

October 4, 2011

The Honorable Hillary Clinton
Secretary of State
Washington, D.C.

Dear Madam Secretary,

We support the U.S. government's role in promoting the rule of law in Colombia, but much work still needs to be done to protect human rights defenders from prosecutorial abuse and uncorroborated charges. We write you as human rights activists to urge you to continue to monitor Colombia's human rights performance, and to use U.S. leverage to alleviate violations as they occur.

While there are many human rights defenders at risk, we would like to bring to your attention human rights defender Principe Gabriel González, who is imprisoned today under the codes of yesterday's discredited criminal justice system. González was a prominent student activist and, as a Regional Coordinator for the Political Prisoners Solidarity Committee, he worked to expose ill-treatment of Colombian political prisoners. His advocacy led to his own arrest in 2006 when he was detained on unsubstantiated charges of rebellion and association with FARC guerillas. A trial court acquitted him of all charges and went so far as to say the prosecution should never have brought them in the first place. Nevertheless, the prosecution appealed the court's decision to the Superior Tribunal of Bucaramanga which in March 2009 overturned the acquittal and sentenced González to seven years imprisonment. He was re-arrested in August when the Supreme Court declined to hear his case on jurisdictional grounds.

González's case raises concern about Colombia's commitment to the rule of law. In 2007, the prosecution elected to try González under Colombia's old criminal procedure code that inappropriately permitted the use of uncorroborated witness statements. Of his two accusers, one could not identify González and the other admitted to providing a statement under duress. The prosecution's case would never have proceeded to trial, let alone conviction, under the new criminal procedure code enacted in 2004 that changed Colombia's criminal justice system to an accusatory one. González's conviction does not hold up to Colombia's own due process standards, and the trial judge was right to acquit him of all charges.

We respectfully ask the U.S. Department of State to raise the case of Principe Gabriel González with President Santos, and encourage González's unconditional and immediate release on the grounds that due process standards – a centerpiece of the new system - have not been met in this case. Furthermore, we encourage an Embassy representative to meet with González in prison to show that the United States supports the ongoing struggle for human rights in Colombia, regardless of trade agreements. Finally, we ask that the U.S. Embassy continue to monitor González's case and condition, and call upon the Colombian government to guarantee his safety while in prison.

González's ordeal is not unique. His case is emblematic of the many human rights defenders in Colombia who are still being persecuted through the courts as a way to intimidate and silence their work. Colombia has a long way to go to protect and promote human rights, and human rights defenders like González deserve your support.

We thank you for your consideration and look forward to your response.

Sincerely,



Colombia Support Network



Freedom House



Front Line Defenders



George Washington University Law School's International Human Rights Clinic



Human Rights First



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The Observatory for the Protection of Human Rights Defenders, a joint programme of the World Organisation Against Torture (OMCT) and the International Federation of Human Rights (FIDH)

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