

Amnesty International Newsletter - April 1994

News and world-wide appeals

World-wide appeals.

IRAN

[NOTE: further information may be added to this appeal in the final page proofs]

Manouchehr Karimzadeh, a cartoonist for the science magazine, Farad, and Naser Arabha the editor-in-chief of the same magazine, were arrested in Tehran in April 1992. Both of them were held incommunicado in Evin Prison for printing a cartoon depicting a football-playing amputee who allegedly resembled the late Ayatollah Khomeini.

In September 1992 Naser Arabha became the first journalist to be tried by a jury for violating press laws: he was sentenced to a six-month prison term. He was released in early 1993 after serving his sentence.

Manouchehr Karimzadeh was tried by an Islamic Revolutionary Court and sentenced to one year in jail and a fine of 500,000 rials. But in October 1993 his sentence was increased by a second court to 10 years. He was reportedly convicted of insulting the former leader. AI believes he is a prisoner of conscience, imprisoned for the right to freedom of expression.

Please send appeals calling for Manouchehr Karimzadeh's immediate and unconditional release to: H.E. Hojjatoleslam Ali Akbar Hashemi Rafsanjani, President of the Islamic Republic, The Presidency, Palestine Avenue, Azerbaijani Intersection, Tehran, Islamic Republic of Iran.

UZBEKISTAN

Pulat Akhunov, 31, is serving a total of four and a half years' imprisonment on criminal charges which were allegedly fabricated to punish him for opposition political activities. In October 1993 he was transferred to the notorious Kyzylteppa labour colony for especially dangerous criminals, where conditions are said to be among the worst in Uzbekistan. Amnesty International fears that Pulat Akhunov has been moved there deliberately to place him at risk of violence from his fellow prisoners.

Pulat Akhunov was arrested in July 1992 and put on trial in December for "malicious hooliganism". He was sentenced to 18 months in a labour camp. It has been claimed that the case, of alleged assault, was fabricated by the authorities to punish Pulat Akhunov for his activities as a deputy chairman of the opposition Birlik (Unity) movement. While in prison awaiting the outcome of an appeal against his conviction he was charged in February 1993 with illegal possession of narcotics and with assaulting a prison guard. Allegedly these charges were also fabricated. Pulat Akhunov was tried in August and sentenced to an additional three years' imprisonment.

Please send appeals urging a judicial review of Pulat Akhunov's criminal convictions, and guarantees of his physical safety and well-being to: President Islam Karimov, Apparat Prezidenta,

ploshchad Mustakillik, Tashkent, Republic of Uzbekistan (write "Former USSR" on envelopes only in the language of your national postal authority, to make delivery easier).

ZAIRE

Father [Abbé] Mukoma, a Roman Catholic priest in Kananga, capital of Zaire's West Kasai region, was shot and killed while trying to prevent soldiers looting and destroying church property.

The attack on church premises, private homes and businesses in November 1993 was widely interpreted as a punishment on church leaders for failing to support the new Zaire currency introduced the previous month. Newspapers which criticized the reform were closed down for several weeks by the authorities.

Roman Catholic bishops were already unpopular with supporters of President Mobutu Sese Seko for publishing statements in September 1993 condemning "pillaging, humiliation, kidnapping, forced displacement, massacres by the thousand...", aimed at those who opposed the President or his allies. Gross human rights violations of this sort in Zaire have been well documented by AI.

The church in Kananga was also accused by government supporters of undermining the President's authority by offering social and economic services which the state had failed to provide.

By early November, several hundred soldiers had arrived in Kananga from Kinshasa, the Zairian capital. On the night of 28 November, soldiers from the 223rd army battalion attacked church premises in Kananga. Father Mukoma and five others were killed. Looting and violence continued for several days. The government has taken no action against those responsible.

Please send appeals calling for an independent public inquiry into the killing of Father Mukoma and five others in Kananga, and for their killers to be brought to justice, to: Son Excellence le Maréchal Mobutu Sese Seko, Président de la République, Présidence de la République, Kinshasa-Ngaliema, République du Zaïre.

WORLDWIDE APPEALS UPDATES

TADZHIKISTAN

Mirzonazar Imomnazarov, whose "disappearance" was featured as a worldwide appeal in the September 1993 newsletter, was found dead in Dushanbe, the capital, at the end of January 1994. He had been killed recently, which suggests that he had been held alive in secret detention for over 13 months.

