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Colombia/Venezuela: Border Area Abuses by Armed Groups

Killings, Disappearances, Child Recruitment, Forced Displacement



An improvised shelter in Vichada state, Colombia, where Indigenous people fleeing Venezuela's Apure state live in poor conditions, without sufficient access to food, drinking water, and health services, February 2022. © 2022 Human Rights Watch

(Washington, DC) – Fighting between armed groups on the [Colombia-Venezuela](#) border has caused a dramatic increase in violence in the early months of 2022 causing thousands to flee, Human Rights Watch said today.

On January 1, 2022, clashes broke out between the Joint Eastern Command – a coalition of dissident groups that emerged from the demobilized Revolutionary Armed Forces of Colombia (FARC) – and the National Liberation Army (ELN) guerrillas, over control of territory and illegal activities in Colombia’s Arauca state and Venezuela’s Apure state. Guerrilla fighters from both sides, which had previously operated as allies, have committed a range of abuses including killings, forced recruitment, including of children, and forced displacement. Members of Venezuelan security forces, which have been implicated in human rights violations that have led to [international investigations](#) into possible crimes against humanity, have conducted joint operations with ELN fighters and been complicit in their abuses.

“Armed groups are committing brutal abuses against civilians in the Colombia-Venezuela border area, in some cases with the complicity of Venezuelan security force members, while Colombian authorities haven’t done enough to respond,” said [Tamara Taraciuk Broner](#), acting Americas director at Human Rights Watch. “Colombian authorities should urgently ramp up their efforts to protect the population and assist displaced people, and the UN Fact Finding Mission on Venezuela should investigate the responsibility of Venezuelan security forces for the guerrillas’ abuses.”

Human Rights Watch visited Vichada and Arauca states in February 2022 and interviewed more than 100 people, including a few by phone before and after the visits. They included 43 people who fled Apure, community and Indigenous leaders, prosecutors, local Colombian authorities, and representatives of humanitarian and human rights organizations. Most of those who experienced and witnessed abuses feared reprisals and spoke on condition of anonymity. Human Rights Watch also reviewed other sources, including publications by the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) and media reports. The Venezuelan Defense Ministry did not respond to a request for information.

Since clashes between the ELN and the Joint Eastern Command broke out on January 1, at least 3,860 people have been internally displaced in Arauca, and over 3,300 people have fled Venezuela to Colombia’s Arauca and Vichada states.

Both armed groups have killed dozens of people. Many people interviewed said that ELN members sought people they accused of collaborating with FARC dissident groups. The ELN members killed some of these people, witnesses said, and took others away. Some were reported dead days later; the families of others don’t know what happened to them.

On January 19, a car bomb exploded near a building in downtown Saravena, Arauca, where several human rights and community organizations were headquartered, and at least 50 local community leaders and human rights defenders were seeking refuge. The 28th Front, part of the Joint Eastern Command, said it was responsible for the attack, [claiming](#) that the building was the ELN “urban command center headquarters.”

Colombia's National Police reported that 103 people were killed in Arauca in January and February, by far the highest figure reported for those two months since at least 2010. Various sources indicated that some of those killed may have been members of armed groups, but that others were civilians. The dramatic increase in killings reflects a worrying deterioration of security conditions for civilians, Human Rights Watch said.

The ELN and the Joint Eastern Command have also forced people at gunpoint to join their ranks, including children, on both sides of the border, Human Rights Watch research shows.

On January 20, ELN members broke into a house in rural Puerto Páez, Apure, and took away a 14-year-old girl and her 18-year-old brother at gunpoint, a relative said. On January 28, a neighbor told their mother that her children had been killed during a fight with a FARC dissident group and where to find their bodies. The mother found them and said there were many other corpses in the area.

Members of the Venezuelan Bolivarian National Armed Forces (Fuerza Armada Nacional Bolivariana, FANB) and the Bolivarian National Guard (Guardia Nacional Bolivariana, GNB) have participated in joint operations with ELN guerrilla fighters and have been complicit in their abuses, multiple witnesses said.

The UN Fact Finding Mission on Venezuela, created in 2019 by the UN Human Rights Council with a mandate to investigate serious human rights violations, should assess the responsibility of Venezuelan security forces in the abuses committed by armed groups in Apure, including identifying individual responsibilities of high-level officials, Human Rights Watch said.

