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## COLOMBIA

### SEGOVIA - A RECURRING HISTORY OF SERIOUS HUMAN RIGHTS VIOLATIONS

NOVEMBER 1996

SUMMARY

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On 22 April 1996, 15 people were killed, two people "disappeared" and at least 15 were injured as a result of a paramilitary operation in the town of Segovia, in the department of Antioquia. Initial investigations into the killings have uncovered strong evidence that the paramilitary group responsible for the killings was operating with the support and under the direction of Colombian army personnel.

The killings of 22 April follow a series of human rights violations in the municipalities of Segovia, Remedios, and other municipalities in the northeast of the department of Antioquia throughout and prior to 1995.

Amnesty International is concerned that the impunity which has protected those responsible for the killing of 43 people in Segovia by a paramilitary group operating with the support of the security forces on 11 November 1988 contributed to further serious human rights violations in the northeastern region of the department of Antioquia.

Amnesty International is also concerned that the Colombian authorities should undertake full and impartial investigations into these killings committed in Segovia and neighbouring municipalities between 1988 and 1996 and bring those responsible to justice.

**Keywords:** *DISAPPEARANCES1 / EXTRAJUDICIAL EXECUTIONS1 / MASS KILLINGS1 / ARMED CONFLICT / TORTURE/ILL-TREATMENT / HARASSMENT / HOUSE DESTRUCTION / IMPUNITY / PARAMILITARIES / MILITARY / POLICE / NON-GOVERNMENTAL ENTITIES / OPPOSITION POLITICIANS / HUMAN RIGHTS ACTIVISTS / TRADE UNIONISTS / TEACHERS / PEASANTS / MINERS / INDIGENOUS PEOPLE / COMMUNITY WORKERS / LOCAL GOVERNMENT REPRESENTATIVES / CHILDREN / AI AND GOVERNMENTS / INVESTIGATION OF ABUSES / PHOTOGRAPHS /*

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## COLOMBIA:SEGOVIA - A RECURRING HISTORY OF SERIOUS HUMAN RIGHTS VIOLATIONS

### Colombia - A Long-running Conflict

Against a background of long-running civil conflict between the Colombian armed forces, their paramilitary allies and several guerrilla organizations, the human rights situation in Colombia is critical.

At least 25,000 people have died in politically motivated violence in the last ten years. Over 2,000 politically motivated killings have been registered every year over the past ten years. Over 2,000 people are reported "disappeared" in the same period. An estimated 700,000 people have been internally displaced by political violence in the last ten years.

In spite of reiterated promises made by President Ernesto Samper Pizano, who took office in August 1994, to improve the human rights situation in Colombia, there has been no substantive improvement. Extrajudicial executions, "disappearances", torture and death threats carried out by members of the security forces and their paramilitary allies have persisted and in some areas increased dramatically.

Non-combatant civilians have been killed during counter-insurgency operations and members of legal opposition groups, human rights workers, trade unionists, teachers, peasant and indigenous community leaders have been amongst those to have been the particular target of extrajudicial executions and "disappearances". Despite the government's stated commitment to ensure their safety, human rights workers continue to be particularly targeted and to face serious threats.

Of the politically motivated non-combat killings which take place every year in Colombia it is estimated that 70% are carried out by members of the security forces and their paramilitary allies whilst some 30% are carried out by guerrilla forces.

Impunity for human rights violators is almost total. Despite the thousands of judicial investigations opened each year into serious human rights violations, the number of armed forces personnel convicted - and serving prison sentences - remains in single figures. Only exceptionally have members of the Colombian armed forces been held accountable before the law for political killings, and those tried are almost all low-ranking members of the armed forces or police.

It is this high level of impunity, now recognized by the Colombian Government, which has permitted the persistence of gross human rights violations.

Despite the gravity of the situation successive governments have failed to comply - or attempt to comply - with recommendations designed to tackle impunity and improve respect for human rights formulated by the United Nations (UN) Working Group on Enforced or Involuntary Disappearances, the UN Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions, the UN Commission on Human Rights and the Inter-American Commission on Human Rights (IACHR) of the Organization of Americas States (OAS); as well as recommendations by Amnesty International and other non-governmental organizations.

Guerrilla forces have also been responsible for numerous violations of the principles of international humanitarian law, including kidnapping and hostage taking and the deliberate and arbitrary killing of civilians and off-duty or captured members of the security forces. Amnesty International has repeatedly condemned such abuses and has called on armed opposition groups to ensure respect for international humanitarian law.

One of the most conflictive regions in Colombia over recent years has been the department of Antioquia where the civil conflict has been particularly intense in several regions. One of these regions is the northeast of Antioquia where the municipality of Segovia is located. Over recent years the northeast of Antioquia has registered numerous politically motivated non-combat killings committed by the security forces and their paramilitary allies and armed opposition groups. Members of the civilian population in Segovia and neighbouring communities have frequently been labelled guerrillas or guerrilla sympathizers by the security forces and their paramilitary allies. As a result, members of the civilian population have been the frequent target of threats, harassment and even more serious human rights violations including extrajudicial executions and “disappearances”.