Please send appeals calling for an investigation into the killing of Mirzonazar Imomnazarov and for those responsible to be brought to justice to: Imamali Rakhmonov, Chairman of the Supreme Council, Dushanbe, Tadzhikistan (mark your envelopes "Former USSR" to make delivery easier).

MYANMAR

Prisoner of conscience U Shwe Ohn, featured in the worldwide appeals cases in October last year, has been released. AI learned recently that the 70-year-old lawyer and chairman of a political party banned by the military junta in Myanmar, was freed in November.

SYRIA

Three long term prisoners of conscience in Syria have also been released, two of whom were featured in February's worldwide appeals cases. They are Mustafa Rustum and Hadithe Murad. Both were among many former government Ba'ath Party officials arrested over 20 years ago and detained without charge or trial. Five others featured in the appeal are still being detained.

News

BURUNDI

Ethnic violence has led to an estimated 100,000 deaths and almost a million people have been displaced or have fled from the country since soldiers overthrew and murdered President Melchior Ndadaye in Burundi in October 1993.

In late January AI called on governments worldwide to take action urgently to help restore human rights in the country, where fears of another coup attempt had exacerbated human rights abuses.

More than 50 civilians were reported to have been killed and homes were destroyed in and around Burundi's capital, Bujumbura, in a new outbreak of intercommunal violence in early February 1994. Trouble started when opposition leaders from the Tutsi ethnic group called on their supporters to force the government - which draws most of its support from majority Hutu ethnic group - to reverse its decision to dissolve the Constitutional Court. Their supporters set up barricades and Tutsi attacked and killed Hutu civilians.

Members of the security forces were deployed in the capital to stop the violence, but there were reports that they failed to stop killings in residential areas of the city. The violence ended only when the government agreed to give ministerial posts to the very opposition leaders who were encouraging it.

AI has called on the Burundi Government and commanders of the security forces to ensure the lives of innocent civilians are protected and that the armed forces use methods only strictly necessary for the execution of their duties.

CUBA

Hundreds of Cubans -- many of them prisoners of conscience -- have been jailed for up to four years, following an increase in the use of the country's so-called "dangerousness" law since last August.

The Cuban authorities have been using legislation ostensibly designed to combat crime to imprison non-violent political opponents and human rights workers.

The law allows the police to detain anyone whose behaviour suggests that they have "a special proclivity to commit crimes". While the reasons given for some of the charges are explicitly political, others allege drunkenness or unemployment. Hearings often take place within a few days of arrest and the defendant usually has little or no contact with a lawyer.

AI believes that this legislation is vague and open to abuse. It has called on the Cuban Government to abolish it and to release all those imprisoned under it.

GERMANY

The Hamburg authorities have failed to prosecute or discipline police officers responsible for ill-treating people in custody, according to a new report* from AI. The officers - members of a special police unit (the E-Schicht) based at station 16 in Hamburg - have been subject of 32 complaints of ill-treatment over a four-year period.

The report examines in detail the cases of Lutz Priebe and Frank Fennel. Lutz Priebe's nose was broken when an officer of the *E-Schicht* deliberately struck his face against the edge a table at station 16 in August 1989. Frank Fennel was hospitalized for a week after being badly beaten by officers from the same unit in July 1991. Both victims later won damages in civil lawsuits.

In its report Amnesty International says it is concerned that the authorities' failure to prosecute or discipline officers who have ill-treated detainees may encourage others to believe that they can commit similar acts with impunity. The organization is calling for a thorough review of all 32 complaints. *See report: *Federal Republic of Germany: Police ill-treatment of detainees in Hamburg, AI Index: EUR 23/01/94.*

MEXICO

A catalogue of human rights violations including torture and killing followed the Mexican army's attempts to control the uprising in Chiapas in January.

An AI delegation to the area confirmed dozens of cases of torture, at least nine summary executions and 15 other suspicious deaths, 11 "disappearances" and scores of arbitrary detentions, all by the Mexican security forces.

Members of the delegation met with indigenous communities, as well as Mexican government officials, and interviewed around 70 prisoners in Cerro Hueco prison. Most had been arrested on false charges and subjected to brutal torture or ill-treatment to extract confessions.

