

**INTER-AMERICAN COMMISSION ON HUMAN RIGHTS  
RESOLUTION TO LIFT PRECAUTIONARY MEASURES 22/2024**

Precautionary Measure No. 446-03  
Piedad Córdoba regarding Colombia<sup>1</sup>  
April 10, 2024  
Original: Spanish

**I. SUMMARY**

1. The Inter-American Commission on Human Rights (IACHR) decides to lift these precautionary measures in favor of Piedad Córdoba in Colombia. In making the decision, the Commission assessed the State's actions during the implementation, as well as the observations of the beneficiary's representation. In February 2024, the parties reported the death of the beneficiary from natural causes in January of the same year. As a result of her death, the Commission considers that the measures are now spent and there is no further need for protection.

**II. BACKGROUND INFORMATION**

2. On March 5, 2003, the Commission granted precautionary measures in favor of Piedad Córdoba, a senator noted for her human rights work. The information available indicated that she was the subject of a series of attacks, including a kidnapping by members of the United Self-Defense Forces of Colombia (*Autodefensas Unidas de Colombia*, AUC). Because of the situation placing her at risk, the Commission requested the State to adopt the necessary measures to protect the life and personal integrity of senator Piedad Córdoba and to investigate the attacks perpetrated against her.<sup>2</sup>

3. Representation is exercised by José Alvear Restrepo Lawyers Collective Corporation (*Corporación Colectivo de Abogados José Alvear Restrepo*, CAJAR).

**III. INFORMATION PROVIDED DURING THE TIME THESE PRECAUTIONARY MEASURES WERE IN FORCE**

4. While the precautionary measures have been in force, the Commission has followed up on the situation that is the subject matter of them by requesting information from both parties and holding working meetings.<sup>3</sup> The Commission will focus on analyzing the information from the last decade.

5. Following requests for information from the Commission,<sup>4</sup> communications were received from the parties on the following dates:

	<b>Reports from the State</b>	<b>Reports from the representation</b>
2010	April 22, July 19, September 2, October 8 and 14, November 16	July 28, October 5, November 3

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

<sup>2</sup> IACHR. [Precautionary Measures 2003. Precautionary measures granted by the IACHR during 2003. Colombia.](#)

<sup>3</sup> On March 26, 2011, a working meeting was held regarding the aforementioned precautionary measures.

<sup>4</sup> The Commission requested information in 2010 (April 28, August 17, September 13, October 14 and November 4); 2011 (March 16, July 8, August 10, September 30, October 27 and December 13); 2012 (June 8, July 13, October 12 and 17 and December 14); 2013 (December 2); 2014 (December 22); 2015 (February 2 and August 18); 2016 (April 19 and May 13); 2019 (May 8); 2020 (April 13); 2021 (May 13); 2022 (September 29); and 2023 (January 27 and September 15).

2011	March 29, July 29, September 16, December 1 and 7	January 24, March 26, June 21, July 12, October 19
2012	July 3, August 6, September 19, November 19	May 20, July 8, October 13
2014	No communications	January 20, March 13, December 16
2015	January 13, May 13	January 23, May 5
2016	May 6 and 24	April 13
2017	No communications	July 15
2019	July 22	July 29
2020	May 7 and 20	October 1
2021	June 15	No communications
2022	No communications	December 23
2023	April 27	No communications
2024	February 16	February 12

6. On February 1, 2024, the Commission requested information from the parties to evaluate the validity of the precautionary measures after obtaining public information that reported the beneficiary’s death.

**A. Information provided by the State**

7. In 2010 and 2011, the State indicated that the beneficiary’s situation was assessed under extraordinary risk, implementing a protection detail in her favor. This included protection in the cities of Bogotá, Medellín, and Cali composed of vehicles, a motorcycle follower, armament, means of communication, reliable security escorts, armor, and a fixed police station in her residence. On June 23, 2010, a follow-up and consultation meeting was held. The Office of the Attorney General reported conducting five investigations into illegal intelligence activities carried out by some officials of the Administrative Department of Security (DAS, for its acronym in Spanish) and other entities, as well as four investigations into the crime of threats. In addition, on October 4, 2010, the Office of the Attorney General issued disciplinary sanctions for the activities reported against the DAS. In 2012, the State offered to reinforce her protection detail after a risk analysis.

