

BULLETIN 01

MONITORING OF HUMAN RIGHTS SITUATION

HUMAN RIGHTS COMMISSION OF THE CIVIC STRIKE TO LIVE IN DIGNITY IN BUENAVENTURA

"Public protest is one of the ways of exercising the right to association and freedom of expression, and is a guarantee of the functioning of the democratic system", Special Rapporteur for Freedom of Expression, Inter-American Commission of Human Rights

Buenaventura 17 May 2017

Human rights organisations which have been called upon to monitor the human rights situation of the civic strike in Buenaventura, which began in the early hours of 16th May 2017, report a systematic effort on the part of the Colombian security forces (police, navy and marine infantry) to register participants in the strike by taking photos and videos of protestors.

The presence of security agents dressed in civilian attire, some of whom it has been possible to identify, filming and photographing, was detected at the different points of concentration in which the population of Buenaventura is exercising its legitimate right to manifest inconformity (Right to Freedom of Expression, Association, and to Protest, Articles 18, 19 and 20 of the Universal Declaration of Human Rights; Article 13 of the Inter-American Human Rights Convention) with the Colombian state's continued violation of the agreements which it signed with the communities and social organisation of Buenaventura, in particular those agreed with the government of Juan Manuel Santos in 2014.

Details:

- 1. At 7.20am at the concentration point El Aguacatico in the Isla de La Paz neighbourhood, the transport police tried to impede the right of the communities to protest, going against the protocol agreed with authorities in meetings prior to the strike (see annex no.1).*
- 2. At 8.05am in the morning at the concentration point Sabrosuras, protesters were able to verify that an ambulance was transporting civilian population through blockades.*
- 3. Between 8.00am and 8.30am, 4 armoured vehicles of the Meteor section of the Marine Infantry arrived to the concentration point Calima (see annex no.1). The Civic Strike is not a war zone, but rather it is the peaceful exercise of Article 37 of the National Constitution which states that 'all parts of the citizenry may meet and protest peacefully and publicly (see annex no.2).*

4. *At approximately 9am a man dressed in civilian clothing arrived to the concentration point Calima, and took photographs of protesting community members for approximately one hour. When approached and asked to identify himself, he refused to provide his name but informed human rights defenders that he was a member of the SIJIN police criminal investigations unit, and was under command of the police. Very quickly the police superintendent LEWSON CASTRO (with police ID number 207562) approached and informed the community that the individual was on an official police mission, monitoring and internal work for the police. Human rights organisations insisted upon the legal obligation that the individual identify themselves, and after several minutes Officer Castro identified the individual as Juan Carlos Restrepo. It was agreed that police would identify any agents in civilian clothing who were observed acting suspiciously, filming or taking photographs of the community. (See annex 3).*
5. *Human rights organisation verify that ambulances, dustbin lorries, armed forces, and civil defence workers were all allowed to pass freely through road blockades, as per the pre-agreed protocol established with authorities. However community members have established that these cars have been used to transport unidentified individuals through roadblocks. In the concentration point at the El Piñal Bridge there were serious incidents with private security agents. These incidents destabilised peaceful protests, generated tensions and violated the established protocols. (See annex 4).*
6. *From 10.00am to 12pm, LUIS ALBERTO RIVERA, according to the name provided by the police, was identified recording and photographing the faces of participants in the strike (see annex no.5).*
7. *At 12.41pm at the El Piñal Bridge, police officers were discovered using police vehicles to transport civilians through road blocks. When the officers were asked to lower the window, the car accelerated and almost ran over the people who were controlling the road block. The police commandant was subsequently asked to ensure that police cars drive with windows down in order to avoid further incidents. (See annex 6).*
8. *At 2.34pm two cars- one civilian truck and one from the Marine Infantry- arrived to the Calima concentration point, and when they were allowed to pass through as per the agreed protocol, community members realised that the infantry vehicle (Plan Meteoro) was transporting civilians in the truck which carried heavily armed navy officers. It was also observed that the other vehicle with license plates VEZ 963, Isuzu brand, did not have license plates which made it impossible to identify (see annex 7).*
9. *At 5.00pm a statement was released by the waste removal company Buenaventura Medio Ambient, signed by Ingrid Mosquera, responsible for the social area of the company. The statement announced that the company would suspend the waste removal service because protestors had obstructed the circulation the circulation of its collection trucks. Human rights organisations were able to verify that that statement is not true, and demonstrated the intention of the company to generate unrest in the population. It was confirmed that dustbin Lorries passed through*

different concentration points at least 22 times and were registered each time. (See annex 8).

- 10. At the concentration point La Delfina at 5.00pm, the police officer in command of forces in the area informed multilateral international organisms that they had received the order to withdraw the ESMAD anti-disturbance squadron, however two hours later the same officer threatened the community, saying that the ESMAD would pass through their roadblock the easy way or the hard way.*
- 11. As human rights organisations we are concerned that members of the security forces participated in a meeting which took place today between the Mayor of Buenaventura, Elicier Arboleda Torres, and representatives of the civic strike committee. Amongst them were two unidentified individuals who it is believed were police intelligence officers of the Sectional de Intelligence de Policy (SIPOL). We are also concerned that during the same meeting, a representative of the regional ombudsman's office (Defensoria Regional del Pueblo), in a worrying manner made unfounded and untrue accusations against indigenous and Afro-descendent communities in the La Delfina area relating to their conduct during the protests. (See annex 9).*

The organisations of the Human Rights Commission of the Civic Strike to Live with Dignity in Buenaventura confirm that communities have kept to the protocol agreed with state institutions. The incidents which have occurred have been a result of the behaviour of security forces, institutions and companies which have violated protocols, as proved by the examples listed here.

