

COLOMBIA

Return to Hope

Forcibly displaced communities of Urabá and Medio Atrato region

Introduction

Colombia's long-running conflict between government forces, illegal paramilitary groups, which have the tacit and active support of important sectors of the armed forces, and armed opposition groups, has been characterized by blatant disregard for human rights and international humanitarian law. In its wake the conflict has forced hundreds of thousands of civilians, mostly poor peasant farmers from remote rural areas, to flee their homes.

The main armed opposition groups are the *Fuerzas Armadas Revolucionarias de Colombia*, (FARC), Revolutionary Armed Forces of Colombia, *Ejército de Liberación Nacional*, (ELN), National Liberation Army, and the much smaller *Ejército Popular de Liberación*, (EPL), Popular Liberation Army. The government of President Andrés Pastrana Arango, which took office in August 1998, has initiated peace talks with the FARC, the largest of the armed opposition groups. To facilitate the initiation of a peace process with the FARC the government has permitted the temporary demilitarization of five municipalities in the departments of Meta and Caquetá, which remain under the *de facto* control of the FARC. A common agenda for peace talks has been agreed between the government and the FARC and although formal talks began early in 2000, a cease-fire has not been agreed.

In April 2000 the government reached agreement with the ELN on the creation of a *zona de convivencia*, a demilitarized area to permit a *Convención Nacional*, National Convention, to be held. The National Convention is a forum which will discuss and seek agreements on a common agenda for formal talks with the government. A peace process with the smaller EPL has, to date, still to be initiated.

Despite recent significant progress in the dialogue between the government and armed opposition groups the conflict continues to escalate and to extend to new areas of the country.

During the course of the armed conflict the Colombian armed forces and their paramilitary auxiliary organizations grouped under the umbrella *Autodefensas Unidas de Colombia*, (AUC), United Self-Defence Groups of Colombia, have implemented a counter-insurgency strategy which seeks to deny any real or potential support guerrilla forces may secure from civilian communities¹.

¹ For more details on the counterinsurgency strategy see Amnesty International reports: [Colombia: Political Violence in Colombia. Myth and Reality](#), March 1994, (AI Index: AMR 23/01/94) and ["Just what do we have to do to stay alive?" Colombia's Internally Displaced: Dispossessed and Exiled in Their Own Land](#), 1 October 1997, (AI Index: AMR 23/48/97).

The counter-insurgency strategy has been characterized by the systematic and widespread violation of human rights including “disappearances”, extrajudicial executions, torture and forced displacement. Terror tactics are used as a means of wresting any potential support for guerrilla groups by civilians and as a means of forcing civilian communities in conflict zones to abandon their homes *en masse*. Forced displacement is also frequently a means of developing economic interests in conflict regions. As stated in the January 2000 report of the Representative of the Secretary-General on internally displaced persons: “Economic interests underlying the violence and conflict also are factors inducing displacement. As part of a process of so-called “counter-agrarian reform” (which at the time of the Representative’s first mission in 1994 resulted in an estimated 3 per cent of the landowners controlling more than 70 per cent of the arable land in the country), displacement is often a tool for acquiring land for the benefit of large landowners, narco-traffickers, as well as private enterprises planning large-scale projects for the exploitation of natural resources. The fact that most peasants do not possess legal title to their land makes them easy targets for this process”².

Armed opposition groups have also been responsible for forced displacement of communities who have fled their homes as a result of death threats or the deliberate and arbitrary killings of those accused of collaboration with the security or paramilitary forces. Many families have also fled their homes in order to escape forcible recruitment of their children by armed opposition groups³.

Civilians in disputed zones have increasingly been drawn into the conflict against their will as both the guerrillas and government forces and their paramilitary auxiliaries demand their support and collaboration. Giving support to one side in the hostilities, however unwillingly, is frequently followed by reprisals from the other side. As the conflict intensifies and extends to new areas in the country increasing numbers of civilians are forced to flee the rising tide of violence⁴.

² Report of the Representative of the Secretary-General on internally displaced persons submitted in accordance with Commission resolution 1999/47. Profiles in displacement: follow-up mission to Colombia, 11 January 2000, E/CN.4/2000/83/Add.1.

³ Ibidem.

⁴ Under international humanitarian law civilian populations in areas affected by armed conflict are protected from direct attack. Specifically, Common Article 3 to the Geneva Conventions expressly prohibits in all circumstances “violence to life and person” against persons who “do not or no longer actively participate in hostilities”.

Article 13 of Protocol II, ratified by Colombia, strengthens common Article 3’s basic rules and enshrines the principle of civilian immunity as follows:

1. The civilian population and individual civilians shall enjoy general protection against the danger arising from military operations. To give effect to this protection, the following rules shall be observed in all circumstances:

2. The civilian population as such, as well as individual civilians, shall not be the object of attack. Acts or threats of violence, the primary purpose of which is to spread terror among the civilian population, are prohibited.

3. Civilians shall enjoy the protection afforded by the part, unless and for such time as they take a direct part in hostilities.

The fundamental human rights of civilians, including the right to life and the right not to be tortured or “disappeared” are also protected under international human rights treaties and standards to which Colombia is party.

Since 1985 Colombian non-governmental human rights organizations estimate that over 1.5 million people have been forcibly displaced from their homes and lands⁵. The majority are women and children: 58% of the displaced are female whilst 55% are under 18 years of age⁶. Those forcibly displaced have been left with little choice but to seek shelter in improvised camps or in shanty areas of urban centres, where they face a life of misery with little prospect of employment or access to land to cultivate and little if any security: “the threats to physical security which the displaced flee to escape often only follow them into the communities in which they seek refuge. The very fact of having fled typically only heightens suspicions of allegiance with a particular armed actor and intensifies the risk of being targeted”⁷.

One of the regions most affected by forced displacement in recent years is the Urabá⁸ region of the departments of Antioquia and Chocó and the Medio Atrato region which covers the areas of the central Atrato river⁹ in the departments of Chocó and Antioquia.

Forced displacement from Chocó

The department of Chocó has for many years been relatively untouched by the 40-year Colombian conflict, although the FARC and the ELN, have maintained a presence in the department for several years. The department is one of the poorest regions of Colombia where approximately 70% of the population is Afro-Colombian, and approximately 20% is of indigenous origin.

In late 1996 the Colombian armed forces in unison with AUC paramilitary forces launched a campaign to root out the guerrilla forces in the Bajo Atrato region in the north of the department. This campaign sought to deny guerrilla forces operating in the department their civilian support base, particularly the civilian population living along the River Atrato’s tributaries, areas where FARC guerrilla forces traditionally maintained a strong presence. A first phase saw army checkpoints situated on the Atrato river imposing strict limits on the quantity of goods the people living in these communities could transport. The economic blockade had a serious impact on these already impoverished communities. As the economic blockade was imposed and tightened the civilian communities situated on the tributaries who were suspected of being guerrilla sympathizers began to be targeted for serious human rights violations including “disappearances” and extrajudicial executions carried out by paramilitary forces. The economic blockade lasted

⁵ The Colombian Government only acknowledges a figure of 400,000 internally displaced persons.

⁶ E/CN.4/2000/83/Add.1 op. cit.

⁷ Ibidem.

⁸ Urabá covers the northern region of the department of Chocó and the northern region of the department of Antioquia together with western areas of the department of Córdoba.

⁹ The River Atrato runs the length of most of the Pacific department of Chocó in northwestern Colombia. It borders with the western part of the department of Antioquia and flows into the Gulf of Urabá in the Caribbean Sea to the north of Colombia.

several months and was followed by a series of joint military/paramilitary operations which led to the mass displacement of many communities in the municipality of Riosucio in the Bajo Atrato region. Despite frequent denunciations of increasing paramilitary attacks in the area, the government of then president Ernesto Samper Pizano failed to take any action to combat and dismantle the paramilitary groups and protect the civilian communities.

Many of the Afro-Colombian and indigenous communities of the region had been campaigning for many years for legal recognition of land rights for the territories which they had occupied since ancestral times. When the joint armed forces and paramilitary incursions were initiated these communities were about to receive their formal land titles, or formal land title had recently been granted.

The FARC, fearful of a loss of potential civilian support, reacted by targeting those in the civilian population they accused of being paramilitary or army sympathizers or collaborators. These tactics also resulted in the displacement of many communities in the department of Chocó. It is estimated that at least 20,000 people were forced to flee their homes between late 1996 and the early months of 1997.

The internally displaced communities from the north of the department of Chocó were forced to spend over two years in makeshift refugee camps¹⁰, or with friends and relatives in the shanty areas of several towns and villages of the neighbouring department of Antioquia¹¹. Others sought safety in Riosucio whilst others fled to neighbouring Panama.

Whilst many communities fled their homes others have resisted forced displacement. This is the case of some communities in the Medio Atrato region of the departments of Chocó and Antioquia to the south of the municipality of Riosucio. Others in the Medio Atrato region fled to Quibdó, the capital of Chocó, where over 6,000 people have sheltered for over two years.

Displacement from the Urabá region of Antioquia

¹⁰ Refugee camps were a new modality in Colombia's internal conflict, up until 1997 the internally displaced had sought refuge in shanty areas of large urban centres or sheltered with relatives and friends in neighbouring communities.

¹¹ See "Just what do we have to do to stay alive?" Colombia's Internally Displaced: Dispossessed and Exiled in Their Own Land, (AI Index: AMR 23/48/97).

The Urabá region in the north-west of the department of Antioquia is an area which has witnessed large-scale forced displacement over recent years. For many years throughout the 1980s the area was dominated by guerrilla groups belonging to the FARC and the *Ejército Popular de Liberación*, (EPL), Popular Liberation Army. Subsequent to the demobilization of the EPL which signed peace agreements with the Colombian Government in 1991¹², paramilitary forces of the *Autodefensas Campesinas de Córdoba y Urabá*, (ACCU), Córdoba and Urabá Self-Defence Groups, launched major offensives from the northern municipalities of the Urabá region of Antioquia and pushed southwards rooting out and killing those they considered guerrilla collaborators or sympathizers. FARC guerrilla forces operating in alliance with dissident EPL groups responded by carrying out a number of massacres of demobilized EPL members and others they considered to be supporting army or paramilitary forces.

The civilian population found itself increasingly drawn into the conflict which frequently was conducted through the killing of civilians rather than through open combat between the opposing sides. The inhabitants of the community of San José de Apartadó, located in the municipality of Apartadó, were forcibly displaced in the course of 1996 and 1997 as the paramilitaries and the army sought to wrest military control of the Antioquia Urabá region from the FARC and remnants of the EPL. Further south paramilitary operations in 1997 led to mass displacement of the community of La Balsita, municipality of Dabeiba, department of Antioquia.

Internally displaced communities demand their right to life

Faced with the stark choice of living in misery in shelters away from their lands which provide the communities with a livelihood, many communities have organized themselves in recent years to make a stand against forced displacement, to demand the conditions to permit their return to their lands or to be resettled on alternative lands. They have demanded that the parties to the conflict respect their right not to take sides in the conflict and their right to life as civilians. Some of these communities have asserted these rights by declaring themselves *Comunidades de Paz*, Peace Communities. The inhabitants of the Peace Communities have pledged not to participate or be drawn into the conflict and so amongst other commitments refuse to bear arms or to provide information or logistical support to either side in the conflict. In return they demand that the parties to the conflict do not enter the boundaries of their communities, and to respect their right to life, their status as civilians and their decision not to participate or collaborate with any of the parties to the conflict.

¹² A small number of EPL guerrillas returned to arms.

Others, whilst not declaring themselves Peace Communities, have made similar demands: the right to return or be resettled in conditions where their right to life and status as civilians is respected. Either way, by demanding all sides in the conflict recognize their fundamental human rights these communities have paid a heavy price. The efforts of civilian communities to extricate themselves from the conflict is viewed with suspicion by all the armed parties to the conflict. As the Representative of the Secretary-General on internally displaced persons states in his January 2000 report: “displaced persons have begun to organize to defend their rights, but the leaders of their organizations and those of the local non-governmental organizations who try to help them are increasingly being targeted and killed by armed groups”¹³.

This document examines some of the experiences of displaced communities in the department of Chocó and Antioquia and that of communities seeking to resist displacement. In Antioquia it will examine the case of the displaced community of La Balsita and San José de Apartadó and in the department of Chocó it will primarily examine the case of the majority Afro-Colombian communities of the municipality of Riosucio and the municipalities of the Medio Atrato region. It also documents violations of international humanitarian law and human rights by all armed groups in the conflict who have reacted violently to efforts by the civilian population to be excluded from the conflict.

No tolerance for neutrality

The reaction of the parties to the conflict to any attempt by the civilian population to isolate itself from the conflict has been hostile. The attempt by communities to assert their rights has been viewed as subversive by the Colombian armed forces which have repeatedly made unsubstantiated accusations against the Peace Communities stigmatizing them and leaving them vulnerable to attack.

On 14 August 1998, the then commander of the *1 División*, I Division of the Colombian Army, General Víctor Julio Álvarez questioned the declarations of neutrality of civilian communities: “*La neutralidad es solo un instrumento de los detractores del Ejército para aislar a la institución de la población Eso de la neutralidad es un cuento de nuestros enemigos, de nuestros adversarios y de nuestros detractores con el fin de separarnos y aislarnos más de la población Pienso que los que actúan en esos términos son idiotas útiles o simpatizantes voluntarios de los intereses de los grupos subversivos en Colombia o realmente deben ser extranjeros*”. “Neutrality is only an instrument of the Army’s critics, of our adversaries and our detractors with the aim to separate us and isolate us from the population I think that those who act in these terms are gullible idiots or voluntary sympathizers of subversive groups or really they must be foreigners”.

On 2 January 2000, a Colombian television news program referred to the existence of a military intelligence report which alleged that guerrilla forces were using Peace Communities as bases: “*Las FARC utilizan los territorios de paz de Antioquia y Chocó para realizar actos terroristas ... estas poblaciones son zonas limitadas para el control político y armado del Estado desde el año*

¹³ E/CN.4/2000/83/Add.1 op. cit.

1997. *La población rechaza la presencia de la policía y el ejército Estos territorios son aprovechados como áreas de apoyo logístico retaguardias o movilidad*". "The FARC use the peace territories of Antioquia and Chocó to carry out acts of terrorism ... these areas have only been under limited political and armed control of the state since 1997. The population rejects the presence of the police and army on its lands These territories are used as areas of logistical support, rearguard positions and areas of transit". The report referred to a guerrilla attack in late 1999 against the municipality of Juradó, department of Chocó: *"Las FARC en su ataque a Juradó, utilizaron como rutas de acceso y repliegue los ríos donde paradójicamente están asentadas estas poblaciones"* "In their attack on Juradó, they used the rivers on which these communities are located as routes of access and retreat".

Such accusations have been paralleled by statements made by groups representing commercial sectors in Urabá. In a letter to President Andrés Pastrana dated 5 March 1999 and made public on 26 March, signed by business groups, cattle-ranchers and other regional interest groups, the legitimacy of Peace Communities was called into question: *"Nos encontramos en total desacuerdo con la tan mencionada neutralidad, ... con la cual se logra solamente que nos convirtamos en aterradores cómplices de los delincuentes y de la violencia Encuentran ciertos delincuentes un sitio ideal en estas zonas neutrales , para que el posible accionar de las autoridades no los pueda alcanzar, ya que a estos sitios no se permite el ingreso de actores del conflicto."* "We find ourselves in complete disagreement with this neutrality which is so talked about ... with which the only thing achieved is that we become the terrible accomplices of delinquents and of violence Certain delinquents find an ideal place in these neutral zones where the actions of the authorities cannot reach them, since in these areas the parties to the conflict are not permitted to enter"

These accusations have mirrored those made repeatedly by paramilitary groups and which together have justified attacks and death threats against displaced communities which have sought to isolate themselves from the conflict and resist further displacement and human rights violations.

