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Cúcuta :

the Colombian press

at the crossroad

of dangers

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Investigation : Christine Renaudat, Vincent Taillefumier and Johan Schmidt

Reporters Without Borders

International Secrétariat

Americas desk

5, rue Geoffroy Marie

75009 Paris-France

Tél. (33) 1 44 83 84 68

Fax (33) 1 45 23 11 51

E-mail : ameriques@rsf.org / americas@rsf.org



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Cúcuta : the Colombian press at the crossroads of dangers

Following threats and physical attacks against journalists since the start of 2004 that have made Cúcuta one of the most dangerous places in Colombia for the press, four organizations visited the city on 9-10 February to find out about the situation there. They were the Press Freedom Foundation (FLIP) of Colombia, representing the Antonio Nariño Project, the Press and Society Institute (IPYS) of Peru, International Media Support of Denmark and Reporters Without Borders of Sweden and France.

Of the 38 cases of threats against journalists reported in Colombia in 2004, eight took place in Cúcuta and led to several journalists going into exile. Tension in the area peaked with the murder of radio journalist Julio Palacios on 11 January 2005, creating a climate of great anxiety among media professionals.

Journalists in Cúcuta have unfortunately been exposed to this kind of danger for years. In 2002, a car bomb went off outside the Cúcuta studios of radio and TV broadcaster RCN and a bomb was defused outside the offices of daily newspaper La Opinión. In 2003, three RCN television journalists were kidnapped by the Marxist guerrillas of the Revolutionary Armed Forces of Colombia (FARC).

More than 20 local media journalists, national media correspondents and media owners were interviewed in the course of this visit. The fact-finding team also met with local officials such as the acting mayor, the government secretary for Norte de Santander department, the police chief, the deputy army commander for the region, head of the prosecutor's office and the local director of the Department for Security Administration (DAS), Colombia's biggest intelligence service. The team also sought the views of civil society groups, the Ombudsman's office and the regional office of the attorney-general.

Cúcuta: armed groups and drug cartels

The capital of the northeastern border department of Norte de Santander, Cúcuta has been the target of armed groups and criminal gangs for decades.

They became entrenched in the area in order to ensure easy access to Venezuela and thereby control the profits from the various kinds of trafficking there, including the smuggling of stolen cars in the 1970s to trafficking in gasoline now, which the authorities ignore. The result for the population has been violence and instability.

Illegal cultivation of coca (the source of cocaine), which covers at least 7,000 hectares in the Catatumbo region in the north of the department, has also turned Cúcuta into a key drug trafficking centre. Led by a gang boss known as El Pulpo, who is often mentioned by locals, drug trafficking has a big impact on social, economic and political life in Cúcuta although, as a result of self-censorship, local press coverage is limited.

The guerrillas of the extreme left People's Liberation Army (EPL) and above all the National Liberation Army (ELN) and the FARC maintained a strong presence in the region for years. The far-right paramilitaries of the United Self-Defence Groups of Colombia (AUC) began to dispute their control of the region in 1999. Their violent arrival on the scene, marked by the massacres of Tibú and La Gabarra, set off a wave of killings of civilians that was unprecedented in the area.

The war between these groups spread to the civilian population, which was accused of helping one side or the other. With more than 1,000 murders in 2002, Cúcuta became one of the Colombian cities with the highest per capita homicide rate. The rate has since fallen by about 60 per cent but it is still higher than the national average and the population continues to be the target of selective murders.

While Cúcuta still feels the presence of the ELN, which now concentrates on carrying out occasional, specific attacks, the AUC has strengthened its control of the city, especially in the poor neighbourhoods where half of the 725,000 inhabitants live.

The AUC has also managed to infiltrate part of the local government. An arrest order was issued in March 2004 for Ana María Flórez Silva, the former local head of the public prosecutor's office, who has been on the run since her links with paramilitary groups were revealed. Mayor Ramiro Suárez Corso was arrested in June 2004 and accused of possible links with the AUC. The case is still pending and he is currently detained.



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Although 1,425 members of the AUC's Catatumbo section were officially demobilized and handed in their guns on 10 December under an AUC cease-fire, civil society groups claim that the paramilitaries have carried out murders since then. A total of 400 AUC members who have been demobilized are reportedly based in Cúcuta waiting to be reintegrated into civilian life. There are also signs of links between the AUC and local drug traffickers.