In February, the bodies were discovered of three men from the indigenous Tzeltal community in Morelia who had been held by the army in the aftermath of the uprising. Eye-witnesses say they had been taken to the local church and tortured before being driven away in a military ambulance. Two of them were 65 years old. No-one has been charged.

The delegation also looked into possible human rights abuses by the Zapatista National Liberation Army (EZLN) -- the opposition group who had sparked off the rebellion -- and condemned hostage-taking. By mid-February, all those held by the EZLN, including Absalón Castellanos, a former governor of Chiapas, had been freed.

UNITED KINGDOM

In its first major report on political killings by all sides in Northern Ireland, AI has warned that human rights must be given higher priority in the peace process.

The report published in February, shows evidence of collusion between government forces and groups like the Ulster Defence Association (UDA) and details possible concealment of unlawful killings by the army and Royal Ulster Constabulary (RUC). It also

cites charges that the security services have been one-sided in protecting the population from paramilitary violence, exposing the Catholic minority to random attacks from Loyalist "death squads".

In 1993 political killings by armed groups went on unabated. A total of 48 people were killed by armed Loyalist groups, drawn from the Protestant majority, who support continued union with the United Kingdom. Republican armed groups, drawn largely from Northern Ireland's Catholic minority, who call for a united Ireland, were responsible for 35 deaths.

There have been repeated allegations that members of the police and army have colluded with Loyalist groups: by turning a blind eye to their paramilitary organizations, by providing arms and intelligence information, or even by direct involvement of security personnel in Loyalist "death squads".

Allegations of collusion prompted the RUC in 1989 to set up a limited inquiry into the leaking of intelligence documents to loyalist groups. AI believes that a wide-ranging, independent inquiry is required and that its findings should be made public.

JORDAN

At least 12 prisoners were executed in Jordan during 1993, the highest number recorded by AI over the past two decades. In January this year another two prisoners were executed and at least three more were sentenced to death. No executions had taken place in 1992.

Ten of those executed in 1993 had been convicted of murder. The other two were convicted of spying for Israel by the State Security Court. Contrary to international safeguards they had no right of appeal, which was only introduced in this court in May 1993.

In January 1994 the State Security Court sentenced to death three prisoners (including two tried in absentia) found guilty of plotting to kill King Hussein bin Talal. AI deeply regrets the reversal of a positive trend towards protecting the right to life. It has asked the Jordanian Government to recommend commutation of death sentences as a matter of policy, and has also repeatedly appealed to King Hussein to commute all current and future death sentences.

MOZAMBIQUE

Hundreds of thousands of refugees and displaced people have been able to return to their homes in Mozambique thanks to the October 1992 peace agreement between the government and the former armed opposition, *Resistência Nacional Moçambicana* (RENAMO), Mozambique National Resistance. AI delegates visited the country in January this year to see how human rights were being protected under the agreement which is being monitored by the United Nations (UN). If all goes well, Mozambique's first multi-party elections will be held in October 1994. However, there have been worrying delays in demobilizing government and RENAMO soldiers and there have been some cease-fire violations. Moreover, both sides' forces have carried out abuses including the killing of prisoners: these incidents have not been adequately investigated by the mechanisms set up under the peace agreement.

The UN, the churches and other groups are working to inform people

of their civil and political rights. However, much remains to be done to improve human rights monitoring and protection both during the run-up to elections and in the future.

(Info about photos already supplied:

1. Government troops at a UN assembly area in Magude, about 100 km north of Maputo. They will either return to civilian life or be incorporated into the new unified army. In the foreground there is a pile of weapons brought in by the soldiers who arrived that day.
2. A hoarding put up in Maputo in October 1993 to celebrate a year of peace.

CAMEROON

During 1993 hundreds of critics and opponents of the government of President Paul Biya have been detained without charge. Torture and ill-treatment by the security forces of both political detainees and suspected criminals became routine.

In 1993 at least two people died from injuries after torture. In March, Louis Abondo Langwoue, aged 29, who was accused of theft by his employer, died after four days in the custody of the gendarmerie in Diang, Eastern Province. A senior doctor who concluded that death resulted from severe and prolonged beating was dismissed from his post.

