

NO JUSTICE WITHOUT LAWYERS

SIN ABOGADOS NO HAY JUSTICIA

Report of the Caravana Internacional de Juristas

Lawyers' Human Rights Delegation to Colombia

August 2008



Report of the UK Section of the “Caravana 2008”
- an international delegation of lawyers to investigate the treatment of human
rights lawyers in Colombia

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Fig 1. Press conference in Bogota

Executive summary

In January 2008 ACADEUM, an umbrella organisation of Colombian human rights lawyers invited foreign lawyers to Colombia to report on the killings, threats, and harassment to which human rights advocates are subjected there. When the Law Society called a meeting, there was an overwhelming response, from members of the Bar, ILEX and the Law Society.

In August 2008, forty two members of the UK legal profession arrived in Bogota to join the 'Caravana Internacional de Juristas', (literally meaning 'International Caravan or Convoy of Lawyers'), together with lawyers from Europe, Canada and Latin America for a high profile intensive one week inquiry from 24th to 31st August 2008. The inquiry began with an intensive two day briefing. The group was then divided for visits to examine the situation in seven representative regions. Underlining the need for the visit, shortly after our arrival, it was reported that a lawyer had been murdered in one of those regions.

The aim of the delegation was to meet human rights advocates and to investigate the situation of lawyers and their clients, particularly those who had been subjected to human rights abuses, from unfair trials to assassinations. The delegation also hoped to help raise the profile of lawyers and officials charged with defending human rights. We began this process with national and local TV and press coverage during our visit.

We heard shocking and detailed eye witness accounts from individuals, backed up by documentary evidence. The Caravana met with organisations monitoring the assassinations, attacks and harassment suffered by lawyers and other human rights advocates. We also met judges, police and prosecutors, embassy staff, senior central and local government ministers, academics, and commercial lawyers. The evidence we heard was confirmed in part by officials and accords with reports produced before and since our visit by international organisations and previous lawyers' delegations.

The courage of the Colombian lawyers and the significance of their work left a lasting impact on the UK delegation. We have initiated an international emergency email network to enable us to respond to threats to individuals by contacting the Colombian embassy and writing to senior officials up to the President. We are determined to ensure that our meetings with government officials and prosecutors who promised to investigate the assassinations, attacks and threats will lead to action to protect human rights lawyers.

This report contains a summary of the testimonies given to the Caravana members. There is also a longer report which contains the record of meetings and visits carried out by the Caravana members, which can be found at <http://international.lawsociety.org.uk/node/2518> web site. The UK delegation is planning a return visit to Colombia in 2010 to investigate what progress has been made by the authorities in reducing the level of human rights violations and to show our continuing support for our Colombian colleagues.

Key Recommendations for future work by the UK delegation:

- Publicise the lack of human rights protection in Colombia, the impunity afforded by the State to those who infringe human rights and the dangers faced by human rights advocates;
- Participate in an international legal network to support those working in the human rights field in Colombia, to respond to emergencies, and to make representations to the Colombian authorities where those individuals appear to be in imminent danger;
- Monitor threats, attacks, deaths and disappearances of human rights advocates and demand proper investigation;
- Supporting the strengthening of lawyers' organisations which defend human rights in Colombia
- Supporting the lawyers' organisations coordinating the free exercise of law and access to justice in Colombia
- Maintain contact with Colombian colleagues and provide practical support, resources and specific assistance as asked;
- Maintain constructive contact with the Colombian authorities to follow up on the assurances given to us;
- Make representations to the UN, the EU, and UK parliamentarians and authorities outside Colombia, and in particular the governments of those jurisdictions represented in the Caravana;
- Provide assistance to Colombian lawyers in the preparation of cases to be put before the Prosecutor of the International Criminal Court or the Inter-American Court of Human Rights.

Thanks to all the following organisations for their support

ACADEUM (Asociacion Colombiana de Abogados Defensores de Derechos Humanos Eduardo Umena Mendoza)
Foreign and Commonwealth Office officials
British Embassy and Consulate
The Law Society Charity
The Law Society of England & Wales
The Bar Council of England & Wales
Institute of Legal Executives

City of Westminster & Holborn Law Society
Devon & Somerset Law Society
Federation of European Bar Associations
Peace Brigades International (UK)
Myrna Mack Foundation
Lawyers Without Borders – Canada
Asociacion Libre de Abogados de Madrid
Ordre des Avocats de Paris
DAV - Deutscher Anwaltverein

Introduction

Colombia is a dangerous place for human rights lawyers and defenders¹. Human rights organisations have registered an average of 25 cases of lawyers and human rights advocates (referred to here as 'defenders') killed on a yearly basis since 1991,² which amounts to 400 people in a 16 years period (although official figures are lower). In addition, they face the risk of spurious criminal charges, civil suits and disciplinary charges forcing them to spend time defending themselves rather than representing their clients³.

Our aim in travelling to Colombia was to give support to professional colleagues and to learn at first hand about the obstacles to their work and the threats they face (see Box opposite). We were invited by the Colombian lawyers' organisation ACADEUM⁴, as part of their campaign for the right to free exercise of their profession and access to justice: "Sin Abogados no hay Justicia" – ("No Justice Without Lawyers).

We spent five days in Bogotá and, in separate groups, two days in each of seven regional centres⁵. We met with lawyers and other human rights defenders, government officials, judges, trade unionists and organisations representing internally displaced persons (IDPs), and peasant farmers⁶. Time did not allow for detailed investigation but the information we gathered accords with reports produced by international organisations and previous lawyers' delegations.⁷

Our diverse group included solicitors from England and Wales, barristers, members of the judiciary, the President of the Institute of Legal Executives, two local Law Society Presidents and four Law Society Council Members. We were joined by lawyers from Canada, Spain, and other jurisdictions in Europe and Latin America. We returned with shared concern for the difficulties and dangers faced by Colombian colleagues in seeking to uphold the rule of law, admiration for their courage, and commitment and determination to assist in whatever ways we can.

We were able to achieve some of our aims in Colombia:

¹ Informe sobre la situación de los abogados en Colombia. Comisión interamericana de derechos humanos. ACADEUM, ASF Francia, y alii. Octubre 14 del 2003. On line ; http://www.casadelabogado-asf.org/IMG/informe_CIDH_2003.doc

² Informe sobre la situación de los abogados y abogadas en Colombia, Abogados Sin Fronteras y Asociación Americana de Juristas, Diciembre 10, 2007, p.21-22. On line: <http://www.aaj.org.br/InformeASFQ-AAJ.pdf>

³ See *Human Rights Defenders Trapped in their Own Defence*, PBI International March 2008

⁴ Asociación de Abogados Defensores Eduardo Umaña Mendoza – commemorating the name of an assassinated human rights lawyer.

