



**ELDH** European Association of Lawyers  
for Democracy and World Human Rights



**Colombia Caravana UK Lawyers Group**  
promoting access to justice  
and protecting human rights

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Report  
**DAY OF THE ENDANGERED LAWYER 2014**  
**Lawyers under Death Threat in Colombia**

Documentation of the protests and meetings all over Europe

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## Preface

Lawyers all over Europe and in other countries organized protest on 24<sup>th</sup> January 2014 outside Colombian embassies and consulates, in Ankara, Athens, Barcelona, Berlin, Bern, Brussels, Düsseldorf, The Hague, Istanbul, Izmir, London, Madrid, Milan, Montpellier, Paris, Rome, and Vienna.

This year the Day of the endangered Lawyer is focused on lawyers in Colombia who were murdered and who received death threats because they defend the rights of the poorest, and who work on cases of human rights violations in rural areas where small-scale producers are attempting to return to lands illegally expropriated from them.

On European level it was organized by

- The European Democratic Lawyers AED-EDL
- The European Association of Lawyers for Democracy and World Human Rights ELDH
- European Bar Human Rights Institute IDHAE
- The Day of the Endangered Lawyers Foundation, Netherlands

With support of

- Colombia Caravana UK Lawyers Group
- Lawyers for Lawyers, Netherlands

In London and The Hague two lawyers from Colombia, Miguel Puerto and Duran Rommel, participated at the activities and presented reports.

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Jairo Céspedes, President of the Executive Commission of Colombian Lawyers (Comité Ejecutivo de la Abogacía Colombiana) expressed his gratitude for our solidarity with our colleagues in Colombia. He strongly encouraged us to keep in touch for the next future and visit their website, in order to be updated with cases of threatened and murdered lawyers:

<http://www.casadelabogado.org>

## **Short reports on protests and meetings by countries**

### **Austria (Vienna)**



A Meeting of a delegation of 4 colleagues (one lawyer and three law students) with the chairman of the Vienna Bar Association was organized. Afterwards a statement was delivered to the Colombian Embassy. Flyers have also been distributed to law students at the University.

### **Belgium (Brussels)**

In Brussels 50 demonstrators outside the Colombian Embassy. There was a meeting with a spokesman of the Embassy.

## England (London)



London lawyers carried out 2 events to mark the Day of the Endangered Lawyer.

At Midday lawyers representing: ELDH, The Law Society of England & Wales, the Solicitors International Human Rights Group, and the Colombia Caravana UK Lawyers Group met with the acting Ambassador Juan Manuel Uribe at the Colombian Embassy. The petition was presented by Professor Bill Bowring, and each of the delegates spoke about specific issues which concerned their organisations including the lack of protection for human rights defenders, the high levels of impunity for gross human rights violations, the failings of implementing land rights under the Victims and Land Restitution Law, and other matters all in the context of the peace talks. The acting Ambassador stated that our concerns and the petition will be conveyed to the relevant authorities.

At 6.30 in the evening a public meeting of 65 lawyers met in the historic Garden Court Chambers. Rommel Duran, member of the executive of ACADEHUM (the national association of Colombian human rights lawyers) member of the Equipo Juridico Pueblos in Bucaramanga, volunteer with the Comité de Solidaridad con Presos Políticos and working with rural communities attempting to reclaim their land. The packed meeting heard also from Professor Bill Bowring of the ELDH, Carlos Orjuela of the Haldane Society and Shanta Martin, solicitor engaged in litigating on human rights, together with past President of the Law Society of England & Wales, Lucy Scott-Moncrieff CBE.,



and Professor Sara Chandler, of the Colombia Caravana and the Federation of European Bar Associations Human Rights Commission.

London continues to campaign during February with Rommel Duran speaking at public and private meetings of lawyers, and on 13th February the 2014 Caravana Internacional de Juristas will be launched and lawyers all over Europe, Africa and the Americas will be invited to join the Caravana 2014 to investigate and monitor the situation of human rights lawyers in Colombia.

A letter has been published in the daily newspaper Guardian <http://www.theguardian.com/law/2014/jan/23/lawyers-risk-worldwide>  
In an article in the same newspaper the Day of the Endangered Lawyer is also mentioned.

An article has been published on the website of A4ID <http://a4id.org/blog/day-endangered-lawyer>

## France (Montpellier, Paris)

### Montpellier:

This year the Montpellier Bar Association organized a "Meeting around the day of endangered lawyer" with public meeting + photographs + video. All the Law students were there (because it is on the program of the school) with more than 200 participants.

### Paris





Paris: The Paris Bar Association has announced the Day of the Endangered Lawyer in its bulletin. 15 lawyers demonstrated around 300m away from the Colombian Embassy. For “reasons of security” they were not allowed to go closer. Embassy Two of them, escorted by policemen, went to the Embassy and handed over the petition to one of the staff. They were told that the Colombian Government was very concerned about human rights violations in Colombia and that unfortunately crimes are committed all over the world.

[https://mega.co.nz/#F!xdUyTaoC!n\\_ko-HRALeMmXHBWz4Bmig](https://mega.co.nz/#F!xdUyTaoC!n_ko-HRALeMmXHBWz4Bmig)

## Germany (Berlin, Düsseldorf)

<http://www.rechtprogressiv.de/proteste-europaweit-am-tag-des-bedrohten-anwaltin-anwaltschluss-mit-der-verfolgung-kolumbianischer-anwaltinnen-und-anwalte/#more-686>

### Berlin



A demonstration has been organized by RAV, VDJ, ELDH, the Berlin Bar Association outside the Colombian Embassy with 17 participants. A delegation of RAV, DAV, the Bar Association of Berlin, the German Lawyers Association DAV, VDJ and ELDH has been received by the Ambassador on 30<sup>th</sup> January 2014.

