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Guillermo Mendoza
Attorney General of Colombia
Diagonal 22B No. 52-01
Bogotá, Colombia

Dear Sirs,

Harassment of human rights lawyer Jorge Eliécer Molano Rodriguez

We, the below-signed 1,539 individuals, join Human Rights First in writing to express our great concern over the surveillance and recent security threats faced by Jorge Eliécer Molano Rodriguez, a prominent Colombian human rights lawyer. We urge you to investigate these recent security risks, improve his protective measures and adopt the other suggestions below.

On three occasions in the last week of November, 2009, Jorge Molano was the reported victim of several security threats at his home. Men dressed in plain clothes arrived at his residence to inquire whether he was home. When the apartment building's security guard attempted to contact Molano's apartment to verify his presence, the men immediately dispersed, claiming that they would call Molano later. Molano's partner has also been subject to suspicious surveillance.

Jorge Molano is a lawyer for human rights organizations such as *Sembrar*, *NOMADESC*, and the Agricultural and Mining Union of South Bolivar (*Fedeagromisbol*). He also provides legal representation to victims of human rights violations, such as the families of those killed in the massacre of San José de Apartadó on February 21, 2005; human rights defenders who have been arbitrarily detained and subjected to trumped-up criminal charges; and those who have suffered illegal surveillance by the national intelligence agency (*DAS*). Molano provided invaluable assistance to Human Rights First in

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researching its February 2009 report, *Under the Gun and In the Dock: Baseless Prosecutions of Colombian Human Rights Defenders*.

Molano is a crucial human rights lawyer handling some of Colombia's most sensitive justice cases which involve high ranking Colombian military officials and several massacres that are reaching court. We are concerned that the harassment and surveillance may be intended to deter Molano's groundbreaking work in seeking justice for various human rights violations. In particular, we are aware of the upcoming trial for the San José de Apartadó massacre on December 14 – 16 and recent developments in the investigations into Operation Dragon and the Justice Palace case. Molano represents victims in all of these cases.

Due to his high security risk profile we understand that Jorge Molano has received strong protective measures from the Interior and Justice Ministry. However, we are concerned that these security measures are insufficient given the recent surveillance. We urge you to strengthen Molano's protection scheme by improving security at his office and installing bulletproof windows there, fortifying the bulletproofing of his vehicle, and increasing the number of bodyguards he is assigned.

We also urge you to ensure that the DAS, or any other state agency, is not continuing its illegal surveillance of Molano. He has recently noted strange background noises during telephone calls and dropped calls. It was recently revealed that in 2004 Molano's phone was illegally wiretapped by the DAS in an effort to spy on the work of human rights defenders.

Finally, we urge you to guarantee a full investigation of all the suspicious behavior and surveillance that Molano has recently reported. Moreover, we urge you to publicly call for an end to the stigmatization of Mr. Molano in the media. His security has been further imperiled by comments published in various media outlets threatening him and accusing him of being a terrorist.

On November 20, 2009, the UN General Assembly passed a resolution,¹ which Colombia agreed to, emphasizing and calling upon states to adopt strong and effective measures for the protection of human rights defenders to prevent and eliminate human rights violations against defenders. We call upon you to put into practice the international standards that Colombia has agreed to by adopting the measures above to prevent attacks against Molano and his family. His human rights advocacy is vital to strengthen Colombian democracy and the rule of law and it is crucial that the Colombian state enable him to carry out his work unimpeded.

Thank you for your attention to this urgent matter. We will continue to closely monitor this situation.

¹ Third Committee, Agenda item 69 (b), *Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms*, November 20, 2009, UN Doc. A/C.3/64/L.38/Rev.1

Sincerely,

(The names of the 1,539 signatories have been removed for privacy reasons.)