

NEWSLETTER #43: HUMAN RIGHTS IN THE CONTEXT OF THE NATIONAL STRIKE 2021

April 28 to July 8 – Last Update: 23:59

Expedition Time: 5 PM Approx. July 9, 2021

* (Figures subject to variation due to permanent updating of information)



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HUMAN RIGHTS

1



RIGHT TO PEACEFUL ASSEMBLY

- 7,739 rallies
- 2,535 marches
- 685 mobilizations
- 42 assemblies
- in 860 municipalities,
- in 32 departments

-Source: Ministry of Defense. Balance Sheet (April 28 to July 8, 2021 – Latest Update at 23:59) - Received: Jul 9, 2021 - 7:00 am

2



RIGHT TO LIFE

54 reports of people deceased

- 25 cases related to manifestations
- 19 have no nexus to manifestations
- 11 in the process of verification

- 3 Uniformed Persons Deceased

* Death of two (2) newborns in ambulance due to road blockages and risk to the mother.

Source: Office of the Attorney General of the Nation. June 15, 2021. Received: June 15, 2021 - 11:46am

3



RIGHT TO HUMANE TREATMENT

- 1,140 Civilians injured.
- 1,569 Uniformed Persons injured.
- 3 Uniformed Persons remain in the hospital.

-Source: Ministry of Defense. Balance Sheet (April 28 to July 8, 2021 – Latest Update at 23:59) - Received: Jul 9, 2021 - 7:00 am

- 113 facts identified by the Ombudsman's Office for gender-based violence (against women and people with diverse sexual orientations and gender identities)

4



RIGHT TO FREEDOM

- As of June 10, 2021: Only 84 people of the 572 initial registrations remain to be located.
- Regarding these 84 people, the urgent search mechanism remains active.
- 4 formal complaints for alleged disappearance.

Source: Office of the Attorney General of the Nation. Press Release 255. June 10, 2021. Posted: 4:44 pm

- 9.278 transferred for protection

- 13 Uniformed Persons Kidnapped and Retained (Valle del Cauca) (Article 168 Penal Code)

-Source: Ministry of Defense. Balance Sheet (April 28 to July 8, 2021 – Latest Update at 23:59) - Received: Jul 9, 2021 - 7:00 am

5



RIGHT TO A FAIR TRIAL

226 Investigations for alleged disciplinary misconduct in the National Police of Colombia

- 105 for abuse of authority
- 45 for physical aggression
- 16 for homicide
- 25 for personal injury
- 03 for sexual harassment
- 32 for other conducts

- 34 investigations in Military Criminal Justice.

- 498 cases of wounded civilians in demonstrations prioritized.
- 429 criminal news opened for alleged abuse of authority and personal injury.

-Source: Ministry of Defense. Balance Sheet (April 28 to July 8, 2021 – Latest Update at 23:59) - Received: Jul 9, 2021 - 7:00 am

- 201 disciplinary investigations in Procurator General's Office

Source: Office of the Procurator General's Office. Balance National Strike 2021. June 16, 2021 - Received: 19-June-2021, 10:44 am

6



RIGHT TO HEALTH

(Source: National Institute of Health. Report 8-07-2021 7:30 p.m.)

- Covid-19 situation
- 154.268 Active Cases
- 23.275 New Confirmed Cases
- 577 New Deaths Reported distributed as follows:
 - 480 Jul, 76 Jun, 17 May, 4 Abr
- Intensive Care Unit (SISPRO Weekly Update):
- 6.751 occupied
- 2.180 available

7



RIGHT TO FOOD

- For preschool, elementary and middle school children: The blockades have impacted more than 3.5 million children in the school feeding program

Source: Minister of Education Maria Victoria Angulo - Plenary Session of the House of Representatives - National Contingency May 12, 2021.

AFFECTIONS TO THE RIGHT TO PROPERTY (A property that has been destroyed or incinerated is considered to be affected).

