
**INTER-AMERICAN COMMISSION ON HUMAN RIGHTS
RESOLUTION 33/2024**

Precautionary Measure No. 1036-23

Víctor Miguel Ángel Moreno Campaña regarding Colombia¹

May 20, 2024

Original: Spanish

I. INTRODUCTION

1. On November 22, 2023, the Inter-American Commission on Human Rights (“the Inter-American Commission”, “the Commission” or “the IACHR”) received a request for precautionary measures filed by Hoover Danilo Mejía Arcila (“the applicant”), urging the Commission to require that the State of Colombia (“the State” or “Colombia”) adopt the necessary measures to protect the rights of Víctor Miguel Ángel Moreno Campaña (“the proposed beneficiary”), legal representative of the Community Council of Black Communities of Pueblo Rico. According to the request, he is at risk due to death threats and intimidation from persons linked to the National Liberation Army (ELN) and “Clan del Golfo”, due to his human rights activities.

2. Pursuant to the provisions of Article 25 (5) of its Rules of Procedure, the IACHR requested information from the applicant on November 29, 2023 and received a response on December 13, 2023. It then requested information from the State, which submitted its observations on March 22, 2024, following a granted request for an extension. On March 28, 2024, the Commission forwarded the State’s communications to the applicant, who presented their comments on April 4, 2024. On April 16 and 17, 2024, the State submitted additional information.

3. Upon analyzing the submissions of fact and law offered by the parties, the Commission considers that the information presented shows *prima facie* that the proposed beneficiary is in a serious and urgent situation, given that his rights to life and personal integrity are at risk of irreparable harm. Therefore, based on Article 25 of its Rules of Procedure, the IACHR requires that the State of Colombia: a) adopt, with an ethnic differential approach, the necessary measures to protect the rights to life and integrity of the beneficiary; b) implement the necessary measures so that the beneficiary can carry out his human rights defense activities without being subjected to threats, harassment or other acts of violence in the exercise of his work; c) consult and agree upon the measures to be adopted with the beneficiary and his representatives; and d) report on the actions taken to investigate the alleged facts that gave rise to this precautionary measure, so as to prevent them from reoccurring.

II. SUMMARY OF FACTS AND ARGUMENTS

A. Information provided by the applicants

4. The request indicated that the proposed beneficiary is part of the Black community located in the collective territory of the Corregimiento de Santa Cecilia of the Municipality of Pueblo Rico, Risaralda Department, Colombia. He is a reported community leader, teacher in the Corregimiento de Santa Cecilia and, since 2020, is the legal representative of the Community Council of Black Communities of Pueblo Rico. In the exercise of his duties, he has allegedly carried out various activities in favor of the community, such as filing complaints and participating in protests. It was clarified that Santa Cecilia is a village adjacent to the Chocó Department and an area of influence of the illegal armed groups that operate there. The request also mentioned that the proposed beneficiary’s father was killed in the context of the armed conflict.

¹ In accordance with Article 17.2 of the Rules of Procedure of the IACHR, the Commissioner Carlos Bernal Pulido, a Colombian national, did not participate in the debate and deliberation of this matter.

5. The acts against the proposed beneficiary reportedly consisted of acts of surveillance at his home, threatening phone calls to get him to resign from his position, shots fired at his home, summons from armed groups to appear at meetings, among others. More recently, it was alleged that, due to the proposed beneficiary's non-attendance at meetings with members of armed groups, he had been declared a military target. The request indicated the following concrete events that occurred between 2020 and 2024:

