



P.O. Box 7113,
1007 JC AMSTERDAM
The Netherlands
info@lawyersforlawyers.org
www.lawyersforlawyers.org

Lawyers' Rights Watch Canada

NGO in Special Consultative Status with the Economic and Social Council of the United Nations
Promoting human rights by protecting those who defend them
www.lrwc.org – lrwc@portal.ca – Tel: +1 604 738 0338 – Fax: +1 604 736 1175
3220 West 13th Avenue, Vancouver, B.C. CANADA V6K 2V5

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Speaker: Ms. Adrie van de Streek

Oral Statement to the 26th Session of the UN Human Rights Council from Lawyers' Rights Watch Canada (LRWC) & Lawyers for Lawyers (L4L), NGOs in special consultative status

Murder of Lawyers in Colombia – Failure to prevent or punish

Mr. President:

Lawyers' Rights Watch Canada and Lawyers for Lawyers thank the Special Rapporteur on extrajudicial, summary or arbitrary executions for his final report to Council. LRWC and L4L share his concerns about the need for domestic law reform to bring law enforcement into line with international law, thereby enforcing the most fundamental of human rights, the right to life; and the procedural component of that right which requires that States investigate unlawful or arbitrary killings;¹ and in accordance with the international standard of "exhaustive and impartial".²

In Colombia, we are deeply concerned about the State's response to the high number of killings of lawyers, particularly in the Valle del Cauca Department. This pattern of attacks and extrajudicial killings of lawyers is a serious and longstanding crisis, as is the impunity associated with these cases. As the Special Rapporteur on the Independence of Judges and Lawyers has reported,³ the majority of cases in Colombia have not been adequately investigated and even fewer have resulted in criminal sanctions. She also observed how this situation itself contributes to maintaining impunity.⁴

It is within this context that we draw attention to the fact that there were 15 reported murders of Colombian lawyers in 2013, 11 of which occurred in the Valle del Cauca Department.⁵ Despite the efforts of local associations of lawyers to petition State authorities and remedy these violations of the right to life, we are aware of only one case where an investigation has reached the stage where suspects have been identified and arrested. Otherwise, these cases languish uninvestigated, the complaints received and archived and the perpetrators are not identified and held accountable.

LRWC and L4L ask Council to urge State to follow the recommendations of the Special Rapporteur and take immediate steps "to conduct exhaustive and impartial investigations of these deaths, to identify and bring to justice those responsible, and to adopt all necessary measures, to put an end to impunity".⁶

Thank you Mr. President.

Video: <http://webtv.un.org/search/clustered-id-contd-sr-on-executions-and-sr-on-idps-10th-meeting-26th-regular-session-of-human-rights-council/3620694689001?term=Lawyers for Lawyers>

¹ UNHRC, 25th sess, *Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Christof Heyns*, A/HRC/26/36, online: <www.ohchr.org/EN/HRBodies/HRC/.../A-HRC-26-36_en.doc> at para 78 .

² *Ibid* at para 80.

³ *Informe de la Relatora Especial sobre la independencia de los magistrados y abogados, Sra. Gabriela Carina Knaul de Albuquerque e Silva, Misión a Colombia*, 16 de Abril 2014, A/HRC/14/26/Add.2, online: <<http://daccess-ods.un.org/access.nsf/Get?Open&DS=A/HRC/14/26/Add.2&Lang=S>> [accessed on 6 June 2014] at para 53.

⁴ *Ibid*.

⁵ Between January and November 2013, the Colombian Caravana UK Lawyers Group recorded 15 deaths, including 11 in Valle del Cauca. See their website at: <<http://www.colombiancaravana.org.uk>>.

⁶ *Supra* note 1 at para 83.