Cyprian Tanwie Ndifor, aged 23, who worked for a Catholic pastoral centre, was arrested in December, apparently in connection with a theft. He died within hours of his arrest at gendarmerie headquarters in Bamenda, North-West Province; he too had been severely beaten.

In neither of these cases was any action taken against those responsible. AI has called for urgent measures to protect all prisoners from torture and ill-treatment.

HAITI

This is four-year-old Jocelyne Jeanty. When a patrol of soldiers and *attachés* descended on the shanty town of Raboteau, last December, they ordered 19 men, women and children, including Jocelyne, to lie on the ground in the courtyard of a house. They then proceeded to beat everyone there, before firing shots randomly as they fled.

Several other homes in Raboteau, Gonaïves, Artibonite department, were attacked and the inhabitants beaten. Two people died as a result of the patrol's actions: Evallière Bornelus drowned when he attempted to flee from the firing, and Louisiana Jean, an elderly woman, died of shock.

On 27 December some 5,000 inhabitants of Cité Soleil, on the outskirts of the capital, Port-au-Prince, were victims of an attack by members of the Revolutionary Front for the Advancement and Progress of Haiti (FRAPH) [**for tr: Front Révolutionnaire pour l'Avancement et le Progrès Haïtien**], the political mouthpiece of the *attachés*. Fifty people were killed or "disappeared". Some 250 homes were destroyed by fire and many people were beaten. The perpetrators are reported to have ordered firemen to go away, claiming that they were not needed.

AI continues to have serious fears for the safety of the inhabitants of Raboteau and Cité Soleil. Widespread human rights violations have continued to afflict Haiti since President Aristide was

overthrown in a military coup in September 1991.

KOREA

Prisoner of conscience Kim Song-man was arrested in 1985 under the National Security Law tried and sentenced to death. In 1988 his sentence was commuted to life imprisonment. Below are extracts from a letter he wrote to an AI group in the USA:

". . . In Korea a political prisoner is normally forbidden to send letters to a man in a foreign country except his family or his near relative. But in August I met and talked with the chief of the department of correctional affairs in the prison and obtained permission to send you letters. What moved him to change his mind and grant me the permission was the quantity of parcels which have been sent me by you for about two years. The great number of parcels didn't mean anything but your warm heart and extraordinary human sincerity. They moved him. It has been more than eight years since I wrote a letter to a foreigner. This is the first time for me to write an overseas letter in the prison . . . thank you from the bottom of my heart."

TIBET I

Eleven nuns from Garu Nunnery, north of Lhasa, were sentenced to terms of imprisonment ranging from two to seven years for allegedly participating in a demonstration which unofficial sources in Tibet say never actually took place. AI believes that the nuns, who were arrested in June 1993, are prisoners of conscience.

At another trial, in October 1993 14 nuns who were already serving prison terms for taking part in Tibetan pro-independence demonstrations, had their sentences increased by up to nine years for composing and recording a patriotic song about the Dalai Lama while held in Drapchi Prison in Lhasa.

Phuntsog Nyidron, in her mid-20s and from Michungri Nunnery, had her nine-year term of imprisonment increased by eight years to 17 years. This is the longest known current sentence for a female political prisoner in Tibet. The nuns are not reported to have used or advocated violence and AI believes them to be prisoners of conscience.

TIBET II

Two Tibetan human rights monitors have been unexpectedly released by the Chinese authorities. Gendun Rinchen and Lobsang Yonten had been arrested in May 1993 in Lhasa and charged with "stealing state secrets" and engaging in "separatist activities". They spent eight months in solitary confinement in Seitru Detention Centre, in the north-eastern suburbs of Lhasa, before being released on 10 and 11 January.

Gendun Rinchen, a 46-year-old tour guide, was arrested in Lhasa on the night of 13 May 1993, apparently for planning to hand letters describing the state of human rights in Tibet to a group of visiting European Union diplomats. Lobsang Yonten, a former monk aged 64, was arrested two days earlier, when drafts of Gendun Rinchen's letters were found in his house.

AI welcomes these releases but is urging the Chinese authorities to make public the conditions of their release and confirm that all charges have been dropped. AI also urges the authorities to confirm that they have been unconditionally released.