- On August 3, 2020, the proposed beneficiary reportedly received a phone call from an unidentified individual, who allegedly used foul language and stated that he should resign from his position and that he was "sticking his nose where it didn't belong";
- On August 15, 2020, the proposed beneficiary received another phone call from an unknown individual who made death threats: "you keep sticking your nose where it doesn't belong, don't be a snitch, you don't care about your family, accidents can happen, you want to end up with a bullet in your head so that you learn respect";
- On March 3, 2022, unknown people arrived at his residence located in the city of Pereira. They allegedly took photos and marked the floor with the letter F in yellow [a graffiti with a yellow "F" could be associated with the Colombian guerrilla group known as the Revolutionary Armed Forces of Colombia-*Fuerzas Armadas Revolucionarias de Colombia*, FARC];
- On July 13, 2022, the proposed beneficiary's cousin reportedly informed him that the "Clan del Golfo" wanted to assassinate him, and this information was later ratified by his wife. The proposed beneficiary reported receiving a phone call from an unknown number, telling him that they already had him identified;
- On July 15, 2022, the proposed beneficiary was summoned by members of the ELN to meetings in the Chocó Department, warning him that if he did not attend, they would come for his corpse. The events were reported to the Municipal Ombudsperson's Office;
- On January 20, 2023, the proposed beneficiary received comments and threats from unknown persons that alluded to questionable characters asking about the group leaders. A video was reportedly recorded of a person in military fatigues attempting to enter his home. The events were reported to the Office of the Attorney General (FGN).
- On January 24, 2023, two suspicious individuals reportedly surveilled the proposed beneficiary he was leaving his house and also when he was returning home from the Registrar's Office;
- On February 15 and March 28, 2023, the proposed beneficiary reportedly received phone calls and suspicious persons were allegedly loitering near his home, one even took reported photographs of his residence;
- On April 12, 2023, in the early hours of the morning, unknown persons fired shots at the proposed beneficiary's residence in Santa Cecilia Corregimiento while he was sleeping;
- On May 19, 2023, two buses were burned on the road that connects the Chocó Department and the Corregimiento de Santa Cecilia, this act was presumably done by the ELN;
- In September 2023, the proposed grantee was verbally summoned by an unknown person to a meeting to be held with the ELN. It was indicated that the proposed beneficiary did not attend, but that there are people who continue to approach to tell him that the ELN insists on his presence. It was alleged that other members of the Community Council also received these calls;
- Between January and March 2024, the proposed beneficiary reportedly received repeated threats from armed groups who declared him a military target because he did not attend the aforementioned meetings.

6. The applicant stated having reported the facts to various state bodies over time, such as the Municipal Authorities and the FGN.² It was alleged that in May 2023, the Ombudsperson's Office issued the National Early Warning 19/23, recognizing the high risk faced by human rights defenders, social leaders, and their organizations and collectives.

7. Since 2020, the territorial entities of the municipality of Pueblo Rico and the Risaralda Department have requested the intervention of the National Protection Unit (UNP) for the adoption of protection

² The following complaints were attached: i. September 20, 2021 (registration of complaint with the FGN); ii. September 9, 2021 (forwarding request addressed to the Ministry of Education, due to his position as teacher); iii. January 20 and February 15, 2023 (registration of threats before the FGN); iv. March 28, 2023 (registration of threats with the FGN); v. April 17, 2023 (registration of threats with the FGN).

measures. In this regard, the Secretary of Education of Risaralda reportedly requested the FGN to activate the protection route in favor of the proposed beneficiary. In an attached letter issued on January 5, 2021, the Community Council of the Black Community of Pueblo Rico highlighted to the UNP the situation of risk that the proposed beneficiary is facing, and indicated that he allegedly refuses to attend meetings with armed groups. Moreover, the municipal mayor's office of Pueblo Rico issued a letter in January 2022. It was addressed to the UNP's general director and expressed concern about the risk that the proposed beneficiary faces, given new threats and summons by armed groups.

8. The UNP carried out a risk assessment of the proposed beneficiary on two occasions: March 30, 2022 and February 6, 2023. Both studies identified an ordinary risk. The March 2022 decision assessed that "objective and subjective elements of a real and direct threat were not identified" and that "the alleged situations could not be verified with the competent authorities". Moreover, the 2023 study warned that "there are no legally relevant facts that identify a threat or specific risk due to his position as a leader who, due to his activities, is affecting the interests of any illegal armed actor in the population where he resides".