1,941 PRIVATE GOODS



- 462 Bank branches affected
- 444 ATMs
- 478 Commercial establishments
- 318 Ambulances and emergency vehicles
- 92 Service stations
- 107 Private vehicles
- 33 Private motorcycles
- 04 Religious institutions
- 01 Hotel
- 01 Radio Station
- 01 Private Educational Institute

-Source: Ministry of Defense. Balance Sheet (April 28 to July 8, 2021 – Latest Update at 23:59) - Received: Jul 9, 2021 - 7:00 am

2,357 PUBLIC GOODS



- 1,374 Public transportation vehicles
- 262 Public transportation stations
- 173 Government infrastructure
- 166 Security cameras
- 136 Traffic lights
- 127 traffic signs
- 57 Photo ticket cameras
- 28 Toll booths affected
- 29 Cultural goods
- 04 Weighing scales
- 01 Critical infrastructure (Bridge)

734 POLICE PROPERTY



- 581 Institutional Vehicles
- 121 CAI
- 15 Stations
- 04 Sub Stations
- 03 Police Districts
- 02 PONAL offices
- 02 Specialty Buildings
- 01 Police Command
- 01 Control Posts
- 01 School of Criminal Investigation
- 01 School for children of policemen
- 01 Health Dispensary
- 01 fiscal house (Police)



HUMAN RIGHTS AFFECTED BY BLOCKADES (3,590 blockades) AND THOSE WHO DO NOT PARTICIPATE IN THE SOCIAL PROTESTS

1

RIGHT TO LIFE

- ❖ Death of patients for not allowing ambulances to pass.
- ❖ The blockades have generated confrontations that have resulted in attempts on the lives of several people.

2

RIGHT TO FOOD

- ❖ Negative effects on food production, distribution and sales.
- ❖ Shortages in supermarkets.
- ❖ Price increases.
- ❖ Need to dispose of food due to transportation and supply problems.

3

RIGHT TO HEALTH

- ❖ Shortage of medical supplies.
- ❖ Ambulances have not been allowed to pass.
- ❖ Difficult mobilization to health care centers puts the lives of patients at risk (especially cancer and renal failure patients).

4

RIGHT TO MOBILITY

- ❖ Vehicles are not allowed to pass freely within the city; illegal tolls are being imposed.
- ❖ Vehicles are not allowed to pass freely between municipalities and departments.
- ❖ Public transportation vehicles are vandalized and exclusive roads for their mobility are blocked.
- ❖ Transportation supplies are not allowed to enter.
- ❖ People are having difficulties returning to their homes.

5

RIGHT TO ECONOMIC, SOCIAL AND CULTURAL DEVELOPMENT

- ❖ The blockades generate that several economic sectors are extremely affected to continue developing.
- ❖ In addition to the social and economic crisis caused by the Covid-19 pandemic, there are serious effects of the national strike.
- ❖ Acts of vandalism, damage to the public transportation system, violent confrontations and road blockades have deeply affected our society and the productive sector.

6

RIGHT TO WORK

- ❖ People are finding it difficult to reach their workplaces.
- ❖ Due to the high economic losses in several sectors, layoffs and company closures have had to be made.

7

RIGHTS TO HOUSING, WATER AND SANITATION (Relationship with Public Services)

Last Information Received: June 5,
2021

- ❖ Alerts remain of shortages of chemical supplies for the treatment and purification of water, added to concern about materials for repair and maintenance works due to the effects that suppliers are suffering.
- ❖ Suspension and / or delays in maintenance, reconnection and travel of crews, due to difficulty in movement and lack of fuel, added to fear on the part of the operators.
- ❖ Difficulties persist for the mobilization of waste and deposit in sanitary landfills.
- ❖ Solid waste continues in homes and public spaces without collecting due to the impact on free movement (Health Risk - Sanitary and Environmental Emergency)
- ❖ Affecting the mobility of trucks that provide transportation of natural gas, with which services are provided to municipalities, as well as vehicles that provide inputs and waste collectors.
- ❖ The effects on the LPG gas supply persist (cylinders and networks)
- ❖ Public Service Companies have had to activate contingency plans.

The economic cost of a day of demonstrations is \$ **484.000** millions.

About \$ 6.2 billion since the start of the protests.

Sectors most affected:

Trade \$ 123 billion
Transportation: \$ 53 billion
Accommodation: \$ 41 billion.
Agro: \$ 26 billion
Manufacturing: \$ 41 billion
Construction (Housing and public works): \$ 26 billion

The devaluation and the increase in the rates at which they lend to the country would increase the public debt by \$ 1.28 trillion this year.

-8.2 million transfers to the poorest households.
- 3.5 million payroll subsidies.

Since the strike began, the exchange rate has increased by \$ 135.5 pesos on average, and the rates of the 5 and 9-year TES increased 78 and 48 basis points respectively.

