

# £COLOMBIA

## @The Human Rights Movement Under Siege

*"In work to stop violations of human rights, you find strength you did not know you had. In Colombia we all know that defending human rights puts us personally at risk. But we have to take up the challenge".* Dr. Rafael Barrios, human rights lawyer, January 1994

Members of human rights organizations have come under increasing attack in Colombia: recent abuses against human rights defenders have included threats, harassment and, in some cases, "disappearance" and possible extrajudicial execution. The majority of the attacks have been attributed to paramilitary organizations operating under the command of the Colombian armed forces. In several cases, army commanders are reported to have personally threatened human rights workers with death. The abuses are taking place against a background of a concerted "smear campaign" to discredit and undermine the legitimate activities of organizations and individuals who work to promote and protect human rights. In what appears to be a growing trend, senior army commanders have publicly identified and accused human rights organizations and workers of having links with subversive organizations or of working to undermine the effectiveness of the Colombian armed forces in its counter-insurgency operations. Although the accusations have not been backed by credible evidence, they have been extensively reported by some sectors of the national press. On a number of occasions, the accusations have been followed by physical attacks.

Against a background of a long-running civil conflict, Colombia has experienced an extremely high level of human rights violations, including torture, "disappearance" and extrajudicial executions, for a number of years. The Colombian armed forces' response to the insurgency has been characterized by gross and systematic violations of human rights against real or perceived opponents. Guerrilla groups active in Colombia have also contributed to the spiral of violence with persistent violations of the principles of international humanitarian law. While people from all sectors of Colombian society have suffered human rights violations, principal victims in recent years have been left-wing political activists, trade unionists, teachers, community leaders and other non-combatant civilians in areas undergoing counter-insurgency operations by the Colombian army. Human rights activists have also been targeted for extrajudicial execution and "disappearance" in the past. However, the number of recent attacks against members of human rights groups and the nature of the propaganda campaign currently being waged against people and organizations attempting legitimately to defend fundamental human rights, has led to particular concern for their safety at this time.

Recent Colombian governments have displayed an ambivalent approach to human rights. During periods of relative political calm, the authorities have taken significant steps to acknowledge the legitimacy of human rights and those who defend them. However, when political tension and civil conflict escalate, the official attitude to human rights protection has undergone a subtle but crucial shift. The government's stated commitment to human rights protection has wavered in the face of attacks by right-wing sectors within the traditional political parties, the media and the armed forces to denigrate and discredit human rights organizations and their work.

## BACKGROUND TO ESCALATION OF ATTACKS AGAINST HUMAN RIGHTS ORGANIZATIONS

On assuming office in August 1990, President César Gaviria Trujillo pledged to protect human rights. Since then he has repeated his government's commitment to respect human rights on several occasions. In addition, major reforms ostensibly designed to improve respect for human rights have been made to the country's institutional structures, including legal reforms and the introduction of a new Constitution in 1991 which specifically guarantees fundamental human rights, such as the right to physical integrity and to be protected against enforced disappearance.

Similarly, political initiatives such as the lifting of the state of siege, the peace agreements reached in 1990 and 1991 with some of the guerrilla organizations active for many years in the country and the opening of talks with the remaining guerrilla groups, led to cautious optimism during 1991 that the level of political violence and the number of human rights violations would be significantly reduced. However, the optimism and expectation soon evaporated as peace talks with the remaining guerrilla organizations broke down in late 1992 and it became clear that the gap between law and practice remained as wide as ever. So far, most of the much-vaunted new human rights protection mechanisms have existed only on paper.

The civil conflict in Colombia has been running with varying degrees of intensity since the 1950's. The widely held belief in Colombia that neither side is in a position to defeat the other militarily has led to a number of attempts at dialogue over the years, some of which have resulted in negotiated settlements with a number of the guerrilla organizations. Following the breakdown of talks with the Revolutionary Armed Forces of Colombia, (*FARC*), *Fuerzas Armadas Revolucionarias de Colombia*, the National Liberation Army, (*ELN*), *Ejército Nacional de Liberación*, and a minority faction of the Popular Liberation Army (*EPL*), *Ejército Popular de Liberación*, the military high command are reported to have promised the government a military solution in the near future. However, according to apparently authentic leaked official documents, one of the conditions made by the armed forces commanders for a military victory over insurgent forces is the suspension of investigations into alleged human rights violations by armed forces' personnel. Armed forces commanders, including successive Ministers of Defence, have frequently complained that investigations into alleged human rights violations conducted by the Procurator General's Public Ministry, Procurador General de la Nación, and the civilian justice system have seriously hampered the army's counter-insurgency

operations.<sup>1</sup> Judicial and disciplinary investigations are frequently opened on the basis of denunciations presented or supported by national human rights organizations. The government has not taken steps to restrict investigations conducted by the Procurator General's public ministry. It is feared, however, that recent attacks on human rights monitors and attempts to discredit human rights organizations may form part of a strategy by the Colombian armed forces to remove perceived obstacles to their military operations.