⁵ Medellín, Cali, Turbo, Pereira, Eje Cafetero, Bucaramanga, and Barranquilla. One group remained in Bogotá. The delegation was in Colombia from 24 to 30 August 2008.

⁶ See Appendix

⁷ See e.g. *2007 Annual Report of the UN High Commissioner for Human Rights on the Situation of Human Rights in Colombia* (www.hchr.org.co/documentoseinformes/altocomisionado/2007/Report); *Rule of Law – Report of a Lawyers' Delegation to Colombia May 2006* (www.justiceforcolombia.org); *Report on the Situation of Lawyers in Colombia December 2007* by Joint Mission of Lawyers Without Borders Canada and (www.asfquebec.org) and American Association of Jurists (www.aaj.org.br); *Ataques contra defensoras y defensores de derechos humanos durante 2006*. Coordinación Derechos Humanos Colombia/Europa/Estados Unidos.

- We raised the profile of human rights lawyers in Colombia through television broadcasts, newspaper reports and radio interviews. Interviews with members of our Cali delegation were broadcast on Colombian national television. A press conference in Bogota with Peter Burbidge and Sara Chandler from the UK, Denis L'Anglais from Canada, and Endika Zulueta, from Spain was well attended, and concluded with television interviews;
- We also raised the profile of Colombian human rights defenders through numerous meetings with Government officials, prosecutors and the judiciary, as well as the national Embassies of the delegates attending the Caravana. A group of UK commercial lawyers went on to meet the Asociación Nacional de Empresarios de Colombia (ANDI)⁸, a business association which includes lawyers who work in-house for commercial companies, in order to raise support for human rights defenders.
- We obtained the commitment of the head of the Colombian President's human rights team, Dr Carlos Franco, to launch an investigation into the assassination of lawyers;
- We built an international network of support between the participating delegates, especially between Canada, UK, France, Spain and Germany. This will carry forward the raising of alerts when lawyers, law academics or law students are threatened, attacked, or killed.



Fig 2. Peter Burbidge on Colombian TV reporting our findings

⁸ <http://www.andi.com.co/>

AIMS OF THE INTERNATIONAL CARAVANA

The aims of the delegation were agreed with ACADEUM at the outset, so delegates knew what the aims were before joining the delegation.

- To hear from local lawyers, and international monitoring organisations**
- To raise awareness in relation of the role of lawyers in the democratic justice system**
- To promote the right of lawyers not to be linked to the cases of those they defend or to be persecuted for this reason**
- To denounce persecution of lawyers in Colombia and human rights violations related to their professional work**
- To encourage legal actions, follow-up and monitoring of the human rights situation of Colombian lawyers**
- To meet with Colombian Government officials to discuss our findings and to obtain full guarantees from the Government for the practice of the legal profession**
- To promote national recognition of the Human Rights Ombudsman's Office (*Defensoría del Pueblo*)**
- To encourage national and international support for the work of lawyers in Colombia.**

Background

Colombia has been the scene of armed conflict for the last sixty years between, on one side, the state together with paramilitary organisations, (many of which are widely acknowledged to be state sponsored groups)⁹ and, on the other side, left wing guerrillas. Para-militaries and guerrillas are both involved in narco-trafficking, extortion and other criminal activity.

Throughout most of these years of violence Colombia has ostensibly remained a democratic state holding regular elections according to a constitution based on the separation of powers, and containing formal guarantees of human rights including the freedoms of expression and of association. Colombia is a party to most of the major international conventions¹⁰ on human rights and was one of the original signatories to the Universal Declaration of Human Rights in 1948.

However, it is apparent that in many respects these democratic rights and freedoms are ineffective. Violence and corruption by or on behalf of state agencies are wide-spread and victims are left without redress. Colombia has the highest proportion of internally displaced persons in the world apart from Sudan. According to the United Nations, 3.5 million people out of a total population of 45 million, have been driven from their land and homes. In many instances displaced people have been prevented from returning as their land has been turned over to large-scale industrial agriculture, in particular plantations of African palm to produce bio-fuels.

Four key themes ran through our visit:

- The dangers faced by lawyers and other human rights defenders;
- Impunity - the failure of the state to take action against the perpetrators of murder, kidnapping and threats against critics and opponents of the prevailing social order and their legal representatives;
- The lack of impartial law enforcement and of access to justice;
- The importance of international legal norms and international support to enable the establishment of human rights in Colombia.

⁹ see eg Colombia – Amnesty International Report 2008, CCAJAR The false reality of the paramilitary demobilisation 10/10/06.

¹⁰ Colombia is not a party to the Convention on Enforced and Involuntary Disappearances, or The Optional Protocol to the Convention Against Torture

Lawyers under threat

In Barranquilla on 24 August 2008, only two days before delegates arrived in that city, a lawyer, Jesus Escorcía Cortes, was shot and killed. A former Defensor del Pueblo¹¹ and known for assisting trade unionists and victims of paramilitary violence, he thus became another name on the list of murdered lawyers compiled by the Avocats sans Frontières (France)¹² office in Bogotá. By the end of August their list contained the names of 40 cases of threats, harassment and killings in 2008 alone. Overall, more than 400 lawyers have been killed since 1991.

- From 2000 to 2004: 70 lawyers dead, 8 disappeared, 11 in exile (Avocats sans Frontières France)
- 2004: 26 assassinations (CCAJAR, ACADEUM)
- 2005: 25 assassinations (CCAJAR, ACADEUM)
- 2007: 12 assassinations by 25 Sept 07(AAJ, ASFQ)
- 2008: 40 cases by August 08 (ASF France)

In all the regions visited, delegates were given similar accounts of killings, harassment and threats. The authorities were unable to name one prosecution for any of these crimes.

In the capital Bogotá, the Caravana met with various organisations defending human rights. One of them, CCAJAR¹³, has seen a founder member assassinated and two others go into permanent exile as a result of paramilitary threats. Lawyers working for CCAJAR travel in armoured cars, work in bullet-proof high security offices, wear bullet-proof vests, and live in houses fitted with bullet-proof glass but, as further protection, need the accompaniment of unarmed Peace Brigades International volunteers¹⁴.

More and more individuals have asked for accompaniment by international observers Peace Brigades international because they consider themselves at risk when they exercise their professional duties among them is lawyers' group, CCALP¹⁵, which works in the countryside around Bucaramanga in Santander province, Northern Colombia. CCALP is named after Luis Carlos Perez, another assassinated human rights defender. The administrator of CCALP showed delegates death threats received from the Aguilas Negras, the Black Eagles and told how paramilitaries first came to the area in 1998. Arriving in one town, Barrancabermeja, along access routes controlled by

¹¹ Sometimes misleadingly translated as "Public Defender's Office", the *Defensoría del Pueblo* is tasked under the Constitution with defending and protecting human rights against infringement by the state. See further Appendix 1.