8. For 2016, the State indicated that the protection measures that the beneficiary had would be two means of communication, three armored vehicles, one conventional vehicle, and 15 protection men. She had a fixed security position at home and a preventive [security] detail in Medellín comprising three police officers and a motorcycle. An investigation was reported for the crime of attempted homicide. In 2019, the State indicated that it continued to protect her. In 2020, the State noted that the protection measures in favor of the beneficiary had been ratified. After checking the Laureles Police Station database, the State indicated that no criminal cases related to the said residence were filed in 2019.

9. The State emphasized that, on January 20, 2021, it was recommended to ratify four armored vehicles, one conventional vehicle, two means of communication, and 15 protection men in favor of the beneficiary. An investigation was initiated into the events of September 30, 2020, for the crimes of conspiracy to commit a crime, qualified theft, and the manufacture, trafficking, and carrying of firearms or ammunition. In 2023, the State reported that three investigations were registered for the crime of threats. Regarding the events of September 2022, the State stressed that one of the beneficiary’s security escorts was a victim of theft by common crime. On March 31, 2023, a follow-up and consultation meeting was held in which various commitments were reached.

10. On February 16, 2024, the State reported the death of the beneficiary from natural causes on January 20, 2024.

**B. Information provided by the representation**

11. The representation reported that a follow-up and consultation meeting was held on June 23, 2010. Intelligence activities against the beneficiary by the DAS were reported. On June 2, 2011, a threatening pamphlet was issued against journalists, human rights defenders, indigenous leaders, and others, signed by the paramilitary group “Rastrojos Urbanos.” In the booklet, the beneficiary was mentioned. On August 19, 2011, she was warned of a plan to assassinate her. On March 7, 2011, the 14th Criminal Court of the Circuit of Bogotá issued a sentence against two former DAS officials for the illegal and illegitimate intelligence operations carried out against magistrates of the Supreme Court of Justice and various Senators of the Republic, including the beneficiary.

12. In 2012, the representation showed that, on May 16, 2012, a paramilitary group member declared Ms. Córdoba a military objective. On July 4, 2012, a message from the “Anti-Restitution Army” indicated that it had instructions to “deregister” the “guerrillas camouflaged in the role of human rights defenders,” among which Ms. Córdoba was mentioned. On February 3, 2014, the group of “Los Rastrojos” threatened to “put a price” on the deaths of people belonging to the Patriotic Union party, including the beneficiary. On September 25, 2014, the armed group “Los Rastrojos” circulated a pamphlet declaring Ms. Córdoba a military target.

13. On January 13, 2015, a funeral wreath arrived at the beneficiary’s home as a symbol of a death threat, allegedly carried out by the group “Águilas Negras.” On June 22, 2017, the paramilitary group “*Bloque Capital de las Águilas Negras*” reportedly threatened to kill the beneficiary. In 2019, it was indicated that there had been two illegal intrusions into her home in Bogotá and that of her family in Medellín. On September 4, 2022, armed men attacked one of the beneficiary’s security escorts and the security personnel of the building where she resides with the alleged intention of accessing her apartment.

14. On February 12, 2024, the representation reported that Ms. Piedad Córdoba died of natural causes on January 20, 2024, in the city of Medellín.

#### **IV. ANALYSIS OF THE REQUIREMENTS OF URGENCY, SERIOUSNESS, AND IRREPARABLE HARM**

15. The precautionary measures mechanism is part of the Commission’s overseeing Member States’ compliance with the human rights obligations established in Article 106 of the Charter of the Organization of American States. These general functions are outlined in Article 41(b) of the American Convention on Human Rights and Article 18(b) of the Statute of the IACHR. Moreover, the precautionary measures mechanism is enshrined in Article 25 of the Rules of Procedure. By this Article, the IACHR grants precautionary measures in serious and urgent situations in which these measures are necessary to avoid irreparable harm to persons or the subject matter of a petition or case before the organs of the inter-American system.

16. The Inter-American Commission and the Inter-American Court of Human Rights (“the Inter-American Court” or “I/A Court H.R.”) have repeatedly established that precautionary and provisional measures have a dual nature, both protective and precautionary.<sup>5</sup> Regarding the protective nature, these measures seek to avoid irreparable harm and protect human rights.<sup>6</sup> To do this, the IACHR shall assess the problem raised, the

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<sup>5</sup> See in this regard: I/A Court H.R. [Matter of the Yare I and Yare II Capital Region Penitentiary Center](#). Request for Provisional Measures submitted by the IACHR regarding the Bolivarian Republic of Venezuela, Order of the Inter-American Court of Human Rights of March 30, 2006, considerandum 5; I/A Court H.R. [Case of Carpio Nicolle et al. v. Guatemala](#). Provisional measures, Order of the Inter-American Court of Human Rights of 6 July 2009, considerandum 16.

