
**INTER-AMERICAN COMMISSION ON HUMAN RIGHTS
RESOLUTION TO LIFT PRECAUTIONARY MEASURES 19/2025**

Precautionary Measure No. 693-03

**Members of councils and reservations of the Pijao indigenous people in the
department of Tolima regarding Colombia¹**

February 24, 2025

Original: Spanish

I. SUMMARY

1. The Inter-American Commission on Human Rights (IACHR) decides to lift these precautionary measures in favor of members of 15 cabildos and reservations (*resguardos*) of the Pijao indigenous people in the department of Tolima, Colombia. Upon receiving a request to lift the measures submitted by the State, the Commission assessed the actions taken by the State during the implementation, as well as the lack of concrete, current, and specific events against the beneficiaries that would allow it to identify a situation of serious and imminent risk. Taking into account the nature of precautionary measures and in light of the information available, the Commission considered that it is currently not possible to establish a situation that presents a risk under the terms of Article 25 of the Rules of Procedure. Consequently, the IACHR decided to lift the measures.

II. BACKGROUND INFORMATION

2. On October 2, 2003, the Commission granted precautionary measures in favor of members of 15 cabildos and reservations of the Pijao indigenous people in the department of Tolima.² The information stated that the members of these councils and reservations faced a situation of imminent risk. Specifically, it was alleged that paramilitary groups had a list of more than one hundred indigenous people and farmers who were declared military targets. On September 28, 2003, the indigenous member Iván Montiel was kidnapped by paramilitary groups, after which his dismembered body appeared at the Punto Papagalá site between Coyaima and Saldaña. In view of the situation, the IACHR requested the State to adopt the necessary measures to protect the life and physical integrity of the beneficiaries, and report on the actions taken to investigate the facts and put an end to the threats.³

3. The Foundation Committee for Solidarity with Political Prisoners (FCSP), the Indigenous Authorities of Colombia (AICO) Tolima, Cabildo Coyaima, Yeltsin Edelmar, Yesid Briñez, and Elisabeth Atis Pinchao exert representation before the Commission.

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

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 file indicates that there was information regarding the members of (1) Resguardo Totarco Tamarindo; (2) Resguardo Totarco Dinde; (3) Cabildo Chenche Buena Vista; (4) Ico Calle de Anape; (5) Pueblo Viejo Santa Rita La Mina; (6) Tuluni Los Pijaos; (7) Pijao Cacique Ibagué; (8) Resguardo Santa Marta Diamante (Coyaima); (9) Chenche Amarayco (Coyaima); (10) Tuluny los Pijaos Chaparral; (11) Resguardo indígena Potrerito (Coyaima); (12) Nueva Esperanza (Coyaima); (13) Chinche Buenavista (Coyaima); (14) Cabildo indígena Chenche Zaragoza Centro; and (15) Cabildo indígena de Dolares Porvenir.

³ Inter-American Commission on Human Rights (IACHR), 2003 Annual Report, Chapter III, [Section C: Petitions and Cases before the Inter-American Commission on Human Rights, para. 30.](#)

4. During the time these precautionary measures were in force, the Commission followed-up on this situation by requesting information from both parties, work meetings,⁴ and a follow-up hearing.⁵ In this regard, communications have been received from the parties and from the IACHR. For the purposes of analyzing the current situation that the beneficiaries face, the Commission will consider the information received by the parties in the last decade, recognizing that the matter has been in force for more than 20 years.

