



On the front line

Bulletin on human rights defenders in Latin America and the Caribbean

Special Representative concerned for human rights defenders in post-11 September climate

In the context of this year's UN Commission on Human Rights, Hina Jilani, the Special Representative on Human Rights Defenders to the Secretary General of the UN published her second report on the situation of human rights defenders the world

over. The report describes the activities carried out by the Special Representative in the past year and contains details of the situation of human rights defenders in 56 countries. In the last year Hina Jilani has sent 134 urgent appeals and 27 allegation letters regarding human rights defenders. Since the beginning of her mandate in September 2000, Hina Jilani has visited Kyrgyzstan, in August 2001 and Colombia in October 2001, to investigate and report in detail on the situation of human rights defenders in these two countries. Since March 2001 she has received official invitations from the governments Guatemala, Mexico and Venezuela to visit these countries. The report identifies some major trends that are particularly indicative of the situation of human rights defenders and highlights, amongst other areas, the impact of the 11 September attacks on human rights defenders:

“The impact on human rights defenders of the 11 September attacks

While the present report is, in the main, based on communications received prior to the tragic events of 11 September 2001, since then the Special Representative has begun receiving information that has led her to conclude that there is a real danger that, in the wake of the terrorist attacks of 11 September 2001, some Governments may be using the global war on terrorism as a pretext to infringe human rights and to clamp down on human rights defenders. Non-governmental organizations in various regions of the world, in particular, have expressed their concern to the Special Representative about the heightened risk to human rights defenders in the increasingly threatening climate - as they see it - since 11 September 2001.

There is a danger worldwide that, under the guise of combating terrorism, some Governments may increase their efforts to stifle peaceful dissent and suppress

Contents:

Special Representative concerned for human rights defenders in post-11 September climate....	1
Guatemala: Defenders make plea to Guatemalan government	3
Special Representative reports on human rights defenders in Colombia...	5
Security training for human rights defenders in Ecuador	6
Colombia: Justice and Peace activists at risk ...	8
News	10
Take action: Guatemala, Colombia	12

opposition. In the current climate, those who question the legitimacy of some of the post-11 September so-called anti-terrorist measures, or simply anyone who does not socially conform - be they migrants, refugees, asylum-seekers, members of religious or other minorities, or simply people living at the margins of society - may be branded as terrorists and may end up being caught in a web of repression and violence.

“some Governments may be using the global war on terrorism as a pretext to infringe human rights and to clamp down on human rights defenders”

In the light of these developments, the Special Representative has become aware that the context and climate in which she discharges her mandate for the protection and promotion of the rights of human rights defenders have changed considerably in the aftermath of the tragic events of 11 September 2001 in the United States. (...)

It is easy for Governments to foment suspicion, create public anxiety and direct sheer hostility towards human rights defenders. Human rights defenders reach out to groups that are already socially vulnerable and marginalized, such as ethnic minorities, ex-offenders, sexual minorities, asylum-

seekers, refugees and migrant workers. In the post-11 September climate, Governments and other actors have an easier time in portraying anyone who disagrees with them or expresses any form of criticism as a dissident and subversive or even as aiding and abetting “foreign terrorists”.

When human rights defenders seek to assert the legitimacy of peaceful dissent and the lawful exercise of the right to freedom of association and assembly, they become the object of government crackdowns and are branded as subversives, anti-national and enemies of the State. (...)

The following extracts are intended to highlight some of the other issues addressed in the Special Representatives report.

“Violations of the rights of human rights defenders to life and mental and physical integrity

In sheer numerical terms, the combined totals of the figures of human rights defenders killed (34), those on whose life attempts have been made (8), those who have disappeared (10), and those tortured or otherwise ill-treated (7) come to a staggering third place in terms of the most likely form of abuse meted out against human rights defenders, immediately after intimidation and harassment campaigns, and arrest and detention, as detailed above. Similarly, the combined total

(38) of cases of defenders killed, victims of assassination attempts, who have disappeared, been tortured or ill-treated found in various 2001 thematic mechanisms’ reports adds to the concern at the emergence of this tragic trend. (...)

