

PUBLIC

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20 June 2008

UA 179/08 Fear for Safety

COLOMBIA **Afro-descendant communities living in the Naya River basin in the departments of Cauca and Valle del Cauca**

Members of the armed forces have threatened inhabitants of the Naya River basin, located between the Departments of Cauca and Valle Del Cauca by telling them that paramilitary groups are returning to the area. The paramilitary groups have supposedly been demobilized in a government-sponsored process. However, the threat that they are about to return to the area demonstrates that these groups are still active and maintain their links to the army. The lives of the area's Afro-descendant communities are in danger.

Soldiers from the Second Mobile Brigade (*Brigada Movil 2*) and the High Mountain Battalion (*Batallón de Alta Montaña*) were camped in the hamlet of San Bartolo in the Naya River basin between 1 April and 20 April. They told the people living in San Bartolo that paramilitary groups are returning to the area. Soldiers warned local inhabitants, most of whom are from the Afro-descendant community, that "You act like you are really courageous but those who follow on behind us are even more courageous than you are" "*Ustedes andan como muy bravos, pero los que vienen detrás de nosotros, esos son más bravos que ustedes*".

Once the two military units left the area on 20 April, paramilitary graffiti was found in areas where members of both battalions had camped. One phrase said "AUC murders, God forgives" "*AUC mata que Dios perdona*", another said "Coastal ACCU kills seven" "*ACCU costeño mata siete*". The ACCU - the Peasant Self-Defence Forces of Córdoba and Urabá (*Autodefensas Campesinas de Córdoba y Urabá*) - was a paramilitary organization which subsequently became part of the umbrella paramilitary organization, the United Self-Defence Forces of Colombia (*Autodefensas Unidas de Colombia*, AUC).

On 5 May, local people reported that members of the armed forces were seen fraternizing with four paramilitaries who may not have demobilized. In light of past paramilitary incursions in the area, during which they committed killings and forced disappearances, the local population are extremely concerned by the recent statements made by members of the armed forces, and despite their attempts not to be drawn into the conflict, they are unable to live their lives without fear.

Paramilitary forces continue to operate in Cauca and Valle del Cauca, despite their supposed demobilization. On 1 April 2008, Amnesty International reported that paramilitaries had threatened to kill three members of the non-governmental organization, *Comisión Interclesial Justicia y Paz*, Inter-Church Justice and Peace Commission, and a member of the Naya River basin Community Council, who have been helping Afro-descendant communities in the area to secure ownership of the land they farm (see UA 83/08, AMR 23/011/2008, 1 April 2008). Recent reports received by Amnesty International state that on 21 May, 28 May and 6 June, outsiders were seen in the community trying to procure land from community members. This indicates that the community's lands are still under threat despite attempts to protect them. Similarly, the reports of fresh threats suggest that the Colombian authorities have failed to take decisive action to safeguard the Afro-descendant community living in the Naya River basin.

BACKGROUND INFORMATION

Legislation was passed in the 1990s that allowed Afro-descendant communities to have their ownership of their land formally recognised. Many of the communities, including those of the Naya River basin, have sought to use this legislation to secure ownership of land on which their communities have lived for many

years. They have faced repeated death threats from paramilitaries and the security forces. Paramilitaries have forced them to grow coca to produce cocaine and have reportedly occupied some of their land. There have been similar reports of guerrilla groups targeting Afro-descendant communities living on the Pacific coast. The communities, together with the *Comisión Intereclesial Justicia y Paz* and other human rights organizations working in the area, have attempted to assert their right as civilians not to be drawn into the security forces and paramilitary groups' conflict with guerrilla forces.

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

- expressing concern for members of Afro-descendant communities in the Naya River basin area, following threats made by soldiers that paramilitary groups are returning to the area;
- urging the authorities to ensure that all these communities and organizations are protected in accordance with their own wishes;
- calling on the authorities to order full and impartial investigations into the threats, and to take decisive action to confront and dismantle paramilitary groups and investigate and break their links with the security forces, in line with repeated UN recommendations.

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 the National Defence

Sr. Juan Manuel Santos, Ministro de Defensa Nacional

Ministerio de Defensa Nacional

Avenida El Dorado - Carrera 52 OFI. 217

Centro Administrativo Nacional (CAN), Bogotá, Colombia

Fax: + 57 1 266 03 51 (when voice answers, ask: "me da tono de fax, por favor")

Salutation: Dear Sir/Estimado Sr. Ministro

Attorney General

Dr. Mario Germán Iguarán Arana

Fiscal General de la Nación, Fiscalía General de la Nación

Diagonal 22B (Av. Luis Carlos Galán No. 52-01) Bloque C, Piso 4

Bogotá, Colombia

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

Salutation: Estimado Sr. Fiscal/Dear Mr Iguarán

COPIES TO:

Non-governmental human rights organization

Justicia y Paz Intereclesial

Calle 61 A, No. 17-26

Bogotá, Colombia

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 1 August 2008.