	Reports from the State	Communications by the representation	Information requested and forwarded by the Commission
2010	September 14, October 7, November 4	August 2	August 12, September 22, October 27
2011	No communications	March 18	No communications
2012	February 7, October 12	January 13, August 17, September 5, December 10 and 11	January 27, March 23, July 9, September 17, November 9, December 24
2013	January 17, May 22, September 6 and 13	May 22, June 24, October 21, November 10	January 22, August 20
2014	No communications	No communications	March 13
2015	No communications	No communications	October 9
2016	No communications	March 25	No communications
2018	No communications	May 25	No communications
2022	No communications	No communications	July 22
2023	No communications	No communications	October 17
2024	September 5 (request to lift)	October 24	July 22, October 10, November 4

5. On July 22, 2022, the Commission requested information from the representation in order to evaluate keeping the precautionary measures in force. The request was reiterated on October 17, 2023, and July 22, 2024. On October 10, 2024, the request to lift made by the State on September 5, 2024 was forwarded to the representation. On October 24, 2024, the representation sent an incomplete communication about the situation of Elisabeth Atis Pinchao. On November 4, 2024, the Commission informed the representation of the situation and requested the missing information. To date, no response has been received from the representation and the granted deadlines have expired.

A. Information provided by the State

6. On February 7, 2012, the State indicated that, upon learning of the death of Sergio Parra in December 2011, the National Protection Unit (UNP) was processed to provide protection to the members of his family. The State reported that meetings were held within the framework of a Safeguarding Plan for the Pijao People, in accordance with the decision of the Constitutional Court of Colombia, to protect the fundamental rights of indigenous people and peoples displaced by the armed conflict or at risk of forced displacement. On October 12, 2012, the State reported that risk assessments were carried out in favor of the beneficiaries, and results showed an extraordinary risk level for María Raquel Armero González, Sergio Parra Mendoza's wife, as well as an ordinary risk level for Yesid Briñez Poloche and Yeltsin Edelmar Briñez Lezama.

7. In 2012, the State stated that the UNP implemented individual material protection measures in favor of María Raquel Armero González, consisting of a means of cellular communication and five source of support for temporary relocation that were allegedly implemented until August 2012. Moreover, the Tolima Police Command provided a guidebook on self-protection measures and safety standards as preventive measures. The State indicated that, in the case of Mr. Yesid Briñez Poloche, the Tolima Police Command implemented security strategies to minimize the level of threat. These measures included providing an

⁴ IACHR, [Press Release No. 46/08 and Annex. IACHR Concludes its 133rd Period of Sessions](#), October 31, 2008.

⁵ IACHR, [Hearing 185th period of sessions. Implementation of precautionary measures for defenders in Colombia](#), October 27, 2022 (Available only in Spanish).

illustrated guidebook with safety standards, self-protection measures, and an order to the Commander of the Police Station of the municipality of Guamo to implement measures to safeguard his rights.

8. The State reported that, within the framework of the follow-up and consultation meeting that took place on October 4, 2012, the Directorate of International Affairs of the Office of the Attorney General detailed that there were six investigations in progress concerning members of the 15 Pijaos cabildos. The State further mentioned that the cases were inactive or on provisional file. For this reason, and based on statements of the petitioners and beneficiaries, a request was sent by the Directorate of International Affairs to the National Directorate of Prosecutors' Offices to conduct the corresponding Technical-Legal Committees with the aim of reopening the proceedings of these investigations and advancing those that remained in force. The State added that, regarding the displacement of the beneficiary Sergio Parra Mendoza's family unit, the Office of the Attorney General was carrying out the investigation by the Third Delegated Prosecutor's Office to the Unified Action Groups for Personal Freedom (GAULA), which had reportedly issued judicial police orders such as interviews.

9. In 2013, the State indicated that Mr. Yeltsin Edelmar Briñez Lezama, regarding whom no threatening events were reported, had an ordinary vehicle and two protection agents. In the case of Mr. Sergio Augusto Parra, he had police rounds, interviews, transportation support, a means of cellular communication, and a bulletproof vest. The State indicated that a reassessment of the risk level of Mr. Yesid Briñez Poloche would be carried out on the basis of the threats to which he was allegedly subjected. The State reported that on February 12, 2013, Technical-Legal Committees were held, which determined the need to unarchive and reopen five files related to events reported by the beneficiaries. Regarding the murder of Sergio Parra Mendoza, the State reported that it was not possible to establish the perpetrators of the act.

