



August 23, 2007

Norberto Frydman  
Officer in Charge Latin America  
Office of the United Nations High Commissioner for Human Rights  
UNOG-OHCHR  
1211 Geneva 10, Switzerland

### **High Commissioner's Trip to Colombia**

Dear Mr Frydman,

Human Rights First is delighted that the High Commissioner is attending the 2007 Human Rights Defender Policy Forum which we organize annually with the Carter Center. We are also pleased to learn that the High Commissioner will travel to Colombia after the Policy Forum to sign the agreement renewing the mandate of the Colombian country office. The work performed by that office is of critical importance to Colombian human rights defenders and civil society.

### **Colombian Human Rights Defenders: At Considerable Risk**

Thank you for allowing us this opportunity to provide you with some of our key concerns as they relate to human rights defenders in Colombia. We applaud the High Commissioners unwavering support for human rights defenders around the world and ask that in her upcoming trip to Colombia she publicly endorse the important and legitimate work performed by Colombian human rights defenders.

Colombia is one of the most dangerous countries in the world for human rights defenders. In 2005 alone at least 41 were reportedly assassinated or forcibly disappeared.<sup>1</sup> They also face a range of other attacks and forms of intimidation such as kidnapping, death threats, assaults, surveillance, assassination attempts, and break-ins. Human Rights First focuses on two other particularly pernicious types of attacks against Colombian human rights defenders which we elaborate on below.

### **Use of Baseless Criminal Charges**

Colombian human rights defenders are frequently subject to baseless criminal charges, such as rebellion, alleging that they are members of guerilla organizations, or slander and libel, for exposing human rights violations. These specious criminal charges are usually based on unfounded witness evidence or spurious government intelligence reports. They are sometimes widely publicized

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<sup>1</sup> Colombian Commission of Jurists, *Colombia 2002-2006: Situation Regarding Human Rights and Humanitarian Law* (Bogota: CCJ, 2007), footnote 21.

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and thus undermine the credibility of defenders, which causes them to become stigmatized and marks them as targets of physical attack, often by paramilitary groups. As the Special Representative on Human Rights Defenders has stated, “[t]hese proceedings are part of a strategy to silence human rights defenders.”<sup>2</sup> The charges also hamper the ability of human rights defenders to carry out their work by discrediting them or otherwise distracting their attention from exposing human rights violations.

The OHCHR Colombia office has consistently recognized this practice in its annual reports. It recently stated that it had “received information regarding illegal or arbitrary arrests of human rights defenders and social leaders charged, without sufficient evidence, with the crime of contempt of authority.”<sup>3</sup>

The case of Iván Cepeda Castro is emblematic of this wider practice. Human Rights First awarded Ivan the 2007 Roger N. Baldwin Liberty in recognition of his outstanding promotion of human rights at considerable personal risk.<sup>4</sup> Iván has been unjustly accused of slander and libel for exposing information which reportedly implicated government officials from Sucre in human rights violations.<sup>5</sup> We believe that the charges against Iván are unfounded and infringe his right to freely express opinion about public officials. We ask you to urge that these baseless charges against him, and other defenders, be dropped.

### **Disparaging Comments by Government Officials**

Colombian human rights defenders have told us that their greatest need is for a political environment that is supportive of their work. Unfortunately the environment in which they operate could not be further from this ideal. Public officials have a history of labeling human rights defenders as terrorist sympathizers and otherwise stigmatizing them. Equating human rights defenders with terrorists delegitimizes their essential work and makes the dangerous suggestion that acts of violence against them enjoy the acquiescence of the government.

President Uribe has also used made other irresponsible comments which have a dangerous effect on human rights defenders. For example, on February 3, 2007, he stated that members of the political opposition “went from being terrorists in camouflage to terrorists in business suits.”<sup>6</sup> Two days later, approximately 70 of Colombia's leading human rights defenders received death threats echoing these comments in an email from paramilitary groups who adapted specific language from his February 3 statement. Given the polarized nature of Colombian society, such comments by government officials increase the vulnerability of

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<sup>2</sup> Hina Jilani, *Report of the Special Representative of the Secretary-General on human rights defenders* (Commission on Human Rights, 58th session) UN Doc: E/CN.4/2002/106/Add.2. 24 April 2002. pp 24-25.

<sup>3</sup> Office of the United Nations High Commissioner for Human Rights in Colombia. *Annual Report 2006*. (Human Rights Council, Fourth Session) UN Doc: A/HRC/4/48. 5 March 2007. p. 13.

<sup>4</sup> Human Rights First, “Colombian Human Rights Leader Iván Cepeda Wins Roger Baldwin Liberty Award”, *Press Release*, June 5, 2007; More information at: <http://www.humanrightsfirst.org/defenders/baldwin/2007/>

<sup>5</sup> Human Rights First, *Petition to Colombian Attorney-General*, June 11, 2007 <http://www.humanrightsfirst.info/pdf/07813-hrd-ivan-petition-eng-public.pdf>

<sup>6</sup> Human Rights First, “Human Rights Group Says Colombian President's Rhetoric Endangers Activists”, *Press Release*, February 17, 2007 <http://www.humanrightsfirst.org/media/hrd/2007/alert/312/index.htm>

human rights defenders and increase the likelihood of attacks against them. Senior members of the government, starting with President Uribe, should desist from making such inflammatory remarks. Instead, they should make consistent public statements supporting the legitimacy and importance of the work carried out by human rights defenders.

We applaud the High Commissioner's support for human rights defenders and ask you that she raise these concerns with the Colombian government in her upcoming trip.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'AHJ', with a stylized flourish at the end.

Andrew Hudson  
Associate Attorney – Latin America  
Human Rights Defenders Program