



13 September 2013

### Joint declaration

#### On the third anniversary of the detention of renowned Colombian human rights defender David Ravelo Crespo, International organisations express concern.

14 September 2013 marks three years since renowned human rights defender David Ravelo Crespo, member of the director's board of the Regional Corporation for the Defense of Human Rights (CREDHOS) based in the city of Barrancabermeja (Colombia), was detained. As International NGOs and networks, we would like to reiterate concerns regarding a series of irregularities that were reported throughout the proceedings which resulted in his conviction and sentencing to 220 months in prison.

Reiterating our upmost respect for the independence of the judiciary in Colombia, we believe that it is of fundamental importance that national and international guarantees relating to due process and the right to a fair trial are respected. In this regard, we again wish to highlight a series of irregularities that were reported during the trial against Mr. Ravelo Crespo.

According to the defence lawyers, these irregularities have undermined the defence of Mr. Ravelo Crespo and the integrity of the subsequent conviction. Among these irregularities, lawyers denounce the legitimacy of the prosecutor who led the investigation: Prosecutor William Pacheco Granados, from the Prosecutor's Office no. 22 of the National Counter Terrorism Unit. Mr Pacheco Granados was previously a lieutenant in the National Police in Armenia (Quindío, Colombia) and was investigated by the *Inspector's General Office (Procuraduría)*<sup>1</sup> He was subsequently removed from his post by this authority as a result of his alleged involvement in the disappearance of William Hurtado Parra in Armenia in 1991.<sup>2</sup> In November 1993, Mr Pacheco Granados was sentenced to one year in prison by a military

<sup>1</sup> Autonomous body which controls and monitors the public function of state employees

<sup>2</sup> The Inspector General's Human Rights Delegate: Resolution 15 of 10 July 1992, Resolution 017 of 22 November 1993 and Resolution 2117 of 15 March 1994.

court. According to Colombian law, this disqualifies him from the exercise of any future employment in the prosecution service. On 23 April 2013, a criminal complaint was filed against him for his involvement in this case of enforced disappearance. In July 2013, Mr Pacheco Granados resigned; however, the Attorney General has still not ruled on the issue of his disqualification.

On 4 September 2013, the Bar Human Rights Committee of the Bar of England and Wales (BHRC) presented an Amicus Curiae<sup>3</sup> in the case of David Ravel Crespo before the Superior Court of Santander (Colombia). The Amicus was endorsed by the Human Rights Committee of the Law Society, the Colombian Caravana UK Lawyers Groups, the Chartered Institute of Legal Executives and other lawyers with an interest in the human rights situation in Colombia. As stated by Kirsty Brimelow QC, president of the BHRC, *"the problems in this case affect not only David Ravelo, but also the working of due process in Colombia and its compliance with international law, which serves to assist in the administration of justice"*.

Since Mr. Ravelo Crespo has been detained, national and international bodies have highlighted his case and the lack of compliance with national and international standards of due process. In March 2011, the United Nations Special Rapporteur on the Independence of Judges and Lawyers, Gabriela Knaul, and the Special Rapporteur on the Situation of Human Rights Defenders, Margaret Sekaggya, sent a combined communiqué to the Colombian Government in response to the detention of Mr. Ravelo Crespo. In this communiqué they expressed their concern that the *"criminalisation of David Ravelo occurs in the context of increasing prosecutions against human rights defenders in Colombia"*.<sup>4</sup> We also recall that during the 22nd session of the UN Human Rights Council, a resolution was adopted without veto urging States to ensure greater protection of human rights defenders and to, above all, end the use and abuse of national legislation to criminalise the activities of human rights defenders, limit their access to international funding or limit their rights to freedom of expression or assembly.

David Ravelo Crespo is an internationally renowned human rights defender. He has won several awards such as the San Pedro Claver Award from the Diocese of Barrancabermeja in 2009 and was one of the six finalists for the 2013 Front Line Defenders Award for human rights defenders.<sup>5</sup> Furthermore, in 2013 he has been nominated for the National Human Rights Defenders Awards in Colombia and CREDHOS has been nominated for the 2013 Human Rights Award for the city of Weimar (Germany).

In light of the above, the undersigned International NGOs and networks request:

- That the international community speaks out against violations of national and international standards of due process and the right to fair trial. In this regard, we also request that cases of criminalisation and judicial harassment of human rights defenders are closely monitored to guarantee that they are not used merely to sanction activities in defense of human rights.
- That the Colombian State and the Attorney General's Office take all necessary measures to ensure compliance with Colombian law. Specifically in this case, that the measures outlined in

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<sup>3</sup> An amicus curiae (literally "friend of the court") refers to presentations made by an unrelated third party regarding some point of law or other related matter in order to assist in the resolution of the matter before the court.

<sup>4</sup> UN General Assembly Human Rights Council, Report of the Special Rapporteur on the Independence of Judges and Lawyers, Gabriela Knaul, A/HRC/17/30/Add.1, May 2011

<sup>5</sup> [Front Line Defenders Award 2013](#)

Law 270/1996, Law 938/2004 and Decree 261/2000 relating to 'Special Incapacity' are implemented, whereby no one shall be appointed to or hold office in the Attorney General's Office who has been removed from any public office, as has been the case with Mr William Pacheco Granados.

Signed:

- ABColombia
- Colombia Caravana UK Lawyers Group
- Colombia Solidarity Campaign
- Cooperacció
- Dialogo Inter-Agencial en Colombia - DIAL
- Front Line Defenders
- Iniciativa Solidaria Internacionalista
- Justice for Colombia
- Justicia por Colombia
- Kolko – Derechos Humanos por Colombia
- Law Society of England & Wales Human Rights Committee
- MISEREOR
- Observatorio para la Protección de los Defensores de Derechos Humanos (Organización Mundial contra la Tortura – OMCT y Federación Internacional para los Derechos Humanos – FIDH)
- Oficina Internacional de Derechos Humanos Acción Colombia – ODHACO
- Peace Brigades International – PBI – Proyecto Colombia
- Plataforma por la Paz y los Derechos Humanos en Colombia
- Protection International
- Solicitors' International Human Rights Group
- Taula Catalana per la Pau i el Drets Humans a Colòmbia
- United Steelworkers – USW
- United Church of Christ Justice and Witness Ministries
- US Office on Colombia – USOC
- War on Want
- WOLA

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