



ЕВРОПЕЙСКИ ПАРЛАМЕНТ PARLAMENTO EUROPEO EVROPSKÝ PARLAMENT EUROPA-PARLAMENTET
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Brussels, 4th April 2014

To the attention of:

Catherine Ashton, High Representative of the EU for Foreign Affairs

Karel De Gucht, Commissioner for Trade, European Commission

The Colombia's President, Juan Manuel Santos, recently decided to overthrow the capital city Bogota's elected mayor, Gustavo Petro, as a consequence on a non-judicial procedure and in violation of binding precautionary measures explicitly issued¹ by the Inter-American Commission on Human Rights (IACHR). In views of this misguided and undemocratic fact, we Members of the European Parliament call on the European Commission to start immediately the procedure to put the EU-Colombia Free Trade Agreement temporarily on hold. That is to say, the part of the Trade Agreement between the European Union and Colombia and Peru that refers to Colombia.

The controversial and allegedly irregular removal of Gustavo Petro and his disqualification for public office for 15 years, ordered by the Colombian President on 20th March, constitute a gross violation of democratic standards, legal procedures and the international human rights protection system. This decision fails to comply with binding precautionary measures previously issued by the IACHR in favour of Gustavo Petro that clearly stated that the Colombian government should immediately put a halt to the removal and disqualification decision and leave Gustavo Petro at the Bogota mayor's office waiting for a subsequent sentence to be delivered by the Inter-American Court of Human Rights (IACHPR).

The IACHPR and the IACHR make up the human rights protection system of the Organization of American States (OAS) and work very actively in favour of respect of human rights, democracy and rule of law in Colombia and the Americas.

The fact that the Colombian government has so blatantly ignored AICHR precautionary measures against an outstanding elected political figure without any prior judicial trail reveals a worrying non-observance of Colombian case-law and a troubling disregard for specific precautionary measures and the international legal system. Thus, it publicly and flagrantly infringes upon the rule of law and basic political rights of a prominent dignitary and constitutes a violation of Article 1 of the EU-Colombia FTA², which explicitly refers to respect of rule of law, human rights and democracy as its very basis.

Therefore, we MEPs ask for keeping the EU-Colombia FTA in abeyance and call on the Commission to initiate the administrative process to suspend it until the IACHPR will issue its sentence. Disobedience to the legal system, including the Colombian Constitution, the American Convention on Human Rights and other international

treaties signed by Colombia, raise serious concerns on willingness of the Colombian government to comply with the provisions on human rights established in the FTA and other legal international obligations.

We MEPs respectfully call on you to consider the advisability of suspending temporarily the FTA, waiting the IACHPR to shed light on the issue, and then acting accordingly. Failure to enforce human rights, democracy and rule of law as a requirement to the FTA and not keeping it in abeyance would imply the obvious failure of the so-called 'roadmap'. That is to say, Colombian and EU response to this removal and disqualification will measure the suitability, effectiveness and seriousness of this so-called 'roadmap'.

Sincerely,

Jürgen Klute, MEP, Germany

Raül Romeva, MEP, Catalonia

Bart Staes, MEP, Belgium

Iñaki Irazabalbeitia, MEP Spain

Helmut Scholz, MEP, Germany

Marisa Matias, MEP, Portugal

Patrick Le Hyaric, MEP, France

Willy Meyer, MEP, Spain

Alda Sousa, MEP, Portugal

Ulrike Lunacek, MEP, Austria

Satu Hassi, MEP, Finland

Gabriele Zimmer, MEP, Germany

¹ Resolution 5/2014 issued on March 18, 2014 by the IACHR containing the precautionary measures ordered in favour of Gustavo Petro in response to the petition submitted on October 28, 2013: <http://www.oas.org/es/cidh/decisiones/pdf/2014/MC374-13-ES.pdf>.

² Article 1 of the FTA reads literally: "Respect for democratic principles and fundamental human rights, as laid down in the Universal Declaration of Human Rights, and for the principle of rule of law, underpins the internal and international policies of the Parties. Respect for these principles constitutes an essential element of this Agreement". English version of the final FTA is available in <http://www.tlc.gov.co/publicaciones.php?id=4605>.