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Juan Manuel Santos Calderon
President of the Republic of Colombia
Carrera 8 No. 7 26
Palacio de Nariño
Bogotá DC
Colombia

9th June 2014

Dear President Santos

Continuing threats and harassment towards Ingrid Vergara and Jeison Pava

I am writing to you on behalf of the UK members of the International Caravana of Jurists, Colombian Caravana UK Lawyers Group. During visits to Colombia in 2008, 2010, 2012 and 2013 we called upon the Colombian government to protect lawyers' ability to represent their clients and to refrain from any interference in their work in order to comply with Colombian legislation, and International Law¹.

On Tuesday, 3rd June 2014 at 10:08am COT (Colombia Time), an email from the account porto12@yahoo.es was sent to Ingrid Vergara and Jeison Pava (to MOVICE and PCHR email inboxes) with the following message (translated from Spanish here):

Dear Ingrid Vergara and Jeison Pava

Know that we are not going to rest until you are dead, sons-of-bitches, some day you will pay for your blunders in matters that do not concern you, you can tread carefully but your security will not shield you from the shower of bullets that will fall on you and your family, take care that we don't end your lives.

Stay quiet and do not put your nose in business where you are not welcome, motherfuckers, you are going to pay for the damage you have done to us as it is your fault, we're fucked but not through our own actions.

This is not a threat, this is for you to wonder whether, each time you are in the streets, this could be your last day in this world, gonorrhoeas.

The threat is part of pattern of harassment that both lawyers and their families have endured over the last few years: on 18th November 2012, Jeison Pava received a threat by phone (from +5731267870); on 23rd November 2012, Ingrid Vergara and Jeison Pava (and others) received a threat by email; on 16th January 2013, Jeison Pava received a threat by telephone; on 30th April 2013, Ingrid Vergara's daughter received a threat by text message; on 6th July 2013 email Jeison Pava (and another) received a threatening email (from carinso647@gmail.com).

¹ Law 1426 of December 29, 2010

On 2nd August 2013, PCHR petitioned the National Protection Unit (NPU) to extend protection measures for Jeison Pava but this has not yet been implemented. While Colombian NPU has been slow to respond to the threat, both Ingrid Vergara and Jeison Pava have been granted precautionary protection measures by the Inter-American Commission on Human Rights.

This situation is completely unacceptable and must be rectified, in order to ensure the safety of all lawyers and human rights defenders so that they can continue with their important work. In this context, I once again would like to take this opportunity to respectfully remind you of Articles 16(a) and (c), 17 and 18 of the UN Basic Principles on the Role of Lawyers (1990)². We also draw your attention to: UN Declaration on Human Rights Defenders (adopted by the UN General Assembly on 8 March 1999)³.

Therefore the Colombian Caravana calls upon you to:

- make a prompt public statement condemning the latest threats against Ingrid Vergara and Jeison Pava;
- ensure a full, prompt and impartial investigation into the threats against Ingrid Vergara and Jeison Pava in the context of the precautionary measures granted, the findings of which should be made public, with the intention of bring to justice those responsible for these crimes;
- that the State agencies, including the NPU, provide adequate protection to both Ingrid Vergara and Jeison Pava and other lawyers, human rights defenders and activists at risk, in accordance with their wishes; and
- ensure that all lawyers and human rights defenders are able to carry out their duties without fear of intimidation or harassment.

We will continue to monitor the above cases and we look forward to hearing from you regarding the progress of the investigations into the above incidents and in bringing those responsible for these crimes and breaches of discipline to justice.

In addition, we would like to be informed of the action you are taking to ensure that both Ingrid Vergara and Jeison Pava receive the urgently necessary protective measures.

² Which state that:

16. Governments shall ensure that lawyers (a) are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference; ... and (c) shall not suffer, or be threatened with, prosecution or administrative, economic or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics.

17. Where the security of lawyers is threatened as a result of discharging their functions, they shall be adequately safeguarded by the authorities.

18. Lawyers shall not be identified with their clients or their clients' causes as a result of discharging their functions.

³ Which states at Article 12 that:

1. Everyone has the right, individually and in association with others, to participate in peaceful activities against violations of human rights and fundamental freedoms.

2. The State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration.

3. In this connection, everyone is entitled, individually and in association with others, to be protected effectively under national law in reacting against or opposing, through peaceful means, activities and acts, including those by omission, attributable to States that result in violations of human rights and fundamental freedoms, as well as acts of violence perpetrated by groups or individuals that affect the enjoyment of human rights and fundamental freedoms.

Yours sincerely

Sara Chandler

CC:

Angelino Garzón - Vice President of Colombia

Andres Villamizar - National Protection Unit

Lindsay Croisdale-Appelby - UK Ambassador in Colombia

Todd Howland - Representative in Colombia of the UN High Commissioner for Human Rights
(OHCHR)

Margaret Sekkagya - UN Special Rapporteur on the situation of human rights defenders

Gabriela Knaul - UN Special Rapporteur on the independence of lawyers and judges

The Colombian Association of Lawyers for Human Rights Defenders - Acadehum