

NEWSLETTER #18: HUMAN RIGHTS IN THE CONTEXT OF THE NATIONAL STRIKE 2021

April 28 to May 30 – Last Update: 23:59

Expedition Time: 3 PM Approx. May 31, 2021

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



El futuro es de todos

Consejería Presidencial para los derechos humanos y asuntos internacionales

HUMAN RIGHTS



RIGHT TO PEACEFUL ASSEMBLY

- 5,775 rallies
- 2,180 marches
- 598 mobilizations
- 22 assemblies
- in 809 municipalities,
- in 32 departments

-Source: Ministry of Defense. Balance Sheet - National Strike 2021 (April 28 to May 30, 2021 - Latest Update at 23:59) - Received: May 31, 2021 - 8:11 am



RIGHT TO LIFE

48 reports of people deceased

- 20 cases related to manifestations
- 19 have no nexus to manifestations
- 9 in the process of verification
- As of May 25: 4 clarified cases (3 attributable to Public Force and 1 to individuals)

- 2 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. May 31, 2021. Received: May 31, 2021 - 8:50am



RIGHT TO HUMANE TREATMENT

- 1,106 Civilians injured.
- 1,192 Uniformed Persons injured.
- 5 Uniformed Persons remain in the hospital.

-Source: Ministry of Defense. Balance Sheet - National Strike 2021 (April 28 to May 30, 2021 - Latest Update at 23:59) - Received: May 31, 2021 - 8:11 am



RIGHT TO FREEDOM

- 308 located people
- 111 active hot search mechanisms
- 3 formal complaints for alleged disappearance

Source: Office of the Attorney General of the Nation. May 24, 2021. Received: May 25, 2021 - 10:30am

- 5,258 transferred for protection

New: 11 Uniformed Persons Kidnapped and Retained (Valle del Cauca) (Article 168 Penal Code)

-Source: Ministry of Defense. Balance Sheet - National Strike 2021 (April 28 to May 30, 2021 - Latest Update at 23:59) - Received: May 31, 2021 - 8:11 am



RIGHT TO A FAIR TRIAL

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

- 82 for abuse of authority
- 32 for physical aggression
- 11 for homicide
- 18 for personal injury
- 02 for sexual harassment
- 25 for other conducts

- 34 investigations in Military Criminal Justice.

- 278 cases (personal injury and alleged abuse of authority) under investigation prioritized by the Prosecutor's Office.

-Source: Ministry of Defense. Balance Sheet - National Strike 2021 (April 28 to May 30, 2021 - Latest Update at 23:59) - Received: May 31, 2021 - 8:11 am

- 88 disciplinary investigations in Procurator General's Office

Source: Office of the Procurator General's Office. Balance National 2021. May 24, 2021 - Received: 25-May-2021, 12:20 pm



RIGHT TO HEALTH

(Source: National Institute of Health. Report 30-05-2021 7:40 p.m.)

- Covid-19 situation
- 130,042 Active Cases
 - 20,818 New Confirmed Cases
 - 535 New Deaths Reported distributed as follows:
 - 493 May, 12 Apr, 12 Mar, 12 Feb, 6 Jan
- Intensive Care Unit (SISPRO Weekly Update):
- 6,901 occupied
 - 1,936 available



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 María 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).

1,500 PRIVATE GOODS



- 456 Bank branches affected
- 432 ATMs
- 433 Commercial establishments
- 91 Service stations
- 66 Private vehicles
- 19 Private motorcycles
- 02 Religious institutions
- 01 Hotel

2,027 PUBLIC GOODS



- 1,194 Public transportation vehicles
- 230 Public transportation stations
- 141 Security cameras
- 144 Government infrastructure
- 55 Photo ticket cameras
- 100 Traffic lights
- 28 Toll booths affected
- 105 traffic signs
- 25 Cultural goods
- 04 Weighing scales
- 01 Critical infrastructure (Bridge)

648 POLICE PROPERTY



- 507 Institutional Vehicles
- 113 CAI
- 12 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



HUMAN RIGHTS AFFECTED BY BLOCKADES (2,924 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: May 26,
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 Aqueduct, Water and Sewerage company of the city of Bogotá informed the public that there are problems in the transportation of supplies to make water drinkable.



