

**INTER-AMERICAN COMMISSION ON HUMAN RIGHTS
RESOLUTION 78/2025**

Precautionary Measure No. 673-25

**Moisés Elías Payares Bolaño, his family unit, and Jesús David Brun Gazabon
regarding Colombia¹**

November 16, 2025

Original: Spanish

I. INTRODUCTION

1. On May 22, 2025, the Inter-American Commission on Human Rights (“the Inter-American Commission”, “the Commission” or “the IACHR”) received a request for precautionary measures filed by *Centro Jurídico de 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 life and integrity of Moisés Elías Payares Bolaño and his family unit;² as well as Jesús David Brun Gazabon (“the proposed beneficiaries”). According to the request, the proposed beneficiaries are the target of threats attributed to illegal armed groups, which originated after they were publicly linked to criminal organizations in a military operation on November 19, 2024. Given the lack of state protection measures, they were allegedly forced to relocate, and this situation continues to the present day.

2. Pursuant to the provisions of Article 25 (5) of its Rules of Procedure, the Commission requested information from the applicants on June 24, 2025. The applicants responded on June 30, 2025. On July 9, 2025, the Commission requested information from the State, which submitted its comments on August 28, 2025, following a request for an extension granted on August 13, 2025. On September 29, 2025, the Commission forwarded the communications received between both parties. The applicants replied on October 8, 2025 and the State submitted its response on October 9, 2025.

3. Upon analyzing the submissions of fact and law submitted 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, based on 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; 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 requesting party

4. **Moisés Elías Payares Bolaño** is an agricultural worker from the municipality of Pueblo Nuevo, department of Córdoba. He lived on the *El Paraíso* estate, located in the Los Limones district, Department of Córdoba, where he worked in agriculture and livestock farming. His partner and their three children live in the municipality of Montelíbano for work-related reasons. **Jesús David Brun Gazabon**, also a native of Pueblo Nuevo,

¹ In accordance with Article 17(2) of the Rules of Procedure of the IACHR, Commissioner Carlos Bernal Pulido, a Colombian national, did not participate in the debate and deliberation of this matter.

² His family unit is composed of: his partner Rocío del Pilar Ríos Mercado, his children M.D.P.R.; A.P.R. and J.M.P.R.

worked as a mechanic and performed maintenance work on estates in the region, including the *El Paraíso* estate. It is alleged that neither individual has a criminal record or links to illegal groups.

5. On November 19, 2024, Moisés Elías Payares Bolaño and Jesús David Brun Gazabon were at the *El Paraíso* estate when they were allegedly intercepted by agents of the National Army and the Criminal Investigation Section (*Ejército Nacional y de la Seccional de Investigación Criminal, SIJIN*) of the National Police, as part of an operation that included the deployment of a helicopter, drones, and multiple ground units. According to the allegations, both individuals were forcibly restrained, forced to lie on the ground under threat, and handcuffed for an extended period while an inspection was carried out on the property. During the operation, agents also took photographs and videos of the proposed beneficiaries.

6. The applicants added that three handmade non-lethal weapons were found on the estate. These were reportedly used to scare away wild animals and were not suitable for shooting. It stated that the officers had planted a revolver at the scene to justify their actions, forcing Moisés Payares to sign a report detailing the discovery. In addition, their personal belongings were reportedly taken and there have been incidents of physical and psychological violence, including death threats. It was reported that the proposed beneficiaries were held for several hours under armed guard, while being intimidated in order to prevent them from reporting the incident. Other workers present were also allegedly assaulted.

7. According to the applicants, the operation was based on an intelligence report from the National Army dated October 28, 2024, which was supported by information from an anonymous source linking Moisés Payares to the armed group *Clan del Golfo* or “Gulf Clan”, under the alias “Tigre.” Despite these claims, it was noted that there is allegedly no third party verification or evidentiary support. It was also noted that the search warrant request submitted by the judicial police to the Prosecutor’s Office identified the operation’s target as another armed group, the Gaitanista Self-Defense Forces of Colombia (AGC), which reportedly shows inconsistencies in the justification for the operation. Following the operation, it was noted that the supervisory judge did not order preventive detention measures against the proposed beneficiaries.

