

Women who fight for peace: Interview with journalist Claudia Julieta Duque



BOGOTA, FEBRUARY 2020 | KATJA NOORDAM - Working as a human rights defender and journalist for over 25 years, Claudia Julieta Duque has reported on crimes committed during the armed conflict, which, without her investigative journalism, would have remained uncovered. She has published on forced disappearances, recruitment of minors by legal and illegal armed actors, infiltration of paramilitary groups in Government entities, and the impact of impunity on victims. Her investigations into the murder of the famous humourist Jaime Garzón have shed a light on persecution by State intelligence agents, of which Duque herself has also been a victim.

A life of journalism for human rights

Claudia Julieta Duque has been working as a journalist and human rights defender for over 25 years. She began her career working for the Colombian News Agency Colprensa, Caracol Radio and other established national media organisations. She also worked for official Government entities such as the Presidential Directorate for Human Rights and the Directorate of Indigenous Affairs. She was an investigator for the José Alvear Restrepo Lawyers' Collective (CAJAR) and is currently a correspondent in Colombia for Radio Nizkor, the Internet radio station focused on human rights related news. [1]

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Among the topics of her investigative and journalistic work are forced disappearance, recruitment of minors by armed groups, the impact of impunity and the right to justice, and the infiltration of paramilitary groups within Government entities. She has investigated the 1999 murder of the renowned Colombian journalist and humourist Jaime Garzón, and the involvement in this crime of the then national intelligence entity, the Administrative Department of Security (DAS).

More recently, Claudia Julieta Duque has been investigating corruption in relation to human rights. "I'm trying to make the public understand the connections between human rights violations, drug cartels, mafias, and State contracting," Duque explains. With her journalistic work on this issue, her purpose is "to uncover how criminal structures related to drug trafficking and other illegal activities infiltrate in official institutions." [2]

Duque uses her social networks, mainly Twitter, to spread facts related to human rights violations. She says she is motivated by wanting to "break the silence and cover-up of facts that, due to fear and censorship, remain hidden." For the journalist, thanks to the rise of alternative social media, "new there's new hope for those wanting to provide news on topics which are not normally published in the traditional media." [3]

Claudia Julieta Duque also works as a trainer on security and protection issues for journalists and human rights defenders in Latin America. She coordinates the Colombia and Guatemala program of the International Women's Media Foundation (IWMF) based in Washington [4], which focuses on promoting investigative journalism in the region. The participation of women in this program is actively encouraged.

Journalism: high-risk work in Colombia

Journalism is a dangerous job in Colombia. Although Claudia Julieta Duque has been granted special protection measures by the Protection Program of the Interior Ministry and other protection mechanisms established in subsequent years [5], the journalist continues to face high risk. Duque herself thinks these are related to her investigations and publications on rights violations involving State actors and private companies. [6]

With regards to her efforts to promote a free and well-informed press in the country, Claudia Julieta Duque says she is concerned about the situation of local media, which is key to uncovering human rights violations in Colombia's regions: "During the armed conflict many local media agencies were silenced. There are still areas where no information comes out. Some regions are still under attack, with the killings of journalists, which means that journalism has not yet developed here." [7]

According to the Foundation for Press Freedom (FLIP) in a 2019 report, one year after the launch of the so-called Timely Action Plan for Prevention and Protection for Human Rights Defenders, Social Leaders and Journalists (PAO) by the government of President Iván Duque in 2018, in several of the regions prioritized by this plan the situation has not improved. These areas “continue to be centres of attacks on the press, while other regions that were not prioritised also have presented critical situations for the sector,” according to the organization. [8]

Claudia Julieta Duque participates in the “League against silence”, a coalition promoted by FLIP, which supports efforts to have regional journalists speak up again. Duque participates in the organisation of press conferences and local trainings for journalists and communicators in municipalities far from the capital city, Bogotá.

However, FLIP points out that, far from improving, “violence and attacks against journalists have increased significantly after the signing of the Peace Agreement.” [9] As of November 2019, the organization had documented five hundred fifteen attacks against journalists in the country and two media professionals were killed. [10]

Censorship and prosecution of journalists

Another concern related to the practice of journalism in the country is what Duque calls “a new State blockade against press freedom, which is currently gaining a lot of strength.” Evidences of this is the obstacles that are being placed to the investigative work of journalists, among others, “by Judges of the Republic who are censoring publications, and Universities which go as far as censoring murals painted by students, punishing them for making information public.” [11]

FLIP, registered seventy-five journalists who were subject to sixty-six cases of so-called “judicial harassment” in 2019, that is, legal processes that are staged against journalists or against media outlets “with the aim of intimidating, silencing or removing journalistic material from the internet.” [12] According to the journalist, “I myself clearly feel this expansion of the censorship mechanisms against journalism and free expression.” He says he is afraid of becoming a victim of a judicial set-up too.

