

cc The Rt. Hon William Hague MP, Foreign Secretary
His Excellency Ambassador Mauricio Rodríguez Múnera, Colombian Embassy

18th November 2011

Dear Prime Minister,

We note that President Santos of Colombia is visiting the UK on 21st and 22nd November. Although the Santos administration began with a welcome change in tone and approach to human rights dialogue, we wish to draw your attention to ongoing developments that threaten to reverse this progress.

Between 2009 and 2010 there was a 68.5% increase in the number of victims of extrajudicial killings by members of the military, with 29 reported during the Santos administration. The military have been noted (by the US Office on Colombia) to be slow to investigate allegations and unwilling to hand such cases over to the civilian justice system.

It is with alarm that we note the proposed reforms to the Colombian Constitution, which if implemented, will see all crimes committed by members of the public force in connection with their service, tried by martial courts or military tribunals (Article 221) comprised of current or retired members of the armed forces. Such a move would be contrary to international Human Rights standards and repeated findings of the Inter-American Court of Human Rights, and would be a clear backward step in terms of addressing impunity.

Tackling impunity for gross violations of human rights requires that advocates working in this field can carry out their professional duties without harassment, intimidation and fear. AB Colombia reports that the situation of killings and threats of human rights defenders has worsened with 54 defenders killed in the first year of the Santos administration compared to 32 in the whole of 2010.

The Santos administration also appears to have broken its pledge to move away from the Uribe government's practice of undermining the work of human rights lawyers and openly criticising decisions of the judiciary. The recent verbal attack made by the President against the widely respected Jose Alvear Restrepo Lawyers Collective is extremely concerning, given the precarious security situation faced by this organisation.

We urge the British government to raise all of these concerns with President Santos during his visit and to issue a public statement calling on Colombia to provide better support and protection for the work of human rights defenders, to effectively investigate and prosecute all cases of human rights violations, and to ensure that military personnel accused of committing human rights abuses against civilians are tried exclusively in civilian courts. In addition, the UK Government should continue to monitor these issues and make an improved human rights record a key condition to any future agreements with Colombia.

Yours faithfully,

Sir Geoffrey Bindman QC, Consultant, Bindmans LLP

Michael Mansfield QC, Tooks Chambers

Professor Sara Chandler, President, Law Society Human Rights Committee

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