[https://twitter.com/rav\\_gs/status/426638374905331712](https://twitter.com/rav_gs/status/426638374905331712)

### Düsseldorf





Düsseldorf. A demonstration outside the central court house with 11 participants. In spite of the tolerance of the police, the President of the court insisted that they have to stand in a distance of around 40 meters from the entrance even though they didn't cause any obstacle for people who wanted to enter or to leave.

## Greece (Athens)



The Colombian Embassy in Greece closed before some months. Therefore a demonstration with a banner was organized at the main square of Athens in front of the parliament building.

## The Netherlands (The Hague)



The Hague: A demonstration with 25 lawyers and a forum discussion meeting with 35 participants have been organized. The Colombian lawyer, Miguel Puerto, spoke to the audience. He fled two times from Colombia after receiving constant death threats. He lost a lot of friends/colleagues by enforced disappearance or murder. The lawyer José Humberto Torres, one of his last friends who survived until now, received many death threats last year.



A big article has been published in the newspaper Trouw, about the situation of Miguel Puerto, also the difficult situation in Colombia is highlighted and the lawyers actions of the Day of the Endangered Lawyer. There was also discussion about it in the radio program Claudia dr'op at 3 fm radio.

In Holland the foundation Day of the Endangered Lawyer cooperated a lot with the lawyers for lawyers foundation and of course the VSAN which co-organized at the foundation Day of the Endangered Lawyer a conference in the theatre De Mallemlen, hosted by international alien laws lawyer Jan Hofdijk

After the demonstration a delegation had a meeting with the Colombian Ambassador. The ambassador said that the delegation would be invited for a European conference about the situation in Colombia. During our forum discussion after the demonstration an employee of the Embassie was present.

The demonstration and the forum-discussion were mentioned in al lot of Dutch online magazines. The national lawyer organization addressed all the Dutch lawyers sending around our invitation for the 24th of January. The universities in Rotterdam and Nijmegen also informed the Dutch Law-students.

<http://www.aeud.org/?content=defense>





## Italy (Milano, Rome)

### Milano



About 6 lawyers demonstrated outside the Colombian Consulate. The letter has been delivered.

### Rome





In Rome about 10 lawyers demonstrated outside the Colombian Embassy, three of them were received by two diplomatic agents.



## Spain (Barcelona, Madrid)

### Barcelona



About 20 lawyers demonstrated in front of the Colombian consulate. They provided the documents and were registered by the Consulate.

The day before the Barcelona Bar association (Col•legi d'Advocats de Barcelona - ICAB) supported the day of the Endangered Lawyer and the initiative of AED, ELDH, IDHAE and COLOMBIA CARAVANA UK LAWYERS GROUP. Also on the main page of the website of the BAR Association it was announced.

### Madrid





Despite some complications with Spanish Authorities (due to alleged security measures, we had to locate in the opposite sidewalk of the Embassy, almost 40 metres far from the front of the building) in Madrid we were among 30-40 people in a peaceful demonstration. We were lawyers dressed with gown (in Spanish, "toga") which is mandatory in Spain for lawyers acting before the Court, but there were also law students from Universidad Complutense de Madrid (one of the most important universities in Spain). We gave the letter, on behalf of the coordinators of the Day, to the Ambassador of Colombia in Spain, who attended two of our members.

Here there are some pictures:

<http://ala.org.es/imagenes-del-dia-del-abogado-amenazado>

The media was also covering the Day of the Endangered Lawyer, and two of our members were interviewed:

<http://disopress.com/gallery.php?mode=all&id=MjMzMjMxZTZmMjk3Nw%3D%3D&page=1>

## Switzerland (Bern)

Bern: A joint statement of DJS-JDS and ASK was handed over to the Colombian Embassy

[http://www.askonline.ch/fileadmin/user\\_upload/documents/Thema\\_Menschenrechte/Menschenrechtspolitik/Petition\\_Internationaler\\_Tag\\_des\\_Anwaltes\\_24-01-14.pdf](http://www.askonline.ch/fileadmin/user_upload/documents/Thema_Menschenrechte/Menschenrechtspolitik/Petition_Internationaler_Tag_des_Anwaltes_24-01-14.pdf)



## Turkey (Ankara, Istanbul, Izmir)

### Ankara



11 lawyers were in front of the embassy. After reading the common petition, they went inside to the embassy and gave one petition to the embassy and told them that their politics on lawyers and human right activists is not acceptable.

### Istanbul



The Day of the Endangered Lawyer and the KESK (trade unions case) were at the same day. Therefore the protest was organized in front of the Çağlayan Courthouse. Nearly 40 lawyers were there. The protest had organized by CHD and freedom to defence platform.

<https://twitter.com/CHDistanbul/status/426678111049375745>

## Izmir



In İzmir, also there was a protest in front of the court house. But the important point is, İzmir CHD had organized this protest with İzmir Bar Association.

