

EXTERNAL (for general distribution)

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UA 82/94 Possible Extrajudicial Execution/Fear for Safety 3 March 1994

COLOMBIA:Evaristo AMAYA MORALES, aged 34, ex-municipal ombudsman and mayoral candidate - killed

Josué GIRALDO CARDONA, human rights lawyer

Pedro MALAGON, member of parliament

Nelson VILORIA, parliamentary candidate

Jamis Ricardo BARRERA, municipal councillor

Amnesty International is concerned for the safety of Josué Giraldo Cardona, Pedro Malagón, Nelson Viloria and Jamis Ricardo Barrera who are receiving death threats and whose movements are being closely monitored by individuals believed to be working for the State Security Service (*Departamento Administrativo de Seguridad, DAS*) and the National Police (*Policía Nacional*) in the town of Villaviciencio, Meta department. Concern has increased following the killing, on 24 February, of their colleague Evaristo Amaya in circumstances suggesting he may have been the victim of extrajudicial execution.

Evaristo Amaya, who has held several public offices in Villaviciencio, was killed at 8 p.m. on 24 February in the Santa Josefa District of Villaviciencio. He was travelling home in a taxi at about 5 pm when he was shot dead by unidentified gunmen from a passing vehicle. The killing took place between two police posts, although the police reportedly did not respond.

At 7 p.m. on 1 March 1994, Pedro Malagón was attacked on his way home by unidentified armed assailants. Despite a number of shots he managed to escape unhurt and reach his home, but concern for his safety has increased. Pedro Malagón, Josué Giraldo, Nelson Viloria and Jamis Ricardo Barrera appear on a list reportedly held by the DAS and armed civilians working for them (Evaristo Amaya also appeared on this list). All are active members of the legal left wing coalition party *Unión Patriótica* (UP), Patriotic Union, who claim that more than 1,500 of its members have been the victims of politically motivated killings since its creation in 1985.

On 16 July 1993 more than 10 UP workers in Villaviciencio, including the above-listed men, presented an *acción de tutela*. This procedure is intended to protect the constitutional rights of individuals and the workers were requesting official protection from harassment. This *acción de tutela* was approved by the regional court in Meta and protection provided for the UP activists, but was later revoked by the Supreme Court following an objection by the regional Director of DAS. Since then, threats and harassment have increased. Both the People's Defender, *Defensor del Pueblo*, and the Presidential Advisor on Human Rights, *Consejero Presidencial para la Defensa, Protección y Promoción de los Derechos Humanos*, have been informed of the concern for the safety of these men in particular and for all UP activists in Villaviciencio.

BACKGROUND INFORMATION

In recent years widespread and systematic human rights violations have occurred in Colombia, including extrajudicial executions, "disappearance", torture and arbitrary arrest. President César Gaviria Trujillo has repeatedly pledged his government's commitment to protect human rights. However, members of the

Colombian security forces continue to commit serious abuses with virtual impunity. Civilians living in areas where guerrilla forces are active are often perceived by the armed forces as potential guerrilla collaborators and have, as a result, been subjected to extrajudicial execution and other abuses. Only exceptionally are perpetrators brought to justice; the vast majority of members of the security forces responsible for gross human rights violations remain in active service.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express and airmail letters either in Spanish, English or in your own language:

- expressing concern at the killing of Evaristo Amaya Morales on 24 February 1994 in circumstances suggesting he may have been the victim of extrajudicial execution;
- urging that there be an immediate and thorough investigation into his death, the results of which should be made public and those found responsible brought to justice;
- urging that the threats and harassment of UP activists Josué Giraldo Cardona, Pedro Malagón, Nelson Vilorio and Jamis Ricardo Barrera be thoroughly investigated, in particular the assault on Pedro Malagón which took place on 1 March 1994;
- urging that the government immediately take all possible measures to protect the lives of these men and of all those working for opposition parties, that they may carry out their legal activities without persecution.

APPEALS TO:

1) President of Colombia:

Señor Presidente César Gaviria Trujillo
 Presidente de la República, Palacio de Nariño
 Santafé de Bogotá, Colombia

Telegrams: President Gaviria, Bogotá, Colombia

Telexes: 44281 PALP CO

Faxes: + 57 1 286 7434/287 7939

Salutation:Excelentísimo Sr. Presidente/Dear President Gaviria

2) Procurator General:

Dr. Carlos Gustavo Arrieta Padilla
 Procurador General de la Nación
 Procuraduría General, Edificio Banco Ganadero
 Carrera 5, No. 15-80, Santafé de Bogotá, Colombia

Telegrams: Procurador General Arrieta, Bogotá, Colombia

Faxes:+ 57 1 284 0472

Salutation:Sr. Procurador de la Nación/Dear Dr. Arrieta

3) Advocate for the People:

Dr. Jaime Córdoba Triviño
 Defensor del Pueblo, Defensoría del Pueblo
 Calle 35 No. 7-25 piso 5, Santafé de Bogotá, Colombia

Telegrams:Defensor del Pueblo Trivino, Defensoria del Pueblo, Bogota, Colombia

Faxes:+ 57 1 288 6683

Salutation: Estimado Dr Triviño/Dear Dr. Triviño

4) Director of the Department of State Security:

Dr. Fernando Brito
 Director
 Departamento Administrativo de Seguridad

Carrera 28, No. 17A-00, Santafé de Bogotá, Colombia
**Telegrams: Director, Departamento Administrativo de Seguridad,
Bogota, Colombia**
Telexes: 43363 JEDAS
Salutation: Estimado Dr. Brito/Dear Dr. Brito

COPIES OF YOUR APPEALS TO:

Human Rights Lawyers' Association:
Corporación Colectivo de Abogados
AA 44456, Santafé de Bogotá, Colombia

ASCODAS
Carrera 10 No 16 - 67, Oficina 701
Santafé de 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 14 April 1994.