

*Congress of the United States
Washington, DC 20515*

May 14, 2021

Antony John Blinken
Secretary of State
U.S. Department of State
2201 “C” Street NW
Washington, DC 20520

Dear Secretary Blinken,

We write to express our grave concern about the political and human rights situation in Colombia, which remains out of control as legitimate protest enters a third week. **We urge the State Department and all other U.S. departments and agencies to clearly and unambiguously denounce the violence, call for immediate de-escalation, help calm tensions, and facilitate inclusive social and political solutions in Colombia.** Strong public statements and actions by the United States can help Colombia restore calm and confidence and advance the 2016 peace accord’s promise of resolving challenges through broad-based participation in the political process.

Colombia’s security forces, especially its National Police, are more unleashed than we have seen in decades of strife – hundreds of citizen videos show aggressive, indiscriminate use of lethal and non-lethal weapons against citizens in ways that violate both Colombian law and international human rights standards. According to Colombia’s human rights ombudsman (Defensor), at least 42 people have been killed, including one police officer, as of May 12th, and hundreds more civilians and police injured. This past week, in Cali, we were shocked to learn that the national police fired on unarmed members of the Indigenous Guard. The brutal and excessive use of force from the Colombian National Police and the riot police have been denounced by the United Nations High Commissioner for Human Rights, the Inter-American Commission for Human Rights, the OAS, the European Union, and hundreds of Colombian and international human rights organizations, monitors, and defenders.

A long list of grievances, exacerbated by the pandemic, has people protesting in large numbers in scores of cities and towns. Over the past two weeks, we witnessed significant escalation in the use of aggressive and excessive use of force by the public security and military forces against civilian demonstrators. The brutality of the response was frequently rationalized as responding to those elements on the margins of protest committing acts of vandalism, looting, assault, and other disorder.

After nearly two weeks of protest, we welcome the news that the Colombian government met on Monday, May 10th, with representatives of the nation-wide protests, accompanied by observers from the United Nations and the Colombian Conference of Catholic Bishops. Despite a disappointing first meeting, we hope that this might help de-escalate tensions, cease the brutal response by public security forces against demonstrators, and begin to address the many underlying concerns raised by the protest.

While the United States cannot resolve this crisis, it should be part of the solution, starting with immediate-term efforts to stop violence from spiraling. After decades of close partnership, what the U.S. government says carries weight in Colombia – as does what the U.S. government fails to say. Specifically, we ask that the Department of State and the U.S. interagency:

- **Issue clear, unambiguous, and public statements calling on the security forces, especially Colombia’s National Police and riot police (ESMAD), to de-escalate its response and cease all improper use of force.** The past two weeks’ numerous and frequent abuses need to stop. Police brutality is in fact prolonging the protests: it is a new and significant source of outrage sending people into the streets. While we welcomed the May 4th statement by the State Department deputy spokesperson and agree that it is important to condemn crimes disorderly elements commit alongside the protests, there should be no ambiguity about the U.S. government’s public criticism of police misconduct.
- **Suspend U.S. direct assistance, other than human rights training, to Colombia’s National Police and establish concrete, achievable benchmarks on improvements in the use of force and judicial accountability for past police brutality cases, including those committed in the context of protests in November 2019 and September 2020.** Last year, in 2020, Temblores, a Colombian organization that monitors police brutality, documented 86 cases of civilians killed by police, along with “7,992 cases of assault, and 30 cases of sexual violence, with migrant communities and Afro-Colombians often the victims,” the *Guardian* [reported](#). The State Department and other relevant agencies should carry out a thorough review of how U.S. assistance to the Colombian national police has been and is being used, including end use, establish clear benchmarks for measurable progress in use of force and judicial accountability, and determine whether other conditions, safeguards, prohibitions, or permanent termination are warranted. The State Department should also determine whether the **Leahy Law** should be applied where there is credible evidence of police units engaged in gross violations of human rights.
- **Ensure that the Colombian National Police Mobile Anti-Disturbances Squadron (ESMAD) riot police unit is not receiving grant assistance from the United States, directly or indirectly.** The ESMAD has a training and culture that lead to disturbingly aggressive and abusive actions against the civilian population, including demonstrators who do not pose any threat. The result is many casualties—the ESMAD has carried out more than three-quarters of all killings attributed to security forces during the current protests—and unnecessary escalation of confrontations. We ask the State Department and other relevant U.S. agencies and departments to confirm that ESMAD does not receive any U.S. security assistance, directly or indirectly (e.g. U.S. aid provided to the Colombian National Police or the Ministry of Defense, etc., that is then shared with or transferred to ESMAD). We further ask the State Department to encourage Colombia’s civilian criminal justice system (*justicia ordinaria*) to hold accountable ESMAD personnel involved in serious cases of abuse.
- **Freeze U.S. commercial and foreign military sales of weapons, equipment, services, or training to the ESMAD; and freeze any grants or sales of riot or crowd control equipment to all other Colombian security forces, police, and special units.** Foreign Military Sales and Direct Commercial Sales licenses should be suspended immediately to avoid contributing indirectly to further abuse and escalation. Benchmarks for resuming sales should include abusers being held judicially accountable; Colombian use-of-force protocols having been satisfactorily reformed; and changes in use of force observed and confirmed on the ground in future operations.
- **Caution Colombia’s government against deploying its combat-hardened military for crowd control.** The Colombian military has been fighting internal enemies like armed guerrilla groups since the 1960s. As such, it established a history of viewing the civilian population with