10. In 2024, the State requested that the precautionary measures be lifted as it understood that a risk capable of complying with the requirements of Article 25 of the Commission's Rules of Procedure had not been identified. In this regard, the State noted that the Coyaima police station contacted the indigenous governor of the Chenchá Amayarco community and the Santa Marta Diamante community to remind them of self-protection measures and the station's telephone numbers to report any situation that placed them at risk. In addition, an interview was conducted with the indigenous governor of the Chenchá Buena Vista community, who stated that there were no new facts of risk regarding the community. Neighborhood work was also carried out in the territory, and the people interviewed indicated that there have been no incidents of insecurity. It was added that the Armed Forces carry out security actions in the department of Tolima. It was reported that there were seven active criminal reports for the crime of threats against Mr. Álvaro Alcides Crespo Hernández, handled by the Specialized Prosecutor's Office 1 of Montería.

B. Information provided by the representation

11. On August 2, 2010, the representation reported that on June 15, 2010, the house of Mr. Yesid Briñez Poloche's father-in-law was attacked. On March 21, 2010, a subject alerted Yesid Briñez Poloche that he was on a social cleansing list. On July 31, 2010, two subjects on a motorcycle without license plates inquired about the beneficiary, and this event was later communicated to the authorities. On March 18, 2011, the representation reported that on March 9, 2011, Yeltsin Edelmar Briñez Lezama, son of the beneficiary Yesid Briñez Poloche, was followed on the public highway by a subject who allegedly got out of a vehicle without license plates. On March 14, 2011, a vehicle without license plates was seen near Yesid Briñez Poloche's residence. On March 15, 2011, Yesid Briñez Poloche was intercepted, beaten, and left unconscious by a subject who allegedly stole the SIM card from his mobile device, facts that were reported to the Prosecutor's Office of Guamo Tolima as an extension of a complaint filed on March 10, 2011.

12. In 2012, the representation indicated that, after Sergio Parra Mendoza was murdered on December 18, 2011, his family was allegedly at high risk, and therefore relocated from their territory in Coyaima, Tolima. In this regard, the representation reported that the risk assessments carried out in relation

to Mr. Sergio Parra Mendoza did not yield results that indicated that he was at risk and that no progress had been made in the investigations. Regarding the events that occurred in relation to Yeltsin Edelmar Briñez in March 2011, the representation stated that these events were allegedly carried out by a security agent previously assigned to the protection detail. The representation reported that, on December 15, 2011, Yeltsin Edelmar Briñez received a threatening call and on May 9, 2012, Yesid Briñez Poloche received threatening text messages. The representation warned that on June 18, 2012, Yesid Briñez Poloche was intercepted by an armed subject who identified himself as a member of an armed group, and told him not to file complaints in the community spaces. This incident reportedly led to the beneficiary's resignation from the board of directors of Traditional Indigenous Authorities. The representation stated that Yesid Briñez Poloche had a type 1 protection detail assigned on May 29, 2012, for a period of six months.

13. On December 11, 2012, the representation reported that on October 16, 2012, armed subjects were present in the Chenche Buenavista community, and that they inquired after Governor Yesid Briñez Poloche. The following day, while in the city of Bogotá attending an event on the territory, Mr. Yesid Briñez Poloche was followed. The representation stated that, in October 2012, Yesid Briñez Poloche was contacted by a police officer who reportedly warned him to be careful since the perpetrator of the attack against his son had been acquitted and released.

14. The representation updated that, upon entering the headquarters of the cabildo of the Chenche Buenavista community on May 4, 2013, they noticed that a door lock from one of the rooms of the house had been stolen and discovered an inscription on the wall that read "against Yesid, death". The representation warned that, on June 1, 2013, while an Ordinary Assembly of the Chenche Buenavista reservation was being held, unknown subjects were present. That same day at night, Yesid Briñez Poloche received a threatening message. On October 21, 2013, Yesid Briñez Poloche stated that he was barred from accessing his community due to threats issued by the armed group Revolutionary Armed Forces of Colombia- People's Army (FARC-EP). The beneficiary warned that the vehicles assigned for protection by the UNP often broke down, and required replacements up to five times in a span of three months.

