

INTERNAL (for AI members only)

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Amnesty International
International Secretariat
1 Easton Street
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To: All Sections (for information)
Lawyers Groups (for action)
North Andean RAN Coordinators (for information)

From: Americas Research Department/Campaign and
Membership Department

Date: September 1990

COLOMBIA: "DISAPPEARANCE" OF HUMAN RIGHTS LAWYER

Summary

This is an external document about the "disappearance" in July 1990 of Colombian lawyer and human rights activist, Dr. Alirio Pedraza Becerra, for action by lawyers groups.

Distribution

This is being sent directly by the IS to lawyers groups for action, and to sections for information and may be used for reference.

Recommended actions

A LETTER WRITING

Letters should if possible be written in Spanish, otherwise in English, preferably on headed paper. Please send copies of your appeals as set out below and please remember to send copies of replies to the Americas Research Department. If your group has a lawyers' network you may want to involve them in letter-writing, too.

Please write courteously-worded letters to the authorities listed below:

1. Expressing concern at the "disappearance" of Dr. Alirio de Jesús Pedraza Becerra. (Add as many details about the case as you can, such as full name, date and place of "disappearance" etc.).

2. Expressing your satisfaction that an investigation has been initiated and requesting information about its progress. Urge that it be independent and impartial and that it aim to identify those responsible and bring them to justice. Urge that the results of the investigation be made public.

3. Urging that if in detention, Dr. Alirio Pedraza be released immediately, on the grounds that Amnesty International believes he is a prisoner of conscience, detained solely for his non-violent work as a human rights lawyer.

4. Requesting information on what steps the new government is taking to protect members of the legal profession and requesting information on the implementation in practice of these measures. Express special concern for the rights of lawyers and other human rights workers investigating human rights violations in Colombia believed to have been committed by the security forces.

B PUBLICITY

1. Try to get the case published in law journals in your country.
2. Try to encourage other members of the legal profession to write letters to the authorities.
3. A photograph of Dr. Alirio Pedraza is available from the Audio Visual Unit at the IS.

For further ideas you may refer to the recommended actions suggested for the 1989 campaign on Colombia. Please see the judiciary/lawyers section of AMR 23/40/89 distributed in July 1989.

This action is intended to last three months.

AUTHORITIES

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Señores
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Copies of your letters should also be sent to diplomatic
representatives of Colombia in your country.

EXTERNAL (for general distribution)

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SEPTEMBER 1990

COLOMBIA: "DISAPPEARANCE" OF HUMAN RIGHTS LAWYER

Alirio de Jesús Pedraza Becerra, lawyer and human rights worker, was last seen on the night of 4 July 1990 in Bogotá. According to various eye-witnesses, about eight heavily armed men in plain clothes seized Dr. Pedraza at about 10pm on 4 July as he was leaving a baker's in the "La Campiña" shopping centre in Bogotá's Suba district. The armed men reportedly arrived beforehand in three cars (one was a white Chevrolet Trooper, another a dark Mazda). According to some reports two of the armed men identified themselves to two police agents who stood by during the abduction of Dr. Pedraza. Dr. Pedraza reportedly called out his name as he was being pushed into the Mazda.

The "disappearance" of Dr. Alirio Pedraza has been denounced to the Procurator General's Office and the Procurator Delegate's Office for Human Rights who have initiated an investigation. However, despite the efforts of Dr. Pedraza's family and colleagues to locate him, the Armed Forces and Police authorities continue to deny his detention and his whereabouts remain unknown. A judicial enquiry has also been initiated into his "disappearance".

Dr. Pedraza had just attended a meeting at the Comité de Solidaridad con los Presos Políticos, (CSPP), Political Prisoners Solidarity Committee in central Bogotá. A 40-year-old lawyer and long-standing active member of this human rights organization, Dr. Pedraza was investigating a number of cases of human rights violations attributed to the Colombian armed forces. He has a wife and a seven-year-old son. Dr. Pedraza was representing

relatives of peasants killed when troops belonging to the Luciano D'Eluyar Battalion opened fire on hundreds of peasants during a protest march in May 1988 in Llano Caliente, in Santander department's Magdalena Medio region. Dr. Pedraza was also recently working on behalf of a number of trade unionists detained and tortured in Cali, Valle del Cauca department, at the beginning of March, accused of belonging to a guerrilla organization. Charges were later dropped. According to their testimonies they were tortured while held in the army's III Brigade in Cali. According to recent reports, the Procurator General's office has opened disciplinary proceedings¹ against members of the III Brigade for the illegal detention and torture of the trade unionists. Dr. Daniel Libreros Caicedo, another of the trade unionists' defence lawyers was detained on 27 March by the III Brigade at Cali's airport as he was about to board a flight to return to Bogotá. He was released a few days later. He was also reportedly ill-treated while in detention in the army's III Brigade.

Since Dr. Pedraza's "disappearance" a number of human rights workers have received anonymous death threats. On 23 July Sandra Muñoz, an active member of the Cali office of the CSPP received a "sufragio", an anonymous invitation to her own funeral, On 10 July a man reportedly telephoned Elvia Urán Vda. de Beltrán, long-time member of a human rights group in Medellín, Antioquia department, threatening that if she did not stop her work with prisoners she would suffer the same fate as Alirio Pedraza. Later the same evening Martha Luz Saldarriaga Vélez, a lawyer working with the same human rights group, received anonymous death threats by phone.

Amnesty International is seriously concerned that the lives of lawyers and human rights workers in Colombia again appear to be under serious threat.

Amnesty International's concern

Amnesty International is concerned that Alirio de Jesús Pedraza Becerra may have been held in secret detention and that his whereabouts remain unknown, thus being deprived of the right to a fair trial. AI is also concerned at the serious risk to his physical safety that such unrecognized detention entails. "Disappearance" may involve the violation of the following articles of the Universal Declaration of Human Rights:

¹If the disciplinary proceedings establish the responsibility of members of armed forces under investigation, the Public Ministry can impose disciplinary sanctions (ranging from fines to dismissal) and can recommend that criminal proceedings be brought against those implicated. However, in the vast majority of cases known to Amnesty International, members of the armed forces identified by the Public Ministry as responsible for human rights violations, including "disappearances", have been acquitted or had charges against them dropped when their cases passed to the military courts.

Art. 3 Everyone has the right to life, liberty and security of person

Art. 5 No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment

Art. 6 Everyone has the right to recognition everywhere as a person before the law

Art. 7 No one shall be subjected to arbitrary arrest, detention or exile

Resolution 1983/23 adopted on 5 September 1983 by the United Nations Sub-Commission on Prevention of Discrimination and Protection of Minorities stressed the right of families to know the fate of their relatives by calling upon governments "in the event of reports of enforced or involuntary "disappearances", to devote appropriate resources to searching for such persons and to undertake speedy and impartial investigations".

In November 1983 the General Assembly of the Organization of American States (OAS) declared that "the practises of forced "disappearances" of persons in the Americas is an affront to the conscience of the hemisphere and constitutes a crime against humanity."

The United Nations Commission on Human Rights, by resolution 1986/55 expressed its emotion at the anguish and sorrow of the families concerned who should know the fate of their relatives.

Amnesty International believes Dr. Alirio Pedraza is a prisoner of conscience, detained solely for his non-violent professional work as a lawyer and human rights defender.