The call by civilian communities on the parties to the conflict to respect their right to life and to be excluded from hostilities has not only been questioned by the security forces and their paramilitary allies. Guerrilla forces have also been extremely critical of these initiatives. Writing in an article for the January 2000 edition of the FARC's magazine *Resistencia Nacional*, Marco León Calarcá, a FARC commander, states: *"En esta guerra no hay espacio para la neutralidad, cosa diferente es la participación directa en las acciones militares, ahí está la diferencia, respetada por nosotros, entre los combatientes y los no combatientes y esa es la que debe garantizar el Estado y sus grupos paramilitares"*. "In this war there is no space for neutrality, direct participation in military actions is what distinguishes combatants from non-combatants, a distinction we respect and that is what the State and its paramilitary groups should respect". More recently the FARC leadership has stated, however, that it would respect the right to life of members of Peace Communities. In an interview with *El Colombiano* published on 18 April 2000, Felipe Rincón, a FARC commander stated that the FARC had committed itself to respect the right to life of members of the Peace Communities: *"Nos comprometimos a respetar la actividad de la gente en la región, porque hace parte de nuestras normas, del respeto a la población, a sus bienes y creencias políticas y religiosas"*. "We committed ourselves to respect the activities of the people

in the region, because to do so is part of our internal rules to respect the population, its property and political and religious beliefs". The commander also stated that the FARC would respect the right of the Peace Communities not to be drawn into the conflict: "*Las FARC nunca imponen criterios Respetan si la gente participa o no de un grupo político, si está de acuerdo o no con la lucha armada. Eso siempre lo hemos hecho*". "The FARC does not impose its beliefs It respects the right of people to participate or not in a political group, to be in agreement or against the armed conflict. We have always done so".

It is this reluctance to accept the right of the civilian population not to be drawn into the conflict that has left the Peace Communities and other communities under threat of forced displacement under constant attack.

Experiences of the Forcibly Displaced Communities of Antioquia

San José de Apartadó - a model initiative under threat

San José de Apartadó, in the municipality of Apartadó, department of Antioquia, is made up of 32 communities. San José de Apartadó was founded in 1970 and is situated in the mountains of the *Serranía de Abibe*, Abibe Mountain Range which run parallel to the banana growing region of Urabá in the northwest of the department of Antioquia. These mountains represent an area of military strategic importance for guerrilla forces belonging to the EPL and the FARC which first appeared in the area in the 1970s. Presently it is the FARC forces of the *V Frente*, V Front, which continue to maintain a strong presence in this area. The mountain range provides ideal cover for guerrilla forces and affords access between the Urabá region of Antioquia and the Urabá region of the neighbouring department of Córdoba. San José de Apartadó is located along an important access corridor which runs from the mountains into the western plains, along which it is thought that guerrilla forces are able to replenish their supplies and from which they can launch attacks into the banana growing regions of Urabá and retreat to safety. It is this strategic location and the frequent presence of the FARC in the area which has resulted in the inhabitants of San José de Apartadó being labelled subversives or subversive sympathizers by the security forces and their paramilitary allies.

Joint paramilitary-military offensives in the banana growing regions of Urabá to the west of the *Serranía de Abibe*, saw guerrilla forces progressively losing their control of the region between the early 1990s to 1996. Increasingly through 1996, attacks were also launched into the mountains. The civilian inhabitants of San José de Apartadó bore the brunt of these attacks supposedly designed to root out guerrilla forces from the region. Inhabitants of San José de Apartadó relate how they were frequently forced to flee their homes in the wake of paramilitary killings. Others faced threats from guerrilla forces who accused them of collaborating with the security forces or their paramilitary allies.

As the joint army and paramilitary offensive in the *Serranía de Abibe* intensified, paramilitary forces set up a checkpoint on the road between San José de Apartadó and the town of Apartadó and imposed strict limits on the food supplies entering the community. The paramilitaries reportedly accused inhabitants of carrying food supplies to “*alimentar la guerrilla*”, “feed the guerrilla”. On 28 February 1997, at approximately 6am AUC paramilitary forces entered the community of San José de Apartadó. They forced the community to assemble and checked the inhabitants’ identity documents. The paramilitary group then forcibly abducted three members of the community: **Rubén Antonio Villa** and his son **Antonio Villa** and **Miguel Haya**. Later that day **Guillermo Serna** was forced off the bus on which he was travelling on the road between San José de Apartadó and Apartadó and was forcibly abducted by the paramilitary group. The paramilitaries reportedly killed those they had abducted later in the day and buried their bodies on the roadside.

A short time later officials from the *Fiscalía de Apartadó*, the Office of the Attorney of Apartadó¹⁴, relatives of the victims, the then-mayoreess of Apartadó, Gloria Isabel Cuartas, together with a police and army escort arrived at the scene where the bodies had been buried, to carry out exhumations. It is reported that the armed force members who made up the escort and the paramilitaries at the scene greeted each other in a friendly manner. Seeing this the relatives and the mayoreess abandoned the scene for fear for their safety.

¹⁴ The Office of the Attorney of Apartadó is part of the *Fiscalía General de la Nación*, Office of the Attorney General which is charged with investigating and prosecuting all crimes committed in Colombia, including human rights violations. It has played an important role in investigating human rights violations in particular through its *Unidad Especializada de Investigaciones sobre las Violaciones de los Derechos Humanos*, Specialized Unit for the Investigation of Human Rights Violations, set up in September 1995.

Faced with the constant threat of forced displacement and further human rights violations, the communities sought the support of the Catholic Church and a number of Colombian non-governmental human rights organizations to examine strategies which would enable the community to resist forcible displacement and demand respect for their right to life. This led to members of 17 of the communities which make up San José de Apartadó declaring themselves a *Comunidad de Paz*, Peace Community, on 23 March 1997¹⁵. This declaration represented a call to the warring factions on both sides of the conflict to respect the neutrality of the civilian population in the conflict and to respect the communities' right to life.

Since the self-proclamation of the community as a Peace Community, San José de Apartadó's history has witnessed continued human rights violations and violations of international humanitarian law carried out by both the FARC, the Colombian Army and their paramilitary allies.

The reaction of armed groups to the declaration of the Peace Community

The reaction of the army-backed paramilitary to the declaration of the Peace Community was swift. On 27 March 1997, some 30 members of a paramilitary group reportedly entered San José de Apartadó. After questioning villagers they left, leaving a warning: "*a los sapos de la guerrilla los vamos a matar*", "we are going to kill guerrilla informers".

On the same day, a joint army and paramilitary patrol reportedly abducted **José David** in La Unión. On 29 March, José David was killed. His body was then dressed in military uniform and taken away in an army helicopter (in the past many victims of extrajudicial executions have been presented by the army as guerrillas killed in combat). The members of the patrol reportedly told locals that the paramilitary and army were united to "*acabarlos a todos*", "finish all of you off".

On 28 March 1997, soldiers entered the community of La Unión, forcing their way into homes and threatening inhabitants: "*les dijimos que se fueran y no han hecho caso. Detrás de nosotros vienen los que cortan por pedacitos*", "we told you to leave and you didn't take any notice. Coming behind us are those who chop up their victims in pieces". These threats and human rights violations were followed by a spate of death threats and serious human rights violations committed by the security forces and paramilitaries in the ensuing days and weeks. (See box).

Cases of human rights violations committed against members of San José de Apartadó between 29 March and 15 May 1997

Elías Zapata his brother **Eliodoro Zapata**; **Alberto Valle** and **Félix Antonio Valle** (14), two relatives who had gone to look for the brothers; and **Carlos Torres**, who went to look for Felix Antonio Valle were killed on 29 March, in the community of Las Nieves, were killed by a paramilitary group. The mother of the Zapata brothers, looking for her sons, was also shot at but managed to escape. The seven bodies were then dressed in camouflage uniforms and were taken

¹⁵ The 17 communities which make up the *Comunidad de Paz de San José de Apartadó* are: La Unión, Arenas Altas, Arenas Bajas, La Cristalina, Mulatos Medio, Mulatos Alto, La Resbalosa, Las Nieves, El Guineo, San José de Apartadó, La Linda, Alto Bonito, Las Playas, Porvenir, Buenos Aires, La Esperanza and Bellavista.

away by an army helicopter. Paramilitary group members threatened local inhabitants telling them they had five days to abandon their homes otherwise they would be killed.

Leonardo and his brother **Bernardo Panesso** were killed by members of the army and a paramilitary group when they entered the community of El Guineo on 1 April 1997.

César Pérez was reportedly abducted and killed by paramilitaries on 5 April.

Ovidio Torres, a preacher was reportedly abducted by paramilitaries on 6 April. His whereabouts have since remained unknown.

Miguel Guisao and his sister **Bertha** were reportedly forcibly abducted by a joint army and paramilitary patrol in the community of Arenas Altas on 10 April. Their whereabouts have remained unknown since their abduction. At approximately 1pm, paramilitaries reportedly abducted brothers **Gilberto** and **Miguel Ramírez Giraldo**, in the same community and used the brothers' machetes to chop their fingers off, then tied them to stakes. They then cut open the men's stomachs, stabbed them in different parts of their bodies with the machetes and then decapitated them. The joint army and paramilitary force had reportedly given the inhabitants 48 hours to abandon their homes the day before.

José Antonio Graciano and **Jairo Graciano** were reportedly abducted by paramilitaries on 13 April at approximately 5pm, at the bus station in Apartadó. The previous week the two men had been forced to flee their homes in Las Nieves, San José de Apartadó. Their tortured bodies were later found in the Vélez district of Apartadó. Paramilitary forces had previously issued death threats against people who had fled from the community of San José de Apartadó following previous paramilitary operations in the area: "*los desplazados de San José de Apartadó serían buscados y asesinados*", "those displaced from San José de Apartadó would be hunted down and killed". On 14 April, at about 5.30pm, another young man bearing the family name Graciano, also displaced from Las Nieves, was reportedly killed by three paramilitaries in Apartadó in front of his mother.

On 21 April, paramilitaries abducted two youths in La Unión, one of the youths managed to escape after being wounded whilst another known only as **Miguel** was killed with machete blows.

Diofanor Sánchez Celada was forcibly abducted by members of a paramilitary group on 14 May along with another two youths. He was shot dead immediately whilst the other two, were violently thrown to the ground, beaten and threatened with decapitation. As the paramilitary group left the scene the youths reportedly appealed to soldiers camped nearby for help. The soldiers marched them to the scene of the killing at gunpoint. Though the paramilitary group, made up of some 100 men, was still in sight the soldiers did nothing to confront them.

Ramón Jiménez was reportedly detained by a joint military/paramilitary on 15 May. His body was found on 21 May showing signs of torture.

Killings, constant death threats and intense bombing of the region by the Colombian security forces in the immediate aftermath of the declaration of San José de Apartadó as a Peace Community, led to the forced displacement of hundreds of peasant farmers. Whilst some fled the region altogether, approximately 650 decided to remain in the village of San José de Apartadó and attempt to secure respect for their Peace Community and their right to life from the parties to the conflict.

In the first few weeks following the declaration of the Peace Community the Colombian Army maintained a detachment within the town of San José de Apartadó. In April 1997, the Colombian Army reportedly threatened the civilian population, stating that when they left, the paramilitaries - "*los que parten en pedacitos*", "those who chop up their victims in pieces" - would follow. On 4 May military units left the village of San José de Apartadó and planted a human skull together

with written death threats close to the community's school building. The detachment reportedly failed to react to any of the denunciations made by local inhabitants of paramilitary activity in the area.

For several months paramilitary forces continued to operate a checkpoint on the road which links San José de Apartadó and Apartadó. The paramilitaries continued to impose strict limits on the food supplies inhabitants were able to take into the community. As a result, the community faced serious food shortages and since at first it was not officially recognized as a displaced community no food or health aid was forthcoming from the state. The little food aid received came from the Catholic Church and a communal kitchen was established to ensure that everyone was fed. One displaced peasant farmer described life at this time in San José de Apartadó: “... *ha sido muy difícil sobrevivir en San José ... La ropa que tenemos aquí es a que logramos bajar a las parcelas. Y gracias a Dios, otras entidades ayudan. El Gobierno donó algunos mercados, pero la gran verdad es que la comida es insuficiente, es poca Nos dan un paquete pequeño para ocho días, cuando hay familias conformadas por 8 ó 10 personas. Lo que más falta hace son los medicamentos, porque hay mucho enfermo. En estos días hubo epidemia de paludismo y la gente está sin plata para comprar medicina ...*” “... it has been very difficult to survive in San José. The clothes we have here are what we brought down from our homes. And thanks to God, other agencies are helping. The Government gave us some food, but the truth is that the food is insufficient, it is too little They give us a small food package for eight days, when there are families made up of 8 or 10 people. What we need most is medical aid, because there are many sick people. In recent days there has been a malaria outbreak and the people are without the money to buy medicine”

The paramilitary checkpoint was situated a kilometre from the *Batallón Voltígeros de la XVII Brigada*, Voltígeros Battalion of the XVII Brigade military base in the Policarpa district of Apartadó. Despite repeated denunciations made by national and international non-governmental human rights organizations, including Amnesty International, the armed forces failed to take action to combat the paramilitaries and to dismantle the checkpoint. Over 30 members of the community were reportedly killed by paramilitary forces who abducted them at the checkpoint.

At 10 a.m. on 17 May 1997, a bus travelling to Apartadó from San José de Apartadó was forced to stop at the paramilitary check-point. **Francisco Tabarquino**, was forced out of the vehicle. His bullet-ridden body was found on the road between Apartadó and San José several hours later. Francisco Tabarquino was a member of

the *Consejo Interno*, Internal Council of the Peace Community of San José de Apartadó. Several weeks beforehand he had reportedly abandoned his home in the community of El Guineo after a paramilitary group had forced their way into his house and threatened to decapitate him in front of his family.

Following national and international pressure the paramilitary checkpoint was eventually removed early in 1998. However, paramilitary checkpoints on the road between San José de Apartadó continued to operate sporadically and members of the Peace Community continued to face the constant threat of “disappearance” or death.

Luis Hernán Ruiz was reportedly forced out of the vehicle in which he was travelling on 14 August 1998 by three heavily-armed men at a paramilitary checkpoint which had reportedly been operating for two weeks situated outside the community on the road leading to Apartadó. The driver was ordered to leave. Luis Hernán was returning from the funeral of his son who, allegedly, had been killed by paramilitary members on 12 August, in Apartadó.

Between March 1997 and March 2000, over 65 members of the community have been killed, the majority by paramilitary forces working in alliance with the security forces.

One of the demands of the community to ensure that the parties to the conflict respect their right to life and not to be drawn into hostilities is to insist that they should not enter the defined perimeters of the Peace Community. In the context of the Colombian conflict the presence of any armed force within a civilian community has led to accusations that the community sympathizes with that side. In response to the constant human rights violations committed against members of San José de Apartadó the community demanded that Colombian Army detachments within the village of San José de Apartadó be withdrawn and that the Peace Community’s boundaries be respected by all sides in the conflict. The Colombian security forces, their paramilitary auxiliaries and the FARC have bitterly criticized the position adopted by San José de Apartadó.

In El Colombiano on 25 March 1999, General Orlando Carreño Sandoval, the then commander of the Brigada XVII, XVII Brigade of the army manifested “hay problemas con la Comunidad de Paz de San José de Apartadó, porque la tropa pasa por al lado y allá no se puede meter, porque nos denuncian inmediatamente ante las ONG de todo el mundo ...”, “there are problems in the Community of Peace of San José de Apartadó, because troops pass by but cannot go in because they denounce us immediately to the world’s NGOs... ..”

On 24 May 1998, soldiers of the XVII Brigade reportedly killed a cow near to San José de Apartadó and proceeded to cut the carcass open. As they did so the soldiers told witnesses that this was how they were going to torture and kill one of the members of the missionary team attached to the Colombian Catholic Church’s *Comisión Intercongregacional de Justicia y Paz*,

Intercongregational Commission of Justice and Peace¹⁶, which works in the community and supports the community in its development.

On 28 February 1999, members of the Colombian Army entered the community of San José de Apartadó under the command of a lieutenant. Community leaders approached the officer and explained that San José de Apartadó was a Peace Community and asked the troops to leave. The officer ordered his troops to leave the community and as the soldiers left the officer reportedly accused the community members of being guerrillas for upholding a position of neutrality in the conflict. This accusation coincided with accusations reportedly made by the then commander of the XVII Brigade, General Carreño, in a meeting attended by international non-governmental organizations on 3 March 1999 in which he accused members of *Justicia y Paz*, present in the community, of acting as “*reclutadores de la guerrilla*”, “guerrilla recruiters”.

