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**INTER-AMERICAN COMMISSION ON HUMAN RIGHTS  
RESOLUTION TO LIFT PRECAUTIONARY MEASURES 67/2022**

Precautionary Measure No. 400-15  
O.Y.L. and 14 other persons regarding Colombia  
(15 identified members of the Governing Board of the  
Alto Mira and Frontera Community Council - CCAMF)<sup>1</sup>

December 4, 2022

Original: Spanish

**I. SUMMARY**

1. The Inter-American Commission on Human Rights (IACHR) decides to lift these precautionary measures in favor of the 15 identified members of the Governing Board of the Alto Mira and Frontera Community Council (CCAMF, by its acronym in Spanish). At the time of taking the decision to lift the precautionary measures, the Commission assessed the measures implemented by the State reported over time. Considering that the State requested the lifting of these precautionary measures, the Commission forwarded the request to the representatives, who did not respond. The last communication from the representatives is from 2018. Upon not identifying compliance with the procedural requirements, the IACHR has decided to lift these measures.

**II. BACKGROUND INFORMATION**

2. On March 11, 2018, the IACHR granted precautionary measures in favor of 15 identified members of the Governing Board of the Alto Mira and Frontera Community Council, in Colombia. The request for precautionary measures alleged that they were at risk due to threats, harassment, and intimidation by armed actors because of their position in defense of the territory and in favor of the voluntary substitution of illicit crops in the framework of the Peace Accords. The Commission requested that Colombia: a) adopt the necessary measures to safeguard the life and personal integrity of the members of the Governing Board of the Alto Mira and Frontera Community Council; b) adopt culturally appropriate protection measures so that the members of the Governing Board of the CCAMF can carry out their work, within the framework of the CCAMF own forms of self-government, without being subjected to violence, threats, and harassment. Such measures, in addition to the security forces stepping up their efforts or adopting more comprehensive and coordinated measures, could, for example, include measures to guarantee the safe presence of the members of the Board at the CCAMF, enable them to travel safely, and strengthen the means of communication to deal with emergencies; consult and agree upon the measures to be adopted with the beneficiaries and their representatives; and to report on the actions taken to investigate the alleged incidents that gave rise to this precautionary measure, so as to prevent them from reoccurring.<sup>2</sup>
3. The 15 beneficiaries are the following: ((1) O.Y.L., (2) F.A.J.C., (3) S.L.Q.V., (4) A.L., (5) L.R.P., (6) E.M.B., (7) D.E.V., (8) W.D.E.M., (9) C.A.A.C., (10) L.D.A.M., (11) C.Q.P., (12) I.C., (13) W.L., (14) N.A.C, and (15) J.G.M. These persons were duly identified in footnote 4 of Resolution 19/2018 of March 11, 2018, by which these precautionary measures were granted.

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

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

<sup>2</sup> IACHR. Precautionary Measures 2018. Resolution No. 19/18. PM-400-15 - Members of the Governing Board of the Alto Mira and Frontera Community Council, Colombia.

4. During the time the precautionary measures were in force, the Commission followed up on the subject matter of these precautionary measures by requesting information from the parties. On March 21 and April 20, 2018, the representatives submitted a report. On April 23, 2018, the State submitted a report. On May 23, 2018, the Commission made the corresponding forwarding of information. On May 30, 2018, the State submitted a report. On July 19, 2018, the Commission requested the State to submit updated information. On July 31 and August 21, 2018, the State requested a time extension, which was granted on August 27, 2018. On September 3, 2018, the representatives submitted a report. On September 10 and 26, 2018, the State submitted a report. On October 12, 2018, the Commission made the corresponding forwarding of information. On November 22, 2018, and January 16, 2019, the State submitted a report. On March 11, 2019, the Commission transferred the State's report to the representatives. On July 29, 2019, the State submitted a report. On August 26, 2019, and August 18, 2020, the Commission forwarded the State's report to the representatives.
5. On November 30 and December 7, 2021, the State requested the lifting of the precautionary measures. On January 28, 2022, the Commission forwarded the State's request to the representatives for comments. On February 16, 2022, the Commission reiterated its request for information to the representatives. On April 22, 2022, the State again reiterated its request to have the measures lifted. On October 20, 2022, the Commission again reiterated its request to the representatives. The representatives have not provided the Commission with a response since 2018, and all the deadlines have expired.

