
**INTER-AMERICAN COMMISSION ON HUMAN RIGHTS
RESOLUTION 65/2024**

Precautionary Measure No. 765-24

William Stiven Rojas Rincon and his family unit regarding Colombia¹

September 19, 2024

Original: Spanish

I. INTRODUCTION

1. On July 16, 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 William Stiven Rojas Rincon (“the applicant” or “the requesting party”) urging the Commission to require that the State of Colombia (“the State” or “Colombia”) adopt the necessary measures to protect the rights to life and personal integrity of William Stiven Rojas Rincon and his family unit² (“the proposed beneficiaries”). According to the request, the proposed beneficiaries are reportedly at risk due to threats from criminal and armed groups operating in the Rafael Uribe Uribe district in Colombia.

2. Pursuant to Article 25 (5) of its Rules of Procedure, the Commission requested additional information from the applicant, who provided a response on July 29 and August 22, 2024. On August 2, 2024, the Commission requested information from the State. Following a request for a time extension granted by the Commission on August 19, 2024, the State replied on August 28 and 30, 2024. The applicant submitted additional information on September 1, 2024.

3. Upon analyzing the submission of fact and law furnished by the parties, the Commission considers that the proposed beneficiary and his immediate family members are in a serious and urgent situation, given that his rights to life and personal integrity are at risk of irreparable harm. Therefore, pursuant to Article 25 of its Rules of Procedure, the Commission requests that Colombia: a) adopt the necessary measures to protect rights to life and personal integrity of the beneficiaries, in accordance with applicable international standards and obligations; b) implement the necessary measures to ensure that William Stiven Rojas Rincon can carry out his work as a journalist and human rights defender without being subjected to threats, intimidation, harassment, or other acts of violence in the course of his duties; c) consult and agree upon the measures to be implemented with the beneficiaries; and d) report on the actions taken to investigate the alleged facts 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 applicant

4. The request states that the proposed beneficiary is the legal representative of the community media outlet “La Reacción Prensa” in Colombia. He works as a journalist for various media outlets, including: i. reporter for the Association “COPRENSA COLOMBIA”; ii. public opinion journalist for the program “Blanco y Negro”; and iii. investigative journalist for the media network “El Nudo Colombia.” He is also a community leader (Ad hoc vice-president of the Community Action Board Santa Inés Centro - *Junta Acción Comunal* - JAC), social leader (vice-president of *Fundación Colombia Identitaria*), national director for human rights of *Kerigma*

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

² The request indicated that the proposed beneficiary has a wife (L.K.C.E.), one 10-month-old son (T.G.R.C), and one 12-year-old stepson (J.M.M.C.).

Suacha Foundation and overseer of *Ptares Hogares Soacha* [*Ptares* stands for Standard Projects for Rural Areas and Suburban Environments, a Colombian government initiative focused on infrastructure development in rural and suburban areas.] On various occasions, he has reported on the organized groups that control “La Calle del Tango” and “Mantecaña,” among other areas. As leader of the Community Action Board of Santa Inés, he reportedly handles extortions in the commercial sector.

5. Due to his work, he has been receiving alleged direct threats against him and his family since 2023, as well as threats via text messages on his cell phone and social networks. The threats were attributed to criminal gangs operating in the areas known as “La Calle del Tango” and “Matecaña,” located in Rafael Uribe Uribe, near his residence.

6. On December 4, 2023, the proposed beneficiary received a death threat from two individuals who were riding a motorcycle in the Quiroga neighborhood of Rafael Uribe Uribe district. A complaint was filed with the Office of the Attorney General, and the case was assigned to the 521 Sectional Office of Bogotá. In addition, protection measures were requested from the National Protection Unit (*Unidad Nacional de Protección* - UNP). On January 19, 2024, it was indicated that he received a direct threat via a photograph through his WhatsApp number, which read: “Happiness and peace are priceless, take care of your family and your son, you SOB journalist, everyone must pay, signed: Los Satanás”. In April 2024, he received messages through Instagram, but it was alleged that his account was reset and he was therefore unable to provide the screenshots.

7. On May 6, 2024, the National Protection Unit classified the proposed beneficiary’s risk as extraordinary and recommended the provision of a communication device and a bulletproof vest for an initial duration of 12 months. An appeal was filed on May 24, 2024 to request, among other measures, an armored vehicle. Given that a month had elapsed without receiving a response, the proposed beneficiary filed an appeal for protection of constitutional rights (*amparo*) to urge the UNP to address his request and, alternatively, seek the allocation of additional security measures in his favor. On July 9, 2024, following the *amparo* action, the UNP issued its response to the appeal, deciding not to reinstate the contested decision. As reasoning, the UNP specified that the proposed beneficiary did not show that he had experienced new situations that placed him at risk and/or left him vulnerable, aside from those assessed by the Committee for Risk Assessment and Recommendation of Measures (*Comité de Evaluación del Riesgo y Recomendación de Medidas*, CERREM) in February 2024.