In recent months an apparently systematic attempt to discredit leading human rights organizations has become apparent through the misrepresentation of their activities in some of the country's media. Extensive reports carried by national newspapers, television and radio linked respected human rights organizations and leading human rights defenders to guerrilla organizations. Although the reports often appear under the by-line of "special investigative units", according to inquiries made by the local human rights groups the reports are believed to have been based on information provided by senior military commanders. In other cases military commanders directly and publicly accused human rights organizations of responding to the interests of guerrilla organizations and accused individual human rights workers of being members of guerrilla organizations.

The Colombian government has ostensibly repudiated recent attacks against human rights workers and, in some cases, has assigned bodyguards to those who have been threatened. However, judicial and police authorities seem unable or unwilling to take action to adequately protect people under threat of death or to investigate and bring to justice those responsible for threats, "disappearances" and extrajudicial executions. In several cases reported to AI, official bodyguards assigned to protect people under threat have been implicated in the subsequent killing of the person under their protection. As a result of the escalating threats and harassment, an increasing number of human rights lawyers and activists have had to abandon their activities and seek refuge in other areas of the country or abroad. Despite its stated commitment to protect human rights, the Colombian government has so far singularly failed to ensure that the legitimate activities of human rights groups are respected by the Colombian armed forces or to ensure that human rights activists are able to carry out their work without fear of persecution.

## **ATTACKS AGAINST HUMAN RIGHTS LAWYERS**

### **Legal Advisers for Indigenous Communities**

Oscar Elías López was killed in the town of Santander de Quilichao, Cauca department, by heavily armed men on the evening of 29 May 1992. Oscar López worked as the legal adviser

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<sup>1</sup> The Colombian Public Ministry, an autonomous body headed by the Procurator General, has a constitutional responsibility to investigate state agents accused of misconduct and to bring disciplinary proceedings and sanctions where appropriate.

for the Regional Indigenous Council of Cauca, (CRIC), Consejo Regional Indígena del Cauca. He had reportedly received numerous death threats prior to his killing, as have other CRIC lawyers. Oscar Elías López had been acting as adviser to the indigenous communities affected by a massacre in December 1991 in which 20 Páez Indians were killed in Caloto, Cauca department. Official and independent investigations into the massacre uncovered substantial evidence that senior regional police officials had participated in the massacre. However, in July 1993 disciplinary charges against the police officials were dropped. Investigations into the killing of Oscar López have failed to identify those responsible.

Following the murder of Oscar Elías López, Dr Rafael Barrios Mendivil, a member of the human rights lawyers' association, Corporación Colectiva de Abogados, José Alvear Restrepo, assumed the representation of the Páez community and continued the investigation into the Caloto massacre. During 1993 Dr Barrios received repeated anonymous death threats and reported being followed by men he believed were from the security forces. Although the threats were reported to the Colombian authorities no action was taken to discover their source. Dr Barrios left the country for several months because of the risk to his security but he returned in March 1994 to resume his activities to protect human rights.

Dr. Rafael Barrios Mendivil

### **CSPP Lawyers**

Jesús Antonio Montoya Ospina was shot dead by two unidentified gunmen in Cali on 14 December 1993. Dr Montoya was attacked by the gunmen as he arrived at a meeting with a housing committee in Barrio Navarro in the Belalcázar neighbourhood of Cali. Although injured he managed to get away to a nearby shop, but the gunmen followed him and shot him 14 times in the chest. The gunmen fled on a motorbike taking with them Dr Montoya's briefcase containing documents relating to his work.

Dr Montoya was a founding member of the Political Prisoner Solidarity Committee, (CSPP), Comité de Solidaridad con los Presos Políticos, in Cali. In addition to defending political prisoners, he had represented many trade unions and community organizations. He also represented a group of trade unionists claiming compensation from the state for their arbitrary arrest, torture and imprisonment by the army's III Brigade in Cali in 1990. Another of the unionists' lawyers, Alirio Pedraza Becerra, "disappeared" in July 1990 and his whereabouts remain unknown (see below). Jesús Antonio Montoya was an active member of the Colombian Communist Party, (PCC), Partido Comunista Colombiana, and the left-wing Patriotic Union political alliance, Unión Patriótica, (UP).

