

**Congress of the United States**  
**Washington, DC 20515**

November 7, 2013

Mr. Juan Manuel Santos  
President of Colombia  
Palacio de Nariño  
Carrera 8 No. 7-26  
Bogotá, Colombia  
Fax: +57 1 596 0631

Dear President Santos,

We write to you to express our serious concerns regarding the implementation of the land restitution process currently taking place in Curvaradó. The security situation facing members of that community as well as members of the Inter-Church Justice and Peace Commission (Comisión Intereclesial de Justicia y Paz – CIJP), who have accompanied the community and are currently representing the communities of Curvaradó and Jiguamiandó in criminal cases against businessmen and paramilitary groups, is perilous and we urge you to take action to protect these people.

On a letter dated February 1, 2013, Members of Congress expressed concern for the security situation of the communities in Curvaradó and Jiguamiandó and of CIJP's members. We appreciate your prompt response, the measures your government implemented to address some of the concerns, and the extra security measures received by some community leaders and members of CIJP.

While these actions represent steps in the right direction, we remain concerned by the lack of progress in removing bad-faith occupiers of these territories, and the continued presence of alleged paramilitary groups that threaten the security of community leaders and members of CIJP.

It has come to our attention that despite multiple court orders to be removed from the area, businessmen, deemed bad-faith occupiers of collective territory by your government's land agency, INCODER, currently operate banana and other plantations as well as extensive cattle ranches on collective territory. Furthermore, there are allegations that in June, bad-faith occupiers threatened community leaders and CIJP members after announcing their unwillingness to hand over control of the territory or to face any legal consequences for illegal actions against the communities.

We are particularly troubled to learn about recent threats against community leaders James Ruíz, Guillermo Díaz, Enrique Cabezas, Euclides Trejos, and Enrique Petro, some of whom are family members of assassinated leaders of these communities. Likewise, CIJP members Danilo Rueda; Faiver Chimonja; Lilibiana Ávila; and Manuel Garzón, who recently met with many of our offices, have denounced constant harassment and have reported recent threats against their lives associated with their work on behalf of the Curvaradó and Jiguamiandó communities.

In addition to concerns about the current security situation of community leaders and members of the CIJP, we have learned of alleged irregularities in the implementation of the land restitution process in the collective territories as well as increasingly undue influence on the process by individuals who are not part of the communities, and who appear to have family ties to individuals sentenced for their participation in the initial forced displacement of Curvaradó's communities.

Delegates from 15 of the 23 communities that comprise the collective territory of Curvaradó were not allowed to participate in the Ad Hoc Committee. Moreover, during subsequent meetings, the Committee reviewed the census results of all 23 communities, including of the original 14 communities, to which founding members like Mr. Enrique Petro belong.

As you know, the Ad Hoc Committee plays an essential part in the restitution process. As stipulated in Constitutional Court rulings, the individuals selected in this review process, as well as the members of the 14 communities originally part of the collective land title, will be eligible to participate and vote in the general assembly, which will elect community representatives to administer the collective territory.

It is our understanding that the Constitutional Court stated that there was a presumption of the historical membership of all those in the 14 founding communities. Based upon this opinion, members of these communities have full rights as beneficiaries of the collective title, including participation in the election of community representatives to administer the collective land.

Nevertheless, it seems that a high percentage of ancestral members of the community are being excluded from the restitution process. We note that many of the excluded individuals have been precisely those who have denounced the links between business sectors and paramilitary groups in the region.

Despite apparent contradictions with the Court's orders as well as multiple complaints to your Government by members of the 15 communities excluded from the Committee, we have learned that the Interior Ministry, in its facilitation of the restitution process, has approved both the limited composition of the Ad Hoc Committee and its decision to review and exclude founding members of Curvaradó. Moreover, we understand that the Ministry may hold the general assembly as early as this month.

We are concerned that under these conditions, the restitution process in Curvaradó may lack the full, democratic participation of all the communities that make up the collective territory, and that such an outcome may result in a process favoring outside interests rather than the interests of the members of these communities.

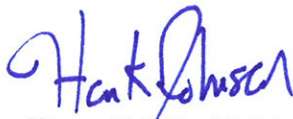
Mr. President, in light of these circumstances, we respectfully request that you ensure the appropriate agencies of your government:

- Put on hold any further advances in the restitution of the collective territory until complaints of irregularities have been properly addressed.
- Reconvene the Ad Hoc Committee to ensure the participation of the entire community.

- Make sure decisions from the Ad Hoc Committee fully comply with Constitutional Court orders.
- Hold future meetings of the Ad Hoc Committee in Bogotá to create better security conditions for participants and to reduce undue influence from external interests.
- Expand measures to remove those illegally occupying the collective territory.
- Investigate alleged links between business sectors and alleged paramilitary groups with economic interest in the collective territories of Curvaradó and Jiguamiandó.
- Guarantee the security of community leaders and of CIJP member, in particular the attorneys representing victims of the displacement and land usurpation in Curvaradó and Jiguamiandó in criminal cases against the accused businessmen and paramilitaries.

Thank you for your prompt attention to these matters and your continued work on implementing the land restitution law.


Sincerely,



Henry C. "Hank" Johnson, Jr.  
Member of Congress



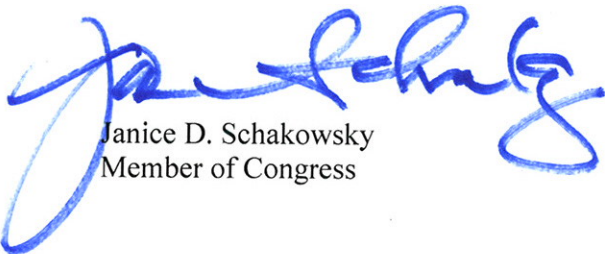
George Miller  
Member of Congress



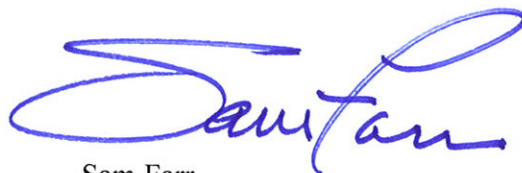
James P. McGovern  
Member of Congress



Rosa L. DeLauro  
Member of Congress



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