

# URGENT ACTION

## KEY WITNESSES AND LAWYER HARASSED

**A key witness in an enforced disappearance case has received death threats. The witness' lawyer and other members of the human rights organization Fundación Nydia Erika Bautista, have also been threatened. Another witness in an emblematic case of enforced disappearances has been attacked.**

On 21 May, **Jacqueline Ramírez**, a witness in the La Combinada case received a threatening phone call. This case concerns the enforced disappearance of Jacqueline Ramírez's husband, James Holguin, and four other men by paramilitaries operating in collusion with the police in the municipality of Monterrey, Valle del Cauca Department, on 16 August 2003. The caller also threatened **Andrea Torres Bautista**, Jacqueline Ramírez's lawyer and a member of the human rights organization **Fundación Nydia Erika Bautista** (FNEB). A similar call was made on 21 April.

On 17 May, **Luis Carlos Ramírez** was attacked by two men while he was on his way to work in Bogotá. The men tried dragging him away, telling him they would cut him in pieces (que lo iban a picar). He managed to escape. Luis Carlos Ramírez had contributed to establishing the whereabouts of Bernardo Garzón Garzón, a former intelligence agent of the Colombian army, which led to his capture in January 2014. Bernardo Garzón Garzón is implicated in the emblematic Palace of Justice case and was also instrumental in helping the authorities locate the remains of Nydia Erika Bautista, who had been forcibly disappeared in 1987.

On 22 April a woman called the office of FNEB and left a message for Andrea Torres Bautista saying they would kill her. She called again a few minutes later, saying "we are going to kill you all" (*vamos a matarlas todas*). This has happened when criminal proceedings in the La Combinada case are advancing and as the Supreme Court of Justice is due to rule on an appeal in the Nydia Erika Bautista case, which could lead to dozens or members of the armed forces, including high-ranking officials, being held criminally responsible for her enforced disappearance.

### Please write immediately in Spanish or your own language:

- Expressing concern for the safety of Jacqueline Ramírez, Luis Carlos Ramírez, Andrea Torres Bautista and other members of FNEB, urging the authorities to take measures to guarantee their safety, in strict accordance with their wishes and needs;
- Calling on the authorities to order full and impartial investigations into the threats and the attack mentioned and to take all necessary measures to ensure that criminal investigations into enforced disappearance cases can be advanced, urging them to ensure that the results be made public and all those involved be brought to justice;
- Call on the authorities to recognize the competence of the Committee on Enforced Disappearances to receive and consider communications on this and other cases from or on behalf of victims or other states parties to the International Convention for the Protection of All Persons from Enforced Disappearance.

### PLEASE SEND APPEALS BEFORE 8 JULY 2015 TO:

#### President

Juan Manuel Santos  
 Presidente de la República  
 Casa de Nariño  
 Calle 7. No 6-54.  
 Bogotá, Colombia  
 Fax: +57 1 596 0631

**Salutation: Dear President Santos/  
 Excmo. Sr. Presidente Santos**

#### Attorney General

Eduardo Montealegre  
 Fiscalía General de la Nación  
 Diagonal 22B No. 52-01 (Ciudad Salitre)  
 Bloque C Piso 4,  
 Bogotá, Colombia  
 Fax +57 1 570 2000 (when recorded  
 voice answers, dial ext 2023)

**Salutation: Dear Attorney General/  
 Estimado Sr. Fiscal General**

#### **And copies to:**

Human rights organization  
 Fundación Nydia Erika Bautista  
 Carrera No 20 No 35-45  
 Bogotá  
 Colombia

**Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:**

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date.

**AMNESTY  
 INTERNATIONAL**



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## KEY WITNESSES AND LAWYER HARASSED

### ADDITIONAL INFORMATION

Impunity continues to be a hallmark of Colombia's 50-year-old internal armed conflict, and is one of the reasons why human rights violations and abuses persist. Very few of those suspected of criminal responsibility for human rights abuses and violations committed during the course of the ongoing conflict, including enforced disappearances, have ever been brought to trial. A report published by the state's National Centre of Historic Memory in 2013 concluded that between 1985 and 2012, at least 25,000 people were the victims of enforced disappearances, carried out mostly by paramilitaries and the security forces.

The La Combinada case refers to the forced disappearance of five men by paramilitaries operating in collusion with the police in Monterrey Municipality, Valle del Cauca Department, eastern Colombia, on 16 August 2003. Fundación Nydia Erika Bautista (FNEB) has been representing the victims in criminal proceedings relating to this case since 2009. The commander of the Monterrey police station has been convicted to 48 years in prison, but remains a fugitive. A further eight police officers and several paramilitaries are under investigation. The whereabouts of the bodies of the five forcibly disappeared men are still unknown. The recent threats come at a time when exhumations to find the bodies in Monterrey Municipality are due to start.

The Palace of Justice is one of Colombia's most emblematic cases of human rights violations. In 1985 the guerrilla organization 19 April Movement (Movimiento 19 de Abril, M-19) took control of the Palace of Justice and held its occupants hostage. Over 100 people died when the security forces assaulted the building, including 11 Supreme Court judges, and 12 people were forcibly disappeared. The body of only one of the 12 victims of enforced disappearance in this case, Irma Franco, has ever been found. Only two senior officers, General Jesús Armando Arias Cabrales and General Luis Alfonso Plazas Vega, have ever been convicted for their participation in the enforced disappearances and in other human rights violations committed by the security forces during the assault.

Nydia Erika Bautista de Arellana, a student activist and member of M-19, was kidnapped on 30 August 1987 by undercover operatives of the army in Bogotá. Her body was exhumed on 26 July 1990. Bernardo Alfonso Garzón Garzón's testimony led to the location of the body and to the identification of those who planned and carried out her enforced disappearance, torture and killing, including the then Commander of the army's 20th Brigade, Colonel Álvaro Velandia Hurtado. In 1995, General Álvaro Velandia Hurtado and another member of the armed forces were dismissed from the armed forces after the Office of the Procurator General found them responsible for the enforced disappearance and killing of Nydia Erika Bautista. However, on 22 April 2013, a judicial ruling from the State Council (Consejo de Estado) overturned the order of dismissal. The ruling ordered that General Velandia should be restored to his rank and position in the army. The State Council ordered his reinstatement despite the fact that the ruling did not question the Office of the Procurator General's substantive findings of responsibility in the enforced disappearance and killing of Nydia Erika Bautista. The criminal investigations into General Velandia and four other members of the armed forces for their role in this case have made virtually no progress.

The human rights organization Fundación Nydia Erika Bautista was created in 1997 after the family of Nydia Erika Bautista de Arellana was forced into exile after they received threats because of their human rights. FNEB works on cases of enforced disappearances.

Name: Jacqueline Ramírez, (f), Luis Carlos Ramírez (m), Andrea Torres Bautista (f), other members of the human rights organization Fundación Nydia Erika Bautista (both)

Gender m/f: both

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