



Colombian Caravana
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United Kingdom

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

15 February 2014

Dear President Santos,

Threats Against Political Opposition Leaders Alirio Uribe, Iván Cepeda Castro and Aida Avella

I am writing on behalf of the UK members of the International Caravana of Jurists in respect of recent threats against political opposition leaders Alirio Uribe, Iván Cepeda Castro and Aida Avella. 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 Colombian legislation,¹ and International Law. The Caravana has had a long standing association with Alirio Uribe as an effective and truly great lawyer, who we have met on numerous occasions both in Colombia and In London and worked closely with. We are shocked that such a highly respected individual could be targeted in this way. It would cause great damage to the reputation of Colombia if anything were to happen to him.

We understand that on February 4, an electronic written message was received against the lives of the above named individuals. It was signed by the paramilitary organisation Aguilas Negras. The message is highly abusive and threatens violence and death. It describes the former President of the Republic Alvaro Uribe as the "true leader," and refers to "communist bastards" and "pigs" and states: "this is the only warning to withdraw from politics and sows save their lives". It states that Iván Cepeda is "notorious for persecuting and slandering the best president of all time in Colombia , Álvaro Uribe Vélez". The message recalls the execution of Mr Cepeda's "terrorist father" and warns that he should go into exile with "Aida Abella whore". It describes the human rights organisation Colectivo de Abogados José Alvear Restrepo (CCAJAR) as a "united terrorists Lawyers Collective", which is "posing as human rights defenders". It states that Alirio Uribe Muñoz calls himself the

¹ Law 1426 of December 29 2010.



“Other Uribe to tarnish our true leader”. It goes on to warn that they are going to “put dynamite in the ass...All cafarianos and MOIVCE warned”. After referring to Mayor Petro, the message finishes with the proclamations: “Colombia is democratic, attain peace without terrorists or communists! Petro's head will roll and it will play soccer. Colombia is democratic, attain peace without terrorists or communists. ”

Two days prior to this event, on February 2, an email was sent by the paramilitary group Los Rastrojos to leaders of the Patriotic Union, Patriotic March, the Agricultural Bureau and People's Dialogue and Agreement - MIA , of which Ms Avella is a member.

We understand that organisations such as the paramilitary group Aguilas Negras were set up by State intelligence agencies including DAS, for terrorist purposes, to discredit and threaten people and their organisations.

We write to express our grave concern for the safety of those that have been subjected to these threats. We understand that in less than two years, 30 members of the Patriotic March have been killed. Patriotic March is a democratic social and political movement. Additionally, several leaders of the Patriotic March and Patriotic Union are now detained, including Huber Ballesteros, Francisco Toloza, and Wilmar Madroñero David Ravelo Crespo. We understand that they are political prisoners.

We are further concerned by the description of CCAJAR as a “terrorist Lawyers’ collective”. The Caravana is very familiar with the work of CCAJAR which has a high standing in the eyes of the international community. We have worked with CCAJAR since 2008 to highlight the vulnerability of lawyers and human rights defenders in Colombia. Despite this the general situation regarding the killing of lawyers and human rights defenders in Colombia remains critical. According to figures from the Attorney General’s Office, over 400 lawyers have been killed in Colombia since 2002. Moreover, data from Programa Somos Defensores indicates that 37 human rights defenders were killed in 2013 of which 12 had previously reported serious threats.²

I also respectfully remind you of Articles 16(a) and (c), 17 and 18 of the UN Basic Principles on the Role of Lawyers (1990)³ and the UN Declaration on Human Rights Defenders and the UN

²Programa Somos Defensores, 4 August 2013 available at:
<<http://www.somosdefensores.org/index.php/extensions/ultimas-noticias/417-informe-semestral-2013-siaddhh-heroes-anonimos>>, last accessed 31 August 2013.

³ 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

Declaration on Human Rights Defenders (adopted by the UN General Assembly on 8 March 1999) states at Article 12:⁴

The work of democratic politicians, human rights lawyers and human rights defenders is vital to any peace process, and their important work to assist in this and to uphold the rule of law should be publicly recognised. We consider that it is vital for the rule of law in Colombia that the current climate of threats and violence against opposition leaders and human rights lawyers is stopped. This can only be achieved through the proper investigation of these threats, and the implementation of protective measures to those who are subjected to threats and violence.

Because of the extremely serious nature of this situation, we ask that you:

- Take concrete steps to ensure that the Colombian state impartially investigates the threats against Alirio Uribe, Iván Cepeda Castro, Aida Avella and other democratic opposition politicians, and investigates the surrounding circumstances, so as to ensure that the perpetrators are brought to justice;
- Immediately implement a protection scheme for these politicians to protect them from any further acts of intimidation or aggression;

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.

⁴ 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.



We will continue to monitor the progress of the investigation of threats towards Alirio Uribe, Iván Cepeda Castro and Aida Avella and as well as other members of MOVICE and CCAJAR. We also ask that we be kept updated in respect of the extent to which progress has been made in investigating the above crimes, in bringing those responsible to justice and in implementing the above protective measures.

We look forward to hearing from you.

Yours sincerely,

Professor Sara Chandler
Chair, Colombian Caravana UK Lawyers Group

cc:

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| -Andres Villamizar: Director of National Unity Protection of Minister of Interior | - Sarah Smith, Law Society of England and Wales |
| -La Fiscalía General de la Nación
Comite Ejecutivo de la Abogacia Colombiana | - Gabriela Carina Knaul de Albuquerque e Silva, Relatora Especial de las Naciones Unidas sobre la independencia de magistrados y abogados |
| - Vice-Presidente Angelino Garzón | - Margaret Sekaggya, Relator Especial de las Naciones Unidas: sobre la situación de los defensores de derechos humanos |
| -Daniel Ricardo Silva, Human Rights and Environmental Attache, Embassy of Colombia, London | |
| Abogados por Abogados | |
| - Abogados Sin Fronteras Canadá | |
| - Asociación Colombiana de Abogados de Derechos Humanos (ACADEHUM) | |