### **The Northeast of the Department of Antioquia**

The Northeast of the department of Antioquia is made up of the municipalities of Amalfi, Anorí, Cisneros, El Bagre, Maceo, Remedios, Vegachí, Yalí, Yolombó, Zaragoza and Segovia. This is a region rich in mineral deposits, particularly gold, exploited by international companies who employ 5% of the economically active population. Approximately 45% of the economically active population live in marginal urban areas in the region and earn a meagre living panning for gold in sites abandoned by the transnational mining companies. The remainder of the civilian population works in the agricultural sector. In recent years a crisis in the coffee producing industry has affected many peasant farmer producers in several municipalities including Yolombó, Amalfi, Vegachí, Maceo and Cisneros, who have been forced to migrate in search of work to the poorer districts of urban centres in the northeast of the department of Antioquia in search of alternative sources of income.

The economic marginalization of a large segment of the civilian population has contributed to a history of civic and popular activism in the region and growing support for legal opposition parties advocating socio-economic alternatives to those put forward by political groups which have traditionally wielded power in the region. Throughout the 1980s the *Partido Comunista Colombiano*, Colombian Communist Party, increased its foothold in the region and from the mid-1980s the left-wing *Unión Patriótica*<sup>1</sup> (UP) - Patriotic Union became increasingly popular.

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<sup>1</sup> *The Unión Patriótica party was formed in 1985, following failed peace negotiations with the Fuerzas Armadas Revolucionarias de Colombia (FARC), Revolutionary Armed Forces of Colombia, armed opposition group. Since its formation the party has been a particular target of human rights violations. At the beginning of October 1992 the Advocate for the People, Dr. Jaime Triviño Córdoba, published a report which concluded that the main perpetrators of violence against*

In recent years the northeastern region of the department of Antioquia has been the focus of strong guerrilla presence. The *Fuerzas Armadas Revolucionarias de Colombia* (FARC) - Revolutionary Armed Forces of Colombia; and the *Ejército de Liberación Nacional* (ELN) - National Liberation Army both have several fronts operating in the region.

Mining interests in the region, particularly those associated with gold and silver, together with construction of the *Oleoducto Colombiano*, Colombian Oilpipeline, means that the northeast of Antioquia is a region of considerable strategic importance, one in which mining and other powerful economic interests are keen to ensure that guerrilla groups and legal leftwing political parties do not represent a serious challenge to their interests.

The *Unión Patriótica* increasingly managed to challenge the political hegemony the *Partido Liberal*, Liberal Party, traditionally wielded over the region. In the municipal elections of 1988 the *Unión Patriótica* won seven out of the ten seats on the Segovia municipal council and a UP mayor was also elected. For those sectors close to the political elites which had traditionally wielded political power in the northeast of Antioquia the rise of the UP was viewed as a serious threat.

### **The Massacre of 11 November 1988**

On 11 November 1988 heavily armed men drove in trucks into the centre of Segovia, opened fire and threw grenades indiscriminately, killing 43 people, including three children, and wounding over 50 others. The regular garrisons of the police and military (belonging to the *Batallón Bomboná de la XIV Brigada*, Bomboná Battalion attached to the XIV Brigade<sup>2</sup>) stood by while the killers moved freely through the town for over an hour. Their entry appeared to have been facilitated by the removal of military checkpoints normally stationed on the road into the town. The paramilitary force made its getaway in three vehicles in which they travelled from Segovia through the neighbouring town of Remedios towards Puerto Berrío. No attempt was made by the security forces to detain the group. Local army spokesmen immediately attributed the killing to guerrilla groups, but after the army version was challenged by survivors the then Minister of the Interior, César Gaviria Trujillo, said a “right-wing paramilitary group” was responsible.

Those killed in the paramilitary raid were:

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*UP activists were paramilitary groups, members of the security forces and hired gunmen. According to the official report, 717 members of the UP have been killed since 1985. Colombian human rights organizations presently place the figure at over 2,500 activists, including two presidential candidates and several members of Congress.*

<sup>2</sup> The Bomboná Battalion is based on the outskirts of Segovia and controls access to the town.

Pablo Emilio Gómez; María del Carmen Idarraga de Gómez; Luis Eduardo Hincapié; Carlos Enrique Restrepo Pérez; Carlos Enrique Restrepo Cadavid; Gildardo Antonio Restrepo Cadavid; Jesús Antonio Benítez; Roberto Antonio Marín Osorio; Pablo Emilio Idarraga Osorio; Luz Evidelia Orozco Saldarriaga; Angélica Mazo Arango; Guillermo Orozco Escudero; Luis Alberto Lozano Ruiz; Fabio Jaramillo; Libardo Antonio Castaño; Jesús Aníbal Gómez García; Guillermo de Jesús Ariza; Julio Martín Flórez Ortiz; Shirley Castaño Patiño; Regina Muñoz; Luis Eduardo Sierra; Luis Antonio García; Luis Angel de Jesús Moreno San Martín; María Dolly Bustamante; Diana Maritza Vélez; Henry Albeiro Castrillón; Francisco William Gómez Monsalve, 10 years old; José Danilo Amariles; Jesús Emilio Calle Guerra; Jairo Rodríguez Pardo; Oscar de Jesús Agudelo López; Jesús Orlando Vásquez Zapata; Erika Milena Marulanda; Fabio de Jesús Sierra Gómez; Robinson de Jesús Mejía Arenas; Jorge Luis Puerta Londoño; Libardo Antonio Cataño Atehortua; Jesús de Antonio García; José Abelardo Osorno Betancur; Guillermo de Jesús Arcila; William B. Escudero; Olga Agudelo de Barrientos; José Antonio Marulanda.

