



Iván Duque Márquez
President of the Republic of Colombia
Carrera 8 No. 7 – 26
Palacio de Nariño
Bogotá, Colombia

11 January 2020

Dear President,

I write on behalf of the Colombian Caravana (hereafter 'Colombian Caravana'), a UK registered charity that co-organises the International Caravana of Jurists. During biennial visits to Colombia since 2008, including during our most recent visit in September 2018, we have called upon the Colombian government to protect the ability of lawyers and human rights defenders to represent their clients without any interferences in their work, in order to comply with both Colombian and international law.

The Colombian Caravana is concerned by recent reports of public accusations against the Committee of Solidarity with Political Prisoners (CSPP) and in particular against its president, the lawyer Franklin Castañeda Villacob, by state officials and members of the Democratic Party, including the former President and current Senator, Álvaro Uribe Vélez. In particular, we understand that CSPP's paying for transport for witnesses in the course of legal proceedings brought against Mr. Uribe Vélez has been construed as an attempt to bribe them. However, based on the information we have received, our understanding is that CSPP were seeking to ensure that witnesses would get to a safe place as promptly as possible, given their assertion that the witness protection scheme had not been implemented effectively and quickly enough.

The accusations made against CSPP would seem to try to delegitimise the work carried out by the CSPP, as well as to criminalise activities of the defence of human rights. In this regard, we note that the State has a responsibility to protect human rights defenders. The stigmatisation of human rights defenders can increase their risk and State actors should refrain from making comments to this effect. We respectfully draw your attention to Article 12 of the UN Declaration on Human Rights Defenders (1998)¹ and to Articles 16, 17, and 18 of the UN Basic Principles on the Role of Lawyers (1990).²

¹ Which states 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.

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



The Colombian Caravana therefore calls on the Colombian government to reject the stigmatisation of CSPP and its President, Mr Castañeda, as well as the increasing stigmatisation of human rights defenders and lawyers. We also ask you to actively encourage all state officials of refraining from any interference with the defence of human rights.

While the Colombian Caravana is not acting directly on behalf or as a representative of the CSPP or Mr Castañeda, we write in support of human rights and to draw attention to the international community's call to protect lawyers and human rights defenders and tackle impunity.

We would be grateful to receive updates regarding the progress of the matters raised in this letter, and respectfully ask that an initial response be sent to the Colombian Caravana within 28 days of this letter.

Yours sincerely,

Charlotte Gill
Chair, Colombian Caravana

cc:

- Carlos Alfonso Negret Mosquera, National Human Rights Ombudsman
- Juan David Bello Guevara, National Protection Unit
- Antonio José Ardila, Colombian Ambassador to the United Kingdom
- Mr Colin Martin-Reynolds CMG, British Ambassador to Colombia,
- Alberto Brunori, Representative in Colombia of the Office of the UN High Commissioner for Human Rights
- Michel Forst, United Nations Special Rapporteur on the Situation of Human Rights Defenders
- Mónica Fonseca, Cancillería de Colombia

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.