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Colombia: Legal system used to hound human rights defenders

Amnesty International today condemned the Colombian authorities for using the country's legal system to undermine the legitimate work of human rights defenders.

The statement comes in the midst of renewed criminal proceedings against two prominent Colombian activists: the Jesuit priest Father Javier Giraldo and Elkin Ramírez -- a lawyer for the Corporación Jurídica Libertad. Both have long denounced a massacre against eight members of the San José de Apartadó Peace Community in February 2005. Soldiers from the army's XVII Brigade are among those implicated in the killings.

The criminal case against Javier Giraldo and Elkin Ramírez is related to an accusation of defamation (*injuria, calumnia y falsa denuncia*) – a criminal offence in Colombia – by Colonel Néstor Duque back in 2005, when he was commander of the Carlos Bejarano Muñoz Engineer Battalion of the army's XVII Brigade.

The accusation came after the two activists denounced the XVII Brigade for irregularities during the arrest of members of the San José de Apartadó Peace Community in 2004. Although the Attorney General's Office dropped the defamation charges against Javier Giraldo and Elkin Ramírez, it reopened the case against them earlier this year.

“We fear that the decision to reopen the cases against Father Javier Giraldo and Elkin Ramírez is related to their work on the 2005 San José massacre and is an attempt to create a smokescreen to undermine criminal investigations into the XVII Brigade's role in the killings,” said Marcelo Pollack, Americas Deputy Director at Amnesty International.

“It is ironic that defenders' principal line of defense – the law and the judicial system – is so often misused to harass and intimidate such activists,” said Marcelo Pollack.

Attacks against human rights defenders and other activists, such as trade unionists, are a constant feature of Colombia's 40-year-long armed conflict. More than a dozen human rights defenders and 46 trade unionists were killed in 2008 alone.

One of the latest victims is Álvaro Miguel Rivera Linares, an activist working on Lesbian, Gay, Bisexual and Transgender issues and on the rights of people with HIV/AIDS. His body was found bound and gagged in his apartment in the city of Cali on 6 March 2009.

“One effective way of discouraging harassment and attacks against activists is for the authorities to publicly acknowledge the invaluable work carried out by those who defend human rights,” said Marcelo Pollack.

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