

PUBLIC

AI Index: AMR 23/011/2006

16 March 2006

Further Information on UA 48/05 (AMR 23/003/2005, 28 February 2005) and follow-ups (AMR 23/043/2005, 16 December 2005; AMR 23/010/2006, 13 March 2006 Fear for safety/ possible "disappearance")

COLOMBIA

Members of the Peace Community of San José de Apartadó

Killed:

Nelly Johana Durango (f), aged 18

On 15 March the body of Nelly Johana Durango was reportedly identified by a member of her family in a morgue in the town of Tierra Alta, Córdoba department. The death of Nelly Johana Durango heightens fears for the safety of other inhabitants of the Peace Community of San José de Apartadó.

According to reports, Nelly Johana Durango had been abducted by members of the Colombian Army, allegedly members of the XI Brigade, who had forced her from her house in the La Resbalosa area of the Peace Community of San José de Apartadó at 5pm on 4 March. The Office of the Procurator General (*Procuraduría General de la Nación*), which amongst other functions deals with disciplinary investigations into human rights violations committed by state agents, established that a body matching the description of Nelly Johana Durango to the Tierra Alta morgue. The army reportedly claimed that the body was that of a guerrilla killed in combat.

At the time of Nelly Johana Durango's abduction, members of the Peace Community were apparently making plans to return to the hamlets of La Esperanza and Mulatos, lands they had been forced to flee to escape attack by either the armed forces and paramilitaries, or guerrillas of the *Fuerzas Armadas Revolucionarias de Colombia*, (FARC), Revolutionary Armed Forces of Colombia. Earlier attempts to return to lands they had abandoned have appeared to trigger attacks by the security forces or their paramilitary allies. It is feared that the lives of other members of the Peace Community may be at risk.

BACKGROUND INFORMATION

The civilian population created the "Peace Community" of San José de Apartadó in 1997, in an effort to persuade both the armed forces and the guerrillas to respect their right as civilians not to be drawn into Colombia's long-running conflict. The security forces and their paramilitary allies on the one side and FARC guerrilla forces on the other have each accused the community of cooperating with their enemies. Since the Peace Community was created over 150 of its members have been killed or have "disappeared", the vast majority at the hands of the security forces and their paramilitaries allies, the remainder at the hands of the FARC.

The Inter-American Court of Human Rights of the Organization of American States has called on the Colombian authorities to take appropriate measures to guarantee the safety of inhabitants of the Peace Community, most recently in a Resolution of 15 March 2005, but this appears to have had no effect.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Spanish or your own language:

- expressing concern at the killing of Nelly Johana Durango, and at reports that army claimed the body was that of a guerrilla killed in combat;
- calling for a full and impartial investigation into the abduction and killing of Nelly Johana Durango, with the results made public and those responsible brought to justice;

- expressing concern that the lives of other members of the Peace Community of San José de Apartadó are at risk, and calling on the authorities to take all measures necessary to guarantee the safety of the community, as deemed appropriate by the community themselves, in line with the Resolution issued by the Inter-American Court of Human Rights of the Organization of American States on 15 March 2005;
- calling on the authorities to respect the right of the civilian population, including the Peace Community of San José de Apartadó, not to be drawn into the long-running conflict in Colombia.

APPEALS TO:

President of the Republic

Señor Presidente Álvaro Uribe Vélez

Presidente de la República, Palacio de Nariño, Carrera 8 No.7-2, Bogotá, Colombia

Fax: + 57 1 337 5890 / 342 0592

Salutation: Dear President Uribe/ Excmo. Sr. Presidente Uribe

Minister of Foreign Affairs

Dra. María Carolina Barco Isakson

Ministra de Relaciones Exteriores Interior y de Justicia, Ministerio de Relaciones Exteriores

Calle 10 No 5-51, Palacio de San Carlos, Bogotá, Colombia

Fax: + 57 1 562 7822

Salutation: Dear Madam / Sra. Ministra

Attorney General

Dr. Mario Germán Iguarán

Fiscal General de la Nación

Fiscalía General de la Nación

Diagonal 22B 52-01 (Ciudad Salite)

Bogotá, Colombia

Fax: + 57 1 570 2000 (a message in Spanish will ask you to enter extension 2017)

Salutation: Estimado Sr. Germán/ Dear Mr Germán

COPIES TO:

Human Rights Ombudsman

Sr. Volmar Antonio Pérez Ortiz, Defensor del Pueblo, Defensoría del Pueblo,

Calle 55, No. 10-32/46 oficina 301, Bogotá, Colombia

and to diplomatic representatives of Colombia accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 27 April 2006.