**A. Information provided by the State**

6. On April 23, 2018, the State reported as follows: (i) the National Army has carried out actions to guarantee the area of the municipality of Tumaco in Nariño, such as the development of the Operation for Territorial Control and for Force Security and Defense, with the presence of civilian population; in the framework of such operations, 47 captures were reportedly achieved, and firearms, drug shipments, among others, were purportedly seized; (ii) the Committee for Risk Evaluation and Recommendation of Measures (CERREM) has made some recommendations for the collective protection of the Alto Mira and Frontera Community Council, among which the following stand out: a) to install a communication antenna in zones 4 and 5; also to expand coverage in zones 1, 2, and 3 of the Community Council; b) to carry out a patrolling plan in the five zones that make up the Community Council; and c) to carry out due investigation and take actions to mitigate the illegal extraction of dragging material in the Mira River; (iii) on March 12, 2018, a meeting was held with the Ministry of Information and Communication Technologies (*MinTIC*) to discuss the installation of a communication antenna in the Community Council; (iv) two workshops have been held with the aim of organizationally strengthening the collective, focusing on issues such as International Humanitarian Law, collective, territorial and cultural rights, differential approach on gender and ethnicity; (v) the necessary steps are being taken to provide training and to disseminate the educational opportunities offered by the National Apprenticeship Service; (vi) ID card campaigns have been carried out; (vii) on August 28 and 29, 2017, training was provided to members of the security forces on safeguarding the fundamental rights of Afro-descendant communities; (viii) a consultation meeting was convened on April 26, 2018; and (ix) the National Protection Unit has granted protection measures to the leaders of the Alto Mira and Frontera Community Council.
7. In 2018, the State referred to the following protection details<sup>3</sup>:

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<sup>3</sup> The State also provided information on the protection details for S.H.A., M.G.M., C.M.R.T., F.M.C., J.G.B.C., and A.R.P.

- i. C.Q.P.: a protection detail composed of an armored vehicle and 3 protection men. It also includes a temporary relocation support, a communication device, and an armored vest.
  - ii. O.Y.L.: a protection detail composed of 2 protection men and an armored vehicle, a communication device, an armored vest, a temporary relocation support, and a river transport support.
  - iii. A.L.: a protection detail consisting of an armored vehicle and a protection man, a temporary relocation support, and a river transport support.
  - iv. L.D.A.M.: a protection detail consisting of an armored vehicle and 3 protection agents, a temporary relocation support, a transport support, a communication device and an armored vest.
  - v. C.A.A.C.: a protection detail composed of 4 protection agents and an armored vehicle, a temporary relocation support, a river transport support, a communication device, and an armored vest.
  - vi. I.C.: a protection detail consisting of a protection officer and an armored vehicle, a temporary relocation support, a communication device, and an armored vest.
  - vii. W.L.: a protection detail consisting of an armored vehicle and a protection officer, a temporary relocation support, a communication device, and an armored vest.
  - viii. J.G.M.: a protection detail consisting of an armored vehicle and a protection agent, a temporary relocation support, a river transport support, a communication device, and an armored vest.
  - ix. S.L.Q.V.: a protection detail consisting of a conventional vehicle and two protection persons, a temporary relocation support, a communication device, and an armored vest.
  - x. F.A.J.C.: a protection detail consisting of an armored vehicle and two protection officers, a temporary relocation support, a river transport support, a communication device, and an armored vest.
  - xi. W.D.E.M.: a protection detail consisting of an armored vehicle and four protection agents, a temporary relocation support, a river transport support, a communication device, and an armored vest.
  - xii. N.A.C.: a protection detail consisting of an armored vehicle and three protection agents, a temporary relocation support, a communication device, an armored vest, and a support button.
  - xiii. L.R.P.: a protection detail consisting of an armored vehicle and 3 protection agents, a temporary relocation support, a river transport support, a communication device, and an armored vest.
  - xiv. E.M.B.: a protection detail consisting of an armored vehicle and a protection agent, a temporary relocation support, a river transport support, a communication device, and an armored vest.
  - xv. D.E.V.: a protection detail consisting of an armored vehicle and a protection officer, a temporary relocation support, a river transport support, a communication device, and an armored vest.
8. On May 30, 2018, the State indicated the following: (i) the implementation of preventive security measures was agreed upon, such as the implementation of community surveillance by quadrants, patrols, and police inspections at the places of residence; (ii) officers from the Human Rights Office and the Protection and Special Services Sectional of the Tumaco Special Police District carry out accompaniments to the members of the Community Council, providing the self-protection guide booklet; (iii) the telephone numbers of different police units have been provided in order to establish a permanent dialogue with the beneficiaries; (iv) the Criminal Investigation Department and the Elite Corps of the National Police have conducted interviews with some members of the Council in order to prevent new threats and to advance operational plans leading to the apprehension of those possibly responsible for the events that gave rise to the precautionary measures; (v) an investigation is being conducted into the murder of J.J.C.G. which occurred on October 18, 2017; (vi) during 2017 and so far in 2018, no complaints of threats against members of the CCAMF have been received, nor has there been any harassment involving a reaction by National Navy troops in the Alto Mira and Frontera area; (vii) the National Navy has carried out operations to ensure security in the area, such as the controlled destruction of coca base extraction laboratories and the seizure of cocaine packages; (viii) on November 21, 22 and 23, 2017, the Special Group of Psychological Operations (*GEOS*) accompanied the Humanitarian Mission carried out by the Municipal Mayor's Office, its purpose was to grant the institutions access to populations that lack sufficient economic resources to travel to the urban area of the municipality of Tumaco; civilian personnel were attended by medical specialists;