All these factors make it harder for the local news media to operate. At least eight radio stations, two TV stations, a magazine and the city's only daily are subject to pressure.

A grim year for Cúcuta's press

Press freedom in Cúcuta was dealt an especially harsh blow at the start of 2005 with the murder on 11 January of Julio H. Palacios Sánchez, the head of the Radio Lemas and producer of the radio magazine programme «El Viento.» Two gunmen intercepted him on the way to work and shot him several times. Various sources described Palacios as a controversial journalist who had criticized a range of public figures in Cúcuta. Others said that, in the course of a 20-year career as a reporter, he had been the target of defamation complaints on more than one occasion.

While the motives for the killing are still not clear, there is no doubt that a climate of anxiety and fear among Cúcuta's journalists that had been developing since the start of 2004 was brought to a head by his murder. Following Palacios' death, threats resumed against journalist Jorge Corredor, who received a message that he would be the next to be murdered. At the same time, Antonio Colmenares of the daily La Opinión left Cúcuta without warning for reasons that are still unclear. During the fact-finding visit, other journalists said they felt intimidated.

But this is not new. The various press freedom organizations registered eight cases of threats against journalists and one against a news media in 2004. Cristian Herrera Nariño, a reporter with La Opinión, was the target of threatening calls and obstruction in his work at the end of February 2004. A gunman entered Corredor's home on 22 April 2004 and shot his step-daughter dead. Journalist Jesús Montes was told on 7 May he was going to be murdered that day. All these journalists fled Cúcuta. Hernán Sepúlveda, a colleague of Montes, also left. The journalists at RCN Radio received a printed threatening message on 10 June. Two

weeks later, the radio news team at Net Noticias received a call warning them to shut up. They and other journalists had been reporting on corruption in the local government.

All of the journalists in these cases received some kind of protection. The Net Noticias journalists were assigned a unit consisting of a vehicle, driver and two DAS guards to protect all of them. Each of the RCN Radio reporters is escorted by a police bodyguard. Police chief José Humberto Henao said the bodyguards are not meant to be permanent, and are rotated among the reporters that need them.

The interior ministry has so far granted forms of protection – being provided by the DAS and police – which is fundamental for ensuring the journalists' safety. But it is worrying that no preventive measures have been taken to address the causes of the problem.

Statements such as acting mayor Gustavo Villasmil's that attacks against the press have never been reported show there is no awareness on the part of some authorities about the widespread risks for journalists in Cúcuta. Other officials describe the attacks as isolated events related to the personal situation of each threatened journalist. The police chief told the fact-finding mission that Palacios' murder was "the black spot on a white handkerchief." The mission found that the handkerchief is not that white and Palacios is not the only black spot.

The danger that these attacks will remain unpunished is also worrying. The Cúcuta prosecutor's office is currently investigating six of the eight cases of threats that have been registered by the organizations. All of the investigations, including those begun at the start of 2004, are still in the preliminary stage. In other words, no one has been charged or arrested. And only the Palacios murder has been assigned to a human rights unit prosecutor. The other cases are not being handled by prosecutors that specialize in human rights cases. The prosecutor's office wanted to transfer the shooting of Corredor's step-daughter to the human rights unit in Bogotá, but the request must come from the capital and it has not yet materialized. The head of the Cúcuta prosecutor's office said, "we do the work with the resources we have."

The regional branch of the attorney-general's office, which is supposed to ensure that judicial investigations and prosecutions are conducted as required by the law, is only monitoring the Palacios case.



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Result – a passive press

As well as Palacios’ death and the departures of journalists resulting from press freedom violations in Cúcuta, the continual threats and the high degree of impunity have created a climate of anxiety and circumspection among the remaining journalists.

Many of them feel pressured even when they have not been threatened themselves, and to avoid any kind of reprisal, they prefer to leave out relevant information from their reports and refrain from analysing events. “We are very passive in our work,” several said.

Their fear of being attacked or threatened by one sector or another (including those outside the law), forces them to limit their reporting to quoting sources (mostly official ones) without any journalistic investigation. This clearly affects the quality of news reports and the public’s right to be informed.

