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Americas - Colombia

Justice under threat

Repeat threats to journalist as her torture case advances

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Radio Nizkor's **Claudia Julieta Duque** is an investigative journalist who has been harassed, threatened, followed and kidnapped in 2001 after covering fellow journalist **Jaime Garzón's** August 1999 murder in Bogotá. She was able to prove in 2009 that the Colombian Department of Security (DAS) was behind most of these intimidations.

The criminal proceedings against her alleged torturers are finally progressing for the first time in more than a decade. Jorge Armando Rubiano Jiménez, a former senior official in the intelligence agency known the Administrative Security Department (DAS), pleaded guilty on 20 March to "aggravated torture" of Duque.

At the same time, the repeated attempts to intimidate Duque have intensified as the proceedings have progressed and she recently reported renewed intimidation of her parents.

She and her lawyer, Victor Velásquez, also the target of threats, fear that various kinds of external pressure will undermine the independence of the prosecutor in charge of the case. Several former DAS officials who are still close to the government have every interest in seeing the proceedings grind to a halt.

"We call on the Colombia authorities to guarantee the safety of Duque and her family and to ensure that the justice system is able to function in an independent manner, so that those responsible for both the current threats and Duque's abduction and torture in 2001 are punished," said Camille Soulier, the head of the Reporters Without Borders Americas desk.

Duque initiated the criminal proceedings in 2004 because she was being threatened. She has had to flee abroad three times after attacks in 2001 and 2009. Although complaints were filed in 2001 and 2004, it was only in December 2011 that the prosecutor's office of the National Unit for Human Rights decided to begin a formal criminal investigation into seven former DAS officials for "aggravated torture."

Several of the suspects were placed in preventive detention, including former DAS official Jorge Noguera Cotes, but this did not help the investigation. Another former DAS official, Hugo Daney Ortiz, even tried to flee after benefitting from an unjustified release order but ended up surrendering.

Ronald Harbey Rivera, a former DAS detective also suspected of participating in the persecution of Duque, is supposed to be questioned on 23 April. It is vital that his formal interrogation goes ahead. So far Rubiano is the only suspect to have pleaded guilty.

Duque and her lawyer were received by the Inter-American Commission on Human Rights on 26 March to discuss her case with Colombian officials, including representatives of the prosecutor-general's office. Duque told Reporters Without Borders that these representatives showed no interest in taking charge of the investigation.

Threatening and abducting Duque are far from being the only violations of freedom of information in which the DAS has been implicated. They include the notorious [chuzadas](#), an illegal-phone tapping scandal that resulted in [a complaint being brought against former President Alvaro Uribe](#) by international NGOs and news organizations.

In February of this year, it emerged that thousands of [emails between journalists and the spokesmen of the FARC rebels were intercepted](#) by a surveillance unit almost certainly under Colombian government control.

Colombia is ranked 126th out of 180 countries in the latest annual [Reporters Without Borders](#)

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