During the day of 17th May, communities exercising their constitutional rights took to the streets in a mass mobilisation to call on the government of President Juan Manuel Santos to show political will by opening negotiations, led personally by the President, in order to resolve the strike by fulfilling the agreements made in 2014. *(See annex 10).*

We are concerned that the recording and photographing of leaders in different concentration points do not comply with legal procedures and regulations under which the security forces must operate.

We will be monitoring the situation on all of the community concentration points, in order to register and report any situation which endangers human rights.

COMISION DE DERECHOS HUMANOS
PARO CIVICO PARA VIVIR
CON DIGNIDAD EN BUENAVENTURA

ANNEX 1.



ANNEX 2.



Violación al D.I.H paro en Buenaventura



15 visualizaciones

+ Añadir a Compartir Más



See video:

<https://www.youtube.com/watch?v=Iz4xnBTKMzk&feature=youtu.be>

ANNEX 3.



ANNEX 4.





ANNEX 5.



ANNEX 6.







ANNEX 7.



ANNEX 8.



COMUNICADO DE PRENSA BUENAVENTURA MEDIO AMBIENTE

Buenaventura, 16 mayo de 2017

La empresa de aseo BMA informa que pese al comunicado número 3 emitido por el Comité del Paro Cívico donde se permite el tránsito de los vehículos recolectores de residuos sólidos, se cancela la prestación del servicio de aseo en la ciudad ya que se ha impedido la circulación de las unidades compactadoras y del personal operativo de la compañía a pesar de estar uniformados.

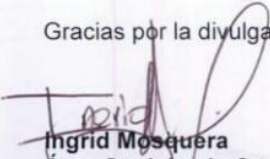
Los lugares donde se presenta mayor dificultad para el paso de los vehículos son:

1. Puente del Piñal
2. Sabrosuras
3. El Pailón
4. Gallinero

Por esta razón, se solicita a la comunidad no sacar los residuos sólidos al espacio público con el objetivo de evitar acumulación de estos.

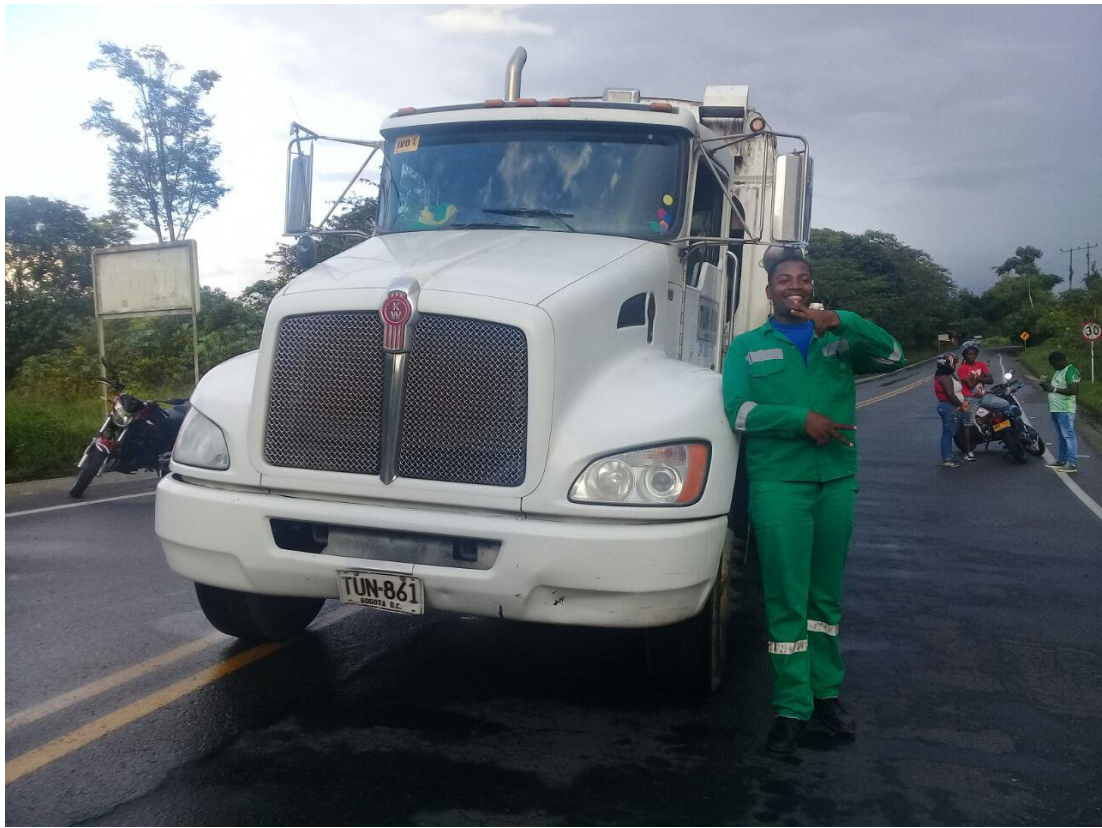
El operador ha tomado todas las medidas del caso para dar cumplimiento al servicio confiando que una vez se normalice la movilidad vehicular, se recupere el mismo en la mayor brevedad posible.

Gracias por la divulgación del presente comunicado.


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ANNEX 9.





ANNEX 10.

