

EXTERNAL (for general distribution)

AI Index: AMR 23/12/95
Distr: UA/SC

22 March 1995

Further information on UA 359/94 (AMR 23/76/94, 30 September 1994) - and follow-up: AMR 23/08/95 of 23 February 1995 - Possible "disappearance"/Fear for Safety

Colombia:Ernesto Emilio FERNANDEZ FESTER, aged 42, human rights activist and trade union leader

New names:Luz Marina TOVAR CUBILLOS, his wife, hospital worker
Ernesto Javier FERNANDEZ TOVAR, his son, teacher

Heavily-armed men are reportedly terrorizing Luz Marina Tovar Cubillos and Ernesto Javier Fernández Tovar, wife and eldest son of Ernesto Emilio Fernández Fester. There is serious concern for their safety. Ernesto Fernández was shot dead by armed gunmen on 20 February 1995 in Pailitas municipality, Cesar department.

Since the killing of Ernesto Fernández, eye-witnesses state that heavily-armed men have been seen prowling around his family home during both day and night hours, acting in an intimidating manner and terrifying not only the family, who have been afraid to leave the house, but the entire neighbourhood of the 27 de marzo district of Pailitas. There is concern that this act of serious intimidation should occur openly in a municipality which is heavily militarized as a result of guerrilla activity in the surrounding area.

Luz Marina Tovar works at the Helí Moreno Blanco hospital in Pailitas and Ernesto Javier Fernández teaches at the same school as his father, within the 27 de marzo district. Luz Marina Tovar is a member of the Pailitas Movement for Civic-community Integration, *Movimiento de Integración Cívico Comunal de Pailitas*, of which her husband was a founder member. Since its foundation in 1990, the members of this community group have reported frequent incidents of intimidation, death threats and harassment and several of its leaders and activists have been killed. The names of the Movement's leaders and other local community activists have appeared frequently on pamphlets and so-called "black lists" which have been circulated in the department of Cesar.

FURTHER RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express and airmail letters:

- expressing concern at the reported intimidation of Luz Marina Tovar Cubillos and Ernesto Javier Fernández Tovar by heavily armed men, since the killing of Ernesto Emilio Fernández on 20 February 1995;

- urging that there be an immediate and thorough investigation into the intimidatory activities of these armed men, the results of which should be made public and those found responsible brought to justice;

- urging again that there be an immediate and thorough investigation into the killing of Ernesto Emilio Fernández, the results of which should be made public and those found responsible brought to justice;

- urging that all possible measures be taken to protect the lives of Luz Marina Tovar Cubillos, Ernesto Javier Fernández Tovar and all members of the Pailitas Movement for Civic-community Integration, particularly in the context of the

killing of Ernesto Emilio Fernández Fester, Jairo Barahona and other local activists.

APPEALS TO:

1) President of Colombia:

Señor Presidente Ernesto Samper Pizano
 Presidente de la República
 Palacio de Nariño
 Santafé de Bogotá, Colombia

Telegrams: President Samper Pizano, Bogotá, Colombia

Telex: 44281 PALP CO

Fax: + 57 1 286 7434

Salutation:Excelentísimo Sr. Presidente/Dear President Samper

2) Procurator General:

Dr. Orlando Vásquez Velásquez
 Procurador General de la Nación
 Procuraduría General
 Edificio Banco Ganadero
 Carrera 5, No. 15-80
 Santafé de Bogotá, Colombia

Telegrams: Procurador General Vasquez, Bogotá, Colombia

Faxes:+ 57 1 342 9723

Salutation:Sr. Procurador de la Nación/Dear Dr. Vásquez

3) Attorney General

Dr. Alfonso Valdivieso Sarmiento
 Fiscal General de la Nación
 Fiscalía General de la Nación
 Apartado Aéreo 29855
 Santafé de Bogotá
 Colombia

Telegrams:Fiscal General Valdivieso, Fiscalía General, Bogotá, Colombia

Salutation: Estimado Valdivieso/Dear Dr. Valdivieso

COPIES OF YOUR APPEALS TO:

Alternative Legal Association

MINGA
 AA 40303
 Santafé de Bogotá
 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 3 May 1995.