Such accusations have invited further attacks and serious human rights violations against the inhabitants of San José de Apartadó.

On 4 April 1999, a paramilitary group entered the village of San José de Apartadó at about 11pm. Before entering San José de Apartadó the paramilitaries were reported to have forcibly abducted **Daniel Pino** in the community of La Balsa situated on the road between Apartadó and San José de Apartadó. Once in San José de Apartadó, the paramilitaries forcibly rounded up a number of the residents together with Daniel Pino in the main square. They stated that San José was “*una comunidad de guerrilleros*”, “a guerrilla community”, and demanded the names of the community’s leaders. The assailants opened fire, killing 16-year-old **Gabriel Graciano** and seriously injuring several other inhabitants. They also slashed Daniel Pino’s stomach open with a machete; he died in agony several hours later. In the confusion two inhabitants managed to escape from the square.

The paramilitaries then approached the house of **Anibal Jiménez**, a founding member of the Peace Community and a member of the community’s Internal Council. The paramilitaries shot him dead in front of his young children.

Before making their escape the paramilitaries threw grenades and fired at random, at least one other community member was wounded by a grenade.

In a letter sent to El Tiempo and made public on 8 April 1999, the ACCU paramilitary group claimed responsibility for the attack. In the letter the ACCU called the neutrality of the community into question accusing it of

¹⁶ From hereon referred to as *Justicia y Paz*.

links with the guerrilla and claimed that a guerrilla kidnapping operation was being coordinated from within San José de Apartadó.

It is not only the armed forces and their paramilitary allies who question the legitimacy and neutrality of the Peace Community. Guerrilla forces also reacted to the declaration of neutrality in the conflict fearful that the inhabitants may side with the paramilitary and the armed forces. On 6 October 1997, FARC guerrillas approached members of the Peace Community in La Cristalina. The guerrillas reportedly criticized the Peace Community for not providing their forces with food. **Ramiro Correa** a community leader, **Luis Fernando Espinosa** and **Fernando Aguirre** were forcibly abducted and subsequently shot dead because the men had refused to provide the guerrilla forces with food. At least eight members of the Peace Community of San José de Apartadó have been killed by the FARC.

Returning home

Despite the killings and constant threats against the community, the strategy of declaring itself to be a Peace Community has enabled San José de Apartadó to resist forced displacement to other parts of the country and has even permitted families to start returning to their abandoned farms and homes. On 23 March 1998, to mark the first anniversary of the proclamation of the Peace Community, the return to the community of La Unión was begun. Approximately 50

families who had sheltered in the village of San José de Apartadó have now returned to La Unión. In June 1999, 30 families began to return to the community of La Esperanza. The return had been due to begin earlier but was delayed after the paramilitary incursion of April 1999. At the time of writing approximately 25 families are planning to return to the community of Arenas Altas.

Continued attacks

As the process of return advances the Peace Community's enemies continue to threaten and intimidate its inhabitants. Two civilians with links to the Peace Community, though apparently not members of the community, were killed in July 1999, reportedly by paramilitaries. **Gilberto Arango** was killed on 10 July in Las Nieves and **Emilio Zapata** was killed on 23 July in Apartadó. These killings fuelled fear of a further attack.

Since then, residents in the area of San José de Apartadó have continued to report sightings of paramilitaries in the vicinity, sometimes in the company of army personnel which has taken no effective action to combat paramilitary activity in the area. On 8 August 1999, a group of 30 armed men, which reportedly included an army lieutenant and paramilitaries, entered the community of Buenos Aires and prevented residents returning to their homes. Reportedly some of the armed men were wearing uniforms which bore army insignia whilst others were identified as paramilitaries. The next day an army lieutenant amongst the armed group was reportedly heard speaking on a two-way radio: "hoy entraremos a La Unión y San José 14 o 20 personas a hacer lo mandado, entramos y volvemos a salir", "today 14 or 20 people will enter La Unión and San José and finish off the job, we will enter and leave".

The threats have been accompanied by repeated accusations against the community to the effect that guerrilla forces maintain a presence in the community. Conditions for a further attack against San José de Apartadó were fuelled by the accusations reportedly made by military intelligence described previously.

Some 20 gunmen in military uniforms entered the community of San José de Apartadó on 19 February 2000 at about 7.30pm. They split into four groups: one went into a billiard bar and ordered the men inside to lie on the floor and not look at them. When **Edgar Mario Urrego** did not obey, and reportedly said that he recognized some of the gunmen as soldiers, they shot him dead.

Another group went to the Pentecostal church, where they forced **José Ubaldo Quintero** out of the building and shot him several times in the head, killing him instantly. **Luis Ciro Aristizábal** and **Alonso Jiménez** were forced out of their homes and shot dead. **Albeiro Montoya** was killed in the town square. Two other inhabitants of the community were reportedly wounded. The gunmen had apparently picked out their victims from a list in their possession.

A number of witnesses reportedly saw the insignia of the army's XVII Brigade, on the gunmen's uniforms. Amongst the gunmen were two hooded men. Reportedly during the operation witnesses recognized one of them when his hood slipped as a former guerrilla who had surrendered to the army 20-days previously. Before this attack a large number of troops from the XVII Brigade were seen in La Balsa, a community on the road from San José de Apartadó to Apartadó. The 20 gunmen were apparently seen in

military uniforms a short distance down the road to San José de Apartadó from the XVII Brigade troops, encamped in a farm called La Guatinaja in the community of Caracolí.

Although those killed were resident in San José de Apartadó, they were not formally members of the Peace Community process. In the weeks following the attack the community of San José de Apartadó has denounced being subjected to continued intimidation. On 12 March, members of the Colombian Army reportedly carried out training exercises close to the community of La Balsa. On 14 March, soldiers operating a checkpoint on the road between San José de Apartadó and Apartadó, reportedly asked community members if the exercises had frightened them: “¿Les asustó el ensayo? ¿Este mes se acaba la Comunidad de Paz?”, “Did the training exercises frighten you? Will the Peace Community end this month?” On 25 March, paramilitaries who were reportedly patrolling a short distance from Arenas Altas told inhabitants of the area that they would not permit the return of the people of Arenas Altas. The 25 families planning to return to Arenas Altas have, as a result, postponed their return.

On 6 April, members of a paramilitary group entered the community of La Miranda, situated between Apartadó and San José de Apartadó, and informed several inhabitants that they were awaiting the orders of national paramilitary leader Carlos Castaño¹⁷ to attack the Peace Community of San José de Apartadó and destroy it: “porque ese pueblo es guerrillero”, “because that community is a guerrilla one”.

¹⁷ Carlos Castaño is the commander of the AUC and the ACCU.

The proclamation of the community of San José de Apartadó as a Peace Community has enabled the community to make a stand and resist forcible displacement despite the constant threats and killings carried out by both sides in the armed conflict. International attention on this community and support for this initiative also has an important role to play to help the community to take its project forward. Of the different attempts to establish Peace Communities in the Urabá region, San José de Apartadó is considered to be the first. Unfortunately by setting an example, it has paid a heavy price.

In a letter written on the third anniversary of the proclamation of San José de Apartadó as a Peace Community (23 March 2000) *Justicia y Paz* underlined the Peace Community's determination not to be drawn into the conflict:

“ Hoy tres años después, no podemos más que seguir dando testimonio de su firme decisión de no ser involucrados en el conflicto, de no servir directa ni indirectamente a los actores armados, de seguir construyendo una propuesta en medio de la guerra.”

“Today three years after, all we can do is testify to the strong determination of the community not to be drawn into the conflict, not to serve the parties to the conflict directly or indirectly and to continue to construct an alternative way forward [for the civilian community] in the middle of the war”.

The La Balsita Displaced

The forced displacement

Between 22 and 27 November 1997 a group of approximately 150 heavily-armed gunmen who reportedly identified themselves as members of the ACCU entered the communities of Antazales, Argelia, La Balsita in the jurisdiction of La Balsita, and the nearby communities of Chamuscados, Buenavista and Tucunal, in the municipality of Dabeiba, Antioquia Department.

The paramilitaries reportedly abducted three peasant farmers in Tucunal. The three unidentified men were reportedly killed that same afternoon. They also reportedly killed **Oscar Valderrama**, an Evangelical minister and his son **Alfonso Valderrama** in the same community.

On 25 November and 26 November, the paramilitary group reportedly abducted and hanged **Edilberto Areiza**, 16-year-old **Ricaurte Monroy** and 17-year-old **Luis Albeiro Avendaño** in the community of La Balsita. The paramilitary group also killed **Ananías Guisao** and his son, **Florentino Guisao**, a teacher, as well as **Milton David** and **Angel Montoya** in the community of Buenavista. The paramilitaries set fire to at least 44 homes in La Balsita, Antazales and Argelia and ordered the inhabitants to leave the area within 20 days. In the wake of the five-day paramilitary incursion, during which approximately 30 people were killed, more than 1,200 people were forcibly displaced from the community of La Balsita and neighbouring communities, some 500 fled to the municipal capital, Dabeiba.

During the more than two years of forced displacement, the La Balsita community members have been threatened and attacked repeatedly by CONVIVIR¹⁸ and paramilitary forces operating freely in the town despite the heavy military and police presence.

On 11 April 1998, **Carlos Enrique Maso Vargas**, a member of the displaced community, was abducted by paramilitary gunmen who dragged him from a bus, accusing him of being a guerrilla. They beat him and his brother, with whom he was travelling. They told his brother that they would not take him as well because his five-year-old son was with him. Carlos Enrique was reportedly thrown into the Riosucio river and his body was found the next day.

¹⁸ CONVIVIR groups, officially known as *Servicios Especiales de Vigilancia y Seguridad Privada de Urabá*, Special Vigilante and Private Security Services of Urabá, are vigilante groups made up of civilians who operate in association with the security forces and are believed to have strong links with paramilitary forces in the area, as illustrated by some of the information contained in this report. Those which operate in Turbo, department of Antioquia, do so under government licence.

Reports received at the time confirmed that, in spite of repeated complaints to the authorities by local people, paramilitary forces were operating with total freedom in the vicinity, despite the presence of civil, police and military authorities. Known members of paramilitary groups were also seen openly liaising with members of the local CONVIVIR group.

Violations of International Humanitarian Law by the FARC

Dabeiba has been the focus of intense combats and repeated FARC attacks in recent years which have placed the civilian population at severe risk. Military control of the municipality of Dabeiba is crucial to all sides in the conflict since the municipality is situated at a point which provides access to the Urabá region and the Caribbean Sea to the north and to the south the departments of Antioquia and Córdoba and central Colombia.

FARC guerrillas have frequently killed civilians in the municipality they suspect of collaborating with the security forces or their paramilitary allies. On 12 October 1998, FARC guerrillas attacked the community of San José de Urama and reportedly killed three peasant farmers: **Luis Carlos Usuga Morales, Azael Rodríguez and Pedro Nel Urrego**. On 28 January 1999, FARC forces killed **Se de Jesús Manco Piedrahita, Robinson Alberto Piedrahita**, and two peasant farmers in the community of San José de Urama. On 23 June, the FARC reportedly killed **Wilmar Cortez** on the bridge which leads to the community of La Balsita. On 21 August FARC guerrillas reportedly killed tradesman **Luis Eduardo Arias Gaviria**, and another tradesman in Dabeiba.

Threats and human rights violations against the displaced community of La Balsita

In 1998 FARC forces launched a series of attacks in the municipality of Dabeiba in an attempt to wrest control of the area from the army and paramilitary forces.

Each attack has raised fears for the displaced population in the town whose members have repeatedly been accused of being “*cómplices de la guerrilla*”, “*guerrilla accomplices*”.

Roberto Antonio, a member of the displaced community of La Balsita, was reportedly abducted on 29 September 1998 days after a FARC incursion in the town of Dabeiba, by gunmen thought to be members of a paramilitary group. He was reportedly taken from his home in the Héctor Cárdenas district of Dabeiba, severely beaten, tied up and then forced onto a motorcycle. His whereabouts has remained unknown since his abduction. Members of the same group later returned, firing shots at his home and demanding to know the whereabouts of his wife. Roberto Antonio’s abduction took place despite a recently increased and heavy military presence in the area as a result of the FARC incursion.

Together with the death threats faced by the displaced population, human rights defenders and others who support the displaced in the area have frequently been labelled guerrilla sympathizers or collaborators by the security forces and their paramilitary allies. **Francisco Javier Montoya**, was killed on 4 July 1998 as he travelled by bus towards La Balsita from Dabeiba. Three gunmen reportedly recognized as paramilitaries stopped the bus at a checkpoint and forced him off. He was made to sit on the ground and they accused him of being a guerrilla collaborator: “*es verdad que es promotor, pero es sapo de la guerrilla, además tiene a los desplazados oprimidos*”, “it is true you are a health worker, but you are a guerrilla

informer, and you also keep the displaced under oppression". They shot him at point-blank range in the chest, mouth and head. Francisco Javier was a health worker in the jurisdiction of La Balsita. He had been a leading figure in the displaced community and had been involved in the community's efforts to denounce human rights violations.

Fears for the security of those working with the displaced communities in Dabeiba was heightened by the forced abduction of **Diana Salamanca Martínez**, a volunteer working with *Justicia y Paz* with members of the displaced population of La Balsita.

At 8am on 10 November 1999, Diana Salamanca set out with 11 members of the displaced community of La Balsita to collect firewood. They were reportedly taken close to an area known as Alto Bonito on the road leading to the town of Mutatá in a truck belonging to the municipality of Dabeiba.

At 2pm, whilst the community continued to collect wood, Diana Salamanca went to sit by the roadside, where she was forcibly abducted by members of a paramilitary group a short while later. The paramilitaries reportedly also abducted **Luz Dary Torres** and two other farmers.

After strong national and international pressure Diana Salamanca Martínez was handed over to a representative of the Catholic Church's Diocese of Apartadó in the Necoclí area on 13 November 1999. However, the whereabouts of three peasant farmers abducted with her remain unknown.

The paramilitaries took their captives by truck to the municipality of Necoclí, where there is reported to be a large paramilitary base. The truck was

apparently allowed to pass unhindered through police and army checkpoints on the road between Dabeiba and Necoclí.

In total the displaced population of La Balsita states that 60 members of the community have been killed during its more than two years of displacement.

Conscious of the dangers that faced them, many of the members of the displaced population have sought governmental support to permit the return to their lands or to be resettled in safety. As a result of the difficult living conditions faced by the displaced community and the lack of security in Dabeiba, approximately 300 members of the La Balsita community decided to leave Dabeiba between the community's forced displacement in November 1997 to late 1999. The majority have moved to the shanty areas of Medellín whilst a few decided to return to La Balsita despite the lack of any guarantees for their security.

For the over two-year period of their displacement, the La Balsita community has called on the Colombia Government to guarantee its safe return to La Balsita or resettlement to another area with guarantees for their security. One of the elders of the community of La Balsita speaking about the community's desire to return stated: *"Por todos lados y en todo momento hemos dicho trabajo en ninguna parte y en ningún momento hemos dicho "guerra". No necesitamos armas, necesitamos herramientas y garantías para trabajar. Necesitamos educar a nuestros hijos para el trabajo y no para la guerra"*, "Everywhere and all occasions we have talked about work nowhere and in any moment have we said "war". We do not need weapons, we need tools and guarantees to be able to work. We need to educate our children for work and not for war".

*Somos campesinos dignos
y queremos nuestra tierra
sufrimos cuando sabemos
que se pierde nuestra siembra.*

*Aquí mendigamos pan
bajo engaños y presión
aguantando tanta hambre
nos duele hasta el corazón.*

*Cuando vayamos en chiva
cantaremos muy alegres
porque ya hemos salido
de este lugar del albergue.*

*Nuestros hijos en los campos
tienen buen aire y espacio
para correr y cantar
libres como los pájaros.
El asentamiento es un paso
para llegar a la meta
y seguiremos buscando
como lo hace la cometa.*

Dabeiba continues to live in an atmosphere of extreme tension given the continued heavy presence of FARC forces in the area which raises concerns of further attacks against Dabeiba, which may result in civilian casualties. In addition, paramilitary forces continue to maintain a strong presence in Dabeiba and there is also serious concern of further killings of civilians by paramilitary or guerrilla forces.

