



**DAY OF THE
ENDANGERED LAWYER**



AVOCATS EUROPEENS DEMOCRATES
ABOKATU DEMOKRATA EUROPARAK
EUROPAISCHE DEMOKRATISCHE RECHTSANWÄLTE
ADVOCATS EUROPEUS DEMOCRATES
ABOGADOS EUROPEOS DEMOCRATAS
AVVOCATI EUROPEI DEMOCRATICI
EUROPESE DEMOKRATISCHE ADVOKATEN
EUROPEAN DEMOCRATIC LAWYERS



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 alone¹. Apart from the killing, Colombian lawyers are threatened and attacked. Between 2002 and 2012 there have been 4,400 incidents against Colombian lawyers².

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.

¹ 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>

² 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.

COLOMBIAN LAWYERS KILLED: January-November 2013

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.

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 - Antoquia)



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 Desepez 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 Córdoba 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 15th 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. This 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.