Psychological torture by national intelligence agents

Claudia Julieta Duque not only publishes about serious human rights violations as a journalist: as a victim she has personally experienced the impacts of these violations. Duque has been waging a battle for over fifteen years, seeking justice in the legal case around the persecution she suffered at the hands of officials of the former national intelligence service, DAS. [13]

The journalist was illegally followed, kidnapped and attacked, and she and her little daughter received death threats, in a campaign that was orchestrated by the Administrative Security Department, DAS. [14] These crimes started in 2001, after Duque published the results of her investigation into the 1999 murder of political humourist Jaime Garzón. The journalist uncovered how DAS agents had participated in a cover-up of the events, in order to divert the investigation of the Attorney General's Office on his assassination. The directors of that entity at the time were directly involved in the crime.

The Government offered security services to Claudia Julieta Duque, in a sinister move in which, as it was later discovered, the bodyguards assigned for her protection were actually spying on her, to pass on details of her movements and activities to the DAS. The threats and attacks staged by the intelligence service were so serious that the journalist was forced into exile with her child, in 2001 and then in 2004.

Claudia Julieta Duque had to go a long way to have these crimes investigated and those responsible punished. The denunciation of the events that occurred between 2001 and 2004 finally led to the opening of an investigation in 2011. In various decisions issued from 2012 onwards, Colombian judges sentenced several former DAS officials for the crime of psychological torture of the journalist, her daughter and other relatives. [15]

This was the first case in the world in which a criminal justice court sanctioned members of an intelligence agency, directly responsible to the Presidency of a country for the crime of psychological torture. [16] This makes it a paradigmatic case regarding the use of counterintelligence techniques for political and social control, and according to national and international human rights organisations, it illustrates the modus operandi of the government of former President Alvaro Uribe Vélez against human rights defenders, journalists and political opponents.

Currently, two parallel lawsuits are underway in which five former DAS officials are on trial before ordinary courts for the crime of the psychological torture of Duque. National judges confirmed the responsibility of the ex-deputy director of the DAS, José Miguel Narváez, as the brain of the so-called G-3 group that persecuted and intimidated journalists, trade unionists, human rights activists and opponents in the country. In 2017 Narváez was sentenced for having issued the order for the assassination of Jaime Garzón, to thirty years in prison, a sentence that was later reduced to twenty-six years. [17]

In August 2019, Narváez presented a formal request to transfer his case to the Special Jurisdiction for Peace (JEP), based on the argument that his conviction for the crime of Jaime Garzón was a crime committed during the armed conflict, as is alleged by his defence lawyers. If his request is accepted, other cases involving Narváez, such as that of Claudia Julieta Duque, would also go to the JEP. [18]

Renouncement of legal proceedings

Since she strongly disagrees with current developments of her case before the Colombian justice courts, at the end of 2019 Claudia Julieta Duque decided to renounce the legal procedures. After fifteen years of fighting for justice she announced that she will no longer attend the court proceedings against the perpetrators of the crimes against her [19]. She has also stated that she does not agree with the transfer of the case of the convicted ex-deputy director of the DAS José Miguel Narváez to the JEP. Duque considers that this transitional justice entity, since it wants to reach an end point in the name of peace, will favour impunity in this case of State crimes against her. [20]

The journalist denounced that she has been revictimized and that she got tired of “pursuing justice that will not be done.” Duque points out that “despite so many years of struggle, the process has gotten stuck into an absolute stagnation in which the perpetrators have all the power to paralyze legal cases and achieve their freedom.” [21]

Among the factors that made her take this decision is the order of the judge of the Superior Court of Bogotá, who in July 2019 granted a petition from the defence lawyers for the former director of the DAS, Emiro Rojas, and ordered that Claudia Julieta Duque not give public opinions on her case or report on it. The judge stated that “the integrity of the defendants of the former DAS” should be protected. [22] According to the journalist – who announced that she was not going to obey the order – and to organizations such as FLIP, this decision amounts to censorship. In October of the same year, a petition filed by Duque’s defence requesting that the prohibition of commenting on her case be revoked, was rejected. [23]

According to Duque, these latest events are yet another example of the existence of “a strategy to guarantee impunity for the crimes committed against me.” However, the journalist adds: “even if I’ve made the decision to withdraw from the legal proceedings, I have not given up my right to justice.” [24]

Hidroituango: human rights violations by a company

Claudia Julieta Duque has investigated and published on cases of human rights violations involving private companies. In recent years, she has focused her investigative journalism on Empresas Públicas de Medellín (“Medellin Public Companies” – EPM) and the alleged mismanagement of this public company in its handling of the controversial Hidroituango hydroelectric plant in the department of Antioquia.