## Appendix

### The Petition



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## **THE DAY OF THE ENDANGERED LAWYER – 24<sup>TH</sup> JANUARY 2014 HANDS OFF COLOMBIAN LAWYERS**

### **PETITION**

WITH URGENT REQUESTS TO THE COLOMBIAN AUTHORITIES  
COLOMBIAN PRESIDENT MR. JUAN MANUEL SANTOS  
MINISTER OF JUSTICE MRS. RUTH STELLA CORREA PALACIO  
MINISTER OF INTERIOR MR. FERNANDO CARRILLO FLÓRES  
And all Other Members of the Colombian Government

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### **EUROPEAN LAWYERS PROTEST AGAINST INTIMIDATION, ARRESTS, VIOLENCE AND ASSASSINATION OF HUMAN RIGHTS LAWYERS IN COLOMBIA**

Grave human rights violations in Colombia have been reported for many years. Not only human rights organisations like Amnesty International and Human Rights Watch have clearly denounced these human rights violations which have been committed or tolerated by the Colombian state. The most detailed reports on threats, attacks, persecution and the killing of lawyers in Colombia were presented by the three International Caravans of Jurists to Colombia (2008, 2010 and 2012). As a consequence even the European Union in addition to the bilateral trade agreement has established the Dialogue on Human Rights between the European Union and the Government of Colombia.

Human rights violations have been perpetrated in Colombia not only against political opponents to the Government but also against minorities, in particular against the indigenous population in Colombia. They are also directed against lawyers who have the courage to defend the victims of such human rights violations committed by the state. When such lawyers become victims of arbitrary rule, their clients become double victims. They are both victims of state arbitrary rule, and are also robbed of the chance of a fair trial. When lawyers are prevented from fulfilling their



professional duties, not only is their personal future and that of their clients in danger, but justice itself is endangered.

A small minority of the over 200,000 lawyers in Colombia are lawyers, dedicated to representing the most vulnerable populations most affected by human rights violations, including extrajudicial killings and forced disappearances, and by violations related to the armed conflict. These marginalised sectors include small-scale rural producers, poor urban communities, internally displaced persons, indigenous peoples and Afro-Colombian communities whose ancestral lands are often in natural resource rich regions or otherwise strategic due to their location. These lawyers, part of a community of human rights defenders in Colombia, represent and provide a voice for these individuals and groups who suffer the effects of the dramatic, violent and relentless threats to their means of survival, their way of life and their very existence. In essence, these lawyers play a fundamental role in trying to guarantee access to justice and uphold the rule of law in the country.

Because of this vital role in exposing and fighting against injustice, human rights lawyers themselves are often targets of intimidation, arrest and physical violence, and some have been murdered.

A substantial number of threats against human rights lawyers in Colombia originate from illegal paramilitary groups which, although officially demobilised, in reality continue to operate throughout Colombia. These threats often accuse human rights lawyers of being involved with the guerrilla armed groups, thereby leaving them open to attack.

Recent threats from illegal armed groups have also accused lawyers and other human rights defenders of hampering the work of multinational companies. On August 4, 2013, the paramilitary group “Los Rastrojos - National Urban Commandos” circulated a pamphlet declaring a number of trade unionists and human rights organisations, including the José Alvear Restrepo Lawyers’ Collective (CAJAR) and lawyer José Humberto Torres from the Committee for Solidarity with Political Prisoners (CSPP), as military targets, and accusing them of “attacking the good and noble intentions of the high government of Dr. Juan Manuel Santos for peace and democratic prosperity, and stopping the progress of multinational companies such as Glencore, Drummond, Pacific Rubiales, AngloGold Ashanti”.

Indeed, human rights lawyers who work on cases of human rights violations in rural areas where small-scale producers are attempting to return to lands illegally expropriated from them, and where development projects are being implemented, often face extra pressures.

Among the recent victims of these actions were the following lawyers and human rights defenders: José Lubian Duque Jimenez (killed in 2013), Óscar Cortez Baena (killed in 2013), Ricardo Rodríguez Cajamarca (killed in 2013), Edison Alberto Molina (killed in 2013), Juan Carlos Canizalez Ocampo (killed in 2013), José Gerley Sánchez Benítez (killed in 2013), Fabio Molina Vásquez (killed in 2013), Andrés Felipe Parra Utría (killed in 2013), Alberto Arias Escobar (killed in 2013), Amaury Manuel Sáez Coronado (killed in 2013), Diego Luis García González (killed in 2013), Jhonny Alberto Balarezo Ortiz (killed in 2013), Jorge Iván Gómez Guerrero (killed in 2013), Eduardo Antonio Martínez (killed in 2013), Daniel Alejandro Almarino Calderon (killed in 2013), Berena Yohadis Romero de la Marck (killed in 2013), Jorge Eliecer Molano Rodríguez (serious death threats), German Romera Sánchez (serious death threats), Lawyers Rommel Duran (serious death threats), Leonardo Jaimes Marín (serious death threats), Jeison Pava (serious death threats), Diego Martínez (serious death threats), José Humberto Torres (serious death threats), Manuel Garzón (serious death threats), lawyers from the Lawyers organisations CAJAR, the Committee of Solidarity with Political Prisoners (CSPP) and the Yira Castro Corporation (serious death threats), Sofía López Mera (serious death threats).

Over recent years, in addition to threats from illegal armed groups, human rights lawyers also faced a campaign involving the gathering and use of intelligence against them at the hands of the state

intelligence agency, the DAS. This body was found to have held personal information on prominent human rights defenders, including lawyers and judges, such as personal information about themselves and their families.

The high level of killings of human rights defenders means that these threats against them must be taken very seriously, in particular since the number of human rights defenders is still increasing.

Colombian human rights defenders, including lawyers, have called for public pronouncements from the State in support of their work, in recognition that the rights of victims to access justice is legitimate and necessary to the proper functioning of a democratic society, however, State authorities have stigmatised the work of human rights lawyers.