9. As a result, the proposed beneficiary filed an appeal for protection of constitutional rights (*amparo*) against the UNP and the Ministry of the Interior, alleging that not all of the factual assumptions presented were evaluated. The lawsuit was admitted on May 24, 2023. On June 27, 2023, the Civil and Criminal Circuit Court of Risaralda determined the completion of a new risk assessment study, under the following allegations:

"(...) the position taken by the National Protection Unit is equally reprehensible when it states that the risk to which Mr. Víctor Miguel Ángel Moreno Campaña is being exposed is the same as that to which any person is exposed upon being born and must be assumed by him, thereby dismissing the statements made by the citizen himself regarding the fear he is feels and the situations he has experienced, which he has brought to the attention of the corresponding authorities, because the investigations are in the preliminary stage and there is no evidence to corroborate it, since the lack of inactivity of the judicial entities cannot be an obstacle to consider as unfounded the manifestations of a person who, precisely because he is a leader of an Afro-descendant community, social leader, victim of the Colombian armed conflict, and resident in an area that is directly or indirectly affected by the actions of the different actors outside the law.

(...) Given the above, other authorities have corroborated the information and the risk to the life of the plaintiff to the point of requesting the intervention of the administrative authority that by legal designation is responsible for guaranteeing the personal safety of persons who, like the plaintiff, are in a differential situation that makes them subjects of special constitutional protection; and that according to the Early Alert report attached as an annex to the appeal for protection of constitutional rights (*amparo*), issued by the Ombudsperson's Office and the real context experienced in the department of Risaralda with respect to the social and political actors and the threats made by subversive groups against them, it is true and this cannot be overlooked in this constitutional analysis, that in particular the municipality of Pueblo Rico, Risaralda is in a state of high risk. Therefore, we reiterate the need for a new technical study to be carried out in which all the events surrounding the matter of Mr. Víctor Miguel Ángel Moreno Campaña are taken into account".

10. The decision was confirmed by the Civil Decision Chamber of the Superior Court of the Judicial District, on July 25, 2023, based on the following:

"In effect, in the face of the various and serious complaints filed by the plaintiff for threats against him, these entities limited themselves to pointing out that the investigations in the FGN have not made any progress, when the appropriate thing to do was to identify the factual situations of each one, to ascertain whether they constitute a systematic act against the life and physical integrity of the interested party, by one or more organizations outside the law, and to study whether each one has merit to activate a means of urgent state protection, however, an analysis in those precise terms is conspicuous by its absence."

11. Given the aforementioned decision, the UNP allegedly assigned a panic button and a vest for the proposed beneficiary. It was alleged that these measures were insufficient and that he reportedly requires an armored car and two security agents. On April 26, 2024, the UNP issued a new risk assessment resolution which recognized an ordinary risk. A decrease in the intensity of the risk was alleged, due to the lack of new concrete threats against the proposed beneficiary. It was also reported that the complaints of threats were filed. Therefore, it was decided to remove the panic button and the vest that had been assigned to the proposed beneficiary. The applicant contested the content of the decision, claiming that they were constrained to transcribing the response they purportedly submitted in the request for *amparo*.

12. Lastly, the request indicated that the actions called “strategic deployment routes” reportedly consist of the assignment of a police officer who constantly calls to keep himself informed about the proposed beneficiary’s situation. It is alleged that this measure is not sufficient to ensure that the armed actors that have threatened him abandon their plans. It was added that the calls to these meetings have been constant. He stated that, many times, people approach him verbally to insist that he appear to discuss certain issues, but they never state which topics. Similarly, members of the Community Council also received similar invitations.

B. Response from the State

13. The State noted that the proposed beneficiary is not certified as a member of the Black, Afro-Colombian, Raizal, and Palenquera community, and the process of seeking recognition is being carried out independently. It was reported that, based on the data on Community Councils, grassroots organizations, and organizational forms, the proposed beneficiary is the legal representative of the Community Council of the Black Community of the municipality of Pueblo Rico, Risaralda.

14. The State stated that it is taking the necessary actions to protect the proposed beneficiary. First, it alleged the existence of a 2024 work order under review before the UNP. Second, the State presented general information regarding the powers of the Committee for Risk Assessment and Recommendation of Measures (*Comité de Evaluación de Riesgo y Recomendación de Medidas*, CERREM). Third, it was noted that the Ministry of Defense had implemented preventive actions by the Risaralda Police Department. The alleged implemented measures are following:

