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STATEMENT

Bogota, Colombia, 20th June 2017

DAVID RAVELO IS FREED AFTER NEARLY SEVEN YEARS IN PRISON

Colombian human rights defender David Ravelo Crespo left prison today, 20th June 2017, after being incarcerated for nearly seven years. After having accompanied him throughout these difficult years, PBI is elated by this long-awaited news.

However, given the work that he has carried out as a human rights defender in the Magdalena Medio region, we are concerned about the possible situation of risk that he will be exposed to as he leaves prison on conditional release, given the increase in threats, assassinations and the criminalisation of defenders during this past year.

Ravelo was detained and incarcerated on 14th September 2010, accused of being the intellectual author of the 1991 murder of David Núñez Cala, a civil servant from Barrancabermeja. On 5th December 2012, the Specialised Criminal Court of Bucaramanga sentenced Ravelo to eighteen years in prison for aggravated homicide. After an appeal, the Supreme Court of Santander confirmed the sentence against Ravelo on 8th October 2013.¹

After having exhausted all avenues in Colombia, in 2015 his lawyer decided to take the case to the Inter-American Court of Human Rights.² This year the lawyer presented the case to the Special Jurisdiction for Peace, submitted to the Amnesty, Pardon and Special Criminal Treatments Law (article 35) so that the case can be studied by the Review Section of the Peace Court, and meanwhile Ravelo will be released as an innocent person on parole.³

"I am guilty because I speak out," Ravelo has said on numerous occasions. He is convinced that with his incarceration "they look to silence a known leader that hasn't allowed himself to be intimidated and couldn't be co-opted by the establishment." Before his detention, Ravelo had to put up with a decade of death threats, accusations and persecutions.⁴

His lawyers have reported several irregularities in the legal process, amongst them the particularly notable fact that the Public Prosecutor responsible for opening the case against David Ravelo, Mr. William Gildardo Pacheco Granados, who was a lieutenant in the National Police prior to being a Public Prosecutor, was investigated and dismissed in 1993 by the Prosecutors Office for supposed involvement in a forced disappearance in 1991. He was sentenced to a year in prison in 1993, for the illegal detention of the aforementioned individual, prior to the disappearance. However, Pacheco continued to work as a Public Prosecutor.⁵

The accusation was based on the testimonies of paramilitary commanders Mario Jaimes Mejía, alias 'El Panadero', and Fremio Sánchez, alias 'Comando Esteban', whose crimes were denounced by Ravelo; the two had been previously sentenced for these allegations. According to the defense, the case was based only upon three witnesses and did not take into account the thirty testimonies in favour of Ravelo.⁶

Over the years, UN Special Rapporteurs, and national and international organisations and networks have expressed concern over the prosecution of Ravelo and have asked for respect for due process and have demanded his freedom.⁷

We are grateful for the support David Ravelo has received and we urgently appeal to the International Community for the following:

- that the Colombian State is urged, specifically the National Protection Unit (UNP), to urgently coordinate with the beneficiary all of the protection and security measures he and his family needs;
- that the foreign States, through their representatives in Colombia, remain alert and accompany the legal process that Ravelo's case presents, as subject to the law 1820 of 30th December 2016;
- that particular attention is paid to and a public pronouncement is made about violations to national and international due process rights, including a legitimate defense in trial against human rights defenders, in accordance with the resolution from the UN Human Rights Council in 2013 on "the protection of human rights defenders" and the Declaration on human rights defenders adopted by the UN in 1998;
- that the Colombian State is urged to investigate all of the irregularities that have been reported during the incarceration of David Ravelo and that those responsible are sanctioned according to Colombian law and the international standards of due process;
- that the Inter-American Court of Human Rights takes the expressed concerns into consideration and speeds up the study of this case.

PBI appreciates your continued support for our work to protect human rights defenders and displaced communities.

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Notes

- 1 Vanguardia Liberal: [David Ravelo fue condenado a 18 años de prisión por crimen de Núñez Cala](#), 6 December 2012; Official page for the judicial branch
- 2 El Espectador: [El caso de David Ravelo, a la Cidh](#), 27 September 2015
- 3 Law [1820 of 30 December 2016](#); The article 35 of the Amnesty, Pardon and Special Criminal Treatments Law applies to people who were sentenced for supposed militancy with the FARC, regardless of whether they were or were not members; PBI Colombia: Reinaldo Villalba ["David Ravelo's case will be taken to the JEP, to plead his innocence"](#), 16 June 2017
- 4 PBI Colombia: [Who can lock up a smile?](#), 11 January 2011
- 5 Semana: [El 'transformer'](#), 1 June 2013; Noticias Uno: [Renuncia el Fiscal William Gildardo Pacheco](#), 6 July 2013; Criminal complaint against William Gildardo Pacheco Granados made by the Attorney General for the crime of forced disappearance, 2 April 2013; Corporación Solidaridad Jurídica: [Comité británico intercede ante la CSJ por el caso del defensor de derechos humanos David Ravelo](#), 1 September 2014; Ccajar: [Pacheco no es un perseguido sino un funcionario sancionado penal y disciplinariamente](#), 23 October 2015
- 6 El Espectador: [¿Las mentiras de 'El Panadero'?](#), 16 September 2014; El Espectador: [Corte dejó en firme llamado a juicio contra excongresista José Aristides Andrade](#), 7 January 2016; Ccajar: [David Ravelo Crespo: en espera de pronta absolución](#), 24 May 2012; Amicus curiae: "Procedural Issues"
- 7 Human Rights Council of the General Assembly of the UN, Report by the Special Rapporteur on the independence of magistrates and lawyers, Gabriela Knaut, A/HRC/17/30/Add.1, May 2011; Ccajar: Un nuevo ataque contra David Ravelo Crespo: Fiscal 22 Antiterrorismo hace falsa denuncia, 24 December 2011; World Organisation against Torture: Colombia: International organisations express serious concerns for the irregularities in the judicial process that has reached the sentencing of David Ravelo Crespo, Colombian human rights defender, 10 December 2012; WOAT: Colombia: International organisations express their concern on the third anniversary of the detention of David Ravelo Crespo, prominent Colombian human rights defender, 14 September 2013; WOAT: On Human Rights Day, International organisations deplore the sentence in second instance of David Ravelo Crespo, 10 December 2013; Protection International: International organisations demand attention to the continuation of the process against David Ravelo Crespo, 10 March 2014