The most disconcerting regional trend arises from Latin America, which emerges as the region with the majority of human rights defenders killed during the period under review - accounting for nearly 90 per cent of all defenders murdered worldwide, 30 out of a total of 34.(...)

Perpetrators

The trends also point to a recurrent phenomenon, namely the acquiescence, connivance and collusion of members of various countries’ police forces in the perpetration of grave human rights abuses against defenders, including the killing of human rights lawyers.

In this connection, human rights abuses perpetrated against defenders by paramilitary groups associated with the authorities and operating with their approval have emerged as a trend of particular concern to the Special Representative. Members of paramilitary armed groups have killed human rights defenders with the authorities’ collusion or acquiescence.

In this context, impunity for human rights abuses against

defenders is a serious problem, particularly with respect to abuses perpetrated by non-State actors. The authorities have either directly sponsored the actions of these non-State actors, including armed groups, paramilitaries, security groups and militias armed by the State, or acquiesced in them, and therefore they have no interest in conducting serious impartial and independent investigations with the purpose of bringing those responsible to justice.(..)[E/CN.4/2002/106]

The full report can be found at: www.unhcr.ch/pdf/106A_V.pdf



An early exhumation in El Quiché department where hundreds more clandestine graves are still to be uncovered
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GUATEMALA: Defenders make plea to Guatemalan government and international community

In March 2002, some 20 Guatemalan human rights organizations that make up the Alianza contra la Impunidad, Alliance against Impunity, issued a public statement with a number of human rights related demands including that the Guatemalan government to take effective measures to guarantee their security. The statement was made in the wake of a series of attacks against human rights defenders working to bring to justice those responsible for past human rights violations in Guatemala. On 17 April, following the Guatemalan authorities response on the issue, the human rights groups issued a further statement reiterating their concerns and demands and calling on the authorities to respond with concrete proposals to improve the situation. The following are extracts of the original statement made by the Alliance against Impunity.

Security is not negotiable

Although our major concern at present should be building a path towards social dialogue and democracy, a wave of repression has put a stop to all communication and possibilities of change.

We are living in a society in which citizens feel powerless,

a situation worsened when human rights violations are ignored by the authorities, and which leads to chaos and anarchy. For this reason, and in the hope that democracy can be achieved, we have joined forces to explain our situation to the international community. We stand by the principle that our security is not negotiable and that our Constitution guarantees each civilian the right to organize collectively and take action without risking his or her life. The Guatemalan Government has recognized in its Peace Accords the right of its citizens to promote and defend human rights. Since April 2000, human rights defenders and organizations have witnessed the deterioration of security conditions throughout Guatemala. One by one, different sectors of society have been threatened and attacked, including human rights organisations and their members, pro-justice groups, women=s groups, development organizations, defenders of sexual difference, children=s rights and youth workers, exhumation teams, farmers, trade union workers, academics, journalists, politicians and members of religious orders. A number of communities have also been threatened and attacked. Over the past few years we have received telephone threats, been followed, subjected to

surveillance and had our phone calls, faxes and e-mails intercepted. The most serious occurrences include raids, kidnappings, attacks and killings. It is important to stress that from the 8 February of this year, threats have been steadily increasing. The state has not responded to these incidents, it has hidden evidence, and its agents have even directly threatened human rights defenders, communities and their leaders.

“Hidden powers in Guatemala have hampered the legal and legitimate work carried out by social organizations, by using terror and state repression”

The latest report on the human rights situation by MINUGUA [the UN mission in Guatemala] points to the continued existence of illegal security groups and clandestine organizations as responsible for these unpunished crimes. Hidden powers in Guatemala have hampered the legal and legitimate work carried out by social organizations, by using terror and state repression.

In the last few months the rearming of private security bodies that act with the support of the state security forces to “defend” the interests of landowners has also been reported. These illegal security groups and clandestine organizations cannot operate without the consent of the state, which is why we cannot accept the state=s argument that these bodies do not exist or are outside their control. In many cases the police act to conceal the crimes, and the inaction of the public authorities guarantees impunity.

