

# national lawyers guild

*“An organization of lawyers, law students, legal workers, and jailhouse lawyers... in the service of the people, to the end that human rights shall be regarded as more sacred than property interests.”* Preamble to the NLG Constitution

March 6, 2019

President IVAN DUQUE  
President of the Republic of Colombia  
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## **URGENT REQUEST FOR IMMEDIATE PROTECTION AND GUARANTEES FOR FUNDACION LAZOS DE DIGNIDAD AND HUMAN RIGHTS ATTORNEYS WITHIN THE SISTEMA AUTONOMO DE ASESORIA Y DEFENSA (SAAD) ESTABLISHED BY THE FINAL PEACE ACCORDS**

Esteemed Mr. President:

Receive a cordial greeting from the international committee of the National Lawyers Guild of the United States (NLG). Our International Committee has as its mission, to closely follow topics related to developments in human rights, and in particular, through international monitoring and observation we have undertaken in Colombia for many years, we understand very well the reality of the implementation and verification of the Peace Accords in Colombia.

We wish to express our profound concern for the **lack of guarantees** for human rights attorneys (and defense attorneys in particular), that form part of the Sistema Autónomo de Asesoría y Defensa (SAAD), established by the Final Peace Accords and set into law through Law 1820 of 2016 and Decree 1166 of 2018, with the objective of providing free defense services, legal assistance and legal representation for people appearing before the Special Jurisdiction for Peace (Jurisdicción Especial para la Paz (JEP)).

This morning, by way of an international press release, Fundación Lazos de Dignidad (FLD) made known that on March 5, 2019, news media, specifically journalist Daniel Jerez of “La FM,” published an article titled “Los defensores de Jesús Santrich y sus contratos con la JEP” (<https://www.lafm.com/co/politica/los-defensores-de-jesus-santrich-y-sus-contratos-con-la-jep>), wherein he names three defense attorneys that form part of the SAAD, including members of FLD, NADIA GABRIELA TRIVINO LOPEZ and WILLIAM ALBERTO ACOSTA MENENDEZ. This type of article has as its sole purpose the stigmatization of the defense work of said attorneys and only serves to contribute to a smear campaign aimed at the JEP and the structures that have been created under the Final Peace Accord.

In and of itself, the work that human rights attorneys do, particularly those working towards the implementation of the Final Peace Accord, puts those individuals at great risk, often at risk of their lives. Recent statistics from the Defensoria del Pueblo show that murders of social leaders

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It is up to the Colombian state to take measures to guarantee the protection of rights under the Constitution of Colombia (Article 29 specifies the right to due process and the right to defense), aside from the norms specified under the JEP and Final Peace Accord, the 1990 Basic Principles regarding the Foundation of Attorneys (Principios Básicos sobre la Fundación de los Abogados) and the Declaration regarding Human Rights Defenders (Declaración sobre los Defensores de los Derechos Humanos) of 1998, which outline and establish the obligations of the State and government to guarantee the ability to practice law safely and the exercise of the defense of human rights without intimidation, obstacles, harassment, undue interference or persecution.

It is not only a matter of the guarantees in accordance with the Final Peace Accord and the rights enshrined in Colombian law, but also of obligations under **international human rights norms**, including the norms expressed in the United Nations Charter, which imposes upon States the obligation of promoting respect for human rights and liberties. Such rights and liberties include the right to **due process** in criminal matters, as established by the International Covenant on Civil and Political Rights (ICCPR) (Article 14, Section 3), which was ratified by Colombia on October 29, 1969, in addition to the American Declaration on the Rights and Duties of Man (Articles 1 and 5).

Colombian politics have been dominated by “politics of peace” for decades – but time and again, what has come to the fore has been the lack of political will by governing politicians, to achieve a lasting peace, with guarantees of non-repetition. You, respected Mr. President, have the opportunity to make a difference and change the course of history, working to ensure that the Accords and Peace Process are respected, and ensuring that the norms of law both of Colombia and the international obligations that have been ratified by Colombia, are upheld.

Accordingly, we make the following URGENT REQUESTS:

- Guarantees and immediate protection for Fundación Lazos de Dignidad (FLD), a non-profit human rights organization, member of the Coordinadora Americana por los Derechos de los Pueblos, founded in 2007 and human rights organization that forms part of the SAAD.
- Guarantees and immediate protection for the attorneys of FLD, in particular, NADIA GABRIELA TRIVINNO LOPEZ and WILLIAM ALBERTO ACOSTA MENENDEZ, who were identified by the media on March 5, 2019.
- Provide a statement to the media and state entities regarding the work of attorneys under the SAAD and the principles of the law, the practice of defense of human rights and the practice of law in Colombia.
- Provide immediate follow-up with the National Unit of Human Rights of the Attorney General’s Office (Unidad Nacional de Derechos Humanos de la Fiscalía General de la Nación) regarding the urgent investigation into any and all formal demands that have been submitted by FLD and/or its attorneys in their individual capacities.

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We await your response and in the name of the National Lawyers Guild, thank you for your prompt attention.

Sincerely,

National Lawyers Guild  
Natali Segovia, Esq.  
Natasha Lycia Ora Bannan, Esq.

International Committee of the National  
Lawyers Guild

Indigenous Peoples Rights Committee of the  
National Lawyers Guild

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cc:

Interamerican Commission on Human Rights

Secretaría Ejecutiva de la Jurisdicción Especial para la Paz

Fiscal General de la Nación  
Fiscalía General de la Nación

Unidad Nacional de Derechos Humanos de la Fiscalía General de la Nación

Defensoría del Pueblo

Media:

Editor, La FM  
Editor, El Tiempo  
Editor, Agencia API

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