8. Moisés Elías Payares Bolaño and Jesús David Brun Gazabon were presented in the media as “El Tigre” and “Brum,” alleged members of the Gulf Clan’s Uldar Cardona Rueda substructure, and were described as being armed with an “arsenal” of war. In addition, it was reported that a soldier died during the operation. This media exposure allegedly exacerbates their situation, especially in a context of active presence by the Gaitanista Army of Colombia (EGC),³ a group that exercises territorial control in the area. Once this information was disseminated, the proposed beneficiaries allegedly received threats, prompting Moisés to relocate his workers for security reasons.

9. The highlighted events were as follows:

- i. November 24, 2024: Six armed men who stated they were members of the EGC arrived at the *El Paraíso* estate, questioned worker A.M. about Moisés and Jesús David, and demanded Moisés’ cell phone number, and mentioned public accusations against him.
- ii. On November 25, 26, and 27, 2024: Members of the Army stationed themselves at the estate entrance in actions that were perceived as intimidating.
- iii. November 26, 2024: Moisés received a call from the alleged “Comandante Gerónimo,” political leader of the EGC, who warned him not to return to the estate until his situation was clarified.
- iv. On December 8, 2024, Moisés was again contacted by an alleged EGC militiaman, who ordered him to report to the organization. When he did not show up, he received direct threats: he and his family were declared a “military target”.
- v. December 9, 2024: The applicants filed a complaint with the Office of the Attorney General (FGN)

³ The applicants refer to the armed group interchangeably as “Gaitanist Self-Defense Forces of Colombia (AGC)” and “Gaitanist Army of Colombia (EGC)”.

regarding the events that occurred on November 19, 2024, and requested a risk assessment for a possible protection measure in favor of Moisés and Jesús David. To date, they have not received any response regarding the progress of this risk assessment.

- vi. January 6, 2025: Armed men dressed in civilian clothes were seen near *El Paraíso* estate.
- vii. January 29, 2025: Members of the National Army entered Moisés Elías Payares Bolaño's residence without a warrant and caused property damage. According to neighborhood witnesses, the soldiers vandalized the property while claiming to search for a "hideout."

10. As a result of these threats, and in the face of the alleged lack of response from the State, Moisés and his family unit were forced to relocate to the city of Montería, where they reside to this day. His partner quit her job to safeguard the integrity of the family unit. Moisés has expressed his plans to return to the *El Paraíso* estate, as it is both his residence and his main source of livelihood through the agricultural activities he carries out on the property. However, fear of reprisals prevents them from returning. For his part, Jesús David cannot leave his residence in the town of Pueblo Nuevo because, as a result of public accusations against him, the community avoids any kind of contact or hiring of his services for fear of reprisals.

11. On May 29, 2025, the preliminary hearing was held in the criminal proceedings against Moisés Elías Payares Bolaño and Jesús David Brun Gazabon for the crimes of manufacturing, trafficking, and carrying firearms or ammunition. At that hearing, it was decided to bring formal charges against Moisés Elías Payares Bolaño, while the case against Jesús David Brun Gazabon was dismissed.

12. The applicants note that they have filed five complaints and requests with the competent authorities for risk assessment and the adoption of protection measures, but these have not been effectively addressed. In particular, requests were sent to the Office of the Attorney General on December 9, 2024, with follow-ups on February 17 and June 20, 2025, but they have not received a substantive response.⁴ On June 25, 2025, the Montería District Attorney's Office responded that the requests had been "materialized in orders to the judicial police," but did not specify concrete progress in the risk assessment of Moisés Elías Payares Bolaño, Jesús David Brun Gazabon, and their family units. On June 16, 2025, protection measures were requested from the National Protection Unit (UNP) of Bogotá. In an email sent to the applicants on June 20, 2025, the UNP indicated that it had requested the Technical Team for Collective Risk Assessment (CTAR) to conduct a risk level assessment. Notwithstanding the foregoing, they added that they requested the Commander of the Córdoba Police Department to implement preventive measures in favor of the proposed beneficiaries.