*tampoco concejos municipales integrados por idiotas campesinos o vulgares obreros como los de la Unión Patriótica, ya que no tienen la inteligencia para desempeñar tales posiciones y manejar estos municipios que siempre nos han pertenecido y ahora recuperaremos, ¡cueste lo que cueste!*

*¡Fuera comunistas y guerrilleros del nordeste!  
 ¡No más guerrilleros en las administraciones!  
 Espérenos ... ¡saldremos con un gran golpe mortal!"*

“ We will not accept communist mayors in the region, neither will we accept municipal councils made up of idiotic peasants or vulgar workers like those of the Patriotic Union since they do not have the intelligence to carry out such tasks and manage these municipalities which have always belonged to us and which we will now recuperate, whatever it takes!

Communists and guerrillas get out of the northeast!  
 No more guerrillas in municipal office!  
 Wait for it ... we will deliver a decisive lethal blow!"

Judicial and disciplinary investigations established the close links between the paramilitary force which carried out the killings and the security forces.

At 11pm on 26 October 1988, members of the police, the army and armed individuals in plainclothes, staged a simulated guerrilla attack during which they fired their weapons randomly, as the shooting continued leaflets entitled *La Voz de la Verdad*, signed by *Los Realistas* and printed on Frontino Gold Mines Limited company paper<sup>3</sup> were pushed under the doors of households in

The killings occurred after a series of death threats were made against residents of Segovia in the name of *Muerte a Revolucionarios del Nordeste* (MRN), Death to Revolutionaries of the Northeast, (a paramilitary group which also assumed the name of *Los Realistas*, The Realists), apparently because a majority voted for the UP, in municipal elections the previous March. In a “*Carta Abierta No.2 al Pueblo del Nordeste Habla el MRN*”, “Open Letter No.2 to the People of the Northeast, the MRN Speaks”, the MRN stated:

*“No aceptamos alcaldes comunistas en la región, como*

<sup>3</sup> *Judicial investigations established that the Frontino Gold Mines Limited company was approached by the commander of the Bomboná Battalion to print the leaflets.*

Segovia. Forensic examination of the leaflets revealed that the text had been written on a type-writer belonging to the Bomboná Battalion.

Judicial investigations found evidence to link at least fourteen army officers and three police officers to the events of 11 November. Evidence was also found indicating the direct or indirect participation of numerous other members of the army in the preparation and execution of the killings and the escape of the paramilitary group. César Pérez, a former member of the Colombian Congress and leading member of the Liberal Party, was accused of being a paramilitary leader behind the killings and arrested on 8 September 1995<sup>4</sup>. The warrant for his arrest had been issued on 6 July 1994. However, charges against him were dropped on the basis that the time frame by which charges against him should have been brought had lapsed. He was released in October 1995.

Only six of the seventeen security forces officers initially named in the judicial investigations were finally linked to on-going investigations. But these officers were not investigated for their participation in the killings of 11 November; rather three were investigated for cowardice for failing to defend the civilian population of Segovia on 11 November and three were investigated for their participation in the events of 26 October. Disciplinary investigations carried out by the *Procuraduría General de la Nación*, Office of the Procurator-General<sup>5</sup>, pressed disciplinary charges against five of the six officers. The Office of the Procurator-General initially called for the destitution of the Commander of Police in Segovia and the suspension for 30 days of the Commander of the Bomboná Battalion, but later rescinded its call for the 30-day suspension of the latter and its call for the destitution of the Commander of Police in Segovia, calling instead for his temporary suspension. The remaining three officers were investigated by the *Procuraduría* for printing paramilitary leaflets. According to an article in *El Tiempo*<sup>6</sup>, retired Colonel Hernando

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<sup>4</sup> According to Alonso de Jesús Baquero an imprisoned paramilitary leader in his testimony to judicial investigation officials, César Pérez, contacted paramilitary leaders to secure their help in eliminating the UP in Segovia after the party had won the March municipal elections in Segovia.

<sup>5</sup> The *Procuraduría General de la Nación* is the main administrative agency with a human rights monitoring and investigative role. It has a constitutional responsibility to investigate state agents accused of human rights violations and other forms of misconduct. It has the authority to impose administrative sanctions on members of the security forces found responsible for human rights violations. The *Procuraduría* cannot bring criminal charges, but it can provide information to the courts and can supervise criminal investigations.

<sup>6</sup> 5 September 1996.

Navas Rubio was arrested in September 1996 on orders of the *Fiscalía General de la Nación*, Office of the Attorney-General<sup>7</sup>. Colonel Hernando Navas was accused of participating in the

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*massacre copied from a drawing by ten-year-old Francisco  
Monzalve who died in the massacre of 11 November 1988.  
days before the massacre. c.Carlos Iván García, Colombia*

<sup>7</sup> *The Fiscalía General de la Nación has the function to investigate all crimes committed in Colombia and bring criminal charges.*

planning of the 1988 Segovia massacre on the basis of the testimony made by an imprisoned paramilitary leader, Alonso de Jesús Baquero, alias "Vladimir" or "El Negro", to the *Fiscalía*. At the time of the 1988 massacre, Hernando Navas was head of intelligence of the XIV Brigade - whose jurisdiction covers northeast Antioquia. According to the paramilitary's testimony, Hernando Navas was one of the security force officers who pressed for the massacre to be carried out. In his testimony, Baquero tells how paramilitary leaders met twice with Colonel Navas and the then commander of the Bomboná Battalion, Lieutenant Colonel Alejandro Londoño Tamayo, who told them: *"ustedes meten las narices en todas las partes menos en Segovia ¿Qué pasa con Segovia, que allá hace lo que quiere y la guerrilla hace lo que quiere y a ustedes pasándoles por la galleta"* - "you stick your noses everywhere except in Segovia. What's wrong with Segovia? There everybody does what they want and the guerrilla does what it wants and you let them get away with it". According to Baquero the aim of the massacre was to *"ablandar a Segovia"* - "soften Segovia". In his testimony, Baquero also points to the cooperation provided by the police and the Frontino Gold Mines Limited Company:

