

## **REPORT ON MISSION TO COLOMBIA**

Bogota and Bucaramanga, February 22 to March 7, 2009

Andrew Hudson, senior associate in the Human Rights Defenders Program, traveled to Colombia to launch a new report, [\*Baseless Prosecutions of Human Rights Defenders: In the Dock and Under the Gun\*](#). The result of over one year of original research, the report for the first time documents the widespread and systemic nature of baseless prosecutions of human rights defenders in Colombia.

### **Impact of Report and Feedback**

The trip achieved its goals of publicizing the problem of baseless prosecutions and creating pressure on the government to end the practice. The report received saturation media coverage in Colombia comprising 18 TV and radio interviews and over 20 print articles in the most important national and regional news outlets. Feedback on the report was universally positive.

*The Chief Prosecutor for Bucaramanga encapsulated the impact of the report by stating that Human Rights First had “made its point loud and clear; the report has been widely disseminated and read and has made a real impact on government.”*

The launch of the report in Bogota was co-sponsored by Colombia’s leading human rights organizations and attended by over 160 people from civil society, the diplomatic corps, and government. Speakers included Hudson, 2007 Roger Baldwin Award winner Ivan Cepeda, and a representative of the Colombian Office of the High Commissioner for Human Rights.

The surprising lack of a typical government rebuke of the report was testament both to the nature of Human Rights First’s engagement with the Colombian state and the sound basis of the report.

### **Engagement with Colombian State and Successful Outcomes**

In Bogota, Hudson met with the following officials to encourage implementation of the report’s recommendations: President of the Senate, President of the House of Representatives, President of the Supreme Court, Human Rights Ombudsman, Chair of the President’s Human Rights Commission, Director of the Interior and Justice Ministry’s Human Rights Program, Director of the Defense Ministry’s Human Rights Unit, Human Rights Inspector General, Senior officials in the Prosecutor General’s office, U.S. Embassy officials, Representative of the High Commissioner for Human Rights, Director of USAID in Colombia, and an EU representative.

Successful outcomes included:

- The President of the Senate and House stated that they would support a Bill to decriminalize defamation, one of the report’s key recommendations;
- As we recommended, the Prosecutor General’s office promised to review the cases in the report and to consider a filter mechanism to prevent future baseless prosecutions;
- The visiting UN Under-Secretary-General for Humanitarian Affairs, John Holmes, read our report and included a recommendation in his press release that the Colombian government allow human rights defenders to work without fear;

- USAID agreed to incorporate our recommendations into its support of the Inspector General's office and the Human Rights Ombudsman;
- The Interior and Justice Ministry stated that it would consider the risk defenders face from the stigmatization of baseless prosecution in awarding protective measures; and
- At the report's launch, the Human Rights Ombudsman stated that he would support our recommendations by: encouraging Congress to decriminalize defamation; promulgating a resolution urging government officials to recognize the legitimacy of defenders; and establishing a commission with the Inspector General to purge intelligence reports.

### **Disseminating the Report in Bucaramanga: Successes and Setbacks**

Most of the prosecutions described in the report take place outside the capital. Hudson visited Bucaramanga, in northern Colombia, where defenders are especially persecuted. In partnership with local organizations, Human Rights First launched the report to an audience of over 80 people, providing support to regional defenders and garnering additional media coverage.

Hudson also visited Andres Gil, a leader of the Rural Association of the Cimitarra River Valley (ACVC), at the Palogordo prison. Gil has been unjustly detained for over a year and his case was featured in our report. Despite serious attempts by the Prison's director to impede the visit, Hudson eventually met Gil after waiting six hours. Gil had heard Hudson on the radio the previous week and told him:

*"Your advocacy helps prevent worse treatment in prison...your solidarity is so important and has shown that our case is not isolated but represents part of a larger problem."*

Hudson also met with regional judicial and prosecutorial officials and regional directors from the UN and the offices of the Inspector General and the Ombudsman. Successful outcomes in Bucaramanga included:

- The regional human rights ombudsman [promised](#) to implement one of our recommendations by organizing a roundtable of judges and prosecutors to educate them on the legitimate nature of the work performed by defenders;
- The Chief Prosecutor for Bucaramanga plans to convene a meeting of prosecutors in Bucaramanga to discuss the problems revealed by the report; and
- The President of the Criminal Court in Bucaramanga promised to organize a meeting with his judges to discuss the report.

In a demoralizing setback, just before Hudson arrived in Bucaramanga, the Superior Bucaramanga Tribunal sentenced defender Principe Gabriel Gonzalez to seven years in prison for supposed support of guerrillas. Human Rights First has engaged in extensive advocacy in this case and helped secure Gonzalez's release from prison in 2007 when a judge found the charges baseless. Hudson quickly reacted to the decision by strategizing legal and advocacy options with Gonzalez's family and lawyer, criticizing the decision in media outlets, and meeting with judicial, UN, and prosecutorial figures to encourage that the decision be overturned.

The trip provided wide exposure for the report and leaves Human Rights First with a clear agenda for follow-up on implementation of the recommendations in the near future.