



Open letter of support for the Comisión Intereclesial de Justicia y Paz, its legal representative Danilo Rueda and other human rights defenders in Colombia in the face of delegitimization, criminalization and smear campaigns

6 May 2022

In solidarity with the Colombian human rights organization Comisión Intereclesial de Justicia y Paz (J&P), the undersigned organizations and individuals express our grave concern about the serious risk faced by J&P and its legal representative Danilo Rueda. We urge the Colombian State to take urgent action to put an end to the smear campaigns and to guarantee the safety of J&P members.

Mr. Danilo Rueda is a human rights defender and founding member of J&P. Despite continuous death threats, intimidation and other attacks against his personⁱ Danilo Rueda works to fight impunity and defend the rights of grassroots communities. Danilo Rueda is a beneficiary of provisional measures of protection from the Inter-American Court of Human Rights due to the threats and attacks he has suffered.ⁱⁱ J&P is an emblematic organization for the promotion and defense of human and environmental rights, and internationally recognized for its more than 30 years of work in territories alongside 160 black, indigenous and mestizo communities, and three urban projects. J&P has documented and accompanied many cases of human rights, environmental and food security violations of communities affected by the operations of agro-industrial palm, banana and timber companies, as well as extractive and oil industries. In addition to denouncing cases of rights violations caused by companies, the organization promotes collective protection initiatives, promoting and accompanying community protection strategies. Since its inception, it has provided protection to victims and witnesses under unquestionable criteria of ethics and professionalism.

Throughout its history, J&P has developed initiatives of memory and struggle against impunity and peacebuilding with respect for the rights of victims to truth, justice, and guarantees of non-repetition. In the last five years, J&P has represented victims in the transitional justice process, specifically in cases 03, 04, 06

before the Special Jurisdiction for Peace (JEP). In addition, it promotes innovative processes to achieve the rights of victims of crimes against humanity with methodologies that incorporate the participation of those responsible such as ex-paramilitaries, former military, state agents, other third parties, as well as persons deprived of liberty. This work involves visits to detention centers.

In this context, on April 8, 2022, during a visit to the Penitentiary Center of La Picota, Danilo Rueda, as part of a delegation alongside philosopher Juan Fernando Petro and lawyer Pedro Niño, was accused of making an "impunity pact and agreeing to reduce sentences" in exchange for votes, due to the presence in that mission of the brother of presidential candidate Gustavo Petro. The objective of the visit was to develop proposals of guarantees of conflict non-repetition through the exercise of listening to prisoners, a methodology developed by J&P. However, this objective was distorted on social media accounts belonging to the ruling party of Colombia. It was also clear that Danilo Rueda was under surveillance, as subsequently a newscast was published using videos that were taken of him from both inside and outside of the prison.

Days later, human rights defender Danilo Rueda became the target of attacks in some sectors of the media by a senator of the government party and former President Álvaro Uribe Vélez, for having carried out his legitimate work, and has been the target of accusations, attacks and a smear campaign that put his life and integrity at risk.ⁱⁱⁱ The former president has stigmatized the work of the defender, accusing him of being responsible for the protection of false witnesses, who have been instrumental in court cases such as the trial involving his brother, Santiago Uribe Vélez, linked to an investigation into conspiracy to commit a crime, homicide and creation of paramilitary groups.

This set of accusations with decontextualization and distortion of the role that Danilo Rueda has legally and legitimately fulfilled, can generate serious and irreparable damage to his life and integrity in the context of a permanent operation of illegal armed groups that target leaders and defenders who develop initiatives for peace and rights to truth and justice, or by illegal intelligence operations such as those that are inferred to have been developed against this well-known defender and for which up to 5 Special Rapporteurs of the UN and OAS have made pronouncements.^{iv}

This is also a smear campaign against all the members of the organization, who work in areas where the armed conflict persists, and puts victims they work with at risk. The smear campaign also puts at risk former combatants who signed the peace agreement, and even former military, former paramilitaries, State agents, businessmen or so-called "third parties" who have been participating in the initiatives of transforming memories and restorative law that J&P is carrying out for the construction of truth, memory and guarantees of non-repetition in relation to the Colombian peace process.