13. The applicants reported that on August 12, 2025, the Pueblo Nuevo Police Station in Córdoba issued an official letter to the Deputy Commander regarding the implementation of preventive security measures in favor of Moisés Elías Payares Bolaño and Jesús David Brun Gazabon. The measures allegedly consist of self-protection lectures, police patrols, the establishment of direct communication channels, and specific recommendations, documented in Act No. 155 of August 11, 2025. These measures were allegedly implemented only in favor of Jesús David, as Moisés Elías could not be located as he had changed his telephone number following the threats he had received. The applicants claimed that the authorities had already been notified of the fact that the telephone number had been changed.

14. Regarding the request submitted to the UNP, the applicants stated that, to date, no formal decision has been issued ordering the adoption of a specific protection measure in favor of Moisés Elías Payares Bolaño. This is despite the fact that the UNP has confirmed that they belong to the population covered by the Protection Program, and that the Technical Team for Collective Risk Assessment (CTAR) is currently conducting a risk level assessment, which reportedly includes an in-person interview followed by an evaluation by the competent committee. Consequently, protection is limited to preventive actions carried out by the National Police, pending a decision by the competent authorities. In this regard, they stated that the Police's intervention consisted of a phone call and

⁴ A copy of the complaints and an acknowledgment of receipt issued by the Office of the Attorney General on December 20, 2024 were attached.

sporadic visits to a family member's residence; yet it failed to provide effective security measures, a permanent presence, or continuous accompaniment in the family's daily movements.

15. On August 4, 2025, members of the National Army allegedly once again entered the *El Paraíso* estate, caused material damage, and created concern in the area. According to the applicants, this operation triggered a new reaction from the illegal armed group operating in the area. The members of that group resumed contact with Moisés Elías, and blamed him for the military presence. On August 16, 2025, Moisés Elías Payares Bolaño visited his estate, *El Paraíso*, to check on his crops and animals. During his visit, armed men attempted to assassinate Moisés Elías Payares hours after the police in the municipality of Pueblo Nuevo were notified of his presence there. The armed men beat up an employee of the *El Paraíso* estate, and Moisés was able to save himself by fleeing on horseback across an open field. Moisés traveled to Montelíbano and went to the local police station to request urgent protection, but he was told that he had to formally report back a few days later.

16. On October 9, 2025, the applicants attached a communication reporting that illegal armed groups reportedly continued to be present in the area where the *El Paraíso* estate is located. Moreover, recent incidents of intimidation and persecution were reported in the cities of Montería and Montelíbano, where Moisés, his partner, and children had moved to safeguard their lives. However, alleged members of the aforementioned armed group located them there too. The applicants stated that law enforcement reportedly carried out intimidating actions near *El Paraíso* estate. As a result, Moisés Elías Payares Bolaño decided to relocate again, but has not revealed his current whereabouts. His wife and children remained in Montelíbano, although her work has been seriously affected.

17. With regard to the investigations, the request observes that, to date, the Office of the Attorney General has made no progress in investigating the facts. The victims were reportedly not called to give their statement. When checking the system, it only shows that it is active. There is no evidence of any investigation to identify those responsible for the harassment, nor of effective coordination with the Prosecutor's Office to prosecute the armed actors who have intimidated the Payares family.

18. Lastly, in response to the State's report, the applicants expressed concern regarding the lack of an individualized risk assessment and visits to relevant locations such as the *El Paraíso* estate or the work and educational environments of Moisés Elías Payares Bolaño's family unit. It considered it serious that, in its August 25, 2025 report, the State claimed to be unaware of the threats and enforced displacement, revealing a lack of effective analysis of the complaints filed. The applicants also dispute the State's allegations regarding the criminal proceedings arising from the events that occurred during the police operation and allege violations of due process and judicial guarantees.