the system of selection of beneficiaries for social programs, psychological counseling, delivery of food kits and various procedures for civil registration was carried out; and (ix) on November 11, 2015, the National Protection Unit met with members of the Governing Board of the CCAMF in which the Collective Protection Route was presented.

9. On September 10, 2018, the State reported: (i) an Action Plan for the Comprehensive Program of Guarantees for Women Leaders and Human Rights Defenders was generated, built with participatory methodology; as well as other programs to encourage female participation; (ii) the Tumaco Police District is carrying out preventive, dissuasive, and control actions with the National Model of Vigilance by Quadrants, through patrols and constant police inspections to the place where the representatives of the Governing Board of the CCAMF are staying; UNIPOL staff reported that Mr. Francisco Jacome informed them that they would leave the lodging and return to the territory of Alto Mira and Frontera (rural area of Tumaco); (iii) implementation meetings have been held on October 21, November 1 and 2, 2017, in the city of Tumaco with members of the Governing Board of the CCAMF, to discuss the implementation of the measures, and in this regard they report that they have implemented individual security measures in favor of CCAMF members; (iv) on July 18, 2018, a CERREM session was held in which the risk level was determined as Extraordinary, and in that sense the protection measures previously implemented were ratified; and (v) the arrest warrant against S.L.Q.V. was endorsed by the Criminal Courts of Guarantees of Cali. On September 26, 2018, the State indicated that: (i) the investigation against S.L.Q.V., T.M.V.Q., *et al.* is for the crime of conspiracy to commit a crime, rebellion, and others; on April 22, 2018, the charges were brought, but the defendants did not accept them; from April 23 to 25, hearings were held to request the imposition of a security measure (*medida de aseguramiento*), in which pre-trial detention in a prison was imposed; S.L.Q.V. and T.M.V.Q. requested a hearing for their release due to the expiration of terms, which was scheduled for September 25; (ii) S.L.Q.V. and T.M.V.Q. are being held in the Jamundi Prison and Penitentiary Complex; the women have a sentence redemption activity, receive psychological care, and on April 27, 2018, they were transferred to another ward; and (iii) on August 31, a humanitarian visit to the prison was authorized.
10. On November 22, 2018, the State reported: (i) the Constitutional Court ordered the intervention in the Nariño's Pacific region and, in this regard, a proposal was made that contemplates three strategic actions aimed at supporting the overcoming of the crisis in the Nariño's Pacific; (ii) on July 6, 2018, instructions were given to the Custody and Surveillance personnel to take extreme security measures for Ms. S.L.Q.V. and Ms. T.M.V.; and (iii) on November 14, 2018, a meeting was held for the adoption of security measures in the Penitentiary Center in favor of Ms. S.L.Q.V. and Ms. T.M.V.Q.; it was established that for any internal displacement, inmates must be accompanied and closely guarded.
11. On January 16, 2019, the State stated that: (i) an investigation was opened to clarify the facts relating to the homicide of Mr. C.G., after various investigative actions were carried out, it was possible to identify the alleged perpetrator and the alleged mastermind, against whom arrest warrants were issued, endorsed by the Third Municipal Criminal Court with Functions for the Control of Guarantees; (ii) on September 7, 2018, a hearing was held to formulate charges and impose a security measure against one of the perpetrators, who decided to accept the charges and is therefore awaiting the hearing to verify the sentence and the reading of the judgment; (iii) a hearing was held on the indictment and imposition of a security measure; the accused did not accept the charges; however, a pre-trial detention measure in a prison was imposed on him, and therefore, he is being held in *La Picalaña* prison; (iv) on August 22, 2018, a security council was held; and (v) on October 19, 2018, a visit was made to the president, a legal representative, and a member of the CCAMF, where their security expectations were heard and self-protection measures were presented to them. On July 29, 2019, the State reported that on July 12, 2019, release orders were received for Ms. S.L.Q.V. and Ms.

