



December 10, 2012

Joint Declaration

International Organisations express grave concerns at the irregularities in the Judicial Process leading to the conviction of David Ravelo Crespo, Colombian human rights defender

After more than 26 months in prison awaiting sentence, the renowned human rights defender David Ravelo Crespo has been sentenced to more than 18 years in prison on charges of aggravated homicide.

Today, on International Human Rights day, as International NGOs and networks we would like to express our grave concerns regarding a series of irregularities that have been reported during the trial. According to the defence lawyers, these irregularities have undermined the defence of Mr. Ravelo and the integrity of the subsequent conviction.

Mr. Ravelo is a leading member of the National Movement of Victims of State Crimes (MOVICE) and the Regional Corporation for the Defence of Human Rights (CREDHOS), which this week celebrates its 25th anniversary.

In respect of the irregularities of due process and the right to a fair trial, we wish to highlight the following:

- The prosecutor from the Anti-Terrorism Unit closed the investigation stage without accepting most of the evidence submitted by David Ravelo's defence lawyer. This has significantly affected Mr. Ravelo's right to due process and a fair hearing
- On 15 and 18 May 2012, the final statements were made bringing the trial to its conclusion, but Mr. Ravelo subsequently spent more than six months awaiting sentence.
- The case against Mr. Ravelo rests heavily on the testimonies of two demobilised paramilitaries whose testimonies were given in exchange for benefits under Law 975, one of these was Mario Jaimes Mejía alias "El Panadero" whose prison sentence was reduced from 40 to a maximum of 8 years in exchange for his testimony. Mr Mejia is in prison as a direct result of Mr. Ravelo's human rights work. The United Nations High Commissioner for Human Rights, Navanethem Pillay, has already expressed grave concerns regarding the practice of prosecutions directed against human rights defenders that are based on "unreliable witness testimonies from demobilised individuals or informants in exchange for legal and/or pecuniary benefits".

- At the end of April 2009, the regional prosecutor was considering taking no further action. However, the Attorney General ordered the case to be moved to Bogotá and investigated by the Anti-Terrorism Unit No. 22.
- The investigation was led by Prosecutor William Pacheco Granados, from the Anti-terrorism Unit No. 22 of the Attorney General's Office.. He was dismissed from the police force in 1991 after being implicated in a forced disappearance and under Colombian law this disqualifies him from the exercise of any future employment in the prosecution service (Article 76 of Decree No. 261/2000)

Mr. Ravelo's human rights work documenting cases has played a key role in bringing several members of the military to justice for human rights crimes. Since he has been detained, national and international authorities have highlighted his case and the lack of compliance with national and international standards of due process. In March 2011, the United Nations Special Rapporteur on the Independence of Judges and Lawyers, Gabriela Knaul, and the Special Rapporteur on the Situation of Human Rights Defenders, Margaret Sekaggya, sent a combined communiqué to the Colombian government as a result of the detention of Mr. Ravelo. In this communiqué they expressed their concern that the "criminalisation of David Ravelo occurs in the context of increasing prosecutions against human rights defenders in Colombia".

Since the Attorney General's Office opened the investigation against David Ravelo in 2008, Mr Ravelo has reported surveillance by unknown persons, as well as, an increase in the number of death threats against him and his family. Recent threats against Mr Ravelo's son, David Ravelo Gutierrez are also of grave concern and we would urge the Colombian authorities to provide guarantees for his safety.

As international NGOs and networks, we will continue to monitor the next phases of the judicial process urging full respect for due process and guarantees for the safety and security of David Ravelo Crespo, his family and his lawyers.

Signed:

ABColumbia

Christian Aid

Colombian Caravana UK Lawyers Group

Colombia Solidarity Campaign

Frontline Defenders

Justice for Colombia

kolko - Menschenrechte für Kolumbien

Observatory for the Protection of Human Rights Defenders, a joint programme of the World Organisation Against Torture (OMCT) and the International Federation for Human Rights (FIDH)

OIDHACO – International Office for Human Rights Action on Colombia

PBI – Peace Brigades International Colombia Project

Protection International

Solicitors International Human Rights Group, UK