
amnesty international

COLOMBIA

“Enough is enough!” repression of human rights defenders

June 1999

UPDATE Nº 2

AI INDEX: AMR 23/48/99

DISTR: SC/CO/GR/HRD

Members of the Colombian security forces and their paramilitary allies continue their relentless campaign of attacks against human rights defenders.¹ Over the last few months, those working to protect civilians caught between the warring factions in Colombia's internal conflict have been killed, kidnapped, harassed and intimidated. In one episode the president of the Senate's Human Rights Commission was abducted by paramilitaries who intended to use her release to negotiate their formal participation in peace talks. The arbitrary killing by members of the armed opposition group *Fuerzas Armadas Revolucionarias de Colombia* (FARC), Revolutionary Armed Forces of Colombia, of three indigenous rights activists from the United States heightened fears for members of human rights and social organizations, both national and international, especially those working in remote areas.

¹Paramilitary forces -although declared illegal in 1989- continue to commit widespread human rights violations with the support or acquiescence of Colombian armed forces. Despite the weight of evidence of links between paramilitary groups and the security forces, documented by Amnesty International and many other organizations, including the United Nations, the Colombian government has persistently failed to take effective action to remove those responsible from active service. However, in an important step towards breaking these long established links, in April 1999, the government dismissed two leading army generals for their links with paramilitary organizations and suspended a third.

In March, the national paramilitary organization *Autodefensas Unidas de Colombia* (AUC), United Self-Defence Forces of Colombia, reiterated its threat against members of human rights groups and non-governmental organizations by declaring them *un objetivo militar* –a military target– and by affirming its intention to abduct these individuals.

This report details some of the most recent cases of human rights violations against human rights defenders, and updates *Colombia “Enough is enough!” repression of human rights defenders* (AMR 23/16/99 and AMR 23/21/99) which examined the killing and kidnapping of several human rights defenders between January and February this year. More than 25 human rights defenders have been killed or “disappeared” in Colombia since the beginning of 1997.

Attempted killing of CREDHOS promoter

On the evening 5 March, Pablo Javier Arenales, a member of the *Corporación Regional para la Defensa de los Derechos Humanos* (CREDHOS), Regional Committee for the Defence of Human Rights, a non-governmental organization for the Magdalena Medio area, was in a restaurant in the city of Barrancabermeja. Two armed men driving a motorbike reportedly stopped outside the restaurant and one of them approached the restaurant owner inquiring about the whereabouts of Pablo Javier Arenales, saying: “Where is that son of a bitch? [...] I’ve come to kill him” (*¿Dónde está ese hijueputa? [...] Yo vengo a matar a ese hijueputa*). Meanwhile Pablo Javier Arenales had managed to escape by hiding in a room at the back of the restaurant. Eventually, the unidentified men left on the motorbike. Pablo Javier Arenales was warned by the restaurant’s staff not to come out as a number of men continued to wait in the street. He was later escorted to a place of safety by a member of Peace Brigades International, an organization accompanying human rights defenders in the region.

This latest incident against human rights defenders in Barrancabermeja followed the attack on 28 February against Barrancabermeja’s civilian population by a group of heavily armed gunmen believed to be members of a paramilitary force. Approximately 20 men travelling in three trucks entered the city and reportedly killed at least eight people. Three others were abducted, one was later found dead. In the early morning of the following day Colombian police officers reportedly forcibly abducted two other civilians in the street opposite the offices of CREDHOS.

There is serious concern for the safety of members of the CREDHOS since they have frequently received death threats by paramilitary groups and have been accused of being “guerrilla collaborators” by members of the Colombian Army and security forces. Since 1992, five members of CREDHOS have been the victims of political killings by members of the security forces or their paramilitary allies. In July 1998, the organization was declared a “military target” by the *Autodefensas de Santander y Sur del Cesar* (AUSAC), Santander and South Cesar Self-Defence Group, a paramilitary group affiliated to the AUC. Two months later, this same paramilitary group acknowledged responsibility for the 16 May attack on the oil town of Barrancabermeja, Santander, in which seven people died and at least 25 were abducted and “disappeared”.² Members of CREDHOS played a crucial role in denouncing the attack.

² See Amnesty International, *Colombia - Barrancabermeja: A city under siege*, May 1999 (AI

The same paramilitary groups stationed a lorry carrying ten heavily armed men in front of the house of Osiris Bayter Ferias, then president of CREDHOS, on the night of the 16 May attack, while at the same time her telephone rang repeatedly. Nobody spoke when she answered the calls. Osiris Bayter was eventually forced to flee the country on account of the serious threats to her life.