This is an extremely important moment for justice in Colombia. The current peace dialogue between the government and the FARC guerrilla is a positive sign that Colombia could be on the way to achieving an end to its armed conflict. Nevertheless, peace will not be achieved by the mere signing of an agreement; there are a series of judicial, political and social measures which need to be taken in order to achieve lasting peace, with guarantees of non-repetition. Colombian human rights lawyers are calling for a national debate on the model of transitional justice which will guarantee the end of armed conflict while respecting the Victims' rights to Truth, Justice and Reparation under international law. There are serious concerns, meanwhile, that legislation such as the Legal Framework for Peace proposed by the State and the expansion of Military Criminal jurisdiction which has already been approved could lead to widespread amnesties and impunity.

For these reasons three European lawyers associations the EUROPEAN DEMOCRATIC LAWYERS (AED-EDL, [www.aed-edl.net](http://www.aed-edl.net) ), the EUROPEAN ASSOCIATION OF LAWYERS FOR DEMOCRACY & WORLD HUMAN RIGHTS (ELDH, [www.eldh.eu](http://www.eldh.eu) ) and the EUROPEAN BAR HUMAN RIGHTS INSTITUTE (IDHAE, [www.idhae.org](http://www.idhae.org) ), which together represent lawyer's associations all over Europe, have decided to promote greater public awareness of the severe situation of lawyers in Colombia on the Day of the Endangered Lawyer. Therefore lawyers in different European countries will protest in front of Colombian Embassies and Consulates.

The Day of the Endangered Lawyer is an initiative which was started by AED-EDL in 2010, on behalf of the lawyers of Iran. The date of 24 January was chosen this year in remembrance of the assassination of 4 trade union lawyers and one employee in the Atocha Street in Madrid in 1977 (Massacre of Atocha), in the time of transition after the death of the Spanish dictator Franco (in 1975). The perpetrators arrested were close to far-right parties and organisations.

AED-EDL, ELDH and IDHAE condemn in the strongest possible terms the above mentioned actions against lawyers and demand the following from the Government of Colombia:

- Appropriate measures to guarantee safety and security for legal practitioners, as provided in the United Nations Basic Principles on the Role of Lawyers
- to recognise publicly the legitimacy of the work done by human rights defenders, including lawyers, environmental activists and trade unionists
- to put an end to the impunity tolerated by the State for those who violate human rights
- to take measures to sanction public servants and politicians who stigmatise them
- to end any kind of interference with the legal defence
- and to end all types of harassment – including at the judicial level – against them

- an international independent investigation into the actions noted above with the objective of holding those responsible for these arrests accountable for violations of basic human rights  
The immediate release of all lawyers detained for political reasons

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Information compiled with the assistance of the Colombian Caravana  
([www.colombiancaravana.org.uk](http://www.colombiancaravana.org.uk))

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## The Press Release



**ELDH** European Association of Lawyers  
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**Colombia Caravana UK Lawyers Group**  
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Press release – 24<sup>th</sup> January 2014

## **DAY OF THE ENDANGERED LAWYER 2014** **Lawyers under Death Threat in Colombia**

Lawyers all over Europe and in other countries protest today in Ankara, Athens, Barcelona, Berlin, Bern, Bilbao, Brussels, Douala, Düsseldorf, The Hague, Istanbul, Izmir, London, Madrid, Milan, Paris, Quito, Rome, Seville, and Stockholm

This year the Day of the endangered Lawyer is focussed on lawyers in Colombia who are murdered and who receive death threats because they defend the rights of the poorest, and who work on cases of human rights violations in rural areas where small-scale producers are attempting to return to lands illegally expropriated from them.

**Colombia is an extremely dangerous country to be a lawyer**, and to uphold the right to access justice. According to information from the Attorney General's Office in 2012, there were **over 4,400 incidents against lawyers between 2002 and 2012<sup>1</sup>**, and according to the Colombia Caravana UK Lawyers' Group, **over 400 lawyers have been killed in Colombia since 1991**. This means that **on average one lawyer is killed every month in Colombia**. In the first 11 months of 2013 at least 16 lawyers were killed.

A small minority of the over 200,000 lawyers in Colombia are lawyers dedicated to representing the most vulnerable populations most affected by human rights violations, including extrajudicial killings and forced disappearances, and by violations related to the armed conflict. These marginalised sectors include small-scale rural producers, poor urban communities, internally displaced persons, indigenous peoples and Afro-Colombian communities whose ancestral lands are often in natural resource rich regions or otherwise strategic due to their location<sup>2</sup>. In essence, these lawyers play a fundamental role in trying to guarantee access to justice and uphold the rule of law in the country.

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<sup>1</sup> Information given to the Colombia Caravana – International Caravan of Jurists, and presented to the Head of the Human Rights Division in the Deputy Attorney General's Office in August 2012.

<sup>2</sup> [http://www.asfcanada.ca/uploads/publications/uploaded\\_rapport-2013-03-colombie-ang-v2-lq-pdf-45.pdf](http://www.asfcanada.ca/uploads/publications/uploaded_rapport-2013-03-colombie-ang-v2-lq-pdf-45.pdf)

**A substantial number of threats against human rights defenders, including lawyers, originate from illegal paramilitary groups** which, although officially demobilised, in reality continue to operate throughout Colombia. These threats often accuse human rights lawyers of being involved with the guerrilla armed groups, thereby leaving them open to attack. Recent threats from illegal armed groups have also accused lawyers and other human rights defenders of hampering the work of multinational companies. Indeed, **human rights lawyers who work on cases of human rights violations in rural areas where small-scale producers are attempting to return to lands illegally expropriated from them, and where development projects are being implemented, often face extra pressures.**

Over recent years, in addition to threats from illegal armed groups, human **rights lawyers also faced a campaign involving the gathering and use of intelligence against them** at the hands of the state intelligence agency, the DAS. This body was found to have held personal information on prominent human rights defenders, including lawyers and judges, such as personal information about themselves and their families. Although the DAS was later disbanded and replaced by the National Directorate of Intelligence (DNI), and high-level prosecutions have been made, a number of human rights organisations have expressed concerns that intelligence files containing information about them have not been completely purged, and some returned their official protection schemes in 2011<sup>3</sup>.