¹² Casa del Abogado. Abogados sin Fronteras (Francia). On line: <http://www.casadelabogado-asf.org/>

¹³ Corporación Colectiva de Abogados Jose Alvear Restrepo www.colectivodeabogados.org

¹⁴ Peace Brigades International (PBI) provides volunteers to accompany human rights defenders under threat. www.peacebrigades.org

¹⁵ Corporación Colectiva de Abogados Luis Carlos Perez. www.colectivodeabogadosluiscarosperez.org

army checkpoints, they had announced their presence by murdering seven people and removing another 25 who have never been seen again. Since then 40,000 people had been killed, 500 forcibly disappeared and 120,000 displaced people.

CCALP works with indigenous groups and peasant farmer threatened with eviction from the land by the army and paramilitaries. They are bringing a class action in the North Santander province. They told us that presence of Texas Petroleum, and the Colombian state-owned Ecopetrol company has coincided with increased army and paramilitary activity in the area. As a result of Aguilas Negras threats two members of CCALP have been forced to flee the area.

Also in Bucaramanga, a labour lawyer, **Yolanda Silva Romero**¹⁶ recounted how in 2007 she received death threats when she challenged changes to the working conditions of teachers. After obtaining a judgement in the Constitutional Court she received a condolence card with a future date for her death as well as telephone calls to her home and work place threatening that she had until then to live. She remains convinced that the threats were from within the education administration. She complained to the authorities but no action was taken. The local court failed to enforce the judgment.

In the previous year Sra Romero's colleague, **Adalberto Flórez Romero**, had been victimised after winning a claim on behalf of a health worker who had been unfairly dismissed. In order to effect this judgement the worker met with the hospital administrator to arrange her re-employment and compensation. A local politician objected and reported Sr Flórez Romero, his client and the administrator to the local Fiscalía for procuring the signing of an unlawful agreement. To avoid being detained during the investigation, they all had to flee their homes and stay away for six months until the investigation had been concluded and Sr Florez Romero was absolved of all charges.

The criminal investigation of Sr Flórez Romero is far from unique. The use of unfounded criminal proceedings against human rights defenders in Colombia has been documented previously.¹⁷ Such accusations usually lead to detention during investigation and pending trial and force human rights defenders to spend time and resources on their own defence rather than helping others. Public stigmatisation, marginalisation and increased risk of paramilitary attack are additional consequences.

Claudia Montoya, a lawyer in the central Colombian city of Medellin, spent three months in jail from 2006 – 2007. Whilst defending alleged guerrillas, she was herself accused of being a member of a guerrilla organisation by paid informers, at least one of whom had known connections with a paramilitary commander responsible for kidnappings and massacres. Sra Montoya was charged and held on remand. The charges were dropped before trial but Sra Montoya, whose arrest and charge as a “terrorist” had been widely reported,

¹⁶ Espitia & Florez Asociados; <http://abogadostrabajadores.com/mrco3.htm>

¹⁷ See eg UN High Commissioner Report ;Human Rights Defenders Trapped in their Own Defence, PBI Quarterly Newsletter Colombia No 6 March 2008.

did not receive any publicity for her acquittal and so has remained publicly stigmatised.

Saskia del Rio, a lawyer in the North Eastern city of Barranquilla explained that she had taken over the work of defending alleged members of guerrilla groups from a colleague, **Franklin Castañeda**. He had been forced to relocate to Bogota after narrowly escaping assassination in May 2006 when, apparently by mistake, an attempt was instead made on the life of his brother. On 14 August 2008 Sra del Rio, along with 35 other human rights defenders, found herself named on a hit list from the reconstituted paramilitary group *Aguilas Negras*, (Black Eagles) as a member of the guerrilla movement. Sra del Rio took the list to the police but they refused to help and accused her of writing the document herself.

Over the previous 10 years in Barranquilla, delegates were informed, six human rights lawyers had been murdered and another 10 had been forced to flee Barranquilla, leaving 12 to carry on with the work.

Jose Humberto Torres, another Barranquilla lawyer, had also been named on the Black Eagles hit list. In addition he had received e-mail threats, and during his 25 years in practice as a human rights lawyer he had been labelled a guerrilla, prosecuted and disciplined and suffered two attempts on his life.

During 2005 he was forced to flee the country after he had been charged with procedural fraud during the defence of a trade union member. Subsequently he was also charged with rebellion and terrorism. The second set of charges was made after his name, along with those of other lawyers, had appeared in an official intelligence report, in which he was accused of participating in the kidnapping of a cattle dealer and being a member of a guerrilla organisation. These charges were dropped because of a lack of evidence. The procedural fraud charges were also dropped after Sr Torres managed to prove that the Fiscalia had paid the witnesses to testify against him.

The Consejo Superior de la Judicatura (Superior Council of the Judicature) has investigated Sr Torres twice, and given him a verbal warning for taking on too many clients at the same time, causing problems in the area because of the lack of local lawyers technically prepared and willing to represent with the same professional rigour as Sr Torres.

Revelations during the recent trial of a paramilitary leader “Don Antonio” may have given an insight into how Sr Torres was targeted for assassination. Sr Torres' personal details were found in the paramilitary's address book. During his pre-trial investigation “Don Antonio” gave evidence that the Government intelligence service, the DAS¹⁸, had asked him to assassinate Sr Torres and provided his details – and those of other targets - including photos and information about his home and work. He explained that this was because Sr Torres was a human rights defender.

¹⁸ Departamento Administrativo de Seguridad.

One of Sr Torres' sons, who is also a lawyer, has received personal threats and most recently Sr Torres has been charged with contempt of court following a challenge to prosecution evidence on behalf of a client. The Court rejected Sr Torres' submissions and charged him with contempt of court. He remains at risk of being suspended from practice.

In Bogotá a defence lawyer, **Fernando Quijano**, described how he and his colleagues faced harassment, threats and persecution. His colleagues had been forced into exile. He himself had been forced to relocate. Only two weeks before meeting with the Caravana he had been threatened by the police.

Claudia Erazo of the Yira Castro legal assistance organisation¹⁹ reported the harassment they faced as a result of representing their clients. This included the theft of computer equipment and threats sent by email and telephone.

None of those to whom the Caravana spoke in Colombia could think of a single successful prosecution for the assassination or harassment of a lawyer.