suspicion. Further, it has little to no training in de-escalation or crowd control and the probability of indiscriminate, disproportionate military response is concerning.

- **Call upon the Colombian government to respect and guarantee the work of human rights defenders and journalists related to the protests.** Many journalists covering the national strike and protests and human rights defenders monitoring the protests and attempting to verify alleged police abuse have faced attacks and aggressions by security force personnel.
- **Publicly reject statements by Colombian high government officials, politicians, prosecutors, and others implying that the protests, or acts of vandalism and disorder, are planned and coordinated by terrorist groups.** Such rhetoric serves as a dangerous pretext to justify an even harsher crackdown and escalation of violence against civilians.
- **Finally, and importantly, urge and foster dialogue, and facilitate it where appropriate.** As we noted above, we welcome the initial meeting on Monday between the Duque Administration and representatives of the national strike. Previously, to end to past protests, the Duque government also promised dialogue and then failed to follow through on those promises. Getting to genuine, inclusive dialogue may require prodding, and perhaps mediation and the engagement of good offices from Colombia's friends. The United States should be first and foremost among those friends and should also openly support efforts by other guarantors. Advocacy for broad-based, multi-sectoral, open dialogue should reference the 2016 peace accords, which created a promising framework for non-violent political participation.

Further, Mr. Secretary, as tensions de-escalate, we urge the United States immediately make available to Colombia (and Latin America more broadly) tens of millions of the surplus doses of COVID-19 vaccine it has stockpiled. Colombia is undergoing its third and most deadly surge of COVID-19. We can make a genuine difference in restoring health, security, confidence, and hope among the Colombian people.

Mr. Secretary, Colombia could come out of this experience a stronger and more democratic partner to the United States. On its streets right now is a generation that is politically engaged and concerned about their country's future. If able to participate in meaningful dialogue, this generation could help carry Colombia forward for years, increasing the quality of democracy and the likelihood of peace and prosperity.

Thank you for your immediate, serious attention and consideration of these requests.

Sincerely,



James P. McGovern
Member of Congress



Mark Pocan
Member of Congress



Jan Schakowsky
Member of Congress



Raul M. Grijalva
Member of Congress

/s/
Rosa L. DeLauro
Member of Congress

/s/
Maxine Waters
Member of Congress

/s/
Frank Pallone, Jr.
Member of Congress

/s/
Nydia M. Velázquez
Member of Congress

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John Yarmuth
Member of Congress

/s/
Zoe Lofgren
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David N. Cicilline
Member of Congress

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Jesús C. “Chuy” García
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Ro Khanna
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Bobby L. Rush
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Dwight Evans
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Jamaal Bowman, Ed. D.
Member of Congress

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Karen Bass
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Alan Lowenthal
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Ayanna Pressley
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Susan Wild
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Joaquin Castro
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