The high level of killings of human rights defenders, including lawyers, means that these threats against them must be taken very seriously, in particular since the number of human rights defenders is still increasing. Colombian human rights defenders, including lawyers, have called for public pronouncements from the State in support of their work, in recognition that the rights of victims to access justice is legitimate and necessary to the proper functioning of a democratic society, however, State authorities have stigmatised the work of human rights lawyers.

The current peace dialogue between the government and the FARC guerrilla is a positive sign that Colombia could be on the way to achieving an end to its armed conflict. Nevertheless, peace will not be achieved by the mere signing of an agreement; there are a series of judicial, political and social measures which need to be taken in order to achieve lasting peace, with guarantees of non-repetition. Colombian human rights lawyers are calling for a national debate on the model of transitional justice which will guarantee the end of armed conflict while respecting the Victims' rights to Truth, Justice and Reparation under international law. There are serious concerns, meanwhile, that legislation such as the Legal Framework for Peace proposed by the State and the expansion of Military Criminal jurisdiction which has already been approved could lead to widespread amnesties and impunity.

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AED-EDL, ELDH and IDHAE condemn in the strongest possible terms the above mentioned actions against lawyers and demand the following from the Government of Colombia:

<sup>3</sup> <http://www.justiceforcolombia.org/news/article/945/das-involvement-in-threats-forces-lawyers-to-reject-security-detail>



- Appropriate measures to guarantee safety and security for legal practitioners, as provided in the United Nations Basic Principles on the Role of Lawyers
- to recognise publicly the legitimacy of the work done by human rights defenders, including lawyers, environmental activists and trade unionists
- to put an end to the impunity tolerated by the State for those who violate human rights
- to take measures to sanction public servants and politicians who stigmatise them
- The immediate release of all lawyers detained, investigated, and imprisoned as a result of their professional duties

They further demand an international independent investigation into the actions noted above with the objective of holding those responsible for these arrests accountable for violations of basic human rights

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Provisional List of Colombian Human Rights Lawyers who have been killed in 2013 and  
who have been threatened in 2012 and 2013



## Day of the Endangered Lawyer 2014

### COLOMBIAN LAWYERS KILLED AND UNDER THREAT

Threats and Killings of Colombian lawyers are of every day reality:



Since 1991, over 400 lawyers have been killed in Colombia. This means that on average one lawyer is killed every month in Colombia. In the first eight months of 2013, 11 lawyers were killed in the region of Valle del Cauca alone<sup>4</sup>. Apart from the killing, Colombian lawyers are threatened and attacked. Between 2002 and 2012 there have been 4,400 incidents against Colombian lawyers<sup>5</sup>.

In this document you will find a list of lawyers in Colombia who recently have been killed, and lawyers who have been under threat and who have been attacked in 2012-2013.

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### **COLOMBIAN LAWYERS KILLED: January-November 2013**

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**Berena Yohadis Romero de la Marck**

**Killed**

**(June 1 - Santa Marta)**



The lawyer Berena Romero De La Marck was assassinated just outside her mother's house at the beginning of June. An unknown man came up to her and shot at her three times at short distance and disappeared.

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<sup>4</sup> See Colombian Caravana UK Lawyers' Group, letter of concern, August 18, 2013: <http://www.colombiancaravana.org.uk/wp-content/uploads/2013/04/Juan-Carlos-Canizalez-Ocampo.pdf>

<sup>5</sup> Information given to the Colombian Caravana – International Caravan of Jurists, and presented to the Head of the Human Rights Division in the Deputy Attorney General's Office in August 2012.

**Ricardo Rodriguez Cajamarca****Killed****(October 2 – Meta)**

A human rights lawyer and former local human rights ombudsman (*personero*). He was shot dead in the municipality of Acacias (Meta) on Thursday 10 October, 2013, by unknown assailants travelling on a Pulsar 135 motorcycle. He had reported serious human rights violations committed by paramilitary groups operating in the area, including displacements, forced disappearances and killings, and abuses against civilians by the Colombian Army. Mr. Rodríguez had also been involved in denouncing a series of mass detentions and unfounded criminal proceedings brought against small-scale farmers.

**Edison Alberto Molina****Killed****(September 11 - Antioquia)**

**Edison Alberto Molina** was shot by unknown assailants as he was riding home on his motorcycle with his wife, who suffered minor injuries. He had just finished presenting his radio program, Legal Clinic. In his program, Molina frequently made allegations of corruption in local government departments.

**Óscar Cortez Baena****Killed****(October 18 – Eje Cafetero)**

**Óscar Cortez Baena** was shot at his home in the neighbourhood of Buenos Aires Alto in the centre of Armenia. He later died in hospital. It is reported that a number of witnesses saw the two assassins escape on foot.

**Jorge Iván Gómez Guerrero****Killed****(February 28 - Valle del Cauca)**

Jorge Iván Gómez Guerrero was shot dead in Cali.