Stigmatisation of lawyers as guerrillas is not confined to those in private practice or to those who represent alleged guerrillas. The Permanent Unit for Human Rights (UPDH)²⁰ was set up by the municipality of Medellín. It has 43 employees covering the city of 2.5 million and helps with complaints about violation of human rights by state forces and armed groups. The head of UPDH told us that a "demobilised" paramilitary leader had denounced him as a member of the guerrilla organisation ELN²¹ and UPDH as a guerrilla cell. A Colombian army general had publicly supported these accusations. As a result the families of the UPDH staff had received telephone threats and he had been followed.

In the face of such threats it is not surprising that in many regions human rights lawyers are hard to find. In the coffee-growing region (Eje Cafetero) there appeared to be none. Students from the town of Manizales begged us for help in setting up a human rights organisation in their town. Currently, they said there was no access to legal representation.

A trade unionist in the city of Pereira described how a leading local human rights lawyer of the Permanent Committee for the Defence of Human Rights (CPDH) had been forced to flee to Bogotá due to threats from paramilitaries. She had been a fearless advocate for human rights, demanding investigations of the murders of teachers and representing displaced street vendors following arson in the market where they worked. The threats against her were confirmed by the local head of the Procuraduría.

¹⁹ Corporación Jurídica Yira Castro www.cjyiracastro.org.co

²⁰ Unidad Permanente para la Protección de los Derechos Humanos)

²¹ Ejército Liberación Nacional (National Freedom Army), the second largest guerrilla organisation.

Impunity and Access to Justice

Murders of lawyers are not the only serious crimes left without investigation or prosecution. The International Commission of Jurists has stated that "Impunity is one of the hallmarks of the dire human rights record affecting Colombia. The vast majority of violations of human rights and breaches of humanitarian law are not investigated or prosecuted and, even when investigations have been opened, they do not result in identification of the perpetrators."²²

Since 1986, 2,700 trade unionists have been murdered in Colombia²³. In Bucaramanga, we were given a list of 122 local trade unionists who had been killed between 1 January 1991 and 21 November 2005. It included teachers and workers in petroleum and palm oil industries and in the health service. No-one had been prosecuted for these killings²⁴.

In the Eje Cafetero area, sixty-two teachers have been killed in the past decade. Two of the murders had occurred shortly before we arrived. Another teacher in that area had recently disappeared and probably been killed. Again there had been no investigation. No government official in the area could tell of a single human rights case in which there had been a successful prosecution. Officials responded to concerns over human rights by suggesting that the attacks and murders were due to criminal rather than political motives. We found that difficult to accept since the same officials also accepted that trade unionists, for example, were particular targets.

Trade unionists continue to receive death threats from the para military groups including *Aguilas Negras* and the killings continue: 74 in 2007 and 28 prior to our arrival at the end of August 2008. The previous month the body of **Guillermo Rivera**, president of *Sinserpub*, a public sector union, had been found in an anonymous grave. The body showed signs of torture. He had been reported missing on 22 April 2008 after witnesses had seen him being taken away by the police.

Hannibal Mendoza, President of the Foundation of Displaced People in Bucaramanga, told us of the attempts to dismantle the trade unions in the African palm plantations of *InduPalma*²⁵ – a joint Colombian/French company - which owns 4,100 hectares²⁶ of land in la Sabana de Torres, Santander. Paramilitaries have killed 140 people, displaced 400, and forced the disappearance of 10 whose bodies have never been found. Another 10 are in exile. Those crimes were fully documented and reported to the local

²² Attacks on Justice – Colombia International Commission of Jurists 2005.

²³ Some sources put this at a higher figure, see Justice for Colombia www.JusticeforColombia.org

²⁴ Ataques contra defensoras y defensores de derechos humanos durante 2006.

Coordinación Derechos humanos Colombia/Europa/Estados unidos. On line:

²⁵ Cerca de Mil Empleos Generara Industria de Biocombustibles. Semana. Dinero.com. www.dinero.com/wf_ImprimirArticulo.aspx?ISref=36593&IdTab=1

²⁶ A hectare is 2,471 (2.4) acres which is the equivalent of 10 000 square metres. Indupalma owns 41 million square meters of land.

prosecutor. At the time of the Caravana there was no knowledge of any resolution of the documented cases or any break in the cycle of impunity.

In this context the "Justice & Peace" process for the "demobilisation" of paramilitaries, instituted by President Uribe in 2002 soon after his inauguration, received much criticism. We were told that paramilitaries were given de facto amnesties, provided that they were not under investigation at the time they agreed to lay down arms. Given the fact that most paramilitary crimes had never been under investigation, tens of thousands, including those guilty of mass murders in the most horrific circumstances, have gone free. The truth about their crimes and the identities of the organisers, financiers and intellectual authors of those crimes have been covered up, and victims not given proper reparation or the opportunity to confront the perpetrators.

At our first meeting in Bogotá a speaker from MOVICE²⁷, the Movement for the Victims of State Crimes, described this process as "structural impunity". We heard similar criticisms from judges and lawyers, including some working in state institutions. They echo the findings of international organisations who have reported on Colombia and lawyers whose visits preceded ours²⁸.

The law and procedures of the Justice & Peace process, we were told, are fundamentally flawed. The Colombian Supreme Court of Justice appears to agree. It has held that the original legislation, Law 782/2002, should not apply to paramilitaries. However, the Government has taken no steps to prosecute the paramilitaries, whose amnesties are, as a result, questionable and instead has accused the Supreme Court of having an "ideological basis" and acting in opposition to the Government.

Between 2002 and 2006 the Government claimed that over 30,000 paramilitaries demobilised. Not more than 10% went through the Justice and Peace process; only 2% went through any form of investigation. In 2007 not a single indictment was laid. When hearings take place the information provided by the ex-paramilitary is frequently incomplete and untruthful. Members of our delegation who witnessed a hearing were disappointed in the responses of the ex-paramilitary who stated that he was unable to remember any of the incidents about which he was questioned. Ex-paramilitaries, we were told, use the hearings to justify, or even to take credit, for their actions. The United Nations Commissioner for Human Rights has commented in her 2007 Report that many victims perceive the process "as a form of re-victimisation that offends their personal dignity and sense of justice."²⁹

²⁷ Movimiento de Víctimas de Crimenes de Estado

²⁸ See eg *Rule of Law – Report of a Lawyers' Delegation to Colombia May 2006* (www.justiceforcolombia.org); *Report on the Situation of Lawyers in Colombia December 2007* by Joint Mission of Lawyers Without Borders Canada and (www.asfquebec.org) and American Association of Jurists (www.aaj.org.br);

²⁹ *2007 Annual Report of the UN High Commissioner for Human Rights on the Situation of Human Rights in Colombia* (www.hchr.org.co/documentoseinformes/altocomisionado/2007/Report);

Prosecutors told us that the resources given to the process are insufficient. There are 41,400 documented cases of human rights abuses. The process only provides for 10 months of investigation and there are not enough investigators and prosecutors. The Defensoria del Pueblo (see Appendix 1) had 121,547 victims registered. This leads to the slow procedures and lack of decision making, which are among the hallmarks of impunity.

