxic pollution that threatens life, health, and the ecosystems, aggravating climates change and violating the right to live in a healthy environment...**”²³ Also, in March 2021, the Special Rapporteur on Safe Drinking Water and Sanitation warned of the shortage of potable water in countries like Colombia.²⁴

After the threats on 29 January against members of Aguawil, CREDHOS filed a criminal complaint with the Police; in addition to requesting protection measures from the National Protection Unit (UNP in Spanish). To date, there has been no response from the UNP.

➤ **FEDERATION OF SANTANDER FISHERS FOR TOURISM AND THE ENVIRONMENT (FEDEPESAN)**

Equally serious incidents occurred with the fishing organization **FEDEPESAN** in recent weeks and months. On 20 January 2021, the organization’s president, environmental engineer Yuli Andrea Velázquez, suffered an **assassination attempt. Bullets were fired at her home in the township of Llanito de Barrancabermeja** while she was home with her two minor daughters and her husband.²⁵ Previously, the organization’s vice-president, Luis Alberto González López, **also survived an attempted murder with a firearm** on 14 October 2020,²⁶ in addition to finding a **box that contained a toad (representing what would be a “rat” in English) with its throat cut and a threatening message. The box was found near his house on 13 September.**²⁷

Also, between 3 and 4 November 2020, a **flier was publicly circulated by the Magdalena Medio Bloc of the Águilas Negras** in the municipalities of Puerto Wilches and Barrancabermeja.²⁸ The flier was a death threat against **14 environmental defenders, 4 government employees, and a Representative to the lower chamber of congress.**²⁹ In the threat, the Águilas Negras accused the individuals of being communists, guerrillas, and of obstructing development, in addition to **giving them 24 hours to leave the area.** The flier not only included Luis Alberto González López of FEDEPESAN,³⁰ but also five members of the Alliance No Fracking.³¹

In the case of FEDEPESAN, Yuli Andrea Velázquez had denounced, among other issues, a corrupt use of resources by the national oil company ECOPETROL and the Autonomous Regional Corporation (CAR- the regional environmental authority) with subcontractor companies **in relation to the environmental cleaning and recovery of the San Silvestre marsh.**³² The marsh provides drinking water to all of Barrancabermeja (approx. 300,000 people),³³ but has been seriously affected by the **leaching of residual hydrocarbons and heavy metals**³⁴ due to oil extraction and the presence of two landfills. This continues to kill fish and impact the health of river and fishing communities. According to FEDEPESAN, after the investment of 5 billion pesos (approx. 1.3 million U.S. dollars) to clean the body of water there **are not visible impacts, nor have they generated the results needed to protect the environmental**

and water.³⁵

The criminal investigations of the Attorney General's Office with respect to the complaints have not yielded efficient results to date. **A complaint by Yuli Andrea Velasquez against a contractor was archived on March 23 since, according to the agency, there was no threat**³⁶.

It should be noted that in October 2020, a coalition of organizations, including CREDHOS, filed a **constitutional action against the national and local governments, the national companies ECOPETROL and Aguas de Barrancabermeja, and the French transnational company Veolia**. This is due to the many years of pollution at the San Silvestre marsh, without developing a serious recovery plan to date.³⁷ The constitutional action has not yet been resolved by the court.

PBI Colombia calls attention to the fact that **all of the threatened water and environmental defenders have carried out research, legal actions, and complaints against environmental authorities and companies** due to the serious impacts on water resources, acts of corruption, money laundering, and ties to paramilitary and criminal groups.

At the same time, the corresponding judicial investigations **have not generated the necessary results nor efficient actions to prevent a repetition of human rights violations**. Also, **the protection measures granted have been insufficient and inadequate**; in the case of Aguawil measures were not granted to member Yuvelis Morales and her forced displacement from the region was not prevented.

In turn, key international instruments for the protection of environmental defenders, such as the Escazú Agreement, have not been ratified by Colombia; on the contrary, it has been publicly attacked by the Centro Democrático government party.³⁸

Due to the following, PBI Colombia requests that the international community, in the context of their political relations with Colombia, strongly urge:

