
**INTER-AMERICAN COMMISSION ON HUMAN RIGHTS
RESOLUTION 66/2024**

Precautionary Measure No. 690-24
G.O.F. and his family unit regarding Colombia¹
September 19, 2024
Original: Spanish

I. INTRODUCTION

1. On June 24, 2024, the Inter-American Commission on Human Rights (“the Inter-American Commission”, “the Commission” or “the IACHR”) received a request for precautionary measures filed by *Fundación Rescates y Valores por los Derechos Humanos* (“the applicants”) urging the Commission to require that the State of Colombia (“the State” or “Colombia”) adopt the necessary measures to protect the rights to life and personal integrity of G.O.F. and his family unit (“the proposed beneficiaries”). According to the request, the proposed beneficiaries are at risk due to death threats and harassment they started to receive after providing the authorities with war material that was allegedly destined for an illegal armed group, in Colombia.

2. Pursuant to the provisions of Article 25 (5) of its Rules of Procedure, the IACHR requested information from the applicants on July 19, 2024, and they replied on July 29, 2024. The IACHR requested information from the State on August 2, 2024 and received the response on August 15, 2024, after being granted a time extension.

3. Upon analyzing the submissions of fact and law furnished by the parties, the Commission considers that the proposed beneficiaries are in a serious and urgent situation, given that their rights to life and personal integrity are at risk of irreparable harm. Therefore, pursuant to the provisions of Article 25 of its Rules of Procedure, the Commission requires that Colombia: a) adopt the necessary measures to protect the rights to life and integrity of the beneficiaries, including putting in place appropriate protocols to ensure the confidentiality of all information about their status and whereabouts; b) consult and agree upon the measures to be implemented with the beneficiaries and their representatives; and c) report on the actions taken to investigate the alleged events that led to the adoption of this precautionary measure, so as to prevent such events from reoccurring.

II. SUMMARY OF FACTS AND ARGUMENTS

A. Information provided by the applicants

4. The request was filed in favor of G.O.F.; his wife, N.J.R.; and their daughters, B.F.J., 7 years old; K.M.F.J., 5 years old, and S.N.F.J., 2 years old. The proposed beneficiary has reportedly been a patrol officer with the National Police for 10 years. He is allegedly based in the city of “Z,”² where he worked as an Explosives Operator and a member of the Anti-Narcotics Unit Squad.

5. On March 23, 2024, a sub-inspector, a member of the Anti-Narcotics Unit in Cúcuta, allegedly brought two M8 explosive initiators, used to detonate C4 in bars, pentolite, and indugel, to the proposed beneficiary’s residence. According to the information provided, the sub-inspector asked the proposed beneficiary to keep these detonators. A few days later, the same sub-inspector from the “Z” anti-narcotics base,

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

² The IACHR decided to keep the location confidential to avoid exposing the proposed beneficiaries.

along with another individual with his same hierarchy, allegedly requested that G.O.F. store two M14s containing explosive capsules. According to the applicants, these supplies come from the United States and are for the exclusive use of the National Police.

6. Consequently, the proposed beneficiary contacted the applicants, who recommended that he contact the Directorate of Criminal Investigation (*Dirección de Investigación Criminal*, DIJIN) in Bogotá. On April 1, 2024, G.O.F. delivered the M8 and M14 materials to the DIJIN Bogotá intendand and initiated the corresponding investigation. Subsequently, the aforementioned sub-inspectors attempted to recover the materials from the proposed beneficiary, who was unable to return them as they were in the custody of DIJIN Bogotá. A criminal investigation had been initiated by the Office of the Attorney General as the materials were allegedly intended to be delivered to the guerrilla group National Liberation Army (ELN), active in Norte de Santander.

7. Since refusing to return the material, the proposed beneficiary and his family have allegedly received death threats via telephone calls. These threats were reported to an official of the Judicial Investigation Section (*Seccional de Investigación Judicial*, SIJIN) in Bogotá, but this communication did not produce any effective results. In light of the situation, G.O.F. was forced to leave the city of “Z” with his family unit. Uniformed personnel reportedly arrived at his residence, at various times of the day and night, to demand the return of the material. They reportedly warned the proposed beneficiary that they could not ensure the safety of his life or that of his family if he failed to comply with their demands.