Paramilitary attacks and threats continued despite the arrest in September 1999 of two paramilitary leaders on charges relating to the formation of paramilitary groups in the municipality of Dabeiba and for their part in the

paramilitary incursion of November 1997. On 9 March 2000, around 200 paramilitaries reportedly set up camp near to the town of Dabeiba stating that were there to “hacer limpieza”, “cleanse the area”. Their arrival, and a number of recent killings in the area heightened concerns for the safety of people living in Dabeiba including the internally displaced from La Balsita and those working with them.

The gunmen, mostly in military uniforms, reportedly set up camp in an area known as La Base and at the El Jague farm, a short distance from the town of Dabeiba, despite a heavy military presence in Dabeiba. On the day the camp was set up, police in Dabeiba were reportedly ordered to stay in their barracks. The day before the camp was set up, the gunmen reportedly killed two people in Dabeiba.

It is in this context of continued and increasing insecurity in the municipality of Dabeiba that the remaining 200 members of the displaced population in Dabeiba realizing that the conditions for a safe return to La Balsita do not exist at this moment, are seeking governmental backing to permit the construction of a settlement camp in the *La Clara* farm situated to the north a short distance from Dabeiba. Conscious of the continued dangers they face as a peasant farmer community in the middle of a conflict zone, these 100 people decided to proclaim themselves members of the *Comunidad de Vida y Trabajo El Paraíso*, El Paraíso Community of Life and Work, on 5 December 1999. As part of this proclamation the population demands that the parties to the conflict respect their right not to be drawn into the conflict; and seeks to secure guarantees for its safety, together with justice and reparation for the human rights violations suffered by the community. At the time of writing the displaced community remained in Dabeiba.

Forcibly Displaced Communities of the Bajo Atrato area of the department of Chocó

A Region of Military and Economic Interest

The department of Chocó in the northwest of Colombia is an area of significant economic interest given its rich mineral deposits, its wealth in biodiversity, wood and land. The northern area of Chocó is the area chosen for a possible inter-oceanic link between the Pacific Ocean and the Caribbean Sea and is also the site chosen for several other large-scale economic development projects. The Pan-American Highway, if completed, would cut through this region forming a road link between Colombia and Panama.

The possibility of the construction of an inter-oceanic link together with the possible completion of the Pan-American Highway which would link Colombia to Panama has increased land speculation in the region. Since 1996 it is

estimated that land prices in the north of Chocó have risen by 1000%. It was shortly after the announcement in 1996 of the possible construction of the inter-oceanic link by then president Ernesto Samper that the army-backed paramilitary offensive in the region of Chocó began. The paramilitary offensive to a large extent represented an effort by powerful economic interests to secure possession of land in the region in advance of the construction of the canal and other communication systems and as local communities were securing land titles for the lands on which they lived¹⁹. One displaced woman from the department of Chocó described how forced displacement followed the announcement of the construction of the canal. She stated: “El interés no descansa y cuando anunciaron que por ahí iba a pasar un canal para unir el Atrato con el Truandó²⁰, mucha gente se dio cuenta del valor de esa tierra. Como se habían ganado los títulos de propiedad, el Gobierno no podía negarlo ni podía sacarnos como colonos. Éramos propietarios y de salirnos íbamos a exigir el precio real de la tierra. Con el bombardeo la gente dejó sola la tierra ... “.”Interest never goes away and when they announced that a canal was going to cut through this region to link the Atrato and Truandó, many people realized how much this land was worth. As the people had gained their land titles, the Government could not deny this and force us off as squatters. We were the owners and if we were going to leave we were going to demand the proper price for the land. When the bombing began the people left the land abandoned ...²¹ .”

¹⁹ In 1997 *Instituto Colombiano de Reforma Agraria*, INCORA, Colombian Institute of Agrarian Reform, recognized land title of 695,864.1 hectares of state land to black communities in the department of Chocó, a larger amount of hectares than that granted over the previous seven years. Between 1990 and 1999, INCORA has granted land titles for 899,621 hectares of State land to Afro-Colombian communities and peasant farmers in the Chocó and 120,941.5 hectares to indigenous communities in the department. 58,908 families have been the beneficiaries of land reform efforts by INCORA in this period. This information provided to Amnesty International by INCORA in March 2000.

²⁰ The Truandó river is a tributary of the Atrato river.

²¹ Displaced person quoted in: Alfredo Molano: “Me Cortaron la Raíz”, *Cromos*, 25 October 1999.

The region of Chocó is also of military importance to all sides in the conflict. The region's proximity to the Panama border and the rainforest cover provided by the Darién Gap has made this region a crucial arms smuggling route for both paramilitary and guerrilla forces.

The Military/Paramilitary Offensive

From mid-1996 rumours began to circulate that paramilitary forces intended to take control of Riosucio. On 6 October 1996, for example, the ACCU killed several peasant farmers in the community of Brisas de la Virgen, situated between the departments of Chocó and Antioquia. During the attack the paramilitaries stated that they would soon take control of Riosucio a strategically important town in the area. As threats of a paramilitary attack increased FARC guerrilla forces operating in the region established checkpoints at two points on the River Atrato. One checkpoint was situated in the community of Puente América to the north of the town of Riosucio, whilst another control was situated to the south of Riosucio in Domingodó, where the guerrillas confiscated food and fuel supplies. Beginning in mid-1996 paramilitary forces and the Colombian Army started enforcing an economic blockade on the municipality of Riosucio and neighbouring municipalities in the department of Chocó. The armed forces operated a checkpoint in the municipality of Unguía to the north of Riosucio at which they reportedly insisted that bills for transported food supplies required signature by paramilitary forces stationed in the area before they would be allowed through.

ACCU forces and the armed forces reportedly also set up control points to the east of Riosucio in the municipality of Mutatá, department of Antioquia, and an operations base in the community of Belén de Bajirá of the same

municipality. The civilian population in the area was caught in the middle of the major military build up. Increasing numbers of peasant farmers started fleeing the region as a result of death threats made by paramilitary forces who accused them of being guerrilla collaborators or sympathizers or death threats made by guerrilla forces who accused them of collaborating with the armed forces or their paramilitary allies.

On 20 December 1996, at about 5:30am 80 members of a paramilitary force travelling in four speed boats arrived in Riosucio. At around 6:00am the paramilitary and police force based in the town simulated an armed confrontation by firing their guns into the air. As the simulated combat was being staged paramilitaries forced their way into the homes of **Edinson Rivas Cuesta**, **José Lisneo Asprilla Murillo**, **Benjamín Arboleda Chaverra** (who at the time was acting as mayor of Riosucio), **Robinson Martínez Moya** and another Riosucio resident. They were forcibly abducted and taken to the paramilitaries' boats. Of the five people who were abducted one was later released; the other four were killed and their bodies found in the cemetery and the swamp of the nearby community of Santa María del Darién.

The killings continued in the days following the paramilitary incursion in Riosucio and many headless bodies were reportedly found in the River Atrato. Some reports suggested that between December 1996 and January 1997, 70 people were killed in Riosucio, the majority by paramilitary forces. It is estimated that the incursion resulted in the forced displacement of several hundred people to several parts of the country including Barranquilla, in the department of Atlántico and Cartagena, in the department of Bolívar, Turbo, in the department of Antioquia, the frontier with Panama and the capital of Chocó, Quibdó. In response to the incursion FARC forces set up checkpoints in Vigía de Curvaradó, Curvaradó and Domingodó. All boats

travelling between Quibdó and Turbo were stopped. Food was confiscated and a number of boatmen were reportedly killed by guerrilla forces who accused them of being paramilitary collaborators. At the same time the FARC then started warning the inhabitants of Riosucio that they were going to take control of the town and that they should leave: “*Queremos enfrentarnos con los paramilitares*”, “We want to confront the paramilitaries”. The attack came on 9 January 1997 and resulted in the deaths of a number of members of the Colombian Police and paramilitaries who resisted the attack, reportedly with the support of a Colombian Air Force plane which fired flares into the sky and helped repel the guerrilla assault. At the time of the guerrilla attack only a third of Riosucio’s inhabitants remained in the town.

In early January 1997, paramilitary forces stated that they would take control of the River Salaquí area. The River Salaquí is a tributary of the River Atrato which runs from the mountains to the west of Chocó. In February 1997, the Colombian Air Force together with soldiers of the XVII Brigade launched *Operación Génesis*, Operation Genesis, designed to root out guerrilla forces of the *57 Frente de las FARC*, 57 Front of the FARC, in the municipality of Riosucio. On 24 February, the Air Force bombed the River Salaquí area where guerrillas were operating checkpoints. The aim was ostensibly to force guerrillas to retreat so the troops could be transported into the area by helicopter. For three hours bombs fell around several communities in the area including Caño Seco, Tamboral, Regaderos, La Boca, Playabonita and Arenales.

Approximately 6,500 people from 49 communities of the municipality of Riosucio living on the Salaquí, Truandó, Quiparadó, Chintadó, Domingodó, Curvaradó and Jiguiamiandó river systems which branch from the River Atrato fled their homes. Many fled towards the municipality of Mutatá,

department of Antioquia, where they hoped to be able to protest against the bombings and the presence of paramilitary forces in the municipality of Riosucio. In late March 1997, the displaced communities began arriving in Pavarandó, municipality of Mutatá, after an arduous trek which lasted several weeks through rainforest regions and claimed the lives of several women and children. A displaced peasant farmer recalling the flight states: “... hubo gente que quedó muerta porque se desmayó, se golpeó o se enfermó, y no tuvo quien auxiliarla Así nos alejamos y nos alejamos de la tierra, caminando hacia Urabá antioqueño, pero sin saber a dónde íbamos a salir Esa travesía fue muy dura. Recuerdo que en el camino tuvimos que enterrar en el monte a una joven que se llamaba Claudia Alvarado, de 18 años. Ella tenía ocho meses de embarazo y se golpeó la barriga. Murió debido a la hemorragia que la cogió en el aborto”, “... people died on the way because they fainted, they hurt themselves or they became ill and there was nobody to help them In this way we left our land further and further behind, heading for the Urabá region of Antioquia The trek was very arduous. I remember that we had to bury a young woman called Claudia Alvarado, aged 18, in the countryside. She was eight months pregnant and had received a blow in the stomach. She aborted and died as a result of the hemorrhage”.

One pregnant woman described the fear and ordeal she suffered during her flight: “Yo andaba agarrándome la barriga de tanta angustia, de no saber de mis papas ni de mis hermanos. La gente llegaba y no me daba noticias de ellos; yo creía que estaban muertos o desaparecidos. Las bombas duraron mucho tiempo porque el Ejército de a pie avanzaba muy poco; tenía miedo. Los aviones bombardeaban de día y los zancudos nos acababan de noche. Por eso duré pariendo diez días. Una tarde, pilando arroz, me sentí mal y le pedí a Dios que me ayudara a llegar a la casa para que la criatura no naciera

entre el monte. A las cinco me cayó el dolor, y a las seis lo tuve". "I walked along holding onto my stomach, such was the pain and anxiety of not having any news about my parents or my brothers and sisters. People came but gave me no news of them; I thought they were dead or "disappeared". The bombs fell for a long time because the Army advanced on foot very slowly; the soldiers were scared. The planes bombed during the day and the mosquitoes finished us off at night. For this reason my labour lasted ten days. One afternoon, whilst husking rice, I felt ill and asked God to help me reach shelter so that the child would not be born in the countryside. At five the pain started and I gave birth at six"²². Seven children died during the march through the rainforest from exhaustion, hunger and drowning during river crossings. In Pavarandó the internally displaced communities were prevented from going further by the Colombian Army and were forced to set up camp.

Further north a joint paramilitary-military operation in the *Cuenca del Cacarica*, Cacarica River Basin was taking place. **Marino López**, a young man from the community of Vijao, was murdered on 27 February 1997 and his body dismembered in front of many of the community's inhabitants. The terror created by this and other acts of violence against the civilian population forced many inhabitants of the 23 communities in the Cacarica River Basin to abandon their homes. According to members of the communities, on 28 February, Colombian military aircraft bombed the area in order to: "*abrir el camino para que los paramilitares pudiesen entrar y dieran orden de desplazamiento Ellos [los paramilitares] nos dieron orden de salir en un plazo máximo de tres días, que en realidad fueron pocas horas. Nos dijeron en la mañanita que si no salíamos no respondían por la vida de nosotros, y si no obedecíamos, detrás de ellos venían otros, esos sí no respondían*", "clear the way so that the paramilitaries could enter and give the order to leave They [the paramilitaries] ordered us to leave within three days, but in reality we were given a few hours. In the morning they told us that if we did not get out they would not be responsible for our lives and if we did not obey behind them came others who would have no qualms".

The inhabitants reportedly turned to a detachment of the Colombian Army positioned in the community of Bocachica for protection. "*Les dijeron que los que mandaban eran los de las autodefensas*", "Who told them that those in charge were the paramilitaries". The communities of the Cacarica River Basin began to flee the area. "*Las autodefensas nos dijeron que 'digan que*

²² Ibidem.

“fueron nosotros que los desplazaron””, “The paramilitaries told us to ‘say it was us who made you flee’”.

Since their forced displacement members of the communities of the Cacarica River Basin and the communities of the Salaquí, Truandó, Quiparadó, Chintadó, Domingodó, Curvaradó and Jiguiamiandó river systems have sought to return to their lands.

Communities of the Cacarica River Basin

3,500 people were forcibly displaced from 23 communities in the Cacarica River Basin²³ area, during the joint paramilitary and armed forces offensive in the region in late February 1997. The displaced sought refuge in Bocas del Atrato, municipality of Turbo and Turbo, whilst others sought refuge in Panama from where they were subsequently forcibly repatriated²⁴ and taken to the *El Cacique* farm²⁵ in the town of Bahía Cupica in the municipality of Bahía Solano. Those displaced in Turbo have spent over 30 months living in the shanty areas of the town, sometimes with relatives or friends, or in the Turbo Sports Grounds (*Coliseo de Turbo*) and two displaced people’s shelters that have been set up in the town.

Members of the communities sheltered in the Sports Ground sleep in the sports hall, a large building filled with beds and mosquito-nets, where there is no privacy. In the day-time the displaced families cook in make-shift tents made out of plastic-sheeting and branches, children run around playing with discarded bottle caps, adults spend their time playing dominoes or bingo. Conversation with members of the displaced communities almost inevitably turns to the rich lands

²³ The 23 communities of the Cacarica River Basin area are: Puerto Nuevo, El Limón, Bogotá, Barranquilla, Santa Lucía, San Higinio, Puerto Berlín, Montañita, La Raya, La Virginia, Balsagira, Bocachica, Quebrada Bonita, Vijao, Teguere, Quebrada del Medio, Las Pajas, Balsitas, El Bendito Bocachico, Montería, La Honda, Puente América and Tumaradó.

²⁴ For more information on the forced repatriation of these refugees from Panama see **Panama/Colombia Refugees the Right to Escape from Death**, June 1997, (AI Index: AMR 44/06/97).

²⁵ *El Cacique* is a ranch owned by the state.

they were forced to abandon. One woman laments what she has been forced to abandon: *“teníamos nuestro plátano, el chontaduro”* “We had our plantains, *chontaduro ...*”²⁶.

Another displaced person sheltered in Bocas del Atrato reminisced: *“Cómo quería la tierra de mi pueblo,, Vijao, Dónde el maíz brotaba todo el año, por montones. En cambio aquí en Bocas del Atrato estamos pobres, pensando qué vamos a comer, pensando en el día de mañana que viene con más fatiga, con más hambre... . Aquí dormimos muy mal. Pésimamente. Es que tantos no cabemos en estas casitas tan estrechas”*. “How I loved the land of my community, Vijao, Where maize grew all year round, loads of it. In contrast here in Bocas del Atrato we are poor, thinking about what we are going to eat, thinking about tomorrow with increasing exhaustion, with more hunger Here we sleep very badly. Terribly. It’s because so many of us cannot live in these small houses.”