- On September 4, 2022, the strategic deployment route for the protection of vulnerable populations (ESPOV) was activated, in response to the request for preventive measures required by the FGN due to alleged threats against they received;
- On July 27, 2022, the ESPOV deployment route was activated in response to complaints sent by the Municipal Ombudsperson’s Office of Pueblo Rico by e-mail of July 22, 2022, in which the proposed beneficiary reported having received various threats;
- On September 5, 2022, the ESPOV deployment route was activated in response to public complaints of threats and other victimizing events, which was delivered to the UNP by different ethnic communities and the community council, at the “indigenous minga” consultation meeting [a traditional form of collective action and community work among indigenous peoples] held on August 23, 2022 in the Governor’s Office of Risaralda;
- On November 10, 2022, the ESPOV deployment route was activated in response to information alleged via WhatsApp to the institutional telephone of the human rights group of the Risaralda police department in which leaders of the community council of the black communities of Santa Cecilia were victims of alleged threats;
- On February 18, 2023, the ESPOV deployment route was activated in response to an email from the FGN’s complaints receptionist informing of alleged threats against Afro-descendant leaders;
- On March 28, 2023, the ESPOV deployment route was reportedly activated in response to an official letter signed by an official of the Departmental Government Secretariat processing threat information against an Afro-descendant leader.
- On April 12, 2023, the ESPOV deployment route was activated in response to the complaint filed on April 1, 2024.

15. The State added that the proposed beneficiary is not a population subject to personal protection by the National Police (security detail). However, in line with the principle of shared responsibility, it was noted

that the Risaralda police department has been taking action through the commander of the Puerto Rico police station and Santa Cecilia police substation to implement “recommendations for security and self-protection measures, patrols, and occasional inspections”.

16. In addition, official communications were sent in order for the UNP to initiate a risk assessment and adopt the measures it deems necessary. The Office of the Attorney General, along with other state entities, also requested the Governor’s Office of Risaralda to adopt joint actions to address the alleged threats against the proposed beneficiary. The State reported the establishment of forums for consultation between the National Police and the proposed beneficiary, along with community members, aiming to foster dialogue and facilitate the development of collaborative actions to ensure the life and integrity of the proposed beneficiaries. A table with 15 discussions held between January 21, 2020 and June 6, 2023 was presented.

17. Lastly, with regard to investigations, the State reported that there are two active investigations in the Prosecutor’s Office 4, Pereira Specialized Unit, Risaralda Sectional, related to crimes of threats reported by the proposed beneficiary, which occurred on January 20 and March 28, 2023. Both requests have their latest update as “order to judicial police,” dated April 4, 2024. It was added that the Prosecutor in charge activated the corresponding protection route, and that the National Protection Unit (UNP) and the National Police protection area have been in contact with the proposed beneficiary.

III. ANALYSIS OF THE ELEMENTS OF SERIOUSNESS, URGENCY, AND IRREPARABLE HARM

18. The precautionary measures mechanism is part of the Commission’s function of overseeing compliance with the human rights obligations set forth in Article 106 of the Charter of the Organization of American States. These general oversight functions are provided for in Article 41 (b) of the American Convention on Human Rights, as well as in Article 18 (b) of the IACHR Statute; while the mechanism of precautionary measures is set forth in Article 25 of the Commission’s Rules of Procedure. In accordance with that Article, the Commission grants precautionary measures in serious and urgent situations in which these measures are necessary to avoid an irreparable harm to persons.

19. The Inter-American Commission and the Inter-American Court of Human Rights (“the Inter-American Court” or “I/A Court H.R.”) have repeatedly stated that precautionary and provisional measures have a dual nature, one protective and the other precautionary.³ Regarding the protective nature, these measures seek to avoid irreparable harm and protect the exercise of human rights.⁴ To do this, the IACHR shall assess the problem raised, the effectiveness of state actions to address the situation described, and how vulnerable the persons proposed as beneficiaries would be left in case the measures are not adopted.⁵ Regarding their precautionary nature, these measures have the purpose of preserving legal situations while under consideration by the IACHR. They aim to safeguard the rights at risk until the petition pending before the inter-American system is resolved. Their object and purpose are to ensure the integrity and effectiveness of an eventual decision on the merits and, thus, avoid any further infringement of the rights at issue, a situation that may adversely affect the useful effect (*effet utile*) of the final decision. In this regard, precautionary or provisional measures enable the

³ I/A Court H.R., Matter of the Yare I and Yare II Capital Region Penitentiary Center (Yare Prison), Request for Provisional Measures submitted by the IACHR regarding the Bolivarian Republic of Venezuela, Order of March 30, 2006, considerandum 5; Matter of Carpio Nicolle et al. v. Guatemala, Provisional Measures, Order of July 6, 2009, considerandum 16.