Colombia is one of the most dangerous countries for human rights defenders: attacks, assassinations, smear campaigns and stigmatization persist against those who defend human and environmental rights. Human rights defenders are often victims of stigmatization and smear campaigns aimed at attacking their reputation, credibility and support. Smear campaigns often precede judicial harassment and physical attacks. In the first three months of 2022, more than 50 defenders and 14 former FARC-EP combatants who signed the Peace Accord have been killed, and more than 30 massacres with 122 victims have been committed. This violence impacts the right to defend human rights and generates a climate of polarization and political instability in the current electoral climate.

For all of the above reasons, and taking into account the Resolution^v recently approved at the UN Human Rights Council that recognizes the immeasurable work of human rights defenders in conflict and post-conflict contexts, and urges States to "Refrain from conducting delegitimization, criminalization or defamation

campaigns against human rights defenders for documenting human rights violations and abuses, and also for communicating with non-state actors, such as armed groups, to that end", we urge the Colombian State to:

- Publicly express its support and backing for the work of human rights defenders and in particular the Justice and Peace Commission, underscoring the legitimacy of their work.
- Ensure security guarantees for Danilo Rueda and the Justice and Peace Commission team.
- Ensure that the work of human rights defenders is not subject to smear campaigns and manipulation for political purposes, and sanction those responsible.
- Investigate the procedures that have allowed the recording in unpermitted spaces and those responsible for these leaks that put the physical integrity of human rights defenders at serious risk while interfering with and harming their legal and legitimate work in the defense of human rights.

Signed:

1. Acción Ecológica, Ecuador
2. Ação dos Jovens Indígenas de Dourados (AJI), Brazil
3. Federación por la Autodeterminación de los Pueblos Indígenas (FAPI), Paraguay
4. Forest Peoples Programme, UK
5. Front Line Defenders, Ireland
6. Lawyers' Association for Human Rights of Nepalese Indigenous Peoples (LAHURNIP), Nepal
7. Michel Forst, Former UN Special Rapporteur on the Situation for Human Rights Defenders
8. Project HEARD, Netherlands
9. Proyecto sobre Organización, Desarrollo, Educación e Investigación (PODER), Mexico
10. Resguardo Indígena Cañamomo Lomapieta Riosucio y Supía Caldas, Colombia
11. Sierra Leone Land Alliance, Sierra Leone
12. Tebtebba/Indigenous Peoples International Center for Policy Research and Education, Philippines
13. The International Service for Human Rights (ISHR)
14. Rainforest Action Network, USA
15. Yaku, Italy

ⁱ Front Line Defenders, Case History: Danilo Rueda, <https://www.frontlinedefenders.org/en/case/case-history-danilo-rueda>

ⁱⁱ Inter-American Court of Human rights, May 28, 2014, https://www.corteidh.or.cr/docs/medidas/rueda_se_02_ing.pdf

ⁱⁱⁱ Examples of articles and social media include:

- <https://www.elcolombiano.com/colombia/politica/relacion-entre-gustavo-petro-del-pacto-historico-juan-fernando-petro-y-danilo-rueda-representante-legal-de-la-comision-intereclesial-de-justicia-y-pa-IC17265386>
- <https://www.eltiempo.com/opinion/columnistas/maria-isabel-rueda/el-petro-jubileo-columna-de-maria-isabel-rueda-665598>
- https://www.semana.com/nacion/articulo/alvaro-uribe-se-pronuncia-sobre-danilo-rueda-y-su-visita-a-la-picota/202236/?utm_medium=Social&utm_campaign=Echobox&utm_source=Twitter#Echobox=1650073511-1
- <https://www.semana.com/nacion/articulo/juan-danilo-rueda-entro-con-hermano-de-petro-a-la-picota-y-con-ivan-cepeda-a-carceles-de-ee-uu-quien-es/202255/>
- <https://www.semana.com/nacion/articulo/de-que-se-trata-el-libro-la-victoria-estrategica-que-le-regalo-y-firmo-fidel-castro-a-danilo-rueda-que-estuvo-con-petro-en-la-picota/202213/>
- <https://www.semana.com/nacion/articulo/guerrillas-nacieron-por-convicciones-eticas-y-politicas-ong-que-fue-a-la-picota-junto-al-hermano-de-petro/202203/>
- <https://twitter.com/MariaFdaCabal/status/1516794807754100750>

^{iv} <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=25338>

^v <https://daccess-ods.un.org/access.nsf/get?open&DS=A/HRC/49/L.9&Lang=E>