

THE OBSERVATORY for the Protection of Human Rights Defenders

a joint programme



Item 6: Consideration of the UPR Working Group Report on Colombia

Joint NGO Statement to the Human Rights Council March 20, 2009

Mr. President,

I present this statement on behalf of Human Rights First, Front Line and the Observatory for the Protection of Human Rights Defenders, a joint programme of the International Federation of Human Rights (FIDH) and the World Organisation Against Torture (OMCT).

We welcome the focus in the Universal Periodic Review of Colombia on the issue of human rights defenders. In fact the treatment of human rights defenders emerged as a key theme of the review. Approximately 16 of 65 recommendations in the Working Group's report related to human rights defenders, demonstrating the precarious situation of defenders in Colombia.

We also welcome the Colombian state's acceptance of most of those recommendations and its commitment to "provide guarantees and protection measures for HR Defenders to carry out their work..." Unfortunately, since the UPR of Colombia, human rights defenders continued to pay a heavy price for their commitment to the defense of universal rights. We condemn the army's assassination of **Edwin Legarda**, the husband of **Aida Quilcué**, Chief Council of the Indigenous Regional Council of Cauca. This tragic event unfolded immediately after her return from participating in the UPR in Geneva.

We urge Colombia to immediately adopt the Working Group's many recommendations calling on the government to acknowledge the importance and legitimacy of human rights advocacy. Unfortunately, since the UPR of Colombia, senior government officials have continued to falsely label peaceful human rights defenders as terrorists, such as Mr. **Hollman Morris**. The President should issue and enforce a directive prohibiting any public official from making false imputations or accusations that compromise the security or reputation of human rights defenders. Another aspect of grave concern relates to the numerous threats and attacks against human rights defenders, such as the recent death threats against Ms. **Lina Paola Malagón**, from the Colombian Commission of Jurists.

In line with recommendations in the Working Group report about unsubstantiated allegations against human rights defenders, we urge Colombia to address the serious problem of baseless criminal prosecutions of defenders. We condemn the recent judgment in Bucaramanga against **Principe Gabriel Gonzalez** from the Political Prisoners Solidarity Committee and the recent opening of investigations against **Father Javier Giraldo** and **Elkin Ramirez**. The Prosecutor General should pass a resolution enabling his Human Rights Unit to review all criminal investigations against human rights defenders. The Unit should close any investigations which fail to comply with fundamental due process standards.

Finally we urge Colombia to immediately release from prison those human rights defenders who remain unjustly detained, among others **Martín Sandoval**, President of the Permanent Committee for the Defense of Human Rights in Arauca, **Carmelo Agámez**, Executive Secretary of the National Movement of Victims of Crimes of the State in Sucre, and **Andres Gil** and **Miguel Gonzalez** from the Rural Association for the Cimitarra River Valley (ACVC).