During the course of their displacement the communities of the Cacarica have pressed the Colombian Government to guarantee their safe return to their lands, with the support of Justicia y Paz and several international non-governmental organizations.

Another member of the displaced community explains that their campaign to return to their lands was: “Una lucha por lo que queremos ser y no nos dejan ser. Hay un campo que nos ofrece todas las garantías y la posibilidad de tener todas las cosas para la familia, pero hay otros que se interponen en nuestro camino para que esto no sea realidad”. “This is a struggle for what we want to be and what they will not let us be. We have land which offers all the guarantees and the possibility of

²⁶ *Chontaduro* is a type of fruit eaten by communities in the department of Chocó.

Gloria al sendero de paz

que abrió la luz brillante

de la neutralidad

vamos todos apollados

del uno con el otro

rescatando los valores

de gran sibilidad.

providing for all the needs of the family,
but there are those that stand in our way
so that this cannot become reality”.

Returning in the midst of war

Of the forcibly displaced in the municipalities of Turbo and Bahía Solano approximately 2,500 seek to return to the Cacarica River Basin. The remaining members of the Cacarica communities, over 80 families, have sought to be resettled on farm land or in a town. Those seeking to return to their land are not planning to return directly to their individual communities but to two resettlement camps in the Cacarica River Basin. One of these camps, *Esperanza en Dios* (Hope in God), is being situated in the community of El Limón and will provide shelter for 250 families. The other, *Nueva Vida* (New Life), is being situated in the community of Puerto Nuevo and will shelter 200 families.

Vamos todos adelante

con cariño y mucho amor

con los suyos y los nuestros

y toda la humanidad (bis).

Es la enseñansa brillante

del profeta nuestro dios

que ilumina nuestro mente

de los que queremos paz.

Vamos todos adelante

en defensa de la vida la justicia y el pan

y el derecho de la gente y la libertad.

Vamos todos campesinos

para ir fortaleciendo

la comunidad de paz

es la unica salida

a la reconciliacion.

Acordemonos hermanos

de los muertos que hemos puesto

y brindemosle homenaje

con cariño y mucho amor.

Vamos todos campesinos

para ir fortaleciendo

la comunidad de paz.

The return is taking place over several phases in order to enable the communities to call a halt to the return process if they consider that the Colombian Government is not meeting the commitments made to them in terms of security or aid.

The communities are aware that they are returning in the midst of war, that there is strong presence of both guerrilla forces and paramilitary forces in the area and that their security depends on the parties in the conflict respecting their rights as civilians. It also depends on a commitment by the Colombian authorities to guarantee their security. With the support of the Colombian non-governmental organization *Justicia y Paz*, and other non-governmental organizations the 23 communities have been negotiating with the Colombian Government the conditions for their safe return which are contained in their "*Propuesta de Retorno Digno*", "Proposal for a Return with Dignity".

The communities want state authorities to take measures to guarantee their safety, and are calling for a commitment on the part of the security forces to control strategic access points to the Cacarica River Basin in order to prevent incursions by paramilitary or guerrilla forces. As part of their demands for the Colombian authorities to guarantee their safe return the communities are calling for those responsible for human rights violations against members of the community to be brought to justice. The communities are also calling for the civilian judicial and law enforcement bodies to be present in the Cacarica River Basin. Specifically, they wish the *Defensoría del Pueblo*, Office of the Human Rights Ombudsman, *Fiscalía General de la Nación*, Office of the Attorney General and the *Procuraduría General de la Nación*, Office of the Procurator General²⁷, to help prevent and investigate possible human rights

²⁷ The *Defensoría del Pueblo* was created in the 1991 Constitution and forms part of the Public Ministry. The *Defensor* is elected by members of Congress from a list of candidates proposed by the President. According to the Constitution one of the Procurator General's functions is to "protect human rights and ensure their effectiveness with the assistance of the People's Defender", "*Proteger los derechos humanos y asegurar su efectividad, con el auxilio del Defensor del Pueblo.*" The Role of the Defensor is to oversee the promotion, exercise and dissemination of human rights, ("*velará por la promoción, el ejercicio y la divulgación de los derechos humanos, para lo cual ejercerá las siguientes funciones.*"). It has no investigative role.

The *Procuraduría General de la Nación* investigates allegations of misconduct, including human rights violations by public officials. Its power is limited to establishing responsibility and imposing disciplinary

violations or violations of international humanitarian law by the security forces, their paramilitary allies or armed opposition groups. The granting of a collective title to the land of the 23 communities, support for the resettlement of the communities in two camps; the dredging of the Cacarica River Basin to permit the communities to leave in case of an emergency; support for community development projects and reparation for the communities' forced displacement and the human rights violations to which they have been victim are amongst the other demands made by the communities. The return to two resettlement camps is key to a safe return, safety will be sought in numbers, the unity of the communities is considered essential to enable them to better withstand the pressures of the parties to the conflict to force them to take sides in the conflict.

As a result of the displaced communities' lobbying efforts a Comisión Mixta de Verificación de Turbo, (CMVT), Turbo Joint Verification Committee, was set

sanctions, it cannot bring criminal charges but can pass cases on to judicial authorities for investigation. It has played an important role in exposing patterns of human rights violations committed by the security forces and has imposed disciplinary sanctions on some members of the security forces responsible for serious human rights violations.

up in May 1998. Made up of government representatives from the Ministries of Interior, Health and Agriculture and other governmental representatives, national and international non-governmental organizations, including *Justicia y Paz*, representatives of the displaced communities and a delegate from the Canadian Embassy, the CMVT is charged with monitoring the implementation of agreements reached between the displaced communities and the Colombian Government. Despite the CMVT's creation and the commitment made by the government of then President Ernesto Samper Pizano on 3 August 1998 to prioritize the return of the displaced population, it was only on 6 October 1999 that representatives of the communities signed provisional agreements with the government of President Andrés Pastrana. The Colombian Government committed itself to the formal hand-over of the communities' global land title together with some other measures of support which would permit the communities to initiate their process of return.

That the communities are embarking on a return in the midst of conflict and despite powerful interests pitched against them is a mark of the strong organization, unity and determination of their campaign to return.

Economic Interests and the Armed Forces' suspicion of the returning communities

Apart from the potentially strong interest in the land in this region detailed above, the Cacarica River Basin is rich in timber resources. Inhabitants of the region indicate that before their forcible displacement, the main timber company in the region was showing an interest in exploiting these resources.

Following the forced displacement, commercial logging interests moved into the Cacarica River Basin. This was confirmed by an investigative

commission carried out under the auspices of the CMVT between 19 and 20 August 1999. The commission found that a logging company calling itself the *Empresa Asociativa de Trabajo "Dios Proveerá"* or "*Jireh*"²⁸ was operating in the communities of Puerto Nuevo and Montañita. The company is a cooperative employing members of these two communities and has strong links with *Maderas del Darién* (or *Madarién*) a large timber company operating in the department of Chocó. The commission found that the cooperative hired the heavy machinery employed from *Madarién* and sold the logged wood directly to the company.

The commission also found that the logging operation, which had begun in May 1999 was illegal. The cooperative had only applied for logging permits from regional environmental authorities two months prior to the Commission's visit. The August commission called on the authorities to halt logging operations in Montañita and Puerto Nuevo immediately²⁹. The Commission also found that logging was also taking place in the community of Puerto Berlin, this time apparently directly by *Madarién*.

The communities' efforts to put an end or to limit commercial logging operations on land to which they have title has pitched them

²⁸ *Jireh* is Hebrew for *Dios Proveerá* (God will Provide).

²⁹ The ownership of the land included in the Cacarica River Basin has been granted to its communities as a "global land title" (*titulación global*) as such any exploitation of the natural resources of the area cannot be authorized by an individual community's council (*Consejo Menor*), it can only be approved by the general council (*Consejo Mayor*) which groups all the communities covered by the land title and regional environmental authorities. In the case of the Cacarica River Basin, since the title had not been officially handed to the community at this time, then authorization for commercial logging should have been sought from a *Comisión Técnica*, Technical Commission, made up of the *Consejo Mayor*, representatives of the *Instituto Colombiano de Reforma Agraria*, (INCORA), Colombian Institute of Agrarian Reform and regional environmental authorities.

directly against powerful economic interests. These logging companies have reportedly been involved in efforts to destroy the unity of the returning communities.

Death threats and human rights violations to block an organized return

Throughout the communities' displacement numerous cases of serious human rights violations have been denounced and documented by Amnesty International.

On 1 December 1997, an ACCU paramilitary reportedly came to the *Albergue Campesino "Unidos Retornaremos"*, one of the displaced communities refuges in Turbo and abducted **Herminio Palomeque Mosquera**. According to witnesses he pleaded with his abductor not to harm or kill him as he was led away. Herminio Palomeque's tortured body was found on 2 December in an area a short distance from the town of Turbo called *La Caleta* reportedly located close to a paramilitary base which at the time of writing apparently continues to operate in the area³⁰.

On 10 September 1998, **José Osorio Montoya**, a member of the displaced communities of Cacarica, was reportedly killed by two members of the ACCU. The killing took place as he travelled from the farm where he had been working in the municipality of Unguía, department of Chocó, to the municipal capital. José Osorio was allowed to pass through a military checkpoint on the Las Vegas bridge and minutes later was attacked by two members of the paramilitary group who had pursued him on a motorcycle. He was reportedly tortured and shot 17 times.

³⁰ A military base attached to the XVII Brigade is situated in Turbo, La Caleta is approximately 3km from the centre of Turbo.

The attack took place approximately a kilometre from the military checkpoint and a further military contingent which was situated at a similar distance in the opposite direction. No effort was reportedly made by the armed forces to intervene and the two gunmen were allowed to pass unhindered through the military checkpoint on their return. Despite the heavy presence of the armed forces in the area, the body was left abandoned on the road-side until relatives of José Osorio arrived on the scene on 14 September.

In a meeting in Turbo on 9 December 1998 at which members of the Colombian Army and Police, the *Fiscalía General de la Nación*, Office of the Attorney General, CONVIVIR members, town councillors and several paramilitaries were reportedly present, an army officer allegedly accused the displaced people in the *Coliseo* of being guerrilla collaborators and stated that several displaced communities' representatives were guerrilla commanders and implied they were involved in a guerrilla strategy to launch an assault on Turbo: "*La guerrilla está a punto de meterse en Turbo ... y la gente que les informa está dentro del Coliseo, y uno de los jefes de la guerrilla está allí ... y existen otros cuatro líderes ... otros que llevan y traen información son los desplazados que se van al caño y eso lo debemos parar, hay que golpear ... los desplazados se quieren ir para las veredas pero los líderes no los han dejado.*" "The guerrilla is on the verge of attacking Turbo ... and the people that act as their informers are in the *Coliseo*, and one of the guerrilla commanders is there ... and there are four other commanders there ... there are also those displaced people that travel to the *caño*³¹ and bring and take information

³¹ The *caño* refers to the tributaries of the River Atrato and here refers of the Cacarica River Basin.

and we must put an end to this, we have to strike... The displaced people wish to return to their communities but their leaders have not let them.”

In the weeks which followed these accusations, not only did the members of the displaced communities receive numerous death threats but the accusations were followed by several further serious human rights violations.

On 17 January 1999, Juan Villegas Arguello, a member of the displaced community of La Raya in the Cacarica River Basin, was reported to have been forcibly abducted by four armed men thought to have been members of paramilitary groups operating in the area. Juan Villegas was travelling on a bus that was forced to stop by the gunmen near to the “Las Garzas” petrol station a short distance outside the town of Turbo. The four men forced him off the bus and reportedly took him in the direction of La Caleta. 14-year-old Hernán Vergara, a member of the displaced communities of the Cacarica River Basin, and Rafael Antonio Muñoz were last seen on 29 January in Bocas del Atrato. On 5 February, the dismembered body of Rafael Antonio was found in Leoncito an area near to Nueva Colonia, municipality of Turbo. The body was found headless and with no legs. Hernán’s whereabouts has remained unknown since his forced abduction.

Despite these human rights violations and repeated death threats the communities continued in their determination to return to their lands under their own conditions. The paramilitaries operating in the region reportedly held a meeting in an area known as Casanova in the municipality of Turbo in May 1999 in which they agreed to “golpear a los líderes, antes del retorno al Cacarica”, “to attack the leaders before the return to the Cacarica”.

The meeting was followed by a spate of incidents in which paramilitaries or members of the CONVIVIR group which operates in the Turbo area threatened the displaced population and their representatives, entered the displaced people’s shelters or were seen in the vicinity of the shelters. In the case of the *Coliseo*, police patrols, which operate there constantly, have consistently failed to prevent the entry of these individuals into the displaced people’s shelter.

The paramilitaries also made death threats against the architect employed to work on the two resettlement camps, and members of *Justicia y Paz* in an apparent attempt to disrupt plans of return. A written ACCU death threat was received in the *Justicia y Paz* offices on 14 July 1999:

“LAS AUTODEFENSAS CAMPESINAS DE CORDOBA Y URABA NO PERMITIRAN QUE ORGANIZACIONES PARAGUERRILLERAS COMO JUSTICIA Y PAZ QUE CUENTAN CON EL APOYO DE PELIGROSOS SUJETOS ... PRETENDAN RETOMAR TERRITORIOS LIBERADOS POR NUESTRAS FUERZAS DE LOS HIJUEPUATAS (sic) ... FARC Y EL ELN ATRAVEZ (sic) DE SUPUESTAS PROPUESTAS DE RETORNO QUE NO PRETENDEN OTRA COSA QUE CAMUFLAR LAS OSCURAS INTENSIONES (sic) DE LOS GRUPOS SUBVERSIVOS ACCU”

“THE PEASANT FARMER SELF-DEFENCE GROUPS OF CORDOBA AND URABA WILL NOT TOLERATE THAT GUERRILLA FRONT ORGANIZATIONS LIKE JUSTICIA Y PAZ THAT COUNT ON THE SUPPORT OF DANGEROUS INDIVIDUALS ... SHOULD PRETEND TO RETAKE TERRITORIES LIBERATED BY OUR FORCES FROM THE SONS-OF-BITCHES ... FARC AND ELN THROUGH SUPPOSED PROPOSALS FOR RETURN WHICH DO NOT SEEK ANYTHING BUT TO CAMOUFLAGE THE DARK INTENTIONS OF SUBVERSIVE GROUPSACCU.”

Throughout the period that *Justicia y Paz* has worked with the displaced people of the Cacarica, the organization has faced frequent death threats and accusations that its workers are subversive. On 1 April 1999 one *Justicia y Paz* worker accompanying the Cacarica communities received an anonymous telephoned death threat when he was in the capital, Bogotá: “*por guerrillero te vamos a matar*”, “because you are a guerrilla we are going to kill you”.

Returning to the Cacarica River Basin

On 13 October 1999, following the signature of provisional agreements with the Colombian Government on 6 October, a group of 80 members of the Cacarica communities travelled to the Cacarica River Basin to prepare the area for the rest of the displaced people to return to the two settlements in four phases beginning on 28 November.

The process of return was called off several weeks later as the communities considered that the government had failed to move forward in implementing agreements that had been reached: commercial logging continued on the communities' lands despite the fact that regional environmental authorities had issued a resolution on 7 September calling for these operations to cease. On the other hand the process was halted because of fears for the security of the returning communities. In an open letter dated 31 October 1999, the *Autodefensas Unidas de Colombia* (AUC),, alleged that there were cocaine processing plants near displaced communities in the department of Chocó. It claimed this was proved by the seizure of "insumos para el procesamiento de alcaloides en una de las embarcaciones que suministra ayuda humanitaria a estas comunidades", "a cargo of chemicals for the processing of alkaloids on one of the boats supplying the communities with humanitarian aid".

Following the discovery of the boat between 20 and 21 October, reportedly in the Cacarica area, the commander of the *Batallón Fluvial 50 de la Armada*, Riverine Battalion No 50 of the Colombian Navy, is reported to have suggested to the media that the aid supplies and the chemicals were intended for members of the communities of the Cacarica River Basin. The *Red de Solidaridad*, Solidarity Network, a government relief agency and the communities denied this was the case.