That is despite the priority which seems to be given to the Justice & Peace programme within the prosecution service, the Fiscalía, and the dislocation this produces in other areas of work. The Chief Prosecutor in Cali told us that the number of prosecutors allocated to the programme had increased from 25 to 260 and the investigators from 80 to over 800. The most experienced prosecutors were being recruited to the programme, leaving the prosecution service with inexperienced lawyers for other cases.

Many of the major paramilitary figures are wanted in the United States for drug trafficking and we were told by victims' organizations that extradition was used by the Colombian authorities as a means of avoiding embarrassing information emerging in Justice and Peace hearings.³⁰

A Fiscal in central Colombia commented to us: "The extradition of paramilitaries and interference in the justice system and in finding truth and reparation for victims make it difficult to gain any guarantee and respect for the rights of victims. Extradition doesn't respect the fundamental need for justice in Colombia."

If the resources given to state prosecutors are insufficient, the position of victims is even worse. No help is given to enable them to travel the sometimes huge distances necessary to reach the few regional centres where the hearings take place. No arrangements are made for their security while attending the hearings or travelling.

In Barranquilla we attended a hearing of the Justice & Peace process. Paramilitary and victims are kept in separate rooms. We sat with the victims and on a big screen watched the questioning of a demobilised paramilitary about events in which he may have participated. Victims could send their own questions to the prosecutor in the next door room. It was a frustrating process as very little information was gleaned from the questioning of the ex-paramilitary, whose frequent response to the Prosecutor was that he could not remember the incidents about which he was being questioned. A victim in the room with us became upset and started protesting. The Defensoria del Pueblo lawyer allocated to represent her ignored her distress. One of the lawyers

³⁰ One example involved Carlos Mario Jiménez, alias Macaco, who as the paramilitary commander of Bloque Central Bolívar, was responsible for thousands of murders as well as one of the most powerful drug traffickers in Colombia. He lost the protection of the Peace and Justice programme by continuing his criminal activities from prison. He could therefore have been prosecuted for the crimes to which he had confessed. However, instead of prosecuting him under Colombian law the Colombian Government supported his extradition. He was flown to the United States in May 2008, followed soon afterwards by 13 more former paramilitaries. It was suggested to us that extradition was being used by the Colombian government as a deliberate strategy by the Government to impede investigation of the political, military and economic associates of the paramilitaries.

hosting our group therefore assisted her to complete a form and send a question in for the Prosecutor to put to the ex-paramilitary.

Barranquilla lawyers told us that 90% of victims' lawyers were from the Defensoria del Pueblo. They questioned whether the Defensoria lawyers were sufficiently independent.

This was not a view shared by Defensoria lawyers we met in central Colombia who represent victims in the Peace & Justice process. Their office, they said, had credibility but not enough money. Only 19 lawyers were available to work in the programme and each had about 600 cases.

They were not hesitant about criticising other state institutions, in particular Social Action, the government agency which is responsible for giving support to displaced people. One of the Defensoria lawyers told us that 95% of his time was spent seeking to enforce the rights of displaced people to health services and education from Social Action. As a result of the number of cases he has brought the tribunals are overloaded. However, when he obtains a judgment Social Action does not comply, he says, and the local courts will not enforce against the state.

The lawyers pointed out that while 60 billion pesos had been budgeted locally for the support of 4,500 paramilitaries over the next 4 years, only 5 billion pesos had been allocated to 120,000 people forcibly evicted from their land. Nonetheless, we were told by Sr Diego Garcia, representing the local UN office in Bucaramanga, the programmes to help displaced people are also open to demobilised paramilitaries. He confirmed that this could lead to victims and perpetrators having to work together.

After supposedly going through the demobilisation procedure and obtaining amnesties for their past crimes many paramilitaries, it appears, simply return to their former activities, changing their names from AUC³¹ – to Águilas Negras (Black Eagles), or Nueva Generacion (New Generation).

Amnesty International USA has commented that: "Para-militarism has not been dismantled. It has simply been "re-engineered"³². However, the Colombian government says that the demobilisation of the paramilitaries is working and that the Águilas Negras and groups like them are just criminal gangs. The United Nations High Commissioner for Human Rights in Colombia does not agree. On 23 February 2008 she reported that: "These groups are heavily armed, have a military organisation and responsible leaders, and have the capacity to control territory and to conduct military operations against other armed actors. There has been information that certain members of the

³¹ Autodefensas Unidas de Colombia (Self Defence Units of Colombia)

³² *Justice & Peace Law and Decree 128* Amnesty International USA

<http://www.amnestyusa.org/all-countries/colombia/justice-and-peace-law-and-decree-128>

armed forces have links with actions attributed to these groups, or take an acquiescent or tolerant attitude to them."³³

Lawyers in Barranquilla confirmed that since the start of the demobilisation process the paramilitaries had grown in political and military power and continued threatening and assassinating those they considered to be opponents or "subversives". There was a particularly strong paramilitary presence in Barranquilla, we were told, because many demobilised paramilitaries had been brought there from other parts of the country. This was supposedly in order to live an ordinary civilian life, but they had simply been assimilated into the existing paramilitary groups.

Barranquilla might be particularly bad but, as we have indicated in this report, we heard of paramilitary violence and threats wherever we went. In Bucaramanga we found a general consensus that paramilitaries were active in the north of the city and that they were very closely connected with the army, often consisting of the same personnel: "They wear army uniform in the day and paramilitary uniform at night." There was a strong belief that the violence was state organised and that it had become worse rather than better following government successes against the *FARC* who had previously controlled these areas.

³³ *Report of the United Nations High Commissioner for Human Rights on the Situation of Human Rights in Colombia*
<http://www.hchr.org.co/documentoseinformes/informes/altocomisionado/2007/Report>

Threats to the Independence of the Judiciary

The Colombian constitution provides for a separation of powers between the executive, legislature and judiciary. However, we were told repeatedly that the independence of the judiciary and of prosecutors – who are part of the judicial branch - is under threat from President Uribe's administration. That accords with the findings of other reports on Colombia. For instance the International Commission of Jurists has warned that: "Although it is established in law that the judiciary should be independent and impartial, in practice this is not guaranteed and respected by the State"³⁴.

The Fiscal General, supposedly an independent judicial officer and head of the Fiscalía, the body responsible for investigating and prosecuting crimes is appointed by the President. Lawyers within the Fiscalía told of frequent changes of fiscals in individual cases leading to inconsistencies and delays and that the Fiscal General used the power to re-assign investigations if they threatened someone in the power structure.

