

# Reporters Without Borders

<http://www.rsf.org/colombia-journalist-s-imprisonment-for-01-03-2012,41973.html>

---

Americas - Colombia

Court's gag ruling

## Journalist's imprisonment for criminal libel sets dangerous precedent

1 March 2012

---

A regional court yesterday upheld the conviction of **Luis Agustín González**, editor of the newspaper *Cundinamarca Democrática*, for criminal libel for publishing an editorial that was highly critical of the former governor and senator, María Leonor Serrano de Camargo.

The ruling by the Higher Court in Cundinamarca department means an exorbitant penalty imposed earlier of 18 months' imprisonment and a fine of 9.5 million pesos (18 "minimum salaries", or approximately \$5,450) will now be carried out.

"As has occurred recently in [Peru](#) and in [Ecuador](#), this latest case highlights the urgent need to decriminalize the offences of defamation, slander and libel in Colombia," Reporters Without Borders said.

"This ruling constitutes a serious precedent, a boost for self-censorship and a gag on freedom of opinion. We hope that the appeal to the court of cassation to be filed shortly by Luis Agustín González's defence team will be successful."

The journalist was convicted by a lower court in September last year and sentenced to 20 months' imprisonment and 20 "minimum salaries" for slander and libel. Only the second charge was upheld by the higher court yesterday.

In an article published in 2008 and headlined **iNO MÁS!** (see below), González castigated Serrano de Camargo for alleged "arrogance" and "despotism".



**iNo Mas!**

Defence lawyer Pedro Vaca believes that two basic rights, freedom of opinion and honour, are in conflict. "For the first time, freedom of opinion did not prevail," he said. He and Reporters Without Borders deplored a judgement that was contrary to continent-wide standards of justice.

"As in previous cases of this type elsewhere in the region, Reporters Without Borders does not deny the right of anyone subjected to accusations in the media to defend his or her honour," the press freedom organization said. "Where we express our concern is when a disproportionate penalty endangers the right to report the news and express individual opinions."

---