The killing of Dr Montoya was not the first time CSPP lawyers in Cali had been targeted. Two CSPP lawyers, William Peña Barrios and Ramiro Antury, received death threats at the end of 1991. An envelope arrived at the CSPP offices in Cali on 6 December 1991. Addressed to William Peña and Ramiro Antury it contained an invitation to their own funeral mass (sufragio), signed in the name of a paramilitary group called MAC - Muerte a Comunistas, Death to Communists.<sup>2</sup> Both men had received other death threats, apparently as a result of their human rights work. William Peña had reportedly just presented his final statement in a case of "disappearance"/extrajudicial execution where members of the armed forces had admitted responsibility for the killing of a union treasurer, Jorge Eliécer Agudelo, in 1989.

A copy of the "sufragio" sent to William Peña and Ramiro Antury

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<sup>2</sup>Army and naval intelligence units have in the past been found to claim responsibility for covert operations in the name of sometimes non-existent groups with dramatic names like MAC

### "Disappearance" of Dr Alirio Pedraza Becerra

Alirio de Jesús Pedraza Becerra, a lawyer and human rights worker, "disappeared" on the evening of 4 July 1990 in Bogotá. According to several eye-witnesses, about eight heavily armed men in plain clothes seized Dr Pedraza as he was leaving a bakery in the "La Campiña" shopping centre in Bogotá's Suba district. Two of the armed men identified themselves to two police agents who stood by during the abduction of Dr Pedraza, even though the lawyer resisted and shouted for help. Dr Pedraza was a long-standing active member of the Political Prisoner Solidarity Committee, representing victims of human rights violations and their relatives. At the time of his "disappearance" Dr Pedraza was representing relatives of scores of peasants killed when troops belonging to the *Luciano D'Eluyart Battalion* opened fire on hundreds of peasant

farmers during a protest march in May 1988 in Llano Caliente, Santander Department. He was also representing a group of trade unionists detained and tortured by the army in Cali, Valle del Cauca department, in March 1990. Despite the efforts to locate him by Dr Pedraza's family and colleagues and Public Ministry officials, the armed forces and police authorities denied his detention and his whereabouts remain unknown. In October 1992, two members of the judicial police, *policía judicial*, were arrested on suspicion of involvement in the "disappearance" of Dr Pedraza, but were released without charge in July 1993.

### **Repeated Threats Against Dr Eduardo Umaña Mendoza.**

Human rights lawyer and defender of political prisoners, Dr. Eduardo Umaña Mendoza has been the victim of repeated threats against his life for a number of years as a direct result of his work as defence lawyer of political prisoners and representative of victims of human rights violations attributed to members of the Colombian armed forces.

During the last week of September 1991 Dr. Umaña Mendoza received a number of anonymous phone calls warning him to stop his human rights activities or he would be killed. A month later Dr. Umaña received further threats warning him his time had run out and that "you can't hide anywhere, we always know where you are" ("*No podrá esconderse en ningún lado, siempre sabemos donde está*"). Although no specific motive was given by those issuing the threats, it is believed they may have been connected to Dr. Umaña's role in representing the surviving members of a peasant family whose relatives were allegedly killed by members of the Colombian army in Fusagasugá, Cundinamarca department, on 18 August 1991. Although a civilian police agency provided security guards in response to protests, the threats against him continued for many months.

In April 1993 Dr. Umaña again received a series of anonymous telephone calls threatening to kill him if he did not cease his human rights activities. These threats were believed to be at least partly related to Dr. Umaña's defence of 16 telecommunications technicians charged a few weeks earlier with offences under anti-terrorist legislation. The basis of the charges against the technicians is their alleged "sabotage" of Colombia's telecommunications computer system during a strike in April 1992. The strike, which was declared illegal by the government, left Colombia without a telephone service for seven days. Although the terrorist charges against the Telecom workers were later changed to "disruption of communications" and they were released on bail, the threats against Dr Umaña have continued. Despite repeated requests and international appeals, the Colombian authorities have failed to effectively investigate and identify those responsible for the threats against Dr Umaña.

Threat delivered to Eduardo Umaña. The text reads: "You who claim to be putting our beloved homeland to rights, sowing terror, destroying the economy and ravaging our natural resources. You have today been called to judgement for these barbaric acts, and have been declared guilty; for that reason your time has come; the scales have tipped in favour of our democracy. YOUR EXECUTION APPROACHES. BE READY."

## "BLACK LISTING"

The lives of about 150 human rights workers and trade union and popular leaders were at risk in August 1993 when military intelligence reportedly compiled a list of individuals and institutions whom, it claimed, were collaborators or supporters of guerrilla groups in Colombia.

The list was passed by the security forces to "Q.A.P", a Colombian television station, which reportedly intended to broadcast the list. There was concern that broadcast or publication of the names of the individuals would put their lives and security at risk and would damage both their reputation and that of any organization or institution with which they are associated. In many cases human rights violations against such individuals are preceded by the publication of inaccurate or distorted information about them in the media.