8. On May 20, 2024, the proposed beneficiary and his family went to the city of Bogota, where they contacted an official of the Directorate of Criminal Investigation (DIJIN) and INTERPOL, and a meeting was held with the commander of the National Police Anti-Narcotics Unit. At that meeting, the situation was reported and the decision was made to send G.O.F. to the municipality “X”.

9. However, the proposed beneficiary’s location in municipality “X” was reportedly leaked, and he started to receive death threats again. This led to a complaint being filed with the Office of the Attorney General on June 19, 2024. In relation to the reported facts, the proposed beneficiary stated that officers from the Police Station in municipality “X” made two home visits to the address provided, which is his mother-in-law’s residence. The first visit reportedly took place on June 9, 2024, during which the officers asked why the proposed beneficiary had not appeared within the given deadline in a justification sent from the city of “Z”. The proposed beneficiary replied that, due to an ongoing investigation, he could not be present at that time. He believes the officers reported that he was in municipality “X”. On June 15, 2024, the chief inspector reportedly made a second home visit. On that occasion, the proposed beneficiary met with him and his immediate superior, where he discussed the specifics of his situation. After this conversation, the chief inspector reportedly left. The proposed beneficiary states that the chief intendand is the only person who had precise knowledge of the address of his residence.

10. The proposed beneficiary reported that, after confirming his presence in the municipality “X”, he began to receive suspicious correspondence. He stated that the first package was sent through a company located in the municipality of Barbosa, Santander. Upon receiving the notification, the proposed beneficiary traveled to Barbosa to pick up a sealed box that contained a note that read: “snitches must die, you shouldn’t do that to friends.” In addition, a second package was sent by another company, but the proposed beneficiary decided not to pick it up as he had his suspicions about the contents.

11. On June 15, 2024, a bouquet of white roses allegedly arrived at his mother-in-law’s home, along with a card with the following message: “You are the best partner ever and you deserve all the best we can give you. Happy Father’s Day and enjoy every second you have with your princesses, [G.F.]” The bouquet was sent by a florist in municipality “X” and delivered via a cab service. The cab driver in charge of the delivery

reportedly stated that the florist had contacted him to take the bouquet to a specific address and stated that it was for a police officer. He then decided to pay for the bouquet and claim it on behalf of the recipient. The proposed beneficiary asked the taxi driver for the florist's contact number, which the driver agreed to. That same day, the proposed beneficiary contacted the florist by telephone and explained that he had received a bouquet of flowers and requested information about the person who had sent the flowers. The woman replied that the request had been made through a WhatsApp message, in which the details of the bouquet that was delivered were specified.

12. Fearing for his life and that of his family, G.O.F. fled from the house where he was residing with his family unit. According to the applicants, the actions of the sub-inspectors from the Anti-Narcotics Unit in "Z" resulted in the family's displacement.

13. On July 29, 2024, the applicants mentioned that the proposed beneficiary received several telephone calls from unknown numbers. The first call allegedly occurred on July 27, 2024. During the conversation, the individuals told him that they knew his current location and demanded the return of the material he had delivered to the Prosecutor's Office through a police counterintelligence officer. The second call was made on July 29, 2024. On this occasion, the threats were directed directly towards his family, urging him to take care of them and calling him a "snitch". Once again, he insisted on getting the material provided by the uniformed personnel of "Z". These facts were reported to the National Police.

14. According to the applicants, to date, the legal representation of the municipality of "X" has not issued a formal summons to address the situation. In addition, the current commander of the National Police's Anti-Narcotics Unit had already been informed of the threats in an email sent on July 2, 2024. In that email, the proposed beneficiary alerted his colonel that, after witnessing certain events in March and April 2024, he filed reports with the authorities and began receiving threats against his life and that of his family. Upon recommendation, he avoided contacting the institution's commanders so as not to affect the investigation underway before the Office of the Attorney General. Notwithstanding, the threats continued, which led him to file a complaint with the Office of the Attorney General.