The continued presence within the government of people who at one time ran clandestine organizations or worked in military intelligence units means that a large number of these illegal actions may be planned from inside the government itself.

For all the above reasons we demand:

1. That the threats, intimidation, attacks and killings carried out against social and human rights defenders and organizations stop, both in the countryside and the city.
2. That land evictions arranged by land-owners stop, in order to facilitate the dialogue and negotiation provided for in the Agreement on Socio-economic Aspects and the Land Situation.

We call on the government, via the security cabinet, to hold a meeting with defenders and organizations threatened in the last two years in order to:

- present a report on the results of the investigation carried out to identify illegal security groups, clandestine organizations and elements of state security agencies acting outside the law
- present a report on the results of the investigations into the threats, attacks and murders, with special emphasis on threats against farmers, raids on human rights groups and academics, and threats against members of religious orders and forensic anthropologists. This investigation will expose those who are materially and intellectually responsible for the threats.
- present a report on the security mechanisms and investigations that have been implemented for the security of human rights defenders and organizations, both in the countryside and the city.

Finally, we demand that:

1. The illegal security groups and clandestine organizations are disbanded.
2. The public appointments destined for civilians are no longer filled by members of the security forces.
3. The military budget is reduced and explanations provided on how the budget has so far been spent.

Guatemala, 22 March 2002

Guatemala: A lethal legacy

A new report by Amnesty International on Guatemala was published in February 2002. For copies of this report, please contact the Human Rights Defenders Program (see address at end of this bulletin) or visit the website www.amnesty.org

ina Jilani, UN Special Representative on Human Rights Defenders, visited Colombia from 23 – 31 October 2001. In the course of this visit she met with state officials at all levels of government, and with a very wide range of human rights activists from many different sectors including indigenous leaders, peasants, Afro-Colombians, women, displaced people, university teachers, students, journalists, gays and lesbians, political parties, trade-unionists and church leaders. Hina Jilani visited Bogotá, Medellín and Barrancabermeja. Her report on the visit details some of the very many cases of violations against human rights defenders that have been submitted to her. During the presentation of her report to non-governmental organizations (NGOs) in the context of the UN Commission on Human Rights in Geneva, Hina Jilani paid tribute to Colombian human rights defenders and to their impressive ability to continue their objective and extremely positive work under

Special Representative reports on human rights defenders in Colombia

very difficult conditions. She stated that the very fact that human rights defenders continue to work is in itself strengthening the source of democracy in Colombia. She also stated during this presentation that in her view, the Colombian government uses the armed conflict to repress human rights defenders, and that she saw no reason for the armed conflict to make necessary such repression. The following are some of the recommendations made to the Colombian government in the report of the Special Representative.

“The Special Representative recommends the following to the Government of Colombia:

(a) Adopt, as a matter of priority, a comprehensive policy on human rights and international human rights law and to take into account the recommendations of various international bodies, in particular the Office of the High Commissioner for Human Rights (OHCHR), the High Commissioner for Human Rights, the Inter-American Commission, the Special Representative of the Director General of the International Labour Organization as well as of the UN treaty monitoring bodies and the thematic mechanisms of the Commission on Human Rights;

(b) Combat impunity by undertaking thorough and independent criminal

investigations and to put an end to the violence perpetrated against human rights defenders. The fight against impunity should also imply the strengthening of judicial institutions by guaranteeing the competence, efficiency, security and independence of all institutions and persons in charge of investigation, prosecution and judicial examination of complaints of human rights violations. Special measures should be taken to strengthen the protection mechanisms for judges, prosecutors, investigators, victims, witnesses and threatened persons;

(c) Combat paramilitarism effectively and to dismantle it for good by arresting, prosecuting and punishing anyone who encourages, leads, participates in, supports or finances it;

(d) Establish a programme of periodic meetings between the Government and human rights defenders with the purpose of receiving their concerns directly and agreeing on actions and measures to protect them from violations of their rights and to prevent such violations;

(e) Publicly recognize the positive and crucial role played by NGOs and human rights defenders in general in strengthening democracy. In this regard, the Government should ensure that

Presidential Directive 07 is implemented effectively;