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.

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



55.739

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

34.393

For bearing arms, Sharp, pointed or similar elements.

5.189

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

5.564

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

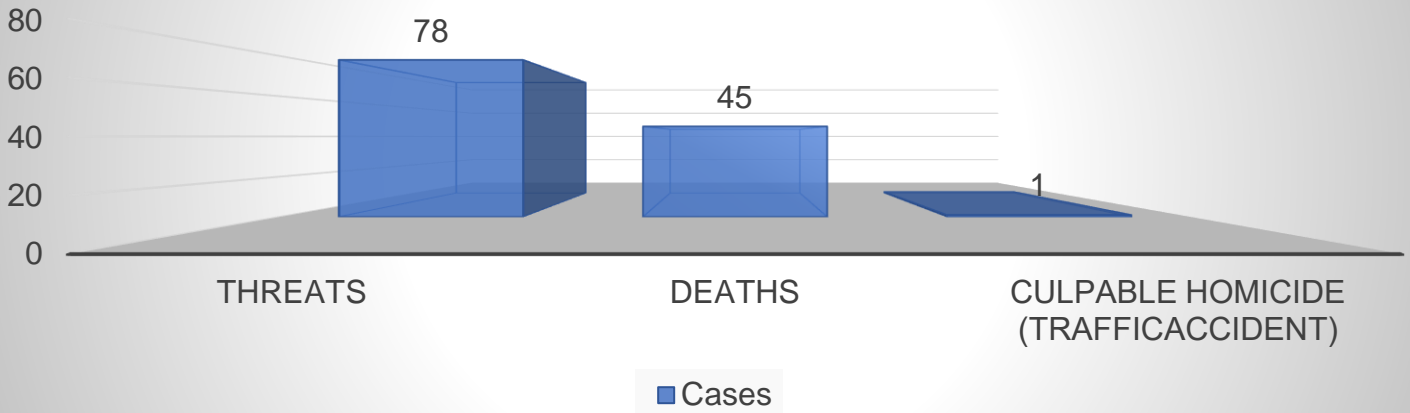
-Source: Ministry of Defense. Balance Sheet - National Strike 2021 (April 28 to May 30, 2021 - Latest Update at 23:59) - Received: May 31, 2021 - 8:11 am



