

PUBLIC

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UA 308/08 Fear for safety/Death threats

COLOMBIA **Jesús Emilio Tuberquia (m), leader and legal representative of the Peace Community of San José de Apartadó**

Members of the Peace Community of San José de Apartadó

Paramilitaries have attempted to kill one of the leaders of the Peace Community of San José de Apartadó, in the north-western department of Antioquia. Paramilitaries operating in the area have also threatened to kill members of the community if they do not leave the area.

Two well-known local paramilitaries approached Jesús Emilio Tuberquia outside an internet cafe in the municipality of Apartadó, on 1 November. One of them put a gun to his head and told him, "We are going to kill you." (*te vamos a matar.*) Jesús Emilio managed to grab the man's hand, and ran away, dropping his bag as he went. The paramilitaries followed but could not catch him. They went back to the internet cafe and picked up the bag, which contained information about the Peace Community.

Paramilitaries stopped three men in one of the Peace Community's hamlets on 30 October, at around 11 am, and told them to take a message to "this son of a bitch guerrilla Peace Community" (*hija de puta comunidad de paz guerrillera*). The message was that all members of the Peace Community living in La Esperanza hamlet should leave the area, so as to avoid a massacre, because the paramilitaries were planning to go into the community to kill six people whose names were on a list. The paramilitaries insisted on the importance of clearly delivering the message, and then let the men go.

The security forces were reportedly in the area at the time. When inhabitants of the Peace Community asked the security forces to leave the area, they responded that "the son-of-a-bitch Peace Community was a nest of guerrillas and that was why it should be destroyed (*Esa hija de puta comunidad de paz era un nido de guerrilla y que por ello debía ser exterminad*). The paramilitaries have previously followed up on threats of this kind by attacking or killing members of the Peace Community.

BACKGROUND INFORMATION

The Peace Community of San José de Apartadó was created by local civilians in March 1997 in an effort to persuade both the armed forces and guerrillas to respect their right as civilians not to be drawn into Colombia's long-running internal conflict. The Peace Community has always insisted that combatants keep off their land and respect their right not to be drawn into the conflict. The security forces and their paramilitary allies have responded by accusing the community of subversion. The guerrilla group *Fuerzas Armadas Revolucionarias de Colombia* (FARC), Revolutionary Armed Forces of Colombia, have in turn accused the community of cooperating with their enemies. Since the community proclaimed itself a Peace Community, its people have continued to be attacked or killed, mostly by paramilitaries and the security forces, but also by guerrilla groups. Since 1997, more than 170 community members have been killed or subjected to enforced disappearance.

The Inter-American Court of Human Rights of the Organization of American States has called on the Colombian authorities to take appropriate measures to guarantee the safety of inhabitants of the Peace

Community, most recently in a Resolution of 15 March 2005. However, the Colombian authorities appear to have taken little action to implement the Court's requests.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Spanish or your own language:

- expressing concern for the safety of Jesús Emilio Tuberquia and the inhabitants of the Peace Community of San José de Apartadó, following the 1 November attempt to kill Jesús Emilio and paramilitary threats to attack the community;
- calling on the authorities to order full and impartial investigations into the attack against Jesús Emilio Tuberquia and the paramilitary threat to attack the Peace Community hamlet of La Esperanza, publish the results and bring those responsible to justice;
- expressing concern that the members of the Peace Community are in danger, and calling on the authorities to take all measures necessary to guarantee their safety, as deemed appropriate by the community themselves, in line with the Resolution issued by the Inter-American Court of Human Rights of the Organization of American States on 15 March 2005;
- calling on the authorities to take decisive action to confront and dismantle paramilitary groups operating in the region and to break their links with the security forces, in line with repeated UN recommendations.

APPEALS TO:

President

Señor Presidente Álvaro Uribe Vélez

Presidente de la República, Palacio de Nariño, Carrera 8 No.7-2, Bogotá, Colombia

Fax: +57 1 337 5890

Salutation: Dear President Uribe/Excmo. Sr. Presidente Uribe

Commander of the National Army

Mayor General Oscar Enrique Gonzalez Peña, Comandante del Ejército Nacional

Ejército Nacional de Colombia

Av. El Dorado Cra. 52 Can, Bogotá, Colombia

Fax: + 57 1 266 03 64 (it is a telefax. If someone answers say: me da tono de fax por favor)

Salutation: Dear Comander/Estimado Sr. Comandante

Attorney General

Dr. Mario Germán Iguarán Arana

Fiscal General de la Nación, Fiscalía General de la Nación

Diagonal 22B (Av. Luis Carlos Galán No. 52-01) Bloque C, Piso 4, Bogotá, Colombia

Fax: +57 1 570 2000 (a message in Spanish will ask you to enter extension 2017)

Salutation: Dear Mr Iguarán/Estimado Sr. Fiscal

COPIES TO:

Organization of American States Mission to Support the Peace Process in Colombia

Sr. Sergio Caramagna

Jefe de la Misión de Apoyo al Proceso de Paz en Colombia de la OEA

Carrera 7a No. 114-33 Of. 401/403/801/802 Edificio AmroBank, Bogota, Colombia.

and to diplomatic representatives of Colombia accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 17 December 2008.