(f) Adopt effective measures in order to guarantee the life and integrity of all human rights defenders who are threatened as a result of their activities and to provide an effective response to the issue of enforced disappearance in Colombia, in particular of human rights defenders;

(g) Elaborate and adopt a comprehensive and effective prevention strategy to prevent attacks against human rights defenders. For this purpose, adequate funding and more political support should be granted to institutions and programmes such as the Ombudsman's Office and the protection programme of the Ministry of the Interior;

(h) Substantially increased measures of protection be afforded to the most targeted and vulnerable groups, in particular trade unionists, ethnic minorities, internally displaced persons and women;

“Combat paramilitarism effectively and dismantle it for good by arresting, prosecuting and punishing anyone who encourages, leads, participates in, supports or finances it”

(i) Examine military intelligence files with a review to determining

whether they are necessary for purposes of national security and complete the investigation into telephone tapping;

(j) Repeal the Law on National Security and to refrain from adopting any anti-terrorist legislation which would contribute to further violations of human rights in the country;

(k) to pay particular attention to the protection of journalists and media representatives and to ensure that the electoral process is carried out in a peaceful environment with full respect for different opinions.

Finally, the Special Representative would urge all parties to the conflict, including the guerrillas, to respect, without exception, the rules of international humanitarian law and the rights of the civil population, in particular human rights defenders, to the due protection and guarantee of their fundamental rights. She would also like to welcome the crucial work done by the Director and the staff of the Office of the High Commissioner for Human Rights in Colombia and urges the Government to fully cooperate with them and to make the best use of their assistance. In this regard, given the fact that a follow-up mission to Colombia by the Special Representative is unlikely to take place in the near future, the Special Representative strongly encourages the OHCHR, particularly through its field office in Colombia, to assist the Government in

implementing the above recommendations.”

[E/CN.4/2002/106/Add.2]

The full report can be found at:

www.unhchr.ch/pdf/106AV.pdf

Between doubt and certainty

Security training for human rights defenders in Ecuador

by Pablo de la Vega,
Coordinator of the ASegundo Montes Mozo S.J. @ Centre for Human Rights Documentation

Human rights defenders, social and political leaders, journalists and academics were concerned, confused and some were incredulous at a series of threats issued against them between July and September of last year by a group calling itself *Legión Blanca, organización política y militar*, White Legion, political and military organization.

Numerous social leaders received e-mails accusing them of being delinquents, subversives, drug traffickers and communists. These threats were received amidst a growing climate of state intolerance in which high ranking Government, civil and military officials publicly questioned the actions, integrity and convictions of a significant number of indigenous leaders, ecologists

and human rights defenders, several of whom had legitimately and openly criticised a number of Ecuadorian state policies. Among the issues which may have sparked the campaign of intimidation launched by the “white legionnaires”, was opposition to the construction of a new pipeline for crude oil and criticism of an agreement with a foreign government allowing the presence of military troops at an air base. Threatened defenders had also raised the issue of the impact of anti-narcotics crop-spraying near the border with Colombia and the delicate situation of hundreds of refugees trying to cross a militarised border.

The threats soon began to produce results. Several people were coincidentally killed during this period; their deaths heightened a growing atmosphere of insecurity and concern.

***“if fear did not exist
the fight would have
been lost a long
time ago”***

How prepared was the human rights movement in Ecuador to be able to respond in a unified and structured way to this kind of threat, which according to the most credible theory, were coming from within the state security forces themselves? The circumstances called for a coordinated and carefully planned response, involving all the sectors under threat, in spite of the feeling of

disbelief that was starting to take hold of many people.

A number of preliminary meetings were held, including an audience with the then Minister of Government and the Police, now the Ecuadorian Ambassador in Peru, who said to several defenders that the campaign was nothing more than a “silly joke”. Shortly afterwards the first Day of Analysis of the Situation of Human Rights Defenders in Ecuador was held, with the support and accumulated experiences of Colombian defenders. How paradoxical that we should learn from the suffering of our colleagues...