- The Ministry of the Interior and the National Protection Unit to provide protection measures agreed upon with the beneficiaries and initiate a plan to monitor the situation of human rights and environmental defenders in the Magdalena Medio, with accompaniment from the UN Office of the High Commissioner on Human Rights and participation from the affected individuals.
- The National Prosecutor General's Office to investigate the threats against the aforementioned organizations, as well as the other complaints and attacks, using a rights-based and gender approach.
- The Special Jurisdiction for Peace (JEP), in particular the Chamber for the Acknowledgement of Truth, Responsibilities, and Determination of Facts and Conducts, to consider the importance of precautionary measures for CREDHOS in application of the JEP Statutory Law and Law 1922 of 2018.
- The National Inspector General's Office to advance investigations on complaints regarding possible incidents of corruption by government employees.
- The Colombian Government to immediately ratify the Escazú Agreement as a demonstration of its true political will to support environmental defenders and its firm rejection of all violence against them.
- The National Government to urgently implement the Peace Agreement comprehensively and in particular to implement the program for collective prevention and protection measures regulated by Decree 660 of 2018 and the National Commission on Security Guarantees. An effective implementation of this commission would have helped to avoid an escalation of risks for environmental defenders.
- The National Victims Unit to implement the collective reparation measures granted to CREDHOS three years ago.

Also, PBI Colombia requests that the international community:

- Make statements strongly rejecting all types of aggression against environmental and human rights organizations in the Magdalena Medio.
- Monitors the criminal investigation of threats and attacks against the aforementioned organizations in the Prosecutor General's Office of the Nation, as a prevention and protection mechanism for water and environmental defenders.
- Visits the CREDHOS office in Barrancabermeja and that they receive organization members in their diplomatic missions.
- Activates control mechanisms regarding the role of international companies in environmental damages and human rights violations in the Magdalena Medio region and Colombia.



Endnotes

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- 2 Semana: [El piloto de fracking in Puerto Wilches está en el ojo del huracán](#), 24 March 2021
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- 4 Fundación Natura Colombia (@fundacionnatura): [Twitter](#), 11 September 2019
- 5 La cifra más alta registrada en los últimos ocho años en cualquier país, El Tiempo: [Colombia encabeza listado mundial de ambientalistas asesinados](#), 6 August 2020
- 6 Credhos (@Credhos_Paz): [Denuncia Pública](#), 26 March 2021
- 7 Credhos: Report: [El silencio armado: Pactos y disputas en el Magdalena Medio](#), January-September 2020
- 8 Credhos: [Denuncia Pública](#), 8 March 2021
- 9 El Espectador: Comunidad denuncia que se está viendo afectada por una empresa petrolera en Santander; 4 February 2019
- 10 Credhos: [Acción urgente por la vida e integridad](#), 19 August 2020
- 11 RCN Radio: [ONG de Barrancabermeja denuncia plan criminal en su contra](#), 20 August 2020
- 12 Consejo de Estado: [Coadyuvancia a la Acción de Nulidad Simple contra el Decreto número 328 del 28 de febrero de 2020, proceso 11001-03-26-000-2020-00042-00 \(65992\)](#), 17 March 2021
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- 18 Semana: [La preocupación de ambientalistas del Magdalena Medio por el inicio de pilotos de fracking](#), 5 April 2021
- 19 Ibid.
- 20 Save the Manatees: [Information on manatees](#); RCN Radio: [Ambientalistas rechazan propuesta de segundo piloto de fracking in Puerto Wilches](#), 31 March 2021
- 21 Semana: [El piloto de fracking in Puerto Wilches está en el ojo del huracán](#), 24 March 2021
- 22 RCN Radio: [Derrame de petróleo llegó hasta Puerto Wilches, lugar donde habitan manatíes](#), 14 June 2018; Blu Radio: [Denuncian contaminación de una ciénega de Puerto Wilches por derrame de crudo](#), 30 November 2016; Radio Nacional: [Continúan derrames de crudo en Puerto Wilches Santander](#), 15 July 2020
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- 25 Ecap (@ecapcol): [Twitter](#), 25 February 2021
- 26 RCN Radio: [Ambientalistas de Barrancabermeja denuncian plan atentar contra ellos](#), 19 October 2020
- 27 Amnesty International : [Urgent Action: Protect Environmental Defenders at Risk](#), 16 February 2021
- 28 Credhos (@Credhos_Paz): [Tweet](#), 9 November 2020
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- 30 Amnesty International : [Urgent Action: Protect Environmental Defenders at Risk](#), 16 February 2021
- 31 Semana: [Más de 80 organizaciones rechazan amenazas contra ambientalistas en Santander](#), 5 November 2020
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- 35 Semana: [Amenazas y atentados contra líderes ambientalistas no paran en Colombia](#), 26 January 2021, CRY-GEM (@CRY_GEAM): [Twitter](#), 25 January 2021
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- 38 María Fernanda Cabal (@MariaFdaCabal): [Tweet](#), 26 October 2020