

Bogotá, March 14, 2014

Mr.

JUAN MANUEL SANTOS CALDERÓN

President of the Republic

The city.

Ref. Right to petition

Your Excellency President Juan Manuel Santos,

We are a civil society group working for the respect of human rights in different contexts, and we have identified a common concern: the dearth of citizen oversight concerning to possible misuses of the State's surveillance function.

Recent world events –such as those uncovered by Edward Snowden–, as well as the domestic ones –the operation known as ‘Andrómeda’– have shown and questioned the scope of mass surveillance operations by the States in general and, in our case, the Colombian State.

The questions are not about the intelligence activities' legitimacy, whose need is widely recognized, but why the Colombian legal framework has not been upgraded to the point that technological challenges for both national security and fundamental rights are considered. There is a real risk that mass surveillance –which involves an abstract monitoring of the Internet– is materialized in a selective chasing, affecting freedom of expression and the right to privacy, and even jeopardizing the exercise of government officials. A risk undoubtedly too high for democratic societies.

As members of Colombian civil society and academic community we receive with hope his announcement of February 7th in the sense of having “requested the Minister of Defense (Juan Carlos Pinzon), the Minister of Justice and Law (Alfonso Gómez Méndez) and the Minister of ICT (Diego Molano), to establish a high-level commission of Colombian citizens with greater preparation in different fronts and with the best international advice” to study this issue. This announcement opens up an important opportunity to review the intelligence structure that Colombia needs, with a broad and inclusive view that we should applaud.

Inspired by the “13 International Principles on the Application of Human Rights to Communications Surveillance,”¹ which were developed and are promoted by international civil society as minimum standards to be regarded by states in this area, we believe we can contribute in a dialogue with the government and we have the legitimacy to do so. Thus, we would like to ask you to ensure civil society

¹ The text and subscribers can be found at <https://es.necessaryandproportionate.org/text> Additionally, it is annexed in this communication.

representation on this commission through a competent person designated by us.

Any of us is available to meet with you or the person assigned to begin this dialogue. However, you can do it in a unified manner through Carolina Botero from Karisma Foundation.

Sincerely,

Dejusticia, Karisma Foundation, Foundation for Press Freedom - FLIP and Colnodo

[Original signed]



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cc: Minister of Defense, Juan Carlos Pinzón
Minister of Justice and Law, Alfonso Gómez Méndez.
Minister of ICT, Diego Molano