CRIMES AND NUMBER OF CASES RELATED TO SOCIAL CONTINGENCY PERIOD FROM APRIL 28 TO MAY 29, 2021

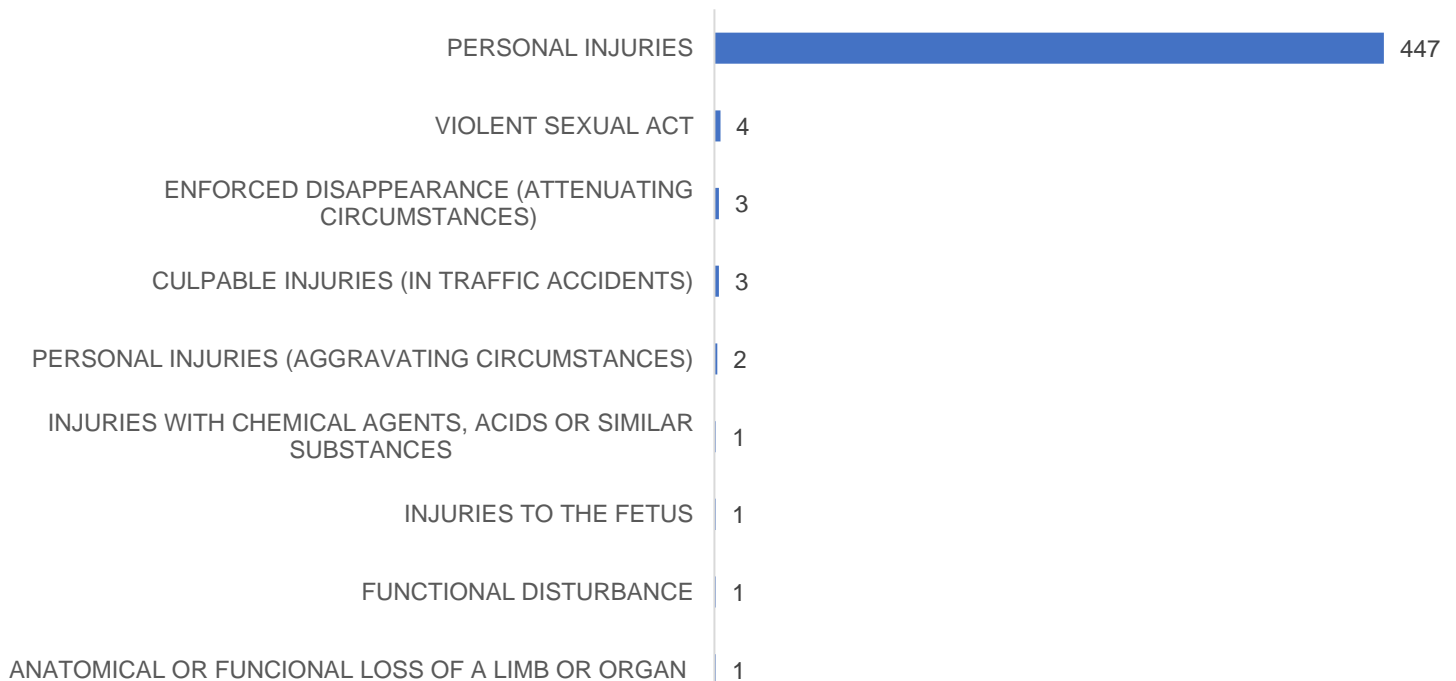
Source: Directorate of Criminal Investigation and Interpol. Crime Information Group. Received: May 31, 2021 - 12:00 pm