A fiscal told us that he and colleagues who investigate human rights cases, especially those involving the military, face difficulties in their careers and some have been forced into exile to protect their lives. A senior Fiscal informed us that lack of protection for the Fiscalía means that prosecutors sometimes drop their investigations because of threats.

Another added: "There is no guarantee of compliance with the law or the constitution. Judicial decisions are overridden. The President has a duty under article 120 of the Constitution to respect the decision of the courts but there are examples of breaches of court orders – such as an order to stop fumigation of crops."

A former judge told us how, after 26 years service, he was sent death threats and imprisoned because, for lack of evidence, he had released a group of people detained during a mass arrest. Although he was later acquitted of all charges, he was prevented from continuing his work as a judge.

The executive uses its power over funds to control the judicial branch, we were told. In general the resources provided are inadequate: 30% of the national budget is spent on the armed forces and only 5% on judges and fiscals. More specifically, increased funds are given to those judges and fiscals who obtain the highest rates of conviction.

We have given examples elsewhere in this report of individual local court orders not being obeyed or enforced.

On a national scale, the Colombian government has largely ignored rulings by the Constitutional Court in April 2003 that a state of emergency, introduced by President Uribe in August 2002 within days of first assuming office, should not be renewed. The Colombian army has continued to employ many of the

³⁴ *Attacks on Justice* International Commission of Jurists

measures in militarised areas, which were ruled against by the court. According to Amnesty International the introduction of these areas, so-called "rehabilitation and consolidation zones", has resulted in considerable increases in human rights violations and insecurity.³⁵

We have previously noted in this report how the Government ignored a Supreme Court ruling declaring unlawful some of the provisions for demobilisation of armed groups which effectively granted amnesties for the crimes committed by paramilitaries and which were introduced alongside the state of emergency

President Uribe has targeted the Supreme Court. One of its functions is to investigate and try members of Congress. In that capacity it investigated the role of two members of congress in connection with a change to the Colombian constitution to allow the President to serve a second term. Both members of Congress had campaigned against it. If they had voted as they had campaigned, the change would not have been passed. One voted for the change, the other was unaccountably absent when the law was passed. The Supreme Court found that both had sold their votes and sent its findings to the Constitutional Court (which decided not to proceed with the investigation).

The Supreme Court has also been investigating what has been called the "*para-politica*" affair. At least 70 members of Congress, all of them supporters of President Uribe, have been investigated for links to para-militaries. About 20 renounced their congressional seats in order to be investigated by the Fiscalía General rather than the Supreme Court.

German Burgos of the Latin American Institute for Alternative Legal Services (ILSA)³⁶ told us in Bogotá of the threats and pressures to which judges and prosecutors are exposed and he outlined the steps taken by President Uribe to control appointments to the courts and judicial offices. Central to this has been the constitutional change permitting a second Presidential term. In the Colombian constitution of 1991, the Presidential powers of judicial appointment and the judicial periods of office, of 8 years, were based on the President being able to serve only one 4 year term. As a result of serving a second term and with plans for a third, President Uribe will control the appointment of all the judges in the higher courts³⁷.

On 31st August, just before the Caravana left Colombia, the court house in Cali was bombed and all activities suspended.

³⁵ See *Colombia, a Laboratory of War: Repression and Violence in Arauca*. Amnesty International 20 April 2004.

³⁶ El Instituto Latinoamericano de Servicios Legales Alternativos <http://www.ilsa.org.co>

³⁷ See Appendix 1.

The Colombian Authorities

In meetings with the Colombian authorities we raised our concerns about the levels of threat and violence to which human rights defenders were exposed and about the lack of protection for even the most basic human rights.

In Barranquilla, accompanied by some of the local lawyers, we met the local Directora of the Fiscalía and presented her with a list of 17 recent cases of threats and assassinations in the regions for which she is responsible. The list had been provided by the local lawyers' organisations we had met the day before.

When prompted, the Directora retrieved several files. Some files remained open, some had been dropped for lack of evidence, and some were in a provisional archive, and would only be reopened if new evidence surfaced. Several of the cases which we brought up did not appear to have current prosecution files. The Directora promised that she would look into these cases and promised that if the delegation returned the following year she would have more information.

In relation to the cases brought against lawyers, the Directora of the Fiscalía explained that when certain crimes were alleged she was bound to investigate and prosecute them. She said that she was not aware of the details of the current and previous charges against Jose Humberto Torres (see previous section on Threats to Lawyers). She added that the military investigated crimes within the military jurisdiction. She promised to continue the investigation of crimes against lawyers in her role as prosecutor, and expressed her solidarity as a fellow lawyer. The fact that some members of the local lawyers' organisation were present will hopefully assist the opening of a dialogue with the Directora should the need arise in future cases.

Also in Barranquilla we met the Head of the Special Human Rights Prosecution Team to investigate murders of trade unionists which had been set up at the request of the International Labour Organisation. Whilst no specific cases were discussed it was apparent that the team's ability to investigate was hampered by many factors. It consisted of 22 prosecutors each of whom was assigned 3 police officers and 3 investigators to find and interview witnesses. The current number of cases under investigation was 87. Only 8 cases in that time had gone through the process and had been closed. It was not clear what "closed" meant in this context but 7 of the 8 cases had been resolved from the evidence taken from ex-paramilitaries in the Justice and Peace hearings in Barranquilla and it is therefore unlikely that they resulted in prosecutions.

Many of the killings of trade unionists, we were told, involved people working for state run companies or multi-nationals.

The team was initially set up 2 years ago and planned to operate to the end of 2008 only. The Director was confident that the team would be given a further

year to operate but it was not clear what would happen to any pending investigations if there were no such extension.

In Pereira, in Eje Cafetero, we met with the Directors of the Fiscalía, of the Procuraduría and of the Defensoría del Pueblo. We had seen considerable evidence of para-military activity and death threats and the Procurador and Defensor del Pueblo both acknowledged paramilitary activity in the area by the 'Aguilas Negras' or the Black Eagles. However, this was denied by the Fiscal who maintained that they were common criminals.

We asked the Fiscal about the case of a man who had told us that he had been shot and wounded in a town in Choco, and fled to Pereira where he had continued to receive threats from the Aguilas Negras. He was active in the national victims' movement, speaking out on behalf of other displaced people. He told us that he had reported the attack and continuing threats to the Fiscalía in Pereira and showed us his scars and the written threats. The Fiscal said he was aware of the case but could not investigate it because the shooting had happened in another area. Colombian lawyers advised us that this was not a correct interpretation of the law. The Fiscal also refused to accept that the Aguilas Negras were involved in organised crime and paramilitary activity in the region despite the fact that during our short visit we heard numerous accounts of their activities.