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*massacre copied from a drawing by ten-year-old Francisco  
z Monzalve who died in the massacre of 11 November 1988.  
t days before the massacre. c.Carlos Iván García, Colombia*



2 - *Mural of a massacre copied from a drawing by ten-year-old Francisco William Gómez Monzalve who died in the massacre of 11 November 1988. It was drawn eight days before the massacre. c.Carlos Iván García, Colombia Hoy Informa.*

*"En la base del Ejército me entrevisté con el comandante de la Policía de Segovia y dijo que estaba de acuerdo y propuso que algunos muchachos le hicieran disparos a la estación para él poder decir que fue que lo atacaron y que no podía salir. Después me entrevisté con el gerente de la empresa Gold Mines y dijo que estaba dispuesto a colaborar en algo".*

"In the army base I met with the Segovia Police Commander who was in agreement and suggested that some of his men would fire at the police station so that he could then say that he had come under attack and therefore had not been able to leave the police station. Later I met with the manager of the Gold Mines company and he said he was prepared to help in some way".

Despite strong evidence pointing to the direct participation of members of the security forces in the killings of 11 November, to date no member of the security forces has been found responsible in either penal or disciplinary investigations.

The impunity which has protected the perpetrators of the 1988 killings has left the civilian population of Segovia and neighbouring towns, including Remedios, exposed to continued human rights violations perpetrated by the security forces and their paramilitary allies. For years human rights workers have campaigned to confront the impunity protecting those responsible for the killings on 11 November 1988. One major campaign initiative was the organization of a national march to Segovia to mark the seventh anniversary of the November 1988 killings, organized by the *Comité de Derechos Humanos de Segovia*, Segovia Human Rights Committee. By demanding measures to tackle impunity the participants were aiming to prevent future human rights violations.

### **The Events of 1995 - 1996 - Increasing Fears for the Safety of the Civilian Population of Segovia and Neighbouring Communities**

Throughout 1995 fears for the safety of the civilian population escalated.

At approximately 7am on 3 March 1995, members of the armed opposition group *Ejército de Liberación Nacional* (ELN), Army of National Liberation, ambushed a cargo of dynamite that was being transported, under army protection, through the town of Segovia to the Providencia gold mine. The ELN forced the driver of the truck to deviate from the route and then escaped with the dynamite. At approximately 8am, Colombian army personnel attached to the Bomboná Battalion, were deployed through several neighbourhoods in Segovia and simulated an armed confrontation with the guerrilla forces that had stolen the dynamite. The main part of the military operation focussed on the Alto de los Patios and the Bataclán districts of the town. Urban popular militias linked to guerrilla groups are known to be influential in these districts as well as the ELN guerrilla fronts: *María Cano* and *Compañía Cimarrón*, Cimarrón Company.

During the military operation members of the armed forces opened fire indiscriminately with the result that a primary school in the Alto de los Patios came under fire and a teacher and pupil were

reportedly injured. **William Alonso Marín Velázquez** was killed when a grenade was fired at his house in the Bataclán district by members of the army. His wife was injured in the explosion. **Ricardo Marín Velázquez**, an alleged member of the María Cano Front of the ELN was captured by members of the Bomboná Battalion in the Alto de los Patios district and subsequently extrajudicially executed. Three children and a teenager were injured in the Bataclán district when units of the Bomboná Battalion opened fire in the densely populated area.

Once the shooting had stopped the armed forces reportedly blocked the circulation of traffic in the Colón district and detained several people including pedestrians and workers from gold mining installations in the Alto de los Patios district forcing them to lie face down. The army captain<sup>8</sup> who was commanding the operation separated several of those in custody accusing them of being guerrillas. Those detained were forced to remove a guerrilla flag which had been placed on a wall and were reportedly beaten. Following these events eight people remained in detention. Two were released the next day whilst the remaining six were released subsequently. Judicial investigations were pending against all of them when they were released.

Tension again increased in September 1995. On 25 September, a priest in Segovia was told by an anonymous telephone caller to prepare 200 coffins. Around the same date, anonymous callers warned a local hospital to be on alert, and the staff of a local school were told to evacuate their building. On 28 September an armed confrontation took place in the vicinity of Segovia between the army and guerrillas, followed by three explosions. On 1 October shooting was heard from inside the military base in Otú, 5 kilometres from Remedios which is nearby to the town of Segovia. After the latter incident, members of the army went into Remedios, firing their guns and shouting "*Llegó el ejército manada de hijoeputas*", "The army has arrived, you sons-of-bitches". On 2 October three armed men, in plainclothes and with their faces covered, were seen walking on the streets of Segovia. In subsequent weeks, graffiti appeared in Remedios with slogans such as "*Paramilitares en Remedios sí, guerrilleros asesinos no*", "Paramilitary groups in Remedios yes, guerrilla killers no".

On 29 March 1996, members of the Bomboná Battalion based on the outskirts of Segovia, declared that they had killed three guerrillas in combat in the community of Cuturu Medio, municipality of Segovia. Those killed were **Diego León Yarce**, a 28-year-old miner; **Martha Vélez**, a 24-year-old mother of two children who also worked as a miner, and **Suhey Montoya**, a 20-year-old miner. The three people were killed in circumstances suggesting that they may have been extrajudicially executed. According to witnesses, the three miners were sleeping near the mine they were working when members of the Colombian Army arrived at 6am and shot them. The mattresses on which they were sleeping were reportedly stained with blood and had been perforated by gunshots.