Lawyers from the Comisión Andina de Juristas - sección Colombiana - Andean Commission of Jurists, Colombian office, presented to the courts an acción de tutela, a procedure intended to protect the constitutional rights of individuals. In the action, they point to rulings of the Constitutional Court which make it clear that information compiled by military intelligence or in the hands of the security forces should not be divulged to the media or to third parties but can only be used by the security forces themselves and in accordance with the constitutional rights of the individual.

The existence of the list was demonstrated by the fact that several individuals working in the field of human rights were approached for information by correspondents of Q.A.P. A lawyer from the División Nacional de Quejas de la Defensoría del Pueblo (National

Complaints section of the Office of the Defender of the People) confirmed both the existence of the material and the fact that it had been handed to the TV station.

In response to the Tutela , the judge of the 5th criminal circuit of Bogotá Juez V penal del circuito de Bogotá, ordered the "Q.A.P" and all other media organizations to refrain from publishing details of the list. The judge also ordered the Ministry of Defence to refrain from making public the intelligence information on individuals. The Ministry of Defence appealed the decisions and the ruling blocking the publication of the list was overturned by the Bogotá Appeals Court, Tribunal Superior de Bogotá, in October. In its ruling, the Appeals Court reportedly reasoned that given the impossibility of locating the list or establishing the accuracy of the intelligence information on which it is based, it would be legally impossible to protect the constitutional rights of the individuals concerned. Despite the Appeals Court decision, no further attempt had been made to publish details of the list by February 1994.

## **HUMAN RIGHTS WORKERS IN CONFLICT ZONES TARGETED FOR ABUSE**

Human rights workers throughout Colombia work in difficult and sometimes dangerous conditions. However, those people living and working in areas of intense conflict between guerrilla organizations and government forces face particular hazards.

The civilian population in conflict areas, and particularly community and peasant leaders, are frequently perceived by the Colombian armed forces as potential guerrilla collaborators and have, as a result, been subjected to widespread abuse, including torture, "disappearance" and extrajudicial execution. Human rights activists attempting to monitor, record and denounce armed forces and paramilitary abuse in conflict areas are particularly at risk of persecution.

### **Threats and Wrongful Imprisonment of Edwar Alvarez Vacca, Ocaña.**

Edwar Alvarez Vacca has been actively involved in community and human rights work for a number of years in the region of Ocaña, North Santander department in northern Colombia. As a result of his human rights activities he has been the victim of repeated harassment. North Santander department, and in particular the area surrounding Ocaña, has long been a zone of serious conflict between guerrilla groups and government forces.

When he was only 16, an unsuccessful attempt was reportedly made to abduct him by unknown persons as he was taking part in a conference of community action in Valledupar, Cesar department. On 6 September 1990, during a march he had organized and led, three recognized members of the police intelligence unit F-2, attempted to force Edwar Alvarez into a van, but the presence of many witnesses prevented his abduction. Edwar Alvarez was

standing as the official representative of the community organizations of Ocaña in the elections for the National Constituent Assembly. Since that time, both he and his family have been the victims of increased threats and harassment and have been forced to move home on several occasions.

As a member of the Ocaña Human Rights Coordination Team, Equipo Coordinadora para la Defensa de los Derechos Humanos de Ocaña, Edwar Alvarez had been involved in denouncing human rights violations by the armed and security forces in the largely rural province<sup>3</sup>, and providing assistance to relatives of victims of "disappearance" or extrajudicial execution in areas targeted by the military during counter-insurgency operations. In August 1991 the Equipo Coordinadora held a regional human rights forum in Ocaña, which was attended by more than a thousand people, mostly from the surrounding area. Shortly after the forum, on 10 September, the Equipo Coordinadora received an anonymous threat addressed to "the defenders of the bandits and communists of Ocaña", "*La defensa de los bandoleros y las comunistas de la región de Ocaña*" in which the Equipo was accused of being a "front organization" for the ELN, the forum "where the guerrillas were given their instructions" and warning them that they would pay heavily if they did not stop using the Equipo for this purpose, "*Cúdanse señores comunistas de los derechos humanos ... dejen de tener este organismo de derechos humanos como fachada... lo van a pagar muy caro.*"

On 31 January 1992 Edwar Alvarez was arrested by the army and accused of being a member of the ELN. According to his sworn testimony before the human rights ombudsperson, Personero, of Convención, North Santander department, Edwar Alvarez was travelling by car with several other people when they were stopped by a military patrol from La Esmeralda military base, attached to the Jaime Rook Battalion, based in Convención, as they were on their way to El Tarra for a human rights workshop. Their identity documents were taken to the base and they were searched. The soldiers who had taken his papers asked Edwar Alvarez whether he was the same Edwar Alvarez who was a defender of human rights, which he affirmed. He was then taken to

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<sup>3</sup> Colombia is geopolitically divided into departments and municipalities. "Provincia" is an archaic term still used in some areas, dating back to the colonial period as used by the Spanish, such as "provincia de Ocaña". The "'provincia" de García Rovira' covers parts of Santander and North Santander departments.

the army base with two other men, both teachers and trade union activists. He states that they were searched again and interrogated by an army officer, who referred to the Equipo Coordinadora as a front for left-wing political groups and demanded the names of other members of the Equipo. Edwar Alvarez and the other two men

were then taken to the police station where a judge informed them that they were charged with membership of the ELN. They were held in the Modelo prison in Cúcuta until they were released unconditionally on 25 February 1992, all charges

Edwar Alvarez Vacca having been dropped. Amnesty International considered Edwar Alvarez to be a prisoner of conscience.

