
**INTER-AMERICAN COMMISSION ON HUMAN RIGHTS
RESOLUTION 106/2024**

Precautionary Measure No. 585-24

Segundo Bolívar Madroñero Hernández and his sons regarding Colombia¹

December 31, 2024

Original: Spanish

I. INTRODUCTION

1. On May 23, 2024, the Inter-American Commission on Human Rights (“the Inter-American Commission,” “the Commission” or “the IACHR”) received a request for precautionary measures filed by Segundo Bolívar Madroñero Hernández (“the requesting party”) urging the Commission to require the State of Colombia (“the State” or “Colombia”) to adopt the necessary measures to protect his rights to life and personal integrity and those of his immediate family² (“the proposed beneficiaries”). According to the request, the proposed beneficiaries are at risk because of threats and harassment by an illegal armed group against journalist Segundo Bolívar Madroñero Hernández, due to the exercise of his freedom of expression.

2. In terms of Article 25(5) of its Rules of Procedure, the IACHR requested additional information from the requesting party on June 11 and 20, 2024, and from both parties on July 2, 2024, and October 31, 2024. The requesting party submitted additional information on June 12, 2024; and November 1, 2 and 18, 2024. The State submitted information on July 19, 2024; August 23, 2024; and November 14, 2024.

3. Upon analyzing the submissions of fact and law furnished by the parties, the Commission considers that the 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) implement the necessary measures so that Segundo Bolívar Madroñero Hernández can carry out his activities as a journalist without being subjected to threats, harassment, or other acts of violence in the exercise of his work; c) consult and agree upon the measures to be adopted with the beneficiaries and their representatives; and d) report on the actions taken to investigate the alleged facts that gave rise to 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. The request was filed on behalf of Segundo Bolívar Madroñero Hernández, independent journalist, director of the digital media “Anticorrupción Nariño Colombia,” social and trade union leader, human rights defender, and victim of forced displacement. The proposed beneficiary stated that for several years he has been denouncing the existence of a gasoline cartel associated with drug trafficking in the southwest of Colombia, in the Departments of Nariño, Cauca, Valle del Cauca and Putumayo. This cartel is said to have great economic power derived from drug trafficking. The proposed beneficiary states that, by talking about this issue in various media and social networks, he has received threats, and has been persecuted and observed on a permanent basis.

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

² Immediate family composed of his two sons: Christian Camilo Cinseros Madroñero, who is a person with disabilities, and A.J.M.H., 16 years old.

5. The proposed beneficiary claims to have been the victim of nine attacks in the last seven years, in addition to physical threats and pamphlets from groups such as ELN, FARC and the Clan del Golfo, formerly known as the Urabeños. He indicates that he does not have armored vehicles to carry out his journalistic work, which has practically confined him to his home in Pasto, Nariño, limiting his ability to generate income for his family. This situation has forced him to move, with the help of family members, and his children have not been able to lead a peaceful life or continue with the medical treatment necessary for one of them.

6. According to the proposed beneficiary, on April 25, 2024, an explosive placed in his vehicle detonated at his residence in Pasto, while his family was at home. Although no one was injured, the explosion damaged the vehicle and the windows of the house.

7. On May 20, 2024, he reportedly received a death threat through a pamphlet in the following terms: “We sent you a new warning on April 25, 2024, but you continue denouncing the gasoline cartel, we thought that you were not going to continue saying that because of your family, including two children, one a minor and the other disabled. We have them very well identified [...] do not risk your family snitch son of a bitch and we will send a notice to your friend [J.P.O.T] to lend you his microphones and denounce the explosive of the car you use and we know that you direct that post of *Anticorrupción Nariño Colombia*, do not get yourself killed stupidly or your family. Stop fucking with the cartel issue, leave Colombia” [sic]. The proposed beneficiary reportedly filed two complaints before the Office of the Attorney General on April 26, 2024 and May 20, 2024, in which he also requested to reinforce his protection detail.