**Fabio Molina Vásquez**

**Killed**

**(July 13 – Valle del Cauca)**



Fabio Molina Vásquez was shot by an unknown assailant in the Calimio Desepaz district of the city of Cali, and later died as a result of his injuries at the Hospital Universitario del Valle.

**Juan Carlos Canizalez Ocampo**

**Killed**

**(August 12 – Valle del Cauca)**



**Juan Carlos Canizalez Ocampo** was shot as he was driving his car at a housing complex in the Prado Sur district of Buga.

**Andrés Felipe Parra Utima**

**Killed**

**(July 23 - Valle del Cauca)**



**Andrés Felipe Parra Utima** was shot in the head at his home in Tuluá. Mr Parra Utima, a recent graduate from the Universidad Central Del Valle del Cauca, died a few hours later.

**Alberto Arias Escobar**

**Killed**

**(May 1 – Valle del Cauca)**



**Alberto Arias Escobar** was killed by two men travelling by motorcycle, who shot him in the head, in the Salesianos area of Tuluá, Valle del Cauca. According to reports, he died half an hour later in the San Francisco clinic.

**Jhonny Alberto Balarezo Ortiz**

**Killed**

**(March 1 - Valle del Cauca)**



**Jhonny Alberto Balarezo Ortiz** was shot in Florida, Valle del Cauca department.  
**Diego Luis García González**

**Killed**

**(March 21 - Valle del Cauca)**



Diego Luis García González was shot whilst driving his car near Alfonso Bonilla Aragon international airport in Cali.

**José Lubian Duque Jimenez**

**Killed**

**(October 18 – Eje Cafetero)**



**José Lubian Duque Jimenez** was shot dead in his office in the Intel building in the centre of Armenia.

**Eduardo Antonio Martínez and his son Daniel Alejandro Calderon**

**Both killed**

**January 25, Valle del Cauca**



**Eduardo Antonio Martínez** and **Daniel Alejandro Calderon** were both shot in the head at close range in their office in the Centro Comercial 'El Bazar'.

**José Gerley Sánchez Benítez**



**Killed****(July 16 – Valle del Cauca)**

**José Gerley Sánchez Benítez** was shot dead by two unknown assailants at his home in the Los Andes district of Cali.

**Amaury Manuel Sáez Coronado****Killed****(March - Valle del Cauca)**

The body of **Amaury Manuel Sáez Coronado** was found in Cordoba on Thursday 7 March.

## COLOMBIAN LAWYERS UNDER THREAT AND ATTACK: 2012-2013

**Sofía López Mera****Threatened**

Lawyer and founder of the National Movement of Victims of Crimes of State (MOVICE), **Sofía López Mera**, has been a victim herself of harassment, surveillance and threats since the General Public Prosecutor emitted an arrest warrant against her. Her name was in a list of 60 people investigated with the charge of rebellion. Some have already been judged in June 2012. Sofía López Mera is searched for in her professional quality as a defense lawyer in a case in Popayán.

During the month of April she was surveilled and received various death threats: “lawyers of the guerilla here die, get killed, take care”. She was also harassed by two men saying they belonged to the Investigative Section of the National Criminal Police.

**Lawyers organisations CAJAR, the Committee of Solidarity with Political Prisoners (CSPP) and the Yira Castro Corporation**

10 September and 24 September – further death threats sent by the Los Rastrojos Paramilitary group to **human rights defenders and lawyers organisations CAJAR, the Committee of Solidarity with Political Prisoners (CSPP) and the Yira Castro Corporation**, in which they were linked to the guerrilla and given 72 hours to leave their areas of work.

**José Humberto Torres****Threatened**

**Mr Torres** is a well respected human rights lawyer, working in the north of Colombia with the CSPP and the José Alvear Restrepo Lawyers' Collective (Cajar). As a lawyer, he has acted in legal proceedings including relating to attacks on human rights activists and trade union leaders in the north of Colombia.

**On 12 March 2012**, it was announced that a life threatening situation exists for *José Humberto Torres*. Through various sources it has become known that different (paramilitary) groups have gathered a sum amounting to USD 120,000 to serve as a reward for an attack on José Humberto Torres.

Presumably the death threats are related to the fact that José Humberto Torres is currently spokesman for the National Platform for Human Rights in Colombia and his involvement in legal cases against state officials. Torres was involved in the lawsuit against former Director of Departamento Administrativo de Seguridad (DAS), Jorge Noguera, for his alleged involvement in the murder of human rights activist Alfredo Correa de Andreis. In addition, he was involved in proceedings against paramilitary leaders and cases related to extra-judicial killings involving members of the Fuerza Pública (Public Force). Recently, Torres called for a criminal investigation to be launched into links between members of Congress and paramilitary groups.

Torres has been subjected to threats in the past. The *Inter-American Commission on Human Rights* ordered the provision of protection measures in favour of the human rights

defender. Nevertheless the security program subsequently put in place by the Ministry of Interior, it is believed, has been inadequate to guarantee his protection.

Unfortunately, on the 15<sup>th</sup> of August **José Humberto Torres received death threats again.**

### **Manuel Garzón**

1 August - threats against lawyer **Manuel Garzón** and other human rights defenders from the Inter Church Justice and Peace Commission. Mr Garzón was followed as he left his office in Bogotá, and told to, “*Stay quiet with what you are doing*” (quédense quietos con lo que están haciendo). Paramilitaries are understood to be keeping members of the NGO, who work with the communities of the Curvaradó and Jiguamiandó River Basin, under surveillance. Paramilitaries have kept human rights defenders under surveillance before attempting to kill them. A judge had ruled on 30 July that two businessmen linked to the African palm industry were responsible for the forced displacement of the communities of the Curvaradó and Jiguamiandó River Basin, aggravated conspiracy to commit a crime, and invasion of land of special ecological importance, and sentenced them to 125 months in prison. They had been acting together with paramilitaries. Manuel Garzón has been representing the communities.