15. In 2016, the representation informed that since May 2004, meetings have been held between the beneficiaries, the representation, and State entities in order to consolidate individual and collective protection measures in favor of the communities. In 2018, the representation shared the statute of the movement of Indigenous Authorities of Colombia (AICO). In 2024, it was alleged that Ms. Elisabeth Atis Pinchao was being subjected to threats due to her role as an indigenous leader and it was reported that she had police protection in her favor. However, no details were provided on specific risk events.

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

16. The precautionary measures mechanism is part of the Commission's functions of overseeing compliance with the human rights obligations established 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 this Article, the IACHR grants precautionary measures in urgent and serious situations in which these measures are necessary to avoid irreparable harm to persons or to the subject matter of a petition or case before the organs of the inter-American system.

17. The Inter-American Commission and the Inter-American Court of Human Rights ("the Inter-American Court" or "I/A Court H.R.") have established repeatedly that precautionary and provisional measures

have a dual nature, both protective and precautionary.⁶ Regarding the protective nature, these measures seek to avoid irreparable harm and to protect the exercise of human rights.⁷ To do this, the IACHR shall assess the problem raised, the effectiveness of state actions to address the situation described, and the vulnerability to which the persons proposed as beneficiaries would be exposed if the measures are not adopted.⁸ Regarding their precautionary nature, these measures have the purpose of preserving a legal situation while under study by the organs of the inter-American system. Their precautionary nature aims at safeguarding 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 of the final decision. In this regard, precautionary or provisional measures allow the State concerned to comply with the final decision and, if necessary, to implement the ordered reparations. In the process of reaching a decision, 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.

18. In this sense, 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) sets forth that the Commission shall evaluate periodically, at its own initiative or at the request of either party, 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 meet the requirements outlined in Article 25 of its Rules of Procedure.

19. Similarly, the Commission recalls that while the assessment of 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.⁹ In this sense, when no imminent risk is identified, the burden of proof and argument increases over time.¹⁰ The Inter-American Court has indicated that the passage

⁶ 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).

⁷ 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)

⁸ 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).

⁹ I/A Court H.R., [Case of Fernandez Ortega et al.](#), Provisional Measures regarding Mexico, Order of February 7, 2017, considerandums 16 and 17 (Available only in Spanish).

¹⁰ I/A Court H.R., [Case of Fernandez Ortega et al.](#), previously cited, considerandums 16 and 17.

of a reasonable period of time without any threats or intimidation, added to the lack of imminent risk, may lead to the lifting of international protection measures.¹¹

20. In this matter, the Commission recalls that the precautionary measures were granted in October 2003 in favor of members of 15 cabildos and reservations of the Pijao indigenous people in the department of Tolima, Colombia. The Commission observes that the State requested that these measures be lifted in 2024, considering that there was no situation that presented an imminent risk. Pursuant to Article 25(9) of the Rules of Procedure, the request was forwarded to the representation, and details were requested on the situation of the beneficiaries and the assessment of keeping the precautionary measures in force was also mentioned. However, the Commission has not received a response from the representation regarding the request to have the measures lifted, or updated, substantial, and detailed information on a situation posing a risk.

21. Upon granting the precautionary measures, and during the time they have been in force, the Commission assesses the following:

- a) A Safeguarding Plan for the Pijao People was established and protection measures were implemented in favor of the beneficiaries upon carrying out risk assessments, at various times and according to the factual circumstances that arose. In this regard, the measures adopted in favor of María Raquel Armero González, Yesid Briñez Poloche, Yeltsin Edelmar Briñez Lezama, and Sergio Augusto Parra consist of police patrols and rounds, vehicles or protection personnel.
- b) Coordination and follow-up meetings were held during the time the precautionary measures were in force. The State reported a meeting held on October 4, 2012. In 2016, the representation commented that, since 2004, meetings had been held in order to consolidate individual and collective protection measures in favor of the communities.
- c) It was arranged to carry out Technical-Legal Committees with a view to reopening the proceedings of investigations and advancing those in force, as a result of which the need to reopen five files related to threatening events reported by the beneficiaries was determined.
- d) In 2024, although the representation indicated that an individual had been subjected to threats, no concrete facts or updated details about their situation were provided. In this regard, the State indicated that no specific facts were reported against persons protected by these precautionary measures, but maintained contact with certain indigenous authorities.