### **The Massacre of 22 April 1996**

On 17 April 1996, members of the national police and the Bomboná Battalion reportedly simulated an armed confrontation, prompting the town's inhabitants to shut themselves in their homes. In the early hours of 18 April, taking advantage of the fact that the town's streets were completely deserted, leaflets were pushed under doors of homes and shops in Segovia. The

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<sup>8</sup> This captain is the same army officer who is under detention in relation with the killings of 22 April 1996, see **Investigations into the Killings of 22 April 1996** section below.

leaflets were signed by paramilitary groups calling themselves *Dignidad por Antioquia*, Dignity for Antioquia and *Resistencia Campesina*, Peasant Resistance. The leaflets threatened the inhabitants, shopkeepers and transport workers with death if they were to participate in an armed strike which they claimed had been called by guerrilla organizations for the 18 and 19 April 1996. An armed strike called by the ELN on 8 and 9 April had caused widespread disruption in the region. However, guerrilla forces publicly denied having called a second strike.

1 - *One of the paramilitary leaflets pushed under the doors of homes in Segovia.*

On 22 April at approximately 2:30pm, six members of a paramilitary group arrived at the airport of Otú in the municipality of Remedios. The six men were met at the airport by an army captain belonging to the Bomboná Battalion who accompanied two of them to the military base in Otú. Later all six men were taken to the military base in Segovia in a truck belonging to the Frontino Gold Mines Limited company which is reportedly at the permanent disposition of the Segovia Military Base.

One of the six men hired a vehicle in the village of La Cruzada, municipality of Remedios, and together with the driver of the vehicle, **Luis Carlos Jaramillo Palacio**, travelled to an area known as La Arboleda which is located at the entrance of the Frontino Gold Mine Limited company's offices and approximately 80 metres from the Bomboná Battalion's base, where they picked up the other five men. Luis Carlos Jaramillo was subsequently found dead on the road to La Cruzada with his throat slit. The men drove into Segovia where the vehicle broke down. The group of men approached the main square in Segovia, where public service vehicles are parked. The men approached **Elkin Sergio Zapata**, a 23-year-old driver, and his 15-year-old assistant, **Yacir William Silva Cure**, and hired their vehicle and them as drivers.

The men who were heavily-armed made their way to bars and ice-cream parlours in the La Paz, El Tigrito (also known as Galán) and Borbollón districts of Segovia at approximately 8:30pm. According to information received, the armed men first made their way to the La Paz district where they entered a bar, forced those inside to lie face down and shot five people dead and left another seven seriously wounded. Driving through the Borbollón district they opened fire shooting one person dead. Finally the gunmen entered a bar in the El Tigrito district, into which they threw two grenades, then forced those inside to lie face down, and shot them, killing five and seriously injuring several others.

The three districts are inhabited mainly by peasant farmer families who have fled violence in the countryside and have often been labelled as guerrilla sympathizers by members of the armed forces. Urban popular militias linked to the ELN are believed to have a strong presence in these districts..

Following the killings, Elkin Sergio Zapata's vehicle was found abandoned in an area called Puerto Araujo situated between the municipalities of Cimitarra, department of Santander and Puerto Berrío, department of Antioquia. Elkin Sergio Zapata and Yacir William Silva Cure have not been seen since their vehicle was taken.

In total 15 people were killed, 2 people “disappeared” and at least another 15 people were wounded during the paramilitary operation

**KILLED:** Wilson Alejandro Loaiza, an 18-year-old student; Fabio Alonso Loaiza, a 13-year-old student and William Alejandro’s brother; Octavio de Jesús García, 14 years old; César Dario Valle, 16 years old; Omar Moreno; Luis Carlos Montoya; Ricardo Ochoa Puerta; Gabriel Jaime Jaramillo Palacio, Jesús Evelio Pérez, Pedro Posada, 18 years old; León Dario Ospina Correa, 15 years old; Carlos Arturo Zapata, 55 years old; Nicolás Alberto Álvarez, 28 years old; Carlos Arturo Agudelo; Luis Carlos Jaramillo Palacio.

**"DISAPPEARED"** : Elkin Sergio Zapata; Yacir William Silva Cure, 15 years old.

**INJURED:** David Lozano, Farlán Andrés Palacio, Jorge Orozco, Gabriel Vargas, Alberto Antonio Hurtado, Jaime Cardona, Albeiro Antonio Ruiz, Jorge Enrique Gómez, Dany Echavarría, Luis Abel Moreno, Fernando Sepúlveda, Danuber Restrepo and at least three others.

on 22 April:

Although inhabitants of Segovia reported the on-going paramilitary attack in the La Paz district of Segovia to the civilian authorities, who immediately informed the Segovia Military Base and Police Station, the security forces made no attempt to pursue the paramilitary group or to mount checkpoints to prevent their escape. The attack in the Galán district followed the killings in La Paz. Despite the fact that the authorities had already been informed of the events in La Paz, they failed to take any measures to intervene and detain the gunmen before they committed further killings. The killings occurred over a brief period of approximately fifteen minutes but it was reportedly only one hour after the paramilitary raid was first reported that the police and military checkpoints were set up. Furthermore, when leaving Segovia after carrying out the killings the paramilitary group reportedly passed by the three military bases of Segovia, La Trampa and Camambolo without any attempt by the security forces to intercept the group. The failure of the security forces to intervene to stop the killings or detain the paramilitary group provides a measure of the complicity between them and suggests that the paramilitary attack was an operation coordinated with the security forces.