Threats and harassment against Edwar Alvarez continued after his release. On 31 July 1992 he formally denounced to the Departmental Procurator the continued threats by state agents, the commander of Santander No. 15 Battalion repeatedly referring to him as a member of an insurgent group. In 1993, Edwar Alvarez was informed that, following an investigation, the Departmental Procurator had ruled in his favour and that the case had been passed to the military justice system for a criminal investigation. As access to military court proceedings is denied to civilians, no further information is available.

### **Threats, Attacks and Extrajudicial Execution of Members of the Regional Human Rights Committee, Barrancabermeja**

Amnesty International has been concerned for the safety of members of the Regional Human Rights Committee, *Comité Regional para la Defensa de los Derechos Humanos* (CREDHOS) of Barrancabermeja, Santander department who have been persecuted for several years. Members of CREDHOS were most recently the victims of threats and harassment by army officials in May 1993 as a result of their human rights work. The work of CREDHOS in defence of human rights in the conflict-torn region of the Magdalena Medio has achieved international recognition. In 1991 CREDHOS received the "Lettelier-Moffit" award from the Institute of Political Studies in Washington, United States. Amongst other activities, CREDHOS regularly denounce human rights violations committed by the regular armed forces and by paramilitary groups operating under their command or with their support. CREDHOS have also denounced abuses committed by guerrilla organizations in the region.

In 1992 three members of CREDHOS were killed in circumstances suggesting they were extrajudicially executed. On 29 January 1992 as Blanca Valero de Durán, secretary of CREDHOS, left the human rights office at about 6.30pm two armed men in civilian clothes fired several shots at her at point blank range. It is reported that she died instantly. The two

assailants escaped. Blanca Valero was married with three children. Three policemen across the street reportedly ignored her cries for help and made no attempt to pursue the assailants who have still not been identified.

Following statements by local military commanders in February 1992, accusing CREDHOS of links with guerrilla organizations, threats from paramilitary forces against CREDHOS members increased. In an interview published in the local press on 16 February,

Blanca Valero de Durán Roberto Emilio Cifuentes, the Colombian army's V Brigade commander, was quoted as saying:

"The human rights office [CREDHOS] through naivety or through the hostile intentions of some of its members, has been used by the guerrillas to carry out one of its methods of attack, based on slander ... There is no support for this performance. Some of these people appear unwisely to be taking part in a plot to undermine the [armed forces] institution, to create a state of general unease which might lead to violence." (*"La oficina de Derechos Humanos en forma ingenua o de pronto algunos de sus miembros en forma malintencionada, ha sido utilizada por la subversión para ejercer unas de sus formas de lucha, que se basa en la calumnia ... Lo afirmo porque todo es un montaje que no tiene respaldo. Parte de esas personas incautamente están haciendo eco de una tramoya para buscar el desprestigio de la institución, crear un estado de malestar general que conduce a la violencia."*)

Another member of CREDHOS, Julio César Berrío Villegas, was shot dead on 28 June 1992 at 5pm by two unidentified gunmen in an ice-cream parlour in Barrancabermeja. He had worked for CREDHOS for two years as a security guard protecting the Committee's offices. He had also been involved in the investigation into the accidental death of a child in the Arenales district of Barrancabermeja by members of the police intelligence unit F-2. According to *El Tiempo*, Colombia's largest national daily newspaper, Barrancabermeja Police Captain Germán Campuzano Gómez Lizarazo stated that Julio César Berrío was a guerrilla. A month later, Ligia Patricia Cortez, who worked on a CREDHOS-backed educational project, was shot dead with two trade unionists in a restaurant in Barrancabermeja.

At the funeral of Julio César Berrío, Jorge Gómez Lizarazo, then president of CREDHOS, reiterated his denial of the allegations made by the army's II division Commander Harold Bedoya Pizarro and V Brigade Commander Ricardo Emilio Cifuentes Ordóñez that CREDHOS served as an aide to the guerrillas.

Several of CREDHOS' staff have been forced to leave Barrancabermeja due to the serious risks to their lives. Although the Colombian government condemned the attacks on

CREDHOS and promised full investigations, no progress was made in identifying those responsible until early 1994.