15. In relation to the protection measures, there is reportedly no security detail implemented to date. However, on July 25, 2024, a meeting was held with members of the National Police and the unit's security studies manager. During the meeting, a self-protection manual was delivered with recommendations addressed to the proposed beneficiary, his wife, and their three daughters.

16. In addition, the applicants stated that the family has been subjected to reprisals. Despite being aware of the situation that places the proposed beneficiary at risk, disciplinary and criminal proceedings have been initiated against him within the military jurisdiction, in addition to his salary being reduced as a uniformed officer. A communication dated July 16, 2024, from the National Police, Anti-Narcotics Directorate, Human Talent Group (DIRAN), was attached, stating that "the DIRAN Human Talent Group will proceed to record in the Human Talent Management Information System (SIATH) the (024) days of absence due to unjustified failure to report for duty at the Anti-Narcotics Directorate." Moreover, on July 18, 2024, a proceeding was reported against the proposed beneficiary before Court 190 of Military Criminal Investigation for being absent without leave.

17. The applicants urged the State to adopt protection measures to safeguard the rights of the proposed beneficiary, his wife and three daughters given that, to date, the Office of the Attorney General has not provided adequate protection. They believe that if uniformed members of the National Police provide the protection measures, they would be ineffective due to the risk of leaked information regarding his whereabouts.

B. Response from the State

18. The State also highlighted the criteria established in Article 25(2) of the Rules of Procedure of the IACHR, which outline seriousness, urgency, and the risk of irreparable harm as the requirements for adopting precautionary measures. In this sense, it stressed that the seriousness of the risk that the proposed beneficiaries face must be real and not hypothetical, and that the urgency must be linked to the imminence of the harm, which requires immediate action to avoid irreparable consequences. These three elements must concur to justify the adoption of precautionary measures.

19. On August 15, 2024, the State forwarded the information provided by the National Protection Unit (UNP) on the measures related to the risk that the proposed beneficiaries face. The provided information indicates that, according to Executive Order 1066 of 2015, various groups are subject to protection due to their situations of risk, including political leaders, human rights defenders, trade unionists, professional association members, journalists, and victims of human rights violations, among others.

20. According to the State, the normative framework “does not contemplate complainants as subjects of the program and they are not included” in the group of witnesses of human rights violations or breaches of International Humanitarian Law. However, the State specifies that this does not mean the UNP “does not provide protection measures to individuals who fall within the subjects of the Protection and Prevention Program. Rather, their protection route with the Entity is based on their inclusion in the groups mentioned in Executive Order 1066.” The UNP indicated that, through the risk assessment of the complaints filed, it is possible to determine the level of risk and, consequently, the relevance of providing protection, “which does not imply that the protection measures that are implemented are exclusively due to the fact of being whistleblowers.”

21. According to the information provided, the UNP stated that it “does not have protection measures” in favor of the proposed beneficiaries. Moreover, the State indicated that Executive Order 1066 includes a Victims and Witnesses Protection Program, managed by the Office of the Attorney General, aimed at safeguarding the life and integrity of individuals who are at risk in the context of judicial processes. Additionally, the National Police has the power to assign protection measures to its members and officers, which could represent another channel of protection in favor of the proposed beneficiaries. The State emphasized that, in Colombia, there are institutional mechanisms that seek to guarantee the protection of citizens, but it is essential that the relevant complaints are filed with the competent authorities to activate these mechanisms.

22. In relation to the investigative measures, by official letter of August 13, 2024, the Office of the Attorney General communicated that an investigation was opened for the crime of threats in the Sectional Prosecutor’s Office. The investigation is reportedly active and under investigation, and a prosecutor has been assigned to the case.

23. Lastly, the State indicated that it would continue to inform the IACHR about the actions taken by the competent authorities in relation to the proposed beneficiaries’ situation, but no additional communication has been sent to date.

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

24. The mechanism of precautionary measures 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 Statute of the IACHR; 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.