Sectors at risk:

Hass avocado: \$ 15 billion
Panela: \$ 1.3 billion
Rice: 350 thousand hectares
Banana: US \$ 2,692
Coffee: \$ 65 million
Fish: \$ 32 billion and US \$ 90 million in exports.

Source: Minhacienda

The production of 1.5 million barrels of crude oil and 2,700 million cubic feet of gas has been prevented.

Source: MinMinas y Energía

New: The Ombudsman's Office sent the IACHR a Report with 174 affectations suffered by people non-participants in the demonstrations delivered by the Movement of Victims of the Unemployment.

Among the rights affected are: freedom of movement (30%), health (22%), work (22%), integrity personal (7%), vital minimum (6%), food security (4%), life (3%) and private property (2%), among others.

The above, revalidates the analysis carried out by the Ministry Presidential for Human Rights.

Source: Ombudsman's Office. Press release 73 of 2021. Published: Jun 24, 2021.

II. RELATIONSHIP BETWEEN RIGHTS AND DUTIES:



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RELATIONSHIP BETWEEN RIGHTS AND DUTIES

"The rights of each person are limited by the rights of others, by the security of all and by the just demands of the general welfare, in a democratic society." Art. 32 of the American Convention on Human Rights.

260,652 corrective measures for violations of the National Code of Coexistence and Citizen Security, Law 1801 of 2016. Among them, the following stand out:



80,040

For non-compliance, disrespect and lack of knowledge of police orders.

87,027

Por bearing arms, Sharp, pointed or similar elements.

12,056

For fighting, inciting or incurring in violent confrontations that may lead to aggression.

12,053

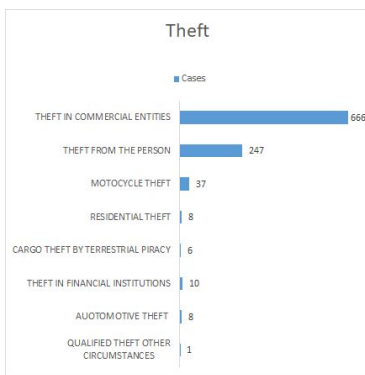
For evading the payment of a fare, validation or ticket for public transportation services.

-Source: Ministry of Defense. Balance Sheet (April 28 to July 8, 2021 - Latest Update at 23:59) - Received: Jul 9, 2021 - 7:00 am

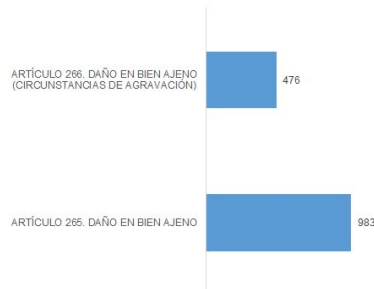


CRIMES AND NUMBER OF CASES RELATED TO SOCIAL CONTINGENCY PERIOD FROM APRIL 28 TO JULY 08, 2021

Source: Directorate of Criminal Investigation and Interpol. Crime Information Group. Received: July 08, 2021 - 12:00 pm

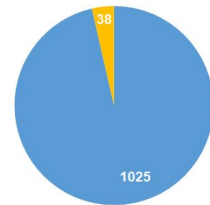


Damage to Property of others

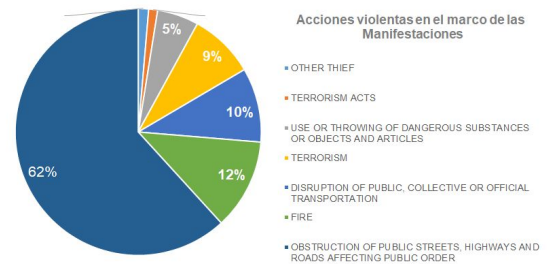
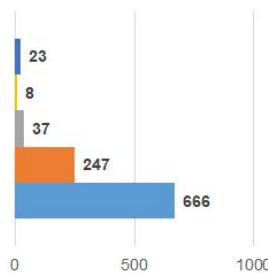


