

via fax: 011 57 1 596 0631 <b>Excmo. Sr. Juan Manuel Santos</b> President of the Republic of Colombia	via fax: 011 57 1 570 2000 <b>Sr. Eduardo Montealegre</b> Attorney General of Colombia
via fax: 011 57 1 283 9876 <b>Sr. Juan Fernando Cristo</b> Minister of the Interior of Colombia	

October 26, 2014

Dear Sirs:

We are extremely concerned for the safety of several Afro-descendant and indigenous leaders from throughout northern Cauca Department who received a death threat on October 16 from the Rastrojos paramilitary group.

The threat stated: "We reiterate our position that we want a Colombia free of communists and guerrillas...we have been carrying out intelligence work since our arrival in southwestern Colombia in order to eliminate the guerrillas and the people that don't want development... We will do everything necessary [to stop you], and, no matter who falls, we declare the following people as military objectives: [redacted list of Afro-descendant and indigenous leaders from northern Cauca]. We want a country without people like you. Let us work the mines because they belong to everyone. We are watching to see if you try to take away the machines that don't belong to you. Wherever you hide, you will fall."

The Afro-descendant communities of the Community Council of La Toma (Suárez municipality, Cauca Dept.) have been protesting the presence of illegal mining operations in the area since May. Currently, there are at least 12 confirmed illegal mining machines which arrived on August 19 in the region known as "Dos Aguas" along the Ovejas River. Armed groups appear to be providing private security to these illegal mining operations. The Colombian government has remained quiet as thirty retroexcavators have carried out illegal mining operations for several weeks.

The illegal mining violates the fundamental rights of the communities, including their right to free, prior, and informed consultation and consent. Failure of the local and national authorities to respond appropriately to the risks posed by illegal mining in the region is a violation of the 2010 Colombian Constitutional Court Ruling T-1045A that ordered the suspension of mining permits to third parties, and the suspension of non-artisanal mining in the region.

We continue to be concerned about the destruction of the environment and the violation of the rights of Afro-descendant and indigenous communities in the community of La Toma. We therefore strongly **urge** that you

- implement the 2010 Accords and guarantee the immediate protection of the community of La Toma and its leaders, in accordance with their wishes;
- immediately confiscate the illegal mining equipment and develop an effective strategy that prevents future presence of illegal mining operations in the region;
- activate actions that effectively and safely prevent illegal mining activity from shifting to another site;
- recognize the rights of the local communities to engage in their own artisanal mining

Sincerely,

Brian J. Stefan Szittai  
Co-Coordinator

copies: Corporación Autónoma Regional del Cauca ~ via fax 011 571 820 3243  
 Luis Carlos Villegas, Ambassador of Colombia to the US ~ via fax: 202.232.8643  
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 José de Jesús Orozco Hernández, Rapporteur for Colombia, Inter-American Commission on Human Rights ~ via fax: 202.458.3992  
 US Senators Brown & Portman and US Representatives Fudge, Gibbs, Johnson, Jordan, Joyce, Kaptur, Latta, Renacci, Ryan ~ via email

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**The following people hereby urge you to take action on this matter as indicated in this letter:**