T.M.V.Q. as they were granted the substitution of the in-prison pre-trial detention measure for a non-custodial measure; the order became effective on the same day.

12. On November 30, 2021, the State stated that: (i) control and patrol activities are carried out on the closest road corridors or access corridors to the Alto Mira and Frontera Community Council, by means of background checks, and searches of persons and vehicles; (ii) controls are carried out on establishments open to the public on weekends, in order to prevent the crime of homicide in these places; (iii) checkpoints have been set up at different strategic points; (iv) educational campaigns are being conducted against homicide, since this is the most serious crime; also, self-protection measures and biosecurity measures to prevent the spread of COVID-19 have been publicized; (v) 129 preventive protection measures have been implemented for leaders of Afro-descendant communities, indigenous communities, leaders, human rights defenders, community leaders, etc., in the municipality of Tumaco; (vi) prevention campaigns have been conducted with a total of 9,509 people impacted, with topics on anti-kidnapping, anti-extortion, cyber-bullying, child abuse, begging, etc.; (vii) the Police Department of Nariño has intensified the various operational plans against common and organized crime groups and groups outside the law; in the framework of these operations, 298 arrests have been carried out, as well as the seizure of 72 firearms and 1,768 kilograms of drugs; (viii) there are various investigations where members of CCAMF are registered as victims, for the crimes of homicide and threats, most of which are active; (ix) as protection measures 42 communication devices have been granted; and (x) the last follow-up meeting conducted by CERREM was held on May 24, 2019.
13. Finally, between 2021 and 2022, the State requested the lifting of the precautionary measures due to the lack of information from the representatives and the fact that protective measures have been implemented in favor of the beneficiaries.

#### **B. Information provided by the representatives**

14. On April 20, 2018, the representatives reported that on April 20, 2018, S.L.Q.V and T.M.V.Q. were detained for the crime of rebellion and being part of the guerrilla group ELN, in what they consider would be an example of criminalization. S.L.Q.V. and T.M.V.Q. are mother and daughter, originally from Tumaco in the department of Nariño. They were in a situation of forced displacement in the city of Cali, under the protection detail of the National Protection Unit.
15. On September 3, 2018, the representatives stated that: (i) the situation presenting a risk in the area of Tumaco remains, and the violent actions of armed actors against the leaders of the CCAMF do not cease. As an example of this, on August 29, 2018, in zone 2 of the CCAMF a non-beneficiary and member of the CCAMF was murdered; (ii) on August 10, 2018, the office of Human Rights Protection Affairs of the Ministry of Foreign Affairs was informed that Mr. F.A.J.C., president of the CCAMF, was returning to his territory due to the lack of the necessary economic guarantees to remain in the urban area of the municipality of Tumaco; and (iii) S.L.Q.V remains prisoner in the Jamundí penitentiary and prison in the city of Santiago de Cali, and was being harassed by persons within the same prison who allegedly belonged to illegal armed groups.
16. After repeated requests for information between 2018 and 2022, the Commission has not received a response from the representatives, and all deadlines granted have expired.

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

17. 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 established 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 this Article, the IACHR grants precautionary measures in urgent and serious situations in which these measures are necessary to avoid irreparable harm to persons or to the subject matter of a petition or case before the organs of the inter-American system.

