
Le Président
The President

Señor President Juan Manuel Santos
Presidente de la República
Palacio de Nariño
Carrera 8 No.7-26, Bogotá
Colombia

Brussels, 19 March 2012

Re: Concerns regarding the safety of human rights lawyer, Mr José Humberto Torres

Your Excellency,

I am writing to you on behalf of the Council of Bars and Law Societies of Europe (CCBE), which, through the national Bars and Law Societies of the Member States of the European Union and the European Economic Area, represents more than 1 million European lawyers. In addition to membership from the EU bars, it has also observer representatives from a further eleven European countries' bars.

The CCBE, through its Human Rights Committee, places great emphasis on respect for human rights and the rule of law. The CCBE is particularly concerned by the situation of human rights defenders in the world.

The CCBE writes to express its serious concerns over death threats received by human rights lawyer, Mr José Humberto Torres of the Political Prisoners Solidarity Committee. The Committee was founded in 1973 and works on human rights issues in several regions of Colombia.

The CCBE has been informed that paramilitary groups, in particular Los Rastrojos Urban Commands, and politicians linked to these groups have raised approximately US \$120,000 to pay for the killing of Mr Torres. This follows a threat issued in late February by Los Rastrojos to the Political Prisoners Solidarity Committee and other national NGOs and individuals.

The CCBE believes that the death threats received by Mr Torres are as a result of his work as a human rights lawyer and are intended to intimidate him to desist from his work. Mr Torres is a spokesperson for the Colombian human rights platforms, a coalition of NGOs which engages with the Colombian government on protecting human rights defenders. In his work as a human rights lawyer, Mr Torres has recently filed a request for criminal investigations to be opened against several members of the Colombian Congress for their alleged links with paramilitaries and their responsibility regarding crimes committed by paramilitaries. Mr Torres also played a prominent role in criminal proceedings which led to the conviction of the former Director of the Civilian Security Department for his part in the killing of an academic, Alfredo Correa de Andreis, in September 2004.

The CCBE is alarmed by these facts, which indicate a repressive environment for human rights lawyers in Colombia. In this context, the CCBE wishes to draw to your attention the following Articles of the United Nations Basic Principles on the Role of Lawyers (1990):

Article 16 states that:

Governments shall ensure that lawyers (a) are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference; (b) are able to travel and to

consult with their clients freely both within their own country and abroad; and (c) shall not suffer, or be threatened with, prosecution or administrative, economics or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics.

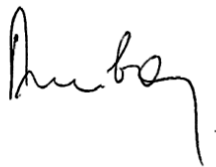
Furthermore, Article 23 states that:

Lawyers like other citizens are entitled to freedom of expression, belief, association and assembly. In particular, they shall have the rights to take part in public discussion of matters concerning the law, the administration of justice and the promotion and protection of human rights and to join or form local, national or international organisations and attend their meetings, without suffering professional restrictions by reason of their lawful action or their membership in a lawful organisation. In exercising these rights, lawyers shall always conduct themselves in accordance with the law and the recognised standards and ethics of the legal profession.

In addition, the CCBE wishes to draw your attention to the 1998 UN Declaration on Human Rights Defenders, which imposes on its state parties positive obligations to protect human rights defenders and to which Colombia is a state party.

In view of the above, the CCBE respectfully urges you to take immediate and decisive steps to investigate, fully and impartially, the death threats directed against Mr José Humberto Torres, guarantee his safety and prosecute those responsible. In addition, the CCBE respectfully requests that you guarantee in all circumstances that human rights defenders in Colombia are able to conduct their professional duties without fear of reprisals and free of all restrictions, in order to preserve the independence and integrity of the administration of justice and ensure that all attempts to discredit lawyers for the legitimate exercise of their professional duties are promptly and effectively stopped.

Yours sincerely,



Marcella PRUNBAUER-GLASER

President