SRI LANKA

Sri Lanka acceded to the UN Convention against Torture in January 1994. Amnesty International welcomed the accession but urged the Government to make additional declarations allowing other states and individuals to make complaints directly to the Committee against Torture, set up under the Convention. Torture has been a longstanding concern of AI in Sri Lanka.

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Focus

COLOMBIA

INTRODUCTION

Colombia is a country full of contradictions. It is one of Latin America's most longstanding democracies, yet although political opposition is legal in reality it can result in death. Since 1986 over 20,000 people have been killed for political reasons. Colombian governments try to attribute these deaths to the country's guerrilla war or to drug-trafficking but in fact the majority of victims are civilians killed by government forces. A skilful public relations campaign has helped construct the myth that drug-trafficking is a major cause of the violence, when in reality it only accounts for a small proportion. Guerrilla groups have been responsible for abuses including deliberate arbitrary killings and the taking of hostages. However, most of the killings are the work of the Colombian armed forces and the paramilitary groups they have created. Both are implicated in widespread violation of human rights. Political killings, "disappearance" and massacres are common but the perpetrators are rarely brought to justice; they have been placed beyond the reach of the law. Government measures to bring these groups under control and protect human rights have been ineffective. Colombia boasts all the bureaucratic trappings supposed to safeguard human rights and yet in practice these mechanisms rarely protect human rights or the people who try to defend them.

"Social cleansing"

In Colombian cities some people are described as "disposables". They include vagrants, thieves, prostitutes, street children, drug addicts, the mentally disturbed and homosexuals. "Death squads" - often drawn from the security forces, and particularly the police - are murdering these people in ever increasing numbers, often with the support of local traders who believe they are a burden on or a menace to the community and have no right to live. In Colombia this killing has been given a name - "social cleansing".

The Catholic Church's Intercongregational Commission for Justice and Peace documented over 1,900 "social cleansing" murders between 1988 and 1992, 500 of them in 1992. Between January and September 1993 a further 160 "social cleansing" deaths were recorded. But the true figure is believed to be much higher. These killings are on the increase in most of Colombia's major cities.

Known or suspected petty criminals have been dragged from their homes by heavily armed men, usually at night, and driven away in unmarked vehicles. Their bodies, often with signs of torture, have been found dumped by roadsides, in rivers and on rubbish tips. Other victims, such as vagrants, paper collectors (people who make a living by reselling refuse), prostitutes and homosexuals have been shot on the streets from moving vehicles.

In September 1993 a senior official of Cali city council received death threats after accusing the police of the murder of 12 youths within a three-month period. The official described the killings as an attempt to undermine a council initiative called the Street Gang Project to disarm and rehabilitate members of juvenile street gangs in the city.

Investigations, though routinely opened, seldom lead to any convictions. The case of Javier de Jesús Londoño Arango illustrates the attitude of the military to "social cleansing". He was killed by two police agents in Liborina, Antioquia department, in September 1986. In its ruling on the case, the Council of State concluded that the police had killed Javier de Jesús Londoño Arango "for being a well-known 'undesirable' and anti-social person with a criminal record" and ordered the Ministry of Defence to pay the equivalent of 500 grams of gold to each of his parents. The Council also stated:

"No one in Colombia can assume the authority to define ... just who is useful, good and deserves to live and who is bad, useless, 'disposable' and must die."

The Ministry of Defence responded:

"...there is no case for the payment of any compensation by the nation, particularly for an individual who was neither useful nor productive, either to society or to his family, but who was a vagrant whose presence nobody in the town of Liborina wanted".

This casual slaughter on the margins of society is related to the wider problem of military and police impunity. The armed forces have the confidence to murder at will, knowing that crimes will usually go unpunished.

Human Rights Activists

Defending human rights in Colombia is legal, yet the people who try to defend them are facing increasing risks. The greatest threat comes from the armed forces and their paramilitary allies who accuse anyone who criticises them - including human rights groups - of links with guerrilla organizations.

During 1992 and 1993 human rights organizations came under verbal attack from influential sectors in the media and from senior military commanders. In several cases physical attacks followed verbal assaults.

CREDHOS is an independent human rights organization working in the Magdalena Medio region. Its employees have been the subject of several attacks. In February 1992 local military commanders accused CREDHOS of guerrilla links and paramilitaries started to harass its members. During 1992 three CREDHOS workers were shot dead. Others were threatened and had to leave the city.