8. On June 14, 2024, two individuals with a suspicious attitude observed the home of the proposed beneficiary for more than 20 minutes, for which reason, after filing a complaint with the Office of the Attorney General, on June 21, 2024, the agency requested a police protection measure in his favor from the Pasto National Police Station.

9. The proposed beneficiary mentioned having been the victim of another attack on July 22, 2024, in the city of Pasto, when three individuals riding a motorcycle jumped on his left side, managing to avoid them. This fact purportedly forced him to request urgent security measures. Among these measures, he requested the immediate assignment of an armored vehicle and an additional escort to guarantee his movement outside the territory, due to what he considered a lack of adequate response from the National Protection Unit (UNP). The proposed beneficiary also stated that these circumstances had led to the implementation of police measures by the National Police, consisting of patrol visits from the nearest Immediate Attention Center (CAI). According to him, the last of these actions would have taken place on July 23, 2024. However, he considered that these measures would not have been sufficient to ensure his safety in an adequate manner. On November 9, 2024, Mr. Madroñero Hernández reported the presence of two vehicles with tinted windows near his home in Pasto. According to what he described, two men unknown in the region got out of the vehicle, who subsequently left without being identified or searched by the authorities, despite the fact that the proposed beneficiary notified the local CAI. The situation was reported the same day to the Prosecutor’s Office in Bogotá.

10. On November 15, 2024, he again reported to the Prosecutor’s Office in Bogota the appearance of the same van, which he parked near his residence in the early hours of the morning. On November 18, 2024, he filed an additional accusation in Pasto for a new event that occurred that same day. According to him, his bodyguard found an envelope addressed to his name in a place where he keeps his motorcycle, and found a pamphlet signed by the “FARC-EP Segunda Marquetalia,” in which he was declared a “military target.” The document contained explicit threats, demanding his departure from the country before November 20, 2024 along with his family. The pamphlet made reference to his journalistic work, and denunciations of corruption in the fuel sector and illicit activities in the departments of Nariño, Putumayo and Cauca. It also mentioned his knowledge of the process in the Council of State and contained direct threats against his life and that of his family.

11. The proposed beneficiary stated that he has received countless calls to his cell phone. Once they are answered, the calls are hung up. He also stated that he suspended his bicycle exercises, because he is being followed and because in the past they have used this route to make an attempt on his life. In his complaints, Mr. Madroñero Hernández asked the authorities for an immediate reinforcement of his protection detail.

12. According to the information provided, their situation was reportedly known to various state entities, such as the Office of the Attorney General, the Office of the Inspector General, the Ombudsperson's Office, the Ministry of Defense, the National Police and the UNP, who reportedly offered incomplete and insufficient responses. In this regard, the implementation of the program called "Plan Padrino" by the National Police was questioned. According to him, this plan was limited to the issuance of police protection orders that included sporadic visits to deliver recommendations, take photographs and sign documents, but without continuous or preventive follow-up. He indicated that these actions would have been reactive and would not have generated effective protection.

13. The proposed beneficiary indicated that it has been suggested that he be linked to the witness protection program of the Prosecutor's Office, but due to his current situation, he has not been able to accept it, since it would imply losing his identity, family and patrimony. On the other hand, since 2016 Mr. Madroñero Hernández would have a protection detail granted by the UNP, consisting of a foot escort, an armored vest and a panic button, the latter withdrawn in August 2024 and reinstated in October 2024. However, he considers this scheme to be inadequate and ineffective, as it does not allow him to carry out his journalistic work in the field in high-risk areas. According to the proposed beneficiary, multiple risk studies have been carried out without classifying them or reporting them properly to the competent body of the UNP. Likewise, urgent situations in which his life was in serious danger were treated as ordinary procedures, so that the resolution of these studies took between seven and eight months.