25. 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 preserve 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 the study of 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 State concerned to comply with the final decision and, if necessary, to implement the ordered reparations.⁶ In the process of reaching a decision, and according to Article 25(2) of its 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.

26. 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 called upon to determine through this

³ I/A Court H.R., [Matter of the Yare I and Yare II Capital Region Penitentiary Center](#), Provisional Measures regarding the Bolivarian Republic of Venezuela, Order of March 30, 2006, considerandum 5; *Case of Carpio Nicolle et al. v. Guatemala*, Provisional Measures, Order of July 6, 2009, considerandum 16 (Available only in Spanish).

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; [Case 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. (Available only in Spanish)

⁵ I/A Court H.R., [Matter of Milagro Sala](#), Provisional Measures regarding Argentina, Order of November 23, 2017, considerandum 5 (Available only in Spanish); [Matter of Capital El Rodeo I and El Rodeo II Judicial Confinement Center](#), Provisional Measures regarding Venezuela, Order of February 8, 2008, considerandum 9; [Matter of the Criminal Institute of Plácido de Sá Carvalho](#), Provisional Measures regarding Brazil, Order of February 13, 2017, considerandum 6 (Available only in Spanish).

⁶ 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 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 (Available only in Spanish).

⁷ I/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 (Available only in Spanish); [Matter of children and adolescents deprived of liberty in the “Complexo do Tatuapé” of the Fundação CASA](#), Provisional Measures regarding Brazil, Order of July 4, 2006, considerandum 23.

mechanism any violation of the rights enshrined in the American Convention or other applicable instruments.⁸ This is better suited to be addressed by the Petition and Case system. The following study relates exclusively to the requirements set forth in Article 25 of its Rules of Procedure, which can be resolved without making any determination on the merits.⁹

27. In analyzing the requirement of *seriousness*, the Commission considers that it has been met. Based on the available information, the IACHR observes that the risk faced by G.O.F. and his family unit arises from the moment the proposed beneficiary gave the military supplies to the authorities. According to the information provided, on April 1, 2024, and in his capacity as a patrol officer of the National Police, the proposed beneficiary delivered explosives initiators and M8 and M14 explosive capsules, which are exclusively reserved for use by the National Police. These materials were reportedly provided by two sub-inspectors from the Anti-Narcotics Unit of “Z,” who requested that the proposed beneficiary store them, to then reportedly deliver them to the National Liberation Army (ELN). However, G.O.F.’s refusal to return the material and his subsequent handover of it to the competent authorities reportedly led to a series of threats and reprisals over the past five months.

28. In this regard, the Commission observes that, as a result of this complaint, G.O.F. and his family unit have received death threats. These threats, added to the presence of uniformed personnel at his residence, who demand the return of the material at various times of the day, forced the proposed beneficiary to relocate with his family, first to Bogotá and then to the municipality of “X.” However, his new location was reportedly leaked which resulted in him receiving intimidating messages. For example, he received a note with the inscription “snitches must die” and received a bouquet of flowers addressed to his family with a card telling the proposed beneficiary to “enjoy every second you have with your princesses.”

29. The seriousness of the situation lies not only in the nature and content of the threats but also in the persistence and methods used, which reveal a clear intent to intimidate and harass the proposed beneficiary. The alleged perpetrators’ ability to locate him after relocating and the use of multiple forms of threats such as threatening calls, written messages, and suspicious packages show the need for urgent measures to safeguard his life and integrity.

30. Regarding the protection measures implemented by the State, the Commission notes that the State has not reported the implementation of a material protection detail in favor of G.O.F. and his family unit. According to the information provided, to date, no risk assessment has been carried out or specific measures have been taken to mitigate the threats. Despite the meetings held between G.O.F. and members of the National Police, and the fact that they have relocated various times, the Commission considers that the alleged situation of risk that the proposed beneficiary and his family unit face has not been duly addressed to date. Regarding the provision of a self-protection manual, the Commission understands that it is insufficient given the seriousness of the threats over time and the information on his whereabouts being leaked. The lack of effective protection exposes the proposed beneficiary to a continuous risk and aggravates his situation of vulnerability. The Commission particularly observes that by handing over the military materials to state authorities, the proposed beneficiary has prevented an armed group, such as the ELN, from accessing these weapons, which undoubtedly affects their interests in the current context of Colombia.