In January 1994, the Colombian national daily newspaper La Prensa published the confessions and denunciations made by two naval officers to the Attorney General (Fiscal General de la Nación). In their confessions, the two officials describe how in 1991 they were assigned to a secret Navy Intelligence Unit, identified as "network 7", operating under the direct command of Colonel Rodrigo Quiñonez Cárdenas, the national director of Navy Intelligence, which had been set up in Barrancabermeja with the objective of eliminating opponents and destabilizing the region in order to justify increased military intervention. The officers described in detail how the intelligence unit had murdered around one hundred trade unionists, teachers, journalists and human rights workers and others in the city of Barrancabermeja and throughout the Magdalena Medio region. The three CREDHOS workers, Blanca Cecilia Valero de Durán, Julio César Berrio and Ligia Patricia Cortes, were among the victims of the unit identified by the officers. No information has been made available concerning any investigation opened by the Attorney General on the basis of the naval officials' statement.

### **Harassment and Threats against Human Rights Activists in Meta Department**

Amnesty International has received an increasing number of reports of human rights violations against non-combatant civilians by army personnel, including the 1st mobile brigade, *Brigada móvil N°1*, in Meta department following the launch of a major offensive by the Colombian armed forces against the armed opposition group *Fuerzas Armadas Revolucionarias de Colombia* (FARC), Revolutionary Armed Forces of Colombia, in the department of Meta in 1991. Human rights violations against the civilian population, including threats, torture, "disappearance" and extrajudicial execution, have been particularly directed against peasant farmers living in areas dominated by the FARC and leaders and members of the legal left-wing coalition party *Unión Patriótica*, (UP), Patriotic Union<sup>4</sup>. Members of the regional human rights committee, *Comité Cívico por los Derechos Humanos*, have been subjected to sustained harassment as a result of their work in reporting such human rights abuses.

In April 1993 Delio Vargas, a UP member and president of the local chapter of the human rights group working with people displaced by political violence, Colombian Association for Social Assistance, (ASCODAS), Asociación Colombiana de Asistencia Social, "disappeared" after being abducted from a street in Villavicencio, Meta. Delio Vargas and his wife were ambushed by five heavily-armed men as they arrived at their home in a suburb of

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<sup>4</sup> The UP was created in 1985 as a result of a peace process between the FARC and other guerrilla groups and the government. Many former FARC members who benefited from an amnesty returned to civilian life and became members of the UP. Since its creation the UP claims over 1,500 of its members have been the victims of politically motivated killings.

Villavicencio in the late afternoon. According to his wife, Delio Vargas attempted to escape from his captors, but fell as he ran and was forced back into the assailants' vehicle. At the time of his "disappearance" Delio Vargas was involved in the organization of a forum entitled "Peaceful Alternatives in Meta department" due to take place the same month, with the aim of bringing together all sectors of the community, including local and national authorities, to discuss peaceful solutions to escalating political violence in the region. An investigation conducted by the Procurator General's Public Ministry led to the arrest of the driver of the vehicle used in the "disappearance" of Delio Vargas, who was identified as a retired army sergeant working as an informant for the B-2 army intelligence unit in Villavicencio.

Delio Vargas was reportedly seen by conscript soldiers, tortured and held with other prisoners, in the army's VII Brigade headquarters in Villavicencio. However, when judicial and Public Ministry officials visited the Brigade to search for Delio Vargas, he was not found. His whereabouts remain unknown.

Some human rights workers have fled their homes and joined the ranks of Colombia's internally displaced who seek refuge in the anonymity of Colombia's large cities. However, even the drastic decision to leave home, work and friends far behind is not always a guarantee of safety.

Alcides Castrillón was killed on the evening of 25 February 1991: after he was pursued by unknown gunmen, and shot on the patio of his home in the poor neighbourhood of Ciudad Kennedy in Bogotá. He left a wife and seven children.

Alcides Castrillón, aged 42 when killed, was originally from Meta department but left the region at the beginning of 1990 following persecution and threats, apparently as a result of his work with victims of the violence in Colombia. While still in Meta, he reportedly survived an attempt on his life when he was taking a group of 12 peasant farmers down the River Guaviare in a motor launch. The launch was attacked by a helicopter allegedly belonging to the security forces and he was the only survivor.