14. The Proposed Transferee noted that in August 2023, following an attack and further threats, the UNP reportedly conducted a risk assessment and, as of July 2024, no findings or resolution related to this assessment had been issued. The Proposed Grantee attached a resolution from the UNP dated February 1, 2024, in which the risk level of the Proposed Grantee was assessed as "extraordinary" and a protection person, an armored vest and a back-up button were ratified. Likewise, a resolution of the same body dated May 2, 2024 was attached, in which the appeal was dismissed as untimely.

15. On July 10, 2024 the proposed grantee was reassessed for temporariness. The Risk Evaluation and Action Recommendation Committee (CERREM) determined that the risk continued to be extraordinary, with a matrix of 52.77%; however, recommended eliminating the back-up button and maintaining a protection person and an armored vest. The UNP accepted CERREM's recommendation and issued Resolution 7577 on August 5, 2024, a decision that was ratified by Resolution 10350 on October 4, 2024, after rejecting the appeal for reconsideration filed by the proposed beneficiary.

16. According to the information provided, the proposed beneficiary filed a *tutela* action on July 24, 2024, before the judges of the judicial circuit of Pasto. The proposed beneficiary requested, as an interim measure, the adoption of a robust protection detail, as well as the suspension of a new risk study scheduled for July 26, 2024, arguing that his situation of displacement for security reasons would prevent it from being carried out.

17. On October 18, 2024, the First Court of Execution of Sentences and Security Measures of Pasto resolved to protect the fundamental rights of the proposed beneficiary. In its analysis, the court recognized that the risk situation of the proposed beneficiary is extraordinary, given his condition as a journalist, human rights defender and victim of forced displacement, and considered that the measures implemented to date have been insufficient to guarantee his safety. In this context, the court ordered the annulment of Resolution 7577 of August 5, 2024, which had modified his protection detail, without adequate motivation or a detailed analysis

of his particular situation. In the decision, the court highlighted that Mr. Madroñero Hernández's life "has not been easy, but full of difficulties from 2014 to the present, being these the reasons why he has lived in constant anxiety and moving from one place to another, going on multiple occasions before the UNP, authority that has been late in processing at least the last 'abbreviated' procedure within extended terms."

18. In this sense, it emphasized that, although his conditions have not changed, in session of July 10, 2024, CERREM recommended adjusting the protection measures, through Resolution 7577 of August 5, 2024, "but not improving the security of the [proposed beneficiary], but on the contrary, removing one of the protection measures he had." Thus, the court affirmed that "not a single reason is known to justify the change of the protection measures that were established in favor of Bolivar Madroñero, having dispensed with the support button, which is far from favoring the safety of the actor." In addition, he stated that "there is no reason to modify the security scheme of the [proposed beneficiary] [...], on the contrary, it should be seriously considered whether the protection detail he has had for several years is sufficient."

19. The court instructed the UNP to issue, within 48 hours, an administrative act annulling Resolution 7577 of August 5, 2024 and the processing of the appeal for reconsideration. The court ordered to return the case to CERREM to issue a new recommendation based on the true situation of the proposed beneficiary. Pending this review, the court ordered that the protection measures in force, consisting of an escort, a ballistic vest and a support button, be maintained.

20. On October 29, 2024, the UNP approved Resolution 11284. In the framework of this resolution, the UNP expressed its disagreement with the *tutela* ruling and stated that it had filed an appeal, awaiting the decision of the second instance. However, it proceeded to comply with the court order and left Resolutions 7577 and 10350 without effect, maintaining the pre-existing security measures (a protection person, an armored vest and a support button) until a new risk level study is carried out or the appeal pending in the *tutela* action process is resolved.

21. Finally, the proposed beneficiary asserted that the State referred to a sanction against him in a criminal proceeding for the crimes of false testimony and procedural fraud to discredit him.

