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Colombia: Soldiers found guilty of killing husband of Indigenous leader

A civilian judge on Friday condemned six army soldiers and acquitted a seventh of the murder of Edwin Legarda, the husband of Indigenous leader Aída Quilcué.

Amnesty International has welcomed the news, but called on the authorities to ascertain whether the army soldiers were acting under superior orders. If so, the responsibilities of those higher up the army chain-of-command should also be effectively investigated.

Edwin Legarda was shot dead by army troops as he made his way by car to the city of Popayán in Cauca Department, in the south of the country, in December 2008.

He had gone to pick up Aída Quilcué, the then leader of the Indigenous organization, Consejo Regional Indígena del Cauca (CRIC). She had just returned from a session on Colombia at the UN Human Rights Council in Geneva, and has said she might have been the intended target.

The soldiers had claimed they fired at the vehicle after Edwin Legarda, who was reportedly driving, failed to stop at a checkpoint despite warnings to do so. But a witness to the killing said the soldiers began firing indiscriminately without having issued a prior warning to stop.

Aída Quilcué and other CRIC leaders, have been subject to repeated death threats in recent years, and have been receiving protection ordered by the Inter-American Commission on Human Rights. Even her 12-year-old daughter was threatened at gunpoint in May 2009.

The verdict came in the same week as the government and the military high-command publicly criticized the guilty verdict, and 30-year prison sentence, handed down by another civilian judge against a former high-ranking army officer, retired colonel Alfonso Plazas Vega, accused of serious human rights violations committed during the 1985 Palace of Justice siege.

Following the Plazas Vega verdict, President Álvaro Uribe announced his government's intention to introduce legislation which could make it more difficult for the civilian justice system to investigate members of the security forces accused of human rights violations.

Such a move would seriously undermine what little progress has been made in the last few years in efforts to bring to justice those responsible for human rights abuses and would make a mockery of government claims that it is committed to the fight against impunity.

Ensuring that the perpetrators of human rights abuses, whether committed by the security forces, the guerrilla or paramilitary groups, are brought to justice is all the more critical given the recent upsurge in threats against and killings of human rights defenders.

In this respect, the authorities have a responsibility to ensure that human rights defenders are effectively protected so that they can carry out their work safely and free from fear.

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