8. On June 2, 2024, the proposed beneficiary received another death threat to his WhatsApp number that read: “You damn arrogant bastard, don’t get involved where you’re not wanted, we know who you are, and we know about the merchants you defend, this is your last warning, Savictorino is ours, we’re going to fill your face with holes, bastard!!!”. On July 8, 2024, the proposed beneficiary, in his capacity as National Director for Human Rights of the *Kerigma Suacha* Foundation and Citizen Overseer of *Ptares Hogares Soacha*, was performing social leadership and citizen oversight tasks. While he was travelling home by taxi on the southern highway at around 7:00 p.m., a gray van with tinted windows began to follow him in a suspicious manner. Since it was dark, he was unable to identify the vehicles’ license plate number. He immediately contacted the Human Rights Police office of Rafael Uribe Uribe, who provided him with all the necessary aid.

9. On July 11, 2024, the proposed beneficiary received new threats via cell phone from a group who identified themselves as “Los Castros.” In these messages, they informed him that they were reportedly carrying out an investigation against him due to his journalistic work. They allegedly shared a link to a recent interview he had with a former government official and mentioned a meeting he had a month ago with the Assistant Director of the District Institution of Tourism (*Instituto Distrital de Turismo* - IDT) in Bogotá, in his capacity as a community leader. The threat stated, among other things, that no one would be able to save him, not even the ‘powerful politicians’ with whom he has direct connections. They also reportedly mentioned that they are aware of his ties with the police in his work as a human rights defender and warned him that they

would not be able to protect him either. According to information from a confidential human source, this group is reported to have links with paramilitary organizations. Given these threats, on July 12, 2024, the proposed beneficiary decided to leave the city of Bogotá. He was also registered as a victim of the armed conflict with the Victims Unit, in order to seek other forms of protection from the State.

10. On July 17, 2024, the Twelfth Administrative Oral Court of Bogotá, Second Section, decreed a provisional measure in favor of the proposed beneficiary, on the understanding that the UNP did not address all the issues raised in the appeal for reconsideration. The decision determined the following:

“(…) the entity on trial did not address the various roles that the individual plays as a social leader, community leader, and others, which are interrelated with his work as a journalist. Nor did it refer to the specific situation of the plaintiff, regarding the scenario in which the threats are presented. (…). Consequently, the Director General of the UNP will be ordered to amend Resolution DGRP 006181 of July 9, 2024, to address whether there is a need to modify the recommended security measures in the aforementioned administrative act, considering: (i) the roles of social leader, community leader, trade union executive, human rights defender, and citizen overseer that the individual holds and is duly accredited for; and (ii) the specific circumstances of the area where he resides and where the threats have occurred.”

11. Additionally, the decision noted that the latest events against the proposed beneficiary were not considered by the UNP when it rejected the motion for reconsideration. Consequently, it was decided that a new risk assessment study was required. In that sense, it stated:

“(…) Moreover, considering that, after the issuance of Resolution DGRP 002964 on May 6, 2024, the plaintiff received serious threats to his life which have not been analyzed, it will be ordered that these situations be reviewed by the Risk Assessment and Recommendation Measures Committee to determine whether the recommended protection measures for the plaintiff require any modification.

12. Lastly, the decision urged the Director General of the UNP to provide the proposed beneficiary with “the light protection detail described in subparagraph 1.1. of Article 2.4.1.2.11 of Executive Order 1066 of 2015, consisting of one security agent and transportation support up to two minimum legal monthly wages (smlmv)³, to ensure his safety.” This decision was confirmed by the Administrative Court of Cundinamarca on August 22, 2024. It was also decided that CERREM submit the threats received in recent months to a new risk assessment study. The request attached a letter from the Secretary of Government, dated July 17, 2024, addressed to the director of the UNP, which refers to the complaint regarding the threats reported by the proposed beneficiary and requires the referred body to initiate the ordinary procedure of the protection program.

13. Despite the granting of the stated protection measures, it was alleged that the events that place the proposed beneficiary at risk continue. On July 25, 2024, the proposed beneficiary’s wife sent him a message indicating that a note had been left on his parked motorcycle. The note read as follows (a photograph of it was attached): “I have you in my sights, no one will be able to take care of you, FLA RC.” [Front for the Liberation of the Amazon - Command Network]. The proposed beneficiary read the message himself and notified his security agent, who carried out the respective report and advised him to take measures or precautions to pick up his wife.