B. Response from the State

19. The State submitted information from the Ministry of Defense and the National Police. According to reports, the actions taken by its institutions have been carried out in compliance with domestic law and with respect for the fundamental rights of the individuals involved. It was reported that on November 19, 2024, members of the SIJIN of the National Police, along with the National Army, carried out a search and seizure operation at the *El Paraíso* estate, located in the village of El Limón, municipality of Pueblo Nuevo, Department of Córdoba. This action was allegedly performed in compliance with a court order issued by the 29th Local Prosecutor's Office of Planeta Rica, as part of an investigation into the crime of manufacturing, trafficking, and carrying firearms.

20. During this operation, Moisés Elías Payares Bolaño and Jesús David Brun Gazabon were caught in the act of committing a crime, and several firearms, ammunition, and vehicles were seized from them. The State emphasized that those apprehended were guaranteed respect for their dignity and fundamental rights, in accordance with the provisions of the Code of Criminal Procedure, as documented in the record of rights verification signed by the individuals involved and the competent Prosecutor's Office.

21. With regard to the allegations of threats, risk, and enforced displacement, the State stated that, according to official information from the National Police, there is no knowledge of situations of risk or threats that have affected the proposed beneficiaries. It also reported that it had not received any requests for protection measures from the Office of the Attorney General, and that there were no disciplinary investigations or criminal proceedings before the military courts in relation to the aforementioned events.

22. However, the State observed that, in response to alleged threats, on June 27, 2025, preventive measures were ordered through the Citizen Security Operational Command (*Comando Operativo de Seguridad Ciudadana*) of the Córdoba Police Department. These measures included self-protection lectures, patrols, and communication channels with beneficiaries. In particular, it was noted that these measures were implemented in favor of Jesús David Brun Gazabon, while Moisés Elías Payares Bolaño could not be located due to the inability to contact him by phone, as recorded in the notes of the Pueblo Nuevo Police Station.

23. In addition, the National Police stated that, on June 27, 2025, it submitted a request for a risk assessment to the National Protection Unit (UNP) in order to proceed with the corresponding procedure in accordance with Executive Order 1066 of 2015. The UNP stated that it transferred the request to the competent entity for processing. In addition, the State reported that no records of forensic medical procedures related to the proposed beneficiaries have been found at the Institute of Legal Medicine.

24. The State attached an official letter dated September 4, 2025, issued by the Delegate for the Rights of Victims and Persons with Disabilities (*Delegada para los Derechos de las Víctimas y Personas con Discapacidad*) of the Ombudsperson's Office, which details that Jesús Moisés Payares Ríos went to the Córdoba Regional Office on November 25, 2024, to report threats against him and request security guards. However, on November 27 of the same year, he waived this support, stating that *Centro Jurídico de Derechos Humanos* exerted representation on his behalf. The Ombudsperson's Office explained that it has been unable to establish contact with the proposed beneficiary, despite its attempts, and that it does not have any current channels of communication.

25. The State also attached an official letter dated August 26, 2025, in which the Office of the Attorney General reported that the Human Rights Group of the Delegate for Territorial Security (*Grupo de Derechos Humanos de la Delegada para la Seguridad Territorial*) had analyzed the entity's systems, identifying two active investigations for the crime of torture against Moisés Elías Payares Bolaño and Jesús David Brun Gazabon, both filed with the 04 Specialized Unit of the Córdoba District Attorney's Office. These investigations include actions such as: the development of a methodological program, interviews, and an inspection of a location other than the scene of the events. Moreover, the Prosecutor's Office indicated that neither the proposed beneficiaries nor their families appear as victims of the crime of threats in the Accusatory Oral Criminal System (*Sistema Penal Oral Acusatorio*, SPOA).

26. Lastly, the State affirmed that it will continue to promptly forward to the IACHR any additional information provided by the relevant entities regarding the measures adopted in favor of the proposed beneficiaries.