Deaths and threats



Injuries to Persons

■ Cases

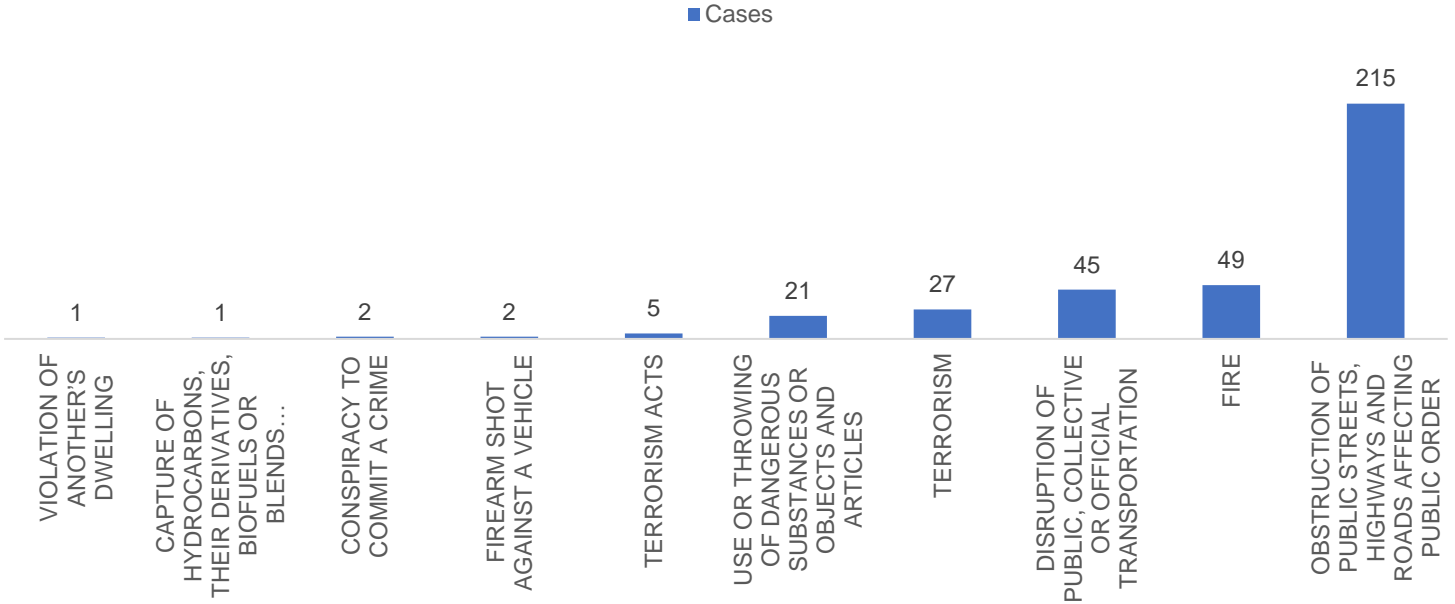




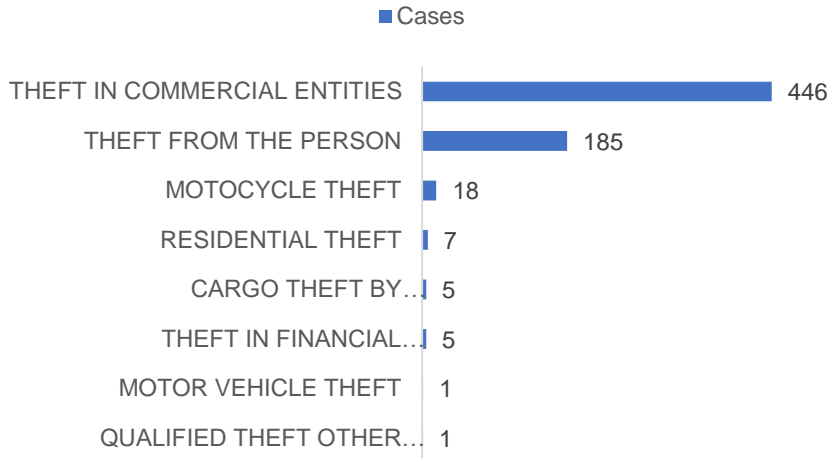
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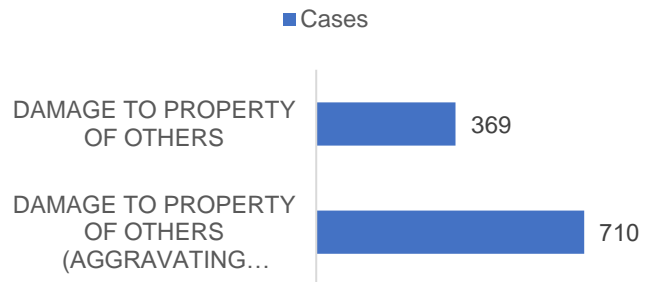
Violent actions in the context of demonstrations