³ Current minimum legal monthly wage.

14. The request indicated that, at this time, he has a security agent assigned by the UNP. In this regard, risks and difficulties were reported in making inter-municipal bus transfers. On August 8, 2024, tickets were purchased for an inter-municipal bus trip for the proposed beneficiary and his security agent. Before leaving the city, he received a call from the councilman stating that it would be very risky to travel by public bus to the municipality, since the route was not safe and he would be very exposed to danger. Upon receiving this information, the proposed beneficiary reported the incident to his security agent, who quickly took him to a safe location.

15. Additionally, it was highlighted that the proposed beneficiary is reportedly in a situation of forced displacement and resides with his relatives in a municipality in Cundinamarca. Therefore, transfers involving the light protection detail agent and personal belongings are very complex and expensive, making it difficult for him to carry out his work activities and fulfill family commitments. On August 22, 2024, the proposed beneficiary requested that the UNP provide the financial assistance allowance for transportation of his light protection detail in August. However, he was informed that there had been issues with the system they use to process the consignment, and he had to wait. In addition, it was indicated that, to date, the UNP has not complied with the court's decision to conduct a new risk assessment study and that he has not been contacted to provide evidence for the new administrative act or to reinforce the protection measures.

16. The request attached complaints and requests for protection/investigation measures, addressed to several bodies:

- i. complaint addressed to the district Ombudsperson's office, requesting investigations into the reported threats and intimidations and the response of the aforementioned body, sent on July 16, 2024. In response, it was reported that the District Oversight of Security, Coexistence and Justice and the District Secretariat of Government (*Secretaría Distrital de Seguridad, Convivencia y Justicia y la Secretaría Distrital de Gobierno*) – Local Mayor's Office of Santa Fé were required, in accordance with their functions and powers, to advance the reviews and administrative actions of the case, and to respond within the terms of the law;
- ii. letter sent by the Regional Ombudsperson's Office of Bogotá on July 23, 2024, in response to the complaint of the proposed beneficiary. It was reported that the request was forwarded to the Regional Prosecutor's Office and to the UNP;
- iii. communication sent by the Ombudsperson's Office of Colombia on July 23, 2024, in response to a complaint filed by the proposed beneficiary. It was indicated that communications were sent to the UNP to activate the protection protocol, to the Office of Human Rights of the National Police for the implementation of appropriate preventive measures, and to the Specialized Directorate against Human Rights Violations of the Office of the Attorney General to advance the investigations;
- iv. letter sent by the Ombudsperson's Office of Bogotá, on July 10, 2024, with acknowledgment of receipt of reports of new events that place the proposed beneficiary at risk. In this regard, it was noted that the collaboration of the UNP was requested so that it could take appropriate actions concerning the matters brought to its attention, within the scope of its competencies and the mechanisms provided.

17. Lastly, the request indicated that there has been no progress in the investigations.

B. Response from the State

18. The State emphasized the absence of any rights violations due to omission or inaction by the UNP. In this regard, it presented information on the progress made in conducting the risk assessment study and the material protection measures adopted by the UNP in the framework of the decision issued by the Twelfth Administrative Court of Bogotá on July 17, 2024.

19. It was indicated that the Legal Advisory Office (*Oficina Asesora Jurídica*, OAJ) proceeded to inform the trial of the steps taken to comply with the sentence. In this sense, an official letter was sent to the Sub-Directorate of Risk Assessment of the UNP, to prioritize the risk assessment that is in progress in favor of the proposed beneficiary. It was requested that it consider the events that took place on July 2, 8, and 9, 2024, in order to determine whether there is a need to modify the security measures recommended via the resolution of May 6, 2024.

20. In response, on August 13, 2024, the UNP sent an email to the OAJ in which it informed that the proposed beneficiary's matter is undergoing risk assessment at the Technical Body for Risk Analysis (*Cuerpo Técnico de Análisis de Riesgo*, CTAR) since July 29, 2024. In addition, it was reported that, at present, the proposed beneficiary has one ballistic protection vest, one means of communication, one security agent, and transport support. It was alleged that the first payment of the transportation support was made on July 31, 2024 and that the second payment is pending.

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

21. The mechanism of precautionary measures 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 IACHR Statute. 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 an irreparable harm to persons.