B. Response from the State

22. The State reported that Mr. Madroñero Hernández has protection measures assigned to him by the UNP through Resolution 05702 of July 26, 2023. These measures include the assignment of a protection person, an armored vest and a support button. As reported, these measures are fully implemented and were the result of a technical risk analysis conducted by the UNP, in compliance with Decree 1066 of 2015 and in accordance with the guidelines established by the Constitutional Court in Autos 008 and 266 of 2009. This technical analysis was submitted to CERREM, which determined the need to implement such actions to address the extraordinary level of risk faced by the proposed beneficiary.

23. The State also reported that, since 2013, 20 work orders have been issued in connection with the risk assessment of Mr. Madroñero Hernández. Within the framework of these orders, "multiple risk level evaluations have been carried out, in which all the facts of threats" and "particular conditions of the person" are considered. Currently, work order number 652974 is active, through which a new evaluation of the risk level of the proposed beneficiary will be carried out. The State noted that the initiation of this assessment requires the express, free and voluntary consent of the proposed beneficiary, as provided in Decree 1066 of 2015.

24. Regarding the protection actions implemented by the National Police, it was reported on the measures taken since 2015 to protect the proposed beneficiary and his family. These actions include the implementation of surveillance rounds and the development of the "Godfather Plan," through which a police officer was assigned to maintain direct and constant contact with Mr. Madroñero Hernández. As of 2016, the

National Police reported having provided recommendations on self-protection and conducted constant patrols to the residence of the proposed beneficiary.

25. According to what was reported, Mr. Madroñero Hernández has been subject to threats over the years. In 2020, the proposed beneficiary would have received “insults and insults” where they defame his honor and good name, through social networks, allegedly with the purpose of silencing his investigations and complaints against the political sector of the city, which would have put his personal integrity at risk. In February 2020, he allegedly received a threatening pamphlet, which was reported to the Office of the Attorney General. In July 2022, the proposed beneficiary reportedly received a threat via telephone call. In April 2023, an envelope was reportedly found, containing a threatening letter written by the Directorate of the Southwest War Front against the proposed beneficiary. On that occasion, agents of the National Police and the UNP intervened, activating the necessary protocols to verify the facts and adopt additional security measures.

26. The State submitted additional information on August 26, 2024. In this regard, it reported on the investigative measures and actions provided by the competent authorities. The Delegate for Territorial Security (DST) of the Office of the Attorney General indicated that, according to the Legal Support Group of the Sectional Directorate of Nariño, “although Mr. Madroñero Hernández claims to be a human rights defender,” he was punished for recklessness by a decision of the Criminal Chamber of the Superior Court of Pasto, in a criminal proceeding for the crimes of false testimony and procedural fraud. In relation to the protection measures adopted, it was reported that, except for the police protection order in force, no additional measures have been requested by the Prosecutor’s Office in favor of Mr. Madroñero Hernández. According to what was reported, the proposed beneficiary already has a security scheme provided by the UNP, which includes his family, so it is not considered necessary to implement additional provisions from the prosecutors’ offices.

27. The Colombian State also provided information on the investigations related to the complaints filed by the proposed beneficiary. According to what was reported, the Office of the Attorney General registered a total of 31 active investigations that are in different procedural stages and refer to the crime of threats, including threats against human rights defenders.

28. Among the investigations reported is a complaint about the crime of threats against human rights defenders, whose process is in the investigation stage. It was clarified that after the elaboration of the methodological program, the judicial police prepared to extend the interview to the proposed beneficiary, request police protection and conduct a risk study by the UNP. According to the information provided, so far, it has not been possible to establish sufficient evidentiary material to identify the perpetrators or to structure a clear hypothesis about the reported facts.