Insecurity was heightened by the killings of two members of the communities by the FARC. On 3 November **Robinson Serna** and **Wilson Palacio Mosquera** were reportedly shot dead by FARC militiamen in the *Argelia* farm situated in the community of La Raya in the Cacarica River Basin.

The communities' global land title was formally handed over on 15 December 1999 by the Colombian Government and the preparatory phase of the return was scheduled to take place between 31 January and 25 February 2000, whilst the first phase of the return was scheduled to take place on 28 February 2000.

The first group of displaced people returned on 28 February at a time when concern for the safety of the displaced communities has been further heightened by the killing of a number of family members of the displaced communities of Cacarica seeking resettlement and to return.

On 18 January **Martín Becerra Mena** one of the displaced people seeking resettlement, was reportedly killed by paramilitaries in the Uber Quintero district of Turbo together with another

individual whose identity, at the time of writing, had not been established.

Otoniel Bautista Mantilla, another member of the displaced Cacarica communities was shot dead in his home in the Uber Quintero district of Turbo early in the morning of 22 March 2000 by two gunmen who demanded to see his identity papers and searched his house. They shot him in front of his wife and daughter after, refusing to lie on the floor, he said to them: “*Si me van a matar, mátenme de pie*”, “If you’re going to kill me, kill me standing”. **Ricardo Antonio Goes Restrepo**, who was involved in the displaced communities’ process of return, was killed in the same district of Turbo later that day by two gunmen believed to be members of the same paramilitary group. He reportedly died instantly after being shot several times in the face. He had been sitting on his verandah at the time. Earlier that day he had attended Otoniel Bautista’s wake. On 24 March, 21-year-old, **Antonio Hinestroza**, another forcibly displaced person of the Cacarica River Basin was reportedly killed in the Uber Quintero district by a paramilitary gunman. The gunman reportedly questioned Antonio Hinestroza demanding to know if he was linked to displaced communities of the Cacarica before shooting him dead.

The Experience of the Peace Communities of San Francisco de Asís, Nuestra Señora del Carmen, Natividad de María and La Grande

Over 4,000 internally displaced people in the Pavarandó camp faced up to two years living in squalid and cramped conditions with limited access to health care. Four children died in a two-week period in May 1997. The displaced communities survived with humanitarian aid support from national and international non-governmental aid organizations and state support. The internally displaced of the Pavarandó camp also faced constant accusations of being guerrillas levelled at them by paramilitary groups operating in the area. These accusations were accompanied by death threats and serious human rights violations.

Between 27 and 28 May 1997, a group of 30 to 40 heavily-armed men, believed to be paramilitaries killed four members of the community of Llano Rico, municipality of Riosucio in the department of Chocó, about 45-minutes’ drive from Pavarandó. Before leaving the community the paramilitary group warned that they were going to the Pavarandó camp because, they said: “*allí sí había guerrilleros para matar*”, “there were many guerrillas to kill there”. At the time of these events Amnesty International received reports that displaced people sheltering in the Pavarandó camp had denounced the presence of uniformed members of the paramilitary group within the camp, openly patrolling together with army personnel who were ostensibly protecting the refugees.

On 19 October 1997, the displaced communities in Pavarandó backed by the Diocese of Apartadó and the *Centro de Investigación y Educación Popular*, (CINEP), Research and Popular Education Centre, a Colombian non-governmental organization, declared itself to be the *Comunidad de Paz San Francisco de Asís*, Peace Community of San Francisco de Asís³². The declaration followed

³² The *Comunidad de Paz de San Francisco de Asís* is made up of 49 communities forcibly displaced

agreements reached with the Colombian Government to ensure that the security forces should guarantee the security of the areas to which they would return whilst demanding that armed groups respect the boundaries of the communities and not enter them. The communities' declaration as a *Comunidad de Paz*, together with the agreements reached with the Colombian Government, gave the displaced population the confidence to initiate a process of return, initially to resettlement camps, combining the inhabitants of several communities situated in or near their lands.

Between November 1997 and August 1998, the internally displaced in Pavarandó began the return to the resettlement communities of Villahermosa, Clavellino, Puerto Lleras, Nueva Esperanza, Caño Seco, Montaña, Domingodó and Buenavista. As the return process gained momentum the communities faced continued serious human rights violations, reportedly committed principally by paramilitary forces. In December 1997, threats that paramilitary groups were to launch an incursion against the displaced communities in Pavarandó accompanied a spate of paramilitary killings of inhabitants of communities situated close to the camp.

On 23 February 1998, paramilitary forces reportedly set up a checkpoint between the communities of Pavarandó, department of Antioquia and Llano Rico in the neighbouring department of Chocó a short distance from the displacement camp and reportedly close to a military detachment. The paramilitaries took several peasant farmers aside. The victims: **Ramiro Mena, Clímaco Serpa, Jhon Jairo Tordecillas, Luz Stella Oquendo, Leyson Arturo Franco; Jorge Iván Franco** were accused of being guerrillas, tortured and killed, at least some in front of their families. The remaining peasant farmers were later released with a warning to the displaced communities: “... *triste desplazado que se encuentre por aquí, lo matamos ...*”, “... sad case that of the displaced person we find around here, we will kill him”. Despite the threats and human rights violations the communities continued to return to the areas from which they had fled.

Between December 1998 and February 1999, CINEP and the Parish of Riosucio backed similar initiatives in the area by displaced communities to declare themselves Peace Communities. These

from the Salaquí, Truandó, Quiparadó, Chintadó, Domingodó, Curvaradó and Jiguiamiandó river systems. The communities are: Grito, Corobosal, Nueva Esperanza, Truandó Medio, Pueblo Nuevo II, Pavas, Villahermosa, Caño Seco, Salaquí, Villa Flor Remacho, Pueblo Nuevo, Guamal, Mesopotamia, Camelia, La Nueva, Bracito, Agua Dulce, Canapó, Buenavista, Playa Bonita, Santa Rosa, Montaña, Clavellino, Apartadocito, Laguna, Santa Fe, No Hay Como Dios, Apartadó, Caño Seco II, Andalucía, Taparal, Vergel, Limón, Quiparadó, La Madre, Nuevo Horizonte, Chintadó Medio, Platanillo, San José, Urada, Jengadó Medio, Chicao, Urama, Domingodó, Vigía de Curvaradó, Tortuga, Dos Bocas, Costa de Oro, Arenal.

initiatives included: *Comunidad de Paz Natividad de María* (Curvaradó), *Comunidad de Paz Nuestra Señora del Carmen*, Community of Nuestra Señora del Carmen (made up of communities of the River Salaquí) and *Comunidad de la Cuenca Ancestral del Río Jiguamiandó*, Community of the Ancestral River Basin of the Jiguamiandó River (La Grande).

The *Comunidad de Paz Natividad de María* has approximately 105 families which together make up the communities of Curvaradó, Despensa Media and Despensa Alta. The majority of the members of these communities fled their homes in April 1998 fearing a FARC attack and sought refuge in the town of Riosucio. They reportedly returned when the security forces set up a base in the area in August 1998 but fled once again to Riosucio when the base was removed in November 1998. The *Comunidad de Paz Natividad de María* declared itself a Peace Community on 4 December 1998 and returned to their lands on 19 December.

The *Comunidad de Paz Nuestra Señora del Carmen* is made up of approximately 250 families from the communities of Tamboral, Salaquicito, Playa Bonita, Caño Seco II, Coco-Arenal, Quiparadó-Platanillo, Truandó Medio and Pedeguita situated in the Salaquí River Basin and the River Atrato. A number of members of these communities fled to Pavarandó in March 1997 and joined the process of the *Comunidad de Paz de San Francisco de Asís*. Many others fled to the town of Riosucio where they declared themselves the *Comunidad de Paz Nuestra Señora del Carmen* on 14 February 1999 and began their process of return in March 1999.

The attacks continue

Following the 1996 to 1997 military/paramilitary offensive in the municipality of Riosucio described above, control of the section of the Atrato river which cuts through the municipality remained firmly in the hands of the security forces and their paramilitary allies, whereas the FARC and some ELN units maintained control of the Atrato's tributaries. Many of the resettlements are situated along the tributaries. As a result, although the communities have

insisted that parties to the conflict respect their rights as a civilian population and have committed themselves not to provide any logistical or tactical support to them, Peace Community members are frequently labelled subversives. The army and their paramilitary allies consider that these communities may provide guerrilla units with renewed logistical and intelligence support. Since their return, army control posts on the outskirts of the town Riosucio have sought to impose strict limits on the amount of fuel or other essential provisions required by the communities, on the pretext that these supplies are maybe intended for guerrilla forces.

It was in this context of deep suspicion against the returned communities and accusations levelled against Peace Communities that a paramilitary offensive was launched against San Francisco de Asís in April 1999.

On 7 April 1999, paramilitaries attacked the settlements of Villahermosa and Caño Seco, part of the San Francisco de Asís Peace Community and a neighbouring community, Arenal. The paramilitary group was made up of between 300 and 600 men at least some of whom are thought to have travelled unhindered from the department of Antioquia across the Gulf of Urabá and southwards down the River Atrato despite the fact that the area was heavily-militarized. In Caño Seco **Victor Girón, Belarmino Salas and Macario Córdoba** were killed. **Jorge Ramos** and his six-year-old son were killed in the nearby community of Arenal, and another person wounded.

José Angel Cárdenas, Jorge Enrique Murillo and Luis Felipe Lamberti were abducted from the Villahermosa settlement. Their bodies, showing signs of torture, were found the following day, a short distance from the settlement. On 9 April, the bodies of **Jesús Arias, Jorge Correa, and Floriberto Hurtado** who had also been abducted from Villahermosa were found in the area. Reportedly they had been tortured before they had been killed. José Angel Cárdenas was a leader of Villahermosa; Jorge Enrique Murillo and Luis Felipe Lamberti were in the process of joining the Peace Community. At least 12 people were killed during the paramilitary incursion.

The paramilitary group also abducted seven community leaders from the settlements of Villahermosa and Caño Seco, and took them to the department of Córdoba. After a national and international outcry they were released and handed over to a commission made up of Catholic Church leaders on 20 April.

Church and other organizations which support the communities reacted by condemning the attacks and mass killings of community members by paramilitary forces and attempts by FARC guerrillas to infiltrate the communities.

Fearing further attacks, several hundred members of the community of San Francisco de Asís, fled to the town of Riosucio and spent several weeks sheltered in the church buildings. Eventually the majority returned to their settlements.

In the months that followed the massacre rumours continued to circulate in the region of further paramilitary attacks and paramilitary death threats against members of the community. It is reported that these have led to a number of members of San Francisco de Asís leaving the Peace Community and moving to Riosucio and other parts of the country.

At the same time, the community is also facing pressure from guerrilla forces in the area who have been reluctant to accept the civilian communities' attempts to remain outside the conflict. In the months following the massacre several of its members, considered by the FARC to be paramilitary or security force collaborators, were killed.

On 1 May 1999, **José Ramírez**, a member of the *Comunidad de Paz de Nuestra Señora del Carmen* was reportedly abducted and killed by FARC members as he travelled along the River Truandó. On 10 May, **Abraham Ramírez** a member of the resettlement of La Nueva was killed by FARC guerrillas.

On 22 September, FARC militia forces reportedly stopped three members of the Peace Community of San Francisco de Asís, near to the settlement of Villahermosa. They forced the three to lie on the ground and then shot dead **Arnulfo Torres**. The next day FARC militia went to the house near Villahermosa of a man called **José**. They tied him up and ordered his 14-year-old son to go to Villahermosa and inform the community that they were going to kill his father. That afternoon community members found his body.

On 27 September, **Alejandro Palacio** was resting with other members of the Nueva Esperanza resettlement when FARC guerrillas abducted and later killed him. They reportedly accused him of having links with the paramilitaries.

Despite the threats and attacks by armed opposition groups and paramilitaries linked to the security forces, the *Comunidad de Paz de San Francisco de Asís* and the other Peace Communities in the region have pressed ahead with their determination to return to their lands. On 23 October, two years since the creation of the *Comunidad de Paz de San Francisco de Asís*, the community publicly renewed its commitment to its declaration as a Peace Community.

But the threats and human rights violations have continued. Caño Seco, Villa Hermosa, Clavellino, Domingodó, La Marina, Montañó, and the *Comunidad de Paz de Nuestra Señora del Carmen*, were all communities singled out in a military intelligence report made public in January 2000 which alleged these communities were used by armed opposition groups as bases from which to

launch attacks. The unsubstantiated allegations in the military intelligence report has left the Peace Communities of San Francisco de Asís, Nuestra Señora del Carmen and Natividad de María exposed to further attack. According to reports received by Amnesty International in February 2000, paramilitary checkpoints had been operating frequently in the previous months along the River Atrato close to Riosucio, despite the fact that the Colombian Army maintains a heavy presence in the town. It was reported that paramilitaries at the checkpoints had confiscated food, tools and petrol, some of which had been donated to local communities by national and international aid agencies.

On 12 February 2000, guerrilla forces marched through the Villahermosa resettlement in complete disregard of the communities call on parties to the conflict not to encroach on their lands.

On 18 February, **Eusebio Perea** a member of the *Comunidad de Paz San Francisco de Asís* from the resettlement of Clavellino was reportedly forcibly abducted and subsequently killed by paramilitary forces when he was travelling by boat along the River Truandó towards Clavellino.

Communities of the Medio Atrato - Resisting Mass Displacement

The Medio Atrato section of the River Atrato stretches between Vigía de Curvaradó in the north (south of the municipality of Riosucio) to communities south of the departmental capital, Quibdó and covers municipalities in both the departments of Chocó and Antioquia. The majority Afro-Colombian population of the approximately 45,000 inhabitants of the Medio Atrato are represented by the *Asociación Campesina Integral del Atrato*, ACIA, Peasant Farmer Association of the Atrato. The Association is made up of approximately 120 *Consejos Comunitarios*, Community Councils. ACIA was set up in the 1980s gaining legal recognition in 1987, as a means for the Afro-Colombian communities in the Medio Atrato to press for their land, cultural, political and social rights.

The FARC and the ELN have maintained several fronts in the Medio Atrato region for several years, but following joint army and paramilitary offensives in 1996 and 1997 in the region the conflict intensified.

In December 1997, ACIA secured a *Titulación Colectiva*, global land title for almost 700,000 hectares of the 800,000 hectares which make up the Medio Atrato region. But in advance of the concession of the land title, large-scale paramilitary offensives threatened to drive the population from their lands and put at risk ACIA's efforts to secure tenure of the lands. The paramilitary *Bloque Urabá - Autodefensas Campesinas del Atrato*, Urabá Block - Peasant Farmer Self-Defence Groups of the Atrato, of the ACCU issued a statement in January 1997 which made clear that the paramilitaries' sights were set on seeking control of the fertile lands of the region.

The statement referred to the region's poor infrastructure and poverty: "*La manera más viable de solucionar estos problemas es impulsando la entrada de inversionistas ganaderos o*

agroindustriales, produciendo así mayor estabilidad económica y regularizando el empleo y el ingreso. Pero la presencia de la guerrilla, atemoriza a los inversionistas”, “The most viable manner of solving these problems is by promoting cattle-ranching and agroindustrial investment, thus producing greater economic stability and improving employment opportunities and income. But the presence of guerrillas, scares off investors... .”

On 22 May 1997, a group of over 100 paramilitaries entered the village of Vigía del Fuerte, Antioquia Department, firing shots into the air. The local police reportedly did nothing to confront the paramilitary group who identified themselves as ACCU members and forced the inhabitants to assemble for a meeting. The inhabitants were told that the paramilitaries had a list of names of those they considered had links with the guerrilla and gave them a chance to surrender. After the meeting the paramilitaries openly patrolled the community with the local police.

On 23 May at approximately 10a.m. three military patrol boats reportedly arrived in Vigía del Fuerte and the soldiers patrolled the community for two hours. They were reportedly seen conversing with paramilitaries before departing. The paramilitary incursion was followed by numerous human rights violations in Vigía del Fuerte and other communities in the Medio Atrato area in subsequent days.