22. The Inter-American Commission and the Inter-American Court of Human Rights ("the Inter-American Court" or "I/A Court H.R.") have repeatedly stated that precautionary and provisional measures have a dual nature, one protective and the other precautionary.⁴ Regarding the protective nature, these measures seek to avoid irreparable harm and preserve the exercise of human rights.⁵ 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.⁶ Regarding their precautionary nature, these measures have the purpose of preserving legal situations while under the study of the IACHR. They aim to safeguard the rights at risk until the petition pending before the inter-American system is resolved. Their object and purpose are to ensure the integrity and effectiveness of an eventual decision on the merits and, in this way, 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 allow the State concerned to comply with the final decision and, if necessary, implement the ordered

⁴ 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).

⁵ I/A Court H.R., [Matter of Capital El Rodeo I and El Rodeo II Judicial Confinement Center](#), Provisional Measures regarding Venezuela, Order of 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)

⁶ 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).

reparations.⁷ 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.

23. 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.⁸ 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.⁹ 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 entering into determinations on the merits.¹⁰

24. In accordance with the provisions of Article 25, paragraph 6, and considering the roles of journalist, social leader, community leader, and human rights defender held by the proposed beneficiary in Colombia, the Commission will proceed to analyze the information provided by the parties in light of the context in which it is situated. In its 2021 and 2022 Annual Reports, the Commission and its Office of the Rapporteur for Freedom of Expression noted that journalism is a profession of risk in Colombia.¹¹

25. In its 2023 Annual Report, the Commission emphasized the persistence of acts of violence derived from armed conflicts, with a special impact on human rights defenders and with social leadership.¹² This context of violence was also highlighted in the Preliminary Observations, after the on-site visit the Commission carried out in Colombia in April 2024. On that occasion, the territorial control of armed groups was highlighted as a key factor in understanding the violence faced by human rights defenders, particularly those belonging to social movements and trade unions.¹³ As a result of the risk to life, in addition to the shortcomings in the State’s response, these individuals continue to be forced to move, thereby weakening the organizational processes and the defense of the rights of these communities. Regarding the investigation of the

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 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).

⁸ 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.

⁹ 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.

¹⁰ 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).

¹¹ IACHR, [2021 Annual Report](#), Volume II, 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; IACHR, [2023 Annual Report](#), Volume II, Report of the Office of the Special Rapporteur for Freedom of Expression, OEA/Ser.L/V/II, Doc. 50, March 6, 2023, para. 339.

¹² IACHR, [2023 Annual Report](#), Ch. IV.a. OEA/Ser.L/V/II, Doc. 386 rev. 1, December 31, 2023, para. 275.

¹³ IACHR, [Preliminary Observations: On-site visit to Colombia](#), April 15-19, 2023, p. 4 (Available only in Spanish).

acts of violence against defenders and with social leadership, the Commission noted the persistence of concerning levels of impunity.¹⁴ The IACHR also acknowledged the challenges faced by the UNP in ensuring the safety of these individuals, such as the need for transparent and timely risk assessment and deficiencies in information systems and analytical tools that enable the classification of data for individuals covered by various UNP programs, as well as the assessment of their risk levels.¹⁵

26. These contextual elements are relevant to the extent that they lend seriousness and consistency to the allegations regarding the proposed beneficiary and his family, particularly because of the different human rights defense roles exercised, which are linked in a transversal manner with his journalistic work.

27. In this regard, when evaluating the *seriousness* requirement, the Commission observes that, thus far in 2024, the proposed beneficiary has been subjected to threats allegedly practiced by armed groups through text messages on his cell phone number and on social networks. Furthermore, he has experienced surveillance and death threats from unknown individuals on motorcycles and from an unidentified vehicle while returning from his activities as a national human rights director for the *Kerigma Suacha* Foundation and a citizen overseer for *Ptares Hogares Soacha*. The request stated that the alleged facts are a direct consequence of his journalistic and social leadership activities. In this sense, the Commission takes note of the content of the threatening messages, which refer to his journalistic activities and mention meetings that the proposed beneficiary allegedly participated in as a community leader. The Commission highlights its concern that the situation that places the proposed beneficiary at risk which is described could be intended to intimidate and thereby silence him, thus, hindering his ability to carry out his work, including his journalistic activities. It also directly impacts his right to freedom of expression, which could, in turn, have a discouraging effect on other journalists' and other persons' ability to express themselves freely in the current context in the country.

28. According to documentation attached to the file, the proposed beneficiary's situation has been reported to the state authorities through multiple channels. For example: i. Complaint filed with the Personería of Bogotá; ii. Complaint filed with the Ombudsperson's Office of Colombia; iii. Complaint directed to the District Oversight Office; iv. Requests for protection submitted to the UNP; v. Filing of an *amparo* action with the Twelfth Administrative Oral Court of Bogotá, Second Section. In this regard, it was alleged that there had been no progress in the pertinent investigations. The lack of progress in the investigations, which could mitigate the reported risk factors, is concerning. This creates a situation of impunity that allows these issues to persist and recur over time, as can be inferred from the information available in the file.