Thirty minutes before the paramilitary raid the electricity supply in Segovia was cut off and telephonic communication was temporarily cut off 25 minutes after the killings. It was also reported that several of the gunmen that took part in the killings are known to have acted previously as army informers (particularly for the *IV Brigada - IV Brigade*<sup>9</sup>) in judicial proceedings against alleged subversives.

Pedro Juan Moreno Villa, the *Secretario de Gobierno*, Departmental Government Secretary, of the department of Antioquia, was quoted in the newspaper *El Colombiano* as stating that the security forces had not reacted to the paramilitary raid since it was a lightning attack ("*una acción relámpago*"). He continued by stating that the armed forces were unable to respond since at the

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<sup>9</sup> The IV Brigade is based in the capital of the department of Antioquia, Medellín.

time of the attack they were involved in a mine-field clearing operation. However, according to reports received, although armed force personnel had been involved in a mine-field clearing operation earlier that day, the troops had returned to base by the time the massacre took place.

The modus operandi of the attack bore many similarities to the previous massacre in Segovia, in November 1988.

### **Investigations into the 22 April 1996 massacre**

Investigations into the killings of 22 April 1996 in Segovia were initiated by the civilian and military penal justice systems. On 25 April 1996, judicial investigations into the killings were opened by the *Juez 126 de Puerto Berrío de la Justicia Penal Militar* - Military Penal Judge 126 of Puerto Berrío. Shortly after investigations were opened, the Office of the Attorney-General ordered the detention of an army captain attached to the Bomboná Battalion for his links with illegal paramilitary organizations. The captain is currently believed to be in military custody in the army's IV Brigade base in Medellín. A chofer who drove one of the vehicles used by the paramilitary group has also been detained. Following the army captain's detention the *El Colombiano* newspaper quoted the Commander of the XIV Brigade, Colonel Alvaro Vargas, as stating: "*como ya se está aclarando y parece ser se trata de un montaje de la subversión que quiere perjudicar al capitán porque el hizo una labor muy importante acá en Segovia*" - "as is already becoming clear it seems that this is a set up by subversive groups which want to undermine the captain because of the important work he has carried out here in Segovia" (14 May 1996). On 28 May 1996, the Commander of the XIV Brigade submitted an official request that the military justice system should assume control over the judicial investigations into the army captain's links with paramilitary organizations. The *Consejo de Judicatura* - Court of Adjudication, ruled that jurisdiction for investigations into the 22 April massacre and the captain's alleged involvement with the paramilitary group responsible, remain with the *Unidad de Fiscalías Delegada Para Derechos Humanos* - Human Rights Unit of the Office of the Attorney-General of the civilian justice system.

Given the strong indications of security force support in the paramilitary attack of 22 April it is of concern that penal investigations into the role of the army captain should have been limited simply to his alleged involvement in the creation of paramilitary groups.

Though the events of the 22 April have been denounced to the *Procuraduría General de la Nación* - Office of the Procurator-General, no information is available on any disciplinary investigations undertaken.

### Segovia and Remedios Declared Special Public Order Zones

3 - *National march to Segovia to mark the seventh anniversary of the November 1988 killings.* c. Carlos Iván García, Colombia Hoy Informa

The massacre of 22 April prompted the Governor of Antioquia, Alvaro Uribe Vélez, to issue decree 2035 by which the municipalities of Segovia and Remedios were declared a *Zona Especial de Orden Público* - Special Public Order Zone on 11 May 1996. The Special Public Order Zone decree restricts the circulation of traffic to certain times and members of the public wishing to enter and leave the municipalities are obliged to display safe-passes at all times. It also permits the detention of individuals without arrest warrants by the security forces. The Governor of Antioquia issued the decree following a request from the Commander of the XIV Brigade and after receiving information from the *Cuerpo*

*Técnico de Investigaciones de la Fiscalía Regional* - Regional Technical Investigations Unit of the Police, to the effect that intelligence work had established that a further massacre was planned in the near future.

Amnesty International is concerned that the increasing militarization in the region may facilitate rather than prevent continued paramilitary activity and further human rights violations.

### Continued Concerns for the Safety of the Civilian Population of Northeastern Antioquia

To date the increased security measures implemented in the municipalities of Segovia and Remedios have not curtailed paramilitary activity in the region, or threats and intimidation against members of the civilian population.

The declaration of Segovia and Remedios as a Special Order Zone has been followed by the imposition of an evening curfew, as a result of which only security force patrols are present in the town's streets at night.

Despite these measures, on the evening of 15 July 1996, walls in the main streets were daubed with graffiti signed by the paramilitary group *Muerte a Comunistas y Guerrilleros* (MACOGUE), Death to Communists and Guerrillas. One slogan read: *"Porque amamos a nuestro pueblo, estamos con el ejército, Fuera Guerrilleros de Segovia"* - "Because we love our community, we are with the army, Guerrillas get out of Segovia".

Following the April 1996 massacre there has been increasing concern for the safety of the *Comité de Derechos Humanos de Segovia* - Segovia Human Rights Committee whose members have played an important role in piecing the events of 22 April together and publicly denouncing the massacre.

