

URGENT ACTION

LAND CLAIMANTS ATTACKED BY ARMED MEN

Scores of armed men attacked land claimants in the Afro-descendant and Afro-mestizo community of Pedeguita Mansilla, northern Colombia, days after the community was denied protection measures. They are claiming restitution of their collective lands.

At dusk on 18 March, scores of armed men, most of them hooded, arrived at the home of **Marlene Benítez**, a member of the **Pedeguita Mansilla** Community Council in Ríosucio Municipality, Chocó Department. Some of the men began to fire their weapons indiscriminately. The armed men destroyed some of the community members' houses and stole their cattle and other goods, such as food and tools. Marlene Benítez's son, her neighbour **Felipe Triana** and two other men were beaten and injured. The armed men, who had passed the police post in San Andrés on their way to Pedeguita Mansilla, forced Marlene Benítez, her four-year-old granddaughter, her son, Felipe Triana and two other men onto a truck and took them to Belén de Bajirá. The truck stopped at the police post in Belén de Bajirá. Marlene Benítez cried for help, but the police refused to intervene or to detain the men. The community members were nevertheless released and remained behind in Belén de Bajirá to seek medical attention for those injured.

In October 2013 Marlene Benítez and other members of the community returned to Pedeguita Mansilla, which they had been forced to abandon 16 years ago after they were forcibly displaced by paramilitaries. The community found that their lands had been occupied by powerful economic interests. The Pedeguita Mansilla Community Council has been claiming their collective territories back for many years. In 2014 the Ministry of Defence blocked a request for precautionary measures for the Pedeguita Mansilla community requested by the state's Land Restitution Unit. On 6 March 2015, days before the attack, a request for precautionary measures supported by the Office of the Human Rights Ombudsman, was rejected by a land restitution judge in Quibdó, Chocó Department, arguing that there was no apparent threat.

Please write immediately in Spanish or your own language:

- Expressing concern for the safety of Marlene Benítez, her granddaughter, her son, Felipe Triana and other members of the Pedeguita Mansilla Community Council, and urging the authorities to provide effective protection for them in accordance with their wishes;
- Calling on them to order a full and impartial investigation into paramilitary threats against members of the community of Pedeguita Mansilla, publish the results and bring those responsible to justice;
- Urging them to take immediate action to dismantle paramilitary groups and break their links between them and the security forces.

PLEASE SEND APPEALS BEFORE 7 MAY 2015 TO:

President

Juan Manuel Santos
 Presidente de la República
 Casa de Nariño
 Calle 7. No 6-54.
 Bogotá, Colombia
 Fax: +57 1 596 0631

**Salutation: Dear President Santos/
 Excmo. Sr. Presidente Santos**

Defence Minister

Juan Carlos Pinzón
 Ministerio de Defensa
 Carrera 54, no.26-29
 Centro Administrativo Nacional (CAN)
 Bogotá, Colombia
 Fax: + 57 1 266 1003

**Salutation: Dear Minister/
 Estimado Sr. Ministro**

And copies to:

NGO

Comisión Intereclesial de Justicia y Paz
 Calle 61A, No. 17-26
 Bogotá, Colombia

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date. This is the first update of UA 281/13. Further information:
www.amnesty.org/en/documents/AMR23/046/2013/en/

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ADDITIONAL INFORMATION

In the late 1990s, paramilitaries, either acting alone or in collusion with the armed forces, were responsible for killings, death threats and the forced displacement of numerous Afro-descendant, Afro-mestizo and Indigenous People in Chocó Department, including in the Jiguamiandó and Curvaradó River Basins, the neighbouring community of Pedeguita Mansilla and the Indigenous reservation (*resguardo*) of Urada-Jiguamiandó.

Since then, the Afro-descendant and Afro-mestizo people in these areas have faced repeated threats and killings at the hands of paramilitary groups operating in close collusion with the armed forces and economic interests as they attempt to reclaim their lands. The lands are located within the collective land titles granted to Afro-descendant communities in the region. These interests have sought to develop large-scale agricultural projects, including African palm and cattle ranching, within the lands recognized as part of the collective land titles of the Afro-descendant communities. Similarly, when members of the neighbouring Pedeguita Mansilla community began to return to their lands in October 2013 they began receiving paramilitary death threats.

In June 2011 a Victims and Land Restitution Law with Decree Laws for the restitution of collective territories of Afro-Descendant and Indigenous communities was approved and came into force at the beginning of 2012. The Pedeguita Mansilla Community Council is seeking to get their land back under this new legal framework. So far only one Indigenous collective territory and no Afro-descendant territory has been returned. For more information about the land restitution process and its obstacles, see the report: *A land title is not enough: Ensuring sustainable land restitution in Colombia*, <http://www.amnesty.org/en/documents/AMR23/031/2014/en/>.

Paramilitaries have previously threatened Marlene Benítez stating that they had received the land the community is claiming from a woman closely linked to paramilitary structures operating in the north-west of Colombia.

Name: Marlene Benítez (f), her granddaughter (f), her son (m), Felipe Triana (m), other members of the Pedeguita Mansilla Community Council
Gender m/f: both

Further information on UA: 281/13 Index: AMR 23/1311/2015 Issue Date: 26 March 2015