Among other topics, she published about the outbreak in cases of the Leishmaniasis disease in a municipality near the hydroelectric dam, where no previous records of this illness existed. The cutting of trees in the hydroelectric power plant’s area of operation resulted in the arrival of mosquitoes that spread Leishmaniasis, thus seriously affecting the right to health of local populations. [25]

Duque has also documented and published on social media about the serious crisis around the Hidroituango power house, through which the water from the Cauca river circulated to resume its flow. Due to mismanagement from EPM, this structure was at great risk of collapse and with that, it could have generated a social and human rights disaster for neighbouring communities. [26] According to the journalist, “through Twitter I’ve been able to save lives in the face of a possible tragedy, uncovering the fake news with which EPM tried to hide the facts.” [27] Several established media channels cited the facts revealed by Duque’s investigations in their reporting on the Hidroituango case, which caused public outrage in 2019. [28]

The collapse of the powerhouse did not happen, but to avoid it the company still caused enormous environmental, economic and social damage. The Office of the Attorney General opened a disciplinary investigation against members of the board of directors and executives of EPM, and officials of the National Agency for Environmental Licenses. [29] The journalist notes that at the time, “I felt a lot of pressure to stop publishing about the case.” [30]

Illegal detention and kidnapping during the National Strike

Claudia Julieta Duque investigated and published about the case of Carlo Giovanni Russi, a youngster who was illegally detained during the demonstrations that took place as part of the National Strike in Bogotá in November 2019. Russi was forced to get into a private car by the National Police, at the hands of members of the Mobile Riot Squad (ESMAD), the Judicial Investigation Section (SIJIN) and the Bogotá Metropolitan Police (MEBOG), who abducted and attacked him. [31]

The facts were described by Duque and in other media as an attempted enforced disappearance, since for 24 hours the Police hid Russi’s identity and whereabouts. Duque followed his tracks, publishing in real time via social networks about his movements during her search, until she discovered the place where the young man was being held, “having been seriously tortured”, as the journalist reported.

“I’m satisfied to have found that boy,” says Duque in an interview with PBI, adding that she achieved this partially “thanks to the support I was obtaining on Twitter”. For the human rights defender, the episode demonstrates the importance of journalism to expose human rights violations that continue to be committed frequently in her country. [32]

Actions inspired by the #MeToo movement

“In my journalistic work, it matters little to me who is who, women or men,” says Duque. “But as a journalist and also a woman, I’m very aware of the need to promote rights from a gender perspective.” [33]

For this reason, the journalist contributes to the equality and inclusion of women through many of her activities. In addition to coordinating in Colombia the investigative journalism program of the International Women's Media Foundation, in which mostly female professionals participate, Duque is part of the Colombian Network of Journalists with a gender perspective. This is a group of about twenty women journalists, who work on controversial cases from their respective media outlets. [34] "When one of us discovers a case, the other journalists support her, denounce the facts and put it to the public light," explains Duque. "This way we've formed a solidarity movement in the country, which we created as a result of the #MeToo movement against sexual violence." [35]

Inspired by this international movement [36], Duque was the first journalist to denounce former prosecutor Gómez Méndez for sexual harassment. The incident occurred in 2003, when she was working on the case of the murder of Jaime Garzón. [37] The journalist published the complaint on her Twitter account, and highlights the difference with other complaints by women against powerful and high-profile figures in the country. While these were published anonymously, Claudia Julieta Duque's complaint had a first and a last name. "I think we have a duty to speak out," he says. "You have to call things by their name, including that of the perpetrators." [38]

International PBI accompaniment

Peace Brigades International has been accompanying Claudia Julieta Duque as an independent rights defender since 2010, and from 2004 when she was an associate member of the José Alvear Restrepo (Cajar) Lawyers' Collective.

"I think Peace Brigades plays a key role in saving the lives of those of us who do not believe in guns, those of us who do work that is frowned upon in this country. It is a guarantee for daily life: I feel very safe when I'm with Peace Brigades, they are like guardian angels to me. I really feel that the daily accompaniment lets me continue to pursue my work the way I do it. I feel much calmer." - Claudia Julieta Duque

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Footnotes

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