On 26 May 1996, the *Fiscal 118* - Investigating Judge 118, accompanied by members of the Colombian Army, arrived at the house of **Jesús Ramiro Zapata**, a human rights worker, at 3am to

carry out a house search where they claimed to have found dynamite, wire and triggering devices. Ramiro Zapata's family state that these artefacts were planted in the house by members of the security forces carrying out the search. **Adrián Alberto Zapata Zapata**, Ramiro Zapata's nephew, was detained by the security forces and taken to the Segovia Military Base. He was released on 7 June 1996, though investigations against him continue. On 17 July 1996, Ramiro Zapata was stopped by *Fiscal Local 245* - Local Investigating Judge 245 and members of the Colombian Police who searched him when he was in the city of Medellín. When Ramiro Zapata showed his identity documents he was arrested, accused of being a guerrilla. Human rights workers who went to the *Fiscalía Local* - Local Office of the Office of the Attorney-General to enquire about Ramiro Zapata's detention were told that an arrest warrant had been issued against him by the *Fiscalía de Puerto Berrío* - Puerto Berrío Office of the Attorney-General. However, it was later established that no arrest warrant had been issued against Ramiro Zapata. He was finally released later that day.

The house of **William García Cartagena**, a lawyer working with the Segovia Human Rights Committee, was also searched on 26 May. Reportedly an unidentified individual approached his house and threw a bag inside. Shortly after, Investigating Judge 118 arrived at the house accompanied by members of the Colombian Army, they searched the house, reportedly found the bag which contained explosive materials and detained William García Cartagena. William García was released on 7 June but investigations against him continue.

Ramiro Zapata and William García Cartagena have both played an important role in publicly denouncing the massacre of 22 April. Their arrests follow the detention of the army captain arrested in relation to the massacre and there is concern that they represent both an attempt to intimidate members of the Segovia Human Rights Committee and give credence to assertions made by the security forces to the effect that accusations of their involvement in the killings of 22 April are part of a guerrilla strategy to discredit the Colombian armed forces.

Concern for the safety of William García Cartagena and Ramiro Zapata is heightened by the fact that in recent years several members of the Segovia Human Rights Committee, which has been actively campaigning for those responsible for the November 1988 massacre to be brought to justice, have been forced to flee the region as a result of death threats.

Concern for the safety of civilians who have been charged with being members of guerrilla forces, arrested by members of the security forces and subsequently released for lack of evidence, has also increased since the 22 April massacre and the declaration of Segovia and Remedios as Special Order Zones.

According to information received, at 3am on 30 August 1996, two explosive devices were detonated opposite two houses in the Siete de Agosto district of Remedios which were completely destroyed. **Harold Varela Llano**, **Edwin Gómez García** and six-year-old **Freiman Alexander Varela** were injured in the explosion.

Despite the fact that a *Batallón Héroes de Tazines* - Heroes of Tazines Battalion military post is stationed in the vicinity of the two houses, members of the security forces only arrived on the scene approximately five hours after the explosion.

Next to one of the houses that was destroyed is the house of **Carlos Mario Hincapie Zapata**, who had been detained on charges of being a member of a guerrilla organization and had subsequently been released.

At approximately 3am on 21 September 1996, during curfew hours, a group of unidentified men reportedly threw a bomb at a house situated near the Santander Park in Segovia. The resulting explosion killed three-month-old **Leshe Elizabot Yali Giraldo**; and six-month-old **Kenny Magiver Jiménez Gómez** and seriously injured the two infants' mothers, **Eugenia Gómez** and **Beatriz Elena Giraldo**.

Witnesses state that prior to the explosion they had seen a group of soldiers belonging to the Bomboná Battalion patrolling in the park together with two hooded individuals. Reportedly those responsible for the bomb attack dropped several hand-written leaflets which were found in the early hours of the morning. One leaflet, which was signed by the paramilitary group *Muerte a Comunistas y Guerrilleros* (MACOGUE), Death to Communists and Guerrillas stated: "*No habrá compasión con ninguno que tenga relación con la guerrilla. MACOGUE*", "There will be no compassion for anyone who has relations with the guerrilla. MACOGUE". Another leaflet read: "*Esto es solo una advertencia porque no se imaginan en lo más mínimo una nueva masacre a colaboradores de la guerrilla comunistas y guerrilleros. MACOGUE*", "This is only a warning because you cannot begin to imagine what would happen if there were another massacre of guerrilla collaborators, communists and guerrillas. MACOGUE".

On 22 July 1996, **José Alberto Restrepo**, the former UP mayor of Segovia, was killed in his home in Medellín, reportedly by the *Muerte a Revolucionarios del Nordeste* paramilitary group. José Alberto Restrepo had become UP mayor of Segovia in 1988 but had been forced to resign his post in 1990 after a series of death threats. Before he was killed, his home had reportedly been searched three times by officials of the *Fiscalía General de la Nación* - Office of the Attorney-General, for weapons or other evidence which might implicate him with guerrilla forces. No such evidence was found. Once Alberto Restrepo's body had been removed by officials of the Office of the Attorney-General, a further house search was carried out although family members were not given a reason for the search.

Most recently, fears for the safety of the civilian population of Segovia were heightened on 5 November when three people were reportedly killed by members of a paramilitary group in the municipality of Vegachí which is situated to the south of the municipalities of Segovia and Remedios in the department of Antioquia. The paramilitary group members reportedly daubed graffiti on an ambulance belonging to the San Juan de Dios Hospital in Segovia warning that another massacre in Segovia was imminent.