29. Likewise, several additional investigations into the crime of threats have been reported and are in the investigation stage. In some of these cases, it was reported that methodological programs were carried out in May, June and July 2024, which have been executed by the corresponding prosecutors’ offices. These actions seek to collect evidence to clarify the facts and ensure the protection of the proposed beneficiary. In one of these investigations, an interview was conducted with Mr. Madroñero Hernández on July 11, 2024, with the purpose of advancing in the understanding of the facts denounced

30. The State recalled that, in accordance with Article 25.2 of the Rules of Procedure of the Inter-American Commission, the adoption of precautionary measures requires the concurrence of three criteria: seriousness, urgency and the need to prevent irreparable harm. In this context, it emphasized that, “given the seriousness of the situation, the competent authorities have activated all the security protocols to protect Mr. Segundo Madroñero”. In this sense, through the UNP, measures have already been implemented in favor of Mr. Madroñero Hernández. As reported in previous communications, these measures consisted of the assignment of an armored vest, a protection man and a support button, implemented through Resolution 05702 of 2023. The State reiterated that such measures had been adopted based on a technical risk analysis conducted by the

UNP, in accordance with the legal guidelines in force. It also indicated that these measures remained in force and were intended to safeguard the life and integrity of Mr. Madroñero Hernández.

31. Finally, the State maintained that once updated information was received from the competent entities, a complementary response would be sent, but to date no additional information has been sent.

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

32. The precautionary measures mechanism is part of the Commission's function of overseeing compliance with the human rights obligations set forth in Article 106 of the Charter of the Organization of American States. These general oversight functions are provided for in Article 41(b) of the American Convention on Human Rights, as well as in Article 18(b) of the Statute of the IACHR. 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.

33. 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.³ Regarding the protective nature, these measures seek to avoid irreparable harm and protect the exercise of human rights.⁴ To do this, the IACHR shall assess the problem raised, the effectiveness of state actions to address the situation described, and how vulnerable the persons proposed as beneficiaries would be left in case the measures are not adopted.⁵ 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.⁶ In the process of reaching a decision, 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.

³ Inter-American Court of Human Rights (I/A Court H.R.), [Matter of the Yare I and Yare II Capital Region Penitentiary Center \(Yare Prison\)](#), 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.

⁴ I/A Court H.R., [Matter of Capital El Rodeo I and El Rodeo II Judicial Confinement Center](#), Provisional Measures regarding Venezuela, Order of February 8, 2008, considerandum 8; [Case of Bámaca Velásquez](#), Provisional Measures regarding Guatemala, Order of January 27, 2009, considerandum 45; [Matter of Fernández Ortega et al.](#), Provisional Measures regarding Mexico, Order of April 30, 2009, considerandum 5; [Matter of Milagro Sala](#), Provisional Measures regarding Argentina, Order of November 23, 2017, considerandum 5.

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

⁶ I/A Court H.R., [Matter of the 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.

34. In analyzing those requirements, the Commission reiterates that the facts supporting a request for precautionary measures need not be proven beyond doubt. The information provided should be assessed from a *prima facie* standard of review to determine whether a serious and urgent situation exists.⁷ Similarly, the Commission recalls that, by its own mandate, it is not called upon to determine any individual liabilities for the facts alleged. Moreover, in this proceeding, it is not appropriate to rule on violations of rights enshrined in the American Convention or other applicable instruments.⁸ This is better suited to be addressed by the Petition and Case system. The following analysis refers exclusively to the requirements of Article 25 of its Rules of Procedure, which can be resolved without making any determinations on the merits.⁹

35. Moreover, in understanding the facts alleged, the Commission takes into account the applicable Colombian context. In its 2021, 2022 and 2023 Annual Reports, the Commission and its Office of the Special Rapporteur for Freedom of Expression noted that journalism continues to be a profession of risk in Colombia.¹⁰ In February,¹¹ April,¹² and July¹³ 2024, the Special Rapporteurship condemned the murder of five Colombian journalists. The Special Rapporteurship highlighted that “the murder, kidnapping, intimidation, threats to social communicators, as well as the material destruction of the media, violates the fundamental rights of individuals and severely restricts freedom of expression.”¹⁴ It also recalled that States must provide measures to protect the life and integrity of journalists who are subject to a special risk, which must be evaluated in light of the existing context in the country.¹⁵

