

**HUMAN RIGHTS IN COLUMBIA AND TRADE RELATIONS WITH  
EUROPEAN UNION - QUESTION TIME EUROPEAN COMMISSION,  
STRASBOURG 5th JULY 2011**

**MENSCHENRECHTE IN KOLUMBIEN UND HANDELSBEZIEHUNGEN  
MIT DER EUROPÄISCHEN UNION - FRAGESTUNDE EUROPÄISCHE  
KOMMISSION, STRASSBURG 5. JULI 2011**

**WRITTEN QUESTION TABLED IN ADVANCE  
SCHRIFTLICH EINGEREICHTE FRAGE**

**Jürgen Klute**, *Member of European Parliament (GUE/NGL)*. – Today, activists in Colombia continue to be threatened and murdered, as the recent case of Ana Fabricia Cordoba shows, though she had publicly denounced the threats she was receiving. Her children attribute her assassination to members of the police.

Since July 2010, 40 activists have been assassinated, and an efficient response from the Colombian Government is nowhere to be found.

The Commission always refers to the human rights clause as a means to improve respect for human rights. Yet Colombia is already part of the GSP+ that includes a human rights clause.

The latter has never been invoked by the EU and Community leaders, NGO staff and activists continue to be assassinated in Colombia."

**MINUTES OF THE SESSION  
PROTOKOLL DER SITZUNG**

**Karel De Gucht**, *Member of the Commission*. – I welcome the opportunity to discuss human rights and our trade agreement with Colombia and Peru in line with the fundamental values the EU holds dear. Let me start by saying very clearly that there is no leniency in the Commission in any form whatsoever on such grave matters. We are fully aware that threats and attacks against human rights activists in Colombia continue and I deplore them. In the specific and tragic case of Mrs Córdoba the Colombian Government has not only unequivocally condemned her killing but has also offered a reward for any information leading to the identification of her killer.

It is also taking measures to strengthen the safety of victims as well as activists and their leaders. On every possible occasion the EU is actively raising the issue of human rights and in particular the need to guarantee the personal safety of human rights defenders in Colombia. Only last week the EU held a human rights dialogue with the Colombian authorities in Bogotá and raised individual cases in this context. The parties also discussed the land restitution law and ways to combat impunity.

Two weeks ago I personally raised the human rights issues with President Santos to tell him how close this is to the heart of the people in the EU and their elected representatives. He gave me an unequivocal response that the course that he has set for his country towards the full restoration of law, in the practice of respect for human democracy and the rule of law, is definite and resolute. I assure you the Colombians know that the Commission means business when it comes to approving their human rights record.

Now as regards the agreement with Colombia, it is the view of the Commission that the EU would be overlooking its responsibilities if it were to walk away from an enhanced economic partnership with Colombia. If we were to do so we would fail to support the transition of this country from a culture of conflict and violence to a society of freedom and opportunity. There is indeed not a single doubt in my mind that the trade agreement, through the incentives it creates, will have a positive effect on Colombia's civil society, its governance structures and the human rights situation in general.

Sustainable improvement of the human rights situation in Colombia requires us to address the root causes of the violence in the country. These include poverty, social exclusion and a lack of economic opportunity in some parts of the territory. The EU trade agreement coupled with our efforts in the development cooperation field will further this economic development, create jobs and reduce poverty.

In particular our contribution will be significant in creating the means of income generation that provide viable alternatives to drug cultivation whose stranglehold has been a main driver for Colombia's internal conflict and for the human rights violations that it entails. If this overall approach were to fail, the human rights provisions that we negotiated in the trade agreement fully address the human rights challenges that Colombia is facing.

Article 1 of the agreement states that respect for fundamental human rights as laid down in the Universal Declaration of Human Rights constitutes an essential element of the trade agreement. In the event of violation of this essential element, the EU will be in a position to immediately, unilaterally and without prior consultation suspend the agreements. It is clear to me that our fundamental objective to consolidate and support democracy, the rule of law and human rights will be fully safeguarded thanks to these strong provisions.

In addition our agreement includes a number of binding commitments to effectively implement core labour and environmental conventions and makes provision for a mechanism for monitoring the implementation of labour standards which allows for the participation of civil society organisations.

The agreement with Colombia and Peru is a trade pact for development which requires, unlike our GSP autonomous preferences scheme, full reciprocity of

commitments and contains solid human rights guarantees. In the coming months you will soon have the opportunity to give your consent to this agreement. I urge you to take this overall balance into consideration and approve the conclusion of this agreement when the time comes.

**Jürgen Klute** , *Member of European Parliament (GUE/NG)L* – Frau Präsidentin! Zunächst einmal vielen Dank für Ihre Antwort. Das klingt ja durchaus erst einmal sehr positiv. Der Problempunkt ist aber in der Tat, das möchte ich hier nochmals unterstreichen, dass es auch schon in dem alten Präferenzsystem eine Menschenrechtsklausel gab, und sie hat unter Uribe und in der Vergangenheit nicht dazu beigetragen, die Menschenrechtsverletzungen, die stattgefunden haben, zu verhindern. Daher war meine Frage zugespitzt auf den Punkt: Was genau wird anders sein? Womit will die EU, will die Kommission zukünftig garantieren, dass es zu keiner Wiederholung dieser Menschenrechtsverletzungen kommt?

Auf der anderen Seite liegen mir Zahlen vor, dass es auch unter der neuen Regierung in den letzten 300 Tagen zu über 200 Angriffen auf Menschenrechtsaktivisten und auch zu 15 Morden an Leadern gekommen ist, die sich im Bereich der Landwirtschaft für Menschenrechte und für eine gerechte Flächenverteilung engagiert haben. Wenn ich mir ansehe, was immer noch passiert, stellt sich für mich noch einmal die Frage: Wie genau wollen Sie das verhindern? Das ist mir noch immer nicht deutlich geworden.

**Karel De Gucht**, *Member of the Commission*. – First of all, the word ‘ensure’ which you are using is a somewhat difficult word. We are not an insurance company: we are a political body that has been negotiating a free trade agreement with Colombia in good faith and with very clear provisions with regard to fundamental rights. These provisions are an essential part of the agreement and enable us to suspend it without prior consultation in the event of gross infringements.

This is different from the existing GSP arrangements because, under the GSP scheme, agreements cannot be suspended without first holding an inquiry. This agreement goes further since it can even be suspended without prior consultation. But it is not only about this: it is also about creating new opportunities through the trade agreement. And it is by eradicating poverty, by giving new opportunities to people, that we will be able to do this.

Thirdly, I will say that I am convinced that the authorities are doing everything possible to stop this, that they are very honest with respect to this. But you should not forget that we are speaking about a country that two decades ago was – and has been in the decades since – at war.

I remember the first time I went to Colombia at the beginning of the 1980s: just walking a couple of hundred metres in the main street of Bogotá in daytime was dangerous. So the situation is much better than it was then, far better. The governments, be it that of Uribe, or now that of Santos, are really serious in trying to combat this danger.