29. Regarding protection measures, the Commission notes that on July 9, 2024, the UNP qualified the proposed beneficiary's risk level as extraordinary and granted him a security detail consisting of one means of communication and one armored vest. The Commission acknowledges the protection measures implemented by the State. It also observes that the proposed beneficiary has questioned the granted security detail through an appeal for reinstatement and a request for protection. On July 17, 2024, the competent judicial authority granted *amparo* and ordered an additional security detail consisting of one security agent and transport support for up to two minimum legal monthly wages. It also ordered that the UNP carry out a new risk assessment. In his decision, the competent judge noted that the UNP "did not address the various roles that the individual plays as a social leader, community leader, and others, which are interrelated with his work as a journalist." Nor did it refer to the specific situation of the plaintiff, regarding the scenario in which the threats are presented. It also identified that the proposed beneficiary "has received serious threats against his life, and these have not been analyzed." This decision was confirmed by the Administrative Court of Cundinamarca, which also determined the completion of a new risk assessment study regarding the events that occurred.

¹⁴ *Ibid.*, p. 5.

¹⁵ *Ibid.*, p. 5.

30. Despite the judicial decision, the Commission takes note of the information provided by the applicant and confirmed by the State that indicate that, to date, the decision to conduct a new risk assessment has not been fulfilled. In addition, the request reported implementation failures in the additional security detail that was granted, such as issues in the UNP platform for the consignment of economic resources and lack of security for transfers in public transport with his security agent. On this point, the Commission notes the information presented by the State, which confirmed that the payment of the transportation allowance for August is still pending and that the risk assessment study is in the development stage as of July 29, 2024. Additionally, the Commission notes that, following the provision of the mentioned security detail, events that place the proposed beneficiary and his family at risk occurred, specifically on June 2, and July 8, 11, and 25, 2024.

31. 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.¹⁶ 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.¹⁷

32. Consequently, in light of the information available from the parties, the IACHR observes that a risk assessment is crucial to assist in defining the most appropriate measures, and to evaluate the pertinent measures so that the proposed beneficiary can continue to carry out his work in safe conditions. In addition, the Commission observes that new risk events were reported in the request following the judicial decision of July 17, 2024. The delay in conducting the risk assessment could potentially exacerbate the vulnerability of the proposed beneficiary and his family members.

33. Considering the information received from both parties, and taking into account the proposed beneficiary’s roles, the ongoing risk he has faced over time, the lack of investigation into the indicated incidents, and the lack of modifications or new risk assessments for defining the appropriate protective measures, the Commission finds that, in light of the context in the country, the rights to life and integrity of the proposed beneficiaries are *prima facie* in a serious situation.

34. Regarding the requirement of *urgency*, the Commission notes that it has been met, given that, according to the information provided, the proposed beneficiary and his family members have faced risks on a sustained basis, despite the granted security detail. In view of these issues, the Commission is particularly concerned that, to date, no risk assessment has been conducted to assess the measures to be adopted or to coordinate them with the proposed beneficiary and his family members.

35. With respect to the requirement of *irreparable harm*, the Commission maintains that it has been met since the potential impact on the rights to life and personal integrity constitutes the maximum situation of irreparability.

IV. BENEFICIARIES

¹⁶ 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).

¹⁷ 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.

36. The Commission declares William Stiven Rojas Rincon and his family unit as the beneficiaries of the precautionary measures, who are duly identified in this proceeding.

V. DECISION

37. The Commission 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:

- a) adopt the necessary measures to protect rights to life and personal integrity of the beneficiaries, in accordance with applicable international standards and obligations;
- b) implement the necessary measures to ensure that William Stiven Rojas Rincon can carry out his work as a journalist and human rights defender without being subjected to threats, intimidation, harassment, or other acts of violence in the course of his duties;
- c) consult and agree upon the measures to be implemented with the beneficiaries; and
- d) report on the actions taken to investigate the alleged facts that led to the adoption of this precautionary measure, so as to prevent such events from reoccurring.

38. 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.

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

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

41. Approved on September 19, 2024, by Roberta Clarke, President; José Luis Caballero Ochoa, Second Vice-President; Edgar Stuardo Ralón Orellana; Arif Bulkan; and Andrea Pochak, members of the IACHR.

Tania Reneaum Panszi
Executive Secretary