Members of Venezuelan security forces have been implicated in systematic human rights violations that have led to the opening of an investigation by the Office of the Prosecutor at the International Criminal Court into [possible crimes against humanity](#).

Colombian authorities have tried to wrest power from armed groups principally by deploying the military to Arauca. The Colombian military has arrested ELN and Joint Eastern Command members, and [reported](#) killing a FARC dissident group's leader in the area. But the military operations have failed to adequately protect Arauca's population, Human Rights Watch found, and efforts to assist displaced people in Arauca and Vichada have been insufficient.

Despite efforts by international humanitarian agencies, hundreds of displaced people have insufficient access to food, drinking water, and health services, especially in Vichada. Many Indigenous people displaced to Vichada from Venezuela are living on the shores of the Meta River in improvised shelters. In Arauca and Vichada, armed groups have threatened some displaced people, and humanitarian agencies say displaced children are at risk of being recruited by armed groups.

Colombian authorities should urgently assess the humanitarian needs of those who fled Apure, and create and carry out a humanitarian response plan to assist them. In Vichada, they should consider decreeing a "state of public calamity," which under [Colombian law](#) would allow greater resources

from the national government to support humanitarian efforts to provide aid to displaced people. Colombian authorities should also guarantee access to legal status in Colombia for Venezuelans forced to flee Apure.

For additional details of Human Rights Watch findings, please see below

Killings

Human Rights Watch has received credible allegations about multiple killings of civilians by armed groups in Arauca and Apure. In most cases, armed groups accused them of supporting an opposing group, a common practice by armed actors in Colombia for decades.

- Santiago Urrutia (pseudonym) said that on January 1, ELN members came looking for his 26-year-old brother, Javier (pseudonym) at his house in rural Tame, accusing Javier of collaborating with the Joint Eastern Command. They threw Javier, a peasant, to the ground, tied his hands behind his back, and loaded him onto a motorbike.

Hours later, Santiago received a message from a friend with a photo of his brother's body. The photo, which Human Rights Watch reviewed, shows he had a gunshot wound in his neck. "He told me I'd better go and pick up the corpse quickly before they throw him into the river," Santiago said. Santiago picked up his brother's body and buried him. "There were more bodies," he said. He fled the municipality that night and did not report the homicide.

- Two ELN members and a FANB soldier arrived at Darío Salcedo's house (pseudonym) in El Ripial, Venezuela, in the early morning of January 2, he said, asking him where to find his neighbor Fernando Murillo (pseudonym). Salcedo said he did not know. The FANB soldier accused both of being "informants" for the Joint Eastern Command. Salcedo denied it and the ELN fighters threatened to kill him, he said. Another ELN member arrived, saying they had found Murillo.

Salcedo said that when the fighters left, he saw through a crack in his door two ELN members push Murillo, who was tied by the hands and feet, to the ground in Salcedo's backyard. Another witness confirmed these events. Salcedo said an ELN member shot Murillo twice, and the fighters dragged his body onto a truck.

- On January 2, ELN members took Pedro Benitez (pseudonym), a 42-year-old farmer, from his home in a rural area of El Ripial, Venezuela. The fighters tied Benitez by his hands and feet and forced him onto a truck, a relative who witnessed the events said. An ELN member accused Benitez of being an informant of the Joint Eastern Command and told his family to leave the community immediately, the relative said.

Some fled to Arauca state but two of his sons, who were working in a nearby farm that day, were missing, she said. Days later, a neighbor told Benitez's relative that ELN guerrilla fighters killed

Benitez and his sons, she said, showing her two photos of their bodies. The neighbor, whom Human Rights Watch also interviewed, confirmed that the photos were of Benitez's family members.

- On January 17, two armed men shot Miguel Alexis Amado Carrillo, a community activist, as he was leaving his home in Arauquita, Arauca. He died in a hospital hours later. He appears to have been killed by members of the Joint Eastern Command, who accused him of sympathizing with the ELN, local government officials who investigated the case said.
- On January 25, two armed men shot and killed Álvaro Peña Barragán as he was working on a farm in Tame, Arauca. The next day, two other men killed his wife, Rosalba Carmenza Tarazona Ortega, at his funeral, a witness said. Initial evidence indicates that Joint Eastern Command members killed them, alleging that they had cooperated with the ELN, local government officials said.