36. In analyzing the *seriousness* requirement, the Commission considers that it has been met. Based on the information available, the IACHR observes that Segundo Bolívar Madroñero Hernández is a journalist, social and trade union leader, and human rights defender, and has been the victim of sustained threats over time, which have reportedly worsened in recent years. Since 2016, the proposed beneficiary has been the target of multiple attacks, including an explosive attack on his home in April 2024, an attempted ramming by three men on motorcycles in July 2024, the presence of suspicious vehicles near his residence in November 2024, and the receipt of a pamphlet signed by the “FARC-EP Segunda Marquetalia” that same month, in which he was declared a “military target” and threats against his life and that of his family were reiterated.

⁷ I/A Court H.R., [Matter of Members of the Miskitu Indigenous Peoples of the North Caribbean Coast regarding Nicaragua](#), Extension of Provisional Measures, Order of August 23, 2018, considerandum 13 (Available only in Spanish); [Matter of children and adolescents deprived of liberty in the “Complexo do Tatuapé” of the Fundação CASA](#), Provisional Measures regarding Brazil, Order of July 4, 2006, considerandum 23.

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

⁹ In this regard, the Court has indicated 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.” See in this regard: 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.

¹⁰ IACHR, Annual Report of the Inter-American Commission on Human Rights 2021, Vol. II, [Annual Report of the Office of the Special Rapporteur for Freedom of Expression](#), OEA/Ser.L/V/II, Doc. 64, rev. 1, May 26, 2022, paras. 222 and 223; Annual Report of the Inter-American Commission on Human Rights 2022, Vol. II, [Annual Report of the Office of the Special Rapporteur for Freedom of Expression](#), OEA/Ser.L/V/II Doc. 50, 6 March 2023, para. 359; Annual Report of the Inter-American Commission on Human Rights 2023, Vol. II, [Annual Report of the Office of the Special Rapporteur for Freedom of Expression](#) Report, OEA/Ser.L/V/II, Doc. 386, 6 December 2023, para. 428.

¹¹ IACHR, Communiqué No. R026, [The Office of the Special Rapporteur condemns the murder of journalist Mardonio Mejía Mendoza in Colombia and calls on the State to investigate the facts](#) February 1, 2024.

¹² IACHR, Communiqué No. R082, [RELE condemns the murder of journalists Jaime Vásquez, Julio Zapata and Hilton Eduardo Barrios, and calls on the State to investigate the facts and ensure the protection of journalists](#), April 30, 2024.

¹³ IACHR, Communiqué No. R165, [RELE condemns the murder of journalist Jorge Méndez and urges the Colombian State to investigate diligently](#), July 15, 2024.

¹⁴ IACHR, Communiqué No. R026, [The Office of the Special Rapporteur condemns the murder of journalist Mardonio Mejía Mendoza in Colombia and calls on the State to investigate the facts](#), February 1, 2024.

¹⁵ IACHR, Communiqué No. R082, [RELE condemns the murder of journalists Jaime Vásquez, Julio Zapata and Hilton Eduardo Barrios, and calls on the State to investigate the facts and ensure the protection of journalists](#), April 30, 2024.

These facts reveal a pattern of violence and harassment in response to his activities as a journalist and human rights defender. The Commission notes that these threats not only persist, but have intensified in terms of their seriousness, particularly because of the explicit references to his journalistic work and the demands to cease his denunciations.

37. According to information provided, the threats have been motivated by his investigations and public denunciations of a gasoline cartel and activities related to drug trafficking in southwestern Colombia. This link not only reinforces the level of risk, but also underlines the impact on his right to freedom of expression, given that the threats are aimed at silencing his denunciations and limiting his ability to practice his profession. In addition, the proposed beneficiary would have had to confine himself to his home as a self-protection measure, which would make it impossible for him to carry out his field work in risk areas.