The workshop was facilitated by the Colombian *Comité Ad Hoc de Defensores de Derechos Humanos*, Ad Hoc Committee of Human Rights Defenders. This organization was created by Colombian human rights organizations, after many brave people had lost their lives in the struggle to defend their country=s hopes and dreams, in order to implement a protection programme for threatened defenders.

The next phase of activity was focussed on computer security and human rights. A third workshop is set to take place, in which we will discuss ways to avoid or block messages from “legionnaires” and protect data which helps us carry out our work for life and fundamental liberties.

Fear and uncertainty probably still exist, but in the words of a trade unionist from El Salvador, quoted by Carlos Martín Beristain in one of his latest works, *Reconstructing the Social Fabric*, “the fears which exist for us as human beings, let us call them precautions... we already know how many people have disappeared, but we ourselves would not like to disappear in the future. Some people say “he or she is a coward”, but others who were not cowards are no longer alive... The important thing is that we can do more if we take advantage of our fear... Fear makes a person think and realise when they should withdraw back and when they can go forward, warns them when they can do something and when they can not... if fear did not exist the fight would have been lost a long time ago. The fight is not lost because of fear, it is won through fear, because it gives the individual the capacity to develop tactics, and it gives them the ability to say “look, this is how far we can go”.

collaboration with the Colombian armed forces.

The following are extracts from a letter from Justice and Peace to the President of Colombia, Andrés Pastrana, detailing a number of actions which have sought to undermine and threaten their ability to work as human

under threat, in particular because the army refuses to recognise the need for true democracy, which would require changes right at the heart of the State. Recently, there have been several incidents which indicate the high level of risk that our members face in the Cacarica river basin, Chocó department

COLOMBIA: Justice and Peace activists at risk

rights defenders in the region.

as a result of illegal armed groups. We are referring to

The Comisión Intercongregacional de Justicia y Paz, the Intercongregational Commission for Justice and Peace is a catholic church based organization that works with marginalized communities in several regions of Colombia. Their work in the north-eastern Urabá region focuses on communities which have been displaced by political violence, some of whom have declared themselves 'Peace Communities', and who are determined to return to their land often in the face of violent opposition from armed groups in their war over territory. This work has lead Justice and Peace members to be targeted by paramilitary groups that operate in

"For 14 years the Intercongregational Commission for Justice and Peace has been accompanying victims of human rights violations in Colombia. Because of this work we have been targeted, threatened, intimidated and even kidnapped by illegal groups, often acting under the protection of State agents. In our opinion the defence of

the paramilitary bases in (several places) of the Collective Cacarica Territory, where coca leaf plantations and processing plants have been established and from where military action against communities has been initiated. People from the communities have been detained and tied up in these bases, others have been subjected to beatings and one has been killed. Threats have also been made against our Commission.

(...) In Bogotá, there have been incidents against members of our committee who accompany displaced communities in the Cacarica



Members of a displaced community in Urabá prepare to return to their lands in 1998 ©AI

human rights in our country is

communities in the Cacarica

river basin in Urabá and in Bogotá itself. For example:

- On 13 February 2002, a member of our committee was followed while driving his car, by two men in a Toyota van and a man on a motorbike. He managed to escape for a few moments and left his car to hide in a building. A few seconds later, the car and the motorbike stopped in the same place, and the motorcyclist took out a mini Uzi gun. The men then went on their way.
- On 18 February, also in Bogota, we received a further telephone call at our office, during which we received the following threats: “do not forget, we haven’t forgotten, we have already told you”.
- For several days between February and March, men dressed in civilian clothing were seen permanently carrying out surveillance in the area around our office.

Mr President, in 1996 as representatives of the Catholic Church we began work to accompany and defend communities in the Urabá and Bajo Atrato regions which are victims of political violence. We have witnessed hundreds of thousands of people who before or after being forced to leave their lands, have suffered economic blocks, indiscriminate bombings,

torture, disappearances, selective assassinations, collective massacres, inhumane and cruel beatings, targetings and stigmatisation, persecution in which state agents of the XVII Brigade have been implicated either directly or covertly, at the hands of paramilitary groups.

