

AMNESTY INTERNATIONAL

COLOMBIA
HUMAN RIGHTS VIOLATIONS AGAINST MEMBERS OF INDIGENOUS
COMMUNITIES IN CALDAS DEPARTMENT IN 1988

NOVEMBER 1990

SUMMARY

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Amnesty International is concerned at human rights violations against members of indigenous communities in Caldas department in central Colombia, and about the apparent lack of progress in the official investigations into these abuses. The human rights violations described in this document took place in Caldas department, which has a large indigenous population, apparently following the militarization of many municipalities in the region in response to the killing of a coffee plantation owner, Hernán Londoño, reportedly by the Popular Liberation Army, Ejército Popular de Liberación, (EPL), guerrilla organization.

Information about some of the human rights violations described in this document has only recently come to light. In other cases Amnesty International has repeatedly asked the Colombian authorities to ensure effective investigations, but to little avail.

The department of Caldas in central Colombia is one of the country's biggest coffee producing regions. It has a large indigenous population, who consider themselves descendents of the Supía and Katío indian groups.

This summarises a 7 page document, Colombia: Human Rights Violations against Members of indigenous communities in Caldas Department (AI Index: AMR 23/61/90), issued by Amnesty International in November 1990. Anyone wanting further details or to take action on this issue should consult the full document.

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**COLOMBIA: HUMAN RIGHTS VIOLATIONS AGAINST MEMBERS OF
INDIGENOUS COMMUNITIES IN CALDAS DEPARTMENT IN 1988**

Rey María SALAZAR TAPASCO died in custody July 1988

"Disappeared" -

Fabián de Jesús BUENO BUENO	29 September 1988
Orlando de Jesús BUENO TAPASCO	29 September 1988
Jaime GAÑAN LARGO	29 September 1988
Hernán de Jesús MARIN ROJAS	26 October 1988
Gloria Inés GAÑAN BLANDON	26 October 1988
José Nicolás GAÑAN TAPASCO	27 November 1988
Balduvino GAÑAN ANDICA	27 November 1988

Amnesty International is concerned at human rights violations against members of indigenous communities in Caldas department in central Colombia, and about the apparent lack of progress in the official investigations into these abuses. The human rights violations described in this document took place in Caldas department, which has a large indigenous population¹, apparently following the militarization of many municipalities in the region in response to the killing of a coffee plantation owner, Hernán Londoño, reportedly by the Popular Liberation Army, Ejército Popular de Liberación, (EPL), guerrilla organization.

REY MARÍA SALAZAR TAPASCO was detained near Riosucio on 17 July 1988 by the army; three days later his body was found bearing apparent signs of torture. Rey María Salazar, a teacher at the Concentración Educativa Santander de Riosucio and a member of the local teachers' union, Sindicato de Educadores de Riosucio, Caldas, was stopped by a military patrol of the San Mateo Battalion as he was travelling from San Lorenzo community (corregimiento) to Riosucio at 9am on 17 July 1988. The soldiers forced him out of the car and took him into custody. The following day, Rey María

¹ According to official statistics the indigenous peoples of Colombia make up approximately 2 per cent of the country's population.

Salazar's colleagues went to enquire after him at the battalion. An army major reportedly told them that he had five days in which to hand him over to the courts. ("Está bajo mi poder y dispongo de cinco días para definir su situación.").

On 21 July Rey María Salazar's body was found dumped in a rural area near Riosucio, bearing signs of torture. According to a public statement made by the teachers' union in Riosucio on 22 July 1988, his fingernails were bent backwards, tacks were found in his feet and head and there were cuts and bruises on his body.

Both the Procurator General's Public Ministry and judicial authorities opened investigations. The Vice-Procurator, Dr. Omar Henry Velásquez, sent a commission of inquiry to Riosucio to investigate the death. The Public Order judge reportedly found evidence implicating two army officials (a major and a lieutenant) in the death of Rey María Salazar.

As in the majority of other investigations into human rights violations in Colombia in which members of the armed forces are implicated, the military courts system claimed jurisdiction over the investigation. The case passed to military court 33, juzgado 33 de instrucción penal militar and on 2 April 1990, Resolution 131 was passed ruling the mayor and lieutenant to 30 days' suspension for their involvement in the killing of Rey María Salazar. Amnesty International does not know whether the two army officials remain in active service in Riosucio.

Two months after the killing of Rey María Salazar, two young men "disappeared" in the municipality of Riosucio. According to relatives' testimonies, FABIÁN DE JESÚS BUENO BUENO and ORLANDO BUENO TAPASCO, both aged 22, were last seen on the street in San Lorenzo community (corregimiento) during the afternoon of 29 September 1988. Fabián Bueno Bueno had been shopping with his girlfriend until 3pm. That same afternoon another man, Jaime Gañán Largo was seized by an army patrol from a coffee plantation where he worked in Arauca corregimiento, municipality of Palestina, to the south of Caldas department. The whereabouts of all three remains unknown and relatives have stated that no progress has been made by the Colombian authorities to establish responsibility for their "disappearance".

HERNÁN DE JESÚS MARÍN ROJAS, a 29-year-old shop-keeper, was seized by a group of some 12-14 armed men in plain clothes, one of whom was reportedly dressed as a woman, who arrived at his home at about 2.30am on 26 October 1988. According to his father's testimony, when Hernán Marín opened the door to them, having been deceived it was someone he knew, the armed men asked where the weapons were. Hernán Marín handed over his rifle and pistol which he used to guard the small shop he keeps. Under threats of death he was hurried out of his home and taken away. His wife, who was present throughout, was pushed into a bedroom, apparently so that she would be unable to identify which direction had been taken. In his testimony, Hernán Marín's father notes that the police station (comando de policía) is only 80 metres from their home,

yet no one assisted in attempting to halt the abduction. He also notes in his testimony that the army had carried out a search of Hernán Marín's home on two previous occasions.