22. In addition to the above, the Commission verifies that the representation has not submitted detailed and substantial information on threatening events since 2013. Since then, and after almost 12 years, the Commission has not received a specific response to its requests for information on the updated situation of the beneficiaries. Although the Commission understands that, prior to 2013, there were questions from the representation regarding the implementation of the protection measures, to date, there is no specific answer in this regard. This situation continues although the representation was repeatedly requested to provide details for the IACHR to assess keeping these precautionary measures in force. In this regard, the IACHR also recalls that the representatives of the beneficiaries who wish the measures to continue must provide proof of the reasons for doing so.

23. The Commission recalls the provisions of Article 25(11) of its Rules of Procedure:

¹¹ I/A Court H.R., [Case of Fernandez Ortega et al.](#), previously cited, considerandums 16 and 17.

“11. In addition to the terms of subparagraph 9, the Commission may lift or review a precautionary measure when the beneficiaries or their representatives, without justification, fail to provide a satisfactory reply to the Commission on the requirements presented by the State for their implementation.”

24. The Commission emphasizes that this matter has been in force for more than 20 years. However, in view of the lack of response and considering the analysis previously carried out, the Commission understands that it does not have the necessary information to identify a situation of risk that meets the requirements of Article 25 of the Rules of Procedure. In view of the above, and taking into account the exceptional and temporary nature of precautionary measures,¹² the Commission deems it appropriate to lift these precautionary measures.

25. The above decision does not impact the thematic monitoring work that the Commission has been carrying out on the situation of violence in Colombia. Following the recent *on-site* visit to the country, the Commission understands that safety challenges for the population in Colombia, particularly with respect to ethnic populations, persist.¹³ The Commission observed that indigenous peoples and Black, Afro-Colombian, Raizales and Palenqueras communities have a differentiated impact of the internal armed conflict and face obstacles in accessing and enjoying their economic, social, cultural and environmental rights.¹⁴ For this reason, the Commission will continue to monitor the human rights situation in Colombia through the competent Rapporteurships.

26. Lastly, without prejudice to the lifting of these precautionary measures, the Commission calls upon the State to continue implementing the security measures, as well as the relevant investigations.

V. DECISION

27. The Commission decides to lift the precautionary measures granted in favor of all the beneficiaries in this matter.

28. The Commission emphasizes that regardless of the lifting of these measures, in accordance with Article 1(1) of the American Convention, it is the obligation of the State of Colombia to respect and guarantee the rights recognized therein, including the life and personal integrity of persons.

29. The Commission recalls that the lifting of these measures does not prevent the representation from filing a new request for precautionary measures should they consider that there is a situation that meets the requirements established in Article 25 of its Rules of Procedure.

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

31. Approved on February 24, 2025, by Roberta Clarke, President; José Luis Caballero Ochoa, Second Vice-President; Edgar Stuardo Ralón Orellana; Arif Bulkan; Andrea Pochak; and Gloria Monique de Mees, members of the IACHR.

Tania Reneaum Panszi
Executive Secretary

¹² I/A Court H.R., Matter of Adrián Meléndez Quijano et al., Provisional Measures regarding El Salvador, [Order of August 21, 2013](#), para. 22; Matter of Galdámez Álvarez et al., Provisional Measures regarding Honduras, [Order of November 23, 2016](#), para. 24 (Available only in Spanish).

¹³ IACHR, [Preliminary Observations, On-site Visit to Colombia](#), April 15-19, 2024 (Available only in Spanish).

¹⁴ IACHR, [Preliminary Observations, On-site Visit to Colombia](#), April 15-19, 2024, page 8.