⁸ IACHR, [Resolution 2/2015](#), Precautionary Measure No. 455-13, Matter of Nestora Salgado regarding Mexico, January 28, 2015, para. 14; [Resolution 37/2021](#), Precautionary Measure No. 96-21, Gustavo Adolfo Mendoza Beteta and family regarding Nicaragua, April 30, 2021, para. 33.

⁹ In this regard, the Court has stated 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.” I/A Court H.R., [Matter of James et al. regarding Trinidad and Tobago](#), Provisional Measures, Order of August 29, 1998, considerandum 6 (Available only in Spanish); [Case of the Barrios Family v. Venezuela](#), Provisional Measures, Order of April 22, 2021, considerandum 2 (Available only in Spanish).

31. Regarding the investigations, the Commission notes that a criminal investigation into the crime of threats has been initiated by the Sectional Prosecutor's Office in response to the complaints filed by G.O.F. However, there have been no significant reports of progress in identifying those responsible for the threats or in adopting preventive measures to ensure the safety of the proposed beneficiary and his family unit. The lack of concrete results in the investigations contributes to the ongoing risk, since the perpetrators of the threats remain at liberty and can continue to intimidate them.

32. With regard to the family unit of G.O.F., the Commission observes that there are clear indications that they are also at risk as a result of the elements identified in this matter. The threats directed at G.O.F. have not only been personal but have also involved his family unit, as evidenced by the bouquet with a card that made direct reference to his wife and daughters. In addition, the telephone calls in which he was urged to "take care of his family" reinforce the concern that the perpetrators have the ability and interest to affect his entire family unit. Therefore, it is reasonable to conclude that his family faces the same risk factors, and that any action against the proposed beneficiary could also seriously impact their safety.

33. Therefore, the Commission considers that the requirement of seriousness has been met, in view of the ongoing threats, the lack of effective protection measures, and the absence of significant progress in the investigations.

34. Regarding the *urgency* requirement, the Commission considers that it has been met, given that the threats received by G.O.F. have been constant and have escalated in both intensity and frequency. These threats have not ceased despite the proposed beneficiary and his family unit relocating, which shows the ongoing nature of the situation that places them at risk. The threats, both via telephone and through correspondence, suggest a clear determination on the part of the perpetrators to locate and coerce him. Since there are no effective protection measures implemented by the State, the situation that places him and his family unit at risk persists and gives rise to the need of the immediate adoption of precautionary measures to prevent irreparable harm to the life and integrity of G.O.F. and his family members.

35. As it pertains to the requirement of *irreparable harm*, the Commission finds it met, since the possible impact on the rights to life and personal integrity constitutes the maximum situation of irreparability.

IV. BENEFICIARIES

36. The Commission declares as the beneficiaries of the precautionary measures G.O.F.; his wife, N.J.R.; and their daughters, B.F.J.; K.M.F.J.; S.N.F.J., who are duly identified in this proceeding.

V. DECISION

37. 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 the necessary measures to protect the rights to life and integrity of the beneficiaries, including putting in place appropriate protocols to ensure the confidentiality of all information about their status and whereabouts;
- b) consult and agree upon the measures to be implemented with the beneficiaries and their representatives; and
- c) report on the actions taken to investigate the alleged events that led to the adoption of this precautionary measure, so as to prevent such events from reoccurring.

38. The Commission 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.

39. 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.

40. The Commission instructs its Executive Secretariat to notify this resolution to the State of Colombia and the applicants.

41. Approved on September 19, 2024, by Roberta Clarke, President; José Luis Caballero Ochoa, Second Vice-President; Edgar Stuardo Ralón Orellana; Arif Bulkan; Andrea Pochak, members of the IACHR.

Tania Reneaum Panszi
Executive Secretary