18. 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.<sup>4</sup> Regarding the protective nature, these measures seek to avoid irreparable harm and protect the exercise of human rights.<sup>5</sup> To do this, the IACHR shall assess the problem raised, the effectiveness of state actions to address the situation described, and the vulnerability to which the persons proposed as beneficiaries would be exposed if the measures are not adopted.<sup>6</sup> Regarding their precautionary nature, these measures have the purpose of preserving a legal situation while under consideration by the organs of the inter-American system. 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, 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. 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.
19. With respect to the foregoing, Article 25(7) of the Commission's Rules of Procedure establishes that “[t]he decisions granting, extending, modifying or lifting precautionary measures shall be adopted through reasoned resolutions.” Article 25(9) establishes that “[t]he Commission shall evaluate periodically, at its own initiative or at the request of either party, whether to maintain, modify or lift the precautionary measures in force.” In this regard, the Commission shall assess whether the serious and urgent situation and the risk of irreparable harm that caused the adoption of the precautionary

<sup>4</sup> See in this regard: I/A Court H.R., [Case of the Yare I and Yare II Capital Region Penitentiary Center \(Yare Prison\)](#). Request for Provisional Measures submitted by the IACHR regarding the Bolivarian Republic of Venezuela, Order of the Inter-American Court of Human Rights of March 30, 2006, Considerandum 5; I/A Court H.R., [Case of Carpio Nicolle et al. v. Guatemala](#). Provisional Measures, Order of July 6, 2009, Considerandum 16.

<sup>5</sup> See in this regard: Inter-American Court of Human Rights. [El Rodeo I and El Rodeo II Capital Judicial Prison Case](#). Provisional Measures regarding Venezuela, Order of the Court of February 8, 2008, considerandum 8; I/A Court H.R. [Matter of Bámaca Velásquez](#). Provisional measures regarding Guatemala, Order of the Court of January 27, 2009, considerandum 45; I/A Court H.R. [Matter of Fernández Ortega et al.](#) Provisional Measures regarding Mexico, Order of the Court of April 30, 2009, considerandum 5; I/A Court H.R. [Matter of Milagro Sala](#). Request for Provisional Measures regarding Argentina, Order of the Inter-American Court of Human Rights of November 23, 2017, considerandum 5.

<sup>6</sup> See in this regard: I/A Court H.R. [Matter of Milagro Sala](#). Request for Provisional Measures regarding Argentina, Order of the Inter-American Court of Human Rights of November 23, 2017, considerandum 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 the Court of February 8, 2008, considerandum 9; I/A Court H.R. [Matter of the Criminal Institute of Plácido de Sá Carvalho](#). Provisional Measures regarding Brazil, Order of the Inter-American Court of Human Rights of February 13, 2017, considerandum 6.

measures persist. Moreover, the Commission shall consider if new situations have arisen that might meet the requirements set forth in Article 25 of the Rules of Procedure.

20. Similarly, while the assessment of the procedural requirements when adopting precautionary measures is carried out from a *prima facie* standard, keeping such measures in force requires a more rigorous evaluation.<sup>7</sup> In this sense, when no imminent risk is identified, the burden of proof and argument increases over time.<sup>8</sup> The Inter-American Court has indicated that the passage of a reasonable period of time without any threats or intimidation, in addition to the lack of imminent risk, may lead to the international protection measures being lifted.<sup>9</sup>
21. In this matter, the Commission recalls that the precautionary measures were granted in 2018 in light of the information provided by the parties. The Commission granted the precautionary measures in favor of 15 identified members of the Governing Board of the Alto Mira and Frontera Community Council (CCAMF). The Commission considered that the persons identified were at risk due to threats, harassment and intimidation by armed actors, due to their position of defense of the territory. During the follow-up on the matter, the Commission notes that the State referred, *inter alia*, to the following measures:
  - (i) The conduct of security operations by the security forces against ordinary and organized crime groups and illegal groups;
  - (ii) Carrying out control and patrolling activities in the area where the CCAMF is located;
  - (iii) The implementation of individual protection measures by the National Protection Unit;
  - (iv) The implementation of protective measures while one of the beneficiaries was deprived of his liberty;
  - (v) Conducting workshops and training to address issues of special importance in the municipality of Tumaco;
  - (vi) The existence of various investigations in which CCAMF members are registered as victims. One of these investigations made it possible to identify the alleged perpetrators and the mastermind of the acts;
  - (vii) The holding of meetings to agree on precautionary measures, on November 11, 2015, and October 19, 2018.
22. Following the forwarding of information to the representatives, the Commission does not have any elements of assessment to indicate that the measures adopted by the State are not suitable or effective to address the alleged situation. Despite the various requests for information made to the representatives between 2018 and 2022, the Commission has not received their response, and nearly 5 years have elapsed without procedural activity on the part of the representatives in the instant matter.
23. In addition to the above, the Commission notes that the State has requested the lifting of the measures in various communications between 2021 and 2022. In accordance with Article 25(9) of the Rules of Procedure, the request to lift the measures was forwarded to the representatives. The last facts alleged by the representatives date back to 2018, and the State has reported the protection and security measures implemented subsequently, between 2018 and 2021. In this regard, the Commission identifies that no specific events have been reported against any of the 15 beneficiaries. After forwarding information to the representatives, the Commission did not receive information on elements that would allow to question the security measures implemented by the State. In this sense, the Commission does not have any assessment elements to currently identify a situation presenting a risk in the terms of Article 25 of the Rules of Procedure.

