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Colombia/Panama: Right to Refuge Under Threat

It is totally unacceptable that refugees continue to be returned to the country where they are at risk of suffering serious human rights abuses, Amnesty International said after 85 Colombian refugees were sent back from southern Panama yesterday.

According to recent information, in meetings between the refugees and Colombian and Panamanian civilian and military personnel, the refugees were told that on their return to Colombia they should become involved in African palm plantation projects and become part of peasant soldier units or civilian informer structures operating in the department of Chocó, Colombia.

These structures were set up to bolster the military's counter-insurgency strategy, and have been criticized by human rights organizations since they blur the distinction between civilians and combatants and risk providing a means for paramilitaries to re-emerge under a new guise.

"Evidence indicates that not only is the repatriation far from voluntary but also that refugees are being placed at risk of attack by army-backed paramilitaries if they refuse to collaborate. On the other hand, Colombian guerrilla groups, have declared those participating in informer networks and peasant soldiers and their families as military targets." Amnesty International stressed.

Furthermore, in the next months, more than 300 refugees may be returned to the department of Chocó from Panama.

"This kind of cooperation between Panama and Colombia seriously undermines the civilian and humanitarian nature of refugee protection," Amnesty International said. "They effectively threaten to drag civilians further into the conflict."

During meetings held in Yavize and Jaqué, Panama, in August 2003, Panamanian immigration and National Guard agents prevented church workers accompanying the refugees to participate in the meetings, and insisted that the refugees should sign a document in which they committed themselves to their "voluntary deportation". Reportedly some refugees have been threatened and told by Panamanian authorities that if they did not accept voluntary repatriation in December they would face being forcibly repatriated.

The pressure on the refugees to return has reportedly been accompanied by accusations levelled against them, and non-governmental and church organizations that accompany them, of being involved in "illegal activities."

"These accusations place the refugees at risk," Amnesty International continued. "In the past those labelled subversive by the security forces or their paramilitary allies have frequently been the victim of serious human rights violations committed by the security forces or paramilitaries."

"The Colombian and Panamanian government as well as the international community have the responsibility of guaranteeing the protection and human rights of refugees." Amnesty International concluded.

Background Information

Many of the refugees fled Colombia following joint paramilitary-military incursions into civilian communities in the department of Chocó, as a result of fighting between these forces and guerrilla groups, and of guerrilla threats. The paramilitaries who were responsible for the displacement of a large proportion of these refugees continue to operate in Chocó department with the support of the security forces. Guerrilla forces also maintain a strong presence in the department; as such, the region remains one in conflict in which the security of the civilian population cannot be guaranteed.

In April, Amnesty International expressed its concern over the forced repatriation of more than 100 Colombian refugees from the same community in Panama. In a campaign of intimidation, Panamanian security forces forced the refugees to sign a document that was supposed to indicate that they returned voluntarily.

Public Document

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