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

27. The mechanism of precautionary measures is part of the Commission's function of overseeing Member States 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. 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 irreparable harm to persons.

28. 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.⁵ Regarding the protective nature, these measures seek to avoid irreparable harm and protect the exercise of human rights.⁶ 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.⁷ As for their precautionary nature, these measures have the purpose of preserving legal situations while under the study of the IACHR. 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 (*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.⁸ 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.

29. Before proceeding with the analysis of the procedural requirements, the Commission shall examine preliminary issues regarding this request for precautionary measures, particularly in regards to the nature of the precautionary measures procedure and the *prima facie* standard of analysis. In this regard, the Commission clarifies that, in accordance with paragraph 8 of Article 25 of its Rules of Procedure, it is not called upon to determine, through the mechanism of precautionary measures, whether the State of Colombia bears international responsibility in relation to the alleged events, nor to evaluate the versions provided by the parties regarding the origin and development of the operation that took place on November 19, 2024. These claims, by their very nature, require substantive determinations which is better suited to be analyzed in a petition or case. Similarly, the Commission recalls that, by its own mandate, it is not in its purview to determine any individual liabilities for the

⁵ Inter-American Court of Human Rights (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.

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 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).

⁷ 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).

⁸ 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).

facts alleged.

30. Therefore, the Commission's following analysis relates exclusively to the requirements of seriousness, urgency, and risk of irreparable harm set forth in Article 25 of its Rules of Procedure.⁹ In analyzing those requirements, the Commission reiterates that the facts supporting a request for precautionary measures need not be proven beyond doubt.¹⁰

31. The Commission has been closely monitoring the situation of violence in Colombia as a result of the armed conflict. In 2022, the IACHR issued a press release expressing concern about acts of violence in Colombia related to the actions of non-state armed groups.¹¹ In its 2023 and 2024 Annual Reports, the Commission acknowledged the Colombian State's efforts in the area of citizen security, such as actions aimed at demobilizing non-state armed groups and bringing them to justice,¹² rapprochement with the Conquering Self Defense Forces of the Sierra Nevada (ACSN) and the Gaitanista Self-Defense Forces of Colombia (AGC), the implementation of Total Peace, and dialogue tables with armed groups of a political nature.¹³ However, despite these efforts, the Commission noted that high levels of violence persisted in the country. As of November 2024, 26 Early Warnings had been issued for 24 departments, 123 municipalities, and 15 non-municipal areas regarding human rights violations linked to the actions of armed groups and their ties to drug trafficking, illegal mining, and deforestation.¹⁴ The territorial control of armed groups has led to situations of resistance, confinement, and forced internal displacement among populations.¹⁵ Furthermore, following its on-site visit to Colombia in April 2024, the Commission noted in its Preliminary Observations that the reconfiguration of the armed conflict has led to an alarming number of murders, threats, harassment, and stigmatization.¹⁶

32. In 2025, the department of Córdoba was among the areas with a high concentration of internal displacement. According to data from the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), between January and August 2025, more than 79,500 people were displaced in Colombia. This represented a 94% increase compared to the same period in 2024, with Córdoba being one of the departments most affected by these events.¹⁷

33. The contextual elements mentioned are relevant insofar as they show seriousness and consistency to the arguments presented regarding the proposed beneficiaries and their family units.

34. The Commission observes that the requirement of *seriousness* has been met. According to available information, since November 2024, the proposed beneficiaries have been subjected to threats, harassment, and acts of intimidation attributed to alleged members of the Gaitanista Army of Colombia (EGC), who have declared them a "military target." As a result, Moisés Elías Payares Bolaño was forced to leave the *El Paraíso*

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).

¹⁰ 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.

¹¹ IACHR, [IACHR Concerned About Violence Linked to the Actions of Non-State Armed Groups in Colombia](#), May 20, 2022.

