

URGENT ACTION

HUMAN RIGHTS LAWYER AT RISK

Human rights lawyer Jorge Molano is involved in a high-profile prosecution of a former army officer. He is being followed, and he and his family are in grave danger.

The two bodyguards who have been providing protection for **Jorge Molano** reported to their superiors on 1 December that two men had been attempting to get into his apartment building in the capital, Bogotá. The men had gone into the building on three occasions, but had been stopped by the building's concierge each time: they had refused to say who they were, and simply asked to see Jorge Molano; the concierge asked them to wait while he checked to see whether Jorge Molano was at home, but the men said they would call back later, and left quickly.

Because of his high-profile work and previous threats to his safety, Jorge Molano receives some protection from the Ministry of Interior's Protection Programme. This protection, which includes two bodyguards and a bulletproof car, was approved in November 2008, but was not fully provided until mid-2009.

His telephone is believed to be tapped. A criminal investigation into a long-running illegal surveillance operation carried out by the civilian intelligence service *Departamento de Administración de Seguridad*, DAS, revealed that there were orders to monitor his communications. Over the past year his office in Bogotá has been under surveillance. On 21 August, Jorge Molano was leaving his office when a man dressed in black tried to get close to him. Jorge Molano's bodyguards stopped him and Jorge Molano was able to reach the safety of his car. Later the bodyguards told Jorge Molano this man was one of a pair they had seen watching the office earlier that day.

Jorge Molano has also represented victims in other high-profile human rights cases, including the case of members of the army's XVII Brigade, who are accused of colluding with paramilitary groups in the killing of members of the Peace Community of San José de Apartadó on 21 February 2005. His work as a human rights lawyer has made him the target of threats.

PLEASE WRITE IMMEDIATELY in Spanish or your own language:

- Expressing concern for the safety of Jorge Molano and his family, and urging the authorities to provide them with effective protection, in strict accordance with their wishes;
- Calling on the authorities to order a full and impartial investigation into the intimidation and harassment of Jorge Molano, publish the results and bring those responsible to justice;
- Reminding the authorities to adhere to their obligations regarding the situation of human rights defenders, as laid out in the 1998 UN Declaration on Human Rights Defenders.

PLEASE SEND APPEALS BEFORE 18 JANUARY 2010 TO:

President

Señor Presidente Álvaro Uribe Vélez
Presidente de la República, Palacio de Nariño, Carrera 8 No.7-26,
Bogotá, Colombia

Fax: +57 1 337 5890

**Salutation: Dear President Uribe/
Excmo. Sr. Presidente Uribe**

Vice-President

Dr. Francisco Santos Calderón
Vicepresidencia de la República
Carrera 8A No 7-27
Bogotá, Colombia

Fax: +57 1 565 7682 (ask: "me da tono de fax por favor")

**Salutation: Dear Mr Vice-president/
Estimado Sr. Vicepresidente**

And copies to:

Acting Attorney General

Dr. Guillermo Mendoza Diago
Fiscal General de la Nación (e)
Diagonal 22B (Av. Luis Carlos Galán
No. 52-01) Bloque C
Piso 4, Bogotá, Colombia

Fax: +57 1 414 9108

**Salutation: Dear Attorney General/
Estimado Sr. Fiscal General**

Also send copies to diplomatic representatives accredited to your country. Please check with your section office if sending appeals after the above date.

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ADDITIONAL INFORMATION

Jorge Molano is one of the lawyers representing the families of 11 people subjected to enforced disappearance by the army in 1985, during an assault on the *Palacio de Justicia* (Law Court), which had been seized by the guerrilla group M-19. The officer who oversaw the operation was Colonel Luis Alfonso Plazas Vega, and he is now on trial, with a number of other retired senior army officers. The army have claimed that the case should be heard by the military justice system, but it has remained in the civilian system, and a verdict is expected soon. Over 100 people died in the assault, including 12 Supreme Court judges.

His work on this case has made Jorge Molano the target of threats. He has been attacked in the blogs of the country's major newspapers, which have been reporting on the Plazas Vega case. One comment read, "I address exclusively the vulgar and shameless ... Jorge Molano to express my disgust, my repugnance, he sounds like a terrorist, like an unpatriotic person." (*Me dirijo exclusivamente al vulgar y desvergonzado ... jorge molano para manifestarle mi asco, mi repugnancia, huele a terrorista, a apátrida.*) Another comment read, "To this LAWYER MOLANO; your duty is to PROVE that PLAZAS VEGA 'murdered' those thugs you represent "(*A ese ABOGADO MOLANO ... lo que le competer PROBAR es que PLAZAS VEGA "asesinó" a ese poco de Hampones a los que representa*).

In April, Colombian press and broadcasters reported that the DAS, which reports directly to the president, had carried out a massive and long-running illegal surveillance operation against human rights defenders, opposition politicians, lawyers, judges and journalists to restrict or neutralize their work, and had done so in close cooperation with paramilitary groups. Foreign diplomats and human rights defenders were also targeted.

During Colombia's 40-year armed conflict, members of human rights organizations, trade unions and other social organizations have often been labelled as guerrilla collaborators or supporters by the security forces and paramilitaries. As a result they are often threatened, attacked or killed. Guerrilla groups have also threatened or killed human rights defenders they consider to be siding with the enemy.

In September 2009, the UN Special Rapporteur on the situation of human rights defenders, Margaret Sekaggya, visited Colombia and concluded that "patterns of harassment and persecution against human rights defenders, and often their families, continue to exist in Colombia... I am in particular deeply concerned about the widespread phenomenon of threats from unknown authors against human rights defenders and their families." She also expressed her "serious concern about the arbitrary arrests and detention (sometimes on a massive scale) of human rights defenders, as well as unfounded criminal proceedings brought against them."

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