Once in Bogotá, as a result of his work on behalf of victims of the internal violence in Colombia, Alcides Castrillón was made a member of the national executive committee of the *Coordinadora Nacional de Derechos Humanos, Damnificados y Refugiados de Colombia* (CONADHES), National Coordinating Body for Human Rights, Victims of Violence and Refugees in Colombia, he was also a leader of the Colombian Development and Social Assistance Association, *Asociación Colombiana para el Desarrollo y la Asistencia Social*, ASCODAS, both non-governmental organizations. Shortly before he was killed, he had been chosen as the CONADHES' delegate to the Commission of Human Rights set up by the Procurator General's office (which has a human rights monitoring role in Colombia). At a meeting with the Commission on 7 February 1991 he reportedly denounced alleged human rights abuses against non-combatant civilians in rural areas of eastern Colombia where the

security forces are involved in counter-insurgency operations. Alcides Castrillón was also an active Communist Party member in the Ciudad Kennedy district.

Alcides Castrillón's killing was denounced to the Procurator General's office and in August 1991, following international appeals, Amnesty International received information from the Colombian Presidential Adviser on Human Rights that official investigations have been opened into the killing of Alcides Castrillón. However, although investigations into human rights violations are routinely opened, those responsible are rarely identified; and even when military and police personnel are identified by name, prosecutions rarely go forward. To Amnesty International's knowledge, no further progress has been made in establishing responsibility for the killing of Alcides Castrillon.

### **Carmen de Chucurí, Santander Department**

The municipality of Carmen de Chucurí lies at the heart of the region of central Colombia known as the Magdalena Medio. This area of small farming communities has long been a stronghold of the ELN guerrillas and more recently the FARC. In 1990 the army and its paramilitary auxiliaries launched a major counter-insurgency offensive in the region. Farming communities in the area have been severely affected by the army's offensive. Hundreds of peasant farmers have been tortured, killed or "disappeared" by the army and paramilitary forces. Many more have been forced to abandon their homes and farms and seek refuge elsewhere.

Human rights organizations attempting to record abuses against the civilian population in this area have come under increasing attack by both paramilitary groups and the regular armed forces. In August 1990, the Catholic Church's Justice and Peace Intercongregational Commission, *Comisión Intercongregacional de Justicia y Paz*, produced a report documenting numerous violations of fundamental human rights against non-combatant civilians in the area by paramilitary forces and providing evidence of army support for their activities. On the basis of information contained in the report, a civilian court judge opened an investigation. After receiving testimonies from victims of human rights violations by paramilitary forces, the judge issued arrest warrants against 26 people, including the mayor of Carmen de Chucurí, for their alleged involvement in paramilitary activities. Attempts by the judicial officials to enforce the arrest warrants in March 1992 were unsuccessful. Several weeks later a series of reports appeared in the national press, television and radio concerning the situation in Carmen and San Vicente de Chucurí. The reports quoted military commanders categorically denying the existence of paramilitary forces in the region and accusing human rights defenders and organizations who denounce abuses by paramilitary forces of acting in the interests of guerrilla organizations. Several leading human rights defenders and organizations were mentioned by name and some were directly accused of membership of guerrilla organizations. On the basis of the accusations made by the army commanders, criminal proceedings were opened against a number of human rights workers connected to the Justice and Peace Commission.

## SILENCING RELATIVES AND WITNESSES

Not only human rights defenders have faced increasing difficulties in carrying out their work as a result of threats, harassment and intimidation; witnesses of human rights violations and relatives of victims have also frequently suffered acts of intimidation or violence in an apparent attempt to protect members of the armed forces responsible for serious human rights violations. Witnesses are frequently harassed and killed to prevent them testifying and relatives and friends of victims are threatened and killed if they persist with their denunciations.

### ASFADDES

In November 1993, members of 70 families from all over Colombia met in the capital Bogotá for the annual general meeting of the Association of Families of the "Disappeared", Asociación de Familiares de Detenidos Desaparecidos, Colombia, ASFADDES. The association has been openly campaigning for a number of years for the fate of Colombia's estimated 1,800 "disappeared" people to be revealed and for perpetrators to be brought to justice. ASFADDES has legal recognition and maintains close contacts with government human rights agencies. Despite the open and legal nature of its activities, ASFADDES' members have increasingly been subjected to harassment. During the November meeting, members of ASFADDES reported incidents of being photographed, both clandestinely and openly, by a number of men in plain clothes who followed them around Bogotá and even in their hotel. Some of the men were armed. Suspicion as to the identity of these men was confirmed by two bodyguards from the civilian security agency DAS, Departamento Administrativo de Seguridad, who were assigned to protect Nodelia Parra, a member of ASFADDES, who had been receiving death threats. The DAS agents challenged one of the armed men who, after a struggle, identified himself as a member of the B-2 army intelligence unit. In another incident the DAS agents exchanged angry words with more unidentified men, who admitted to conducting an intelligence operation and to having agents in the hotel where the ASFADDES members were staying. The DAS agents later identified the presence of at least eight more members of the B-2 army intelligence unit in and around the hotel.