Intimidation and violence is not only confined to the employees of human rights organizations; relatives of victims are also at great risk. ASFADDES, the Association for the Families of the Detained and Disappeared in Colombia, has been the target

of the Colombian army's intelligence unit (B-2). Over 70 families from all over Colombia, who gathered in Bogotá for the ASFADDES convention in November 1993, reported being photographed, both clandestinely and openly, and being followed and jostled by a number of unknown men, some of whom were armed. When challenged one armed man admitted to being a member of the B-2 intelligence unit. Members of the B-2 unit have been involved in "disappearances" and extrajudicial executions.

Lawyers have been particular targets for human rights violations. Jesús Antonio Montoya, a lawyer representing trade unions and political prisoners, and a founding member of the Solidarity Committee with Political Prisoners, was killed on 14 December 1993. He was arriving at a meeting with a Housing Committee, in Barrio Navarro, in the Belalcázar neighbourhood of Cali, when he was shot by unidentified gunmen.

Another lawyer, Oscar Elías López Muñoz, who was legal adviser to the Paez indigenous people - 20 of whom were massacred by police and paramilitaries in December 1991 - received death threats which he believed were linked to his representation of the victims. He was killed in May 1992 in Santander de Quilichao, Cauca department, by unidentified men. The lawyer who took over the case have also received repeated death threats

Over 1,500 people are believed to have "disappeared" after detention in Colombia between 1978 and 1992. It is likely that many were killed and their bodies secretly disposed of soon after being detained. The military often contract out "disappearances" to paramilitary forces or civilian gunmen.

Delio Vargas, a member of the legal left-wing political alliance Unión Patriótica (UP), Patriotic Union, and a prominent human rights activist, was involved in organizing a conference on peaceful solutions to escalating violence when he was ambushed, in April 1993. Five heavily armed men attacked him and his wife outside their home in Villavicencio, capital of Meta department. They forced Delio Vargas into their vehicle. The driver has been arrested. He was identified as a retired sergeant working for army intelligence.

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

Alirio de Jesús Pedraza Becerra, a lawyer and human rights worker, "disappeared" on 4 July 1990 in Bogotá. Several eye-witnesses said that about eight heavily armed men, in plain clothes, seized him in the La Campiña shopping centre in the city's Suba district. Two of the men identified themselves to two police officers, who ignored Dr Pedraza's calls for help. At the time of his "disappearance" he was representing relatives of scores of peasants killed when troops opened fire on a protest march in Llano Caliente, Santander department, in May 1988. He was also representing trade unionists detained and tortured by the army in Cali, Valle del Cauca department, in March 1990. The armed forces and police authorities have denied his detention and his whereabouts remain unknown. Two members of the judicial police were released without charge in July 1993 after being arrested on suspicion of involvement.

Colombia's human rights bureaucracy is failing to uphold human rights or to protect those who try to defend them. Numerous human rights mechanisms have been established and the language of human rights is employed, yet the gap between law and practice remains as wide as ever and working for an independent human rights organization can be tantamount to signing your own death warrant. The Government must make a strong commitment to uphold the legitimacy of working for human rights and to protect human rights activists from attacks and victimization by the security forces. [See interview on Page 6].

Confessions

In January 1994 two naval officers confessed they had been members of a secret unit which had assassinated around 100 trade unionists, teachers, journalists, human rights workers and others in Barrancabermeja and throughout the Magdalena Medio region. On 4 January 1994 the national newspaper *La Prensa* published the confessions. The men - one retired and the other still in active service - told how in 1991 they were assigned to a secret Navy Intelligence Unit identified as Network 7, which operated under the direct command of senior officer, who they named. Among those they said were killed by the unit were three human rights workers Julio César Berrio, Ligia Patricia Cortes and Blanca Cecilia Valero Durán all members of the independent human rights organization CREDHOS.

According to their statements, contract killers were brought in to carry out the murders, paid a monthly salary and officially appeared on the navy intelligence unit's payroll records.

Leading journalist Ismael Jaimes Cortes, proprietor of *La Opinión del Magdalena Medio* newspaper was another reported victim of the unit. He was shot dead on 6 May 1992. His death had allegedly been ordered because "he published in his paper articles accusing the security and intelligence services".