Disappearances, Kidnappings, and Forced Recruitment, Including of Children

Human Rights Watch received credible allegations about several cases of disappearance, kidnapping, and forced recruitment, including of children, by armed groups. They include:

- In the early morning of January 2, ELN fighters entered the farm where Celina Franco (pseudonym) and her family lived in a rural area of El Amparo, Apure. Franco said that the ELN members accused her and her husband, Pedro Ramírez (pseudonym), of giving food to members of the Joint Eastern Command and being their informants. They denied the accusations, she said, but the fighters threatened to recruit their children, ages 8 and 15, if the family did not leave the area immediately.

Franco and her children began walking toward the Arauca River to flee to Colombia. But the ELN fighters stopped her husband, hit him with a rifle butt in the ribs and tied his hands. Franco fled to Colombia. Three days later a man she did not know approached her and said she should not ask for her husband.

- Elvia Rodríguez (pseudonym), a 34-year-old Indigenous Saliba woman who lived in a rural area of Puerto Páez, Apure, said that on January 26, ELN fighters forced their way into her house, where she and her husband, Ramiro Meneses (pseudonym), were sleeping with their four children. The men said of her husband that "he was already warned, [and] that either he would go with them or they would take his children." "He had no choice, he had to go with the group," Rodríguez said. On January 29, her father-in-law told her that Meneses had been killed in a fight with FARC dissidents.
- On January 2, ELN fighters arrived in a rural area of Arauquita, Arauca, and forced at least 20 young men or boys out of their homes, a woman who witnessed the events said. She could not determine whether any of them were under 18. The fighters tied their hands and forced them onto trucks and motorcycles, she said. Four fighters broke into her house and took her 18-year-

old son, saying that he would join their ranks, she said. The fighters pointed a gun at her and threatened to kill her if she did not leave the community. She left and has not heard about her son since. “All the families of the town fled, scared,” she said.

Complicity by Venezuelan Security Forces

Displaced people, witnesses, and humanitarian aid workers said that members of Venezuelan security forces, especially of the FANB and the Bolivarian National Guard, have conducted joint operations with ELN fighters and allege that the Venezuelan forces have been complicit in the ELN abuses.

“More than 10 armed men arrived [in the town] on motorcycles and pickup trucks that morning, some identified themselves as ELN and others were from the Venezuelan military force,” a witness said. “I saw their FANB insignia in their uniforms.”

Another witness said that members of the FANB arrived in his community in Apure with ELN fighters, who forcefully took away several people they accused of collaborating with the Joint Eastern Command. “The soldiers arrived with the ELN, I thought they were going to kill all of us,” he said. “They [the soldiers and ELN fighters] called some people by name, went to their homes, and took them after tying them up.”

In 2020, Human Rights Watch research showed that Venezuelan security forces and other authorities were [tolerating and at times colluding with armed groups](#) operating in Apure. While available evidence suggests the ELN and FARC dissident groups have generally operated more openly in Venezuela than in Colombia in recent years, starting in January 2021 Venezuelan security forces began fighting the Martín Villa 10th Front, one of the FARC dissident groups and part of the Joint Eastern Command. Human Rights Watch documented [multiple human rights violations](#) by Venezuelan security forces in that fighting, including torture, arbitrary arrests, and extrajudicial executions.

Since January, Venezuelan authorities, have said that Venezuelan forces have destroyed guerrilla camps and drug laboratories, and arrested 35 members of armed groups, which they call “Terrorist Armed Drug Traffickers of Colombia” (Terroristas, Armados, Narcotraficantes de Colombia, TANCOL). However, all such operations appear to have targeted the 10th Front and other elements of the Joint Eastern Command, not other groups.

Humanitarian Response in Colombia

Internally Displaced and ‘Confined’ People

Between January 1 and March 11, more than 3,800 people were internally displaced in Arauca, according to Colombian government data. Additionally, nine Indigenous communities and a group of demobilized FARC fighters have announced that their members are not leaving their communities because they fear abuses by armed groups, a situation known in Colombia as “confinement.”

Under Colombia's Victims Law, municipal governments must provide victims of conflict-related abuses with humanitarian assistance, including decent shelter and food, as soon as they ask to be registered as victims. The law provides that if a municipal government is unable to offer such aid, a state government or national agency must assist.

International humanitarian organizations and Colombia's Victims Unit provide food and health supplies to internally displaced people in Arauca. But these have been insufficient to address their needs, victims and humanitarian organizations said. Because of poor conditions, some people have decided to return to their communities despite serious security risks, aid workers said.