¹² IACHR, 2023 Annual Report, Ch. IVa, Colombia, OEA/Ser.L/V/II, approved on December 31, 2023, para. 250

¹³ IACHR, 2024 Annual Report, Ch. IVa, Colombia, OEA/Ser.L/V/II, approved on March 26, 2025, para. 260.

¹⁴ Ombudsperson's Office of Colombia, Contribution Ombudsperson's Office of Colombia to the IACHR report, received on November 29, 2024, on file with the IACHR, pp. 8-12.

¹⁵ IACHR, IACHR, Preliminary Observations, On-site Visit to Colombia, April 15-19, 2024, page 3.

¹⁶ IACHR, Preliminary Observations, On-site Visit to Colombia, April 15-19, 2024, page 3.

¹⁷ United Nations Office for the Coordination of Humanitarian Affairs (OCHA), [Humanitarian Situation Report 2025: Accumulated Data between January and August 2025](#), September 19, 2025.

estate, where he lived and carried out his agricultural activities, while Jesús David Brun Gazabon has refrained from continuing his work in the area due to safety concerns.

35. Moreover, it is alleged that, despite their displacement, the proposed beneficiaries have continued to be subjected to multiple incidents of harassment over the past year. These events allegedly included: i. the presence of armed men at the *El Paraíso* estate, who demanded information about his whereabouts; ii. telephone calls from alleged members of the Gaitanista Army of Colombia (EGC) warning them not to return to the estate; iii. direct threats in which they were declared a “military target”; iv. the presence of armed men in the areas surrounding the estate; and v. an attempt on the life of Moisés Elías Payares Bolaño in August 2025.

36. The seriousness of the situation lies not only in the nature and content of the threats, but also in their persistence and the methods used, which reveal a clear intention to intimidate and harass the proposed beneficiaries, in particular Moisés Elías Payares Bolaño. In addition, the alleged perpetrators’ ability to locate him after relocating and the perpetrators’ use of multiple forms of threats and violence reveal a pattern of harassment aimed at preventing him from remaining in the region.

37. In addition, the Commission observes that the applicants presented allegations of intimidation by law enforcement officials near *El Paraíso* estate, such as constant patrols by armed personnel, officials entering Moisés Elías Payares Bolaño’s residence, allegedly without a warrant. These officials reportedly caused material damage and conducted inspections or searches without prior notice to the proposed beneficiaries. The events reported by the applicants were not disputed by the State. Since the Commission is not called upon to determine the perpetrators of the risks or if they are attributable to State actors, when assessing this request it does consider the seriousness of the possible participation of State actors according to the allegations and allegedly place the proposed beneficiaries in a situation of vulnerability.

38. These circumstances, considered alongside the EGC’s ongoing territorial control in the region, show a serious risk to the lives and personal integrity of the proposed beneficiaries and their family units.

39. Furthermore, according to the documentation attached to the file, the situation that the proposed beneficiaries face was reported to the state authorities through multiple channels. For example: i. a complaint filed before the Office of the Attorney General (December 9, 2024; February 17, and June 20, 2025); ii. a request for protection measures before the National Protection Unit (June 20, 2025); and iii. reports of threats submitted to the Delegate for the Rights of Victims and Persons with Disabilities of the Ombudsperson’s Office. Despite the foregoing, it was argued that there has been no progress in the relevant investigations. In addition, the State’s response indicates that the proposed beneficiaries are not listed as victims of the crime of threats in the Oral Accusatory Criminal System (SPOA). In this regard, it is concerning that the State has reported that there are no ongoing investigations related to the threats that have been reported, which prevents the identified risk factors from being mitigated.

40. With regard to protective measures, the Commission acknowledges the prevention actions taken by the State through the Citizen Security Operational Command of the Córdoba Police Department. These measures have reportedly been in force in favor of Jesús David Brun Gazabon as of August 12, 2025. Regarding the proposed beneficiary Moisés Bolaño, the State alleged that implementation was not possible due to the inability to contact him by telephone. However, this information was disputed by the applicants, who claimed to have notified the relevant authorities of the change in telephone contact information. Furthermore, the Commission notes the information provided by the applicants and confirmed by the State that, to date, the UNP has not carried out a risk assessment study.