President of the Senate's Human Rights Commission taken hostage

*Piedad Córdoba, abducted by
Colombian paramilitaries on 21
May 1999.
c. Reuters*

On 21 May 1999 Piedad Córdoba de Castro, Liberal Party Senator and president of the Senate's Human Rights Commission, was abducted in Medellín by a group of 15 armed men. The next day, Carlos Castaño, leader of the AUC, issued a public statement claiming responsibility for the abduction. In the statement Castaño demanded that the AUC be granted political recognition and a direct role in forthcoming peace talks between the Colombian government and left-wing guerrilla groups. The government has until now refused paramilitary groups such a role.

Piedad Córdoba de Castro, a mother of four children, is renowned for her work on human rights and peace. She repeatedly highlighted the duty of the state to combat paramilitary groups. A day before her abduction she took part in a Forum for Peace in the war-torn

Magdalena Medio region, where she called for civilians to be respected and not drawn into the conflict. In recent months she had been a high profile supporter of legislative proposals to criminalize "disappearances" and reform the Military Penal Code, measures crucial to ending the impunity at present enjoyed by those responsible for human rights violations.

Human Rights Defender Piedad Córdoba de Castro was released on 4 June, in the municipality of Necoclí, Antioquia department. Members of the International Red Cross, the Colombian Senate and the Colombian Attorney General's Office witnessed her release.

This latest kidnapping of a prominent human rights defender confirms fears that paramilitary groups intend to carry out their threat to abduct human rights defenders claiming they are legitimate targets in the counter-insurgency war. The retention of civilians as hostages is strictly prohibited under international humanitarian law, common article 3 of the 1949 Geneva Conventions.

US Indigenous rights activists

The bound and blindfolded bodies of US indigenous rights activists Ingrid Washinawatok, Lahe'en'a Gay and Terence Freitas, who were seized by armed men in Colombia on 25 February 1999, were found on 4 March dumped over the border in Venezuela. They had been shot dead.

Lahe'en'a Gay was the director of the Hawaii-based Pacific Cultural Conservancy International, Ingrid Washinawatok was a native American and longtime campaigner, Terence Freitas was an environmental scientist who had been coordinating an international campaign to support Colombian indigenous groups since 1997 and had visited Colombia on several previous occasions.

The three US citizens had travelled to Colombia in February as part of an international campaign to support the U'wa indigenous community in the north-east of the country. For several years the U'wa have been fighting plans by an oil company affiliated to the US Occidental Petroleum Corporation (OPC) to exploit oil deposits on their ancestral lands.³ On 25 February the car of the three rights activists was intercepted by two armed gunmen in civilian clothes as they travelled to the airport in Saravena, Arauca department.

A few days after the subsequent discovery of the bodies of the US rights activists, the FARC armed opposition group assumed responsibility for their killing. Senior commanders said the three had been killed because they were trying to turn the U'wa

³The OPC had been carrying out seismic surveying and oil exploration in an area known as the Samore block in Boyacá department. Part of the area under exploration covers U'wa ancestral lands and the community threatened to commit mass suicide if the work continued. As a result of the controversy the OPC suspended operations in the area.

community against the FARC. However, they said the action had been taken without authorization of the national command and that those FARC members responsible would be subjected to internal disciplinary procedures which could result in death sentences. Amnesty International condemned the possible summary trial and execution of those responsible.

*American indigenous rights activists, left to right, Terence Freitas, Ingrid Washinawatok and Lahe'en'a Gay, killed by members of the FARC armed opposition group.
c.Reuters.*

Harassment of human rights lawyers

Colombian human rights lawyers frequently put their lives on the line on account of their efforts to free political prisoners or seek justice through the courts for violations committed by members of the security forces or their paramilitary allies. Claudia Liliana Erazo Maldonado and Rafael Barrios, two members of the *Colectivo de Abogados "José Alvear Restrepo"*, Lawyers' Collective "José Alvear Restrepo", are amongst the latest members to be threatened and harassed.

On 16 April, two men who identified themselves as members of the security forces reportedly went to the house of Claudia Erazo where they questioned her father about his political views and those of his daughter. The men claimed to have proof that Claudia Erazo frequented suspicious venues, had links to illegal groups as well as friendships with people operating outside the law. They also insisted that it was Claudia Erazo's father's duty to inform them of all he knew about his daughter.

Human rights organizations and workers are frequently subject to unsubstantiated allegations of being guerrilla collaborators or supporters by the security forces and their paramilitary allies. As the past has revealed, such allegations often precede serious human rights violations which in some cases lead to extrajudicial execution.

