

PUBLIC

AI Index: AMR 23/013/2009

15 May 2009

UA 127/09

Fear for safety

COLOMBIA

**Aída Quilcué (f), leader of Indigenous rights organization *Consejo Regional Indígena del Cauca* (CRIC), Cauca Indigenous Regional Council
Her daughter, aged 12
Other CRIC members**

Indigenous leader Aída Quilcué, who has been receiving protection ordered by the Inter-American Court of Human Rights since her husband was killed by soldiers in December 2008, is still in grave danger. Her 12-year-old daughter was threatened at gunpoint outside her house on 11 May. She, her daughter and other members of the organization she leads, the *Consejo Regional Indígena del Cauca* (CRIC), Cauca Indigenous Regional Council, are in grave danger.

Aída Quilcué's daughter was standing outside her house, in the hamlet of Clarete, municipality of Popayán, in the south-western department of Cauca, when she saw a car slowly approaching her. The car, with four men inside wearing civilian clothes, stopped in front of her. The man in the passenger seat pointed a gun at her; the driver told him to put the gun away because people were looking. Aída Quilcué's daughter ran into the house to tell the members of the Indigenous Guard, who were keeping watch on her, what happened. The Indigenous Guard are a non-violent, organized group of Indigenous volunteers in charge of organizing the protection of Indigenous communities from armed actors. The car then slowly moved off and stopped 30 metres away: the men inside looked back at the house, and then the car sped away.

Aída Quilcué's husband, Edwin Legarda, was fatally wounded when soldiers fired at the vehicle he was travelling in to collect her from the city of Popayán in Cauca Department. Edwin Legarda died in hospital: 17 bullet holes were found in the car. Aída Quilcué had been returning from Geneva, after attending the Human Rights Council's (HRC) Universal Periodic Review session on Colombia. At the HRC she had publicly raised concerns about human rights violations against Indigenous Peoples, including killings by the Colombian security forces. In Colombia, she had also played a prominent role in recent demonstrations by Indigenous People in support of land rights and in protest at human rights violations.

In April 2009 seven soldiers, including two junior officers, were arrested by judicial police investigating the killing of Edwin Legarda.

In response to the killing of Edwin Legarda, the Inter-American Court of Human Rights of the Organization of American States issued an order to the Colombian authorities on 14 January to provide protection to Aída Quilcué and 32 other members of the CRIC. The Colombian authorities have provided Aída Quilcué with security measures. Despite this, she and her family, and the other members of CRIC, are still in danger. Men have been seen watching and following them.

BACKGROUND INFORMATION

Colombia is home to dozens of distinct Indigenous Peoples. They are at particular risk from human rights abuses associated with Colombia's long-running armed conflict, including threats, killings and forced displacement. They are particular risk of attack largely because many live in areas where the conflict is most intense and which are rich in biodiversity, minerals and oil. Many Indigenous leaders have been threatened and killed by the parties to the conflict – the security forces, paramilitaries and guerrilla groups.

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

- calling on the authorities to take effective action to protect Aída Quilcué, her daughter and other members of the *Consejo Regional Indígena del Cauca*, in accordance with their wishes;
- calling on the authorities to order full and impartial investigations into the 11 May threat against the life of Aída Quilcué's 12-year-old daughter, publish the results and bring those responsible to justice;
- calling on them to continue with the investigation into the killing of Edwin Legarda, making sure that it is thorough and independent, identifies all those responsible and brings them to justice,
- calling on the authorities to produce policy and plans, in conjunction with human rights defenders, to guarantee their safety according to the principles of the UN Declaration on the Rights and Responsibilities of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, and to make these plans public.

APPEALS TO:

Vice-President

Dr. Francisco Santos Calderón

Vicepresidencia, Carrera 8A No 7-27, Bogotá, Colombia

Fax: +57 1 565 7682 (ask: "me da tono de fax por favor")

Salutation: Dear Vice-president Santos/Estimado Sr. Vicepresidente Santos

Minister of Foreign Affairs of Colombia

Dr. Jaime Bermúdez Merizalde

Calle 10 No 5-51, Palacio de San Carlos, Bogotá, Colombia

Fax: +57 1 562 7822

Salutation: Dear Dr Bermúdez/Estimado Dr. Bermúdez

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: Dear Mr Iguarán/Estimado Sr. Fiscal

COPIES TO:

Colombian Indigenous NGO,

Consejo Regional Indígena del Cauca (CRIC)

Calle 1 No4-50, Popayán

Departamento del Cauca

Cauca, 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 26 June 2009.