



COLOMBIA: MAGNITUDE AND DIVERSITY OF THE MEDIA:

In Colombia there are multiple columnists, radio shows, national and regional journals and their part in political control must be mentioned.

- There are currently 17 national journals and 27 regional journals;
- Television covers approximately 100% of the national territory with a state, commercial and community operation system;
- 1371 radio stations – commercial, public interest and community-
- Hundreds of magazines and newsletters with informative, political, sports, specialized and entertainment-related contents managed by professional associations, guilds, NGOs and universities, organized communities and independent media.
- In Colombia there are no official media, except for the institutional channel and Señal Colombia

PARTICIPATION, OPPORTUNITIES, NEW MEDIA

Colombia is a worldwide leader in granting licenses for community radio and television services. These media are providing an appropriate channel for the expression of local communities and are allowing, with the programming meetings, such as in the radio, the construction of a new social web to foster participation and freedom of information.

- All city capitals of the nation hold public bids to grant the community radio service to social not-for-profit organizations
- Over 400 papers participated in the Círculo de Periodistas de Bogotá (Bogotá Journalist Circle) in 2008, as an acknowledgement to the best performances in radio, television, scientific journalism, photography and caricature in investigative journalism regarding social issues.
- In February 2008, the Community Radio Policy was approved by the National Political, Economic and Social Council (Consejo Nacional de Política Económica y Social - CONPES): its purpose is to support participation, formation, programming, production, management and organization processes, among others, among community radio stations.
- The Government is currently carrying out a series of programs conducive to increase the coverage of telecommunications services, especially those enabling the acquisition of knowledge, the mass mobilization of all sectors, social actors and community groups for sustainable human development and thus, for the reduction of the social gap in our nation.
- **TV KANKUAMO** was launched in 2008. It is broadcasted from the Sierra Nevada de



Santa Marta, and its purpose is to preserve the ancestral customs of the indigenous population, which has been seriously affected by violence.

- “Gobierno En Línea” (Government Online) is a government project, which aim is to bring together the work of State entities as to provide better attention and allow citizens to participate, have more efficient administrative services and to render more effective services to the people.

THE RIGHT TO FREEDOM OF PRESS

The Democratic Security State Policy has had a significant effect in the recovery of security for the citizens and in strengthening the freedom of information, speech and press.

The recovery of the monopoly of force on the part of the Government and the weakening process of the illegal armed groups have represented for most journalists a new scenario that enables the free practice of their profession and the expression of their opinion.

To this regard, we must state that journalists are one of the target populations of the protection program of the Ministry of the Interior and of Justice.

REGULATORY FRAMEWORK TO GUARANTEE FREEDOM OF SPEECH

As per the provisions of Article 13th of the American Convention on Human Rights and the standards set forth in the pacific jurisprudence of the Inter-American Court of Human Rights, the Government of Colombia has a broad legal framework to guarantee the right to freedom of opinion and of speech, based on the Political Constitution, which establishes the following:

- **Article 18** – *Freedom of conscience*. No person shall be persecuted due to his/her convictions or beliefs nor shall they be summoned to disclose them or act against his/her conscience.
- **Article 20** – *Freedom of speech and information*. All persons are guaranteed the freedom of speech and to reveal their thoughts and opinions, inform and receive true and unbiased information and create mass communications media. They are free and have a social responsibility. The right to rectification in conditions of equity is guaranteed. There shall be no censorship.
- **Article 21**. The right to honor is guaranteed. The Law shall set forth the way in which to protect it.
- **Article 73**. Journalistic activities shall be protected in order to guarantee their freedom and professional independence.”



Law 918 of 2004: its purpose is to protect the journalistic task from the labor and the social perspective, as well as to define the academic aspects of the degrees for its practice.

- **Article 73:** “Journalistic activities shall be protected in order to guarantee their freedom and professional independence.” In addition, the norm defines the conditions for the practice of this activity, without prejudice to the right of all citizens to access the media, occasionally or permanently, to contribute with their points of view from the different professions, occupations and interests.

Colombia is a party to multiple treaties and international declarations acknowledging the right to freedom of speech:

- Article 19 of the International Covenant on Civil and Political Rights
- Declaration of Chapultepec, subscribed January 27, 2003 by President Alvaro Uribe, committing to supporting and promoting freedom of press and the free flow of information in Colombia.

PROTECTION PROGRAM

The Protection Program for Journalists and social communicators regroups journalists who, as a part of their professional activity, assume the diffusion, defense, preservation and reinstatement of Human Rights and International Humanitarian Right, and due to this their life, safety or freedom is in peril because of political or ideological violence or due to the security situation of the nation.

The current administration, as a part of its policy to promote, respect and guarantee Human Rights and the application of International Humanitarian Rights, has included the protection of journalists among its goals by way of the following:

- **Decree 1592 issued August 18, 2000:** The Protection Program including journalists and social communicators as target populations.

