

26 September 2016

Colombia: Surveillance and acts of intimidation against journalist Claudia Julieta Duque

On 20 September 2016, journalist and human rights defender Ms **Claudia Julieta Duque** became aware that her place of residence was under surveillance, being both filmed and photographed by a group of police officers, who had not notified her of their intentions. The human rights defender and her daughter have faced serious threats related to her work for many years and has as a result been granted precautionary measures ([MC 339-09](#)) by the Inter-American Commission on Human Rights. These measures are supposed to be implemented by the Colombian Government's National Protection Unit in consultation with the human rights defender.

[Claudia Julieta Duque](#) is an award-winning investigative journalist and works as a correspondent for Radio Nizkor in Colombia. Throughout her career, she has investigated many high-profile cases and has received the Reporters Without Borders-Sweden Award, the Courage in Journalism Award and the Ilaria Alpi Prize, among others.

As a result of her work in pursuit of accountability, the human rights defender has been the target of intimidation, harassment, threats, torture and surveillance since 2001. At the time, Claudia Julieta Duque began investigating the murder of a fellow journalist, Mr Jaime Garzón, and came to discover that agents of the now defunct Administrative Department of Security (DAS) were involved in the cover-up. March 2016 marked the beginning of [a trial](#) against three high-ranked officers of the DAS who are accused of having tortured her psychologically, in what is expected to be a landmark case against impunity in Colombia.

In the morning of 20 September 2016, Claudia Julieta Duque spotted a police truck, a police motorcycle and five police officers stationed outside her residence. The officers were taking pictures and filming the front of the building, the entrance, the reception and the mailboxes inside. She later found out that they had also photographed the building's guest book.

When Claudia Julieta Duque approached the officers to enquire about their motivations for being there, she was informed that they were implementing the precautionary measures issued on her behalf, which shocked the human rights defender. In September 2015, Claudia Julieta Duque agreed with the competent authorities that (1) her address would only be revealed to the officers who needed it to monitor her place of residence as part of the precautionary measures and otherwise her address would remain strictly confidential, (2) that the officers in question would be introduced to her prior to beginning any assignment (3) the officers were not to take any photos or record any video of either her place of residence or her address.

The human rights defender has been forced to complain on several occasions during 2016 that the agreed protocols regarding the precautionary measures were not being followed.

During July and August, the defender was followed and the subject of surveillance by unknown men and one woman. On one of those occasions, Claudia Julieta Duque was together with members of the visiting Caravan of Jurists. The journalist has pictures and plate numbers of the motorcycles and persons involved in the surveillance.

In August 2016, the Colombian Federation of Journalists (Fecolper) met with the Human Rights Chief of the Police in Bogota, Colonel Sandra Mora. She agreed to contact the human rights defender to reactivate the agreed precautionary measures and that this would be preceded by a meeting with Claudia Julieta Duque where the National Police's Human Rights director would be present. This meeting has never taken place and instead the police seem to have engaged in activity outside her home in contravention of the existing agreements.

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Front Line Defenders is deeply concerned that the precautionary measures granted to Claudia Julieta Duque and her daughter have not been implemented properly in accordance with the agreements with the human rights defender and her daughter. The unilateral actions of the police have led to a breach of their privacy, heightening their sense of insecurity and potentially exposing them to further harm. Front Line Defenders is also deeply concerned by the lack of cooperation, respect and empathy shown by authorities when dealing with the requests made by the defender to safeguard her own and her daughter's safety and security; particularly considering the history of failures by Colombian authorities to uphold their protection obligations.

Front Line Defenders also highlights the fact that if the State has the obligation to implement precautionary measures, it does not have absolute discretion in deciding how to implement them, but rather must consult the human rights defender at all times and verify that the measures are in fact contributing to their security and well-being, as opposed to having an adverse effect on the latter. Front Line Defenders believes that the acts of surveillance against the human rights defender and her daughter are a direct result of her efforts against impunity.

Front Line Defenders urges the authorities in Colombia to:

1. Immediately and unconditionally cease all forms of surveillance or harassment against **Claudia Julieta Duque and her daughter**, as it is believed that these measures are not only solely related to his legitimate human rights activities but, furthermore, constitute a direct transgression of the rights of the human rights defender;
2. Carry out an immediate, thorough and impartial investigation into the irregularities pertaining to the police rounds performed in the place of residence of **Claudia Julieta Duque** the results of which should be provided to the human rights defender and her daughter;
3. Take all necessary measures, in consultation with the defender, to guarantee the physical and psychological integrity and security of **Claudia Julieta Duque and her daughter**, in particular by honouring pre-existing agreements related to the handling of information pertaining to the defender;
4. Guarantee in all circumstances that all human rights defenders in **Colombia** are able to carry out their legitimate human rights activities without fear of reprisals and free of all restrictions including judicial harassment.

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