### **Lawyer Jeison Pava and human rights defender Diego Martinez and their families**

July - further death threats against MOVICE lawyer **Jeison Pava** and human rights defender **Diego Martinez** and their families. Mr. Pava and Mr. Martínez received the emails whilst they were attending a MOVICE conference in La Macarena, Meta, a highly militarized zone. During the event they noticed plain clothed men riding plateless motorcycles suspiciously circling the venue. When alerted to the matter, the police did nothing. Such conduct contributes to the climate of impunity. Although Mr. Pava and Mr. Martínez have security schemes which include escorts and blacked out cars, there is a notable lack of police presence to prevent incidents such as these from occurring. According to the Movement for Victims of State Crimes (MOVICE), their lawyer Jeison Pava has been threatened by paramilitary groups five times.

### **Lawyers Rommel Duran and Leonardo Jaimes Marín**

May - The Pitalito community in the Cesar Department of Colombia, were victims of forced displacement starting on the 24th of June 2010, due to violent acts against them by members of the National Army, the ESMAD riot police, and a group of private armed guards acting on behalf of Señor Juan Manuel Fernández de Castro, a palm oil plantation owner affiliated with the National Federation of Palm Oil Farmers (Fedepalma). The community began returning to their lands on 21st of May 2013, and they and their accompanying lawyers from the ‘Pueblos’ Legal Team and the Foundation Committee of Solidarity with Political Prisoners, have encountered numerous difficulties. In July 2013, Señor Fernández de Castro filed criminal complaints against members of the returning community and their accompanying lawyers. In September 2013, lawyers **Rommel Duran and Leonardo Jaimes Marín** from the ‘Pueblos’ Legal Team were arbitrarily detained by Police who made verbal accusations that they were members of the guerrilla, as they made their way to the Pitalito community.



## **Jorge Eliecer Molano Rodríguez & German Romero Sánchez**

### **Threatened**



(Jorge Molano Rodríguez)

**Jorge Eliecer Molano Rodríguez** (picture above) and **German Romera Sánchez** are based in Bogota, where they defend victims of human rights violations, as well as their relatives. Their cases involve grave human rights violations committed by (mostly) senior level army officers and paramilitaries.

**Jorge Molano** has been active in the defence of human rights for many years, and for different human rights organisations. He currently works as a lawyer for the organization “Sembrar”. On many occasions he has been the subject of threats. **German Romero** has been working for over 9 years for several human rights NGO’s, amongst which *el Colegio de Abogados José Alvear Restrepo* and the *Comisión Intereclesial de Justicia y Paz*. Currently he is working as a legal advisor for the organization *Yira Castro*. In the course of their human rights defending work, they have defended victims in the case on the disappearance of 11 persons in reaction to the violent occupation of the Palace of Justice in Bogotá in 1985. They have also acted on behalf of relatives of victims in the persecution of paramilitaries and militaries responsible for the killing in 2005 of 21 persons and members of the Peace Community San José de Apartadó.

**On October 10, 2012, Jorge Molano and German Romero have been confronted with serious threats**, related to the case regarding the killing of Alex Ramírez and Darvey Mosquera. The two lawyers are defending the mother of Darvey Mosquera, Ms. Castillo, in the case against the commanders of a Colombian army unit (Major Josue Yobanni Linares and Captain Julio Cesar Alvarez Pedreros), and their alleged involvement in the killings.

Immediately after the killings and during the course of the trial, these lawyers and the relatives of the victims have been targeted by intimidations and threats.

On October 10, 2012, in the city of Palmira (Valle del Cauca), Ms. Castillo was on her way to the city of Santiago de Cali by public transport, when a man approached her, grasped her, and pushed a gun to her chest and said: “***Tell the lawyer that he is going to die, and you too***”. Then the man jumped off the bus and disappeared from the sight of Ms. Castillo and the other passengers. These latest threats to the lives of both the lawyers and Ms. Castillo were made 48 hours prior to a hearing in the trial of the two commanders. These threats have put the relatives and the lawyers under grave pressure. They fear for their lives.

## Letter of the Ambassador of Colombia to The Netherlands



Embajada de Colombia en los Países Bajos

Prosperidad  
para todos

ENLHY- 11

La Haya, 20 de enero de 2014

Señor

**HANS GAASBEEK***International Coordinator Day of the Endangered Lawyer*

Nieuwe Gracht 5ª, 2011 NB Haarlem

**ASUNTO:** *Day of the endangered lawyer*

Señor Gaasbeek:

Me dirijo para referirme a su misiva del pasado 16 de enero, relativa al "Día del Abogado Amenazado", que se celebrará el próximo viernes, 24 de enero.

Quiero expresarle mi sincera gratitud por compartir con el Gobierno de Colombia, especialmente con esta Embajada, sus inquietudes y preocupaciones por la situación de personas que se encuentran en situación de riesgo. La labor de organizaciones como las que Usted representa e iniciativas como la aludida no solo nos permiten identificar desafíos, sino también darle mayor visibilidad a otros problemas ya conocidos y, en últimas, fortalecer nuestra democracia. Lo anterior se hace más cierto cuando se trata de profesionales del derecho que desde distintas posiciones, ora como abogados litigantes, ora como funcionarios judiciales, ya como activistas y defensores de los derechos humanos, trabajan para denunciar la violencia y erradicar la impunidad de crímenes que nos conmueven a todos.