41. In this regard, the Commission does not have specific information on when the UNP’s technical study will be completed. The above is particularly relevant given that the proposed beneficiaries continued to receive threats during that period, and these threats have worsened over time, and have even included the presence

of armed men on the estate and an attempt on their lives on August 16, 2025. The Commission observes that the UNP was reportedly aware of the situation that the proposed beneficiaries face and even confirmed that they are included within the population covered by the Protection Program, as well as by the Technical Risk Analysis Corps (CTAR). However, the IACHR confirms that there are still no results from this assessment, despite requests.

42. In this regard, the Commission recalls that the Inter-American Court has indicated the following:

“[...]state authorities have a responsibility to be aware of a situation of special risk, to identify or determine whether the person being threatened or harassed requires protection measures or to refer the matter to the competent authority for that purpose and to offer the person at risk pertinent information on the measures available.” Regarding human rights defenders, this Court has stated that the suitability of protection measures requires that they fulfill the following characteristics: a) appropriate to the functions performed by the defenders; b) subject to an assessment based on the level of risk, in order to adopt and monitor the effective measures; and c) adaptable according to changes in the intensity of the risk.¹⁸ In this regard, the Commission recalls that the protection measures must be suitable and effective, in the sense that they should enable the defender to face the risk and mitigate such risk, focusing special relevance on the principle of consultation.¹⁹

43. In summary, considering these elements as a whole and in light of the context described above, including newly reported risk events; the fact that the *El Paraíso* estate continues to be subjected to incursions and the presence of armed men, preventing the proposed beneficiaries from carrying out their work and keeping them displaced; the inadequacy of preventive measures to deter these events; as well as the delay in conducting a comprehensive assessment of the situation, the Commission considers that the requirement of seriousness has been met. Accordingly, the Commission finds that, *prima facie*, the rights to life and personal integrity of Moisés Elías Payares Bolaño and his family unit, as well as those of Jesús David Brun Gazabon, are at serious risk.

44. Regarding the *urgency* requirement, the Commission observes that it has been met, given that, according to the information provided, the proposed beneficiaries have been subject to sustained incidents of risk over time, which have not ceased despite the displacements carried out and the preventive measures implemented, thereby showing the continuity of the situation that places them at risk. Thus, given the imminent materialization of the risk and the absence of effectively implemented protective measures, as well as the impossibility of the proposed beneficiaries returning to their residences or carrying out their normal work activities, it is necessary to adopt immediate measures to safeguard their rights to life and personal integrity.

45. 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

46. The Commission declares as the beneficiaries of the precautionary measures Moisés Elías Payares Bolaño, his indicated family unit, and Jesús David Brun Gazabon, who are duly identified in this proceeding.

V. DECISION

47. The IACHR 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:

¹⁸ I/A Court H.R., [Yarce et al. v. Colombia](#), Preliminary Objection, Merits, Reparations and Costs, Judgment of November 22, 2016, para. 193. (Available only in Spanish)

¹⁹ IACHR, [Report on the Situation of Human Rights Defenders in the Americas](#), OEA/Ser.L/V/II. Doc. 66, December 31, 2011, paras. 521-524.

- a) adopt the necessary measures to protect the rights to life and integrity of the beneficiaries;
- 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.

48. 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.

49. The Commission emphasizes that, pursuant to Article 25(8) of its Rules of Procedure, the granting of precautionary measures and their adoption by the State do not constitute a prejudgment regarding the possible violation of the rights protected in the American Convention and other applicable instruments.

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

51. Approved on November 16, 2025, by José Luis Caballero Ochoa, President; Andrea Pochak, First Vice-President; Arif Bulkan; Edgar Stuardo Ralón Orellana; Roberta Clarke; and Gloria Monique de Mees, members of the IACHR.

Tania Reneaum Panszi
Executive Secretary