⁴ I/A Court H.R., Matter of Capital El Rodeo I and El Rodeo II Judicial Confinement Center, Provisional Measures regarding Venezuela, Order of February 8, 2008, considerandum 8; Matter of Bámaca Velásquez, Provisional Measures regarding Guatemala, Order of January 27, 2009, considerandum 45; Matter of Fernández Ortega et al., Provisional Measures regarding Mexico, Order of April 30, 2009, considerandum 5; Matter of Milagro Sala, Provisional Measures regarding Argentina, Order of November 23, 2017, considerandum 5.

⁵ I/A Court H.R., Matter of Milagro Sala, Provisional Measures regarding Argentina, Order of November 23, 2017, considerandum 5; Matter of Internado Judicial Capital El Rodeo I and El Rodeo II, Provisional Measures regarding Venezuela, Order of February 8, 2008, considerandum 9; Matter of Instituto Penal Plácido de Sá Carvalho, Provisional Measures regarding Brazil, Order of February 13, 2017, considerandum 6.

State concerned to comply with the final decision and, if necessary, to guarantee the ordered reparations.⁶ In the process of reaching a decision, and according to Article 25(2) of the Rules of Procedure, the Commission considers that:

- a) “serious situation” refers to a grave impact that an action or omission can have on a protected right or on the eventual effect of a pending decision in a case or petition before the organs of the inter-American system;
- b) “urgent situation” refers to risk or threat that is imminent and can materialize, thus requiring immediate preventive or protective action; and
- c) “irreparable harm” refers to injury to rights which, due to their nature, would not be susceptible to reparation, restoration or adequate compensation.

20. In analyzing those requirements, the Commission reiterates that the facts supporting a request for precautionary measures need not be proven beyond doubt. The information provided should be assessed from a *prima facie standard of review to determine whether a serious and urgent situation exists*.⁷ Similarly, the Commission recalls that, by its own mandate, it is not called upon to determine any individual liabilities for the facts alleged. Moreover, in this proceeding, it is not appropriate to rule on violations of rights enshrined in the American Convention or other applicable instruments. This⁸ is better suited to be addressed by the Petition and Case system. The following study relates to the requirements exclusively set forth in Article 25 of its Rules of Procedure, which can be resolved without determining the merits.⁹

21. Pursuant to Article 25(6) of its Rules of Procedure, and considering that the proposed beneficiary participates in human rights activities in the Black Communities of Pueblo Rico, the Commission will proceed to analyze the elements reported by the parties in light of the context in which they are inserted.

22. In its 2023 Annual Report, the Commission highlighted the persistence of acts of violence derived from armed conflicts, with a special impact on human rights defenders and with social leadership.¹⁰ It was reported that this situation was concentrated, among others, in the Chocó Department, adjacent to the village of Santa Cecilia, where the proposed beneficiary works. Regarding this issue, the Commission recently expressed its concern “about the high levels of violence in the Pacific region of Colombia and its impact on the rights of indigenous peoples and Afro-descendant and farming communities”, especially in the Nariño and Chocó Departments.¹¹ The IACHR has also observed a series of questions regarding the implementation of the protection measures granted by the State of Colombia. According to what was reported, they are characterized by a passive and limited role, lack of trust in the personnel assigned to their protection, the provision of inadequate and poorly maintained material measures, as well as a real lack of consultation among beneficiaries,

⁶I/A Court H.R., Matter of Capital El Rodeo I and El Rodeo II Judicial Confinement Center, Provisional Measures regarding Venezuela, Order of February 8, 2008, considerandum 7; Matter of “El Nacional” and “Así es la Noticia” newspapers, Provisional Measures regarding Venezuela, Order of November 25, 2008, considerandum 23; Matter of Luis Uzcátegui, Provisional Measures regarding Venezuela, Order of January 27, 2009, considerandum 19.