Violence and Uprisings

■ VIOLENCE AGAINST PUBLIC SERVANTS ■ UPRISINGS

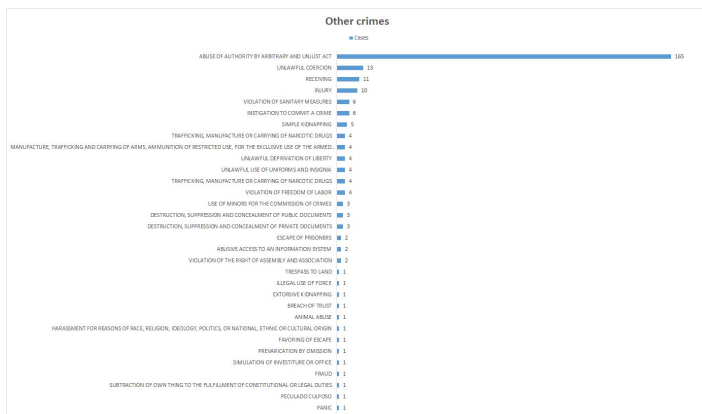
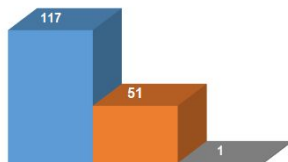


Theft



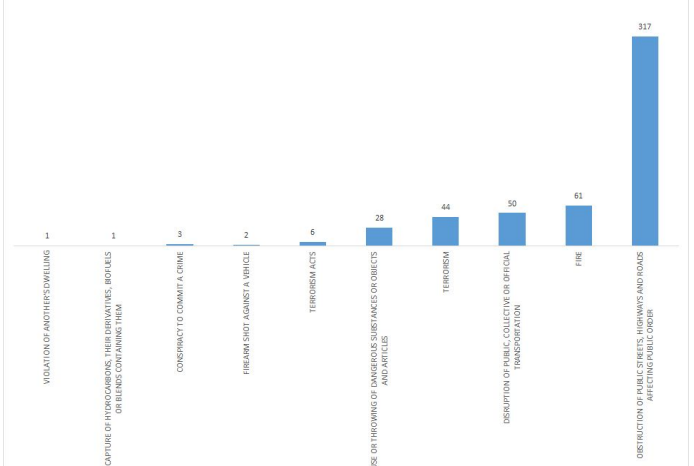
Deaths and threats

■ THREATS ■ DEATHS ■ CULPABLE HOMICIDE (TRAFFIC ACCIDENT)



Violent actions in the context of demonstrations

■ Cases





OFFICE OF THE ATTORNEY GENERAL OF THE NATION

(Source: Office of the Attorney General of the Nation. Main Results Judicial PMU. May 17, 2021 - Received: 17-May-2021, 7pm)

The Attorney General's Office has carried out a total of*:

160

Allegations



49

Arrest warrants



643

Crime News Releases



- Prioritization **278 cases** of people listed as **victims of abuse of authority and personal injury.**
- Appointment of **more than 35 teams** throughout the national territory, with judicial police from the CTI, SIJIN and Forensic Medicine to carry out investigations in context, **strengthening those situations with the greatest impact on the civilian population.**

Main results:

1. **Judicialization against leaders of the ELN and Dagoberto Ramos** associated with terrorism, **due to the events that occurred in the city of Cali.**
2. Due to damage to the toll infrastructure, there are 9 people captured who already have an insurance measure.
3. **Clarification of 4 homicides** that have occurred in the framework of the demonstrations.

The Attorney General's Office in the context of the protest has created: **7 lines of investigative work** and has delegated a team of more than 3,000 people throughout the territory, including prosecutors, judicial police, analysts).

FUNCTIONS OF THE WORK TEAMS

1. Clarify homicides that occur during the demonstrations.
2. To advance investigations for situations of violence that generate looting, vandalism, destruction of public and private property.
3. Collect information on cases of personal injury and/or abuse of public forces.
4. Collect information on investigations of injuries or violence against public servants.
5. Urban terrorism
6. Activation of the Urgent Search Mechanism, Law 971 of 2005, within the framework of an inter-institutional roundtable created together with the Ombudsman's Office.
7. Delegate who investigates criminal finances and pursues the sums of money of those who support and finance urban terrorism. With regard to the extinction of ownership).

*Source: Attorney General's Office. Balance Sheet - National Strike 2021 (April 28 to May 9, 2021 - Latest Update May 9, 2021 at 23:59) - Received: May 10, 2021.