Como ha sido documentado por diferentes mecanismos de las Naciones Unidas, tales como las Relatorías del Consejo de Derechos Humanos para la independencia de jueces y abogados y la situación de los defensores de derechos humanos, en mi país muchos juristas han sido víctimas de violencias de distinta índole. Nuestra democracia, asediada desde la extrema izquierda y la extrema derecha, transita hacia la superación de estos flagelos.

En este horizonte, su manifestación al frente de la Embajada, ocasión en la que estaré encantado de recibir su petición en el horario propuesto, y la presentación del documental "Gotas que agrietan la roca" son acciones que demandan nuestra atención e interés.

Confianto que la institucionalidad estatal colombiana y las organizaciones de la sociedad civil podemos y debemos trabajar juntos para asegurar el goce efectivo de la vida y los demás derechos y libertades y denunciar y sancionar todas las formas de violencia, y esperando nuestro encuentro este viernes, me suscribo atentamente,

  
**EDUARDO PIZARRO LEONGÓMEZ**  
 Embajador

MAGO

# Advocaat is leven niet zeker

Dag van de Bedreigde Advocaat richt zich dit jaar op erbarmelijke situatie in Colombia

Edwin Koopman

Advocaat Ricardo Rodríguez Cajas was wat in Colombia *personero* wordt genoemd: een lokale ombudsman die klachten verzamelt over schendingen van mensenrechten. Hij woonde in Acacias, een kleine gemeente in het departement Meta, waar het gewapend conflict in alle hevigheid woedt en waar *personeros* zoals hij de zeldzame vrouwenspersonen vormen waar mensen heen durven om hun verhaal te doen.

Rodríguez kende zijn verantwoordelijkheid. Hij rapporteerde de verdwijningen en moorden door militairen en paramilitairen, en verdedigde kleine boeren die onrecht werden aangeklaagd op beschuldiging van banden met de guerrilla. En hij moest daar een hoge prijs

voor betalen: op 10 oktober 2013 werd hij vermoord.

Rodríguez werd zo een van de tientallen advocaten die vorig jaar in Colombia zijn omgebracht, en een van de 400 die sinds 1991 het slachtoffer werden van een aanslag. De daders zijn in de meeste gevallen paramilitaire organisaties, moordcommando's die de omgeving moeten 'zuiveren van guerrilleros', of die willen voorkomen dat eerdere misdaden worden onderzocht.

Advocaten zijn, naast vakbondsleiders, activisten en journalisten, gewilde doelwitten. Aanslagen en bedreigingen meegerekend waren er de afgelopen tien jaar 4400 incidenten met advocaten, zo blijkt uit cijfers van internationale juristenorganisaties. Daarnaast wordt het werk van advocaten door politici en func-

tionarissen gestigmatiseerd, en worden juristen regelmatig om politieke redenen opgepakt.

De situatie in Colombia staat vandaag centraal op de 'Dag van de Bedreigde Advocaat', een jaarlijkse internationale actiedag. "We willen dat de Colombiaanse regering zorgt dat advocaten veilig kunnen werken. Dat moet hoog op de agenda komen", zegt initiatiefnemer en internationaal coördinator Hans Gaasbeek, zelf ook advocaat. "De regering moet zorgen voor bescherming, dat hoort bij een rechtsstaat." Volgens Gaasbeek is Colombia een van de gevaarlijkste landen ter wereld voor advocaten.

"Deze internationale aandacht creëert een zekere bescherming," zegt de Colombiaanse jurist Miguel Puerto, die in Nederland is voor de actie. Puerto heeft ruim twintig jaar etva-

ring in de verdediging van vakbonden en mensenrechten in zijn land. In 2002 moest hij Colombia na bedreigingen verlaten. Nu maakt hij vanuit Londen de situatie internationaal afhankelijk bij de International Labour Organization, een VN-instituut.

De huidige president Juan Manuel Santos werkt aan het beëindigen van het gewapende conflict, door te praten over vrede met de guerrilla, maar vooralsnog is de situatie voor advocaten niet verbeterd, zegt Puerto. "Hij moet de strijdkrachten hervormen en een einde maken aan de paramilitairen en de strafeloosheid." In de petitie die vandaag wordt aangeboden aan de Colombiaanse ambassade wordt benadrukt "dat vrede niet simpelweg kan worden bereikt door het zetten van een handtekening onder een akkoord".

Actievoerende juristen in meer dan twintig steden

De 'Dag van de Bedreigde Advocaat' wordt dit jaar voor de vierde keer georganiseerd, ondersteund door organisaties zoals Lawyers for Lawyers, het European Bar Human Rights Institute en de Europese Democratische Advocaten. De afgelopen jaren stonden achtereenvolgens Iran, Turkije en de situatie in Baskenland centraal. Daarbij wordt standaard een petitie aangeboden bij de ambassade. Volgens Hans Gaasbeek demonstreerden daarbij steeds zo'n vijftig advocaten mee. De reacties zijn wisselend. Tot nu toe nam alleen de Spaanse ambassade de brief in ontvangst. Ook de Colombiaanse ambassadeur heeft toegezegd vanmiddag de deur te openen. Tegelijkertijd met de manifestatie in Den Haag worden volgens Gaasbeek in twintig andere steden soortgelijke acties georganiseerd, waaronder Rome, Berlijn, Bern, Istanbul, Parijs, Brussel en Londen.



★ ★ ★

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