38. After requesting information from the State, the Commission takes note of the protection measures taken in favor of the proposed beneficiary to ensure his safety, within the framework of the protection detail assigned by the National Protection Unit. The UNP has, indeed, conducted multiple risk assessments over time. Likewise, the State highlighted the implementation of rounds by the National Police of the “Godfather Plan” program, through which a police officer was assigned to maintain direct contact with the proposed beneficiary and to make periodic visits. It also reported the activation of security protocols in response to specific complaints, including interventions by the National Police and police surveillance measures at his home. Additionally, the State indicated that there are 31 active investigations related to the threats reported by the proposed beneficiary, in which methodological programs and procedural actions have been carried out to clarify the facts and guarantee his protection.

39. The Commission appreciates the measures reported by the State, such as the development of surveillance rounds and the “Godfather Plan” program. However, it notes that these actions have been described by the proposed beneficiary as reactive and lacking continuous follow-up to prevent new risk events. Regarding the protection detail, the Commission warns that the proposed beneficiary has had a protection detail granted by the UNP since 2016, consisting of a foot escort, an armored vest and a back-up button. However, in August 2024, the UNP decided to abide by CERREM’s recommendation and terminate the back-up button, despite the fact that his risk level had not changed. Faced with this, the proposed beneficiary filed a tutela action that was favorably resolved in October 2024. In his ruling, the constitutional judge ordered the reinstatement of the support button and a new risk study. After this court decision, the UNP reinstated the support button as part of the protection detail, although it expressed its disagreement and claimed to have filed an appeal.

40. The Commission recalls that for protection measures to be adequate and effective, they must be, respectively, suitable to protect the situation of risk in which the person is found, and produce the expected results in such a way that the risk to the person being protected ceases.¹⁶ The criterion of suitability requires that the measures address the risk while allowing a human rights defender to continue his or her defense activities.¹⁷ In this regard, the Commission observes that Mr. Madroñero Hernández continues to face threats and attacks related to his work as a journalist and human rights defender, as well as limitations to his professional practice as a result of the security conditions, without the information submitted by the State allowing the conclusion that these aspects were adequately considered at the time of evaluating his risk situation, or that the alleged situation has been duly mitigated or has ceased to exist. Nor is it clear how the measures adopted to date have managed to effectively address the various threats and harassment reported, given their continuity over time.

¹⁶ IACHR, [Second Report on the Situation of Human Rights Defenders in the Americas](#), OEA/Ser.L/V/II, December 31, 2011, para. 521.

¹⁷ IACHR, cited above, para. 522.

41. In this line, the IACHR notes that, in the decision to protect the rights of the proposed beneficiary, the constitutional judge emphasized, in October 2024, that “it should be seriously considered whether the protection detail he has had for several years is sufficient”, and therefore ordered a new risk study, noting that the measures in place were insufficient to ensure the safety of the proposed beneficiary in the face of the threats and attacks suffered. In addition, it emphasized that “the delay in responding to the requests of the proposed beneficiary evidences a failure to comply with the standards of protection required by the circumstances of his case”

42. However, to date, more than two months after the judicial decision, there is no information on the status of the new risk study ordered, or if the decision has been reversed, apart from the challenge filed by the UNP. The State has not sent any information as to when this study will be carried out or a schedule of activities for the risk assessment. In any case, the available information reveals that the protection detail that has been implemented over time has not mitigated the risk situation of the proposed beneficiary. The latest risk assessments carried out reveal that the proposed beneficiary continues, according to the State itself, to be at extraordinary risk.