⁷I/A Court H.R., Matter of Members of the Miskitu Indigenous Peoples of the North Caribbean Coast regarding Nicaragua. Extension of Provisional Measures. Order of August 23, 2018, considerandum 13; Matter of the children and adolescents deprived of their liberty in the “Complexo do Tatuapé” of the Fundação CASA. Request for extension of provisional measures, Provisional Measures regarding Brazil. Order of July 4, 2006, considerandum 23.

⁸ Inter-American Commission on Human Rights (IACHR), Resolution 2/2015, Precautionary Measures No. 455-13, Matter of Nestora Salgado regarding Mexico, January 28, 2015, para. 14; Resolution 37/2021, Precautionary Measures No. 96/21, Gustavo Adolfo Mendoza Beteta and family regarding Nicaragua, April 30, 2021, para. 33.

⁹In this regard, the Court has indicated that “[it] cannot, in a provisional measure, consider the merits of any arguments pertaining to issues other than those which relate strictly to the extreme gravity and urgency and the necessity to avoid irreparable damage to persons.” See: I/A Court H.R., Matter of James et al. regarding Trinidad and Tobago, Provisional Measures, Order of August 29, 1998, considerandum 6; Matter of Barrios Family v. Venezuela, Provisional Measures, Order of April 22, 2021, considerandum 2.

¹⁰ IACHR, [2023 Annual Report, Ch. IV.a](#). OEA/Ser.L/V/II, Doc. 386 rev. 1, December 31, 2023, para. 252.

¹¹IACHR, Press Release 208/23, [Colombia: IACHR Expresses Concern over Violence in the Pacific Region and the Impact on Indigenous Peoples, Afro-descendant and farming Communities](#), September 1, 2023.

which in many cases is reflected in a lack of application of gender and ethnic differential approaches.¹² On March 5, 2024, the Commission observed that Colombia continues to lead in the numbers of murders against human rights defenders in the region.¹³

23. When analyzing the requirement of *seriousness*, the Commission considers that it has been met. Based on the information available, the Commission believes that the proposed beneficiary exercises community leadership as the legal representative of the Community Council of Black Communities of Pueblo Rico. The Commission considers that, as an authorized representative of the Black communities, he has gained visibility and prominence by advocating for their rights in areas where illegal armed groups operate.

24. As a result of the above, it has been reported that the proposed beneficiary has been the subject of various events against him since at least 2020. These events reportedly include: i. phone calls communicating death threats against him and his family; ii. photos taken of the residence where he sleeps in the city of Pereira; iii. phone calls indicating that they had identified him; iv. he was informed that the “Clan del Golfo” wanted to assassinate him; v. summons by armed groups to a meeting in the Chocó Department under threat of going to get his corpse; vi. comments and threats by unknown persons who ask about the community leaders and have tried to enter his home wearing military fatigue; vii. his home has been fired at; and viii. declaration of military target for not attending the summons.

25. The Commission notes that all the events described above have continued over time and are of particular concern in the current context, considering that the continuous summonses from armed groups under death threats, along with other events that seek to intimidate and harass him for his decision not to attend meetings with them. The Commission believes all the elements as a whole create a context of high hostility against defenders, and acknowledges that the proposed beneficiary has to carry out his legal representation work in this context. The previous understanding is in line with what has been assessed, since 2020, by the territorial entities of the municipality of Pueblo Rico and the Risaralda Department, who have requested the intervention of the UNP. In addition, in 2023, judicial authorities have required due protection in favor of the proposed beneficiary due to the risk he reportedly faces in the Risaralda Department.

26. After requesting information from the State in accordance with Article 25 of its Rules of Procedure, the Commission takes note of the response provided by the Colombian institutional authorities regarding the situation of the proposed beneficiary. In this regard, the Commission observes that the State indicated that it had activated strategic deployment routes before several State bodies in relation to the preventive measures requested. The Commission understands that preventive measures were taken by the National Police, consisting of constant telephone calls made by assigned police personnel. However, given the nature of the facts alleged and the current scenario of the proposed beneficiary, the Commission considers that this measure is insufficient. Furthermore, the Commission observes that, since April 2024, the UNP has withdrawn its protection detail. According to the State’s response, the Commission understands that a new communication has been sent to the UNP for a new risk assessment, which is currently being processed.