Impunity: the key to protection

Despite reiterated government promises to provide protection for human rights defenders at risk, those responsible for these violations have not been brought to justice and scarcely any progress has been made in the investigations. In its previous reports regarding human rights violations in Colombia against members of human rights and social groups, Amnesty International has shown how killings of activists may have been prevented if the authorities had taken appropriate action to investigate complaints of intimidation and harassment as well as previous cases of serious violations.

Two startling cases illustrate this point clearly. Before his killing in October 1996, Dr Josué Giraldo Cardona, then president of the Colombian *Comité Cívico por los Derechos Humanos del Meta*, Meta Civic Human Rights Committee, had filed several complaints regarding threats to his physical integrity. However, despite a request by the Inter-American Court of Human Rights for the Colombian government to take special measures to guarantee his safety, the authorities neither took action to investigate the killing of three former Committee presidents, the threats against Dr Josué Giraldo Cardona, nor to provide effective protection. Similarly, in spite of several complaints lodged with the authorities regarding death threats against Dr José Eduardo Umaña Mendoza, a renowned Colombian human rights lawyer, the authorities failed to provide him with adequate protection. This omission was fatal. In April 1998 two men and one woman who identified themselves as journalists, entered the lawyer's office, located in his apartment in Bogotá and killed Dr. Eduardo Umaña with several gunshots to the head.

Persistent official failure to investigate confers greater impunity on the perpetrators who without fear of being held to account for their crimes, continue to violate human rights with ever increasing ferocity.

In this context, Amnesty International regrets that significant steps have yet to be taken to bring those responsible to justice for the abduction on 28 February 1999 of four members of the *Instituto Popular de Capacitación (IPC)*, Popular Training Institute, seized in Medellín and later released by the AUC, or the extrajudicial execution of two members of the *Comité de Solidaridad con los Presos Políticos (CSPP)*, Committee of Solidarity with Political Prisoners, killed on 30 January 1999 by alleged paramilitaries.

Although the Colombian authorities have recently supplied more protection measures in the form of security equipment for the premises and homes of some human rights defenders, many are still forced to take refuge or to seek safety abroad on account of the lack of guarantees for their safety. In May this year, the government set up the Special Human Rights Investigation Promotion Committee chaired by the Vice President. While such an initiative should lead to some progress, Amnesty International is concerned that previous attempts of this kind have failed to fulfill the promise to tackle impunity at its source and have failed to take concrete steps in the bringing to justice of those responsible for human rights violations.

A matter of political will

The degree of political will of the Colombian government to realize their obligation to protect human rights defenders can be measured against the implementation of

international principles and resolutions for the protection of human rights defenders, as well as recommendations made by national and international human rights organizations.⁴

Most recently, the General Assembly of the Organization of America States (OAS) adopted a resolution on 5 June 1999, resolving:

“1. To recognize and support the work carried out by human rights defenders and their valuable contribution to the promotion, observance, and protection of fundamental rights and freedoms in the Americas.

2. To urge members states to persist in their efforts to provide human rights defenders with the necessary guarantees and facilities to continue freely carrying out their work of promoting and protecting human rights, at the national and/or regional levels, in accordance with internationally recognized principles and agreements.”⁵

KEYWORDS: HUMAN RIGHTS DEFENDERS / EXTRAJUDICIAL EXECUTION / HARASSMENT / HOSTAGE TAKING / NON-GOVERNMENTAL ENTITIES / PARAMILITARIES / POLITICIANS / WOMEN / INDIGENOUS GROUPS / LAWYERS / IMPUNITY / PHOTOGRAPHS /

This report updates a 12-page document: *COLOMBIA: “Enough is enough!” repression of human rights defenders* (AI Index: AMR/23/16/99) and Update n° 1 (AMR 23/21/99), both issued by Amnesty International in February 1999. They examine the crisis facing Colombian human rights defenders and provide recommendations for the Colombian authorities and the international community. Anyone wishing further details or to take action on this issue should consult the full document.

INTERNATIONAL SECRETARIAT, 1 EASTON STREET, LONDON WC1X 8DJ, UNITED KINGDOM

⁴For Amnesty International’s recommendations for the protection of human rights defenders see *Colombia “Enough is enough!” repression of human rights defenders* (AI Index AMR 23/16/99 and AMR 23/21/99), and *More Protection, less persecution: Human rights defenders in Latin America*, June 1999 (AI Index AMR 01/02/99).

⁵Appendix 62, Report of the OAS Permanent Council at its meeting of 26 May 1999.