Most of the journalists interviewed agreed that certain subjects, although publicly known, are off-limits or are covered very superficially. Drug trafficking, corruption and gasoline smuggling, which affect the lives of the inhabitants of the capital of Norte de Santander department every day, are the most sensitive and least covered subjects.

The journalists interviewed also agreed that for the most part they do not dare mention or investigate the links that may exist between local authorities and the crime cartels for two reasons. Partly for fear of being threatened or being the target of attacks. But also because they fear that the local authorities might deprive them of the advertising of which they are the main source.

The impact of a patronage system on the media

Advertising by state entities is the principal source of income for many local news media in Colombia. This dependence is very common in the Colombian provinces, as is the improper exploitation of this dependence by public officials as a way of putting pressure on the media. Cúcuta is no exception.

Cúcuta radio journalists confirmed to the fact-finding mission that most of them have to find sponsors in order to finance their programmes, which imposes limits on their independence. Such limits stem from the way advertising is

assigned by city halls, governors’ offices and related entities without any clear criteria.

Officials say advertising is distributed according to the Colombian law regulating the issuing of contracts by the state. But this law allows officials to assign and suspend advertising contracts by means of service orders, without any control. This can spawn a mutual dependence between public officials and journalists, giving rise to a dangerous media clientelism. Such a relation resulted in the murder of journalist José Emeterio Rivas in the city of Barrancabermeja.

Conclusions

- The mission noted that the various physical attacks and threats that have taken place in Cúcuta and the recent murder of journalist Julio Palacios have created a climate of fear in the Norte de Santander news media that is limiting their ability to work
- It was found that some subjects are off-limits for journalists and others are handled with extreme care to avoid threats.
- It was also noted that the local authorities seem to be partially unaware of the attacks on press freedom and the slowness of the investigations.
- The lack of success in the investigations and the failure to punish those responsible for the attacks on the press have reinforced the climate of intimidation and have encouraged those responsible to continue with their threats.
- The lack of guarantees for the news media in their work and their dependence on the advertising provided by the local authorities limit press freedom and undermine the public’s right to news and information.

Recommendations

A. To the civilian authorities

Be more aware of the risks being run by Cúcuta’s journalists. Plan and take action to prevent threats and physical attacks on the press. Include these subjects in the government’s negotiations with the AUC.

(To the public prosecutor’s office, attorney-general’s office, and other investigative authorities) Investigate the origin of the threats and attacks,



and follow them up effectively until those responsible are caught and punished, and light is shed on the reasons for these attacks.

(To the interior ministry) Ensure the protection of journalists who are at risk and establish the logistic resources necessary to deal with any emergency.

(To the Ombudsman's office) Continue the work of helping journalists at risk and request the resources needed to provide this assistance.

(To local state entities) Establish clear and transparent criteria for assigning advertising to the news media.

B. To the military authorities, the police and the DAS

Assist the investigations and help ensure that those responsible for the threats and attacks on the press are punished.

Ensure the protection of journalists at risk and seek permanent mechanisms that prevent them being endangered.

Remember that, to guarantee society's right to information, it is essential for journalists to talk to a range of sources, not necessarily official ones.

C. To the news media and journalists

Report any threat or physical attack against them to the various local authorities as soon as it occurs.

Support colleagues who are subject to pressure and harassment.

Implement the safety measures recommended in both the Handbook for Self-Protection for Journalists in the Colombian Civil War (produced by the Foundation for Press Freedom with UNESCO support) and the Charter for the Safety of Journalists Working in War Zones or Dangerous Areas (drawn up on the initiative of Reporters Without Borders).

(To the national news media) As La Opinión is the only local news media with the necessary resources to deal with all the problems of a border city, support your colleagues in Cúcuta by investigating and reporting on the region's issues.

D. To illegal armed groups

Respect press freedom as a guarantee of society's right to be informed. The first of the additional protocols to the Geneva Conventions of the 12th August 1949 says journalists should be considered as civilians and should be protected as such. Their work guarantees the right of citizens to information and as such they should enjoy guarantees in order to be able to work in an independent, free and responsible manner as stated in article 73 of Colombia's constitution.

E. To Cúcuta society

Support journalists when they are threatened or harassed and always insist on receiving complete news reports and information.