### ***Guerrilla Forces and Violations of International Humanitarian Law***

Several guerrilla fronts belonging to the *Fuerzas Armadas Revolucionarias de Colombia* (FARC), the *Ejército Popular de Liberación* (EPL) - Popular Army of Liberation and the *Ejército de Liberación Nacional* (ELN), are active in the department of Antioquia. Guerrilla forces have been responsible for numerous violations of the principles of international humanitarian law, including the deliberate and arbitrary killings of civilians and the taking of hostages. The department of Antioquia has the highest number of guerrilla kidnappings and hostage-taking in Colombia according to official statistics. In the first six months of 1996, 167 cases of kidnappings and hostage-taking committed by guerrilla forces were registered in the department of Antioquia, although the real figure is believed to be higher as many cases are not reported to the authorities.

Reliable information about guerrilla abuses is difficult to obtain and verify. News reports often reproduce the official version of human rights abuses which have frequently proved misleading.



However, statistics compiled by independent national human rights agencies and non-governmental organizations indicate that the numbers of deliberate and arbitrary killings attributable to guerrilla groups has been rising in recent years. Although the majority of non-combat political killings, some 70%, are carried out by the armed forces and their paramilitary allies, around 30% are now believed to be committed by guerrilla forces.

Armed opposition groups frequently take hostages in exchange for ransom money which has become one of their principal sources of income. Other victims are held hostage for political motives, either to pressure the authorities to accede to guerrilla proposals or to demand publicity for their policies. A number of local officials, particularly mayors who are suspected of corruption or unjust social policies, have been taken hostage and subjected to "popular trials", to force them to resign or to "return" allegedly misused public funds. Some have been summarily executed by the armed opposition groups. Members of the armed forces who were *hors de combat* have also been killed, sometimes after "popular trials". On 13 August 1995, the corpse of **Luis Fernando Vallecilla Acosta**, a twenty-year-old soldier was found in the La Villa gorge in the municipality of San Carlos, department of Antioquia; he had been shot dead. On 11 August he was reportedly captured by members of the *Frente Carlos Alirio Buitrago del Ejército del ELN* - Carlos Alirio Buitrago of the ELN. Three hooded men had reportedly abducted him from a bus on which he was travelling to Medellín for medical treatment.

Members of the guerrilla forces who desert are frequently killed in reprisal. **Justiniano Borja López** was shot dead on the outskirts of the town of Frontino in the department of Antioquia on 20 June 1995. Local authorities allege that he was killed by the FARC for desertion. Civilians accused of collaborating with the security forces or paramilitary forces are also often the victims of deliberate and arbitrary killings. On 9 August 1995, **Orlega del Río Serna** was reportedly killed in the community of La Encarnación, municipality of Urrao, department of Antioquia, by members of the *Frente XXXIV de las FARC - XXXIV Front of the FARC*, who executed her "*tras sindicarla de ser colaboradora del Ejército Nacional*" - "after accusing her of being a collaborator of the Colombian Army". **Marco Antonio Marín** was killed on 25 April 1996 in the municipality of Segovia. According to a witness he was killed by "*supuestos integrantes de un grupo de milicias pertenecientes al ELN ... Antes de darle muerte, los supuestos milicianos lo sindicaron de auxiliador del presunto grupo paramilitar que cometió la masacre*" - "supposed members of a militia group linked to the ELN ... Before killing him, the supposed militia members accused him of being a collaborator of the supposed paramilitary group that committed the massacre".

### **Amnesty International's Recommendations to the Colombian Authorities and Armed Opposition Groups**

Amnesty International calls on the Colombian authorities:

To undertake full and impartial investigations into the cases of human rights violations detailed in this report committed by the security forces and their paramilitary allies, to ensure that the results of these investigations are made public and that those responsible be brought to justice.

To ensure that security force personnel against whom there is evidence of involvement in extrajudicial executions, "disappearances" or other human rights violations, should be prosecuted. This principle should apply no matter how much time has elapsed since the commission of the crime. Because of the persistent failure of the military justice system to

hold impartial trials, all investigations and trials should be in civilian courts. The perpetrators should not benefit from any legal measures exempting them from criminal prosecution or conviction.

To undertake full and impartial investigations into links between the security forces and illegal paramilitary groups and ensure that those members of the security forces found responsible for training, supporting, coordinating and collaborating with paramilitary groups be brought to justice.

To take immediate steps to ensure that paramilitary groups operating in the northeast of Antioquia are dismantled and that those members responsible for human rights violations be brought to justice.

To ensure that human rights defenders, including all members of independent human rights monitoring and reporting groups, receive the full protection of the law so that they can carry out their vital work. All instances of human rights violations directed against staff of such organizations must be fully investigated and the perpetrators brought to justice.

Amnesty International calls on all armed opposition groups operating in the northeast of the department of Antioquia to prevent their members from committing abuses and to publicly commit themselves to respect international humanitarian standards. In particular, the leadership of each guerrilla organization should take the following steps:

Order its fighters to treat humanely prisoners, the wounded and those seeking to surrender, whether the prisoners are civilians or members of the armed forces, and never to kill them.

Prohibit the deliberate and arbitrary killings of non-combatants under any circumstances.

Ensure that no captives are held as hostages. Immediate measures should be taken to identify any people so held and ensure their immediate safe release.

Ensure that individuals suspected of committing or ordering abuses such as deliberate and arbitrary killings, the taking of hostages or the torture or ill-treatment of captives, should be removed from any position of authority and all duties which bring them into contact with prisoners or others at risk of abuse.