We have also witnessed the fact that thousands of mestizo and Afro-Colombians have suffered all kinds of attacks and irreparable damage to their dignity, and yet have continued to build their lives in the midst of the conflict, paying a high cost in human lives and suffering continual intimidation and threats as a result.

In our work accompanying victims of forced displacement in different

regions of the country we have seen hundreds of examples of counter-insurgency military groups launching attacks against all kinds of organisations, through covert actions carried out by so-called “Self Defence” forces, which are in reality paramilitary groups.

Exercising our right to protect human rights, our Commission has submitted human rights reports and complaints to the highest authorities of the State and the Colombian Government, detailing information backed by evidence gathered from victims and witnesses both from within and outside our Commission, clearly showing that State agents have been complicit, have not protected victims, or have actively participated in human rights violations.

The only reason that the members of our Commission are currently in danger is because they have exercised their fundamental right to expose the truth, in more than 360 cases, for victims of the State from three communities, or because they have accompanied communities who have been systematically victimised by the State, from whom they have received no explanation or justice.

Take action....take action....take action....

Please write to the Colombian authorities:

- Express your concern for the safety of Justice and Peace members in the light of threats and intimidation as a result of their work with displaced communities in the Urabá region of Colombia;
- Call on the Colombian government to fully investigate all the reported incidents and to guarantee the safety of members Justice and Peace to be able to carry out their important and legitimate human rights work;
- Call on the Colombian government to ensure that public officials respect the principles contained in the Presidential Directive 07 which calls on all public officials to cooperate with human rights defenders and refrain from making unsubstantiated allegations against them.

Send your letters to:

Attorney General
Fiscal General de la Nación
Dr. Luis Camilo Osorio
Fiscalía General de la Nación
Apartado Aéreo 29855, Diagonal 22B 52-01 (Ciudad Salite), , Santafé de Bogotá, COLOMBIA
Fax: +57 1 570 2000 / 2022

Minister of the Interior
Ministerio del Interior,
Palacio Echeverry, Carrera 8a, No.8-09, piso 2o.,
Santafé de Bogotá, COLOMBIA
Fax: + 57 1 562 5298

MR 01/004/2002

Mr President, the incidents detailed in this letter - telephone calls, written messages, direct threats, illegal detentions, summons to talks with paramilitary groups, and intimidation which have created an atmosphere which legitimises and justifies actions carried out by "private justice" groups in the region against our Commission, and in hundreds of cases within the displaced communities.

"The only reason that the members of our Commission are currently in danger is because they have exercised their fundamental right to expose the truth, in more than 360 cases, for victims of the State from three communities"

These calls, letters and threats issued time and time again in the name of counter-insurgency, do not only distort the role of human rights defenders in the eyes of the mass media, but also expose the distortion of the State."

NEWS

Observatory for the Protection of Human Rights Defenders launches annual report

On 17 April 2002, in the context of the UN Human Rights Commission in Geneva the Observatory for the Protection of Human Rights Defenders launched its 2001 annual report. The report details cases from over 50 countries and also presents analyses of the situation of defenders in the different regions as well as examining the difficulties faced by different sectors of the human rights movement.

For copies of the report, please contact: the OMCT, 8 Rue du Vieux-Billard, BP 21 – Geneva, Switzerland, omct@omct.org.

Report on human rights defenders in Brazil

Front Line and Justiça Global launched their report 'Front Line Brazil: Murders, Death

Threats and Other Forms of Intimidation of Human Rights Defenders, 1997-2001' in Geneva on 16 April 2002. The report analyzes fifty-six separate incidents of violence and harassment of human rights defenders – and sets out the measures necessary to help guarantee the physical integrity and working conditions of those who defend human rights in Brazil. It also seeks guarantees that those who threaten, intimidate, harass or abuse these defenders are brought to justice.