Several mayors' offices, which say they lack resources to assist victims, offered to host displaced people in schools and football stadiums. But nobody accepted, fearing that armed groups could target them there. Most displaced people are living with acquaintances in the Arauca and Arauquita municipalities, often in overcrowded conditions.

The authorities have not assessed the number of "confined" people and their needs, aid organizations said. Such fear-induced restrictions on movement often mean that Indigenous people, who rely more than many others on hunting and fishing for their livelihood and sustenance, are unable to work and feed their families.

One key shortcoming is that the Arauca state government has failed to coordinate aid efforts by mayors' offices and humanitarian organizations, aid workers and government authorities said.

People Fleeing Venezuela

As of March 11, aid officials said more than 3,300 people, including Colombians and Venezuelans, had fled from Apure in Venezuela to Colombia's Arauca and Vichada states. This is in addition to people who are internally displaced in Arauca.

Colombian authorities have said that people who suffered abuses in Venezuela are not covered by Colombia's Victims Law, which refers to crimes committed "in the context of the internal armed conflict."

In Arauca, the Human Rights Ombudsperson's Office conducted a survey of the number of people who arrived from Apure, but the authorities have yet to assess their humanitarian needs, humanitarian workers and local authorities said. Humanitarian organizations have provided food and health supplies and services, but these have been insufficient, aid workers said.

Staff at the mayor's office in Puerto Carreño, Vichada, say they do not have sufficient funds to provide aid for the people arriving from Apure. The government's humanitarian assistance is under the local office of the National Disaster Risk Management Unit (Unidad Nacional de Gestión de Riesgo de Desastres, UNGDR), which responds to natural and other disasters and only has one official in Puerto Carreño.

Aid has been very limited in Vichada. Hundreds of Indigenous people live in “self-made shelters,” mostly huts built with wooden sticks and plastic roofs, in Puerto Carreño, on the shores of the Meta River. The huts have no interior divisions, are overcrowded, and exposed to natural hazards including flooding due to the seasonal increase of the river’s flow. Other people are living with acquaintances, often in overcrowded conditions. Drinking water, hygiene products, and food have been insufficient, and some Indigenous children are at risk of malnutrition, aid workers said.

Aid groups worked with the Puerto Carreño mayor’s office to design a “comprehensive humanitarian assistance plan” to coordinate efforts to assist people fleeing Apure. The plan was ready on February 4, but the mayor had yet to approve it as of March 23.

Aid workers and displaced people said that discrimination against Indigenous people has also marred the response. Some local government officials expressed discriminatory sentiments while talking to Human Rights Watch, saying that the Indigenous people who had arrived “ruined the view,” and describing them as “the worst people” among those who arrived in Colombia.

Some people interviewed, including aid workers, said that people from Apure displaced in Arauca and Vichada fear returning home and will most likely stay in Colombia, requesting refugee status.

Colombian authorities adopted a temporary protection regime for the estimated 1.8 million Venezuelans who live in Colombia in a March 2021 decree. It grants Venezuelans who were in Colombia as of January 31, 2021, 10 years of legal status and remains open to Venezuelans who enter Colombia legally until March 2023. But most Venezuelans fleeing from recent abuses in Apure appear to have entered through informal crossings and are not covered.

Fighting by Armed Groups

Armed groups operating in the eastern Colombian state of Arauca and the neighboring Venezuelan state of Apure use violence to control people’s everyday lives. They impose [rules normally enacted and enforced by governments](#), including curfews; prohibitions on rape, theft, and murder; and regulation of fishing, debt payment, and even closing times for bars.

Several armed groups operate in the eastern Colombian states of Arauca and Vichada, and the neighboring Venezuelan state of Apure, including the ELN, a guerrilla group formed in Colombia in the 1960s; the Joint Eastern Command; and, in Apure, the Second Marquetalia and the Patriotic Forces of National Liberation (Fuerzas Patrióticas de Liberación Nacional, FPLN), a Venezuelan armed group that originated during the 1990s.

The Joint Eastern Command and the Second Marquetalia emerged from demobilized FARC guerrillas after the 2016 peace accord between the government and the guerrillas. The Second Marquetalia was formed in August 2019 by Luciano Marín Arango, alias “Iván Márquez,” the FARC’s former second-in-command and top peace negotiator, as well as by other former top FARC commanders. The Second Marquetalia appears to have links with the ELN.