27. In light of the allegations presented by the parties, the Commission specifies that it is not up to it, at this time, to detail the concrete measures that should be implemented as part of the proposed beneficiary’s protection detail, such as, for example, ordering that he be provided with an armored car or designating a certain number of security personnel. In order to define the most appropriate measures, the Commission considers it important to update the risk assessment and evaluate the relevant measures so that the proposed beneficiary can continue to carry out his work as a legal representative in safe conditions. This assessment is necessary given that, in light of the information available, the measures implemented to date have not mitigated the events that have continued for approximately five years.

¹² IACHR, [2023 Annual Report, Ch. IV.a](#), OEA/Ser.L/V/II, Doc. Doc. 50 rev. 1, April 1, 2023, para. 254-256.

¹³ IACHR, Press Release 45/24, [IACHR: 2023 closes with high rates of violence against defenders in the Americas, March 5, 2024](#).

28. Regarding the investigations, the Commission does not have information indicating whether they have culminated in the identification of the persons responsible, which is crucial for assessing security conditions. The aforementioned is a relevant aspect when establishing the risk that the proposed beneficiary allegedly faces and the possibilities of their recurrence. The Commission understands that, given the alleged situation in the context in which it is taking place, and the nature of the threats attributed to armed groups, who have already fired shots at the proposed beneficiary's residence, it is necessary to reinforce the investigative actions.

29. In view of the foregoing, the Commission considers, based on the applicable *prima facie* standard and in relation to the context described, that it is sufficiently proven that the rights of the proposed beneficiary are in a situation of serious risk.

30. As for the *urgency requirement*, the Commission considers that it is met since the facts described suggest that the situation that placed the beneficiary at risk is likely to continue and exacerbate over time, in view of the fact that it is allegedly related to the human rights defense work that the proposed beneficiary carries out. The Commission understands that the death threats attributable to armed groups continue, and have already materialized in the form of shots fired towards the proposed beneficiary's residence. Given that the proposed beneficiary does not attend the meetings summoned by the armed groups, the Commission considers that reprisals against him are likely to continue in the absence of adequate protection measures. Therefore, given the imminent materialization of the risk and the absence of protection measures effectively implemented, it is necessary to immediately adopt measures to safeguard his rights to life and personal integrity.

31. Regarding the requirement of *irreparable harm*, the Commission considers that it has been met, insofar as the potential impact on the rights to life, personal integrity, and health, by their very nature, constitutes the maximum situation of irreparability.

IV. BENEFICIARY

32. The Commission declares that the beneficiary of this precautionary measure is Víctor Miguel Ángel Moreno Campaña, who is duly identified in this proceeding.

V. DECISION

33. The Commission considers that this matter meets *prima facie* the requirements of seriousness, urgency, and irreparable harm set forth in Article 25 of its Rules of Procedure. Consequently, the Commission requests that Colombia:

- a) adopt, with an ethnic differential approach, the necessary measures to protect the rights to life and integrity of the beneficiary;
- b) implement the necessary measures so that the beneficiary can carry out his human rights defense activities without being subjected to threats, harassment or other acts of violence in the exercise of his work;
- c) consult and agree upon the measures to be adopted with the beneficiary and his representatives; and
- d) report on the actions taken to investigate the alleged facts that gave rise to this precautionary measure, so as to prevent them from reoccurring.

34. The Commission also requests that Colombia report, within 15 days from the date of notification of this resolution, on the adoption of the requested precautionary measures and update that information periodically.

35. The Commission emphasizes that, in accordance with Article 25(8) of its Rules of Procedure, the granting of this precautionary measure and its adoption by the State do not constitute a prejudgment of any violation of the rights protected in the American Convention and other applicable instruments.

36. The Commission instructs its Executive Secretariat to notify this resolution to Colombia and the applicant.

34. Approved on May 20, 2024, by Roberta Clarke, President; José Luis Caballero Ochoa, Second Vice-President; Arif Bulkan; Andrea Pochak; and Gloria Monique de Mees, members of the IACHR.

Tania Reneaum Panszi
Executive Secretary