The state representatives in Pereira recognised that there were concerns about the human rights situation but they did not appear to have the power, or in some instances, the will, to effect the necessary changes. The local heads of both the Procuraduría and the Defensoría del Pueblo said they were overwhelmed with cases and had insufficient resources to tackle them. All of the state representatives responded to human rights concerns by suggesting the attacks and murders were due to criminal, rather than political, motives. It was difficult for us to accept these explanations since they also accepted that trade unionists, for example, were a particular target.

In Bogotá we met with the Director of the Fiscalía General de la Nación who promised that he would do his utmost to combat impunity in respect of the assassinations of lawyers.

We also met with Dr Carlos Franco Echavarría, the Director the Presidential Human Rights Programme³⁸. We raised with him the 400 assassinations of lawyers - and human rights defenders documented by Avocats sans Frontières and handed him a list of lawyers killed in Cali which we had been given by the Cali "Colegiatura de Abogados Litigantes".

Dr Franco promised that:

1. He would set up a special unit looking at the progress of cases involving lawyers' deaths, with regular meetings with the Cali Colegiatura de

³⁸ Director del Programa de Derechos Humanos y Derecho Humanitario Internacional de la Presidencia

Abogados Litigantes and ASF (France). These meetings would look at the documented cases, examine the facts, check on the progress of investigations, how many trials, how many convictions and judgments, the state of proceedings and the other details of each case.

In this context he was at pains to stress that impunity is a primary concern of the government and that the government had already set up special units to look at trade union cases which meets with the International Labour Organisation every month. They also had a special unit to look at deaths caused by the armed forces. They were looking at 100 cases but progress with any prosecutions had been very slow. There was also a special unit for human rights.

He hoped that the special unit to be set up for lawyers would have the same success as that dedicated to the killings of trade unionists.

2. He would insist on regular update reports on the progress of cases every 2 months. He would also keep us informed of the results of these bi-monthly meetings.
3. He would give instructions to the Office of the Chief Prosecutor, the Fiscalía, in Cali. He would arrange a special contact number so that human rights defenders and lawyers could get in touch with the police and for the appointment of a liaison officer with the local bar.

Since our return we have written to Dr Franco on a number of occasions about the pledges he gave to us. He has failed to reply to any of our letters. Similarly he has failed to respond to letters we have sent to him about threats against or apparent Government harassment of human rights defenders. One of our members on a recent visit to Colombia raised this matter in a meeting with President Uribe but as this report goes to press we have still not received any response and, as far as we know, none of the steps promised by Dr Franco have been taken.

The Colombian Government made specific promises to tackle human rights abuses while we were there, only to ignore them after we had gone. This underlines the importance of repeat visits and continuing pressure on the Colombian Government to persuade it to adhere to international standards of human rights and the rule of law.

Support for Human Rights Defenders in Colombia

Our meetings with Colombian colleagues centred on what help and support we could give. They told us repeatedly that the best hopes for improvement in their conditions and in those of their clients lay in international support and solidarity. They asked us to tell our governments, our parliaments and especially the European Union Parliament what we had learned in Colombia and to continue to pressure the Colombian authorities to respect international human rights and legal norms.

This report, we hope, will help to publicise the fact that despite Colombia's democratic and constitutional façade its Government and legal system appear unable or unwilling to curb persistent abuses of human rights and that despite the supposed constitutional protections, lawyers and other human rights defenders in Colombia are at mortal risk if they:

- Represent the relatives of those killed or disappeared by the army or paramilitaries;
- Assist peasant farmers and indigenous groups who have been driven from their land;
- Defend political opponents of the Government or alleged members of guerrilla organisations;
- Act on behalf of workers, particularly those engaged in trade union activities;
- Challenge central or local government authorities;
- Assist non governmental organisations working with victims.

We raised discussions about the possible creation of a Colombian Bar Association, or Law Society. Colombia is the only country in Latin America without a body to represent all its lawyers. There are many bodies representing the lawyers in a particular locality, specialism or interest such as the “Colegiatura de Abogados Litigantes” in Cali or ACADEUM, or the alumni of the many Universities’ law faculties, but there is no national body.

Most of the Caravana, are active members of law societies and bar associations and so it was natural that we should suggest that such a body would help to protect human rights lawyers. However, we had very mixed responses from the lawyers we met in Bogotá and in the regions. Some were enthusiastic and saw such a body as a means of protection. Others, however, suggested that efforts should be focussed initially on strengthening the organisations of lawyers that are at risk, as a first step towards the development of a national bar association since such an organisation, instead of guaranteeing the freedom to exercise professional duties could instead be a means to oppress, marginalise or exclude them either directly or indirectly.

While we were in Colombia, the Congress was considering a legislative proposal for the creation of a national bar association. There was much suspicion of that as a state initiative. The human rights defenders are a small minority in the legal profession and in the divided social and political circumstances of Colombia they have not received much support from their more mainstream colleagues: the giving of such support does not depend on the creation of a national bar association. While we continue to discuss the creation of a national law society and other initiatives with our Colombian colleagues, it is a matter on which they should take the initiative.

We shall continue to offer our support by:

- Maintaining contact with Colombian colleagues and to provide general support, resources and specific assistance when asked;
- Publicising the lack of enforcement of human rights in Colombia, the impunity provided by the State to those who infringe human rights and the dangers faced by Human Rights Defenders through the international network of human rights supporters;
- Supporting the strengthening of lawyers' organisations which defend human rights in Colombia
- Supporting the lawyers' organisations coordinating the free exercise of law and access to justice in Colombia
- Monitoring Colombia's compliance with its international human rights obligations and protesting against breaches;
- Making representations to the Colombian authorities over any threats and attacks against Colombian colleagues;
- Monitoring the investigation of the assassination of HRDs;
- Continued contact with the Colombian authorities and future visits to Colombia to follow up on the assurances given to us;
- Making representation to the UN, EU, and parliamentarians and authorities outside Colombia, and in particular the governments of those jurisdictions represented in the Caravana;
- Assisting Colombian colleagues in the preparation of cases, to be put before the Prosecutor of the International Criminal Court or the Inter-American Court of Human Rights.

INTERESTED IN PARTICIPATION?: Go to:
<http://international.lawsociety.org.uk/node/2518>

Appendix 1

The Colombian Court System

The Higher Courts

Corte Suprema de Justicia (The Supreme Court of Justice) operates through three chambers each specialising in civil, criminal, and labour matters deciding appeals on errors of law. It also has original jurisdiction in certain proceedings against high functionaries, in disputes between departments and relating to government contracts. For instance it is investigating members of congress in the "para-political" affair.

Corte Constitucional (The Constitutional Court) guards the integrity and supremacy of the constitution; and rules on amendments to its text, and on the enforcement of international treaties. It also reviews the constitutional validity of laws approved by the legislative branch and decrees issued by the executive branch and is responsible for the protection of the rights of those accused of criminal offences, and action against abuses by public administration officials, including members of the judiciary.

