

EXTERNAL (for general distribution)

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UA 324/94 Fear for Safety/Possible Extrajudicial Executions

5 September 1994

COLOMBIA Argelio PIÑA ARDILA, farmer
Custodia ARDILA DE PIÑA (f), his wife
Gustavo PIÑA ARDILA, son
Argelio PIÑA ARDILA, daughter
Heriberto HURTADO PIÑA, grandson

Jairo PIÑA ARDILA, son - killed
Claudia PIÑA, aged 16, daughter of above, injured
Liliana CASTILLO PIÑA (f), aged 19, granddaughter - killed
Edwin CASTILLO PIÑA, grandson - killed

Amnesty International is concerned for the safety of the surviving members of the family of Edwin Castillo Piña, who was shot dead on 3 August 1994 by gunmen wearing army uniforms. He is the fourth member of his family to have been killed or injured in the last twelve months. The remaining family members have been receiving death threats.

According to witnesses, a group of about fifteen armed men, some wearing military uniforms and some in civilian dress, entered "La Argelia" farm in the community of Mata del Plátano, Sabana de Torres municipality, Cesar department on 3 August. They threatened all those in the house, including Argelio Piña, his wife Custodia Ardila de Piña and their grandson Edwin Castillo Piña. The uniformed men proceeded to search the house, taking a large sum of money belonging to Argelio Piña and Edwin Castillo. They then demanded to see Edwin Castillo's identity card and as he prepared to show it to them, shot him twice through the head, killing him.

This is the most recent attack the family. On 21 November 1993 the body of Liliana Castillo Piña, Edwin Castillo Piña's 19 year-old sister, was found with bullet wounds to the face and back. Three days earlier Liliana Castillo had been summoned to the police post at Sabana de Torres. She went, and was told by the police commander there to report to the office of the Judicial and Investigative Police, *Seccional de Policía Judicial e Investiación*, (SIJIN) in the nearby city of Bucaramanga. On 20 November she disappeared in Bucaramanga en route to the SIJIN's office and her body was found the next day on the road between Bucaramanga and the airport.

On 24 September 1993, Jairo Piña Ardila, son of Argelio Piña Malagón and Custodia, was driving with his 16 year-old daughter Claudia Piña from Bucaramanga to "La Argelia" farm when a group of armed men in a vehicle, which had followed them from Bucaramanga, shot and killed Jairo Piña and wounded Claudia Piña. Close by was a detachment of soldiers, who also reportedly fired on Jairo Piña's van, which was found with at least 35 bullet holes.

The family's problems appear to have started in 1988 when a military unit attached to the army's Fifth Brigade, *V Brigada*, based in Bucaramanga, searched "La Argelia", reportedly without a legal search warrant. During the search, the soldiers threatened all members of the family present, accusing them of being "guerrilla collaborators", "*auxiliadores de la guerrilla*".

Since the killing of Edwin Castillo and as a result of the constant death threats

received, Gustavo and Argelio Piña Ardila, the two surviving children of Argelio Piña and Custodia Ardila and their grandson Heriberto Hurtado Piña have left the farm in fear for their lives. Heriberto Hurtado also believes he can no longer safely stay in Bucaramanga. There is serious concern for the safety of all surviving members of the family.

The killing of Edwin Castillo, Liliana Castillo and Jairo Piña and the constant death threats have been denounced to the Minister of the Interior, *Ministro de Gobierno*, to the ombudsman's office (*personería*) in Sabana de Torres and to the Departmental Procurator (*Procurador*) in Bucaramanga. To date the surviving family members are not aware that any attempt has been made by the authorities to bring to justice those responsible for the killings or for the death threats against them.

BACKGROUND INFORMATION

In recent years widespread and systematic human rights violations have occurred in Colombia, including extrajudicial executions, "disappearance", torture and arbitrary arrest. President Ernesto Samper Pizano, who took office on 7 August 1994, pledged his government's commitment to protect human rights both in his election manifesto and his inauguration speech. However, members of the Colombian armed and security forces are continuing to commit serious abuses with virtual impunity. Civilians living in areas where guerrilla forces are active are often perceived by the security forces as potential guerrilla collaborators and have, as a result, been subjected to extrajudicial execution and other abuses. Only exceptionally are perpetrators brought to justice; the vast majority of members of the security forces responsible for gross human rights violations remain in active service.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express and airmail letters either in Spanish, English or in your own language:

- urging that all possible measures be taken to protect the surviving members of the Piña/Ardila family, so that they can return to their home and carry out their lawful activities without fear for their lives;
- expressing concern at the killing of Edwin Castillo, Liliana Castillo and Jairo Pina, all in circumstances suggesting the responsibility or involvement of the Colombia security forces;
- urging that there should be immediate and thorough investigations into all these killings, the results of which should be made public and those found responsible brought to justice;
- urging that the Colombian authorities ensure that the lives of all civilians in areas of counter-guerrilla activity be protected.

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

Telexes: 44281 PALP CO

Faxes: + 57 1 286 7434/287 7939/284

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) Advocate for the People:
Dr. Jaime Córdoba Triviño
Defensor del Pueblo
Defensoría del Pueblo
Calle 35 No. 7-25 piso 5
Santafé de Bogotá, Colombia
**Telegrams: Defensor del Pueblo Trivino, Defensoria del Pueblo,
Bogota, Colombia**
Faxes:+ 57 1 288 6683
Salutation: Estimado Dr Triviño/Dear Dr. Triviño

4) Minister of Defence
Dr. Fernando Botero Zea
Ministro de Defensa Nacional
Ministerio de Defensa Nacional
Avenida Eldorado CAN - Carrera 52
Santafé de Bogotá, Colombia
Telegrams: Ministro de Defensa Botero, Bogota, Colombia
Telexes: 42411 INPRE CO; 44561 CFAC CO
Faxes:+ 57 1 222 1874 or 288 4906
Salutation: Sr. Ministro/Dear Minister

COPIES OF YOUR APPEALS TO:

Andean Commission of Jurists, AA 58533, Santa Fé de Bogotá, Colombia.
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 18 October 1994.