Hernán de Jesús Marín Rojas' whereabouts remain unknown, despite his relatives' efforts, including denouncing his "disappearance" to the Procurator General's Office (Procuraduría General) and judicial authorities. A Commission of Inquiry from the Procurator General's Office travelled to Riosucio about two weeks after Hernán Marín "disappeared" but the results of the investigation have as yet been made known to the relatives.

GLORIA INÉS GAÑÁN BLANDÓN, a 27-year-old health worker also remains "disappeared" since 26 October 1988. According to her mother's testimony, Gloria Gañán was asleep at the family's home in vereda Pasmí, corregimiento San Lorenzo, municipality of Riosucio, when she was woken at about 3am by a woman's voice calling for her to come and give medical assistance. When she refused to assist until the next day, a man's voice then accused her of providing medical attention to members of the EPL, which she denied. Three hooded men in plain clothes then broke down the door and searched the house. They seized Gloria Gañán and left, warning her mother not to tell anyone about what had happened or face death.

A few days before Gloria Gañán "disappeared" soldiers in the region were reportedly asking about her and her mother's involvement with the guerrillas. Despite her relatives' efforts, Gloria Gañán's whereabouts remain unknown and no information has been forthcoming about the investigation. According to the relatives of another "disappeared" person from Riosucio, José Nicolás Gañán Tapasco, (please see below), when they went to inquire at the Regional Procurator's Office (Procuraduría Regional), they found incorrect details, for example, the date of Gloria Gañán's "disappearance" was given as 1989.

JOSÉ NICOLÁS GAÑÁN TAPASCO and BALDUVINO GAÑÁN ANDICA were last seen on 27 November 1988 and to date there has been no information regarding investigations into their "disappearance".

José Nicolás Gañán Tapasco left his home in Pasmí at about 4pm on 27 November 1988 and went to San Lorenzo, from where he was reportedly seized, together with Balduvino Gañán Andica by members of the security forces. Twenty-three-year-old José Nicolás Gañán had arranged to meet his mother the following day at 11am in order to help her carry some handicrafts (which she sells for a living) back to her home. When he did not arrive, José Nicolás Gañán's mother returned home and was told that her son had been arrested at 8pm the day before by the police in San Lorenzo.

The next day José Nicolás Gañán's mother went to the police station and, according to her testimony, the authorities at the police station confirmed he was detained there and accepted food for her son which she had prepared. The next day José Nicolás Gañán's mother returned to the police station with more food but was told he had escaped. Police Commander José Vicente Urbina

Sánchez showed her a copy of a document Nicolás Gañán allegedly signed while in their custody stating he would hand over arms to them.

José Nicolás Gañán's relatives denounced his "disappearance" to the regional procurator's office and other regional authorities, such as the human rights ombudsmen, (personeros) in Riosucio and Manizales, but both José Nicolás Gañán Tapasco and Balduvino Gañán Andica remain "disappeared" and as far as Amnesty International is aware there has been no information about the results of any investigations initiated into their whereabouts.

Background Information

The department of Caldas in central Colombia is one of the country's biggest coffee producing regions. It has a large indigenous population, who consider themselves descendents of the Supía and Katío indian groups. The human rights violations in Caldas described in this document followed the militarization of many municipalities in the region, apparently in response to the kidnapping and killing of a coffee plantation owner, Hernán Londoño reportedly by the EPL.

Amnesty International condemns the torture and execution of captives by anyone whether government forces or armed opposition groups. However, Amnesty International holds that it is the responsibility of the Colombian Government under national and international law to prevent and punish crimes of violence - whether of a political or other nature - but all such government actions must conform to international standards for the protection of human rights. Human rights violations such as extrajudicial executions, torture and "disappearance" committed by government forces or at their instigation, cannot be justified under any circumstances and have, in the case of Colombia, been asserted to be a factor in perpetuating and even escalating political violence.

At their second Congress in January 1989, the Indigenous Regional Council of Caldas Consejo Regional Indígena de Caldas, denounced the militarization of their indian communities (resguardos) and human rights violations against their members, including over 15 "disappearances", 150 detentions and torture in the six months prior to the Congress². In its conclusions, the Indigenous Council resolved to urge the civilian and military authorities to provide information about the 15 "disappeared" indigenous community members following the death of the coffee plantation owner.

² This document concerns seven cases of "disappearance". The information about some of the human rights violations described in this document has only recently come to light. In other cases Amnesty International has repeatedly asked the authorities to ensure effective investigations, but to little avail.

The Council also denounced the armed forces' lack of respect towards the indigenous communities' traditional authorities, such as "mayors", who are legally elected by their communities. In addition to their civic duties, indigenous community leaders have a limited policing role as well. The Indigenous Council's meeting was attended by the regional procurator (procurador regional), who stressed the need to urge the Colombian government to recognize indigenous mayors as police authorities in order to "avoid abuses by the security forces" ("con el ánimo de evitar desmanes de los uniformados").

Gilberto Motato, an indian leader and member of the Popular Indigenist Civic Movement, Movimiento Cívico Popular Indigenista, was killed on 22 March 1988, shortly after the imposition of military control in the municipality of Riosucio. Gilberto Motato represented some 12,000 indigenous inhabitants of the region and was a candidate in mayoral elections which took place (for the first time in Colombia's history) in March 1988. Despite the initiation of investigations into his killing by the Colombian authorities, as far as Amnesty International is aware, those responsible for his killing have not been brought to justice.