<sup>6</sup> See in this regard: I/A Court H.R. [Matter of Capital El Rodeo I and El Rodeo II Judicial Confinement Center](#). Provisional Measures regarding Venezuela, Order of the Inter-American Court of Human Rights of February 8, 2008, considerandum 8; I/A Court H.R. [Case of Bámaca Velásquez](#). Provisional measures regarding Guatemala, Order of the Inter-American Court of Human Rights of January 27, 2009, considerandum 45; I/A Court H.R. [Matter of Fernández Ortega et al.](#) Provisional Measures regarding Mexico, Order of the Inter-American Court of Human Rights of April 30, 2009, considerandum 5; I/A Court H.R. [Matter of Milagro Sala](#). Request for Provisional Measures regarding Argentina, Order of the Inter-American Court of Human Rights of November 23, 2017, considerandum 5.

effectiveness of state actions to address the situation described, and how vulnerable the persons proposed as beneficiaries would be if the measures are not adopted.<sup>7</sup> Regarding their precautionary nature, these measures preserve a legal situation while under consideration by the organs of the inter-American system. 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. Regarding the process of decision-making 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.

17. Concerning the preceding, Article 25(7) of the Commission’s Rules of Procedure establishes that decisions “granting, extending, modifying or lifting precautionary measures shall be adopted through reasoned resolutions.” Article 25(9) states that the Commission shall evaluate periodically, at either party’s initiative or request, whether to maintain, modify, or lift the precautionary measures in force. In this regard, the Commission shall assess whether the serious and urgent situation and the risk of irreparable harm that caused the adoption of the precautionary measures persist. Furthermore, it shall consider whether there are new situations that may comply with the requirements outlined in Article 25 of its Rules of Procedure.

18. Similarly, the Commission recalls that while assessing the procedural requirements when adopting precautionary measures is carried out from a *prima facie* standard of review, keeping such measures in force requires a more rigorous evaluation. In this sense, when no imminent risk is identified, the burden of proof and argument increases over time. The Inter-American Court has indicated that the passage of a reasonable period without any threats or intimidation and the lack of imminent risk may lead to the international protection measures being lifted.<sup>8</sup>

19. In this matter, the Commission recalls that the precautionary measures were granted in 2003 in favor of Ms. Piedad Córdoba in Colombia. The Commission takes note of the various actions taken by the State. In particular, a protection detail was established over the years after risk assessments were performed, consultation meetings were held, and progress was made in the reported investigations. At the same time, the Commission notes that, given the various risk events the beneficiary faced over time, it was necessary to continue implementing suitable protection measures in her favor.

20. However, the Commission considers that, given the beneficiary’s recent death due to natural causes, these precautionary measures should be lifted. The Commission regrets her death and understands that the matter has been left without the person who was under protection. Consequently, the requirements established in Article 25 of the Rules of Procedure are no longer met.

## **V. DECISION**

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<sup>7</sup> See in this regard: I/A Court H.R. [Matter of Milagro Sala](#), Request for Provisional Measures regarding Argentina, Order of the Inter-American Court of Human Rights of November 23, 2017, considerandum 5; I/A Court H.R. [Matter of Capital El Rodeo I and El Rodeo II Judicial Confinement Center](#), Provisional Measures regarding Venezuela, Order of the Court of February 8, 2008, considerandum 9; I/A Court H.R. [Matter of the Criminal Institute of Plácido de Sá Carvalho](#), Provisional Measures concerning Brazil, Order of the Inter-American Court of Human Rights of February 13, 2017, considerandum 6.

<sup>8</sup> I/A Court H.R., [Provisional Measures regarding Mexico](#), Resolution of February 7, 2017, paras. 16 and 17.

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21. The Commission decides to lift the precautionary measures granted in favor of Piedad Córdoba.

22. The Commission instructs the Executive Secretariat of the IACHR to notify this resolution to the State of Colombia and the representation.

23. Approved April 10, 2024, by Roberta Clarke, President; José Luis Caballero Ochoa, Second Vice-President; Edgar Stuardo Ralón Orellana; Arif Bulkan; and Andrea Pochak, members of the IACHR.

Tania Reneaum Panszi  
Executive Secretary