



Brussels, 11 May 2020

The 25 signatory organisations strongly reject illegal military intelligence activities against human rights defenders and call for the truth to be established about these activities and for those responsible to face the legal consequences. The organisations also call for guarantees that these activities will not occur again in the future and for protection for victims and witnesses.

We would like to express our serious concerns about information published in the Colombian news magazine *Semana* on 1 May 2020, relating to the existence of “secret files” containing personal information about at least 130 people, including journalists, trade unionists, human rights defenders, lawyers and politicians. The information includes details about their social and professional contacts, their homes, their families, their movements and other private information that has been compiled without legal justification. In the past, European Union institutions and European NGOs working with Colombian civil society have also been the targets of these kinds of intelligence activities.

In December 2019, the Supreme Court of Justice ordered a search to be carried out into information held by the Cyber-Intelligence Battalion (*Batallón de Ciberinteligencia* - BACIB), part of the Army Communications Office within the military base in Facatativá. As a result of this, it was revealed that irregular intelligence activities had been coordinated by this battalion and other military intelligence bodies. The targets of these activities were also journalists, human rights organisations, judges and politicians. The activities benefitted former Colombian President Álvaro Uribe Velez, leader of the Democratic Centre party, implicated in legal proceedings.

Prior to this, human rights organisations, such as the Colombian Commission of Jurists (*Comisión Colombiana de Juristas*) and the Justice and Peace Commission (*Comisión de Justicia y Paz*) had reported surveillance activities in their offices in Bogotá. We would like to recall that during the Colombian national strike in November 2019, irregular searches were carried out in the offices of media organisations and social organisations who organised the protests.

Following these revelations in December 2019, General Nicacio Martínez, who was then the commander of the Army, resigned from his post. Mr. Martínez was about to be named as a military attaché to the Colombian Embassy in Brussels. This decision was revoked however, after the information published on 1 May 2020.

The organisations and individuals who have been the victims of this persecution by the military intelligence bodies, are people who have carried out journalistic work revealing irregular practices within the army, and lawyers who have defended the victims of extrajudicial killings and other crimes committed by State agents and in particular by the state security forces, within the ordinary justice system, and more recently within the Comprehensive System for Truth, Justice, Reparation and Non-Repetition, as is the case of the José Alvear Restrepo Lawyers' Collective (*Colectivo de Abogados José Alvear Restrepo - CAJAR*). It is worrying that this human rights work, which is legitimate and indispensable in any democratic country, and fundamental in the search for truth and justice in the context of the peace agreement between the government and the FARC-EP, is being targeted with this kind of attack by the State itself.

Several of the European organisations who are signing this press release and our partner organisations in Colombia were previously the victims of illegal intelligence activities, carried out by the now defunct Department of Administrative Security (*Departamento Administrativo de Seguridad - DAS*), as revealed in 2009. The DAS illegally acquired and used information about journalists, trade unionists, human rights defenders, and others, with the aim of discrediting, threatening and even murdering these people. "*Operación Europa*" carried out by the DAS aimed to "neutralise" the financial and political support of European institutions to these human rights organisations, and to discredit the European Legal system, the European Parliament Human Rights Sub-Commission and the Office of the United Nations High Commissioner for Human Rights.

After the scandal broke regarding the DAS illegal interceptions, key individuals were found guilty of committing these crimes, which included threats, aggression and murders committed in coordination with paramilitary groups. Nevertheless, not all those responsible were made to respond to the relevant national and international justice systems due to persistent impunity mechanisms and it is worrying that the non-repetition of these events has not been guaranteed, as can be seen in the latest incidents.

The European organisations signing this press release call upon the EU, its member states and the United Nations to:

- Make public statements rejecting this kind of activity against individuals and organisations who are carrying out legitimate and necessary functions in a democratic society.
- Support the creation of an International Commission with the participation of international organisations including the UN and the IACHR, to accompany the investigations into these practices in Colombia.
- Include this issue as a priority in the next EU-Colombia human rights dialogue meeting.
- Urge the Colombian Government to:

- Clarify the facts and determine who holds the most responsibility for them, including any actions carried out based on the information acquired and any people who have benefitted from them, as well as the financial resources, companies and experts involved.
- Remove those responsible from the state security forces and implement structural reforms to guarantee the non-repetition of these crimes.
- Grant the ordinary justice system access to all the information necessary to clarify the facts.
- Implement adequate and agreed protection measures for victims and witnesses, and share with them all information related to the investigations.
- Create a civil society commission to accompany the process of purging military intelligence files.
- The Ministry of Defence must collaborate with the Commission for the Elucidation of Truth (CEV) by giving information about other cases of this kind, thereby contributing to guarantees for the right to truth and the proper functioning of transitional justice mechanisms in Colombia.