



Colombian Caravana
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Señor Juan Manuel Santos Calderón
President of the Republic of Colombia
Carrera 8 No. 7 – 26
Palacio de Nariño
Bogotá
Colombia

1 December 2013

Dear President Santos

FURTHER DEATH THREAT AGAINST MOVICE MEMBER JEISON PAVA

Further to my letter of 14 July, I am writing to you on behalf of the UK members of the International Caravana of Jurists regarding human rights lawyer Jeison Pava. During visits to Colombia in 2008, 2010 and 2012 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 both Colombian legislation¹ and International Law.

We understand that on 18 November, Mr Pava, member of MOVICE and the Standing Committee For the Defence of Human Rights (ECHR), was the victim of a further death threat. He received a telephone call at the ECHR office and was told by the caller not to return to "this land", or they would kill him and have his family in sight.

This incident appears to be part of a continuous strategy to disrupt MOVICE members in their work as human rights defenders. In my letter of 14 July, I expressed the Caravana's concerns regarding an incident on 6 July in which Mr Pava and Mr Martínez received threatening emails whilst attending a MOVICE conference in La Macarena, Meta, where they were accused of participating in terrorist activities and of involvement with guerrillas. The email stated: "you will not escape our mission to eradicate you. This warning is not only for you, your families will not be safe because we watch them too". Mr Pava and Mr Martínez noticed plain clothed men circling the venue riding plate-less motorcycles, but despite alerting the police of this, nothing was done. Furthermore, on August 2 the ECHR petitioned the National Protection Unit to extend the existing protection measures for Mr Pava. However, this has not been implemented as yet.

Prior to this on January 16, 2013, at around 9 am, the receptionist at ECHR's office in Bogota received a telephone call from an unknown man asking to speak to Mr Pava. When told that he was

¹ Law 1426 of December 29 2010.



not in the office, he then asked when Mr Pava had arrived and left and the receptionist replied that they did not know. The caller then became abusive, and ended the call by referring to Mr Pava and saying “we need that head”.

In my letters of 24 March 2013, 20 June 2012, 7 May 2012 and 2 August 2011, I raised the Caravana’s concerns regarding other previous threats against MOVICE members, which include those from paramilitary group Ejercito Anti-Restitucion.

This situation is unacceptable and action must be taken to see that it is rectified to ensure the safety of all members of MOVICE, other lawyers and human rights defenders so that they can continue with their important work. In this context, I 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 the UN Declaration on Human Rights Defenders Article 12 (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 members of MOVICE including that which occurred on 18 November;
- end the impunity for perpetrators of these threats by ensuring a full, prompt and impartial investigation into the threats against lawyers, human rights defenders from MOVICE and witnesses, with the intention of bring to justice those responsible for these crimes;

² 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 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. Moreover, 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.

- provide adequate protection to lawyers, human rights defenders and witnesses at risk, including members of MOVICE, in accordance with their wishes; we note that ECHR have requested that the protection measures for Mr Pava be extended;
- ensure that all lawyers and judges can conduct their duties without fear of intimidation or harassment;
- ensure that human rights defenders can continue their legitimate and peaceful activities in defence of human rights without fear of restrictions and reprisals.

We shall continue to monitor the developments of these matters and we look forward to hearing from you regarding the action that you are taking to protect Mr Pava and the other members of MOVICE. We also request that you keep us updated of the progress in investigating the above crimes and bringing the perpetrators to justice.

Yours sincerely,



Professor Sara Chandler Chair
Colombian Caravana UK Lawyers Group

cc:

- La Fiscalía General de la Nación
- Fabián Ortiz Rosada , Fiscalía, Puerto
Tejada, Cauca

- Abogados por Abogados
- Abogados Sin Fronteras Canadá
- Asociación Colombiana de Abogados
Defensores “ *Eduardo Umaña Mendoza*”
(ACADEUM)
- Courtenay Barklem, Law Society of England
and Wales
- Gabriela Carina Knaul de Albuquerque e
Silva, Relatora Especial de las Naciones
Unidas sobre la independencia de magistrados
y abogados
- Margaret Sekaggya, Relator Especial de las
Naciones Unidas: sobre la situación de los
defensores de derechos humanos