<sup>7</sup> I/A Court H.R., [Provisional Measures regarding Mexico, Order of February 7, 2017](#), paras. 16 and 17.

<sup>8</sup> *Ibidem*.

<sup>9</sup> *Ibidem*.

24. The Commission recalls that when a State requests the lifting of a precautionary measure, it must present sufficient evidence and arguments to support its request.<sup>10</sup> Likewise, the representatives of the beneficiaries who wish the measures to continue must present evidence of the reasons for doing so.<sup>11</sup> In this regard, Article 25(11) of the Rules of Procedure establishes that the Commission may lift or review a precautionary measure when the beneficiaries or their representatives unjustifiably fail to provide the Commission with a satisfactory response to the requirements set forth by the State for its implementation.
25. In this regard, considering the analysis previously carried out, and in view of the State's request to have the measures lifted, the Commission does not identify a situation that would support compliance with the requirements of Article 25 of the Rules of Procedure at present. In view of the foregoing, and considering that exceptionality and temporality is a characteristic of precautionary measures,<sup>12</sup> the Commission considers that these measures should be lifted.
26. In line with what has been indicated by the Inter-American Court in various matters,<sup>13</sup> a decision to lift measures does not imply that the State is relieved of its general obligations of protection, contained in Article 1(1) of the Convention, in the framework of which the State is especially obliged to guarantee the rights of persons at risk and must promote the necessary investigations to clarify the facts, followed by the consequences that may be established.

## **V. DECISION**

27. The Commission decides to lift the precautionary measures granted in favor of the 15 identified persons and members of the Governing Board of the Alto Mira and Frontera Community Council, in Colombia.
28. The Commission recalls that the lifting of measures at hand does not preclude the representatives from filing a new request for precautionary measures should they consider that there is a situation presenting a risk which meets the requirements set out in Article 25 of the Rules of Procedure.
29. The Commission instructs its Executive Secretariat to notify this resolution to the State of Colombia and the representatives.
30. Approved on December 4, 2022, by Julissa Mantilla Falcón, President; Edgar Stuardo Ralón Orellana, First Vice-President; Margarette May Macaulay, Second Vice-President; Joel Hernández García; and Roberta Clarke, members of the IACHR.

Tania Reneaum Panszi  
Executive Secretary

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<sup>10</sup> Ibidem.

<sup>11</sup> Ibidem.

<sup>12</sup> I/A Court H.R., Matter of Adrián Meléndez Quijano et al. Provisional Measures regarding El Salvador. Order of the Court of August 21, 2013, para. 22, and Matter of Galdámez Álvarez et al. Provisional Measures regarding Honduras. Order of the Inter-American Court of Human Rights of November 23, 2016, para. 24

<sup>13</sup> See: I/A Court H.R. Case of Velásquez Rodríguez. Provisional Measures regarding Honduras. Order of the Inter-American Court of Human Rights of January 15, 1988, Considerandum 3, and Matter of Giraldo Cardona et al. Provisional measures regarding Colombia. Order of the Inter-American Court of Human Rights of January 28, 2015, Considerandum 40.