For copies of the report please contact: Front Line - the International Foundation for the Protection of Human Rights Defenders, 25 Main Street, Blackrock, Co. Dublin, Ireland

Email:

veroniquebassot@frontlinedefenders.org

Front Line conference in Dublin

On 17–19 January 2002, some 150 human rights defenders from 76 countries gathered in Dublin, Ireland to attend the launch conference of a new organization Front Line – the International Foundation for the Protection



Participants in the Front Line Conference in Dublin in January 2002 ©private

of Human Rights Defenders. The conference examined and identified many of the problems facing human rights defenders, particularly in the post-11 September climate, and made recommendations to international and national human rights organizations regarding how to address these difficulties.

For details of the recommendations emerging from the Conference and for other information about Frontline, please visit their website:

www.frontlinedefenders.org

MEXICO: 6 months on from the killing of Digna Ochoa

The killing, on 19 October 2001, of leading human rights lawyer Digna Ochoa y Plácido in Mexico City led to a national and international outcry.

A catalogue of threats and attacks preceded the killing of Digna Ochoa none of which were properly investigated. In the first two months of the investigation into Digna Ochoa's killing – a stage that was crucial for the collection of evidence and testimonies - flaws and inconsistencies were noted, including: lack of access by the family and lawyers to the legal file; constant leaks of information to the Mexican press regarding the investigation; a lack of rigour in investigating the motives and role of the state intelligence unit, the

Centro de Inteligencia y Seguridad Nacional (CISEN), in maintaining on file information about human rights defenders including Digna Ochoa; a lack of rigour in investigating possible state involvement in the killing.

In March 2002 claims began to be made in the Mexican press which appeared to indicate that the investigation would conclude that Digna Ochoa had committed suicide and had not been murdered. Human rights organizations in Mexico and in other countries are concerned at this emphasis on the possible personal motives for the killing and at the failure to properly follow lines of investigation suggesting state involvement in the killing, including ensuring timely questioning of all state agents, including military officials, named in conjunction with the case.

The independent expert sent by the Inter-American Human Rights Commission to monitor the investigation, issued his report at the beginning of April 2002 in which he made many recommendations, amongst them: that an expert in criminal law be identified to present an independent opinion on the technical aspects of the investigation such as the collection, handling and analysis of ballistic and forensic evidence; that the last visit Digna Ochoa made to the state of Guerrero shortly

before her death be more thoroughly investigated, including the identification of the members of the military patrol that was present in the area at the time; that intelligence files related to previous threats against Digna Ochoa and other members of the PRODH be examined to investigate the possible connection to Digna Ochoa's killing.



Digna Ochoa in 2000 showing the death threats she had received ©AI USA

TAKE ACTION TO PROTECT HUMAN RIGHTS DEFENDERS

GUATEMALA: Forensic scientists at risk

On 21 February 2002, a letter was issued containing death threats against 11 forensic scientists involved in carrying out exhumations of individuals massacred during the counter-insurgency campaign carried out by the Guatemalan military in the early 1980s. The scientists are all current or former employees of the *Fundación de Antropología Forense de Guatemala* (FAFG), Guatemalan Forensic Anthropology Foundation, the *Oficina de Derechos Humanos del Arzobispado de Guatemala* (ODHAG), Human Rights Office of the Archbishopric of Guatemala, and the *Centro de Antropología Forense y Ciencias Aplicada*, (CAFCA), Centre of Forensic Anthropology and Applied Sciences.

The wording of the threatening letter clearly pointed to the military during Guatemala's civil conflict, and directly attacked the role of exhumations in combating impunity.

Several days later, on 7 March, five of the scientists, Mariana Valdizón, Federico Reyes, Fredy Peccerelli,

Fernando Moscoso and Francisco de León, received telephone death threats in which they were told to organise their own funerals or to watch out for their families. Fredy Peccarelli also witnessed a truck passing his house repeatedly that night. Another scientist, Leonel Paiz, has also reported he had found a message on his answering machine in which funeral march music was played, which Paiz has interpreted as a death threat.

Although the scientists have now been given 24-hour police protection, there remains grave concern for their safety, given past incidents where people have suffered renewed attacks, despite such protective measures.