Some of the victims of the intelligence unit were apparently killed at random to create a climate of terror in Barrancabermeja. In one of a series of massacres in July 1992, gunmen attached to the unit shot and killed six people and injured several more in a public bar.

Impunity

AT HALF PAST FIVE in the morning on 5 October 1993 20 to 25 men arrived at the village of El Bosque, in Riofrío, Valle de Cauca department. According to witnesses some wore combat fatigues, some police uniforms, some balaclavas. By noon that day 13 people had been dragged from their homes, tortured and murdered. Nobody has been charged with direct participation in the massacre.

The army's accustomed impunity in Colombia may have contributed to the brutality of the attack. Seven members of the Ladino family, aged between 15 and 75 were shot, along with five members of the neighbouring Molina family. Five women from the two families were raped. Some of the victims were forced to put on military-style uniforms before summary execution so that it could be alleged they were guerrillas. Hugo Cedeño, who was visiting the Ladino family at the time, was also killed. Military commanders immediately claimed that the victims were members of the National Liberation Army - a guerrilla organization. The commander of the Palacé Battalion, Lieutenant-Colonel Luis Felipe

Becerra Bohórquez, said the 13 people died in a confrontation with his troops. However, local authorities, including the mayor of Riofrío and parish priests said the victims were simply peasant families well known in the area who were tortured before being killed out of hand. The lieutenant-colonel was relieved of his post when the incident attained public notoriety and discharged from the army but he has not been prosecuted.

Lieutenant-Colonel Becerra was already notorious for his part in another massacre: when 21 workers at the Honduras and La Negra banana plantations in Urabá were killed by 30 heavily armed and masked men in 1988. They were killed by 30 heavily armed and masked men. Fidel Castaño, a paramilitary leader involved in a series of massacres in northwest Colombia, and 11 other gunmen were convicted for the killings *in absentia* in June 1991 and sentenced to 20 years' imprisonment. They remain at large. Exclusive jurisdiction over criminal proceedings against the army personnel directing the paramilitary unit was claimed by the military courts, which failed to prosecute. In disciplinary proceedings the Procurator Delegate to the armed forces recommended that Lieutenant-Colonel Becerra, and two other officers, be dismissed from the army. It was established that the three had identified the plantation workers as "guerrilla suspects" and planned the massacre. The proceedings also determined that Lieutenant-Colonel Becerra had used his own credit card to pay the hotel bill for the paramilitary unit brought in to carry out the killings. However, instead of being dismissed Lieutenant-Colonel Becerra was promoted. Had he been brought to justice the massacre at Riofrío might never have happened.

This is not an isolated example. Impunity is rife in Colombia. Despite strong evidence of military culpability in the gravest human rights violations, few members of the security forces have been brought to justice. Although senior government officials, including President Gaviria, have recognized the extent of the problem, the government has been either unwilling to take steps to demonstrate an unambiguous commitment to halt torture, mass killings and "disappearances" by the military or to prosecute its members.

Mobile brigades

The army's specialist counter-insurgency Mobile Brigades were set up in Colombia in 1990 and deployed in areas where guerrilla groups are strongest. They are composed of professional soldiers equipped with sophisticated weaponry. Mobile Brigades have been accused of frequent and serious human rights violations against innocent civilians.

In November 1992 troops from the army's Mobile Brigade No.2. arrived at the home of Luis Martínez and Sonebia Pinzón in Sabaneta, Santander department. They demanded to be let in, claiming they were looking for weapons. Luis Martínez was taken away from the house and beaten by one of the soldiers, who also threatened to shoot him. Another of the soldiers took Sonebia Pinzón outside and raped her in front of her three-year-old son. While she was being raped she could hear her two-year-old daughter Marcela screaming. When Sonebia Pinzón was allowed back into the house, she found her daughter semi-conscious and bleeding; she had been

raped. Luís Fernando Martínez was released later that night. This case was unusual because four soldiers were arrested and charged with rape and conspiracy to commit a crime. In most cases there is no such action.

On 3 October 1993 Angel de Jesús Ariza, 38, Alvaro Blanco, 20, and Edilia Ortega, 25, were detained by members of Mobile Brigade No.2., in Puerto Barranca, near La Gamarra, Municipality of Tibú, North Santander department. The three, two men and a woman, were never seen alive again. Their bodies, which bore signs of torture, were found the next day dumped outside the home of the Bishop of Tibú, Monseñor Madrid Merlano.