43. The IACHR specifies that it is not up to it, at this time, to detail the specific measures that should be implemented for the protection of the proposed beneficiary. In order to assist in defining which measures would be most appropriate, the Commission considers it important that the risk study be updated in light of his work as a journalist and human rights defender, as well as the situation of displacement he faces. Likewise, the necessary measures should be evaluated so that he can continue to carry out his work in safe conditions. This assessment is essential, since, according to the information available, the measures adopted so far have not effectively mitigated the continuous risks he faces. Although the panic button was recently reinstated, the Commission warns that, given the nature of the facts alleged over time, the State should carry out a more comprehensive assessment of the risk situation that the proposed beneficiary would continue to face in order to identify the causes that generate the risk.

44. With regard to the investigations, the Commission notes that the situation of Mr. Madroñero Hernández has been brought to the attention of various State entities through multiple complaints. Notwithstanding, the State reported 31 active investigations, it acknowledged that, to date, there is insufficient evidence to identify those responsible for the threats or to structure clear hypotheses regarding the facts denounced. This lack of concrete results in the identification of the material and intellectual authors of the threats limits the capacity to mitigate risk and perpetuates a context of vulnerability. This is particularly relevant when assessing the security of the proposed beneficiary and the likelihood that the reported threats and harassment will be repeated.

45. In sum, taking into consideration the elements assessed in light of the aforementioned context, weighed as a whole, the Commission considers that the gravity requirement is met and that *prima facie* the rights to life and personal integrity of the proposed beneficiary and his children are at serious risk. The Commission considers that his children, as members of his nuclear family, share his risk factors given their filial bond, and because the content of the violence and threats received would include them.

46. As for the *urgency* requirement, the Commission notes that it has been met, given that the death threats, harassment and attacks against the proposed beneficiary, attributable to various armed actors, have continued over time and have intensified in recent months, aggravated by the prior knowledge of those responsible about his place of residence and movements. Given the allegations of insufficient protection measures, together with the delay in the resolution of risk studies by the UNP, it is necessary to immediately adopt measures to safeguard his rights to life, personal integrity, and guarantees for the exercise of his freedom of expression.

47. With regard to the requirement of *irreparability*, the Commission considers that it has been met, inasmuch as the possible impact on the right to life and personal integrity constitutes the maximum

situation of irreparability. The Commission emphasizes its concern in view of the fact that the risk described would be aimed at intimidating and thereby silencing the proposed beneficiary and hindering the exercise of his journalistic work, directly affecting the exercise of his freedom of expression, which would in turn have a chilling effect on other journalists who could carry out their work in the area.

IV. BENEFICIARIES

48. The Commission declares as beneficiaries of the precautionary measures Segundo Bolívar Madroñero Hernández and his two sons, Christian Camilo Cinseros Madroñero and A.J.M.H. All the persons are duly identified in the terms of Article 25 of the Rules of Procedure.

V. DECISION

49. The Commission considers that the present case meets *prima facie* the requirements of seriousness, urgency and irreparability contained in Article 25 of its Rules of Procedure. Consequently, the Commission requests Colombia:

- a) adopt the necessary measures to protect the rights to life and integrity of the beneficiaries;
- b) implement the necessary measures so that Segundo Bolívar Madroñero Hernández can carry out his activities as a journalist without being subjected to threats, harassment, or other acts of violence in the exercise of his work;
- c) consult and agree upon the measures to be adopted with the beneficiaries and their representatives; and
- d) report on the actions taken to investigate the alleged facts that gave rise to this precautionary measure, so as to prevent such events from reoccurring.

50. The Commission requests Colombia to provide details, within 15 days from the date of notification of this resolution, on the adoption of the requested precautionary measures and to update this information on a regular basis.

51. The Commission emphasizes that, in accordance with Article 25(8) of its Rules of Procedure, the granting of these precautionary measures and their adoption by the State do not constitute a prejudgment of any violation of the rights protected in the American Convention and other applicable instruments.

52. The Commission instructs its Executive Secretariat to notify Colombia and the petitioner of this resolution.

53. Approved on December 31, 2024, 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.

Patricia Colchero
Chief of Staff
By authorization of the Executive Secretary