

Reporters Without Borders

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Americas - Colombia

Access to justice

Lack of transparency and guarantees for plaintiffs in DASgate hearings

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Seven months have passed since the start of a court investigation into the role of seven former members of the Administrative Department for Security (DAS) - a security and intelligence agency now in the process of being disbanded - in the psychological torture of *Radio Nizkor* journalist [Claudia Julieta Duque](#).

Interrogation of the two leading suspects, former deputy director José Miguel Narváez and former intelligence chief Carlos Alberto Arzayús, is due to resume today after a long delay but the victim of this scandal, Duque, is being denied proper access to justice and Reporters Without Borders fears that this will prevent a thorough judicial debate.

Read [the report on this subject](#) that Reporters Without Borders released after visiting Colombia in 2010.

Duque has been expelled from the hearings twice at the request of Narváez and Arzayús on the grounds that she would "intimidate" them, although they claim to recognize the quality of her work as a journalist and, in particular, her coverage of the "DASgate" illegal phone-tapping scandal.

The decision by the attorney general's office to bar Duque from these judicial proceedings was endorsed last week by the Bogotá high court, which rejected Duque's appeal. Duque's lawyer has now appealed to the supreme court in an attempt to guarantee her rights as a victim in the proceedings.

"It is unacceptable that Duque is unable to attend hearings that directly concern her," Reporters Without Borders said. "No argument could justify a measure that so clearly violates the principles of unbiased debate and equal access to justice. Who is the one who felt 'intimidated' during a decade of illegal phone tapping (chuzadas), spying and physical attacks on journalists, judges, politicians and other citizens by the very people who were supposed to be guaranteeing their safety?"

"DAS's dirty tricks, especially during President [Alvaro Uribe](#)'s eight years in office from 2002 to 2010 dealt a major blow to the rule of law and civil liberties in a country already sapped by five decades of civil war. We hope the supreme court quickly grants Duque's petition."

Duque was one of the dozen or so journalists who, along with many other leading citizens, were target by the Uribe administration after they criticized its so-called "democratic security policies."

Duque was also one of the first journalists to report that Narváez was suspected of direct involvement in the 1999 murder of journalist and humourist **Jaime Garzón**. Narváez has also been widely accused of links with the paramilitaries.