When ASFADDES members lodged a formal complaint about the harassment and surveillance, the Bogotá Regional Prosecutor, Fiscal Regional de Bogotá, ordered the police to intervene. On the evening of 18 November the police arrived at the hotel and arrested four men, who were subsequently identified as B-2 army intelligence agents. A camera was confiscated from one of them who reportedly exposed the film deliberately before handing it over. The four men, together with the three ASFADDES members who had denounced the surveillance, were taken to a local police post and from there to the Regional Prosecutor's office. During this operation one of the army intelligence agents threatened the three ASFADDES members. The four intelligence agents were later handed over into the "custody" of an army captain who had witnessed their arrest.

ASFADDES Demonstration, 1 May 1993

### **FABIOLA LALINDE DE LALINDE, MOTHER OF "DISAPPEARED" STUDENT**

Fabiola Lalinde, a member of ASFADDES who has been described in a Medellín newspaper as "the mother of 1,800 children that have disappeared in Colombia", has been an active human rights campaigner since her own son "disappeared" over nine years ago. Fabiola Lalinde's son, Luis Fernando Lalinde Lalinde, a 26-year-old sociologist, "disappeared" on 3 October 1984 in Verdún, in the municipality of Jardín, department of Antioquia after detention by an army patrol attached to the 22nd Battalion "Ayacucho de Manizales". Local villagers saw him being tortured and taken away by the soldiers. Fabiola Lalinde immediately tried to find out what had happened to her son - she spoke to the witnesses, local authorities and the judiciary. Investigations were opened but not without obstacles and much intimidation.

Just after her son "disappeared" the army reported having shot dead and buried in Verdún a guerrilla named "Jacinto". The remains of "Jacinto" were exhumed in November 1984 but Fabiola Lalinde was not present and the remains were left there, unidentified. Fabiola continued pressing the case and in 1988 the Inter-American Commission of Human Rights of the Organization of American States declared the Government of Colombia responsible for the "disappearance" of her son.

In November 1988, after four years of Fabiola Lalinde's campaigning for the truth, the army arrested her and another son, Jorge following a raid on her house in Medellín. She was held by the army's Bomboná battalion in Medellín and accused of drugs trafficking, but not charged. Fabiola Lalinde denied the accusations, claiming the drugs found in her home had been planted by the army in reprisal for her tireless efforts in trying to solve her son's

"disappearance" by the army. She and Jorge Lalinde were released without charge some days later. Fabiola Lalinde continued her human rights work, both on behalf of her "disappeared" son, and other "disappeared" people with ASFADDES, the Association for the Relatives of the "Disappeared" (*Asociación de Familiares de Detenidos Desaparecidos en Colombia*). The traumatic experience of exhuming the remains of "Jacinto" finally took place in April/May 1992 in the presence of Fabiola Lalinde and her daughter Adriana Lalinde. The final results of forensic tests to determine the identity of the remains are still awaited.

In 1992 Fabiola Lalinde wrote to Amnesty International and said: "Throughout this whole process of searching, national and international solidarity has played a decisive role, it has been without doubt the fuel for my existence during these difficult years of uncertainty and impotency and at the last moment has given me strength and courage ... solidarity is the weapon of the defenceless." (*En todo este proceso de búsqueda y denuncia ha jugado un papel decisivo la SOLIDARIDAD tanto a nivel nacional como internacional, ese ha sido sin lugar a dudas el motor que ha movido mi existencia durante estos difíciles años de incertidumbre y de impotencia y que en última instancia me ha dado ese valor y coraje ... LA SOLIDARIDAD ES EL ARMA DE LOS INDEFENSOS.*)

## **STEPS TO PROTECT HUMAN RIGHTS DEFENDERS**

Amnesty International recommends that the Colombian Government implement the following steps to ensure protection of human rights defenders:

- The government should ensure that human rights defenders, including all members of independent human rights monitoring and reporting groups, receive the full protection of the law, so that they can carry out their vital work.
- All instances of threats and human rights violations directed against staff and members of such organizations must be fully investigated by civilian courts and the perpetrators brought to justice.
- The government should take steps to end harassment, threats and intimidation against human rights defenders, and in particular, halt public statements by armed forces commanders that vilify human rights organizations and brand their members as "subversives".

## **WHAT CAN YOU DO?**

The brave men and women who stand up for human rights in Colombia need your help. Amnesty International is mounting an international campaign to increase awareness of the reality of the human rights situation in Colombia and mobilize people to act. Individuals and groups around the world can make a difference.

**Join our campaign**

We will be organizing public events, petitions, appeals, lobbying and messages of support for those defending human rights in Colombia. Contact the Amnesty International office in your country and ask how you can help.

**Help publicize the reality of Colombia**

Tell others about Colombia, distribute Amnesty International's publications and raise the issues of human rights in Colombia with any groups or organizations you are a member of. Write letters or articles for newspapers or magazines.