The Joint Eastern Command is a coalition of FARC dissident groups that includes those known as the 28th and 45th Fronts and, most notably, the Martín Villa 10th Front. The Joint Eastern Command operates under the leadership of “Gentil Duarte,” an alias, a former FARC commander who did not accept the peace deal and coordinates multiple FARC dissident groups across Colombia.

Between 2006 and 2010, the FARC and the ELN fought each other in Arauca and Apure. The conflict, triggered in large because of the ELN’s opposition to coca crops in Arauca, led to [brutal abuses against civilians](#), including killing more than 800.

In 2010, the armed groups agreed to end the conflict, and have cooperated with each other since. When the FARC demobilized in 2017, a group of about 15 fighters abandoned the demobilization process and created the Martín Villa 10th Front, which continued the FARC’s loose cooperation with the ELN until fighting between the armed groups broke out in January 2022. That month, the 10th Front was joined by other dissident groups, including the 28th Front, which had moved from neighboring Casanare, and the 45th Front, which had mostly been in northern Arauca and neighboring North Santander, to create the Joint Eastern Command.

Disputes between the armed groups appear to have arisen over several issues. The ELN accused the 10th Front of committing abuses against the population – which the ELN also does – engaging in drug trafficking and expanding its forces to areas controlled by the ELN. The ELN’s lack of support for the [10th Front in its fighting since 2021 with Venezuelan security forces also undermined the alliance](#).

Recommendations

To the UN Fact-Finding Mission on Venezuela:

- Investigate allegations of collusion by Venezuelan security forces in abuses by armed groups in Apure, including by the ELN and FARC dissident groups, as part of the mission’s mandate to investigate gross human rights violations occurring in the country since 2014.

To the administration of Colombian President Iván Duque:

- Carry out a comprehensive needs assessment in Arauca and Vichada of everyone forced to flee Apure, as well as those internally displaced in Colombia.
- Guarantee access to legal status in Colombia for Venezuelans forced to flee Apure, including Indigenous people who need international protection.
- Adopt and carry out a comprehensive humanitarian response plan that ensures that Venezuelans arriving in Arauca and Vichada have access to basic humanitarian aid, including food, shelter, personal protective equipment, and hygiene supplies necessary to prevent the spread of Covid-19; medical attention including access to sexual and reproductive health services; and access to drinking water and basic sanitation.

- Ensure that all humanitarian aid provided to the displaced Indigenous population takes into account their culture, uses and customs, and needs.
- Work with the Puerto Carreño municipal government to decree and carry out the “state of public calamity,” which would trigger greater resources from the national government to support aid to displaced people.
- Ensure that security forces in Arauca and Vichada prioritize protecting the population, in particular displaced people and at-risk Indigenous and community leaders.
- Ensure that children, including those forcibly displaced, are protected from recruitment into armed groups or use in armed conflict, and guaranteed access to education.
- Carry out anti-xenophobia and anti-discrimination campaigns in Arauca and Vichada, working with local authorities, civil society groups, and the local population.
- Ensure that the National Protection Unit, a government body charged with protecting people at risk, strengthens the protection schemes for human rights defenders, community leaders, Indigenous communities, and demobilized former FARC fighters in Arauca and Vichada, taking into account the increase in violence in the region.
- Ensure that the National Commission of Security Guarantees is convened periodically and develops a policy to dismantle armed groups, as required under section 3.4 of the 2016 peace accord.

To the Attorney General’s Office of Colombia:

- Prioritize investigations into abuses by armed groups in Arauca, including by increasing the number of prosecutors and investigators in the area, ensuring their protection, and increasing their technical capacity to investigate such crimes.

To donor governments and international humanitarian agencies:

- Support the humanitarian agencies working in Apure, Arauca, and Vichada to provide additional aid to Colombians and Venezuelans at risk.
- Increase the presence of aid workers in Apure and Vichada and ensure that agencies on both sides of the border coordinate their response to address the needs of Colombians and Venezuelans.
- Coordinate efforts to ensure sufficient humanitarian aid is available including by creating and administering shelters for the thousands of displaced people who recently fled Apure.

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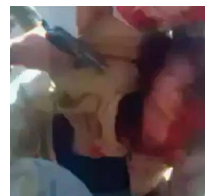
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