Cases of Human Rights Violation in the Medio Atrato Region between May and July 1997

Euclides Cuesta was reportedly killed by paramilitaries on 22 May in the village of Tadia, in the department of Antioquia.

Samuel Rengifo Mosquera was reportedly abducted by the paramilitaries on 22 May in Vigía del Fuerte. His whereabouts have remained unknown since his abduction although members of the community believed that he was killed in the night after hearing the sounds of screams and machete blows in the area close to the school.

Francisco Romaña, a teacher who worked in the nearby community of Murrí La Loma, was reportedly abducted by ACCU forces on 23 May and killed near to the community of San Martín.

On 24 May, *Eligio González Blandón* was forcibly abducted by a paramilitary group in the community of Bellavista, municipality of Bojayá, department of Chocó. Eligio González, a boatman, lived in the community of La Boba, municipality of Bojayá. The Bishop of Quibdó, Monseñor Jorge Iván Castaño, reportedly travelled to Vigía del Fuerte to intercede on Eligio González's behalf with the paramilitary commander. He was told that it was too late, Eligio González's name was on a death list in their possession since they accused him of being a member of the *V Frente de las FARC*, *V Front of the FARC*. His whereabouts remain unknown.

José Henry Hinestroza, was reportedly forcibly abducted by paramilitary forces as he travelled by boat on the River Munguidó towards the community of Campo Bonito on 27 May. They reportedly accused him of telling the guerrilla about their presence in the area and forced him to take them by boat to the Atrato river. The paramilitaries subsequently tortured and killed him and left his body on the banks of the River Atrato. The paramilitaries refused to allow José Henry's family to retrieve the body.

On the same day, paramilitary forces reportedly killed *Nicomedes Rentería* who was travelling towards Villa Nueva, along the Munguidó river, to attend his son's funeral. Paramilitary killings along the River Munguidó and reports that the paramilitaries were in possession of a death list of names of people they accused of collaborating with the guerrilla, forced many members of the communities along the River Munguidó to flee to Quibdó.

Wilmer Mena Mena, was abducted by members of a paramilitary force in the community of Napipí, Chocó Department, on 7 June. His whereabouts have since remained unknown.

Carmelo Bayter, who worked as a woodcutter, was forcibly abducted by paramilitaries in the community of Corazón de Dios on the River Bojayá on 8 June. His whereabouts have since remained unknown.

Those attempting to transport food supplies to the communities were often the target of death threats and human rights violations:

Concepción Perea Perea was a member of ACIA and president of family welfare committee working with communities along the River Arquía, and the communities of Palo Blanco and Santa María on the River Atrato. On 26 July, while attempting to deliver provisions to needy families in these communities he and his assistants were reportedly forced to stop by paramilitaries in the community of Las Mercedes and forced to leave the provisions. When he returned to Las Mercedes on 28 June to recover the provisions the armed group reportedly forced him to take them to Quibdó. Later that day he was reportedly seen bound and being escorted in a boat by paramilitary gunmen to the north of Quibdó. His whereabouts have remained unknown since his abduction.

Domingo Santos Córdoba and Ricardo Hernández García were reportedly abducted by three unidentified men in the municipality of Quibdó, on 23 July. The two men had reportedly been accused by paramilitaries of supplying merchandise to guerrilla forces from the community shop they managed. On 30 July, it was reported that the badly disfigured bodies of two men were found on the road which leads from Quibdó to the community of Guayabal, though last reports received by Amnesty International did not confirm that these two bodies were those of the two men.

The paramilitary group set up river checkpoints controlling access into the River Bojayá, Vigía del Fuerte and Bellavista and at different points along the River Atrato and began imposing strict limits on the amounts of food and petrol transported by the local inhabitants whom they accused of transporting supplies to guerrilla forces.

As the attacks on Vigía del Fuerte began, guerrilla forces retaliated by killing at least six people whom they accused of collaborating with the paramilitary and the armed forces in the municipality of Murindó, department of Antioquia, and the community of Montaña, municipality of Riosucio. Local inhabitants were reportedly threatened by the guerrilla, who ordered them not to denounce the killings.

Forced Displacement of Indigenous Communities

It is not only the Afro-Colombian communities of the Medio Atrato region whose security has been increasingly at risk as the conflict has intensified. As paramilitaries have consolidated their hold over the region indigenous communities, which make up approximately 20 per cent of the population of Chocó Department, have also been increasingly affected.

On 28 May 1998, a paramilitary force attacked the community of El Bartolo in Murindó municipality, department of Antioquia. This attack was followed by eight days of intense fighting between paramilitary and guerrilla forces in the area, forcing much of the local population to flee and seek safety in the village of La Isla. The fighting also forced 200 residents of the Embera

indigenous community of Guaguas to flee their homes and seek refuge in La Isla. Several people were reported missing in the days after the paramilitary incursion in the area and were presumed “disappeared”: *Casilda Sapia, Fidel Pernía, Alirio Sapia, Jesús Majoré, Albeiro Jumí, Atencio Sinigüí, Trina Carupia, Francia Carupia, Celia Pipicay, Reiniero Sapia*, whilst *Gloria Domicó, Carlos Domicó, Olga Domicó, Emiro Domicó, Evelio Bailarín, Belarmina Bailarín, Lina Domicó, Emilio Bailarín, and Gilma Domicó* were reported “disappeared” from the Embera indigenous community of La Isla. On the same day, *Otoniel Bailarín*, a resident of La Isla, was reportedly killed by paramilitary forces when he passed through El Bartolo on his way to Murindó. The governor of La Isla Embera indigenous community, reported at the time that at least 300 people had sought refuge in the community.

On 11 June 1998, ten members of a paramilitary group arrived in El Diez (situated in the hamlet of Sabaleta in the municipality of El Carmen de Atrato, department of Chocó) and began to fire indiscriminately, killing two people. They then informed the 350 inhabitants that, unless they left their homes within 24 hours, they would be killed and their homes and the surrounding mountains bombed.

The same paramilitary group allegedly intimidated other members of nearby indigenous communities, accusing them of being guerrilla sympathizers. Although the Colombian Army was reportedly aware of the location of the paramilitary group’s base, in a place known as Alto El Veinte, they failed to take any action against the paramilitaries. At the time a detachment of the *Batallón Nutibara*, Nutibara Battalion attached to the *IV Brigada*, IV Brigade was camped approximately 20 kilometres distance from the community.

A Colombian Army captain acknowledged the presence of paramilitary groups in the area in a meeting he attended on 13 June 1998 with the *Organización Indígena Regional Embera Wounaan (OREWA)*, Embera Wounaan Regional Indigenous Organization³³, and the mayor of El Carmen de Atrato. However, he claimed the army did not have the capacity to act.

According to witnesses later that day a group of 50 paramilitary group members travelling towards Sabaleta forcibly abducted **Samuel Velásquez** and **Carlos Alberto Tanugama**, two members of the Sabaleta indigenous community. Their bodies were found abandoned on the road which runs between the departmental capital, Quibdó and El Carmen de Atrato in the morning of 14 June. The paramilitary attack resulted in the forced displacement of approximately 200 members of the indigenous community to the municipal capital, El Carmen del Atrato. The displaced returned to their communities at the end of the year and denounced the fact that their forced displacement was an attempt to confiscate their lands from them.

According to OREWA, the issue of the forced displacement of indigenous communities in the region has frequently gone unrecognized. This, OREWA states, is because many indigenous people who are displaced seek refuge in other indigenous communities rather than large urban centres.

Stifling the Economy

Since the large-scale paramilitary incursion into the Medio Atrato region in 1997, civilian communities have faced constant threats and serious violations of human rights and international humanitarian law. Civilian communities

³³ OREWA represents the Embera, Wounaan, Katío, Tule, Chamí indigenous ethnicities who live in the department of Chocó.

are threatened by both sides in the conflict. Since 1997 not only has ACIA faced human rights violations committed by paramilitaries but has also, on occasion, been accused of collaborating with the paramilitaries by guerrilla forces operating in the area. Furthermore, guerrilla forces have been responsible for the deliberate and arbitrary killing of those they consider collaborate with the security forces or their paramilitary allies. Guerrilla forces have also been responsible for numerous arbitrary detentions and kidnappings in the region. On 25 June 1999, ELN guerrillas belonging to the Frente "El Boche", "El Boche" Front reportedly abducted **Fiorentino Bejarano Mena**, a peasant farmer and father of seven children who they accused of being a paid ACCU collaborator. His body was subsequently found to the south of the community of San Miguel; he had been shot in the head.

The Diocese of Quibdó and ACIA have denounced how in recent years the civilian communities have faced increased threats from both paramilitary and guerrilla forces. Both sides have been responsible for restricting the transport of essential supplies for the civilian inhabitants and have frequently stolen outboard motors, medicines, fuel and other goods. This has reportedly had a serious impact on the region's economy. The Diocese of Quibdó drew attention to the fact that throughout May, June and July 1999 there had been a succession of incidents in which the parties to the conflict had stolen supplies transported by the civilian communities by river.

On 29 July 1999, the Diocese of Quibdó stated:

“Los atropellos suceden en diversos lugares por diferentes actores como [sic] 34 frente de las FARC, el frente “El Boche” del ELN, paramilitares de las ACCU y grupos sin identificar La situación se ha vuelto tan grave que casi nadie se atreve a transportar mercancías y/o víveres por el Atrato en el trayecto entre Quibdó y Vigía del Fuerte”.

“The assaults take place in different areas and are carried out by the different parties to the conflict such as the 34 Front of the FARC, the “El Boche” Front of the ELN, paramilitaries belonging to the ACCU and unidentified groups The situation has become so serious that almost nobody dares transport merchandize and/or foodstuffs along the Atrato between Quibdó and Vigía del Fuerte”.

The economic blockade on the communities threatens to force the peasant farmers in the region to abandon their homes. Communities in the region have sought to resist the worst effects of the blockade by ensuring supplies are delivered to a network of *tiendas comunitarias*, community shops³⁴ throughout the region. On 27 July 1999, however, paramilitaries prevented the delivery of provisions to the community shop in Buchadó which was part of humanitarian assistance programs provided by the Diocese of Quibdó and non-governmental organizations working in the area. The paramilitaries

³⁴ The network of *Tiendas Comunitarias* was set up in the 1980s as a means to control prices in basic food and other essentials. As conflict in the Medio Atrato region has intensified the network of *Tiendas Comunitarias* has provided a means for the communities of the region to resist the economic blockade imposed by the guerrillas and the paramilitaries. From May 1997 paramilitary forces started restricting the amount of food which could be transported by peasant farmers in the region. From August 1998 guerrilla forces began to attack boats transporting food and other items along the Atrato and stealing the merchandize. Many private shops in the area were forced to close as a result of the actions of the armed groups and communities in the area left with nowhere to buy essential provisions, sought the support of the Diocese of Quibdó to develop the network of *Tiendas Comunitarias*.

argued that the supplies were intended for the guerrilla. The Diocese of Quibdó reacted stating:

“Al continuar las ACCU con esta posición irracional y aberrante, los 45,000 habitantes del Medio Atrato se verán privado [sic] de su último recurso de víveres, lo cual producirá inevitablemente su desplazamiento masivo a Quibdó en los próximos días”.

“If the ACCU continue acting in this irrational and abhorrent manner, the 45,000 inhabitants of the Medio Atrato will be deprived of their last means of accessing essential foodstuffs. This will lead to inevitable large-scale displacement to Quibdó in the next few days”.

To help ensure that food-supplies could continue to be delivered unhindered, the Diocese of Quibdó, ACIA and national and international non-governmental organizations accompanied a boat delivering supplies from Quibdó to the network of community shops in the Medio Atrato region between 11 and 15 August 1999. During the trip the boat was forced to stop on three occasions, once by the FARC and twice by the ACCU who informed the travellers that in future they would be obliged to report to the checkpoint on each journey. At a checkpoint the paramilitaries established on 14 August at the mouth of the River Murrí, peasant farmers were informed they would only be allowed to transport food to the value of \$50,000 Colombian pesos (approximately US\$25). The Diocese of Quibdó underlined that this was an indication that the economic blockade was tightening and since August 1999 Diocese of Quibdó together with national and international non-governmental organizations as continued to accompany boat delivering supplies the network of community shops in the Medio Atrato region on a monthly basis.

Canto a la Vida

*Nosotros los atrateños
Vivimos atormentados,
Porque esta violencia
A muchos a desplazdo*

*Chorus: La vida es un regalo
Que hay que cuidar
Defendiendo el territorio
Lo vamo' a lograr.*

*La violencia en nuestro pueblo
Es caso de destrucción,
Los violentos aquí llegaron
Sembrando en todos horror.*

Chorus.

*La situación es muy dura,
A Dios claman estos pueblos
Porque unos roban mercado
Otros le imponen el bloqueo .*

... .

The fact that paramilitary forces have managed to increase their military control of the region is due to their continued strong alliance with the security forces. Amnesty International has received reports which indicate that paramilitary forces not only maintain a permanent presence in the town of Vigía del Fuerte but that between the incursion in May 1997 and February 2000, they operated a permanent river checkpoint approximately one kilometre from the police station in the direction of Bellavista. Despite repeated denunciations made to the Colombian authorities concerning paramilitary activity in the region, this paramilitary checkpoint operated unhindered until February 2000. In

this month police reportedly took action to confront paramilitaries operating in Vigía del Fuerte. However, paramilitaries reportedly continued to operate in the area. In July 1999, department of Chocó police authorities reportedly acknowledged receiving reports of the existence of the paramilitary checkpoint but argued lack of resources had prevented them from taking effective action.

Threats and Human Rights Violations for Defending Human Rights

The Diocese of Quibdó, together with national and international non-governmental organizations operating in the region have frequently denounced violations by army-backed paramilitary forces and armed opposition groups and have supported the civilian communities in their efforts

to resist forced displacement. These denunciations, together with reported accusations made by paramilitary forces that the work of non-governmental organizations working with communities in the Medio Atrato is supportive of guerrilla forces, has left the Diocese and non-governmental organizations vulnerable to attack.

On 18 November 1999, a paramilitary high-speed launch rammed and sank a boat in which members of a humanitarian aid commission were travelling on the Atrato river near to the community of Las Mercedes. **Iñigo Eguiluz**, a Spanish aid worker with the non-governmental organization *Paz y Tercer Mundo* (PTM), and **Jorge Luis Mazo**, a Colombian Catholic priest working with the Diocese of Quibdó, were both killed. The commission was returning from a visit to local communities as part of a humanitarian aid program supported by the European Commission's Humanitarian Office (ECHO).

According to reports received, the launch used in the attack had been stolen by paramilitary forces over two years before but has since been used openly to control river traffic and set up illegal checkpoints. Despite being repeatedly informed of this, neither the police nor armed forces have taken action to seize the vessel or arrest the paramilitaries.

On 24 November, after intense international and national pressure, nine paramilitary members were detained near Las Mercedes in connection with the killings. In apparent reprisal for the arrests, paramilitaries entered the

community of Las Mercedes on the River Atrato on 28 November 1999 and threatened to kill the inhabitants unless they left the community. Around 500 inhabitants fled to Quibdó³⁵. On the same day regional police and army authorities were reportedly informed of the threats but took no action to confront the paramilitaries despite the fact that Las Mercedes is approximately 25- minutes distance by speed-boat from security force bases in Quibdó.

On 30 November, AUC commander, Carlos Castaño, wrote to the bishop of the Diocese of Quibdó claiming that AUC craft had crashed into the boat by accident. In his letter he appeared to confirm the presence of a paramilitary base in Vigía del Fuerte. He stated that the paramilitaries were transporting “*viveres para las ACCU entre Quibdó y Vigía del Fuerte*”, “*foodstuffs for the ACCU between Quibdó and Vigía del Fuerte*”.

In his reply of the same day, the Bishop of Quibdó, drew attention to this apparent confirmation: “*En primer lugar nos satisface que su carta ponga en evidencia ante todo el mundo la existencia de una base paramilitar en la población de Vigía del Fuerte, hecho que siempre había sido negado por las autoridades civiles y militares*”, “*Firstly we are satisfied that your letter publicly confirms the existence of a paramilitary base in the community of Vigía del Fuerte, a fact which had always been denied by civilian and military authorities*”.