Consejo de Estado (The Council of State) is the highest court of administrative law. It has original jurisdiction over jurisdictional conflicts between the national government, departments and municipalities.

The lower courts include:

- trial courts with specialised jurisdiction including in civil, criminal, labour, family, and land;
- superior district courts, which decide appeals;
- departmental administrative courts hear cases regarding departmental ordinances, municipal resolutions, decisions of departmental and municipal executives; tax matters; etc.

Appointment to the Higher Judiciary

The **Consejo Superior de la Judicatura (Superior Judicial Council)** plays a pivotal role in the appointment and discipline of the judiciary. It nominates all the candidates for the Supreme Court of Justice and the Council of State and the candidates for a third of the posts on the Constitutional Court, the others being nominated as to a third each by the Supreme Court and the President.

Members of the Superior Judicial Council are chosen by the three higher courts from a list of candidates drawn up by the President.

The terms of office of judges and of the members of the Superior Judicial Council are all 8 years. The methods of appointment were devised on the basis that a President could only serve four years and therefore, at most

control the appointment of half the Superior Judicial Council. The constitutional change to allow a second Presidential term enables the president to nominate the whole of the Superior Judicial Council and therefore control the composition of those who nominate all the candidates for the Supreme Court and the Council of State and a third of the candidates for the Constitutional Court, another third of the candidates for that court being nominated by the President him or herself.

A two term President therefore has the power to determine the composition of the courts.

Other Judicial Institutions

The **Fiscalia General de la Nacion** is an autonomous and hierarchical organisation. Although it belongs to the judicial branch, the 1991 Constitution confers upon it an independent role so that it can better perform its functions. It is headed by the Fiscal General de la Nacion, or Prosecutor General of the Republic ("Fiscal General"), who is charged mainly with investigating and prosecuting crimes. Fiscal General is appointed for a four-year term by the Supreme Court which selects one of the three candidates presented by the President

The **Defensoria del Pueblo** or **Office of the Defender of the People** is an independent body whose mission is to defend and protect human rights and other liberties and interests protected under the Constitution and the laws, in the face of deeds, acts or omissions of the administration. In some respects the office functions like an Ombudsman but it also takes proceedings and provides representation in the courts and is supposed to protect the rights of victims under the Justice and Peace process. This office is sometimes translated into English as "Public Defender" which gives the wrong impression since the Defensor del Pueblo does not provide a criminal defence service.

The Defensor del Pueblo is appointed for a four-year term by Congress which selects one of the three candidates presented by the President.

The **Procuraduria General de la Nacion** has no equivalent in the common law systems. Translating the title in English into "Attorney General", as sometimes happens, is misleading as the Procurador is not a Government law officer but an independent judicial officer acting as guardian of constitutional rights and liberties, democratic principles, public interests, and the rule of law in general. The Procurador also takes action to hold liable public officials who have incurred civil, labour, military, criminal, administrative or disciplinary liability in the course of their official duties.

The Procurador is appointed by the Senate from a list of candidates selected by the President and the higher courts.

Appendix 2

The Caravana participants

Neena Acharya	Jason Hadden
Gilmer Alarcon	Ole Hansen
Kim Archer	Janet Irvine
Dominique Attias	Ellen James
Courtenay Barklem	Timothy Jones
Susi Bascon	Juan Miguel Jugo Viera
Steven Bray	Denis L'Anglais
Mark Bishop	Philip Liptrot
Sara Bishop	David Mayhew
Maria del Rocio Blanco Castro	Elizabeth Mayhew
Peter Burbidge	Alister McNeil
Claire Busby	David Mole
Eileen Bye	Rod Mole
Sara Chandler	Marcella Navarrette
Katherine Craig	Alison Parkinson
Mark Cunningham	Monika Pirani
Jan Curschmann	Tim Potter
Caroline Dean	Simon Rowell
Nigel Dodds	Pip Salvador-Jones
Deyly Duarte Cardenas	Cristiane Schwartz
Elena Egawhary	Anouk St-Arnoud
Leslie Karina Figueroa Arbizu	Anthony Talbot
Raoul Fishman	Neil Todd
Jeffrey Forrest	Sue Willman
Melanie Gingell	Endika Zulueta
Camilla Graham Wood	



Fig 4. Newspaper report of the killing of 3 students

Appendix 3

Organisations we met in Colombia

AAL Asociacion de Abogados Laboralistas
ACADEUM Asociacion Colombiana de Abogados Defensores de Derechos Humanos “Eduardo Umana Mendoza”
ACJD Asociacion Colombiana de Juristas Democratas
Asamblea permanente de la sociedad civil por la paz
ANDI National Business Association of Colombia
ASONAL JUDICIAL
AVRE Apoyo a Víctima de Violencia Socio Política Pro – Recuperación Emocional.
CCA Corporacion Colectivo de Abogados “Luis Carlos Perez”
CCAJAR Corporacion Colectivo de Abogados “Jose Alvear Restrepo”
CJ Yira Castro Corporacion Juridica Yira Castro
COL Corporacion Opcion Legal
Colectivo de Derechos Humanos Jaima Pardo Leal
Colegiatura de abogados litigantes de Valle Cali
Contorno Judicial
Corporacion Juridica Libertad
CPDH Comite Permanente por la Defensa de los derechos Humanos
CSPP_Barranquilla
EDUCAL-CUT
European Commission Delegation to Colombia
FCSPP Fundacion Comite de Solidaridad con los Presos Politicos
Hijos y hijas por la memoria
Humanidad Vigente
ILSA Instituto Latinoamericano de Servicios Legales Alternativos
JUSTICIA Y PAZ
MOVICE Movimiento de victimas
NOMADESC Association for Social Research and Action
Observatoria de Derechos Humanos
Organizacion nacional indigena de Colombia
Peace Brigades International
Red Juvenil
Reiniciar
SINTRAEMDES Sindicato de Trabajadores y Empleados de Servicios Públicos, Corporaciones Autónomas e Institutos Descentralizados de Colombia. Union of Public Service Workers.
United Nations High Commission for Human Rights
Universidad del Rosario
Universidad Nacional

Addendum

Following the visit we have heard from ACADEUM, the organisation that hosted the Caravana, that their offices were broken into by persons unknown and documents relating to the activities of ACADEUM were seized.

Two other organisations that members of the Caravana met with, Corporacion Juridica Yira Castro and the Comision Intercongregacional Justicia y Paz , have suffered a series of death threats by e-mail and telephone on 4 February 2009, and 26 March 2009. Members of both organisations have had to go into exile in order to save their lives.