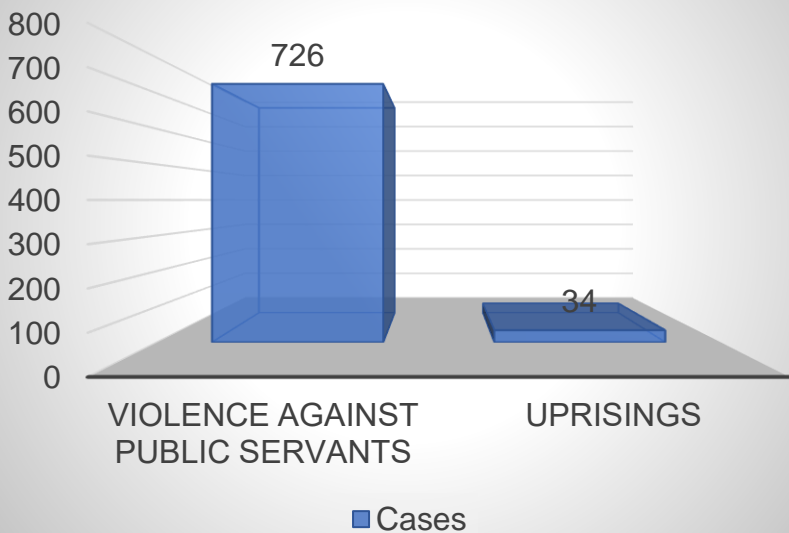
Theft



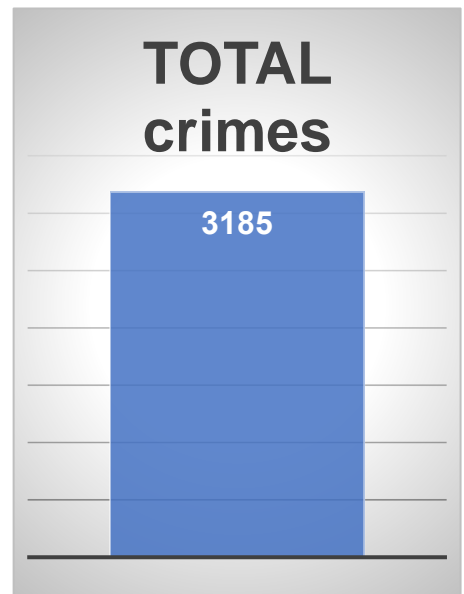
Damage to Property of others



Violence and Uprisings



TOTAL crimes





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.

- 88 disciplinary actions for facts related to the protests, as follows:
 - 78 cases against members of security forces:
 - 23 cases for preferential power against members of the Public Force.
 - 54 cases in provincial and regional offices.
 - 01 disciplinary investigation for events that occurred on May 1 in which a 19-year-old young man died.
- 10 cases against public officials (2 disciplinary investigations: Mayors of Zipaquirá and Paipa, 7 preliminary investigations: 1 Governor Magdalena; 4 mayors: Pereira, Cartagena, Villavicencio and Neiva; 2 Councilors; and 1 Hospital Manager).
- Accompany in real time activities such as mingas, marches and protests. / They are in the dialogue and negotiation scenarios:
 - Accompaniment Work: 5,107. (3,889 Monitoring, 439 unified command assistance, 340 tables for dialogue and spaces for consultation with civil society, 156 participation in security councils, 184 accompaniment to marches, 99 safe corridors).

Procurator General's Office

Source: Office of the Procurator General's Office. Balance National 2021. May 24, 2021 - Received: 25-May-2021, 12:20pm

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 25-May-2021 Press release

- 441 officials accompany the demonstrations (Average)
- 303 public defenders available 24/7 to provide judicial representation
- 372 mediations
- 273 supports for the opening of supply routes
- Verification of 106 cases of gender violence
- 1 person from the Police received in Cauca to protection of 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.

568 Enabled Roads (Windows of Opportunity)
13.051 approved vehicles
481.535 Tons of Cargo Enabled

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National Police of Colombia



- 1,180 captures in flagrancy
- 55 arrests by court order
- 34,393 sharp-edged weapons seized
- 1,364 firearms seized
- 593 pneumatic weapons seized
- 451 criminal reports opened
- 195 explosive elements

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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:

- 14 regional dialogues started.
- 39 regional conferences.
- More than 1000 participants
- Presence in 21 Departments.

Colombia Pact with youth (As of May 15)

- ★ 1,069 young people participated.
- ★ 37 days of active listening.
- ★ Presence in 17 Departments.

As of May 27, **eight (8) 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**.

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.

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 "