Bishop Madrid Merlano is an outspoken critic of human rights violations in the Tibú area by Mobile Brigade No. 2. The dumping of the bodies at his home was seen as an explicit message to him that he could be next. He has received a number of anonymous threats warning him to leave the area or face death.

In an interview with the press Monseñor Madrid Merlano said "You should have seen the state those bodies were in. Their faces were totally destroyed".

"...The problem is they are trying to polarize the community. You are either a guerrilla or not a guerrilla. Those not with the army are considered to be against them."

Guerrilla groups are themselves guilty of serious abuses of human rights. They have been responsible for deliberate and arbitrary killings of civilians and members of the armed forces who have been captured or are incapacitated.

In November 1991 eight members of a judicial commission, including a judge and a pathologist, died when their vehicles were attacked by the Revolutionary Armed Forces of Colombia (FARC), the largest of several guerrilla groups, near Usme, Cundinamarca department. Indigenous community leaders have also been killed by guerrillas groups who have entered Indian territory and tried to impose their authority on the communities.

Hundreds of people have been kidnapped and held hostage by Colombia's guerrillas. Some hostages have been killed, even when ransoms have been paid. Local officials in guerrilla strongholds have been taken hostage, subjected to summary trials and held until they agree to change their policies or to resign. Argelino Durán Quintero, a 77-year-old former cabinet minister, died of a heart attack while being held hostage by the Popular Liberation Army (EPL) in March 1992. His death resulted in the suspension of peace talks between the government and the guerrillas.

INTERVIEW WITH DR. RAFAEL BARRIOS MENDEVIL, LAWYERS' COLLECTIVE
London, January 1994

Q: Clearly the work you are doing on behalf of the Paez indigenous people after the death of Oscar Elías López Muñoz, the last lawyer defending them, is extremely dangerous - what gave you the courage to decide to take it on?

A: To work to stop violations of human rights, you find strength you didn't know you had. I was aware of the danger. In Colombia we all know that defending human rights puts us personally at risk. But we have to take up the challenge. When I took on the case of the massacre of 20 Paez Indians in Caloto, Cauca department, in December 1991, two other lawyers working on the case had already been killed, but not taking up the challenge would have contributed to impunity.

Q: Like your predecessor you received death threats - what form did these take?

A: They varied. Soon after I had taken on the case after the murder of lawyer Oscar Elías López in 1992, I spent a lot of time in the region of the massacre taking testimonies and statements from the survivors and other witnesses in order to file suit against the state for compensation. We held meetings in a school run by Catholic nuns in Caloto that was right in front of the police station **(it was the very police**

from this station who participated in the massacre). The police were always hanging around and interrupting the meetings in order to intimidate the witnesses and made threatening remarks to me. They told the nuns that if they allowed the meetings to continue their lives would be in danger. Later, I started receiving threatening phone calls at my office in Bogotá saying "if you don't drop the case the same will happen to you as happened to the other lawyers".

Q: Is there anyone to whom you can turn for protection against such threats?

A: I told the Presidential Human Rights Adviser, the Procurator Delegate for the Armed Forces, the People's Defender and was offered bodyguards from the civilian security agency, the Administrative Security Agency, DAS (Departamento Administrativo de Seguridad). But I didn't want to accept the bodyguards because so many people have been killed that way that it really isn't the solution. I wanted them to investigate where the threats were coming from and take action against those responsible, but nothing was done...

Q: The gravity of the situation has forced you to leave your country, but now you are about to return - has the situation changed or do you face the same risks in going back?

A:Right now I'm in the calm before the storm. As soon as I return to Colombia in March and begin to take up my human rights activities, the threats will start over again. But we can't allow the security forces to get away with intimidation us into abandoning our work in defence of human rights.

Q:It must be an enormous strain to live with death threats hanging over you - how does this affect you and how do you find the courage to carry on from day to day?

A: Without doubt that level of threats causes tension and strain. The way we try to deal with it is to keep constantly in mind all those who have already died and given their blood for a better future. Its a commitment from which one can't retreat. We have to go forwards. I'm not a martyr or a hero but there's no way I can give up.