Safety measures have been placed in operation to protect journalists located in violent areas and in dangerous missions, thus complying with the recommendations of inter-governmental human rights entities, through:

- **Decree 2816 of 2006:** “*support the National Government in the preservation of the life, integrity, freedom and safety of the target population vulnerable to hazards that are certain, imminent and exceptional, as a direct consequence of the practice of their activity of political, public, social or humanitarian functions.*”



The protective measures have been agreed upon in their conception and execution with journalist guilds and association.

PROGRESS IN THE PROTECTION OF JOURNALISTS

An example of the progress made in journalist protection is the amount of beneficiaries of the Program, which were only 14 professionals in 2000 and increased to **154 beneficiaries** in 2008. From January to March 2009, 124 journalists have benefited from the protection program.

In this program, journalists represented 1.4% of the beneficiaries in 2008, which represents 3,40% of the budget, that is, 1.763 Million Pesos (approximately \$764.000 Dollars) of the program's resources.

Journalists with Safety Measures 1999 – 2009

TARGET GROUP	AMOUNT										March 2009
	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	
JOURNALISTS	0	14	69	168	71	125	46	64	128	154	124

Source: Ministry of the Interior and of Justice

The measures may be preventive or protective

Preventive measures seek to complement the physical protection measures and avoid consummation of the risk, such as:

- Self-protection programs intended to provide tools to the beneficiary population to detect their own risks and handle them without the use of weapons;
- Preventive periodic patrolling performed by the National Police to the residences of the beneficiaries or to the headquarters of the organizations to which they belong.
- The physical protection measures may be light or hard:
 - Light: communication means; transportation means; temporary relocation support and moving support.
 - Hard: strong protective schemes; armored buildings; installation of security elements and equipment, bullet-proof vests and armored vehicles



Budget of the Protection Program

In spite of the fiscal limitations of the Nation, the Government has allocated significant resources to this Program, which have represented greater and more effective protection of the vulnerable population. The fiscal reports for the 2002-2008 period allocated \$ 478.104.848.000 Pesos for the Program from the National Budget of the Nation. USAID contributed \$21.701.667.620 Pesos during that same period, for a total amount of \$499.806.516.000 Pesos.

Budget of the Protection Program 1999 – 2009

Year	National Budget	International Cooperation	Total
		USAID*	
1999	4,520,000	-	4,520,000
2000	3,605,015	-	3,605,015
2001	17,828,455	1,715,064.91	19,543,520
2002	26,064,000	4,400,366.51	30,464,367
2003	29,000,000	3,294,143.69	32,294,144
2004	30,740,000	2,873,474.92	33,613,475
2005	48,223,300	4,655,608.43	52,878,908
2006	70,981,065	1,461,151.30	72,442,216
2007	74,717,775	1,884,602.86	76,602,378
2008	82,247,005	1,417,255.00	83,664,260
2009	90,178,233	N/D	90,178,233
Total	478,104,848	21,701,667.62	499,806,516

Source: Ministry of the Interior and of Justice

PROTECTION RESULTS: DECREASE IN THE RATE OF HOMICIDES

The prevention and protection strategies implemented by the National Government have led to positive results in the reduction of homicides. There has also been a visible decreasing trend in the cases related to journalists:



**HOMICIDE OF JOURNALISTS
2001 – 2009**

2001	2002	2003	2004	2005	2006	2007	2008	April 2009
9	11	7	3	2	3	2	0	1

Source: *Human Rights Observatory of the Presidential Program for Human Rights.*

- One journalist has been murdered so far this year.

The improvement of the security situation of the journalists of the country has been evidenced by organizations such as **la Fundación para la Libertad de Prensa (FLIP)**, which highlighted in its latest report the fact that no journalists were killed in 2008 due to their occupation, which “(...) constitutes a remarkable event for a country as Colombia, where more than 130 journalists have been killed in the last 30 years”.

To this same purpose, the organization Reporters Without Borders said in 2008 that “the reduction of press-related crimes during the administration of Alvaro Uribe must be highlighted, as this is of great importance for a country that has been at war for the last forty five years and is famous for the perils it represents.”

The report issued by the International Press Institute in 2008 must also be mentioned, for it qualifies the reduction in the amount of journalists killed since 2002 as “dramatic”.

FIGHT AGAINST IMPUNITY REGARDING THE ALLEGED INFRINGEMENTS TO THE HUMAN RIGHTS OF COMMUNICATORS AND JOURNALISTS

We must reiterate the will of the Nation to clarify the cases concerning journalists, accomplishing new advancements in justice and in the fight against impunity.

- **In 2008**, the **Special Sub-unit** for investigations regarding journalists was created in the National Unit for Human Rights of the Attorney General.
- By December 2008, the National Unit for Human Rights and International Humanitarian Rights of the Attorney General was aware of forty two cases in which journalists had been the victims.
- By that time, twenty one **(21) apprehension warrants** had been issued, **fourteen (14) indictments** had been proffered as well as **three (3) convictions**, through which **five (5) people** were sentenced.