



Americas Department  
South America– Americas.3  
Deputy Head of Division

Brussels,  
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Ms. Gina Cortés Valderrama  
[gina.cortés@wecf.org](mailto:gina.cortés@wecf.org)

Dear Ms. Cortés Valderrama,

I would like to thank you for the transmission of the open letter to President Ursula von der Leyen dated 26 May 2021 by WECF Director Gabizon and his co-signatories on human rights violations in the context of the civil protests in Colombia.

Colombia is going through a profound crisis as a third wave of social protests after those of late 2019 and September 2020 is shaking the country. The socio-economic impact of the COVID-19 pandemic has further aggravated existing inequality and disenfranchisement among the population. What is most worrying, are the levels of violence that we have been witnessing since the start of the protests in late April, the loss of lives and the thousands of injured among both protesters and the security forces. These violent incidents undeniably include disproportionate use of force by the police, but there are also cases of vandalism and violence by elements among the overwhelmingly peaceful protesters. After almost two months of confrontations, we now note a certain improvement and easing of tensions and we welcome the recent announcement by the strike committee to suspend the protests.

HRVP Borrell, through a spokesperson statement on 6 May 2021 and phone calls to President Duque on 21 May 2021 and Vice-President and Foreign Minister Ramirez on 10 June 2021, condemned violence and emphasized the need to respect the right to peaceful protest, called for thorough investigations of human rights abuses and violations and encouraged inclusive dialogue and negotiations that result in concrete actions. As you state in your letter, inclusive dialogue is the only viable path to overcome this crisis and it must include all stakeholders; trade unions, civil society organisations, indigenous and afro-Colombian communities, women's groups and the many frustrated young people who rightfully demand a meaningful future, including education and employment. We welcome the Government's initiatives to engage and negotiate with the protesters and have also taken note of the much needed reform of the security forces just proposed by the Government.

The EU is supporting the dialogue process mediated by the UN and the church and confidence building to de-escalate tensions, on the ground and from Brussels, in particular through the contacts of Special Envoy and Special Representative for Human Rights Eamon

Gilmore, who visited Colombia from 16-19 June. The visit of the Inter-American Commission for Human Rights to Colombia earlier this month week is an important signal of the Government's openness to international scrutiny and we look forward to its findings and recommendations.

Our development cooperation and political dialogue aim, among other objectives, to improve human rights in the country. The EU supports the work of human rights defenders and, in the framework of budget support, creates safe spaces for civil society to participate in public policies.

On the final point of the open letter, the control on the export of military equipment by EU Member States is subject to national legislation, the Council Common Position 2008/944/CFSP, and the Arms Trade Treaty. The final decision whether to authorise or deny an individual export of military technology and equipment is taken on a case-by-case basis by the competent authorities of EU Member States. Common Position 2008/944/CFSP lays down eight risk assessment criteria for exports of military, including respect for human rights by the country of final destination. As to the export of dual use items, which might be used for internal repression, the Dual Use Regulation 428/2009 also stipulates that Member States take into consideration the same criteria from Council Common Position 2008/944/CFSP when assessing whether or not to authorise an export license. A full ban on goods for internal repression would require unanimity in the Council.

This is a critical time for Colombia. We are committed to support the Government, civil society and all stakeholders in overcoming the crisis, to continue promoting the respect of human rights and will follow closely the investigations of human rights abuses and violations.

Yours sincerely,

[e-signed]  
Leonor Vieira Sousa