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Colombia: Arbitrary detention, ill-treatment and possible criminalization of Johan Sebastián Moreno Castro

On 5 May 2021, human rights defender **Johan Sebastián Moreno Castro** was released from the Immediate Reaction Unit (URI) of the Attorney General's Office in Bucaramanga after being arbitrarily detained for more than 10 hours and subjected to ill-treatment by police officers. The human rights defender's detention occurred in the context of the ongoing national strike against a tax reform proposed by the government of President Iván Duque and against police brutality in Colombia.

[Johan Sebastián Moreno Castro](#) is a human rights defender and lawyer with the Equipo Jurídico Pueblos (Pueblos Legal Team) of Bucaramanga, Santander. The Pueblos Legal Team of Bucaramanga was created in 2007 and has worked since then in defense of territories, against impunity for crimes committed by the state, and for the freedom of political prisoners and promoting their rights. The legal team also supports workers, peasants, students, women, indigenous people and Afro-descendants, who work to realise societal transformation in Colombia.

On 4 May 2021, Johan Sebastián Castro was violently and arbitrarily detained by police officers in Piedecuesta while he was speaking to demonstrators that had been attacked with tear-gas by officers from the Metropolitan Police of Bucaramanga minutes earlier. According to eyewitnesses, the officers threw the human rights defender to the ground and hit him in the head with a grenade before hitting him several times with their shields and a helmet. Videos of the incident show that when the officers proceeded to arrest Johan Sebastián Castro, his head was bleeding.

At the time of the arrest, the officers argued that they were attacked by the human rights defender and therefore he was being taken into custody. Johan Sebastián Castro reported that during his transfer to the police station he was physically and psychologically abused and threatened by police officers, who were pressing him to testify that he had attacked the police officers before being detained. The human rights defender was taken to the Piedecuesta Police Station where he was held incommunicado for several hours and handcuffed to a chair in an open courtyard. At around 10 pm, Johan Sebastián Castro was transferred to the local hospital in Piedecuesta where some of his wounds were treated. At around midnight the same day, Johan Sebastián Castro was then transferred to the URI of the Attorney General's Office in Bucaramanga, where police officers reportedly tried to make him testify that he had not been subjected to ill-treatment during his detention, which the human rights defender refused to do.

From the URI, Johan Sebastián Castro was transferred back to the Piedecuesta Police Station where police officers reportedly verbally attacked him and refused to let him use the toilet or drink water until the morning of 5 May 2021, when he was transferred to the Attorney General's Office in Bucaramanga. There, a Specialized Prosecutor granted Johan Sebastián Castro a habeas corpus and determined that he had been illegally detained by the security forces and no evidence had been found to suggest he had acted violently towards the officers, and ordered his release. However, the human rights defender's file was sent to a local prosecutor in Piedecuesta, which his

colleagues fear may lead to a criminalization attempt on the fabricated allegation of “attacks against an authority”. Johan Sebastián Castro was denied access to his lawyer during several hours while he was detained.

Following his release, Johan Sebastián Castro went to the Medical Forensics where doctors determined he had incurred several injuries as a result of the violent nature of his arbitrary detention and the way he had been handcuffed in the police station. The injuries included a 4cm wound in his head as well as wounds on his arm.

Front Line Defenders condemns the arbitrary detention and ill-treatment of human rights defender Johan Sebastián Moreno Castro, and believes he has been targeted and mistreated solely as a result of his peaceful activities in defense of human rights in the city of Bucaramanga. Front Line Defenders is deeply concerned by the ill-treatment of the human rights defender and the intimidating effect such detentions have on human rights defenders and civil society in the country, particularly those who continue to document and denounce police brutality in the context of the current national strike.

Front Line Defenders urges the Colombian authorities to:

1. Conduct an impartial investigation regarding the arbitrary detention and ill-treatment of Johan Sebastián Moreno Castro;
2. Take all necessary measures to guarantee the physical and psychological integrity and safety of the human rights defender as well as that of other members of Equipo Jurídico Pueblos in constant consultation with them;
3. Guarantee that all human rights defenders in Colombia are able to carry out their legitimate human rights activities without fear of reprisals and free from all restrictions, including judicial harassment.