- **201 disciplinary actions** for facts related to social demonstration activities, as follows: 12 disciplinary investigations and 189 preliminary inquiries.
 - 172 files against members of the Public Forces:
 - 4 disciplinary investigations and 168 preliminary inquiries.
 - 150 in provincial and regional and 22 by preferential power.
- 21 actions against popularly elected public officials: 3 Congressmen, 1 Governor, 9 Mayors and 6 Councilors.
- 8 files against other public officials: 7 preliminary inquiries and 1 disciplinary investigation.
- **743 processing complaints.**
- **Accompaniment Work: 7,034** (5,552 Monitoring, 581 unified command assistance, 475 tables for dialogue and spaces for consultation with civil society, 202 participation in security councils, 1,224 accompaniment to marches, rallies and / or mobilizations).

Procurator General's Office

Source: Office of the Procurator General's Office. Balance National 2021. June 16, 2021 - Received: 19-June-2021, 10:44am

OMBUDSMAN'S OFFICE

Sources: Ombudsman's Office. Stock Balance 28-Apr to 15-May, 6 am - Received: 15-May-2021, 8pm Balance to IACHR. Published 7-Jun-2021 Press release

- 441 officials accompany the demonstrations (Average)
- 303 public defenders available 24/7 (to provide judicial representation)
- 372 mediations
- 286 supports for the opening of supply routes
- 113 identified acts of gender-based violence (against women and people with diverse sexual orientations and gender identities)
- 1 person from the Police received in Cauca (to protect the protesters)

SUPPLYING (ROADS ENABLING)

Windows of Opportunity: It is called the information provided by the Directorate of Traffic and Transport (DITRA) of the Police during the day, where the roads enabled for mobility are indicated.

661 Enabled Roads (Windows of Opportunity)
430 By conciliation with leaders
231 For interventions with ESMAD

-Source: Ministry of Defense. Balance Sheet - National Strike 2021 (April 28 to July 8, 2021 - Latest Update at 23:59) - Received: July 9, 2021

DIALOGUE

6 fundamental topics of dialogue: 1) Accelerate the mass vaccination process, 2) Safe reactivation and social development, 3) The peaceful expression of civil society proposals, 4) Protection of the most vulnerable, 5) Stabilization of the public finances, and 6) Equity programs such as zero enrollment in universities or solidarity income.

From May 5 to 17, 18 Encounters to Listen to Us and Advance on the Fundamental had been carried out as follows:

- 3 - National Strike Committee
- 2 - Victims
- 1 - State Institutions
- 1 - High Courts
- 1 - National Confederation of Communal Action
- 1 Former Mayors - Former Finance Ministers
- 1 - Media
- 1 - Coalition of Hope
- 1 - Asocapitales
- 1 - Youth
- 1 - Governors
- 1 - Religious Community
- 1 - Health
- 1 - Opinion Leaders and Entrepreneurs
- 1 - PDET Mayors

Regional Dialogues:

- 17 regional dialogues started.
- 71 regional conferences.
- More than 1000 participants
- Presence in 21 Departments.

Colombia Pact with youth (As of June 02)

- ★ 4,761 young people participated.
- ★ 179 days of active listening.
- ★ Presence in 24 Departments and Bogotá D.C.

Accompaniment: United Nations Verification Mission, the Office of the United Nations High Commissioner for Human Rights, the Episcopal Conference of Colombia, the Ombudsman's Office and the Procurator General's Office.

As of June 4, **fifteen (15) exploratory tables** between the National Strike Committee and the negotiating team of the National Government. progress has been made in the discussion on the **requirements for guarantees for peaceful assembly and for negotiating tables.**

National Police of Colombia



- 1,427** captures in flagrancy
- 123** arrests by court order
- 87,027** sharp-edged weapons seized
- 3,123** firearms seized
- 1,410** pneumatic weapons seized
- 569** criminal reports opened
- 373** explosive elements

-Source: Ministry of Defense. Balance Sheet (April 28 to July 8, 2021 - Latest Update at 23:59) - Received: Jul 9, 2021 - 7:00 am

Military Assistance

Art. 170 L. 1801/2016 "It is the legal instrument that can be applied when events of serious alteration of security and coexistence require it, or in the face of imminent risk or danger, or to face emergency or public calamity, through which the The President of the Republic may dispose, temporarily and exceptionally, of the assistance of the military force. However, the municipal or district governors and mayors may request such assistance from the President of the Republic, who will evaluate the request and make the decision. Military assistance will be governed by the protocols and specialized standards on the matter and in coordination with the Police Commander of the jurisdiction "