The Bishop rejected the assertion of the paramilitary commander that the killings had been accidental and drew attention to the fact that paramilitaries

³⁵ Amnesty International was later informed that despite the continued paramilitary presence in the region the inhabitants of Las Mercedes decided to return to their community on 16 February 2000. 217 of 67 families returned to Las Mercedes.

operating in the region had been circulating accusations against PTM: “Este trabajo ya había provocado comentarios peligrosos en las Autodefensas, quienes hicieron correr el rumor de que los botes de PTM abastecían a la guerrilla y que surtían por medio de las Tiendas Comunitarias”, “This work [of PTM] had already provoked dangerous comments made by the paramilitaries who circulated the rumour that PTM’s boats were providing the guerrilla with supplies distributed via Community Shops”. Previously, the Diocese of Apartadó and Quibdó had denounced paramilitary accusations against all humanitarian aid work in the region and had said that the accusations were putting the lives of humanitarian aid workers in danger.

Seeking Conditions for Return

Although many inhabitants in the Medio Atrato region have managed to remain in their communities and resisted forced displacement others have been forcibly displaced either to neighbouring communities or to Quibdó, to which numerous inhabitants of the Bajo Atrato region have also fled in recent years. Over 6,000 displaced people are sheltered in the Coliseo de Quibdó, Quibdó Sports Stadium, and the shanty areas of the city. During the more than two-years that many of those displaced have spent in the city, they have made a series of demands on the Colombian authorities to guarantee their security and protection once they return. These demands include a call on the parties to the conflict to remain outside their communities and reparation for their forced displacement. The displaced communities have also called upon the authorities to bring those responsible for human rights violations and violations of international humanitarian law to justice.

The displaced from the Medio Atrato have been planning to return to at least four resettlement sites: Carrillo, to the north on the Brazo de Montaña of the River Atrato; Boca de Napipí and Boca de Opogadó and Mesopotamia also to

the north of the region. As with the processes of other displaced communities wishing to return to their homelands, the idea of resettlement camps is to enable communities to return together to their areas of origin and, when they assess security conditions to be favourable, to then return to their individual communities. On 16 March 2000, 85 people who had been displaced in neighbouring communities returned to the Mesopotamia area.

The demands of the internally displaced are similar to those communities who have resisted forced displacement. Communities of the Medio Atrato have called for action to be taken to dismantle paramilitary groups and for the authorities to investigate their close links with the security forces operating in the region. They have also called upon all parties to the conflict not to involve the civilian population in the conflict and to remain outside of their territories. Indigenous organizations for their part have condemned the fact that the security forces and paramilitaries do not respect the neutrality of their territories and the efforts of guerrilla forces to involve the indigenous population in the conflict. Indigenous communities have also called for investigations into human rights violations and violations of international humanitarian law.

Security Forces Inaction against Paramilitary Groups

Despite the numerous denunciations made by the civilian communities, church leaders and international organizations such as the UN and national and international human rights organizations regarding the presence of paramilitary forces in the region, to date the authorities have taken no effective measures to combat these groups. Although several paramilitary members were arrested in Las Mercedes following the killing of Iñigo Eguiluz and Father Jorge Luis Mazo no action was taken to confront paramilitaries

when they threatened the community of Las Mercedes. According to reports received, a military commander of the *Batallón Manosalva Florez*, Manosalva Florez Battalion attached to the *IV Brigada*, IV Brigade, told delegates of a human rights commission to the Medio Atrato region that between 23 October 1998 and July 1999 the security forces had captured four paramilitaries and claimed that they had dismantled the paramilitary base in El Dieciocho, thought to be a base used by the paramilitary group involved in the attack on the Sabaleta communities. However, given the large-scale presence of paramilitary forces in the Medio Atrato region and the fact that paramilitary activity has continued unchecked these appear to be little more than attempts to placate public opinion.

FARC attack on Vigía del Fuerte

On 25 March 2000, FARC forces attacked the communities of Vigía del Fuerte and Bellavista. In the attack on Vigía del Fuerte over 20 members of the police were killed. Nine civilians also died amongst them was a woman and her two small children. The attack has raised concerns for the safety of the civilian inhabitants of the region and the importance of all sides in the conflict of respecting the principles of international humanitarian law.

Little Support from the Colombian Government

Law 387 of 1997 recognizes the Colombian Government's responsibility in preventing forced displacement and in providing protection for the forcibly displaced. Despite the approval of the law increasing numbers of people have been forced to abandon their homes and lands and live under constant threat. Francis Deng, United Nations Representative of the UN secretary-general on internally displaced persons has said: "Since 1994, when I first visited Colombia, the government has enacted legislation and created institutional frameworks intended to help the displaced. But the laws are not implemented, the displaced receive little or no protection, and only an estimated 20 percent in 1997 received a combination of food aid, housing, and health care. Only 15 percent of displaced children are reported in school, in part because the parents cannot pay for books and uniforms and lack documentation"³⁶. According to Francis Deng's report: Profiles in displacement: follow-up mission to Colombia only 20 per cent of displaced children have access to medical assistance³⁷.

The fact that the communities documented here continue to face threats and serious violations of human rights and international humanitarian law committed by both sides in the conflict is indicative of the failure by the Colombian Government to protect displaced persons. Whilst Francis Deng's report acknowledges that the Colombian Government has made progress in accepting its responsibility for the internally displaced "The continuing increase in the numbers of displaced persons provides a clear sign of the insufficient efforts to provide protection against arbitrary displacement"³⁸.

In a policy document laying out its strategy on internal displacement, the Colombian Government acknowledges the importance of guaranteeing the human rights of the displaced population: "Protection of human rights and building social capital in areas where the displaced people reside both temporarily, while receiving assistance, and more permanently ... will be key to IDP [Internally Displaced Persons] policy". To do this the Colombian Government intends to deploy "officials charged with human rights protection in each area where the displaced people are to be established", such measures appear to be in line with the demands of some of the displaced communities for the non-armed presence of the State's civilian law enforcement agencies as a means to help guarantee their security. The policy document states that the "physical presence of members of the international community helps deter violent acts by combatants towards the civilian population" and therefore calls on the international community to mobilize "to support human rights on the ground,

³⁶ Francis M. Deng, "Don't Overlook Colombia's Humanitarian Crisis", *Christian Science Monitor*, 6 October 1999.

³⁷ E/CN.4/2000/83/Add.1 op. cit.

³⁸ Ibidem.

by establishing a physical presence and technical support in the new settlement areas, in the “peace communities”, where the displaced people will be rebuilding their lives”³⁹. Whilst acknowledging the importance of the role played by a number of international non-governmental organizations who provide humanitarian and development aid together with physical accompaniment to a number of displaced communities, Amnesty International is concerned that by calling for increased international presence in displaced communities the Colombian Government should not abrogate its own obligations to guarantee the security of displaced communities, including by implementation of

the recommendations listed in the **Conclusions and Recommendations** section below.

Amnesty International has received no information of advances in criminal investigations into the events that led to forced displacement in the regions covered in this document, with the exception of the arrests of a number of paramilitaries in the municipality of Dabeiba and the Medio Atrato region documented above. The few measures that have been taken against paramilitary groups have not been sufficient to curtail the paramilitary advance in the area characterized by serious human rights violations. Neither has Amnesty International received information regarding advances in criminal

investigations into the numerous serious violations of human rights and international humanitarian law by paramilitary or armed opposition groups documented in this report.

Furthermore, Amnesty International is concerned that the Colombian Government has consistently failed to react to statements made by the security forces accusing the Peace Communities and other displaced communities of the region made by the security forces of maintaining links with guerrilla forces. This failure has exposed these communities to continued paramilitary attacks and threats and invited further human rights violations by paramilitary groups.

Conclusions and Recommendations

As conflict in Colombia continues to intensify the civilian population is increasingly at risk of human rights violations and violations of international humanitarian law. As a result, the numbers of forcibly displaced will continue to rise. The numbers of forcibly displaced in Colombia will also

³⁹ “Internally Displaced Population in Colombia. A Strategic Vision for International Support”, Office of the President of the Republic, *Red de Solidaridad Social* - Social Solidarity Network. (Document not dated, received March 2000).

increase as a result of economic interests, often using the war as a cover for forced eviction. The Peace Communities of Chocó and Antioquia and other initiatives by the civilian population to resist displacement or to return to their own lands represent a small but important attempt to stem the tide of internal displacement.

At present a number of international and national non-governmental organizations accompany the *Comunidad de Paz de San Francisco de Asís*, *Comunidad de Paz de San José de Apartadó*, the displaced of the Cacarica River Basin and other communities in the Bajo and Medio Atrato regions in an effort to help provide these communities with humanitarian assistance and greater security. But this non-governmental support cannot substitute the Colombian Government's responsibility for taking adequate measures to guarantee the safety of these communities and the important role the international community has to play in monitoring such efforts.

Amnesty International is concerned that if the Colombian Government does not ensure that the security forces take measures deemed appropriate to the communities themselves to guarantee their security, then their ability to resist displacement, to return to their lands or to resettle in safety will remain uncertain.

The future of Colombia's internally displaced will also remain uncertain unless the Colombian Government tackles the underlying causes of forced displacement, including action to combat and dismantle army-backed paramilitary groups and action to ensure that those responsible for human rights violations are brought to justice. Guerrilla forces must commit themselves also to abide by the standards of international humanitarian law and ensure that they do not draw the civilian community into the conflict.

Amnesty International therefore recommends that the Colombian authorities:

* Carry out full and impartial investigations into attacks in the municipality of Dabeiba, municipality of Apartadó in the Urabá region of the department of Antioquia and the Bajo and Medio Atrato regions of the departments of Chocó and Antioquia which led to the mass displacement of thousands of inhabitants in the region, to make the findings public and bring those responsible for human rights violations to justice. Carry out full and impartial investigations into the numerous paramilitary and armed opposition group incursions described in this document against the Peace Communities of San José de Apartadó and San Francisco de Asís, human rights violations and violations of international humanitarian law, including "disappearances", extrajudicial and arbitrary executions and death threats against the displaced communities of the Cacarica River Basin and La Balsita and the communities

of the Medio Atrato region, to make the findings public and to bring those responsible to justice.

*Undertake full and impartial investigations into links between paramilitary groups operating in the Urabá region of the departments of Antioquia and Chocó and the Medio Atrato region and the security forces and ensure that those members of the security forces found responsible for training, supporting, tolerating or collaborating with paramilitary groups be brought to justice.

*Suspend immediately from active service any security force official implicated in human rights violations and paramilitary activity, pending the outcome of investigations to establish their guilt or innocence.

* Take immediate steps in line with the reports of the UN High Commissioner on Human Rights to combat and dismantle paramilitary groups. Such measures would be in line with repeated governmental commitments and the United Nations recommendations made to the Colombian Government in the 1998, 1999 and 2000 **Report of the United Nations High Commissioner for Human Rights** (E/CN.4/1998/16, 9 March 1998, E/CN.4/1999/8, 16 March 1999 and E/CN.4/2000/11, 9 March 2000).

* Take effective measures, deemed appropriate by those under threat themselves, to guarantee the safety of returning forcibly displaced communities, displaced communities seeking resettlement and communities resisting forced displacement in the Urabá region of Antioquia and Chocó and Medio Atrato region. Such measures should include securing access points to these communities and ensuring that incursions by the armed forces their paramilitary auxiliaries or guerrilla forces are prevented whilst respecting the communities' demands that all parties to the conflict should remain outside their territories. This last point would be in line with the recommendations made by the United Nations Representative of the Secretary-General on internally displaced persons to the Colombian Government: "There is ... a need for the authorities to respect and promote the respect for human rights and humanitarian law, which in turn will prevent and avoid the conditions that give rise to displacement. In particular, there is a need for all of the parties to the conflict to recognize civilians as non-combatants and protected persons under international humanitarian law This call applies both to individual civilians as well as community groupings that have expressly indicated their non-combatant character, such as "peace communities" that have been formed in a number of areas with the support of the Church and several indigenous communities who have openly declared themselves neutral"⁴⁰.

⁴⁰ E/CN.4/2000/83/Add.1 op. cit.

* Take effective measures, deemed appropriate by those under threat themselves, to guarantee the security of *Justicia y Paz* workers and other human rights and humanitarian aid workers operating in the Urabá region of Antioquia and Chocó and Medio Atrato region who are accompanying displaced communities or communities under threat of forced displacement. Such measures would be in line with the repeated United Nations recommendations made to the Colombian Government most recently in 1998, 1999 and 2000 **Report of the United Nations High Commissioner for Human Rights.**

* To fully guarantee the fundamental human rights of internally displaced people, including their right to freedom of movement within a state, freedom to choose their own residence, and especially the right not to be forcibly displaced. Those particularly vulnerable to forced displacement, such as women, children and the elderly, should receive special protection measures.

*To publicly recognize the legitimacy of the Peace Community initiative and those initiatives undertaken by other communities in the regions in question to demand that the parties to the conflict respect their right to life and right to remain outside the conflict and to condemn any statements made by members of the security forces questioning this legitimacy and to publicly condemn all attacks on these communities.

* To fully implement the recommendations of the United Nations Representative of the Secretary-General on internally displaced persons to the Colombian Government and armed groups in Colombia, these include: “effective responses to prevent and protect against arbitrary displacement, especially when this is forewarned; respect by combatants of international humanitarian law and the protection it provides for the civilian population; protection of the physical security of the displaced and those advocating on their behalf; timely and adequate assistance to address the needs of the displaced, including for food, water, shelter, medical care, documentation, education, training and income-generation, with special attention paid to the particular needs of women and children who make up the majority of the displaced; guarantees of physical safety for the return or resettlement of the displaced; and restitution or compensation for possessions, land and property lost as a result of displacement”⁴¹

⁴¹ Report of the Representative of the Secretary-General on internally displaced persons submitted pursuant to Commission on Human Rights resolution 1999/47. E/CN.4/2000/83, 26 January 2000.

* To fully implement the **Guiding Principles on Internal Displacement** prepared by the Representative of the Secretary-General on internally displaced persons which include guiding principles for the prevention of forced displacement; the protection of the internally displaced; guiding principles to guarantee access to humanitarian aid and to guarantee the return to their homes and lands or resettlement of the internally displaced.⁴²

Armed opposition groups should publicly commit themselves to respect international humanitarian standards and to prevent their members from committing abuses against returning forcibly displaced communities, forcibly displaced communities seeking resettlement and communities resisting forced displacement in the Urabá region of Antioquia and Chocó and the Medio Atrato region. Amnesty International specifically recommends that armed opposition groups:

* Publicly recognize the legitimacy of the Peace Community initiative and those initiatives undertaken by other communities in the regions in question to demand that the parties to the conflict respect their right to life and right to remain outside the conflict.

* Undertake not to commit deliberate and arbitrary killings of non-combatants.

* Ensure that individuals suspected of committing or ordering abuses such as deliberate and arbitrary killings, the taking of hostages or the torture or ill-treatment of captives, should be removed from any position of authority and all duties which bring them into contact with prisoners or others at risk of abuse.

* Fully implement the recommendations of the United Nations Representative of the Secretary-General on internally displaced persons to the Colombian Government and armed groups in Colombia. (See section on recommendations to the Colombian authorities above).

* Fully implement the **Guiding Principles on Internal Displacement** prepared by the Representative of the Secretary-General on internally displaced persons. (See section on recommendations to the Colombian authorities above).

Amnesty International recommends that the international community should urge the Colombian Government to fulfil the recommendations listed above and closely monitor the efforts of the Colombian Government to fulfill these recommendations.

⁴² Report of the Representative of the Secretary-General, Mr. Francis M. Deng, submitted pursuant to Commission resolution 1997/39. Guiding Principles on Internal Displacement, E/CN.4/1998/53/Add.2, 11 February 1998.

In any contacts with representatives of armed opposition groups, governments should insist that they adhere to international humanitarian law and specifically to the recommendations listed above.