Recommended action:

Please write in Spanish or your own language:

- expressing grave concern and calling on the authorities to guarantee the safety of the employees of FAFG, CAFCA, ODHAG and others involved in exhumations, as well as their families;
- urging the authorities to immediately investigate the reported threats against those

named above and bring the perpetrators to justice;
 - reminding the authorities of their obligations to human rights defenders as laid out in the principles of the UN on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms, adopted in December 1998, and in resolutions by the Organization of American States.

Send your letters to:

President of the Republic of Guatemala

Lic. Alfonso Portillo Cabrera
 Presidente de la República de Guatemala

6a Avenida AA@ 4-41, Zona 1

Ciudad de Guatemala,
 GUATEMALA

Fax: + 502 239 0090

Salutation: Dear President /Señor Presidente

Minister of the Interior

Eduardo Arévalo Lacs
 Ministro de Gobernación,
 Ministerio de Gobernación
 60 Avenida 4-64, Zona 4,
 Ciudad de Guatemala
 GUATEMALA

Fax: + 502 362 0239/ 362 0237

Salutation: Dear Minister /Señor Ministro

COLOMBIA: SEMBRAR activists threatened

Members of SEMBRAR, a human rights organization that works in some of Colombia's most conflictive areas, have recently suffered an increase in threats and intimidation.

Immediately after the death of Yolanda Cerón of the Catholic Church Organization *Pastoral Social* in Tumaco, Nariño on 20 September 2001, SEMBRAR received a telephoned death threat apparently making reference to her murder. Since then the threats against them have increased.

On 27 March, Alexander Herrera was followed by an unidentified man who was also taking photographs of him. Alexander alerted police officers nearby, who arrested the man and removed the film from his camera for further investigation. On 26 March, as members of Sembrar left their office they noticed a blue car parked in front of the building. They decided to return to their office and contacted a trade unionist friend who answered their appeal and went to the Sembrar office. The car drove quickly away as soon as the friend arrived. On the same day Diana Herrera, member of Sembrar, was followed by

three unidentified men in central Bogotá. As Diana attempted to elude her followers, the men following her fell back. A few minutes later a fourth man began to follow her.

Blanca Lucía Valencia, legal representative of Sembrar, was forced to leave the country to protect her life after intensive harassment and threats during the last six months of last year. On 26 February Ludivía Giraldo, who has replaced Blanca Lucía at Sembrar, was also followed by two unidentified men in a van after leaving Sembrar's offices. All members of Sembrar are receiving threatening phone calls on their mobiles phones.

Recommended Action:

Please write in Spanish or your own language:

- expressing concern for the safety of Ludivía Giraldo, Diana Herrera, Alexander Herrera and other Sembrar members in Bogotá;
- urging the authorities to do everything deemed appropriate by those under threat to guarantee their safety;
- urging the authorities to provide the members of Sembrar with the preventive

measures that were recommended by the Interamerican Human Rights Commission on 5 October 2001 and UN recommendations to guarantee the safety of human rights defenders;

- calling for a full and impartial investigation into the recent death threats against Sembrar members, urging that the results be made public and those responsible brought to justice.

Send your letters to:

President of Colombia

Señor Presidente Andrés Pastrana, Presidente de la República Palacio de Nariño, Carrera 8 No. 7-26, Santafé de Bogotá, COLOMBIA

Fax: + 57 1 566 2071

Salutation: Dear President Pastrana / Excelentísimo Sr. Presidente Pastrana

Minister of Defence

Dr. Gustavo Bell
Ministro de Defensa Nacional, Ministerio de Defensa Nacional Avenida Eldorado CAN - Carrera 52, Santafé de Bogotá, COLOMBIA

Fax: +57 1 222 0059/221 3653

Salutation: Dear Minister Bell / Sr. Ministro Bell

This publication is produced by the Program to Promote the Protection of Human Rights Defenders in Latin America, established by Amnesty International in May 1997 to follow-up the Defenders Conference (Bogotá, Colombia, May 1996). Please distribute this bulletin as widely as possible. For more information and to join the Program's Defenders Network, write to: Americas Human Rights Defenders Program, International Secretariat, Amnesty International, 1 Easton Street, London WC1X 0DW, United Kingdom. (tel: +44 20 7413 5952 / 5537; e-mail: amnestyis@amnesty.org)